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

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## RADIO BROADCASTS
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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
## Members of the Senate

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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
GILLARD MINISTRY

Prime Minister
Hon. Julia Gillard MP

Deputy Prime Minister, Treasurer
Hon. Wayne Swan MP

Minister for Regional Australia, Regional Development and Local Government
Hon. Simon Crean MP

Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate
Senator Hon. Chris Evans

Minister for School Education, Early Childhood and Youth
Hon. Peter Garrett AM, MP

Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy

Minister for Foreign Affairs
Hon. Kevin Rudd MP

Minister for Trade
Hon. Dr Craig Emerson MP

Minister for Defence and Deputy Leader of the House
Hon. Stephen Smith MP

Minister for Immigration and Citizenship
Hon. Chris Bowen MP

Minister for Infrastructure and Transport and Leader of the House
Hon. Anthony Albanese MP

Minister for Health and Ageing
Hon. Nicola Roxon MP

Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP

Minister for Sustainability, Environment, Water, Population and Communities
Hon. Tony Burke MP

Minister for Finance and Deregulation
Senator Hon. Penny Wong

Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr

Attorney-General and Vice President of the Executive Council
Hon. Robert McClelland MP

Minister for Agriculture, Fisheries and Forestry and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP

Minister for Climate Change and Energy Efficiency
Hon. Greg Combet AM, MP

[The above ministers constitute the cabinet]
GILLARD MINISTRY—continued

Minister for the Arts
Minister for Social Inclusion
Minister for Privacy and Freedom of Information
Minister for Sport
Special Minister of State for the Public Service and Integrity
Assistant Treasurer and Minister for Financial Services and Superannuation
Minister for Employment Participation and Childcare
Minister for Indigenous Employment and Economic Development
Minister for Veterans' Affairs and Minister for Defence Science and Personnel
Minister for Defence Materiel
Minister for Indigenous Health
Minister Assisting the Prime Minister on Mental Health Reform
Minister for the Status of Women
Minister for Social Housing and Homelessness
Special Minister of State
Minister for Small Business
Minister for Home Affairs and Minister for Justice
Minister for Human Services
Cabinet Secretary
Parliamentary Secretary to the Prime Minister
Parliamentary Secretary to the Treasurer
Parliamentary Secretary for School Education and Workplace Relations
Minister Assisting the Prime Minister on Digital Productivity
Parliamentary Secretary for Trade
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary for Defence
Parliamentary Secretary for Immigration and Multicultural Affairs
Parliamentary Secretary for Infrastructure and Transport and Parliamentary Secretary for Health and Ageing
Parliamentary Secretary for Disabilities and Carers
Parliamentary Secretary for Community Services
Parliamentary Secretary for Sustainability and Urban Water
Minister Assisting on Deregulation and Public Sector Superannuation
Minister Assisting the Attorney-General on Queensland Floods Recovery
Parliamentary Secretary for Agriculture, Fisheries and Forestry
Minister Assisting the Minister for Tourism
Parliamentary Secretary for Climate Change and Energy Efficiency
Leader of the Opposition
Hon. Tony Abbott MP

Deputy Leader of the Opposition and Shadow Minister for Foreign Affairs and Shadow Minister for Trade
Hon. Julie Bishop MP

Leader of the Nationals and Shadow Minister for Infrastructure and Transport
Hon. Warren Truss MP

Leader of the Opposition in the Senate and Shadow Minister for Employment and Workplace Relations
Senator Hon. Eric Abetz

Deputy Leader of the Opposition in the Senate and Shadow Attorney-General and Shadow Minister for the Arts
Senator Hon. George Brandis SC

Shadow Treasurer
Hon. Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
Hon. Christopher Pyne MP

Shadow Minister for Indigenous Affairs and Deputy Leader of the Nationals
Senator Hon. Nigel Scullion

Shadow Minister for Regional Development, Local Government and Water and Leader of the Nationals in the Senate
Senator Barnaby Joyce

Shadow Minister for Finance, Deregulation and Debt Reduction and Chairman, Coalition Policy Development Committee
Hon. Andrew Robb AO, MP

Shadow Minister for Energy and Resources
Hon. Ian Macfarlane MP

Shadow Minister for Defence
Senator Hon. David Johnston

Shadow Minister for Communications and Broadband
Hon. Malcolm Turnbull MP

Shadow Minister for Health and Ageing
Hon. Peter Dutton MP

Shadow Minister for Families, Housing and Human Services
Hon. Kevin Andrews MP

Shadow Minister for Climate Action, Environment and Heritage
Hon. Greg Hunt MP

Shadow Minister for Productivity and Population and Shadow Minister for Immigration and Citizenship
Mr Scott Morrison MP

Shadow Minister for Innovation, Industry and Science
Mrs Sophie Mirabella MP

Shadow Minister for Agriculture and Food Security
Hon. John Cobb MP

Shadow Minister for Small Business, Competition Policy and Consumer Affairs
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
SHADOW MINISTRY—continued

| Shadow Parliamentary Secretary for Primary Healthcare | Dr Andrew Southcott MP |
| Shadow Parliamentary Secretary for Regional Health Services and Indigenous Health | Mr Andrew Laming MP |
| Shadow Parliamentary Secretary for Supporting Families | Senator Cory Bernardi |
| Shadow Parliamentary Secretary for the Status of Women | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Environment | Senator Simon Birmingham |
| Shadow Parliamentary Secretary for Citizenship and Settlement | Hon. Teresa Gambaro MP |
| Shadow Parliamentary Secretary for Immigration | Senator Michaelia Cash |
| Shadow Parliamentary Secretary for Innovation, Industry, and Science | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Fisheries and Forestry | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Small Business and Fair Competition | Senator Scott Ryan |
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Wednesday, 12 October 2011

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

COMMITTEES

Environment and Communications References Committee

Meeting

Senator KROGER: by leave—At the request of Senator Fisher, 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 today, from 9.35 am.

Question agreed to.

BUSINESS

Days and Hours of Meeting

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) (09:32): I move:

That—

(1) Divisions may take place before 12.30 pm on Monday, 31 October 2011 and 7 November 2011.

(2) On Wednesday, 12 October 2011:

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

(b) the consideration of government documents shall not be proceeded with; and

(c) the question for the adjournment of the Senate shall be proposed after all questions relating to the introduction of the Clean Energy Bill 2011 and 17 related bills have been finally considered.

This motion ensures that the Senate has the capacity to introduce the clean energy package into the chamber today. It allows time for the message to come across from the House, which will occur at some point today. This hours motion allows that message to be disposed of so that the bills are then available for debate in the period that has been set aside in the next couple of weeks.

I anticipate the opposition will oppose this motion. They will again revisit the many arguments that they have already run. Their position of opposing the bills is quite well known. They do not want the legislation to be dealt with in the House and they do not want them to be dealt with in the Senate. They are using every procedural device to avoid the debate and to avoid the passage of this legislation. It is historic legislation. The opposition—

Opposition senators interjecting—

Senator LUDWIG: I hear the interjections. The chamber of course is familiar with the opposition arguments. In recent weeks, in addition to speaking against procedure motions such as this one on the clean energy bills, the opposition have also used every possible MPI to condemn the emerging consensus of the parliament on the need to place a price on carbon.

Opposition senators interjecting—

Senator LUDWIG: That the opposition are still denying that there is consensus, as we hear across the chamber today, is quite remarkable. They are now taking every opportunity to oppose what is simply a procedural motion that would be unnecessary if they were to treat the message as they would any other message that comes across from the House and is usually introduced and dealt with. We now hear from the opposition that they cannot even allow the usual message procedures of this house to be dealt with. That is why I now go to the extreme of putting in an hours motion to allow the message to come across. What that means is
that those opposite are going to waste the Senate's time by arguing the same argument on procedural motions again and again.

The government maintains that these bills have had detailed scrutiny over the past year, with the policy issues subject to literally dozens of committee inquiries over the past 20 years. The issues are well settled. It is time to get on with the business of dealing with the legislation and of responding to the legislation. Those opposite do not need to take up the procedural issue to argue their case. They will have ample time set aside during the second reading debate for their speeches to argue their case. That is the appropriate time and place for that argument to be had. They will be able to use the time available, their 20 minutes, to argue these matters, as they have done in the past. Should it be passed, the hours motion will allow the message to come across so that the bills will be available for the debate. But we know that the opposition will take up the same argument at every opportunity. We will hear it again and again even during procedural motions on matters that this Senate would otherwise allow to come across as a simple message and be dealt with according to the usual Senate principles. Those opposite are condemning themselves by opposing legislation on which there is a consensus in this place.

I do not intend to take up the same time, but I encourage those opposite to confine themselves to the procedural matters of the Senate. In fact, even this one would be unnecessary if those opposite had taken the usual course of allowing these bills to come across from the House and be introduced so that they could put their case, so that they could use the time that the Senate has set aside for the bills to be debated. We now know that the clean energy bills have passed the third reading in the House, and so they will shortly be available to come across so that there is an opportunity for the Senate to take its time. With that short address, I would encourage those opposite to confine themselves just to the procedural motion.

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (09:37): I can satisfy the manager of government business. He is correct: we will be opposing this motion, and we will be opposing it for the same reason that we opposed the other motions to vary hours, the same reason that we opposed the motion for an extra week of Senate sitting, the same reason that we opposed the motion giving effect to the sham committee that Senator Cormann and Senator Birmingham were forced to participate in but where they did a magnificent job. It is for the same reason that we will be opposing this motion—and that is, to support any of those motions to vary hours, to have the Senate sit an extra week or to set up a sham committee would be to be complicit in the Australian Labor Party's breach of faith with the Australian people. That is what the government has asked us to do time and again—to be complicit in and to help facilitate the breaking of a solemn election commitment.

Let's go back to the last election. Each and every time that we debate procedural motions in this chamber in relation to the carbon tax, we have to go back to the last election campaign, when the Prime Minister put her hand on her heart and made that solemn declaration to the Australian people that 'there will be no carbon tax under a government I lead'. We have to come back to that each and every time, because it is as a result of the repudiation of that solemn election commitment that we find ourselves in this chamber today debating this motion.

It was not just any old commitment that the Prime Minister gave. It was a solemn commitment. It was a commitment without
qualification. Often when a political leader makes a commitment they will bracket it with qualifications, depending on particular circumstances, depending on an election result, depending on the state of the budget at the time that they gain office. But there were no such qualifications in the case of the Prime Minister's carbon tax commitment, so we cannot allow the government to seek to make this chamber complicit in facilitating the breach of an election commitment.

I have to say, some of the most bizarre things I have heard since I have been in this place were the words from Mr Graham Perrett from the other place. Yesterday he said: 'I can't possibly countenance a change of Prime Minister. I can't possibly countenance that, because that would be a breach of faith with my constituents. I broke faith with them once before because I backed Kevin Rudd. Kevin Rudd was our leader. They voted for me firstly thinking Kevin Rudd would be Prime Minister, but then I breached faith with them by being part of the Australian Labor Party which changed the leader that the people had elected. So I can't breach faith with the public again. Not doing so would be a breach of faith.'

That is pretty tortured logic, you must admit, Mr Deputy President. Talk about swallowing a camel and straining out a gnat, to quote the Bible. What is the greatest breach of commitment which we have seen in recent Australian political history? It is that of the Prime Minister, that 'there will be no carbon tax under a government I lead'. Yet Mr Perrett thinks, 'That's okay—that doesn't matter.' It is just a minor policy issue to him. 'No, no—the great matter before the Australian public at the moment is that I can't breach faith with my electorate because they thought Julia Gillard was going to become the Prime Minister.'

I have to explain to Mr Perrett and probably members of the Australian Labor Party more generally how our system of government works. Individuals in electorates do not vote for party leaders; they vote for the candidate in their local seat. That is what they do. The role of the party leader is to articulate the party platform, the party policy, and that is what Ms Gillard did. She did her job. She articulated the party policy, which was that there would be no carbon tax. So I think Mr Perrett really needs to understand how our system works and that it is in fact his leader who has breached faith with the Australian public. I hope those opposite and Mr Perrett find that explanation helpful, because they certainly need it.

I do agree with the Manager of Government Business that this is historic legislation. He stated that and he is right. This is historic legislation, because we have not seen legislation that will have such a detrimental effect on the Australian economy being introduced by an Australian government. The government readily concede that this legislation will increase the cost of living. They readily concede that electricity prices will go up by at least 10 per cent. They readily concede that businesses will take a hit. We might disagree with them about the magnitude of that hit, but even the government concede that this will make life harder for businesses, that business input costs will go up. Even the government concede that over the next several decades there will be the equivalent of a $1 trillion hit on the Australian economy, roughly equivalent to one year's economic output for Australia. Governments are meant to be in the business of making life easier for businesses. Governments are meant to be in the business of improving the standard of living and the quality of life of Australians.
So this is indeed historic legislation where our government is consciously and deliberately seeking to harm businesses, seeking to harm households, seeking to damage the Australian economy. Minister Ludwig for once nailed it: this is historic legislation. I do differ with him when he says that we should not be having this procedural debate because the need for a carbon tax is well settled. He said that we have been having this debate for 20 years. I have heard Mr Albanese say that there have been 38 parliamentary inquiries into the carbon tax legislation—wrong, completely wrong. A carbon tax as a concrete proposition before the Australian people has only been there for a matter of months. There was not even a carbon tax as a concrete proposition before the Australian people at the last election. That is the whole point: the Prime Minister fibbed. There was no concrete proposition for a carbon tax before the Australian people at the last election.

Senator Abetz: It was specifically ruled out.

Senator FIFIELD: It was specifically ruled out. So it is absolute rubbish when we hear time and again from Mr Albanese and time and again from Minister Ludwig that this issue is well settled, that we have had 38 parliamentary inquiries into a carbon tax and that a carbon tax is something which has really been debated for 20 years. What absolute rot! That is their defence for the fact that they are seeking to rush into this place legislation that seeks to breach a solemn election commitment.

This government just do not get it. They are determined to force onto the Australian people something which the Australian people do not want. The Australian people made it clear at the ballot box. All bar one or perhaps two members of the House of Representatives were elected on a platform of there not being a carbon tax, so the Australian people made it clear at the ballot box at the last election that they do not want a carbon tax. The Australian people have made it clear in just about every opinion poll. We should not slavishly follow the polls. We should not be led by the polls. We are political leaders. It is our job to articulate a case and to prosecute it with the Australian public regardless of whether it enjoys majority support or not. But it is a very arrogant government that does not take heed at least of the pattern and trend in every single opinion poll in relation to the carbon tax. That is the height of arrogance by any government.

We recognise that the government, having broken their solemn commitment to the Australian public, succeeded only a matter of minutes ago in getting the carbon tax legislation through the House of Representatives. It is indeed a very dark day for Australia when a government that was formed on the back of a lie has completed its first challenge—getting this legislation through the House of Representatives. They are halfway there. They are halfway through the process of breaching their election commitment, so this is a very dark day. No doubt Labor members over in the other place will be celebrating today. They will be cheering. They will probably be walking out and doing doorstops saying what a terrific day this is for the environment and what a terrific day this is for the Australian economy, but we know from the great work done by Senator Cormann in the Senate Select Committee on the Scrutiny of New Taxes that this tax will produce economic pain and no environmental gain. Sadly, that legislation has passed through the House of Representatives. I guess there is one upside of that—that is, the name of each and every member who voted for that legislation, the name of each and every member who broke
their solemn commitment to the Australian public, will be recorded for the voters to look at at the next election.

Even though the legislation has passed through that place, we still have a job to do in this chamber. Minister Ludwig says: 'What is the point of a debate? What is the point of discussing the legislation in this place? You on the other side have already decided what you are going to do.' Yes, that is right; we have already decided what we are going to do. We are going to oppose this legislation. But even where it may be a foregone conclusion this chamber still has a job to do to apply scrutiny, to air issues and to put the focus on government hypocrisy.

Part of the role of this chamber is to hold the government of the day to account. Where a government has breached a commitment, we should take the appropriate time to focus on that, to highlight it and to ask again and again why the government felt the need to breach its election commitment. We make no apology for that. As an opposition in the Westminster system, we have the job of holding the government to account and we are doing that. More broadly, this chamber also has the role of providing scrutiny. This chamber also has a role as a house of review, regardless of the partisan positions on a particular issue. We are determined to do that, even if those on the other side of the chamber are not.

We know those on the other side of the chamber are not committed to even a modicum of scrutiny in this place because of the way that they treated the committee inquiry process in relation to the clean energy package. It is usual in this place, where we have significant legislation, for that legislation to be considered by the committees of the Senate. That is why they are there; that is why they were established. Historically, this chamber has not taken much notice—quite rightly—of what they do in the other place. If they want to have their own committee inquiries, terrific. If there are joint committee inquiries, great. But that does not dictate or determine what the committees of this Senate do. So it was extremely disappointing when this chamber voted against the proposal of senators on this side that we refer the carbon tax package legislation to each of the Senate committees to inquire into those areas for which they have jurisdiction.

That is pretty much what happened when the goods and services tax was being looked at. When the new tax system legislation was introduced, there were numerous Senate committees that met simultaneously and looked at different aspects of the goods and services tax legislation. That legislation was not nearly as far-reaching as the carbon tax package. So, if it was good enough for the new tax system legislation and if it was good enough for the GST legislation to go through that exhaustive inquiry process over a period of some five months, then how much more appropriate and necessary is it that the committees of the Senate examine the carbon tax legislation in this place. Instead we had what I refer to as the 'sham committee'—the committee which was racked and stacked. It was racked in that it had those carbon tax bills—19 of them—racked up to go into the one committee. It was stacked in terms of its membership; the conclusion was foregone. The committee met for two weeks was it, Senator Cormann?

Senator Cormann: One week.

Senator FIFIELD: One week! Sorry, I was being too generous. One week of inquiry by one committee on a package of 19 bills which will have the most far-reaching effects on the Australian economy. One week, Mr Deputy President. I can see you are incredulous, but it is true.
Those opposite have proposed, and we will now have, an extra sitting week in the Senate to scrutinise this legislation. That is meant to demonstrate how committed they are to scrutiny, but it is a pretty weird approach where you say, 'We are going to give you an extra week but we are going to guillotine debate.' How does that work? You give with one hand and take with the other. We are against that extra week because, again, we would be complicit in the facilitation of the breach of an election commitment. And one week is not enough anyway. This legislation should be looked at for a minimum of four or five months. That is what should happen if we are to perform our duty as legislators—something which those opposite do not have the slightest interest in.

We all know what should actually happened—that is, those opposite should withdraw this motion, they should withdraw the subsequent motion on exempting these bills from the cut-off and they should discharge this legislation from the parliament. They should then have the Prime Minister go to Yarralumla—in fact, that might suit her at the moment as she might avoid something which may or may not take place in a few weeks—and she should say to the Governor-General: 'I have made a bit of a blue, a bit of a blunder. I told a fib to the Australian people. They're not happy about it. It would be unconscionable for me to continue to pursue this legislation through the Australian parliament. Therefore, Governor-General, I'm asking you for an election because I think the Australian people deserve to have their say on the carbon tax.' I think the current situation, where the government is completely incapable of governing—not through any fault, I might say, of the opposition. If anything, we are probably a little too cooperative at times for our own good. So, no fault of the opposition—

Senator Ian Macdonald: Hear! Hear!

Senator FIFIELD: I hear Senator Macdonald, for whose benefit that remark was made. But the Prime Minister should say to the Governor-General: 'We can't do anything properly. We are incompetent. We are a hopeless government.' Whether it is because of pink batts, school halls, the Green Loans scheme, cash for clunkers, border protection or, for that matter, breaching fundamental election commitments like not introducing a carbon tax, she should say, 'Governor-General, for all these reasons please grant me an election.' That is the procedural matter which should be attended to today. It should not be the motion which is before us, which is seeking the indulgence of the chamber and seeking the connivance of the opposition to facilitate the breach of promise to the Australian people. It is not an indulgence we will grant the government. It is not a connivance we will take part in.

This is a very sad day; this is a very dark day for the Australian people with that legislation having passed the House of Representatives. But we, on this side, despite the matter having been lost in the other place, will continue to fight this legislation. We will continue to fight every motion and procedure which seeks to facilitate it. It is not too late for those opposite to say what is really in their hearts and to act on it—that is, they have breached faith with the Australian people. They should not proceed. They should go to their leader and say: 'We need to abandon this. Not only is it electoral suicide for us but it is morally wrong to continue down this path of breaching faith with the Australian public.' That is what they should do if the Australian Labor Party want to regain some decency of the Labor Party of old. We will be opposing this motion.
Senator LUDWIG: I move:
That the question be now put.

Question put.
The Senate divided. [10:02]
(The Deputy President—Senator Parry)
Ayes.......................34
Noes.......................29
Majority................5

AYES
Arbib, MV
Bishop, TM
Cameron, DN
Collins, JMA
Di Natale, R
Faulkner, J
Gallacher, AM
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

NOES
Abetz, E
Back, CJ
Boswell, RLD
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Joyce, B
Macdonald, ID
McKenzie, B
Parry, S
Ronaldson, M
Scullion, NG
Xenophon, N

PAIRS
Brown, CL
Conroy, SM
Evans, C

Hogg, JJ
Wong, P

PAIRS
Hogg, JJ
Boyce, SK
Wong, P
Birmingham, SJ

Senator Feeney did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

Original question put:
That the motion (Senator Ludwig's) be agreed to.

The Senate divided. [10:09]
(The Deputy President—Senator Parry)
Ayes.......................35
Noes.......................27
Majority................8

AYES
Arbib, MV
Bishop, TM
Brown, RJ
Carr, KJ
Crossin, P
Di Natale, R
Farrell, D
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Ludwig, JW
Marshall, GM
McEwen, A (teller)
McLucas, J
Milne, C
Moore, CM
Pratt, LC
Sherry, NJ
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

NOES
Adams, J
Bernardi, C
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Heffernan, W
Johnston, D
Kroger, H (teller)
Mason, B

PAIRS
Adams, J
Bernardi, C
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Heffernan, W
Johnston, D
Kroger, H (teller)
Mason, B
Nash, F
Payne, MA

Back, CJ
Boswell, RLD
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Joyce, B
Macdonald, ID
McKenzie, B
Parry, S
Ronaldson, M
Senator Feeney did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.


Leave not granted.

Consideration of Legislation

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) (10:12): I 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:

Clean Energy Bill 2011 and related bills
Steel Transformation Plan Bill 2011.

I table a further statement of reasons justifying the need for these bills to be considered during these sittings. I seek leave to have the statement incorporated into Hansard.

Leave not granted.

Senator LUDWIG: Then I shall read out the reasons for urgency:

The Steel Transformation Plan has been negotiated with industry in the context of the introduction of a carbon price and needs to be in place by commencement of the Carbon Price Mechanism. The clean energy legislation package is expected to be introduced around the third week of the 2011 Spring sittings.

Eligible steel industry entities are expected to be covered by the Carbon Price Mechanism from its commencement on 1 July 2012. Funding under the Steel Transformation Plan needs to be available from the beginning of this period in order to ensure adequacy of transitional support to meet the impacts of a carbon price on the steel industry.

It is also necessary that funding be available for steel industry entities in a timely manner to ensure that entities undertaking innovation, investment and productivity which result in emissions abatement can effectively reduce costs under the Carbon Price Mechanism.

Passage of enabling legislation in the 2011 Spring sittings will provide sufficient time for steel industry entities to prepare systems and procedures for complying with plan and to consider which activities to undertake in order to secure grant funding.

Sufficient time will also be needed to establish systems to administer the Plan and engage effectively and efficiently with steel industry entities covered, and to establish any additional systems required to deliver grant funding.

Given the procedural motion that has already passed, we have the hours in place. We are now proposing to exempt the bills from the cut-off so that we can, when the message comes across from the House to deal with the legislation, have the debate in relation to the substantive matter in the period set aside. Again, I do not intend to go through the substantive issues. It is clear that the opposition have continued to maintain their complete opposition to the procedural motions and to the substantive motions and will continue to argue and filibuster in this place. Given that, there seems to be little point to extending this any further. We do have other legislation that we need to get on with today. There are bills on the Notice Paper that we should deal with, so on that basis I move:
That the question be now put.

Question put.

The Senate divided. [10:19]

(The Deputy President—Senator Parry)

Ayes...............34
Noes...............30
Majority............4

AYES

Arbib, MV
Bilyk, CL
Bishop, TM
Brown, CL
Brown, RJ
Collins, JMA
Carr, KJ
Cameron, DN
Carrington, P
Di Natale, R
Farrell, D
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Ludlam, S
Ludwig, JW
Singh, LM
Marshall, GM
McEwen, A (teller)
McLucas, J
Milne, C
Moree, CM
Pratt, LC
Rhiannon, L
Siewert, U
Sterle, G
Thistlethwaite, M
Wright, PL

NOES

Abetz, E
Adams, J
Back, CJ
Birmingham, SJ
Boswell, RLD
Cash, MC
Colbeck, R
Cormann, M
Edwards, S
Eggleston, A
Fawcett, DJ
Ferravanti-Wells, C
Fifield, MP
Fisher, M
Heffernan, W
Humprhies, G
Johnston, D
Joyce, B
Macdonald, ID
Madigan, JJ
Mason, B
McKenzie, B
Nash, F
Parry, S
Payne, MA
Ronaldson, M
Ryan, SM
Scullion, NG
Williams, JR (teller)
Xenophon, N

PAIRS

Conroy, SM
Kroger, H
Evans, C
Bernardi, C
Hogg, JJ
Boyce, SK
Sherry, NJ
Bushby, DC

PAIRS

Wong, P
Brandis, GH

Senator Feeney did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (10:22): I seek leave to move a motion of censure in the following terms, 'That this Senate censure the Labor-Green alliance’s unprincipled use of their numbers to stifle debate that involves the national interest.'

The DEPUTY PRESIDENT: Senator Abetz, I have been advised that I cannot entertain a motion of that nature considering the result of the previous motion. The next question needs to be put first. The question now is that government business notice of motion No. 2 be agreed to.

Original question put:

That the motion (Senator Ludwig’s) be agreed to.

The Senate divided. [10:27]

(The Deputy President—Senator Parry)

Ayes...............34
Noes...............30
Majority............4

AYES

Arbib, MV
Bilyk, CL
Bishop, TM
Brown, CL
Brown, RJ
Collins, JMA
Carr, KJ
Cameron, DN
Crossin, P
Di Natale, R
Farrell, N
Faulkner, J
Furner, ML
Gallacher, AM
Hanson-Young, SC
Ludlam, S
Ludwig, JW
Singh, LM
Marshall, GM
McEwen, A (teller)
McLucas, J
Milne, C
Moree, CM
Pratt, LC
Rhiannon, L
Siewert, U
Sterle, G
Thistlethwaite, M
Urquhart, AE

Wright, PL
AYES
Waters, LJ
Wright, PL

NOES
Abetz, E
Adams, J
Back, CJ
Bernardi, C
Birmingham, SJ
Boswell, RLD
Cash, MC
Edwards, S
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Fawcett, DJ
Fisher, M
Fifield, MP
Johnston, D
Joyce, B
Kroger, H
Macdonald, ID
Madigan, JJ
Mason, B
McKenzie, B
Payne, MA
Ronaldson, M
Scullion, NG
Williams, JR (teller)
Xenophon, N

PAIRS
Conroy, SM
Evans, C
Hogg, JJ
Sherry, NJ
Wong, P

Ryan, SM
Heffernan, W
Brandis, GH
Boyece, SK
Bushby, DC

Senator Feeney did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

MOTIONS
Gillard Government

Censure

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (10:28): I seek leave to move a motion of censure in the following terms, 'That this Senate censure the Labor-Green alliance's unprincipled use of their numbers to stifle debate that involves the national interest.'

Leave not granted.

Senator ABETZ: I move:

That so much of the standing orders be suspended as would prevent the Leader of the Opposition in the Senate moving a motion to provide for the consideration of a matter, namely a motion to give precedence to a motion of censure of the Labor-Green alliance's unprincipled use of their numbers to stifle debates that involve the national interest.

Five out of six senators from each state of the Commonwealth of Australia were elected at the last election on a promise of no carbon tax. Two out of two senators for each of the territories were elected on a promise of no carbon tax. One hundred and forty-eight members out of the 150 House of Representatives members were elected on a promise of no carbon tax.

So today the Australian people are quite rightly asking: why is it that the carbon tax legislation has been carried through the House of Representatives? There is nobody in Australia who believes that Ms Gillard would be the Prime Minister of this great nation if she had said there would be a carbon tax under a government she led. With six days to go before the last election, with the polls indicating a very, very close result, Ms Gillard and the Labor Party collectively stared down the camera lens and said to the Australian people, broadcast into their living rooms through the mechanism of a television, that there would be no carbon tax.

They have betrayed the Australian people. They have deceived the Australian people. When we said at the last election that you could not trust Labor on this, they got out their hapless Deputy Leader, Mr Swan, who said we were being hysterical. Today we know we were historical, because history has recorded that Labor has done exactly that which we predicted. What is the saying: Oh, what tangled webs we weave when we set out to deceive? That is what Labor have got themselves into. Having deceived the Australian electorate, they are now entangling themselves more and more in the corruption of the democratic process in this
country. That is why they cannot accept any debate on this matter. That is why they want to stifle and gag debate.

We also have the Australian Greens, those great champions of freedom of speech—except when it attacks the Greens. Then we will have an inquiry into the media and they will have an inquiry into whatever else. Senator Brown could not even defend the Greens' position. That is why—possibly in a disorderly manner, Mr Deputy President—I said to the Leader of the Australian Greens that the tie he is wearing today is very apt, except that it should have been on his back, because that yellow stripe of cowardice is what the Greens have displayed today by not being willing to justify on the public record why they have moved the gag on a matter that is so important.

Let us not forget the carbon issue was sold to the Australian people originally as the 'greatest moral challenge of our time'. It now seems the 'greatest moral challenge of our time' somehow allows the greatest deceit of our time; the greatest, unprincipled and unprecedented gagging of debate in this Senate somehow is allowed. The simple fact is the Labor Party can twist and turn as much as it likes, but members know that the only reason that they are in government, albeit by their fingernails, is that they promised there would be no carbon tax—something that they are now trying to ram through this place in such an unprincipled manner that they would gag debate. They have done so twice already today.

If the carbon tax is such a great policy and initiative, why did not Labor say that during the last election? What was their difficulty in saying to the people of Australia: 'This is a great idea and we will implement it. We will do it.' They said the exact opposite. Confronted with their deception of the Australian electorate, they are compounding their unprincipled behaviour by seeking to gag every single debate in relation to this matter. We will not stand for it. We will, as a coalition, stand up for the Australian people. We will give expression to their voice as they want it heard, unlike what Labor and the Greens did in cutting out all those submissions to the Joint Select Committee on Australia's Clean Energy Future Legislation. (Time expired)

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (10:35): Generally, you can judge a contribution by the level of sound and fury and the absence of facts. Senator Abetz really does take the cake. He seeks to censure the government on the basis of us seeking to facilitate debate on the clean energy bills. The Liberal-Nationals opposition have made it clear that they will oppose everything. They will seek to delay, filibuster and do anything they can procedurally to prevent the debate. Why? Because they have nothing to contribute to the debate. They have nothing to say. They have no amendments, no constructive contribution to the debate. All they can do is hide behind delay, delay, delay and procedural arguments. They have nothing to say about the policy.

For Senator Abetz and the Liberal Party to come in here and try to lecture us about abuse of the Senate and about the procedural matters of the Senate is an absolute disgrace. What a hide for you to come into this chamber, Senator Abetz, and try to lecture us. We remember Work Choices and the way you rammed through legislation week after week, month after month, abusing your majority in this place.

Senator Ian Macdonald: I rise on a point of order, Mr Acting Deputy President.
Senator Evans has been here long enough to realise that he should not be addressing senators individually across the chamber and that his remarks should be through the chair. I ask you to bring him to order.

The ACTING DEPUTY PRESIDENT (Senator Ludlam): I ask the minister to pay the usual courtesies.

Senator CHRIS EVANS: Thank you, Mr Acting Deputy President. I again highlight the fact that all the Liberal Party has to contribute to this debate is process, points of order and delay. Do you know what we are debating? We have already debated this morning to extend the hours, which the Liberal Party opposed, in order to ensure that we can bring into this parliament the clean energy bills—the bills that were passed in the House of Representatives half an hour ago. We have given the Liberal opposition months of warning about these bills. The time frame was made public months ago and the opposition have known exactly the plan for bringing them before the parliament. We have scheduled an extra week of the parliament to facilitate debate on the bills. The procedure and the time frame have all been laid out. The Liberal Party's position is that they oppose everything. They do not have anything to contribute but they are going to try to prevent the parliament debating these bills. They are continuing their policy of trying to prevent this parliament dealing with legislation. The parliament saw an outrageous filibuster on the student services legislation as senator after senator came in not to debate amendments, not to debate the subject matter, but to delay the Senate dealing with it. We have had more MPIs moved by this opposition than any other opposition in the history of the parliament. We have had less legislative time than any other government because the Liberal opposition have taken every opportunity to delay the legislative program.

Today we have a debate about process, as the opposition demonstrate once again that all they have is the ability to oppose. All they have is negativity and opposition but they have nothing to say about policy, nothing to say about the great debates that this country is engaged in. The Labor government make it clear that we are facilitating debate on these bills. We are allowing the Senate the time needed to enable all senators to debate these bills. The reason we have to move these procedural motions is to ensure that that debate occurs. We will move more motions to facilitate debate. We made an offer to the opposition to have a cooperative approach on this, and that was knocked back. I made the offer to Senator Abetz to allow every senator to make a proper contribution to the debate. But they have not agreed to that, and they have rejected that approach. They have been told by their leader, Mr Abbott, to oppose, oppose, oppose; disrupt, disrupt, disrupt. They have been told to contribute nothing but opposition to the debate. The government will continue to pursue the procedures that allow us to facilitate proper debate in the Senate, and the Liberal opposition have to decide whether they have anything constructive to contribute to the debate. (Time expired)

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (10:40): It is a disgusting day when the Greens, who were the paragons of virtue and were allowing open and transparent debate to enable all sections of the chamber to take part in the carbon tax debate, become part of a guillotine process so that one political party in Australia and the Independents cannot be part of the debate—no-one can be part of the debate because the Greens have changed. It is a new paradigm. The paragons of virtue have now descended the greasy pole to be
just like everybody else. I bet there are a few Democrat voters out there who wonder where they have ended up in supporting the Greens. There used to be a sense of honour in here, but they have taken it and trashed it.

Just like the deceit with the carbon tax, they are saying one thing while being something else. The Greens today have shown that they say one thing out there but are entirely something else. When leave was sought for the making of a brief statement, even that was denied. That is where this whole debate has got to. They are running and hiding because this whole tax is such a debacle, such a fiasco. It is disturbing that, because the Greens have chosen to adopt this attitude, we are denying not just political parties but the people of Australia the chance to be involved in and hear the debate in all its complexity, with all its nuances. The Greens exude this almost nauseating faux nobility, but when you put them to the test it is the same party that denied Annette Harding the chance to have an inquiry into her rape and it is the same party that is now denying opportunity for debate. That is the Greens; that is who we have; that is what they have become.

The Australian people are very uneasy about this carbon tax. We had a demonstration in support of the tax out the front of Parliament House, but there were more placards than people—no one turns up; the support is all contrived. In a couple of weeks time I am going to sell a mob of cattle and I am going to tell the truck driver to take them to Dubbo. I expect the cattle to end up in Dubbo. I will certainly be disappointed if he decides instead to take them to Weabonga and just let them go in the hills. It is exactly the same thing—when you have a contract with the Australian people, their expectation is that you will take them to a certain position, and the position this government said it would take them to was that there would be no carbon tax under the government this Prime Minister led. Instead, the government took the people to the hills and just let them go. Then Graham Perrett goes out and says they will not change the truck driver. It does not matter about the truck driver; it is the destination that matters—in this case the destination that those opposite are taking this nation.

This is why it is so vital that we turn this around. In these times of uncertainty, with what we are seeing in Europe and what we are seeing America, what the government is doing to this nation is culpable. Those opposite know that and that is why they are guillotining; that is why they are shutting down debate; that is why they are not allowing the Australian people to have their proper say. It is ludicrous to say that we have had a chance to look at this legislation. We have not. The government has wrapped it and stacked it and brought it in here in a bundle. If we asked those opposite to quote sections of it or to go to the pertinent parts of it, they would not know it themselves—they would not have a clue. It is going to come in here because they want out—they have other things to deal with. They have to work out whether Mr Rudd is coming back and whether he is going to take out the Prime Minister. This is the whole soap opera that our nation has become under these people. It is a disgusting, hopeless approach to government. Every facet of this government is now a total and utter debacle.

What about regional Australia? The government inquiry went to Melbourne and to Sydney and to Canberra, but who did they talk to? They talked to their mates. The big banks are going to be happy—soon they are going to get this massive commission stream which the Greens will bring into place. The Greens are supporters of big banks and big banks' commissions. I am surprised to see Senator Rhiannon is going to be supporting
the big banks in getting billions of dollars of commissions out of struggling working families, out of people who currently cannot afford their power and out of people who currently cannot afford the daily necessities of life.

This is where the nation is going. Is it going to change the climate? No. We have asked Minister Wong this question 600 times and never once have we got an answer. How much will this change the temperature of the globe? The answer is absolutely not at all. It is merely a gesture and in the cruelest form will be delivered to people who cannot afford it. They are going to be lumbered with it for life, and the absolute insult is they listen to you now and they are hearing you shut down the debate because you are scared. You are running, but you are not going to hide—we are going to flush you out.

Senator SIEWERT (Western Australia—Australian Greens Whip) (10:45): Here we have the opposition complaining about the use of the guillotine and the gag. We have done some research and established that the Howard government used the guillotine 116 times—let me repeat that: 116 times—for such legislation as the Telstra privatisation legislation; the migration excision legislation; the wheat marketing legislation; Work Choices, which I will come back to in a minute; Welfare to Work and the Northern Territory emergency response. In other words, the opposition have used this guillotine many times. I know they will complain about amendments being brought in, but who remembers, under Work Choices, 100 pages of amendments being delivered 20 minutes before we started the debate in committee? The opposition knows how this place works. They have been there and they have done it before, so to start carrying on about its use when 116 times—

Opposition senators interjecting—
the opposition were in government, so they know very well that they are using this to block an important debate on carbon legislation that has far-reaching implications. Yes, we know it has far-reaching implications because we need to accept that we need to change the way we do business in this country if we are going to address this absolutely imperative issue. As I said, they do not come up with anything new; they just say the same thing over and over again.

Like Janelle Saffin said the other place last night: it is like Groundhog Day. I thought it was a very good example to use. The point she made is that in Groundhog Day Bill Murray actually learned each time it came around. The opposition do not seem to learn. They are still buried in the dinosaur past. They are not looking at what the opportunities are or the way we need to move forward in this country. I suppose that is what they want to do. They just want to keep entrenching business as usual and not put in place measures as to how we can develop in the future. People can see what those opposite are up to.

Senator Cormann interjecting—

**Senator SIEWERT:** Senator Cormann, if you want to have a say then put yourself next on the list.

**Senator Cormann:** I am on the list. What a good idea.

**Senator SIEWERT:** Fortunately there are only two more speaking spots left on this. As I said, the opposition have used this guillotine 116 times for legislation that also had far-reaching impacts.

**Senator Brandis:** How many times did you vote for it?

**Senator SIEWERT:** How many times do I have to keep repeating this? We have had a lot of debate on this and we are going to have two more weeks of debate—we have put aside an extra week to ensure that we are talking about this some more. They will have plenty of time to explore this legislation, as they have had in other inquiries. They did not participate adequately in a number of the opportunities that were provided to them to thoroughly explore this because they were so entrenched in opposing it rather than looking at exploring how this will make a difference.

**Senator XENOPHON** (South Australia) (10:50): I will only need a minute of the Senate's time to set up my position in relation to this motion. For the 11 or so people who may be listening on NewsRadio in relation to this, what is at stake here is whether there ought to be a suspension of standing orders to debate the coalition's censure motion. That is the issue; it is a procedural motion. I think there ought to be a suspension of standing orders. Whether you agree or disagree with the intent of the censure motion it is an important issue and there ought to be debate on it. It is a fundamental issue. It does not mean that I necessarily support the censure motion in its current form, but I do have serious reservations about the way that this debate has been handled and the fact that there will not be a Senate committee to look at this, as is normally the case with such fundamental pieces of legislation.

It does not matter who guillotined what, who guillotined whom over previous legislation or who did what to whom. The issue is: is it fair? Is it reasonable that there be a debate on a censure motion? In order to do that you need a suspension of standing orders. It is a fundamentally important issue, whether you agree or disagree with the censure motion. I believe this Senate ought to agree to a suspension of standing orders to deal with such a contentious and important issue.
Senator CORMANN (Western Australia) (10:52): The Gillard Labor government is treating the Australian people with absolute contempt. There can be no more emphatic promise made by a Prime Minister in the shadow of an election—five days away from an election—than the promise made by the Prime Minister, Julia Gillard, when she said, 'There will be no carbon tax under the government I lead.' And, of course, this morning in the House of Representatives Labor members were kissing and dancing, celebrating in the aisles, celebrating their betrayal of the Australian people.

This whole debate about the carbon tax, as the Prime Minister wanted to remind us today, has been going on for some time. This has been debated over the last three or four years. The Australian people were entitled to believe that the Prime Minister had come around to their view. The Australian people were entitled to believe, in the lead-up to the last election, that the Prime Minister, having debated the arguments for and the arguments against a carbon tax, had come to the view that a carbon tax was not in the national interest. Given the debate over the three years of the last parliament and given the emphatic promise made by the Prime Minister and repeated by the Deputy Prime Minister and Treasurer in the lead-up to the last election, the Australian people, as they were casting their ballot papers, were entitled to believe that the Prime Minister, having listened to all of the arguments, had agreed with their judgment that the carbon tax was a bad tax which would do nothing to reduce emissions, would push up the cost of everything, would reduce our international competitiveness, would cost jobs, would result in lower real wages while prices went up and would shift emissions overseas. But we now know that, in order to hold onto government, in order to hold onto power, the Prime Minister had to give in to the demands of the Australian Greens, who were the only political party going into the last election campaigning on the promise of a carbon tax. And here we are.

The lie continues today. This is what the Prime Minister said on radio in South Australia at seven o'clock this morning: 'The carbon tax is going to ensure we cut carbon pollution by 160 million tonnes in 2020.' I refer to the Treasury's own modelling. Do not take my word for it. I refer you to table 5.1, 'Headline national indicators', in the government's own Treasury modelling, on page 88. What does it say? It says that CO₂ emissions in 2010 were 578 million tonnes. What does it say about the expectations under the carbon tax, described here as the 'core policy scenario'? In 2020, CO₂ emissions would be 621 million tonnes. By my calculation, that is an increase of 43 million tonnes in CO₂ emissions in Australia after the carbon tax has been imposed by this government. The cutesy, spinning sort of argument that the government puts is that emissions are going to be lower than they otherwise would have been. Emissions continue to grow under the carbon tax but they will grow by less.

Let us go to the next part of the interview that the Prime Minister gave in South Australia today. She then said: 'Under the carbon tax, we will continue to see incomes grow. Average incomes will go up by $9,000 to 2020.' Let us go back to the Treasury modelling to see what the Treasury modelling says about that. I invite people to go to chart 5.12, 'Real wages'. Real wages under the carbon tax are going to go down by just under six per cent. Real wages will be about six per cent lower under the carbon tax by 2050. And there is no end in sight. If you look at that chart, the line keeps going down and down and down. It goes off the graph. But here we have a Prime Minister who says that real wages are going up.
Let us work on the assumption that average incomes will go up. Full-time average incomes today are $70,000 a year. That means that the carbon tax will impose a $4,000 pay cut, effectively, in today’s dollars. This is the ongoing deceit of this government. It is going on right now as we speak. Right now, the government still cannot tell the truth about their carbon tax. This is why they are running away from the debate. This is why they want to shut down the Senate debate on this—because they are embarrassed by how bad this legislation is, legislation which will do nothing for the environment. (Time expired)

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) (10:57): The government has this morning spent an hour and a half dealing with procedural motions only. There are substantive bills on the Notice Paper that I would encourage senators to turn their minds to so that we can deal with the legislative agenda in the Senate rather than continue to have this confected opposition debate on the carbon price legislation. All the government is asking the opposition to agree with today is that the bills be introduced into the Senate so that they can be dealt with as a message today and we can then have them available for debate in the next two weeks. The opposition now have taken the view that they are going to flop to the floor like the Liberal dead body and say: ‘We’re not going to do anything. We’re going to just throw out the anchor and try to drag everything down. We will not engage in the debate; we will simply say no.’ That is characteristic of Mr Abbott in this whole debate. All Mr Abbott wants to do is say no, no, no—no policy debate, simply a no. He is completely oppositional, without any policy—simply say no. The opposition here today are doing that. They are picking up Mr Abbott’s ‘Just say no’ policy—

Senator Abetz: ‘Mr Abbott’ to you.

Senator LUDWIG: I said ‘Mr Abbott’, in fact, for those of the opposition who are listening. They are not listening to the debate. They only want to say no on this issue.

I will deal with some of the substantive matters that the opposition have raised. In a debate such as this, it is incumbent on those opposite to actually construct an argument and to come to the debate with clean hands. Let us look at the record of the opposition when they were in government:

- Telstra bills: guillotined applied and the gag used three times and Family First Senator Steve Fielding was denied the opportunity to speak;
- 11 October 2005: debate over variation of routine of business and sitting hours gagged twice;
- 3 November 2005: debate gagged on hours and routine of business;
- 8 November: gag used over Labor’s proposed amendments to the reference of the Work Choices inquiry;
- 1 December: Work Choices legislation guillotined and debate gagged;
- 5 December: Anti-terror bill and two welfare bills guillotined and gagged.

There was also one circumstance where:

… Australian Democrats Senator Andrew Bartlett had to debate Telstra legislation he had not seen and comment on the minister’s second reading speech that had not been read to the parliament and had been tabled only 30 seconds before.


… Work Choices legislation was given to non-government senators only half an hour before the
debate began, and consideration of the 1252-page bill was compressed into a five-day committee inquiry and five days of Senate debate … amendments were introduced by the government just 35 minutes before the government guillotined debate.

That is what the opposition has stood for. This government created a Multi-Party Climate Change Committee that met for nine months on this issue before completing its work in July. The opposition were invited to participate on the committee but chose not to because they simply want to say no. They have no policy; they simply want to continue to be obstructionist and say no, rather than engage in debate. *(Time expired)*

**The ACTING DEPUTY PRESIDENT (Senator Ludlam):** Order! The time allotted for this debate has expired. The question is that the standing orders be suspended.

The Senate divided. [11:05]

(The President—Senator Hogg)

Ayes..................31
Noes...................35
Majority..............4

**AYES**

Abetz, E
Back, CJ
Boswell, RLD
Brandis, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M
Scullion, NG
Xenophon, N

**NOES**

Brown, RJ
Conroy, SM
Di Natale, R
Faulkner, J
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
Polley, H (teller)
Rhiannon, L
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

**NOES**

Cameron, DN
Crossin, P
Farrell, D
Feeney, D
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Pratt, LC
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

**PAIRS**

Birmingham, SJ
Bushby, DC
Heffernan, W
Johnston, D

Senator Collins did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question negatived.

**BUSINESS**

**Consideration of Legislation**

**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) (11:09): I 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:

- Business Names Registration Bill 2011
- Business Names Registration (Transitional and Consequential Provisions) Bill 2011
- Business Names Registration (Fees) Bill 2011
- National Vocational Education and Training Regulator Amendment Bill 2011.
Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (11:09): Here we have a government yet again seeking to rearrange the procedures in this place. This is a dysfunctional government, a government that is now seeking to exempt legislation from the normal cut-off. It is doing that because it has not been able to get its house in order. No doubt Labor will once again move the gag in relation to this because they do not want to have explained to the Australian people how dysfunctional they are. This is a government that is self-focused. It is internally focused. All it talks about is whether our Prime Minister should or should not be ringing the boy in Bali. Why on earth would the Prime Minister be doing that? There is only one reason: to try to gazump the Minister for Foreign Affairs, Mr Rudd, who has been making some headway, I understand, in relation to the Labor Party leadership stakes.

The government is seeking to stop debate on all sorts of issues today. Why? Because it wants deceit, not debate. Let’s make no bones about this. The Labor Party went to the last election promising no carbon tax, and today through the lower house they have forced it. Every single one of those Labor members, including the Prime Minister, was elected on a promise of no carbon tax. When I say that they are Labor members, they are only Labor members in name, because they have deceived and betrayed the Australian people and those that they used to champion. Before the election they promised those people that there would be no carbon tax.

I note there is a Labor representative in this place, from the Democratic Labor Party, who opposes the carbon tax, who supports manufacturing jobs and who is conscious of the cost-of-living pressures that people face. He has voted and undoubtedly will vote accordingly. But here we have a request seeking to exempt four bills from the cut-off. The minister just got up and moved it and thinks he can do so without explaining to this place why it is necessary, why they could not have brought in the legislation earlier so they did not need the cut-off. He is treating this place with the sort of contempt that we have now got used to under this Labor-Green alliance, a Labor-Green alliance that is betraying the trust of the Australian people.

Let’s never forget that the privilege we have to serve in this place, especially in a democracy such as ours, is based on a lot of convention, a lot of tradition and, most importantly, a lot of trust. When that trust goes, you start shaking the very foundations of the democratic process. That is why it is so important that the Australian people have confidence in the people they elect to keep their election promises. That is why the Australian people are so disgusted with the current government. Indeed, they have a right to be disgusted with what occurred in this place earlier today.

Let’s not forget that five out of the six senators elected from each state at the last election were elected on a promise of no carbon tax, two out of the two senators elected from each of the territories were elected on a promise of no carbon tax, and 148 of the 150 members of the House of Representatives were also elected on a promise of no carbon tax. So the Australian people have a right to ask: ‘What on earth has happened to the mandate that we gave to the people we elected? They promised us no carbon tax. How is it that, with 148 out of 150 members of the House of Representatives being elected on this promise, it passed the House of Representatives?’

How come? Because they have betrayed the people that elected them.

Ms Gillard made that promise of no carbon tax for one very simple reason: she knew that if she had said the opposite, that
there would be a carbon tax, she would not have been re-elected as Prime Minister. She knows that. We all know that. She holds the prime ministership in a very tenuous set of circumstances and she has betrayed the Australian people—there is no doubt about that—as has every single Labor member, as has every single Australian Labor Party senator in this place who is now conniving to ensure that this deceit that has been perpetrated on the Australian people might actually come into law.

This motion seeks to exempt four bills from the cut-off. They deal with matters as diverse as business names registration and the national vocational education and training regulator—all good issues and ones that in general we as a coalition would support. We will be supporting the passage of this exemption from the cut-off. Why? Because we are willing to assist this government when they are unable to run their own agenda. But when they commit a deceit on the Australian people, as they have done with the carbon tax, we will not be a party to it. We will oppose and seek to oppose on every possible occasion the implementation of this carbon tax, which the Australian people were solemnly promised they would not have.

I do not know how the Labor Party members and senators look themselves in the mirror of a morning and say, 'Yes, I am really and truly representing the wishes of my electorate.' Indeed, I ask the same question about the two country Independents. I would have thought, if there was one thing that the Independents ought to be doing, it would be representing the wishes of their electorate without fear or favour. They go to the electorate saying, 'We can do this because we are not tied down by a party.' Also, an Independent surely should keep the government honest and keep it to its promises. The members for Lyne and New England have spectacularly failed on both counts in their role as Independents. They have betrayed the trust of the people that elected them. I fear that they know that and that is why they are going to keep this hapless, hopeless government on life support for as long as possible.

In doing so they may well get another year or so of parliamentary entitlements, but they will be doing untold continuing damage to the Australian nation and our economic fabric, especially if the carbon tax were to come into play, a carbon tax which will be destructive and corrosive in relation to the cost of living, where all Australians are battling. It will be destructive and corrosive in relation to jobs and job security. We know it will do nothing for the environment because day after day we ask this hapless, hopeless government at question time, 'What difference will it make to the environment?' No answer. We ask about the impact on jobs and they pretend there will be jobs growth. They pretend there will be economic growth because of it and that it is all good. The only problem I have is that, if it is all so good, why did they say 'no carbon tax' before the last election? What has happened in the last 12 months?

As I am on my feet I fear that the hapless Clerk, who undoubtedly does a wonderful job but has been given the task of presenting these bills to the Senate, has arrived at the Senate door—a very sad day, a very sad moment. I am sorry to pick on the Clerk. I do not do so in a personal manner. All the clerks in both houses do a fantastic job and act according to the will expressed in votes by either house. But this Clerk has the task of presenting these bills that are a deceit on the Australian people. They are bills that should never have seen the light of day because we were promised no carbon tax. They should never have got through the House of Representatives because the members who
were elected down there, 148 of them, all promised no carbon tax. They rolled over, I fear at the behest of Senator Bob Brown and the Greens. It is a tragic day for Australia that this has happened and now these bills have been, as I speak, transmitted up here, which is also a very sad occasion. We will have a debate on those bills, but they are a betrayal of the Australian people and the trust that they placed in their elected representatives.

As I said earlier, the government have trouble with their timetable. The government are struggling in relation to the cut-off for certain legislation. Why? Because they cannot get their house in order; they cannot run the show as a mature and proper government should be able to run the show. We will assist them in allowing the cut-off to be exempted in relation to legislation which we in general terms support. Nevertheless, we say to the government: if you want an exemption on a matter, do the courteous and decent thing. Explain to the chamber why it is necessary and important. Do not just rely on the Labor-Greens alliance to shunt everything through this Senate without even explaining anything. Do not rely on them to continually guillotine legislation. You might be able to win the votes in this place, but one thing you are not doing is winning the hearts and minds of our fellow Australians in relation to this important matter of the carbon tax. I will conclude my remarks by saying we will always cooperate to make sure that this place works as efficiently as possible, but we will never be party to the sort of deceit that Labor and the Greens are seeking to perpetrate with the carbon tax.

Senator IAN MACDONALD (Queensland) (11:22): I wish to contribute to the series of debates this morning and to this one in particular on exempting the Business Names Registration Bill 2011 and related bills from the cut-off. As our leader in the Senate, Senator Abetz, has said, we will be supporting that. It is a bill that is relatively straightforward and can run the passage of debate in this place without the normal cut-off procedures. It is so different to the cut-off for the other bills that have been debated this morning.

I call upon members of the Greens political party to explain why all of Senator Bob Brown’s very pious and very principled speeches over the whole of his parliamentary career against guillotining debate and gagging individual senators has suddenly changed. Why is it that Senator Brown—who, for as long as he has been in this chamber, has got up and wasted the time of the Senate by calling votes on motions that he knows have no chance of passing—has spent hours in this Senate railing against the guillotine? Why has he spent literally hours in this Senate arguing against the gagging of individual senators wishing to speak on any bill? But on a bill as important as the carbon tax legislation—which will change the way of life for all Australians; which will add to their cost of living; and which makes things, particularly for those of us who live in rural and regional and remote Australia, even more expensive—why has he now abandoned his former principled opposition to guillotines and gags and gone along with his mates in the Labor Party?

I think that Senator Brown’s supporters—those many people who I think are misguided, but there you are, they are there—have always thought Senator Brown was worth a vote because he believed in parliamentary democracy. He believed that every person had the right to have their say. He believed that this chamber and this parliament was a place where the views of Australians could be put without restriction. But what has happened today? So far this morning, Senator Brown has led his little band of senators in guillotining debate on no
less than three occasions in a couple of hours. Some of Senator Brown's supporters may well say: 'That's not why we voted for you. We voted for you because you've always portrayed yourself as the upholder of parliamentary democracy.' Those of us who sit in the chamber know that is completely wrong. But Senator Brown has been able to hoodwink many people who have voted for him over many years into believing that he does believe in parliamentary democracy and that he does believe that matters should be fully debated.

Before the last election the Prime Minister put her hand and on her heart and said solemnly to the Australian people on two occasions at least, 'There will be no carbon tax under a government I lead.' How can you trust anything that this Prime Minister might ever say today, tomorrow or at any time in the future, when she has clearly, as result of the vote today in the other place, abandoned that solemn promise?

Some would say the Prime Minister is a liar. I would not say that because I know it is unparliamentary. But what I would say is that this is a policy and this is a principle based on a lie. If the Prime Minister thinks that it is genuine, she should do the honourable thing—although we understand she is incapable of honourable things as a result of this debate—and go back to the people of Australia and say: 'I did promise you this. I have now changed my mind because I wanted to stay Prime Minister and the only way I could do that was if I got the Greens on side, and they wanted me to do this. So I've changed my mind. But as a democrat, I will put back to the Australian people my change of mind. I promised you 12 months ago there would be no carbon tax but now I want a carbon tax, so I am going to ask the Australian if they support that.' You would not have to be Einstein to understand that the Australian people do not want a carbon tax. You do not always believe opinion polls but they cannot be that wrong. More than 50 per cent of the Australian people clearly oppose the carbon tax. In fact, at the last federal election there were 150 candidates in the House of Representatives. They all stood for election. They confronted their electors and said: 'We want you to vote for us. These are the policies we stand upon.' What was the policy that 148 members of the lower house supported? It was that there would be no carbon tax, and please vote for them. So all the people in those 148 electorates around Australia said, 'I can vote for Mr Perrett because he is not going to support a carbon tax; I can vote for Kirsten Livermore in the electorate of Capricornia in Central Queensland because she is going to vote against a carbon tax.' Kirsten Livermore, the member for Capricornia, actually said before the election, as did her leader, 'There will be no carbon tax.' The electorate of Capricornia in Central Queensland incorporates Rockhampton and mining towns such as Moranbah, Dysart and Middlemount—towns that produce Australia's wealth, that supply employment to the people of Central Queensland. The industry in those towns gives people who live in the area good wages, allowing them to build new homes down at Emu Park on the Yeppoon-Capricorn Coast. All those people said: 'We can vote for Kirsten Livermore because she is going to oppose the carbon tax. We do not want the carbon tax because we know what it will do to our jobs, we know what it will do to our pay packets and we know what it will do to the mortgage that we have to pay on the new home that we have just built down at Emu Park.' So they voted for Kirsten Livermore, confident in the fact that there would be no carbon tax in this term of
parliament. What has happened today? Kirsten Livermore and the very principled Mr Perrett have breached that promise to their electorate and voted for a carbon tax that they promised we would not have.

How can you believe anything Prime Minister Gillard would ever say? How can you believe anything anyone in the Labor Party would ever say? I challenge Senator Furner, Senator Ludwig, Senator McLucas and Senator Moore—the senators from Queensland elected at the previous election—to explain to the people of Queensland why they promised just a year ago that, if elected, they would not introduce a carbon tax. I ask them to come into this chamber and tell the Senate why they went to the last election and promised there would be no carbon tax, and today they are part of a party that has voted for it in the House—and I am sure that in a few weeks they will be part of a party that will vote for the carbon tax in the Senate. They themselves will vote for it.

I would like Senator McLucas, who sometimes comes from the north, where I come from, to get up and explain to the people of Cairns, Townsville, Mackay, Rockhampton, Moranbah, Dysart and Mount Isa why she went to the last election promising that she would not impose a carbon tax on them. I want her to come into this chamber and explain now why she has gapped those people, why she has completely broken her promise and done something quite contrary to what she promised she would do. It is important that Senator McLucas does that, because she knows that this carbon tax will add even more to the cost of living of people in those towns that I have just mentioned because we are all going to pay more for fuel. When you pay more for fuel you pay more for transport. You do not have to be Einstein to work out that the further you live from the capital cities and the further you live from the major ports, the higher the transport costs. Costs in the electorate that Senator McLucas claims to represent in the north are going to increase quite substantially.

A lot of people still think air conditioning is a luxury. In the north where I come from—along with Senator McLucas, Mr Snowdon and Senator Crossin—air conditioning is no longer a luxury. It is an essential part of life. But the cost of air conditioning will become prohibitive. Many pensioners will have to turn off their air conditioners and try and live through the heat of a northern summer without that support because they will simply not be able to afford the electricity bills that will increase substantially as a result of this carbon tax being imposed by a Labor Party that promised it would never be imposed. This is a very serious matter. People will die without air conditioning. I can guarantee you that there will be pensioners and people on limited incomes in the north who will not be able to afford to turn on their air conditioners once this carbon tax comes into place. I want Senator McLucas and Senator Crossin to come into this chamber and explain to me why they are putting these people at that risk.

Of all the senators that the Labor-Greens government comprises at the moment, Senator Waters, who I see has just come into the chamber, is the only one that can hold her head up high. I concede that Senator Waters did at least have the honesty and courage to go to the last election and say, 'Elect me and I will vote for a carbon tax,' because that has been the Greens policy, wrong though it is. At least she was honest about it. But the other people that the Labor-Green government comprises at the moment are completely dishonest because they have abrogated their duties and their honour to their electorates.
As senators will know, there are not many Labor members from Queensland in the lower house. There are not that many Labor senators from Queensland either. The people of Queensland have long since worked out that Labor cannot manage money. They cannot be trusted. What further evidence do they ever need than what has happened in the lower house today? To those few Queensland Labor members who are left, I say to them: guys, your days are numbered. You had the opportunity today to stand by your promise. You had the opportunity today to stand by the people of Queensland, the people who elected you to this parliament.

The people of Queensland—and I can talk about Queensland; I am a senator for Queensland—clearly do not want a carbon tax. Mr Swan, the Deputy Leader of the Labor Party, promised everyone before the last election that there would be no carbon tax. In fact, when Tony Abbott, the Leader of the Liberal Party, said, "Elect Labor and you will get a carbon tax," Mr Swan said of Mr Abbott: 'He is being hysterical. There will be no carbon tax. Our leader has said it. I as deputy leader say it. There will be no carbon tax. Our leader has said it. I as deputy leader say it. There will be no carbon tax under a future Labor government.' This is Mr Wayne Swan. He has already lost his seat of Lilley because of his arrogance—the way he treated his electorate with disdain, the way he completely ignored their wishes and spent his time floating around Australia doing whatever Labor members of parliament do. He did not look after his electorate of Lilley, and they voted him out. I can assure Mr Swan that at an election this year, next year or the year after: brother, you will not be there. It happened once before that his arrogance was understood by his electorate, and they got rid of him. This time they will not forget. I can guarantee that.

And that goes for the other Queensland Labor members of parliament. I cannot remember them all, although it is not hard since there are so few in Queensland: Mr Emerson and Ms Livermore—and Mr Perrett, whom we cannot forget. I think that is about it. None of them reach the radar screen. None of them will be there. In fact, opinion polls conducted by the Courier Mail showed that an election held anywhere in the near future would result in only one member of the Labor Party being elected in Queensland. That would be Mr Rudd, the past and future leader. A lot of the Labor Party backbenchers are now looking at their own futures, looking at their own pension entitlements, looking at the avalanche of voter anger coming their way. They are thinking that Mr Rudd, although they got rid of him a year or so ago, is not looking so bad after all.

So I predict that Mr Rudd will be back as Labor leader. But do not take any notice of my prediction. Some of the Labor members also predict that Mr Rudd will be back as leader. And those who protest the most loudly against that are most likely the ones who will be supporting him. That is fortunate, because at least there would be a Queensland Labor member in parliament. On recent opinions polls, Mr Rudd is the only Queensland Labor member who would be left in parliament. And something like that has happened before.

Senator Abetz: And that is the only one Julia Gillard does not want.

Senator IAN MACDONALD: Indeed. I suspect, Senator Abetz—and, again, I am not as familiar with Victorian political issues as much as others are—that on this particular issue Ms Gillard, being shown to be a liar, will struggle to hold her own seat.

The ACTING DEPUTY PRESIDENT (Senator Furner): Order! Senator Macdonald, you will withdraw that comment about the Prime Minister. That is disorderly, and you know that.
Senator IAN MACDONALD: Okay. I withdraw the comment that Ms Gillard was seen as a liar and say that Ms Gillard will be seen by her constituents as completely unreliable, dishonest and untrustworthy. Senator Collins may take a point of order on that, but they are all accurate descriptions of a leader who went to the last election and promised solemnly that under no circumstances would there be a carbon tax under the government she led.

Here we are today seeing the disgrace of all of those Labor members who were voted for by their constituents on the policy of no carbon tax now voting for a carbon tax. They will get their retribution, and they know it. Mr Perrett, with his marvellous, selfless indication that if Labor changed their leader then he would resign from the parliament, can read the figures as well as I can. He is on a one per cent margin, and nothing will save Mr Perrett from his dishonesty in promising his electorate that he would not vote for a carbon tax.

I conclude my contribution by again referring to the people of Central Queensland, whom I try to assist because their local member, Ms Livermore, is rarely around. She has proved today that she has no interest in their welfare. A year ago Ms Livermore promised the people of Rockhampton, Moranbah, Dysart and Middlemount that she would not vote for a carbon tax—a tax that will impact very, very heavily on the jobs, mortgages and future lifestyles of her constituents. She told those constituents that there would be no carbon tax, yet today she has breached that promise, that obligation—that duty, almost—to the people who elected her, and she has voted for a carbon tax. I can only wait for the next election, whenever it is held—next week, next month, next year or in two years time. The people of Capricornia will take their revenge.

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate) (11:42): As has been indicated by the leader, the coalition will support this issue of exemption for these bills. But I make the point that there is a reason for the government to ask for an exemption for bills. It is usually a timely sort of issue but, yet again, the facilitation by the coalition in this particular instance highlights the mismanagement, as the leader said earlier, by this 'hopeless, hapless government'. If they actually had an ability to properly run their affairs in the chamber and to properly run the government then they would not need to be bringing these bills to the chamber to make this request. Is that not reflected in their absolute inability not only to manage their chamber affairs properly but to manage their policies properly and to manage the economy properly? They have an absolute inability to manage anything properly.

In this instance we will be supporting the exemption for these particular bills. But I do question the processes the government has brought to this chamber this morning. Earlier this morning we saw debate on an earlier motion on a controversial exemption for the Clean Energy Bill. And what did we see? We saw Senator Fifield's excellent contribution, reflecting very strongly the position of the coalition with regard to this. And what did Senator Ludwig do? What did the Manager of Government Business do? He gagged debate after only one contribution—excellent though it might have been—from this side of the chamber, with no opportunity, I might add, for the Leader of the Nationals to have a contribution or for the Independents to have a contribution. Bang! He shut it down—'Controversial; don't listen to any debate.' What do we have here? Another similar motion for exemption. Debate is ensuing. There is no commentary from the other side of the chamber; in fact, everybody on the
other side of the chamber has disappeared. This is exactly the same process as applied to the earlier bill. But no—everybody has disappeared now. They are quite happy for debate to run on this. It makes absolutely no sense and shows yet again this government's complete inability to properly manage chamber affairs and affairs of the government.

I return to my earlier point: with the requests for exemption, there is usually a reason. There are obviously some good reasons for these particular bills we are discussing at the moment. With the previous bills, though—colleagues, you might well be as perplexed as I am—what is the urgency? We had Senator Evans in here earlier waxing something—I would not say 'lyrical', because it was not quite lyrical; he was waxing, anyway, in quite a loud voice—and saying that the timetable has been set out for these bills coming in, that the coalition should have known about that and that it was appalling that we wanted to contribute to the debate at that point. But at no point did Minister Evans give us any reason for the urgency for the cut-off—not one.

It is interesting to note that the clean energy legislation is not due to kick off until 1 July 2012. So why are we here on 12 October 2011 being told by the government that this is a matter of urgency? It simply makes absolutely no sense—unless, of course, we look a little further. I shall refer to the excellent interim report from the Select Committee on Scrutiny of New Taxes, and I again commend Senator Cormann for the work he has done on this. I will just read this for the chamber, because I think it may well relate to the request for exemption for the earlier clean energy bills:

The international negotiation process to reduce global greenhouse gas emissions is organised around the sessions of the Conference of the Parties to the United Nations Framework on the Convention on Climate Change (UNFCCC). The Conference of the Parties meets every year to review progress and take decisions on the Convention’s implementation. Additional negotiation sessions are scheduled between each Conference of the Parties to develop the draft text that will go forward to the Conference for decision.

By no coincidence, the next meeting is in Durban, South Africa, in December. I wonder if perhaps that is not the driving factor for the request by the government today for the exemption, because nothing else makes any sense. If this legislation is not coming in till 1 July next year, what is the imperative? What is the biting imperative that we should be doing the bills in the next few weeks? That is the only reason I can see—which, of course, the government has not raised and never would and is trying to keep very quiet. Of course, there are the Greens, as you said earlier, Senator Macdonald; I will refer to your conclusion. Perhaps the Greens may have driven the government to change its mind on this. Isn’t it a sad day when we have the Greens, who have 10 members of parliament out of 226, telling the government what to do? That is not democracy in any way, shape or form.

So what we have is a request for exemption for the clean energy bills so that the government and others can go to South Africa and strut their stuff on a stage—'We’ve got our clean energy bills through the parliament in Australia.' Do you know what this is, colleagues, from the Prime Minister? This is nothing but vanity legislation. This is vanity legislation because she wants the ability to strut her stuff on the world stage, saying, 'Look what I've achieved.' The only thing is that she has achieved absolutely nothing except creating a huge burden for the Australian people—a huge financial tax and an impost that the Australian people are going to have to carry but that is not going to
change the climate one little bit. So that is the reason for all this rush. That is the reason that we have to get these bills through so terribly, terribly quickly, and that is so wrong.

Colleagues, you might remember that recently Senator Penny Wong was asked why we were actually moving to a carbon tax and why we had to have a carbon tax. Let me just remind you that the minister's reply was: 'Because the Australian people are not shirkers.' That is apparently the bones for this important legislation. That is apparently why we have to have a carbon tax: because the Australian people are not shirkers. We in this country apparently have to lead the rest of the world even though it is not going to make the slightest bit of difference to the climate—even though the carbon tax is not going to do anything to change the climate.

We have on occasion had bad legislation come through this chamber—there is no doubt about that—but usually, if it is bad legislation, at least there is an intended reason and an intended outcome from that legislation. The intended outcome from the carbon tax legislation, to change the climate, simply will not be effected by this piece of legislation, and that is what is so wrong, and that is what the Australian people understand. They understand that they are going to get hit with a massive new tax that is not going to change the climate one little bit, and that is why they are so against it. Australia emits 1.4 per cent of the world's emissions and, in spite of any protestations from the other side, you only have to look at the work from the Productivity Commission to know that no other country is doing what we are about to do with this carbon tax. That is not me; that is coming from the Productivity Commission. That is not Senator Fiona Nash; that is the Productivity Commission.

So why are we doing it? It is hard to understand why we are doing this. I can only go back to Senator Macdonald's very perspicacious comments, I believe, that the Greens have pushed the government into doing this, because something must have happened. Before the last election the Prime Minister said, 'There will be no carbon tax under a government I lead.' Other colleagues have said this and we will continue to say this: you cannot get any clearer than what the Prime Minister said. You cannot get any more straightforward than a statement like that. But what do we have now? We have a government that is foisting a carbon tax on the Australian people that they do not want. If the government were honest with itself, it would know that the Australian people do not want a carbon tax. Last time I looked this was a democracy. Last time I looked, you could have your say in this country and you could have your views and your voice heard. On this particular issue, this Prime Minister has taken away from the ability of the Australian people to have a say.

At the last election, the Australian people believed the Prime Minister when she said, 'There will be no carbon tax under a government I lead.' They believed her. Why wouldn't they? In this country, we are brought up to respect office and expect honesty from those holding high office. But what did we get? We got a lie. No matter which way you look at it, no matter which way you turn it, for the Prime Minister to have said, 'There will be no carbon tax under a government I lead,' and then to give the Australian people a carbon tax under the government she leads—it is a lie. The Australian people are quite rightly looking at this government and saying, 'What did we vote for?' When we look at what this government have done, we are well on our way to an absolute dark day.
What did we see this morning from the Greens and from Bob Brown? It was extraordinary. I have listened for a number of years to Senator Bob Brown and others in the Greens chastising the chamber for the use of the guillotine and how dreadful it was—I keep going back to Senator Macdonald's excellent contribution. It is interesting to note that several years ago in relation to Work Choices Bob Brown said:

We are well on our way to a dictatorship of the executive. In fact, we are at a dictatorship of the executive. We are not on the way, we are there. The parliament is being treated with utter contempt by the Rt Hon. the Prime Minister John Howard as he deals with the decision-making process in his rooms. He just says to his ministers and minions: 'Get on with it. Change the sittings of the Senate. Reduce them to the minimum'—and we are reduced to the minimum—'but extend the length of the sitting'—so we sat last night rather than having another week's sitting—and then guillotine any debate that gets long so that we can get out of here and not have the government under scrutiny.'

Is this the same Bob Brown? Maybe they replaced him with another Bob Brown, because the Bob Brown we know we did not hear this morning—and that is the point, colleagues. We did not hear from Bob Brown this morning.

The ACTING DEPUTY PRESIDENT (Senator Furner): Order!

Senator NASH: Senator Bob Brown—I accept your admonishment, Acting Deputy President. Why was he not saying exactly those sorts of words again? His hypocrisy is of the highest order.

Senator Ronaldson: Gutless.

Senator NASH: Yes, it is absolutely gutless. This morning Senator Siewert ran through all the instances where a guillotine has occurred before. How about this? If Senator Siewert is so concerned about the instances of the guillotine before, why didn't she direct her anger at the Labor government side of this chamber and not the coalition? Why have a go at us about it? Why not have a go at the other side of the chamber and the Labor government? They are the ones who pulled out the guillotine. We can see it from their track record—their opposition to the guillotine is there in thousands and thousands of words in Hansard—so why didn't Senator Siewert and Senator Brown oppose the Labor government this morning when they called on the guillotine? I do not think you have to be a rocket scientist to figure this out. I do not think you even have to be a kindergartner to figure this out. The Greens are now part of the Labor-Green government. Isn't that a shame.

As much as the Greens have been misguided, in my view, over the years—and I agree with precious little of their policies and with what they say—at least they had a little bit of principle back then. At least they said what they believed in. But now they have lost every bit of integrity and principle regarding this issue, because today they directed their remarks to the wrong side of the chamber. For Senator Bob Brown to sit in the chamber this morning, smirk and say nothing, when in the past it was his raison d'etre to ensure that this chamber operated appropriately, that there was free speech, that nobody was gagged, that everyone could talk—

Senator Joyce interjecting—

Senator NASH: Yes, with his hands out to the cameras, pleading for free speech in the chamber. What did we get this morning? We got support of the guillotine.

Senator Joyce: And a smirk.

Senator NASH: Yes, and a smirk. The Australian people will understand exactly the hypocrisy of the Greens on this issue. This government told us there was not going to be a carbon tax. When we say 'No' to
government, when we point out all the things that are wrong with the carbon tax, when we point out the incredibly bad effect this will have on the Australian people—the cost to the hip-pocket; the cost of electricity, transport and fuel going through the roof; and all those things, most of which will hit regional Australian harder than anywhere else—those on the other side of the chamber love saying that we are scaremongering. That is their distraction to stop us having the Australian people know the truth.

Prior to the last election the Prime Minister told the Australian people, 'There will be no carbon tax under a government I lead.' I also want to refer to what the Treasurer, Wayne Swan, said when he was asked, 'Can you tell us exactly when Labor will apply a price to carbon?' For the chamber, it was 15 August 2010 when he said:

Well, certainly what we rejected is this hysterical allegation that somehow we are moving towards a carbon tax from the Liberals in their advertising. We certainly reject that. What we've said is that we will go back and seek to reconstruct a community consensus about how we deal with climate change.

Unbelievable! There is another lie, because it was not a hysterical allegation. The coalition was right on the money before the last election, saying that this government would bring in a carbon tax. The Treasurer rejected it—here, in black and white. Have we seen any community consensus? None. We have seen one inquiry—six days for submissions and 1,100 pages that no-one could get through. What sort of community consensus is that? It is absolutely appalling. At this point people do not know whether to be furiously angry or incredibly sad that this government is bringing such an appalling piece of legislation before this chamber. It has already gone through the other place and it is a very, very sad day indeed.

We look at Mr Perrett sticking up for his principles because he could not possibly stay there if the Labor Party changed its leader. He could have stuck up for his principles and said: 'Before the last election we said to you that there wasn't going to be a carbon tax. Now there is going to be a carbon tax so I am going to cross the floor and stick up for my principles and vote against a carbon tax.' Then he would have been a true representative, as so many of the other Labor members and senators would have been true representatives. In their hearts, so many of them know that this carbon tax should not be coming forward. They know that and yet they are so bound by the Labor machine that they cannot truly reflect what their electorates want. They cannot truly do what their electorates are asking them to do. I can tell you and anybody listening that you do not have to be a rocket scientist. A kindergarten child could walk down the street, talk to businesses, people in the shops, teachers, policemen, workers in the abattoirs, people in regional communities and people in the cities, and overwhelmingly understand that Australians do not want a carbon tax.

Before the ETS, the Australian people went berserk. They did not want an ETS. They are going to get one in three short years. This was done under cloak and dagger because the Prime Minister promised the Australian people that they would not have a carbon tax. They are now getting one. We will keep fighting it and I promise the Australian people we will get rid of it. (Time expired)

Senator RONALDSON (Victoria) (12:02): I will say a few words in relation to this debate to exempt certain bills from the provisions of the cut-off order. I thank my colleagues on this side of the chamber for their contributions but I ask: where is Senator Bob Brown, the great saviour of Australian democracy? Scurrying out of here
with that insipid smirk that we saw on his face this morning—a deceitful smirk from a politician who does not deserve the title of senator.

I want to talk about something else today and I invite colleagues and those people who are listening to watch the footage of the carbon tax going through the other place this morning. They will see a bevy of kisses for the Prime Minister and others involved in this deceit. I say to the Australian Labor Party that you had a kiss in the other place this morning but it was the kiss of death for this government. How the Australian Labor Party members in the other place could not constrain themselves is beyond me because that footage will be replayed and replayed and replayed. That was a kiss of success based on a lie. It was a kiss of success based on deceit and a complete, utter fabrication given to the Australian people before the last election.

It has been said today, and I will say it again for the benefit of those in the gallery: six days out from the election, the Prime Minister promised the Australian people that there would not be a carbon tax under a government led by her. The Manager of Opposition Business has referred to that debate. The Leader of the Opposition in the Senate has referred to that. Senators Macdonald, Nash and others have referred to that today. Mr Acting Deputy President, I ask you to go back and check your emails because I think you will find what I have just found in the last hour—that the level of anger from the Australian community will play out at the ballot box.

To those 72 members who were elected on a lie, we will haunt you every single day until the next election. The Australian Greens, who, apart from a very small insipid contribution from one of their members, have not participated in these debates today, may well think they are licking their chops in success. I can tell you now that the Australian Greens will also feel the wrath of the Australian people at the next election. This feigned disassociation from this debate today will not save the Australian Greens from the wrath of the Australian people.

I put on the record again a couple of comments from senior Labor Party ministers to put some context to this debate today, and in the other place, and to the debate which will occur in this chamber while we debate the carbon tax bills. I will read three quotes and I ask those on the other side to reflect on those quotes. It is not just the Prime Minister’s quote that there will be no carbon tax under a government she leads. In an interview with Marius Benson on ABC NewsRadio on 16 April 2010, we heard:

A carbon tax is a less efficient way in the Australian Government's view of dealing with this issue.

The same person said, in a speech to the Committee for Economic Development for Australia’s State of the Nation conference on 23 June 2010:

A carbon tax is not the silver bullet some people might think.

Again, the same person, on Sky News on 30 April 2009:

We know that you can't have any environmental certainty with a carbon tax.

Who was that? That was Senator Penny Wong, a senior government minister—

Senator Ian Macdonald: A failed climate change minister.

Senator RONALDSON: A failed climate change minister. Out of the mouths of babes come these comments on the carbon tax. We know that the Prime Minister promised before the last election there would be no carbon tax. We know that 72 lower house members were elected on the back of a lie, including the Labor Party members in
Corangamite, Corio, Bendigo and Ballarat—they were all re-elected on a lie. So how is it that we have got to the position where we are debating a carbon tax some 12 months later? We know what the reason is, and the reason is that a desperate Prime Minister, elected on the back of a lie, did a dirty, grubby deal with the Australian Greens.

I say to my colleagues opposite—I am not going to name names but you know who you are—that you know it is a grubby deal and you know you do not support one single thing that the Australian Greens stand for. Are you, over the next month, eventually going to side with a party that you do not support and a party with whom the Prime Minister did this grubby deal? Are you going to join your colleagues in the other place by being part of this web of deceit? I suspect that you are not going to have the guts to do what you know you should be doing, and I think you will carve your names in this dirty piece of history and support this carbon tax. You will vote against what you know is the right thing to do and vote for this grubby, grubby deal between the current Prime Minister and the Leader of the Australian Greens, Senator Brown.

I hope that those on the other side will view this morning’s footage from the House of Representatives. It was quite sickening. When you celebrate a lie with a celebratory kiss, what does it say about what drives the current government? I think it says that we have a Prime Minister whom every single person in this chamber and the other place knows is under incredible pressure to hold a job, and we know that the former Prime Minister, Kevin Rudd, is on a mission to destroy the person who he believes destroyed him. So the Australian people are going to get lumbered with a carbon tax, ahead of the rest of the world—a carbon tax that the Prime Minister promised she would not introduce, that Minister Wong said would not work—to save the Prime Minister's job. Is that what politics has got to in this country—that we have a Prime Minister who will desperately sell out herself and her party to keep her job? Is that the stage we have got to? I notice Senator Cormann is in the chamber today. I encourage people to read the report he tabled last Friday and see what damage a carbon tax will do to this country. I encourage people to make a judgement about a government that would do that to its own people, and I encourage them to look at the sort of price impacts we are going to see as a result of this toxic carbon tax.

I am a resident of regional Australia, and every person representing regional and rural areas in this place knows full well that the impact of prices on electricity and other energy bills falls heavier outside the metropolitan areas of Australia—in my own state, there is a difference of some 30 per cent. So here we have a country that is on the precipice, along with the rest of the world, of a double-dip recession. Not one person on either side of this chamber wants us to return to recession. But it is a real risk—and that is not Chicken Little stuff; it is coming from the head of the IMF and from other organisations. We are on the cusp. So what does this government do to protect the country from that? It puts in a carbon tax that is going to export not only emissions but also Australians' dollars.

If ever we needed a government in this country that was prepared to stand up for its people, it is now. Now is the time for this Prime Minister to stand up for the people who elected her. Now is the time for the Prime Minister to stand up for those people who did not vote for her. Now is the time for some national leadership in extraordinarily difficult international times. What are we left with? We are left with the remnants of a grubby, get me re-elected deal. That is what it has come down to. When we need
leadership, we get a lack of leadership. When we need a Prime Minister to stand up for us, we get a Prime Minister who is only interested in one job, and that is her own. The Prime Minister does not care about the jobs of working men and women in this country. The 72 Labor Party members in the other place who voted for this toxic tax do not care about those people. Those opposite have the opportunity in this chamber over the next month to say to the Australian people, 'We think your job is more important than the Prime Minister's job.' Let us see whether those on the other side have the intestinal fortitude to do that. I think I have a rough idea of what the answer is.

Senator Williams: They are going to wimp out.

Senator RONALDSON: I think they are going to wimp out, as Senator Williams said. They will wimp out when the time comes. It must have absolutely galled the senator to sit there and watch Senator Brown with that smirk on his face this morning. What motivates those people on the other side? What drives them in a situation like this? Have they not got the guts to stand up for this country and for the working men and women who deserve no less than a government who is not prepared to wash them away in the interests of one person's job?

I have some options for them, and I think these are probably options that they have thought about. Why not do the right thing and let the next election be an effective plebiscite on this toxic tax? Why not call an election? They can do what they like with their leader—we are not remotely interested in what is driving the Australian Labor Party. The Australian people are not remotely interested in the petty little leadership disputes of those opposite. They are not interested; they do not care. What they do care about is being lied to. What they do care about is a toxic tax that will potentially destroy their jobs. That is what they want to know about.

If the government thinks this tax is so good, why not call an election now? Why not make it a plebiscite on the carbon tax? Then we will have the decision and we can put their petty little leadership disputes behind us and get on with running this country properly. Why not take up the challenge and go to the polls? Why not do it? I think I know the answer. I suspect there are plenty on the other side in the other place who will not be here in that case. I suspect if the government keep on pursuing what they are doing then in the separate half-Senate election a few senators will be going as well. The government should go to the polls and let the Australian people make a decision about this. They can justify it because they were elected on the back of a lie. It is easy to go back and get some clarification from the Australian people about whether this government would have been elected had the people been given the opportunity to cast their vote on a carbon tax.

If they are not prepared to do that I will give them another suggestion. Why not see out the term, get on with the job of running this country, sort out their leadership dispute and tell the Australian people that they will delay implementation of this toxic tax until after the election, making it a plebiscite in two years time. They should do one or the other but they should not impose on the Australian community a tax that they know is well ahead of the rest of the world. They should not impose on this community a toxic carbon tax that is going to risk our economic recovery and potentially put us to the back of the pack again. They should just do the right thing and stop concentrating on themselves. They need to stop this self-indulgent claptrap in relation to who wants the Prime Minister's
job. Forget about that. It has been destabilising this government for the last six months. It has put the government in complete and utter policy paralysis. It is driving them to introduce a potentially job-destroying, economy-destroying, toxic carbon tax. They should just do the right thing and go to the polls. They need to let us have a decision on the community's views about this carbon tax.

I do not think there is one person on this side of the chamber who would not say that we would respect the outcome of the community's views in relation to this matter, but we have no respect for a government who imposed a tax on the back of a lie and who did not give the Australian community the opportunity to vote on this particular matter. They must do the right thing and go to the polls, and then we will see whether this tax is or is not supported by the community. If it is, we will get on with it. If it is not—which is my strong suspicion and, I suspect, the strong suspicion of those 72 members and those on the other side of the chamber—then let us drop it. Let us do the right thing and just get back to running this country again, please.

Senator CORMANN (Western Australia) (12:20): This Gillard Labor government is a government which has lost the confidence of the Australian people. In her government's dying days, as the Prime Minister holds onto power by the tips of her fingernails, she is trying to ram as much bad legislation through this parliament as she possibly can. This Prime Minister wants to inflict as much damage on the Australian economy as she possibly can by putting through bad policy and bad legislation, and by taking advantage of the fact that her government, with the support of the Greens, has the numbers in this chamber.

Even though the government has complete control of this chamber, courtesy of the support of its alliance with the Greens, it still cannot manage the affairs of the chamber. There has been mismanagement after mismanagement. We well know that everything they touch in a policy sense they stuff up. But they cannot even manage the affairs of this chamber.

I will just remind the chamber what we are currently debating. We are debating a motion from Senator Ludwig asking for the exemption of the Business Names Registration Bill 2011 and a number of related bills and the National Vocational Education and Training Regulator Amendment Bill 2011 from the provisions of standing order 111(5) to (8) concerning the consideration of legislation. This is a rather uncontroversial matter. It is a matter which the opposition supports. Yet the government is quite relaxed about having an open-ended debate in the chamber about something that, in comparison to the carbon tax, is not actually that important.

Yesterday the government, supported by their trusted allies, the Greens, gagged the debate on the student tax. Today there was a motion in relation to the carbon tax, something that is going to have significant implications for the Australian economy, for families, for household budgets and for the federal budget and something that is going to have implications for many years beyond the bad government that currently is inflicting so much damage on the Australian nation. The government is quite happy to have a detailed debate about whether or not the Business Names Registration Bill 2011 and other bills should be exempt from a particular standing order of the Senate, but on issues in relation to the carbon tax—a tax which will push up the cost of everything, make Australia less competitive internationally, cost jobs, reduce real wages, shift emissions overseas instead...
of reducing them and make no difference to the environment or the climate at all—we are not allowed to have a debate, according to this dictatorial, arrogant, out-of-touch Gillard-Brown Labor-Green government.

Members on the government side of the chamber will stand condemned in history for the absolute contempt with which they have handled this issue. It has been well documented that this carbon tax is based on lie after lie after lie. We had the well-documented lie before the last election. The Prime Minister, facing defeat, knew that she needed to pull a rabbit out of the hat in order to hang onto government. The Prime Minister knew that, unless she gave an emphatic commitment that there would be no carbon tax under a government she led, she would not be returned to government. As it happens, she was only just able to scrape in, by the fingernails of the member for Lyne and the member for New England.

Senator Williams interjecting—

Senator CORMANN: I note here in passing that Senator Williams has conducted a very comprehensive survey in the electorates of New England and Lyne. About 5,000 surveys were returned, I believe, which is a record.

Senator Williams: 10,000.

Senator CORMANN: Across both electorates, 10,000 surveys in relation to the carbon tax were returned. The question that was asked was whether people were in favour of or against the carbon tax. Nearly 90 per cent of people in those electorates who returned the survey were opposed to the carbon tax. I get distracted because I get upset—and I understand why my friends in the National Party get upset—when I see two members representing rural areas treating their electorates and the wishes of their electorates with such complete disregard, knowing that the carbon tax will have a particularly bad impact on regional Australia.

So here we are. We have a government which before the last election promised that there would be no carbon tax. Then, of course, in order to hold onto government the Prime Minister had to give in to the pressure and the cajoling of the Greens. She signed on the dotted line an alliance deal which sold out working families across Australia, which sold out people who will face increased costs of living while there will be fewer jobs and lower real wages.

When the obvious outcry across Australia came around, when people across Australia said, 'Hang on; that's not what we were promised,' what did the Prime Minister say? The Prime Minister, standing in her courtyard with 'Deputy Prime Minister' Senator Bob Brown standing by her side, said: 'Don't you worry. You might not like it now, but once we have put out the detail people will like it. People will like it once we've put out the information on compensation, on transitional assistance, on the money-go-round. People will like it.' You know what? The detail is out and people still do not like it. In fact, people like it less, because people understand that they are being asked to make a sacrifice which will make absolutely no difference to the environment.

People across Australia are not fools. They understand that if you impose a cost on businesses in Australia by imposing a carbon price—a cost which is not faced by businesses in other parts of the world—if you make higher emitting businesses in other parts of the world more competitive than lower emitting businesses in Australia, if you just help higher emitting businesses in other parts of the world take market share away from even the most environmentally efficient equivalent businesses in Australia, then all
you are doing is shifting emissions to other parts of the world, where the emissions for the same amount of economic output will actually be higher. So global emissions are actually going to go up.

We know that the government's own modelling expects that emissions in Australia will continue to go up. We know that the government's own modelling expects that emissions in China will go up from about 10.3 million tonnes now to 17.9 million tonnes in 2020. Let me pause a moment here and reflect on that 17.9 million figure, because I thought: gee, that's rather high; that's a pretty significant increase—a 7.6 million-tonne CO2 emissions increase out of China. That sounds more than what we were told only three years ago. And my suspicions were right, because when I checked the Treasury modelling in 2008, do you know what Treasury told us about Chinese emissions in 2008? They told us that CO2 emissions out of China in 2020 would be 16.1 million tonnes. So 16.1 million tonnes of CO2 emissions out of China in 2020 was what Treasury told us three years ago. Now they tell us it is going to be 17.9 million tonnes in 2020. That is an increase in the expected emissions out of China in 2020 of 1.8 million tonnes. The margin of error between the Treasury modelling in 2008 and the Treasury modelling in 2011 is more than three times the emissions across the whole of Australia in a whole year! And we think that to push up the cost of living and to reduce Australia's international competitiveness and put jobs at risk is actually going to do something to reduce global emissions. It won't.

And of course the government knows this: the government knows that its policy does not hang together. The government knows that people across Australia understand that this is bad policy, the premise of which is of course based on a broken promise made five days before the last election. This is why the government wants to minimise the level of scrutiny of this legislation in this parliament.

And of course we had the sham, absolutely sham, joint select committee inquiry, which was chaired by a member of the government, deputy-chaired by another member of the government—in Greens Senator Christine Milne—and which gave one week for submissions, one week for hearings and one week to finalise the report! Senator Milne yesterday in this chamber was having a go at the Senate carbon tax inquiry, saying it was a coalition committee. Well, no, it was not a coalition committee, actually; it was and is a committee of the Senate. It is the Senate Select Committee on the Scrutiny of New Taxes, which has on it three Liberal senators, one National Party senator, two Labor senators—and, of course, one of those Labor senators, consistent with convention, being the deputy chair of the committee. So there is an opposition chair, a government deputy chair and there have been previous Labor deputy chairs—the then Senator Hutchins; and for a week Senator Matt Thistlethwaite, until the factional powerbrokers told him that he had to resign to let Senator Cameron come in as deputy chair. But, be that as it may, consistent with convention there was an opposition chair and a government deputy chair, which of course is not what was done in the joint select committee sponsored by the government. Against any past convention, government committee members were both the chair and the deputy chair of that committee, with the member for Chisholm as the chair and Senator Milne as the deputy chair.

And of course our committee went through a very comprehensive process over a 12-month period, listening to evidence from a wide range of witnesses, travelling the length and breadth of Australia—instead of staying here, totally limited to the eastern-
state-centric triangle of Canberra, Melbourne and Sydney. But if you only have a week to hold hearings, you cannot make it all the way to Western Australia to listen to the views, the issue, the challenges and the aspirations of the people of Western Australia. It is way too hard to talk to people in Western Australia about the implication of the carbon tax on them—way too far to go.

But there happen to be some pretty specific issues for the great state of Western Australia when it comes to the carbon tax—because, as senators would well understand, the carbon tax creates some significant issues for the electricity generation industry. Out of the 500 so-called biggest polluters, as the Prime Minister describes them—where the Department of Climate Change and Energy Efficiency has a more neutral description; it actually refers to them as the ‘500 biggest emitters’, but in the Orwellian spin language that we have become accustomed to from this government, the government calls them the 500 biggest polluters—most of the top 20 are major energy generators. So there are significant issues for the electricity generation industry that flow from the carbon tax. But the issues in Western Australia are very different from the issues faced in the eastern states, and that is because the eastern states are part of what is erroneously described as the National Electricity Market. The National Electricity Market, which is a spot market, which has particular dynamics, is not really a national electricity market at all. It is an eastern states, including South Australia, market. Western Australia is not part of what is wrongly described as the National Electricity Market. Western Australia is an energy island. Western Australia has to be energy self-sufficient.

There are two major energy providers in Western Australia: Verve Energy, a state owned energy operator; and Griffin Energy. Verve Energy will pay about $250 million a year in carbon tax, because they put out 8½ million tonnes of CO2 emissions, times 23 and moving forward. It will average out over the next however many years, to about $250 million a year, with all of the bits and pieces. The more polluting energy generators in Victoria, like the brown coal generators, get transitional assistance. The Western Australian energy generators do not. Why? Because they are too clean! But these are the sorts of issues that we need to debate, and this government is not prepared to debate them. So Western Australian electricity generators, because they are less polluting than energy generators in other parts of Australia, will get zero dollars transitional assistance. And I cannot believe that Senator Glenn Sterle and Senator Mark Bishop and Senator Chris Evans and Senator Louise Pratt have done nothing to stand up for Western Australia when it come to the implications of the carbon tax for Western Australia. There they are, doing the bidding of this most eastern-state-centric, most arrogant, most Canberra-centric government we have had in the history of Federation, a government which gives Western Australia the raw end of the stick whenever it gets the opportunity, a government which sponsored an inquiry into the carbon tax which was not even prepared to go and listen to any of the people, any of the stakeholders, any of the businesses, any of the organisations that are going to be severely impacted by the carbon tax. This is no doubt why the government wants to gag debate on the carbon tax but is quite happy to have a lengthy debate on the proposal that we have an exemption for the Business Names Registration Bill 2011 and various other bills from the provisions of standing order 111(5) to (8), because people like Senator Sterle and Senator Bishop and Senator Evans and Senator Pratt are embarrassed about the fact that they have let
down the people of Western Australia by supporting this carbon tax, which will hurt West Australian families, which will hurt West Australian energy providers, without actually doing anything to help reduce global greenhouse gas emissions. Senator Sterle, who is here in the chamber, knows that the longer we talk about this the more upset people in Western Australia will become about his lack of advocacy and his lack of representation here in this chamber for the great state of Western Australia.

The carbon tax which the Labor Party and the Greens political party want to impose on the Australian people will impose a lot of economic pain for no environmental gain. A Senate inquiry commissioned by the Senate to look into the carbon tax has found that it will cost the Australian economy more than $1 trillion between now and 2050. No wonder that the government does not want to talk about this. The government is clearly embarrassed about this. The government does not want the people of Australia to be exposed to the sort of evidence discovered by the Senate carbon tax inquiry. A loss of $1 trillion out of the economy over the next 40 years—in today's dollars, I hasten to add—effectively means that Australians will have to work for a whole year for nothing. That $1 trillion is just about Australia's GDP for a whole year, so between now and 2050 Australians, as a result of the carbon tax, effectively will have to work for nothing for a whole year to pay for the impact of the carbon tax.

Minister Combet came out and pulled the usual spin trick. He said, 'The economy is going to continue to grow, the GDP will more than double, it will increase by $2.3 trillion.' The fact that something increases does not mean that you are not losing money. No wonder these guys cannot manage our public finances. Let me give you a lesson in maths, a lesson in economics. If something grows more slowly, if there is lower growth, it costs you money. If you put money away in your superannuation account and you have it there for 40 years and it grows by 2.8 per cent less than it otherwise would have, it costs you real money. If you have money in your superannuation account for 40 years and the return is 2.8 per cent less, you are going to end up with less money in retirement than you otherwise would have. And the Treasury modelling indicates that by 2050 the GDP will be 2.8 per cent lower than it otherwise would be, costing $100 billion in today's dollars in 2050 alone. Cumulatively between now and 2050 it will—(Time expired)

Question agreed to.

Consideration of Legislation

Senator McLUCAS: I move:

That, on Thursday, 13 October 2011, the routine of business from 1 pm till not later than 2 pm shall be government business orders of the day relating to the following bills:

- Tax Laws Amendment (2011 Measures No. 6) Bill 2011
- Banking Amendment (Covered Bonds) Bill 2011
- Customs Amendment (Anti-dumping Measures) Bill 2011
- Customs Amendment (Anti-dumping Improvements) Bill 2011
- Business Names Registration Bill 2011
- Business Names Registration (Transitional and Consequential Provisions) Bill 2011
- Business Names Registration (Fees) Bill 2011
- National Vocational Education and Training Regulator Amendment Bill 2011
- Indigenous Affairs Legislation Amendment Bill (No. 2) 2011
- Defence Legislation Amendment Bill 2011
- Protection of the Sea (Prevention of Pollution from Ships) Amendment (Oils in the Antarctic Area) Bill 2011
National Residue Survey (Excise) Levy Amendment (Deer) Bill 2011.

Question agreed to.

REGULATIONS AND DETERMINATIONS

Health and Insurance Act 1973

Senator McLUCAS: I move:

That, in accordance with subsection 10B(2) of the Health Insurance Act 1973, the Senate approves the Health Insurance (Extended Medicare Safety Net) Amendment Determination 2011 (No. 3) made under subsection 10B(1) of the Act on 26 September 2011.

Question agreed to.

MATTERS OF PUBLIC INTEREST

The ACTING DEPUTY PRESIDENT (Senator Stephens): Order! It being almost 12.45 pm, I call on matters of public interest.

Polio Eradication

Senator URQUHART (Tasmania) (12:42): I rise to support the End of Polio campaign in this, Polio Australia's Polio Awareness Month and Post-Polio Health International's 'We're Still Here' week. The End of Polio campaign by the Global Poverty Project seeks to raise the final few hundred million dollars required to fully fund the Global Polio Eradication Initiative in its efforts to wipe out this highly infectious, crippling disease. The global community is 99 per cent of the way there. Polio rates have plummeted to a level where eradication is achievable. We should make this final push because the continuing existence of this debilitating disease risks the livelihood and futures of vulnerable communities the world over, threatening to pull them deeper into the cycle of poverty. Eradicating polio gives the poorest people in our world hope of a healthier life. We are the wealthiest generation in human history and we need to grasp the opportunities we have to leave this world in a better place for every country and every child. The hard work of generations prior to us has given us this chance to eradicate polio—we owe it to them to finish the job.

One case of polio is a threat everywhere. While polio is endemic in only four countries, it takes only one infected person to spread the disease to thousands. A study published in the *Lancet* in 2007 found that eradication will save $40-50 billion compared to the cost of containment; it makes moral sense, it makes economic sense, it is the right thing to do.

We can take another big step forward at the end of this month at the Commonwealth Heads of Government Meeting where leaders of Commonwealth nations, including leaders of polio-endemic nations India, Nigeria and Pakistan, will come together to discuss global and Commonwealth issues, and to agree on collective policies and initiatives. At previous CHOGM meetings, significant discussions and decisions have included majority rule and independence for Zimbabwe, sanctions against South Africa and the encouragement of the end of apartheid, nuclear testing in the Pacific, and Zimbabwe's suspension then departure from the Commonwealth. The theme of CHOGM 2011 is 'Building global resilience, building national resilience'. Commonwealth leaders should seize this theme and make Perth 2011 the CHOGM that resolves to make the final push to eradicate polio, where leaders stand together with those from India, Pakistan and Nigeria and say: 'Together we can end polio. Together we can build global and national resilience through consigning this disease to history, building a safer world for all.'

In the first half of last century, polio was one of the most feared diseases in industrialised countries, paralysing thousands of children every year. The wards of infectious disease hospitals were full of
kids on respirators, on iron lungs, because they could not breathe. Their diaphragms had been paralysed. By the early 20th century, much of the world experienced a dramatic increase in polio cases and frequent epidemics, with thousands of children and adults paralysed.

Like most Australians, I have family members who have suffered through and survived polio. My Aunty Veronica and my mother-in-law, Valmai, both contracted polio in their early childhood. Aunty Veronica contracted polio around 1948. She was three years old. She had fallen down a few stairs at an aunt's house and complained shortly after that 'her leg wouldn't walk'. My grandmother took her to the doctor and she was diagnosed with polio. Von then spent the next 18 months in Launceston at the St Giles Home for Crippled Children, as it was known then, some 40 kilometres from her home at Meander. During her time in St Giles she spent many days in an iron lung.

My grandmother did not drive, so getting into Launceston to see Von was very difficult. The family home was fumigated, and the other children had to stay home from school for some time. When Von finally returned home, aged nearly five, she had to sleep every night in an iron frame, flat on her back. My mother, the eldest, recalls that in the winter they used to warm old jumpers at the fire and wrap them around Von's legs to help keep her warm. She eventually recovered to lead a reasonably normal life but suffered with a limp for the rest of her life. She passed away aged 48.

My mother-in-law, Valmai, was also three years old when she contracted polio, but it was during the late 1920s, many years before my Aunty Veronica. She was sent to the Latrobe Cottage Hospital from the family home at Penguin—again, a trip of about 40 kilometres, a great distance in the 1920s. Valmai was one of seven children and transport was difficult, and as a result she was separated from her mother for about 12 months while in hospital, a very traumatic experience for a three-year-old. She even forgot who her mother was in that time. While in the hospital she was strapped to what her daughter described to me as an 'ironing board thing'—obviously a memory her mother never forgot. There was no rehabilitation available when she returned home, so her mother would massage her legs and her brothers—there were five of them at the time—shared the burden and would carry her to school on their backs. It was not until Valmai was in her mid to late twenties that her condition improved and, although she could never run, she chose to swim instead for activity. Valmai eventually moved to a warmer climate in northern New South Wales but continued throughout her life to suffer post-polio syndrome and all her life had great difficulty in walking and getting around freely.

Like most Australians, I have family members who have suffered through and survived polio. My Aunty Veronica and my mother-in-law, Valmai, were just two of the many thousands of Australians who contracted polio during epidemics in the first half of the 20th century. This week, as I said, is Post-Polio Health International's 'We're Still Here!' week, which seeks to highlight that there are many thousands of Australian polio survivors. These survivors, who caught polio around the time of my relatives, or who have migrated to Australia, are now experiencing the late effects of polio, which have a significant and negative impact on their mobility and independence. I say to these people: your campaign to be heard is working. You are not alone.

Luckily for most of the current generations of Australians and the rest of the developed world, a vaccine for polio has been in full-scale use since the early 1960s. Unlike with most medical breakthroughs, its
creator, Jonas Salk, did not patent his vaccine, famously saying, 'Could you patent the sun?' This vaccine, which had been developed through donations from the people, was in turn provided to the people free of charge.

While the developed world had rid itself of polio a decade earlier, the 1970s saw polio recognised as a major problem in developing countries. Routine immunisation was introduced worldwide as part of national immunisation programs, helping to control the disease in many developing countries. When the Global Polio Eradication Initiative began in the mid-1980s, there were 350,000 cases of polio across the world. The initiative, comprising the World Health Organisation, Rotary International through its groundbreaking PolioPlus Fund, the US Centers for Disease Control and Prevention and the United Nations, created the world's largest non-violent army to immunise as many people as possible, which has seen polio all but eliminated, with only 333 cases recorded worldwide this year.

But we must continue this effort until there are no cases recorded. We must do it to prevent people from having the pain of moving on all fours, from having to sit on skateboards to move about because their legs do not work, from being ostracised as they are unable to play, from being a burden on their family—the family that they were meant to provide for—and from being forced to beg for an income.

The final push for funding is being championed by the Global Poverty Project through its End of Polio campaign, which seeks to raise the final $590 million required by the Global Polio Eradication Initiative. This campaign includes The End of Polio Concert at the Belvoir Amphitheatre, in Perth, on the first day of CHOGM, which will continue the push for Commonwealth leaders to use CHOGM 2011 to make a firm commitment to take the last steps in fighting polio.

As I mentioned earlier, this year's theme is 'Building global resilience, building national resilience', which ties in perfectly with the message of eradicating one of the biggest barriers to building resilience: the continued infection of the world's poorest children with polio. As CHOGM brings together three of the four remaining polio-endemic countries and representatives from a number of key donor countries, it presents a huge opportunity to focus global attention on polio, to secure a declaration of support from Commonwealth leaders and to encourage financial contributions from Commonwealth members. Australia, as host of CHOGM, should be leading this charge, just as we led the charge to eradicate polio from the western Pacific. It has been more than 10 years since the World Health Organisation's western Pacific region was declared polio free. But nations in our region must not rest on this, as the neighbouring South-East Asia region has still not been declared polio free.

India is in the South-East Asia region and, as I have reiterated previously, is a polio-endemic country. It is six months since a case has been reported in India—a great achievement for the eradication initiative—but one that must only strengthen the resolve of the Global Polio Eradication Initiative to provide all children with vaccination.

Indonesia, also in the South-East Asia region, originally ceased transmission in 1995, but then it faced a large outbreak of polio in 2005, which paralysed, or killed, 303 children that year. While it has not seen a case of polio since 2006 this outbreak demonstrates that, unless routine vaccination and strong monitoring systems are maintained, the virus can quite easily be re-imported.
While Australia reported its last case in 1972, only four years ago a young Pakistani man studying in Australia contracted polio while on a short trip to visit his home country. He developed polio symptoms and, once back in Melbourne, he was diagnosed. But thanks to Australia's strong immunisation and surveillance system the virus could not spread. The only way that the children of the Asia-Pacific will be free from the threat of polio is if polio is eradicated everywhere. Polio does not respect national borders and eradication requires international cooperation.

It is therefore vital that we support our friends in the Commonwealth—India, Nigeria and Pakistan—whose governments are contributing significant domestic financial resources: India, $1.2 billion; Nigeria, $55 million; and Pakistan, $50 million. Sustaining this intensified effort is now critical for the success of the initiative. It is my hope that the final communique of CHOGM will include a strong statement in support of the campaign to eradicate polio.

It is important to consider the gravity of one person becoming infected with polio and therefore the necessity to continue the fight to eradicate polio. About 90 per cent of people infected have no signs of illness and are never aware they have been infected. These symptomless people carry the virus and can silently spread the infection to thousands of others before the first case of polio paralysis emerges. While there is no cure, the strategy is to immunise enough people in a community such that the virus will be deprived of hosts and die out. Polio affects only people; there is no virus reservoir in animals. We must maintain high levels of vaccination coverage and high levels of monitoring to stop transmission and prevent outbreaks.

There is a simple way that individuals can contribute to the fight to eradicate polio. If you log on to www.theendofpolio.com you can join with over 13,000 others in signing the Global Poverty Project's petition on polio eradication. This petition has an extra bonus, though. For every signature recorded, the Rotary Club of Crawley, in Perth, Western Australia has committed to donating $1, which is enough to vaccinate a child against polio, to the Global Polio Eradication Initiative. I congratulate this Rotary Club and other Rotary Clubs across the world for their ongoing support and tireless work to remove this tremendous threat to the world's poorest children.

I note that this issue was highlighted in motions brought to both houses by a group of senators, led by Labor senator Trish Crossin and by a group of members, led by Labor MP Andrew Leigh. I lend my support to their motions. I also note that Labor senators Claire Moore and Louise Pratt spoke in the adjournment debate last night on this issue. It is great to see such strong support in this place for the eradication of polio.

Current Australian of the Year and Global Poverty Project director, Simon McKeon, said at the End of Polio campaign event in September:

‘... the fact that we haven't obliterated it, is actually a bit of a blight on us.

While I agree with Simon, I take hope from the fact that the development of an effective polio vaccine was one of the major medical breakthroughs of the 20th century and that the eradication of polio can soon become one of the major medical breakthroughs of the 21st century. (Time expired)

Freedom of Speech

Senator BOSWELL (Queensland) (12:57): Let me say, firstly, that I am glad Senator Brandis is in the chamber at the
moment, because what I am about to speak to will affect him.

I wish to raise a matter pertaining to the restrictions that we have in Australia on free speech. This issue has recently attracted attention in the case of the well-known columnist Andrew Bolt. I also wish to draw the attention of the Senate to another case, that of Dr David van Gend, who makes regular public contributions on social conservative issues. Dr van Gend is the subject of a complaint to the Anti-Discrimination Commission of Queensland for comments he made in a public forum on the issue of same-sex parents. The Courier-Mail sponsored the forum, aimed at providing a balance of opinion both for and against this issue, which is important to many Australians. It was a democratic exchange of ideas and opinions.

On 29 June 2011 the Courier-Mail invited Dr Karen Brooks and Dr David van Gend to submit opinion pieces—the case for and against—on gay marriage. Dr van Gend wrote for the case against. This is part of what he wrote:

IF you hold to the old-fashioned idea a baby deserves both a mother and a father, the president of the Queensland branch of the Labor Party, Andrew Dettmer, calls your views "abominable". The state Labor conference recently voted to destroy the timeless meaning of marriage and redefine it to include a pair of men or a lesbian couple, and Dettmer slurred opponents as being no better than racists …

He further said:

Discrimination against people on the basis of their gender or their sexual orientation is just as abominable and just as unsupportable as discrimination on the basis of race.

Dr van Gend replied:

Yes, it is discrimination to prohibit the "marriage" of two men, but it is just and necessary discrimination, because the only alternative is the far worse act of discrimination against children brought artificially into the world by such men, compelled to live their whole lives without a mother. Now that approaches the abominable.

Dr van Gend's comments were quoting the Queensland President of the Labor Party when he used the words 'approaching the abominable'. I do not think they can be in any way construed as vilification on the grounds of race, religion, sexuality or gender identity. These comments invoked an anti-discrimination complaint under section 12A of the Queensland Anti-Discrimination Act by a member of the Gay Dads lobby group. The complaint was issued on 30 June. The fact that the Labor Party president used the word 'abominable' to describe people that have a different view from him and that Dr van Gend used similar words in saying 'approaching the abominable' to reinforce his arguments should not invoke the Racial Discrimination Act.

The next thing you know, Dr van Gend has to attend a compulsory mediation, which is to take place tomorrow. Nothing has been proved against him. A complaint was made and, regardless of substance or being right or wrong, the person complained about must turn up and participate in mediation with the complainant. Naturally the doctor feels aggrieved, especially as it takes him away from a busy medical practice where he does much good work.

I did not think that we lived in an Australia where a disagreement of opinion can result in hauling someone before an anti-discrimination board. This is a country where we agree to disagree. This is a country where a two-sided debate can exist. This is a country where people are not intimidated from sharing their point of view. Or is it? First Andrew Bolt, now David van Gend. I know many people do not agree with their views and I know many who do. It seems that tolerance for the views of others goes
out the window if you are from the Left and you do not like to hear an opposing argument. These are the same people who preach tolerance on everything, yet in fact they are the least tolerant when it comes to open debate. Dr van Gend expressed his views that, essentially, a child deserves a mother and that compelling a child to live his life without a mother approaches the abominable. Is that really a sentiment, which was expressed by a caring, mature, educated medical doctor, that can trigger a compulsory action under anti-discrimination law?

The case of Dr van Gend makes a mockery of the anti-discrimination law. It lowers the value of free speech in Australia. If people like Dr van Gend are forced to appear before the Anti-Discrimination Commission of Queensland, that is a threat to one of Australia's greatest freedoms: the right to free speech. It is a major disincentive to people making a contribution to debate across Australia. Tomorrow will be a sad day for free speech in Australia. How has a country like Australia come to this? Anti-discrimination bodies should not be used as star chambers by those who simply do not like what someone else says.

**Dental Health**

Senator DI NATALE (Victoria) (13:03): I rise today to discuss a matter of crucial importance to the nation—dental health. Australians find themselves in a very curious position when it comes to health care. For some reason we have decided to treat the mouth as separate from the rest of the body. If somebody has a problem with an ear, an elbow or an eye, they can go to see their GP or to a hospital and their treatment is likely to be covered under Medicare. It is not a problem if you do not have the ready cash available because you can get your treatment covered through the publicly funded medical insurance scheme known as Medicare. But for some reason, if you have a sore tooth, the treatment options are very different. If you cannot afford to get the care done immediately the chances are that you will leave it and the problem will get worse, you will end up at the GP, where you might get some pain relief and some antibiotics, and if that does not sort out the problem you eventually will end up in one of Australia's public hospitals.

The reality is that the high cost of dental care means that, unlike in the medical system, a number of people simply do not go to the dentist. The result is that we have an epidemic of poor dental health in this country. Dental disease is now one of our most pressing public health problems. In short, there really is not any rationale for treating our teeth and our mouth as separate from the rest of our body. This has a very direct medical impact. As I said earlier, dental disease can cause pain, which can affect sleep, and it can lead to malnutrition and, ultimately, to serious infection. This is particularly true of people who have chronic diseases such as diabetes and heart disease.

Apart from the immediate medical problem of the pain and discomfort associated with untreated dental disease, it can have a huge impact on other areas of people's lives. People with poor dental health often have issues with self-esteem. They find it difficult to find work. It often puts you behind the eight ball in a job interview when you smile and your front teeth are missing. Likewise if you are looking for a rental property, the real estate agent is not likely to look favourably upon you if you have a smile where most of your teeth are missing.

This is an issue that goes far beyond the medical system; it is in fact an issue of social justice. The fact that this is happening to so many people in this country is of course alarming, but the fact that it mostly affects
those people in this country who are less well off is simply unacceptable. I want to say a few more words about the dimension of the problem we face. Around 61 per cent of Australians have intermediate, unfavourable or poor oral health. We know that that results in 20,000 to 30,000 hospital visits each year. We know that an estimated seven per cent to 10 per cent of visits to a GP are the result of untreated dental disease. The problem is particularly bad for our young kids. The oral health of children and teens is steadily worsening; in terms of our ranking in the OECD on these measures, we are falling rapidly. There is a huge economic cost associated with untreated dental disease. Between Medicare, hospital admissions and the PBS, the problem of untreated dental disease costs us up to $500 million each year. And that does not say anything about the billions more that are lost as a result of lost productivity.

We have a two-tiered dental structure. Around 90 per cent of dentists in this country provide their services through private fee-for-service practice. But we also have a publicly funded dental health scheme through the state dental health programs. Approximately 700,000 to 800,000 people are seen in the states. But it is interesting that this is only about 11 per cent of people who are eligible for publicly funded dental treatment. In large part, that is because the system simply cannot meet the huge demand that exists. People on those public lists face waiting times of several months and often up to several years. People simply give up and defer treatment. We have two health systems: one health system for our body and another health system for our teeth. Within that oral health system, we have a two-tiered system. Within that system, 90 per cent of services are provided through private dentistry and the rest are provided through a public dental service that cannot meet demand.

If you look at the costs to patients associated with our medical system, about 12 per cent of general medical costs are out-of-pocket costs. For hospitals, only in the order of three per cent of the total costs are out-of-pocket costs. When it comes to dental services, however, the total out-of-pocket spend is about 60 per cent—a significant difference. One thing that is certain: this is a problem that is going to get worse. Oral health is an issue that affects older people as much as it affects young people. As people get older, the way dentistry is changing in this country means that more people have more teeth. As a result, there is going to be an increased burden on the system.

We got to this point largely through historical artefact. Through the 1970s and the 1980s, the dental healthcare system was left out of Medicare, and so we have ended up with this two-tiered system that cannot meet the needs of the Australian community. To deal with this, in 1994 the government introduced the Commonwealth Dental Health Program. The principle objective was to essentially direct care received by healthcare card holders from emergency care to general dental care—so, things like teeth extraction, restoration and the treatment of caries. It was also intended to provide some basic preventative treatment. Essentially, $245 million was spent over four years on this program.

It was regarded as partly successful. But it was underfunded. The level of capacity within the service was limited. Rather than improve the system, the Howard government decided to abolish it. To its credit, it introduced the Chronic Disease Dental Scheme. That is a scheme that has helped people with chronic disease. Their overall health is more severely compromised by
poor oral health than the health of the general population. We know that the Chronic Disease Dental Scheme has had some problems. There are issues around how well the scheme is targeted, around the scope of services that it provides and around the fact that a large number of people who certainly warrant treatment are not getting it. But it was a promising move; it was a start. It is something that we should build on. I want to talk a little bit about that in the few moments that I have left.

We are currently in the midst of a process in which a number of dentists who have provided services under the scheme established by the Howard government in 2007 are currently being audited over the treatments that they have provided. Under the scheme, a dentist is able to provide $4,250 worth of dental work over two years to any patient diagnosed with a chronic illness whose dental condition is deemed to make the illness worse. It requires a GP referral. The dentist needs to then provide a report back to the GP. This is all managed through what is called a GP care plan. As I said, the aim is to improve the health of the chronically ill—for example, people with diabetes and heart disease. As we know, they are very important population groups in terms of oral health and we need to make sure that we address those groups as a priority. A total of 13 million dental services have been provided to over half-a-million Australians. That is no small feat. It is being done largely through private dentistry. By most measures, the scheme has been moderately successful.

There has been some criticism directed against the scheme, as I said, including the issue of how well the scheme is targeted and the scope of services provided. But one of the other criticisms that has been levelled at the scheme is that it is being rorted. That is the issue I would like to talk about today. On that basis, the government has tried to close this scheme twice and is now targeting dentists through Medicare audits, which is causing serious concerns among many dentists who have provided services through the CDDS. I will talk about several examples, including Wilma Johnson from Tasmania. Dr Johnson has been audited for potential failure to comply with Medicare requirements. Let us look at what Dr Johnson did wrong.

Dr Johnson received $35,000 in Medicare benefits for treating 34 patients. In every case, the patient had a valid referral. In every case, the patient was entitled to the treatment. In every case, the treatment was carried out in good faith. Importantly, there was no gap charged to the patients. Every single one of those patients was bulk billed. Dr Johnson's crime was that she did not file treatment plans in time and did not give written quotes to patients who were being bulk billed. They are certainly requirements under the scheme. However, it is clear that, for a dentist who bulk bills patients, a written quote is unlikely to be of significant benefit and Dr Johnson did not gain directly from that practice. Dr Johnson is now being asked to repay about $30,000 for work that she provided in good faith to deserving Australians.

Dr Helen Arabatzis, who is from my home state of Victoria, practises at the Brunswick family dental surgery. That practice had essentially the same issue with treatment plans and quotes—it provided a number of services. Dr Arabatzis is one of those people who took up the scheme with gusto, providing services to people with conditions like diabetes and heart disease—importantly, providing treatment that would prevent these conditions from becoming worse. She is now being asked to repay about $30,000 for work that she provided in good faith to deserving Australians.
chronic disease dental scheme or are they in fact guilty of minor administrative errors and should be given some latitude on those errors?

A professional services inquiry has highlighted deficiencies in the education provided to dentists through Medicare. In fact, in some cases, the information that was provided to these dentists through Medicare was inadequate and did not adequately emphasise those two particular paperwork requirements. It is true that that information was available, but the question is: how adequate was the training provided to these dentists? I have spoken with dentists who did not see any materials from Medicare until the scheme had been running for several years. These dentists were accustomed to billing Medicare for work under the Department of Veterans' Affairs and were, essentially, signing the same slips. They did need special attention to inform them that the system under which they were operating was very different from the system they were used to working under through the Department of Veterans' Affairs. We should not tolerate rorting, and we know that in a small number of instances there have been some dentists who have taken advantage of this scheme. But the truth is that many of the dentists who have been audited provided legitimate and important treatment. Many of these dentists provided that treatment in good faith and, as I said earlier, some latitude should be given to those dentists in relation to the treatment they provided.

The Greens believe that, ultimately, we can improve the chronic disease dental scheme. We know that dental health is a pressing and urgent issue in this country. It is a matter not just of ensuring that the health of the Australian community is improved but also of giving people the same life opportunities that most of us enjoy in the treatment of dental disease. The Greens have long called for a publicly funded dental system. We think the chronic disease dental scheme needs to be protected. We think it needs to be improved. We look forward to working with the government on this issue in the coming months, and we hope that, in the long term, we can achieve a universal and publicly funded dental scheme that Australians can cherish.

Launceston City Mission

Senator POLLEY (Tasmania—Deputy Government Whip in the Senate) (13:18): A few weeks ago I had the opportunity, along with my local member, Mr Geoff Lyons, to head out with the Launceston City Mission Missionbeat van. Each Friday night a team of volunteers takes the City Mission's outreach van and mobile kitchen trailer out into the Launceston mall in Tasmania between 10 pm and 2 am. Coffee, soup and biscuits are served to the people we meet, who are often in need of a friendly chat or just an ear that is prepared to listen.

The Missionbeat van is vital to many individuals, some homeless and seeking the basics of food and warmth, others having had too much to drink and needing a safe place to sober up. The volunteers’ dedication to their task is inspirational. It does not matter how cold it is, and it was cold that night—believe me, in Tasmania there are times when we do have bitterly cold nights—it does not matter to them whether they venture out into the early hours of the morning and it does not really matter to them that they could be warm at home, tucked up in bed. These volunteers are out there doing what they believe to be important. They are there, dedicated to volunteering to help other people.

It was World Homeless Day on Monday. It is a day that provides us with a great opportunity to take a moment to recognise and thank the volunteers and organisations.
such as City Mission who work hard to have a positive impact on the lives of homeless people in this country. The purpose of World Homeless Day is to draw attention to the needs of homeless people locally and provide opportunities for the community to get involved in responding to homelessness. With this in mind, I encourage all Australians to take some time to give back to their local community—this could be through volunteering with an organisation such as City Mission. It is encouraging to see people getting involved with community organisations in an effort to help others. I was particularly impressed, on the occasion that I went out with the City Mission van with Mr Lyons, to see a number of local college students volunteering. They were from St Patrick's College in Launceston and they work very closely with City Mission. A lot of their students volunteer on a regular basis to help out with the food van. Sometimes their parents join them in their efforts, which creates a fantastic atmosphere and is another example of the work that happens within our communities. I was so moved to see these young people and was inspired by the conversations I had with them. I feel very strongly that our future and the future of this great country is in very safe hands.

The motivation displayed by these young volunteers is the motivation at the heart of City Mission's work. In my hometown of Launceston, City Mission has grown from small beginnings in 1854 to be a well-respected organisation, caring for people in the local community who are marginalised by poverty, loneliness, homelessness and addiction. City Mission now has a total workforce of over 400 people, most of whom are volunteers who work tirelessly to bring care and compassion to those in need. City Mission helps around 150 local families every day in a variety of different ways, from providing basics like accommodation, food and blankets to just being a listening ear. I would like to make special note of Maryann from City Mission, who made contact with me on another issue that I will speak about later in my speech. Her work and leadership within the organisation is something I hold in great esteem.

City Mission works extensively throughout the community and recently created a partnership with a support service for young mothers called Babymum. This partnership is one that I believe will foster positive relationships, mentoring and mutual support. Babymum Australia was founded by Nolene Booth, and its mission is to provide accommodation, support and education for expectant and parenting young women who are homeless or in need of intensive support, or whose babies are deemed to be at risk, and to facilitate through a mentoring program the growth of safe, stable, nurturing families with every possibility of reaching their full potential.

Babymum fits in very nicely with a concept I have been campaigning for for a number of years in relation to baby safe havens, which I have spoken about on a number of occasions in this place. Babymum is a result of Nolene's passion for helping young mothers and their babies work together for the long term, laying the foundations that we know are so necessary in building a strong bond between mother and child in those first years of life. Babymum is an organisation that becomes part of the lives of the young, first-time mothers who need the support of a caring mentor to help them through the first one or two years with their child.

After meeting Nolene I am convinced that she is exactly the right person to nurture the Babymum organisation. I visited the house that has just been acquired in Launceston and
when we were having a chat over coffee she said: 'We believe that, whatever has happened before, every mum and her baby needs to know that they are special. We believe that every child has a right to a family and every family a community that gives hope and a future to its children.' I think it is very reflective of what we need to support within our communities. Nolene and her team are clearly very passionate, driven visionaries when it comes to keeping young mothers and their babies together and ensuring they are equipped to live, grow and love together.

Babymum Australia's vision is for expectant and parenting young women who are homeless or in need of intensive support, or whose babies are deemed to be at risk, to have new opportunities to create safe, stable, nurturing families where they can reach their full potential and to reduce the need for protective intervention and out-of-home care, particularly for babies born to young mothers who have been in care themselves. Babymum Australia is still in its formative stages but, as I mentioned earlier, has already confirmed a site for the Babymum house in Launceston, where new young mums will be accommodated under supervision with the caring support of Babymum 'aunties'. These aunties are volunteer helpers and mentors who will work alongside the new mums, giving them a helping hand with their new, important and responsible role as mothers.

According to statistics, an organisation such as Babymum is in fact quite vital for my home state of Tasmania. A Tasmanian Council of Social Service report from back in 2005 found that Tasmania had the second highest rate of teenage pregnancy in the nation. In particular, the north-west coast of Tasmania and the northern part of the state have very high numbers of teenage pregnancies. This implies to me that we require some form of assistance for these young mothers.

I often say, as a mother myself and now a proud grandmother, in some respects there should not be a first child, because it is very daunting. You have all the euphoria of giving birth to this beautiful little infant, you leave the hospital full of confidence and then you take the baby home and think: 'Heavens, what's that cry for? I've changed the nappy and I've burped him. I don't know what else it could be.' A lot of us have a mother, another relative or a friend that we can turn to for support, but there are far too many Australian girls facing this enormous responsibility without the support of a family or indeed a mentor. We all, throughout our lives, for different periods of time, need a mentor, and I do not think there is any more important time than being a mum for the first time. So many of these girls of 15, 16 or 17 years have a huge amount of responsibility ahead of them, so they need every little bit of support that we can give them. After personally meeting with Nolene, the coordinator, hearing her vision and meeting with some of the volunteers, I believe that Babymum is the right form of support for these young mothers.

Another aspect of the Babymum organisation that I particularly admire is its aim to inspire and motivate young mothers to continue their education and to be life-long learners. This is critically important and, as we in this chamber all know, it is very much a part of what the Gillard Labor government support. We have to ensure that these young mums are able to reach their own full potential, which will instil those learning attributes in their children. Educational assistance is offered through individual learning pathways such as e-learning or assisted attendance at local high schools and colleges. I cannot speak highly enough of this wonderful initiative which seeks to
promote continued engagement with education as well as creating a strong bond between mother and baby for the long term.

I have always believed that this is an ideal situation. Keeping parents and children together in healthy, loving relationships is surely in the best interests of not only the family itself but also the wider community. Families are the blocks upon which we build everything else and if we can work to ensure strong families are nurtured then we will feel the positive effects in all aspects of community life. There is a saying that goes:

The moment a child is born, the mother is also born. She never existed before. The woman existed, but the mother, never. A mother is something absolutely new. Luckily for the new young mothers of Launceston, there is an organisation that recognises this and is just as concerned with the nurturing of them as it is with the nurturing of their babies. I want to put on record my congratulations to both the City Mission in Launceston and Nolene Booth of Babymum for their tireless and committed work for these young people in the Launceston community who might otherwise not have a meal to eat or a place to go when times get tough. I am pleased to have the opportunity as a senator in this place to publicly acknowledge these community members and tell the story of their efforts in the city of Launceston.

It is not always easy to make time to volunteer to help others, but it is very worthwhile. I know we in this place all get extremely busy with our daily appointments, conferences, flights around the country for committee meetings and meetings with our constituents, but sometimes we just need to take a moment to think about what is happening behind the scenes, what is happening in organisations like City Mission and Babymum and what a real impact that can have on our community, an impact that will have benefits for each and every one of us as members of our communities. Just as importantly, nurturing and giving support to these young mothers at this critical time will, I believe, save governments at all levels money in the longer term because it will instil the bond between the mother and baby, instil the desire to keep a family together and to give that family support and at the same time instil the lifelong learning which is so important for each and every one of us.

Seeing these two organisations working together and talking to them about some of the fundraising opportunities that present themselves, there is still more that needs to be done. In Launceston we need to have shopfront access for young mothers. Not just those who need shelter and need to be taken in and given assistance with accommodation, but so many other young mums who live in housing department homes or still live at home with their parents, need somewhere where they can come together to seek support or to gain information. If we extend that helping hand, I think in the long term it is going to be far more beneficial for the community on lots of future issues relating to drugs and alcohol abuse and the other issues that are confronting young people. As I said, if you get people back into the education system, that is going to provide a much better outcome for them. They are going to make a contribution through the taxation system, which is going to be beneficial not only for them and their families but for our entire community.

I will continue to work with these organisations to ensure that I do all that I can to assist them. I would encourage everyone who is listening and those in the chamber to be involved, to give some of their time, to go out and experience what it is like to meet with our homeless people or those young people who have been out celebrating on a Friday night and perhaps just need someone
to listen to them. It is very rewarding. I want to thank Geoff Lyons for making himself available and once again place on record my appreciation and congratulations for St Patrick's College for their initiative in having their students volunteer in such a worthy way.

Asylum Seekers

Senator CASH (Western Australia) (13:33): This morning, with the passing of the carbon tax legislation through the other place, Australians witnessed their complete betrayal by the current Labor government. After all, this was the Labor government that went to the 2010 election under the platform, 'There will be no carbon tax under a government I lead,' a complete, total, utter and blatant lie. The topic I would like to raise today reflects another blatant lie perpetrated by the current Labor government on the Australian people—that is, the so-called Malaysian arrangement. After all, wasn't it the Prime Minister who said to the Australian people, 'I would rule out sending refugees anywhere that is not a signatory to the refugee convention'? Despite saying that to the people of Australia, what has the Prime Minister delivered to them? Ms Gillard has delivered the so-called Malaysian arrangement, the exact opposite of what she said to the people of Australia.

As each day passes, resistance and hostility to the Prime Minister's so-called Malaysian solution grows stronger. The problem for the Labor Party is that this opposition is not just from members on this side of the chamber; it is actually from all corners of the Australian Labor Party. Look at what just occurred at the Victorian state ALP conference. Delegates voted unanimously to urge the Labor caucus to reject the so-called Malaysian solution. But it does not stop with the Victorian branch of the ALP. What did Michele O'Neil, the National Secretary of the Textile, Clothing and Footwear Union of Australia have to say about the Gillard government's Malaysian solution? She said this: 'This is a shameful moment for us as a party.' Of course, that is in addition to the pleas of Labor statesman Senator John Faulkner, in addition to the pleas from left faction convener Senator Doug Cameron and in addition to the pleas from left faction member Senator Gavin Marshall, who we know have all stood up in caucus and spoken out against the Malaysian solution.

But it does not stop there. The federal government's proposed Malaysian solution is 'wrong on all counts' according to the Secretary General of Amnesty International. Salil Shetty, during a visit to Australia, called on the Australian government to raise its game on asylum seeker policy. He is reported as saying that the Malaysian solution is out of step with international refugee law and also out of touch with Australian public opinion. But it does not stop there. The opposition to the Malaysian arrangement continues to grow. We only have to go to the submissions and witnesses to the Senate Legal and Constitutional Affairs References Committee inquiry into the Malaysian arrangement. The majority of these submissions expressed their opposition in complete terms to the government's proposal. It would appear that the only person who is committed to perpetrating another lie on the Australian people is the current Prime Minister of Australia, Ms Gillard.

Senator Cameron: Madam Acting Deputy President, a point of order: that remark is unparliamentary and should be withdrawn.

The ACTING DEPUTY PRESIDENT (Senator Adams): Senator Cash, would you withdraw your remark?
Senator CASH: If Senator Cameron is so offended by my reference to Ms Gillard as the current Australian Prime Minister, I will withdraw the comment.

Senator Cameron: Madam Acting Deputy President, on the point of order: it is not about me being offended; it is about the use of unparliamentary language in the Senate. That is the point.

The ACTING DEPUTY PRESIDENT: Senator Cash, would you withdraw your remark?

Senator CASH: I withdraw that. But it does not stop there. The so-called contractual obligations of the parties to the Malaysian solution are couched in equivocal and vague terms. In fact, far from setting out the contractual obligation of the parties, it is specifically stated at clause 16 of the arrangement—this is in black and white; this is what has been negotiated between the Australian government and the Malaysian government—that the agreement only reflects the political commitments of the parties. When it comes to the Australian Labor Party, I would have to say that is a pretty weak statement. Is that commitment reflective of, 'There will be no carbon tax under a government I lead,' or maybe the political commitment negotiated under this agreement with the Malaysian government is equivalent to the Prime Minister's statement to the Australian people, 'I would rule out sending refugees to any country that is not a signatory to the UNHCR convention'?

What is worse is that clause 16 of the agreement specifically states—again in black and white—that the arrangement is not legally binding between the parties. As a former lawyer, if my client came to me and said, 'I would like to sue on this document,' and then showed me a clause in the document that said in detail that the arrangement was not legally binding between the parties, it would be a very short conversation. But the criticism of this deal does not stop there. The ombudsman Mr Rohan Anderson has described the deal that has been negotiated between the Australian government and the Malaysian government as 'almost aspirational' because it talks of commitments and not binding obligations.

I say to the Left of the Labor Party that they should be very ashamed of themselves, because when this is brought before the parliament and they cast their vote in favour of the Malaysian arrangement in its current form they will be failing to uphold the human rights of those people that their government proposes to send to Malaysia under this deal. Why do I say that? The Australian Labor Party would tell you that, pursuant to this arrangement, the Malaysian government has made certain concessions to the people that we propose to send to Malaysia, including facilitating their orderly process to Malaysia and an acknowledgement that they should have standards and treatment consistent with those set out in the operational guidelines—except the bad news for these poor transferees, and for the people of Australia who continue to be duped by the Australian Labor Party on this arrangement, is that the guidelines are not enforceable. Why are they not enforceable? Because it says in black and white, going back to clause 16 of the agreement—the agreement that has been negotiated between the Australian government and the Malaysian government—that the agreement is not legally binding on the parties. If you do not believe me, go and have a look at the agreement. It is very short. It would take you all of about two minutes to read, but clause 16 is there in black and white.

Amnesty International has produced a report entitled A blow to humanity: torture by judicial caning in Malaysia. The report is a graphic detail of the torture and other
mistreatment that refugees and asylum seekers are subjected to in Malaysia. Despite what the Labor Party would tell the people of Australia, Malaysian law itself actually provides for caning as the punishment for at least 66 known offences in Malaysia. Only approximately 20 of them are offences that are committed under the immigration act. The other 46 or so are offences under other legislation. But what is worse—and remember the Australian Labor Party has made it very clear—is that under the Malaysian arrangement we will be sending children to Malaysia. Let us have a look at what the Malaysian law says about children. It says that in 2001 the Malaysian government established the Court for Children under the Child Act 2001. This court has jurisdiction to try all offences committed by child offenders—and remember we will be sending children to Malaysia under this deal—and the Court for Children has the power to order that a child may be whipped. Yes, a child may be whipped, but the good news for the child and the good news for the Left of the Labor Party is that they provide a caveat to the whipping of the child: not more than 10 strokes with a light cane upon proof of actually committing certain offences.

It is recognised internationally that caning is a form of cruel, inhumane and degrading punishment, and it is actually prohibited by international law. However, despite the various reports that have been written by reputable bodies about caning in Malaysia, the Australian Labor Party have yet again confirmed their commitment to send to Malaysia up to 800 people who come here seeking our protection. This is despite what is set out in the Amnesty International report, which quotes Mohd Ghazali, a 29-year-old Malaysian, who received three strokes of the cane:

In all the 29 years of my life I have never experienced pain like this ... My body shivered. Everything went black because of the pain. It hurt so much my butt started shaking by itself.

Hussain, a 26-year-old Malaysian who received one stroke, said:

The pain goes up to your head. It felt like an electric shock. I don't have the words for it ... I only got one and I couldn't take it. I was thinking, how do people who get more take it.

In relation to the arrest of refugees, people that we will be sending to Malaysia, a 26-year-old Burmese refugee who was arrested—lo and behold, en route to a UNHCR mobile registration unit—said:

They came in a car with guns, [treated us] like criminals, they didn't say why we were being arrested.

Another refugee, Kop Thang, told Amnesty International that during his trial:

I asked if I could see a UNHCR representative, that's why they gave me two strokes. Those who didn't say anything in court were only given one. If any of us asked anything, then their whole group got two strokes too.

That is an asylum seeker who went to Malaysia and, under Malaysian law, was able to be tried. He exercised what he thought was his right—that is, to see a UNHCR representative. The result of asking to see a UNHCR representative was that, instead of getting one stroke of the rattan, he was given two.

Unlike immigration detention centres in Australia, immigration detention centres in Malaysia are closed to the public. As a result, thousands of foreign detainees are tried each year in closed proceedings, violating the right of these detainees to be treated 'in full equality to a fair and public hearing by an independent and impartial tribunal'. As far as Amnesty International is aware, in Malaysia there is no detailed written procedure for judicial punishment by caning. What this means is that, when the
punishment is actually being inflicted, it is often open to abuse.

At the same time, despite any written procedure, Amnesty International have viewed enough canings to be able to say the following. When a victim loses consciousness, officials halt the caning. 'I fainted. They waited until I came to,' said Alex, a 33-year-old Indonesian migrant. 'The pain was so bad it went to my head. I fainted again after the second one.' According to Dr Nisha, a physician who attended victims at a caning session, this fainting results from neurogenic shock, or a loss of nerve signals to muscle caused by trauma. The caning, unfortunately, is not terminated after a victim loses consciousness, however. It is merely interrupted.

As set out in the report of the inquiry into the Malaysian arrangement by the Senate Legal and Constitutional Affairs References Committee:

… if the transfer of asylum seekers to Malaysia proceeds then the Australian Government will have failed dismally in fulfilling any so-called ‘moral obligation’.

The Left of the Labor Party should be ashamed of themselves. The policy that they sanction, the policy that they are going to be supporting, is not a policy that is based on offshore processing; it is a policy that is based on offshore dumping. The left wing of the Labor Party like to go out into the public, stand up in their forums and say: ‘We are opposed to this. This is an absolute disgrace. This breaches the fundamental human rights that these people have.’ Yet when they are told to fall in line and support this policy, that is exactly what they do. They have the opportunity to say no. They have the opportunity to stand up for their principles. Let us wait and see if any of them do.

Middle East

Senator CAMERON (New South Wales) (13:48): I rise on a matter of public interest—that is, the quest for peace in the Middle East. This is not only a matter of public interest in Australia; it is a matter of international public interest and international importance. Peace has been a loser in the Middle East. It has been over 40 years since the Middle East war of 1967 and it has been over 60 years since United Nations General Assembly resolution 181 in 1947 to establish separate Jewish and Arab states. This was a resolution that the Australian government supported.

Last month, the international community expected to face another totemic resolution on the Middle East peace process at the meetings marking the beginning of the 66th United Nations General Assembly. This could have included: elevated status for the Palestinian Authority at the UN; a framework under which renewed peace process negotiations could take place; and a push for UN members to bilaterally recognise a Palestinian state. But, instead, on 23 September in New York, President Abbas submitted an application to Secretary-General Ban Ki-moon for the admission of Palestine as a UN member state. The Secretary-General conveyed the application to the Security Council, as UN procedure requires, and it is now before a standing committee, the Committee on Admission of New Members, for consideration. It is not clear how long this process in the Security Council will take; this has varied in the past from case to case and can take anywhere from weeks to months.

The government has made its position clear: Australia supports a negotiated two-state solution with a secure and independent Israel living side by side with a future secure and independent Palestinian state. Over 120
countries, however, have already chosen to recognise a Palestinian state. This is a reflection of the frustration of the international community at the slow progress of the Middle East peace process. As defined last month by Robert Serry, the UN Special Coordinator for the Middle East Peace Process, this process ‘is in profound and persistent deadlock’.

Israeli-Palestinian peace talks have been stalled since September last year following Israel’s refusal to extend a 10-month freeze on settlement activity in the occupied Palestinian territory. This was despite concerted efforts by the United States—one of Israel’s closest friends and partners—including an offer to Israel of a package of incentives, including 20 F35 fighter planes worth $3 billion in exchange for a new three-month settlement ban. This overture was ignored and negotiations, which had resumed only a few weeks earlier after a two-year hiatus, again collapsed. Meanwhile, as per its two-year commitment, the Palestinian Authority has made concrete steps towards preparing for statehood.

Both the World Bank and the IMF this year indicated that much of the basis for a functioning Palestine state already exists, including necessary governance structures and the ability to provide services and manage public finances. Australia has played its own part in supporting these state-building initiatives. Since 2007 Australia has provided nearly $170 million in humanitarian and institution-building assistance to the Palestinian Authority and refugees. Australia is now the 10th largest donor to the United Nations Relief and Works Agency for Palestine Refugees in the Near East. The government has also established a $120 million five-year development partnership with the Palestinian Authority, including regular budget support delivered through the World Bank and scholarships focusing on disciplines critical to institution building.

On the ground, however, the gap between Palestinian statehood maturity and political dialogue is widening. US President Obama’s speech in May laid out what could possibly form the basis of parameters for a resumption of negotiations when he said that a future Palestinian state could be formed along the lines of 1967 borders with mutually agreed land swaps. During his following speech to congress, Prime Minister Netanyahu said Israel would be willing to make painful compromises to reach peace but also laid out preconditions, including a Jerusalem united under Israeli rule and a rejection of any return of Palestinian refugees or their descendants to Israel.

In recent months, Israeli settlement activity has continued, and the calm between Israel and Gaza that was restored earlier this year has been challenged by the firing of rockets into Israel and air strikes and incursions carried out by Israel in Gaza. Ongoing Israeli settlements are undermining confidence in the peace process and are undermining prospects for a resumption of negotiations.

I believe there is a need for Israel to stop settlements. They need to ensure that they take steps to work towards a genuine peace, because a genuine peace in the Middle East will mean a genuine peace around the world. It will mean that security around the world is improved and that the opportunity for the world to move on from many terrorist attacks is improved. As I said, ongoing Israeli settlements are undermining confidence in the peace process and are undermining prospects for a resumption of negotiations.

The Australian government clearly expressed its disappointment at Israel’s announcement last month that it would build approximately 1,100 new housing units in
East Jerusalem and criticised them as counterproductive to the Middle East peace process. Simply continuing to encroach on Palestine properties in East Jerusalem is not the way forward for peace in the Middle East. Ongoing Israeli settlements have also been publicly criticised by the Quartet—that is the group comprising the UN, the US, the European Union and Russia—which has been working towards a resumption of talks.

The future of Jerusalem is a highly sensitive element of the peace process. It must be a final status issue, to be addressed through negotiations. These settlements prejudge these negotiations. Again, in my view it is not appropriate for the Israeli government to be prejudging the negotiations in the Middle East by continuing to build 1,100 new housing units in East Jerusalem.

Let me be clear: no-one is under any illusions about the scale of difficulty of the negotiations in the Middle East. But it is clear that we now face a critical opportunity for progress in the Middle East peace process, and that is an opportunity that Israel must take. The transitions we are seeking to take place in the Arab world are historic, but along with these transitions we are also seeing tensions in relationships in the region—between Israel and Egypt and between Turkey and Israel. There are risks that in the absence of a negotiated agreement we will see a rapid deterioration in Israel's security situation. There are also risks that if we do not see progress the changing geopolitical dynamics of the region will make the prospects of a lasting resolution even more remote. Meanwhile, Iran's nuclear program and support for terrorist organisations remain the greatest threat to Israel's security.

As I said at the beginning, progress has eluded us for decades. Difficult questions remain, including the role of Hamas. Australia is a longstanding friend and close partner of Israel's. We have a strong, longstanding commitment to Israel's right to security and self-defence, and that support is unwavering. Acts of terrorism cannot be accepted. But the right of Palestinian men, women and children to a safe and secure state is undeniable. Unless there is progress in the Middle East peace process, then men, women and children in Palestine will continue to suffer not only under state sponsored terrorism but from acts of violence that take place within those regions. It is absolutely unacceptable that we continue to see no progress in the process of Middle East peace. Middle East peace requires the Israeli government to actually take genuine steps to recognise the role that the Palestinian state has taken to put a hand out for peace in the region. It is absolutely essential for world peace that we have peace in the Middle East, and Israel has a major part to play in that process.

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:00): My question is to the Minister representing the Prime Minister, Senator Evans. I refer the minister to the fact that cost-of-living pressures have never been more severe; the fact that business and consumer confidence is at a 25-year low; the fact that, according to a recent Morgan poll, a record number of Australians, 61 per cent, think the country is heading in the wrong direction; and the fact that unemployment is on the rise and that Australians are feeling less secure in their jobs. I also refer the minister to the IMF's recent assessment in light of the European debt crisis that:

The global economy is in a dangerous new phase. Can the minister explain why the government believes now is the right time to
introduce the world's biggest carbon tax? Won't this only make a bad situation much worse?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:01): I take issue with the assumptions in the question asked by Senator Brandis. It shows, actually, the negativity and the oppositionist nature of everything they do. For instance, there are cost-of-living pressures on people and families, but it is also the case that they are aware that this government has done a lot to try to relieve that pressure, be it tax cuts, the childcare tax rebate, paid parental leave or the huge increase in pensions that we delivered to Australia's pensioners. So the government is very much aware of those cost-of-living pressures and has been very active in trying to assist families.

But, as always, the spin from the Liberal opposition is how bad things are—how negative things are. Senator Brandis refers to our unemployment situation. He does not mention America being at nine per cent. He does not mention the eurozone being around 10 per cent. He does not mention those countries that have 15 per cent. We have a fantastic employment record in this country. We have the lowest unemployment rate among comparable countries, but for Senator Brandis somehow we are doom and gloom and the world is going to end. There are cost-of-living pressures on Australians, but the Australian economy is in much better shape than most comparable nations. Senator Brandis, you failed to recognise that the IMF, in their report, also went on to review Australia's performance as being 'enviable'. They actually commented on how strong our economy was and what a good job the government had done in surviving the global financial crisis with very good results in terms of employment and stimulus packages that we implemented. So I suggest that Senator Brandis actually take a bit of a broader view and move out of this terrible oppositionist and negative mindset. (Time expired)

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:03): Mr President, I ask a supplementary question. Is the minister aware that Ms Gillard said to the House of Representatives on 10 May 2005: … the Labor Party is the party of truth telling. When we go out into the electorate and make promises, do you know what we would do in government: we would keep them. When we say them, we mean them.

Senator Brandis: What a zinger!

Senator BRANDIS: In light of the Prime Minister's statement on 16 August last year, 'There will be no carbon tax under the government I lead,' is it not the case that the Labor Party is no longer the party of telling the truth?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:03): I thought Senator Brandis spent his time plotting the downfall of his current leader; I did not know he spent his time searching back through the Hansard of 2005. He has been hard at it, finding a quote from the Prime Minister in 2005. Senator, brilliant research. Your own manager called it a real zinger. Well, if that is the best zing the opposition have, they are in a sorrier state than I thought.

This government has brought before the Parliament of Australia the clean energy package to try and put a price on carbon and transition our economy. The opposition have an opportunity to participate in that debate and to offer something constructive to that
debate, but I suspect that, as we saw in the House of Representatives over the last few days, we will get more of that ‘no, no, no’, oppositionist, negative mentality and no contribution to public policy debate in this country.

Senator BRANDIS (Queensland—Deputy Leader of the Opposition in the Senate) (14:04): Mr President, I ask a further supplementary question. I note the minister's failure to affirm to the Senate that the Labor Party any longer believes in telling the truth, if it ever did. With the government increasingly paralysed by disunity over leadership, why should the Australian people have any confidence in Julia Gillard protecting their jobs rather than protecting her own from those who sit behind the minister?

Senator CHRIS EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:05): I have to give Senator Brandis this: he is consistent. He called his own Prime Minister a liar and now he is calling our Prime Minister a liar. I think 'lying rodent' was his description of John Howard. So he is consistent: he seems to have this view about all prime ministers. So I congratulate him for that.

But what this question shows up again is the total absence of any contribution to public policy from the opposition in this country. This is the first question of question time. This is the best they can do: to ask the same question they have been asking for months, which is that old student politician, nitpicking, 'nah-nah-nah-nah-nah' sort of approach to politics. They have nothing to contribute to public policy—just opposition for opposition's sake. They have nothing to contribute to the very serious public policy debates in this country and nothing to contribute to the challenge of climate change. They are an opposition with no policies and no contribution to make.

Employment

Senator STEPHENS (New South Wales) (14:07): Can the minister advise the Senate on the prospects for jobs growth in Australia, including the challenges in managing a patchwork economy in which some sectors are experiencing strong growth while other sectors are doing it tough?

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 Stephens for her interest. I know she is very focused on the need to create jobs in this economy. During the period of global economic turmoil, Australia's economy, as I said earlier, stood in stark contrast to the rest of the world. While millions of jobs have been lost in Europe and the United States, the Australian economy has created around three-quarters of a million jobs since Labor came to office in 2007. Critically, we continued to create jobs during the worst of the global financial crisis. This is due to sensible economic management by the government and the stimulus efforts we put in place. While Australia is not immune from the turmoil being experienced in European financial markets in the short term, the prospects for medium-term jobs growth in Australia continue to be strong.

Immediate jobs growth will be driven by the pipeline of resource investments, which stands at more than $400 billion. In order to support these investments, my department estimates that Australia will need around 270,000 more construction and mining workers over the next five years. So that is more work for a range of people like welders, plumbers and brickies et cetera. It is

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also about creating high-skill jobs. We know there will be thousands of jobs for engineers, technicians, customer service personnel, trainers, cleaners, lawyers, scientists and accountants. In fact, in the next five years the department projects that Australia will need one million additional workers in the services industry. Job creation is one of the main benefits of the mining boom, but it will also give us the capacity to sustain jobs into the longer term and to continue to ensure that as Australians develop their skills during the mining boom, they have access to high-skill, high-pay jobs over the longer term.

Senator STEPHENS (New South Wales) (14:09): Mr President, I ask a supplementary question. Can the minister highlight what the Gillard government is doing to promote jobs for Australians and why the government's Skills Connect package is necessary to ensure job security for Australian workers and a smooth transition for the economy?

Senator CHRI
S EVANS (Western Australia—Minister for Tertiary Education, Skills, Jobs and Workplace Relations and Leader of the Government in the Senate) (14:11): The focus of this government from the beginning has been on education and skills training. We have made massive investments in that agenda to try to give young Australians the best opportunity to get good jobs. This year's budget was no different in that we put extra resources into assisting 160,000 early school-leavers with the foundation skills they need to succeed. Through Skills Connect, the government are investing $29 million to work with industry to get modern approaches to competency based apprenticeships. There are a whole range of measures directed at giving our young people the opportunity to participate in the economy and take up the skilled jobs that have been made available. I would like to congratulate the best of those: the Skillaroos, who competed at the Skills Olympics in London recently. They had fantastic results and did Australia proud. I commend them for their efforts in representing our country and displaying the skills of our young people to the world.
DISTINGUISHED VISITORS

The PRESIDENT (14:12): I draw to the attention of honourable senators the presence in the chamber of a parliamentary delegation from the Japanese House of Councillors, led by His Excellency Mr Otsuji, Vice President of the House of Councillors. On behalf of all senators, I wish you a warm welcome to the Australian parliament and in particular to the Senate.

Honourable senators: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Senator CORMANN (Western Australia) (14:12): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Can the minister confirm that according to Treasury modelling of the Gillard government's carbon tax package, at table 5.1, page 72, Australia's GDP is expected to be 2.8 per cent lower by 2050 than it would be without a carbon tax?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:13): I can confirm that the Treasury modelling shows that Australia can continue to grow with a carbon price, that GNI per capita will continue to grow at about 1.1 per cent per year, that average incomes will continue to grow strongly and that jobs will grow strongly, and that carbon pollution will fall by about 160 million tonnes by 2020 from what it would otherwise be.

Senator Brandis: Mr President, my point of order goes to relevance. The question could not have been more specific or more narrow. The minister was asked to confirm a single fact, identified by reference to the page and table number in an identified document. She cannot respond directly to that question by asserting other facts. She has to confine herself to the only fact about which she was asked.

The PRESIDENT: I cannot instruct the minister how to answer the question. The minister has been going 28 seconds and has one minute 32 seconds remaining to address the question.

Senator WONG: Those on the other side should actually listen to the argument. I was asked about economic growth and I spoke about the GNI figure and the annual growth rate. The reality is that we have two approaches to this issue. We have the Labor Party's approach and, in the great Labor tradition of caring about the future, we are on the side of pricing carbon. Again we see the coalition on the wrong side of history. They opposed Medicare, they opposed superannuation, they supported Work Choices—always on the wrong side of history. Today, again, in the House of Representatives they showed us they are the party which is not interested in the future.

We on this side of the parliament take our responsibility to the next generation seriously. We want to ensure this economy changes to one that pollutes less. We want to ensure that Australia contributes less to climate change and we want Australia to be part of the growth in goods and services that a low carbon—

Senator Cormann: Mr President, I rise on a point of order. The minister has now spoken for a minute and 40 seconds and she has gone nowhere near answering the very specific question, which was whether the minister could confirm that, according to the Treasury's modelling, Australia's GDP will be 2.8 per cent lower in 2050 than it would be without a carbon tax. The minister has gone nowhere near answering that. While I appreciate that as President you cannot direct the minister how to answer the question, you can, according to our standing orders, direct
The PRESIDENT: The minister has 21 seconds remaining to answer the question. I call the minister to complete the answer.

Senator Abetz interjecting—

The PRESIDENT: I am asking the minister to answer the question. You would know that is what I said if you listened.

Senator Wong: I made the point, and I expect that he may not have heard it, that I opened the answer with a response on GNI, which is directly in response to the issue raised.

Senator Cormann: I asked about GDP.

Senator Wong: Okay, GDP—

Opposition senators interjecting—

Senator Wong: Perhaps we can have a discussion about GNI per person. GDP—

(Time expired)

Senator Cormann (Western Australia) (14:17): I have a supplementary question, Mr President. Given that the government's own Treasury modelling indicates that Australia's GDP by 2050 will be $100 billion lower in that one year alone as a result of the carbon tax—and that is in today's dollars—what is the government's assessment of the cumulative dollar cost of that lower, slower growth in GDP caused by the government's carbon tax and emissions trading scheme between now and 2050?

Senator Cormann: The last part of my question was: 'forcing Australians to work effectively for nothing for a whole year to pay for the impact of the carbon tax between now and 2050, while sending $792 billion overseas to buy international permits because the carbon tax does not reduce emissions in Australia?'

Senator Wong (South Australia—Minister for Finance and Deregulation) (14:17): I again remind those opposite that the modelling shows is that with a carbon price the economy grows, incomes grow, jobs grow and emissions reduce from what they otherwise would be. The simple facts do not fit the scare campaign that those opposite continue to run. It is a sad thing when we see a party so addicted to opposing that they do not even want to look at the facts. Jobs grow, the economy grows and incomes continue to grow with a carbon price. That is why they used to support this policy. Under a different leader, when they actually had a brief moment of responsibility and cared about the future of this nation and cared about the next generation of Australians, they too used to support pricing carbon.

Senator Cormann: The last part of my question was: 'forcing Australians to work effectively for nothing for a whole year to pay for the impact of the carbon tax between now and 2050, while sending $792 billion overseas to buy international permits because the carbon tax does not reduce emissions in Australia?'
this anti trading permits line—to make the comments about foreign trade.

They are so intent on playing politics on this issue, they are proposing a policy which would increase the cost for Australian business and Australian households. The real question here is: why is the opposition so intent on wrecking everything? Why is the opposition so devoid of policies? Why is this opposition so intent on talking down the economy?

The real question is: why is it that the opposition is incapable ever of looking to the national interest?

Olympic Dam

Senator LUDLAM (Western Australia) (14:22): My question is to the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, Senator Conroy. How does the EPBC approval for the expansion of the Olympic Dam uranium mine qualify, as the environment minister suggested yesterday, as the toughest set of environmental conditions ever imposed when the conditions are much less than those imposed on the Ranger mine here in Australia, with the tailings at Ranger having to be buried in a pit and isolated for 10,000 years rather than 10 years, as is the case for the Olympic Dam expansion.

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) (14:23): I thank Senator Ludlam for his question. The minister for the environment has approved the proposed Olympic Dam expansion under national environmental law, imposing in excess of 100 stringent conditions. Minister Burke approved the proposed Olympic Dam expansion on 10 October this year. The approval conditions and the assessment report are available to the public on the department's website. The minister's decision was informed by expert advice on the assessment information from Geoscience Australia, the Australian Radiation Protection and Nuclear Safety Agency and the Supervising Scientist. The minister also took into account public submissions on BHP Billiton's environmental impact statement and comments from relevant ministers.

The approval conditions require BHP Billiton to strictly manage or avoid any environmental impacts not just during operations but well beyond the life of the project. The conditions apply to all parts of the project, including the proposed desalination plant in the upper Spencer Gulf, and will ensure that the gulf and its marine life, including the giant cuttlefish, are protected. The measures that the company will use to achieve these goals must all be detailed in an extensive and thorough environmental management and monitoring program which must be approved by the minister before work can begin. Ongoing monitoring will ensure that any issue can be addressed immediately and the program must be reviewed every three years to ensure it remains effective over time and takes account of the latest scientific information. BHP Billiton must also do a comprehensive review every 10 years to ensure they are using the best practical technology to minimise environmental impacts and risks. The conditions require BHP Billiton to develop for Mr Burke's approval—(Time expired)

Senator LUDLAM (Western Australia) (14:25): Mr President, I ask a supplementary question. I thank the minister for, I think, essentially reading the environment minister's media release instead of a response. How does this approval accord with ALP policy and election commitments
on uranium mining standards in the ALP national platform, which state that Labor will only allow the mining of uranium under the most stringent conditions and will ensure that Australian uranium mining, milling and rehabilitation is based on world's best practice standards, when the approval at Roxby Downs does not even meet criteria set for uranium mining in the Northern Territory?

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) (14:26): I understand Senator Ludlam has criticised the approval, stating that conditions for the treatment of tailings and waste rock are not at the same level as for the Ranger mine in the Northern Territory. The Ranger mine exists in a different climate and operates solely as a uranium mine. Approvals for mines are not one size fits all and it is the responsibility of the government to ensure the application of environmental conditions specific to the particular mining operation. Radiation management systems required to protect members of the public and nonhuman biota must be consistent with the Code of Practice and Safety Guide for Radiation Protection and Radioactive Waste Management in Mining and Mineral Processing, produced by the Australian Radiation Protection and Nuclear Safety Agency. The radiation dose constraint for members of the public must be no more than 300 microsieverts per year. In terms of these requirements complying with ALP policy, they are entirely consistent.

Senator LUDLAM (Western Australia) (14:27): Mr President, I will persist and ask a further supplementary question. I ask whether or not the minister will confirm that this approval pre-empts that which is not yet sanctioned under Australia's bilateral uranium sales agreement with China and that it will require a future nuclear treaty with China, yet to be negotiated with China or put to this parliament's Joint Standing Committee on Treaties inquiry and thereafter to this parliament, that may not even be realised?

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) (14:28): I am sure Senator Ludlam would acknowledge that there was a fair degree of speculation, and possibly even a hypothetical scenario, in his question but I am happy to take the matter on notice to see if there is any further information that either the Minister for Foreign Affairs, given this has moved into some of his areas, or Mr Burke would like to add.

DISTINGUISHED VISITORS

The PRESIDENT (14:28): I draw to the attention of honourable senators the presence in the gallery of the Australian Political Exchange Council from the United States of America. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate.

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Senator BIRMINGHAM (South Australia) (14:28): My question is to the Minister representing the Treasurer and Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. Can the minister explain what specific international action the Treasury modelling of the Gillard government's carbon tax assumes will take place in both the period up until 2020 and the period beyond 2020?
Senator WONG (South Australia—Minister for Finance and Deregulation) (14:29): It is always good to get a question from Senator Birmingham, who used to want to support a price on carbon and now, in his desire to move one seat forward, is very happily participating—

Senator Ian Macdonald: Mr President, I rise on a point of order on relevancy. This minister again is spending the first half of her answer attacking the questioner. Can you please bring her to order and ask her to answer the question?

The PRESIDENT: That is not a point of order. I was drawing the minister's attention to the question.

Senator WONG: Thank you, Mr President. I am interested that Senator Macdonald is always so sensitive on Senator Birmingham's behalf. He obviously feels a need to protect him.

I have no doubt that Senator Birmingham, being an assiduous reader of Treasury documents, would have read the Treasury modelling which was released. The assumptions on a whole range of issues, including the extent of international action, are described in the document itself. The core policy scenario assumes that nations—

Senator Ronaldson: Who says it is a silver bullet? I got your attention.

The PRESIDENT: Order! Resume your seat, Senator Wong. When there is silence we will proceed. I remind honourable senators on both sides—

Honourable senators interjecting—

The PRESIDENT: Senators Sterle and Macdonald, if you wish to debate it the time is after question time. You know that.

Senator WONG: As I was saying, the core policy scenario in the Treasury modelling assumes that countries meet the low-end commitments for 2020 that they made at the Copenhagen and the Cancun conferences. This is the equivalent of assuming Australia will meet its bipartisan five per cent target by 2020. I remind those opposite that it is like assuming this nation will meet the target that both parties have committed to, although I note at this point that the opposition's policy to meet the five per cent will, in fact, cost more. It will cost $1,300 per year per Australian household. It is a policy which will increase expenses for Australian taxpayers. The approach taken by Treasury is the same approach taken in comparable modelling exercises by organisations such as the OECD, and the commitments on which this is predicated are the clearest evidence that we have of what other countries intend to do to tackle climate change. (Time expired)

Senator BIRMINGHAM (South Australia) (14:33): Mr President, I have a supplementary question for Minister Wong. I note the minister did not address the period beyond 2020 and I refer the minister to statements made by Treasury officials to the inquiry into the carbon tax bills that they have modelled a scheme for after 2020, where countries make the same emissions reductions as each other, relative to their business as usual path, by the same amount as Australia. Is it correct that Treasury modelling assumes all countries make the same reductions against business as usual after 2020? If so, what is the amount of that reduction?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:34): Let us understand what the question is proposing. The opposition is suggesting that another reason to oppose this bill, to which they are already so implacably opposed, is because of something which may or may not happen between 2020 and 2050. We know something that is likely to happen in the decades ahead if the world, including
Australia, does not act on climate change—that is, climate change will worsen and the economy in this nation and globally will be hit by that. Those on that side—

Senator Brandis: I rise on a point of order on direct relevance, Mr President. The question was specific: whether or not there was an assumption and what was the amount of the reduction. The minister has done nothing but critique the question. She has not attempted to answer the question. She has not approached the question, let alone been directly relevant to it. You should bring her to the question.

The President: I believe the minister is answering the question.

Senator Wong: As I said, the Treasury modelling is quite transparent in the various assumptions it makes. As I have outlined, it makes assumptions consistent with the approach taken by analogous modelling exercises such as those undertaken by the OECD. But the point is the opposition do not care about the modelling. (Time expired)

Senator Birmingham (South Australia) (14:36): Mr President, I have a further supplementary question for Minister Wong. Is it not true that the Treasury modelling of the Gillard government's carbon tax assumes all countries engage in an 80 per cent reduction in emissions against business as usual between 2020 and 2050? Given the minister's personal experience of events like the Copenhagen conference, does the minister agree that this is a most heroic assumption on which to punt Australia's future?

Senator Wong (South Australia—Minister for Finance and Deregulation) (14:36): No, the heroic assumption is that at some point the opposition might actually care about the national interest. That would be an heroic assumption. The heroic assumption would be that at some point, instead of running around talking about pledges written in blood, those opposite might actually care about public policy and reform for the future. The heroic assumption might be that those on the other side, who are part of a policy to put a price on carbon, might discover their consciences at some point and recall that they went to an election promising this for the same reasons.

The heroic assumption would be that someone on the other side might actually care enough about proper reform in this country that they would move beyond the scare campaign that they are running. The Treasury modelling that we have put out shows that we can grow our economy, increase our incomes, increase jobs and reduce pollution from what it otherwise might be. That is what the modelling shows. That is what those on the other side do not wish to—(Time expired)

Indigenous Employment

Senator Thistlethwaite (New South Wales) (14:37): My question is to the Minister for Indigenous Employment and Economic Development, Senator Arbib. Can the minister inform the Senate about the Gillard government's record on keeping Australians in employment? How are Indigenous Australians benefiting from these programs?

Senator Arbib (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (14:38): I thank Senator Thistlethwaite for the question. The Gillard government has an extremely strong record of supporting workers and Australian families. The Gillard government remains proud that we abolished Work Choices to provide fairness at work. We acted to support jobs during the GFC.
We are investing over $3 billion in skills, for Australians to get the training they need to get ahead. We are proud that we have added over 750,000 jobs to the economy since coming to office. Of course Indigenous Australians are benefiting from those jobs and from those programs. In the 2010-11 financial year, Job Services Australia providers recorded 48,000 commencements into employment for Indigenous Australians, an increase of 25 per cent on the previous 12 months. The Indigenous Employment Program, the IEP, has exceeded its targets by 14 per cent, achieving over 31,000 commencements in jobs and training.

We knew as a government that the GFC would have a disproportionate effect on sections of the community. We knew it would have a big effect on young people. We knew it would have a big impact on apprenticeships. That is why we invested in apprenticeships. We trebled the commencement bonus for business, supporting small businesses and medium businesses but also supporting larger businesses, ensuring they could employ apprentices. We said we would target 20,000 apprenticeships, and we exceeded that, with well over 20,000 apprenticeships during that period. I am very happy to announce that the National Centre for Vocational Education Research found that we were able to return commencements to pre-GFC levels in just over one year.

(Time expired)

Senator THISTLETHWAITE (New South Wales) (14:40): Mr President, I ask a supplementary question. Can the minister please elaborate on how Apprentice Kickstart helped Indigenous young people to start a trade? In particular, what sorts of results did it achieve for Indigenous job seekers?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (14:41): In just over 12 months, we were able to rebuild our apprenticeship ranks, which will support business in a time of numerous challenges in terms of skills. But at the same time as we were recruiting apprentices, working with business, working with the big chambers, we signed up an extra 1,600 Indigenous apprentices, 850 of those in just three months. They help make up the 46,000 young Australians who were able to land a trade and a job as part of this important measure. This meant we did not have young people locked out of starting a trade, and of course it will support businesses going into the future, ensuring that they are not hindered by possible skills shortages. That is what the Labor government did during the global financial crisis, and it is having an impact now—supporting business, supporting our young people, making sure they are not thrown on the scrap heap.

Senator THISTLETHWAITE (New South Wales) (14:42): Mr President, I ask a further supplementary question. Can the minister please outline to the Senate what other measures the Gillard government has in place that are supporting Indigenous young people to build their skills base and get a job?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (14:42): Senator Evans talked a bit about the work that is happening in the training system. The training rollout, $3 billion, is having an impact and an effect in terms of the Indigenous community, with the $2.5 billion Trade Training Centres in Schools Program; the Indigenous Cadetship Support, which has assisted over 650 Indigenous students to get a foothold in
graduate programs since July 2009; the Australian School-Based Apprenticeships program, which has helped 1,400 Indigenous students into an apprenticeship; and, of course, the 6,400 Indigenous school based traineeships that were announced by the Gillard government in the May budget, something we will be working on with the school sector but also the business sector.

We know the work that is happening here from the Labor government. All this work will be under threat from the Liberal Party senators—with a $70 billion black hole. They have no idea where the money is going to come from, but we do know that, when they are in doubt, they cut services. They cut services and they cut programs, and these will be the programs they cut. (Time expired)

**Carbon Pricing**

**Senator JOYCE** (Queensland—Leader of The Nationals in the Senate) (14:43): My question is to the Minister representing the Minister for Climate Change and Energy Efficiency, Senator Wong. I refer the minister to the government's own modelling of the impact of the carbon tax, which shows that Australia's GDP will be over $1 trillion lower between now and 2050 due to the carbon tax, representing over $40,000 for every Australian. These are large costs to bear, and Australians would rightly expect some form of tangible benefit for bearing them. I refer the minister to the Prime Minister's speech on 23 July last year when she said that, as a result of climate change, 'the number of droughts could increase by up to 40 per cent in eastern Australia.' Can the minister now confirm how many droughts the government's carbon tax will prevent?

**Senator WONG** (South Australia—Minister for Finance and Deregulation) (14:44): The first part of that somewhat lengthy story of a question dealt with the Treasury modelling. As I have said a number of times in this place, the fundamental set of findings from that modelling shows that, with a carbon price, we can continue to grow our economy, increase jobs and reduce our carbon pollution from what it will grow to. That is what the Treasury modelling shows. One thing I will say for Senator Joyce is that he is at least being consistent on this. He has never supported it and he was a pretty big player in making sure that Mr Abbott became Leader of the Opposition.

In terms of the science of this, we on this side have a very simple proposition—that is, we think the scientists ought to be taken heed of.

**Senator Brandis:** Which scientists? The ones that agree with you?

**Senator WONG:** I will take that intervention—

**Senator Joyce:** Mr President, I have a point of order on relevance. The question was: can the minister confirm how many droughts the government's carbon tax will prevent? I am looking for one drought, two droughts, 10 droughts, 20 per cent of droughts. The Prime Minister has said it would reduce droughts, so I want to know how many droughts it is going to prevent.

**The PRESIDENT:** There is no point of order. I cannot instruct the minister how to answer the question. It would assist if there were not interjections from your side during your question which divert the attention of the minister. The minister knows to ignore interjections, as they are disorderly. They do not assist in the conduct of answers during question time.

**Senator WONG:** Thank you, Mr President. It is disappointing that people who call themselves Liberals are so illiberal when it comes to scientists in this debate. We on this side recognise that climate scientists around the world are telling politicians that
carbon pollution is causing climate change. We accept the climate science. I would remind Senator Joyce that, globally, 2010 was the warmest year on record. For his information, it tied with 2005 and 1998, with the decade 2001 to 2010 being the warmest decade on record. The year 2010 was the 34th consecutive year with global temperatures above the 20th century average. Senator Joyce and those opposite might like to dismiss these figures; they might wish simply to say that scientists ought not to be believed. We on this side of the chamber do not believe that that is a responsible act. It is not responsible for elected members of parliament and senators—

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (14:47): Mr President, I ask a supplementary question. Minister, I again refer to the Prime Minister's speech of 23 July last year, entitled 'Moving forward together on climate change'—it sounds like it could be a horse at the show. In that speech, the Prime Minister said:

I understand that a lot of families are under pressure.

My Government will always act with the interests of those Australians in mind.

Does the government believe that it is acting in the interests of these Australians by adopting a carbon tax that will increase electricity prices for many Australians who cannot afford them even now?

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:52): Senator Joyce is opposed to pricing carbon. He does not want to accept the advice of scientists and he does not want to accept the advice of economists about the best way to deal with climate change. So there is a fundamental difference of opinion in this chamber—

Senator Brandis: Which economist? One that agrees with you?

Senator WONG: I will take Senator Brandis's interjection about the economist, because there is no economist who supports his plan. That is because it is a plan that will cost more and will not work. (Time expired)

Senator JOYCE (Queensland—Leader of The Nationals in the Senate) (14:50): Mr President, I ask a further supplementary question. I refer to the Prime Minister's infamous statement on 16 August last year: 'There will be no carbon tax under the government I lead.' Given the active undermining that is currently going on by people proximate to you, Senator Wong—in fact, all around you—and given that we might soon see a carbon tax in place, does that mean that Julia Gillard is now no longer going to lead the government?

The PRESIDENT: Senator Wong, you need only answer that part of the question that refers to your portfolio.

Senator WONG (South Australia—Minister for Finance and Deregulation) (14:50): Prime Minister Gillard has achieved a successful vote in the House of Representatives today on a Labor reform that is about the future. I anticipate that, in years ahead, people will look back to people like Senator Joyce and they will talk about how he was on the wrong side of history again, just as those opposite were on Medicare, just as they were on superannuation and just as they were on Work Choices. They are always playing short-term politics and never looking to the future. I also remind Senator Joyce that his policy will oblige him to go to the next election arguing for lower pensions, because he is going to take the pension increase from pensioners, for higher taxes, because he is not going to be able to triple the tax-free threshold—

Honourable senators interjecting—

The PRESIDENT: It is not long now, another eight minutes and you can debate the
issue. You know that. It is not the time now to debate the issue.

Senator WONG: If he wants to look to the past perhaps, among many quotes, he could look to Senator Brandis, who said, in August 2009:
The Opposition supports an emissions trading scheme.

Manufacturing

Senator MADIGAN (Victoria) (14:52): My question is to the Minister for Innovation, Industry, Science and Research, the Hon. Kim Carr. In light of the recent closure of a number of regional industries, including the Coca-Cola owned SPC factory at Mooroopna and the Heinz factory at Girgarre, can the minister advise what steps the government is taking to support those regional communities now attempting to establish cooperatives in an effort to continue operating and save their livelihoods?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:53): I thank Senator Madigan for his question and I indicate to him that the government shares the concerns about manufacturing job losses, particularly in regional areas, where manufacturing is often an important source of employment and investment. Of course, any job losses are unfortunate. The fact remains, however, that the latest national account figures show that manufacturing investment is actually growing in this country. What we have to consider here in regard to the Heinz decision is that the decisions were announced in Pittsburgh, they were part of a global restructure and there was no consultation with the government on the matter whatsoever.

In regard to the SPC Ardmona arrangements, I understand that all employment entitlements are being provided, that there is additional support such as outplacing and counselling services and that retraining has been made available. Senator Evans has already indicated today the extent to which the government is providing additional support such as training facilities for workers who are displaced in those circumstances. I would also indicate, though, that AusIndustry and Enterprise Connect are working to provide financial and other assistance to numerous businesses within the Goulburn Valley to support food-growing and manufacturing sectors throughout the region, as we understand the importance of the region to the food-processing industry.

In regard to the specifics of support for cooperatives, Senator, these are the direct responsibilities of state and territory governments. The Commonwealth has no direct administrative responsibilities for them. What I can indicate to you, though, is that there are a range of measures that the government has available to assist manufacturers. (Time expired)

Senator MADIGAN (Victoria) (14:55): Mr President, I ask a supplementary question. With the current high Australian dollar and the probable introduction of the carbon dioxide tax, can the minister inform the house what support is available to guarantee the survival of industries in regional areas and the communities that rely on them?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:55): Senator Madigan, in regard to the passage of the legislation, which I trust you will be able to support, there will in fact be support provided through the Clean Technology Food and Foundries Investment Program, an assistance program of $200 million over six years which will provide support for investment and innovation. It will provide assistance which eligible companies...
will be able to rely upon. It will start with a grant arrangement of $100,000, which I trust will encourage many smaller food processors that currently are not able to attract support through any other program. This measure provides additional support for the food-processing industry. With this, along with the steps the government is taking in other fields, particularly in terms of research and development, we may actually see opportunities for additional employment in the food-processing sectors as a result of the legislation currently before the parliament.

Senator MADIGAN (Victoria) (14:57): Mr President, I ask a further supplementary question. As 2012 has been declared the International Year of Cooperatives by the United Nations, can the minister advise the house what innovations and programs the government will be implementing to assist the development of cooperatives in regional Australia to fill the void of the industries that may be forced to close under the incoming carbon dioxide tax?

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (14:57): I can only repeat that the administrative arrangements regarding cooperatives are the direct responsibility of state and territory governments. Notwithstanding that, the government stands ready to work with enterprises to ensure that we provide all the assistance that is available and to ensure that the necessary arrangements are made, particularly through Enterprise Connect, to provide the support needed for industries to be able to transform themselves in this process of rapid change. There is quite substantial support available—up to $20 billion—as a result of the legislation that is currently before the parliament. There is $20 billion of industry support for those industries that are in the business of transforming themselves and preparing themselves for the 21st century. That is why these measures are so important to ensure high-skill, high-wage jobs for Australians into the future.

Carbon Pricing

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (14:58): My question is to the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, Senator Arbib. Given the important role of Australia's 600 disability enterprises, which employ around 20,000 people, including many with an intellectual impairment, can the minister explain why the government is introducing a carbon tax which will increase the power bills of many of these enterprises by tens of thousands of dollars a year? Is the minister aware that none of these organisations will receive compensation under the government's carbon tax plan?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (14:58): In relation to the specifics in regard to those disability enterprises, I am happy to check and come back to the chamber with more information. In regard to community organisations and charities, it is pretty clear that funding is being put forward by the Australian government to support those organisations and I have said that in this chamber numerous times. With the introduction of the carbon price, the Low Carbon Communities Program will fund grants for local community organisations to support them to retrofit or upgrade community-use buildings and facilities to reduce their energy usage. This will cut their energy costs and serve as demonstration projects to promote energy efficiency in the community. There will also be a dedicated funding stream under the Low
Carbon Communities Program to provide payments to charities to offset the carbon costs they will face if they require usage of aviation fuels for maritime purposes. That will attract an effective carbon price under the fuel excise and tax credit scheme.

This funding will be provided on an ongoing basis. I have made this clear on a number of occasions. The funding of many charities and community organisations, I am happy to say, will be indexed. So, as costs rise, funding will be increased. The indexation will be changed annually after consideration of movements in the data that underpins the estimates of costs faced by these groups. This means cost impacts resulting from the introduction of the carbon price will be captured in this indexation and organisations will automatically receive increased funding over time. The indexation will be changed annually after consideration of movements in the data that underpins the estimates of costs faced by these groups. This means cost impacts resulting from the introduction of the carbon price will be captured in this indexation and organisations will automatically receive increased funding over time. We believe in supporting charities and the not-for-profit sector and we welcome comments from those organisations. We understand organisations are keen to know what the carbon price will mean for them and what support they will be entitled to.

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (15:01): I have gone through the support that will be provided to community organisations, not-for-profits and charities, but also there will be a great deal of assistance provided to Australian families and to pensioners. When the carbon price starts in July next year we will be providing assistance to nine out of 10 Australian households, assistance that is permanent and will increase over time. Almost six million households, or two out of three, will get assistance. This is funding that will be ongoing and in two out of three cases will meet or exceed the expected average price impact. Families on low incomes and pensioners will get the most assistance because we know that they have less room to move in their weekly budgets. The assistance has no strings attached, so if families can make some small changes around the house and reduce their energy consumption then they can keep the money. (Time expired)

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (15:02): Mr President, I ask a further supplementary question. Can the minister guarantee that no Australian disability enterprise will close as a result of Labor's carbon tax?

Senator ARBIB (New South Wales—Minister for Sport, Minister for Indigenous Employment and Economic Development and Minister for Social Housing and Homelessness) (15:03): I have said in relation to disability enterprises that I am happy to seek a brief from the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, and provide that information to the Senate. I have gone through the assistance that is provided to community organisations, not-for-profit organisations and also families. In terms of the disability area, this government is proud of the work it has done. No government has provided more funding or resources to
disability organisations. No government has provided more. In fact, in terms of a national disability insurance scheme, this is a government that is taking action and Senator Fifield well knows that.

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

**QUESTIONS WITHOUT NOTICE:**

**TAKE NOTE OF ANSWERS**

**Carbon Pricing**

Senator BOSWELL (Queensland) (15:04): 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 Cormann and Birmingham and the Leader of The Nationals in the Senate (Senator Joyce) today relating to a proposed carbon tax.

In one way it is a black day for Australia and in another way it is a joyous day because the Labor Party have activated a great army that will march against them at the next election. They have activated every small business. Every business will be out there contributing in many ways to get rid of this horrible Labor government led by Bob Brown. People have made their minds up. You would have seen the reaction in the other house, Mr Deputy President, where people were chanting in the gallery. That is only the start of what this Labor Party are going to find. They have been completely outmanoeuvred, completely sold out and completely destroyed by Bob Brown, who has led them around by the nose. I congratulate Bob Brown. He is a master tactician leading a bunch of dopes. Talk about rope-a-dope! He has roped them one after another and while he is picking up momentum the Labor Party are bleeding momentum. You are not going to have one blue collar worker left, Senator Cameron. I learnt something the other day which I never knew and never suspected: Senator Cameron's union actually funds the Greens. Did anyone know that? Senator Cameron's union funds the Greens; so does the CFMEU. I could never understand where Senator Cameron was coming from, but he who pays the piper calls the tune.

**Senator Cameron:** Mr Deputy President, a point of order: that is a complete misrepresentation and should be withdrawn. That is an aspersion against me and how I am acting and should be withdrawn.

**The DEPUTY PRESIDENT:** There is no point of order, Senator Cameron. Senator Boswell, continue.

**Senator BOSWELL:** Perhaps it is time to reflect on what we have achieved today, because today Australia has put itself in a $105 billion hole—that is what it is going to cost—while reducing Australia's emissions by 53 million tonnes. Do you know what that means? It means that 53 million tonnes will be taken up in 24 hours by China. So we have had a great win for Australia! In 24 hours China's production will cancel out our 53 million tonnes of emission savings. What a great win for Australia! But that is what we have done overall. It has also affected our exports, destroyed our jobs, and all for the sake of nothing.

Senator Wong has been telling us ad infinitum about the modelling. I challenge her to put up the GEM modelling now—the one that has been upgraded by the Treasury. She will not do it. I have continually asked for it. There is no modelling. This is an act of treachery that has no basis, it has no...
modelling. MacGibbon cannot get the modelling and Ergas cannot get the modelling. The modelling is not available, and I challenge them and I challenge Senator Cameron—

Senator Cameron interjecting—

Senator BOSWELL: I will give your union 1,000 bucks if you turn up with that modelling. It will hit the big end of town. They are going to hate the Labor Party with a vengeance. You have stuck a stick down an ants nest and stirred it up, and you are going to cop it left, right and centre. But that is not just the big end of town. I got a letter today from someone from the small end of town, the small business community. You may have got one. It was from the owner of Morgans Seafood restaurant. His bill is going up $8,000 for his restaurant and $18,000 for his cold room where his trawlers come in. That is just one small business. There are millions of them out there. (Time expired)

Senator CAMERON (New South Wales) (15:09): Senator Boswell has just demonstrated as the lead speaker on this issue for the coalition that he does not understand what the government and what the world face with climate change. This is a historic day because it is a victory for science, it is a victory for common sense, it is a victory for the environment and, more important than anything else, it is a victory for future generations. That is what the victory is today. And it is a defeat for deniers like Senator Boswell. But at least Senator Boswell does not hide the fact that he does not think there is a problem with the climate. It is a defeat for the deniers, it is a defeat for the sceptics and it is a defeat for the political opportunists in the coalition.

This is the right thing to do for this country and the right thing to do for the world. It is socially, environmentally and economically responsible. The science is clear and the impacts of climate change are clearly visible. As stated by the CSIRO:

Southern and eastern Australia’s water supply reliability is expected to decline as a result of reduced rainfall and increased evaporation …

Development and population growth in Australia’s coastal regions will exacerbate the risks from sea-level rise and increase the likely severity and frequency of coastal flooding.

Significant losses of unique Australian animal and plant species are expected to occur in sites such as the Great Barrier Reef …

The risks to infrastructure include the failure of urban drainage and sewerage systems, more blackouts, transport disruption, and greater building damage—

These are all going to be the result of climate change.

Heatwaves, storms and floods are likely to have a direct impact on the health of Australians …

Moderate warming in the absence of rainfall declines can be beneficial to some agricultural crops … However, these positive effects can be offset by changes in temperature, rainfall, pests, and the availability of nutrients.

This is not the Labor Party saying these things, this is the pre-eminent scientific body in Australia—the CSIRO.

Scientists around the world agree. The only people who do not agree in this place are the coalition. Some of them know better, but are taking the short-term political approach on this issue. I would rather listen to the CSIRO than to Senator Boswell who tells us he goes out on his yacht off Brisbane in Queensland and he cannot see any rise in sea levels. That is the level of the scientific analysis of the coalition.

You see, this is the right thing to do. It is the right thing to do for the country. As the CSIRO says, there are problems with nutrient deficiency. One of the hearings that I was involved in recently was an inquiry into koalas. What do the scientists say about koalas in relation to global warming? They
say that the chemical nature of the food that koalas eat—that is, eucalyptus leaves—is changing because of global warming. The nutrients are being diminished, the chemical composition is changing and koalas are suffering because they cannot get nutrition from these eucalypt leaves. That is just one of the many examples of problems with global warming.

The hypocrisy of the coalition knows absolutely no bounds. Let me remind those opposite of what their former leader John Howard said:

A re-elected Coalition government will establish the world's most comprehensive emissions trading scheme in Australia, commencing no later than 2012. The scheme will be the primary mechanism for reducing Australia's emissions …

That is what John Howard said. You know it is the right thing to do. You should stop your hypocrisy and you should act in the national interest. Hypocrisy is ruling the national interest—(Time expired)

Senator EGGLESTON (Western Australia) (15:14): I do not know whether hypocrisy is ruling the policies of the Labor Party. Today in the House of Representatives 74 members betrayed the Australian people. Today legislation for a carbon tax was passed on the basis of a lie, for a carbon tax the Australian people were promised would not be introduced. The Labor-Green carbon tax will, I am sure—I am convinced absolutely, Senator Cameron—drive up prices, threaten jobs and do nothing for the environment. It is in fact a great big tax on everything and every year that tax will cost the Australian people more—not only in tax but in jobs and in diminished competitiveness on the world market.

Australian industry depends very much on competitiveness and yet this carbon tax will very much threaten it. For example, at the Boao conference held earlier this year in Perth, Kerry Stokes pointed out that, while the Australian economy is very dependent on China, China has many trading partner options and Australia has one—namely, China—for our mineral resources. So if our prices are too high and we become uncompetitive then the Chinese will be going elsewhere—most likely to West Africa—and our great minerals boom will certainly diminish.

A carbon tax will cost jobs. According to the Minerals Council of Australia it will cost some 23,000 jobs in the mining sector alone and then of course there will be secondary job losses in local business. Talk of alternative green jobs is nonsense. The pay in such jobs will be much lower, and that is something that the Labor Party never tells people. They will be a long way away, for the most part, from present centres of employment. The talk of alternative green jobs really is not realistic at all.

The carbon tax will progress to an ETS in 2015—or that is what we are told—and it will be the highest costing ETS in the world, with only New Zealand and the EU having ETSs presently, both of which are small by comparison to what is proposed for Australia. The big flaw in this proposal to have an emissions trading scheme is that none of our major trading partners will have either an ETS or a carbon tax—that is, the United States, China, South Korea, India and Japan will not be going down this pathway. The question will be: who will Australia trade carbon credits with? The answer will be: no-one. And the Australian people will have to pick up the cost of this enormous tax.

Last month the Minerals Council published an article outlining the extensive damage to jobs that would be caused by a Gillard government carbon tax. It stated that
in Australia just 93,000 employees out of a total manufacturing workforce of over a million would receive assistance under the Jobs and Competitiveness Program, the government's primary initiative to safeguard trade exposed industries. Further research undertaken by the Minerals Council compares the Gillard government carbon tax with the European Union's emissions trading scheme, illustrating the widespread negative outcomes for our economy. Under the EU scheme, 48 per cent of manufacturing value added is covered by industry assistance programs. In Australia only 22 per cent of manufacturing value added will be eligible for assistance. Under the EU scheme 78 per cent of manufactured exports will be eligible for safeguards to ensure they remain competitive under carbon pricing. In Australia only 41 per cent will be covered.

Let me start with a quote. Once upon a time there was a senator in this chamber, back in November 2009, that said:

One way of avoiding the volatility of an emissions trading scheme would be to have a carbon tax. A carbon tax provides a very steady and known price for carbon, if you like, which is only varied by varying the tax. That tax can be set at a level that allows renewable energy systems to be competitive.

As Senator Abetz might say, 'Who would have said that?' That is a quote from Senator Alan Eggleston in November 2009. In 2009 Senator Eggleston was spruiking the benefits of a carbon tax. I could go to a quote from Senator Michael Ronaldson, from Senator David Johnston, from Senator Brandis and even from you, Senator Fifield, if you would like. In fact, this is what you said, Senator Fifield, back on 7 May 2009: 'So why do you think we are against an emissions trading scheme? It was our policy. The coalition has committed to an emissions trading scheme since Malcolm Turnbull was environment minister. The difference between ourselves and the government is that we don't see an emissions trading scheme as an end in itself. We see it as part of a range of measures to reduce global emissions. The important thing is to get the ETS right.' He went on to say: 'It's not new that the coalition support an ETS. We have done for some time.' You see, that is the problem we have with the opposition and that we are unfortunately confronting in this chamber. Senator Cameron is right: on the day our carbon pricing legislation goes through the House of Representatives and we are taking note in the Senate—and they roll out Senator Boswell, who clearly does not understand what we are talking about, has no argument on the basis of facts and seeks to impugn senators personally to get his message across—we have a consistent message from the coalition. Their leader, Mr Abbott, in the last 2½ years
has had no fewer than eight different positions on a carbon price. And that is leadership; that is consistency! I would not have thought so. First of all, in an article in the *Australian* on 24 July 2009, Mr Abbott supported Mr Howard's decision to not take an ETS to the 2007 election. He supported Mr Rudd's proposal for an ETS the very same month in 2009. Of course, that is when all these senators opposite me were wheeled out, backing the then position of Mr Howard and Mr Abbott. Then, on 27 July, just three days later, Mr Abbott opposed an ETS. Two days later he supported a carbon tax.

Let us fast forward to 2 October 2009, when Mr Abbott admitted that this was all about politics. Remember? 'Climate change is crap,' I think he said. Two days after that he said that an ETS is a sensible policy. Let us now fast forward to November 2009, a month later, when he challenged Mr Turnbull on the ETS. We all know what happened. The climate change sceptics on that side got their way. If you were a supporter of climate change, you very quickly had to become a sceptic or else you had no career in the opposition.

Now, since the election in 2010, Mr Abbott is totally against a carbon price. So in 2½ years there have been eight different positions on a carbon price. The Australian people cannot believe the coalition's position, because it is never consistent. Not one month goes by when the coalition has a consistent position on this policy issue—this major, incredibly important environmental issue of tackling climate change, along with the rest of the world. *(Time expired)*

**Senator BOYCE** (Queensland) (15:25): This is a very sad day, despite what Senator Crossin might like to tell us—not because the coalition lost the vote on the carbon tax in the House of Representatives but because the Australian people have lost a great opportunity to develop our economy; they have lost the ability to control our resources and our growth for the next 40 years. It is a shockingly bad day for Australia.

It would appear that Senator Crossin and Senator Cameron join Senator Wong and the Prime Minister in being completely delusional about what they are going to achieve here. Why would we expect the Prime Minister to be anything else? We cannot believe what she says because this tax, despite her frantic efforts to say otherwise, continues to be based on an out-and-out lie. So why would we be surprised that this government is delusional about what will be achieved? Senator Wong would have us believe that the economy and the number of jobs will grow under this carbon tax proposal of the government's. Perhaps she should check with a few other people before she says this—and not just the opposition.

In my own state of Queensland we now have a large number of state owned corporations telling us about the losses they are going to have under the carbon tax. Of course, this information has not been supplied openly, in the great tradition of the Gillard Labor government, hiding its Treasury modelling, kicking and screaming and shrieking at any attempts to get real information. This information has only become available through right-to-information actions undertaken by the *Courier-Mail*, which reported that Queensland Rail expects that its costs will go up by more than $5 million per year for the next three years.

In Queensland we have already seen the values of the state owned power generator, CS Energy, and of Stanwell Power and Tarong Energy written down by more than $1.1 billion because of the carbon tax. The Gladstone Ports Corporation has told us that its costs will rise by $2.4 billion next year.
All of this adds to the costs of transport and to the costs to householders. No-one, including Minister Wong, could possibly believe that the economy and the number of jobs will grow.

Perhaps one of the most classic examples of this—and one of the most ironic—is BlueScope, which had intended to build a co-generation plant that would cost $1 billion and reduce the company's emissions in Port Kembla by nine per cent. They have now decided that it no longer makes economic sense to build that plant and that they will build the plant in stages, not in one go. BlueScope has said that instead it will close down one of its blast furnaces, and that will halve emissions. That is great for the government: it has halved emissions. What a great way to achieve it! A thousand jobs are out the door but, gee, we have halved emissions. I am sorry, Minister Wong, but you cannot have growth in the economy and in jobs with this tax.

There is a much better way to do this. The coalition has always supported the putting of a price on carbon. It is not this price; it is not this way; it is not at this time. The direct action plan of the coalition, with encouragement for the development of renewable energies, will actually help the environment of Australia without costing thousands and thousands and thousands of jobs. It is a travesty to hear this government talk about jobs and manufacturing and suggest that in any way they have taken into account the real costs that will be forced on the Australian people on this extraordinarily sad day. Manufacturing is in the doldrums now, manufacturing will get worse and this government has no idea what to do about it.

Question agreed to.

Olympic Dam

Senator LUDLAM (Western Australia) (15:30): I move:
central South Australia and says that the company will be allowed to walk away from that material after 10 years—after which that colossal liability passes to the Australian taxpayer and to the traditional custodians of that area, many of whom do not want that facility there in the first place—is insulting. There is nothing 'world's best practice' about what the minister signed off on again yesterday, and this is a decision that the Australian government will regret. I do not mean 'regret' in the timeless sense of future generations looking back and asking why this liability was left but the immediate political consequences of signing off on this monster, obviously without having even read what it is that the company proposes to do.

For the answer to the third question that I put to Senator Conroy, the minister had not even shown the courtesy of providing him with a brief. The fact is that this approval is highly pre-emptive and that Prime Minister, or Foreign Minister, Rudd—excuse the slip—would be required to sign off on a new amended treaty with China because this material is the feedstock for nuclear weapons and because the company, BHP Billiton, has come up with the novel idea of not just exporting copper, gold and uranium but exporting the jobs as well—exporting the highly skilled jobs from the smelting operations to China. This means we are not simply milling and processing this material in Australia; they propose to export a concentrate to China for smelting there. So BHP has come up with this novel idea of exporting the highly skilled employment to China, no doubt because they will be able to pay their workforce a fraction of what they would have to pay them here in Australia, and somehow that seems appropriate; I have not heard any questions raised on either side of the chamber about that.

But that means that that is a strong variation on the way that we normally export uranium to China or to anywhere else. There will need to be a treaty signed, but the negotiations for that, we understand on the basis of questions in budget estimates, have not even commenced. So this approval is highly pre-emptive of a delicate process of signing a treaty with a nuclear weapons state, China, where antinuclear campaigners are locked up, as Sun Xiaodi and his daughter were; they have not been seen in at least two years. They have been in a 're-education through labour' camp for the kind of whistleblowing activities that we would take for granted here in Australia. That treaty will need to be negotiated, signed, put to the Joint Standing Committee on Treaties and then put to this parliament. Senator Conroy was not even sent into this place with a brief on that matter during question time this afternoon. That is the colossal degree of ignorance being displayed by this government on a question of exports of a uranium deposit that is 10 times larger than anything else that has been discovered on the face of the earth. That is the material that we are playing with here: the world's largest uranium deposit by a factor of 10 and sales contracts to a nuclear weapons state, China. I thought that arguably our defence white paper, in a colossal blunder, was written on the basis of some future war with the Chinese government in the 2030s. How extraordinarily foolish we are going to look from the perspective of future governments and future Australian voters for simply signing off on this thing as though it is of no future consequence whatsoever. I believe that this is a decision that the Australian government, and certainly the people of South Australia, will regret.

Question agreed to.

PETITIONS

The Clerk: A petition has been lodged for presentation as follows:

CHAMBER
Australian Flag
To the Honourable the President and Members
of the Senate in Parliament assembled:

The petition of the undersigned shows:

We believe that the current flag has served
Australia well and will continue to do so in the
future and represents a true manifestation of the
Nation's history.

Your petitioners request that the Senate:
Oppose any change in the design or colour of
the AUSTRALIAN NATIONAL FLAG.

by Senator Ronaldson (from 14 citizens).
Petition received.

NOTICES
Presentation

Senator BOB BROWN: To move:
That the Senate—
(a) acknowledges the proven success and
cost-effectiveness of the national programs
PrimaryConnections and Science By Doing, run
by the Australian Academy of Science and
funded by the Government, that support the
professional development of teachers and actively
engage primary and secondary school students in
science education;
(b) expresses disappointment that funding for
the two programs has been discontinued,
particularly given that:
(i) the programs will only account for $3.5
million over the next 3 years, and
(ii) the Government has already invested
$13.4 million in the development of the programs
with Science By Doing having great success
despite only running for the past 2 years and
PrimaryConnections being only 2 years away
from becoming self-sustaining; and
(c) calls on the Government to immediately
restore funding for the programs.

Senator BOB BROWN: To move:
That the Senate—
(a) notes that:
(i) a number of submissions to and
participants at the recent tax forum called for the
global introduction of a financial transaction tax, and
(ii) the European Parliament has voted to
support introducing a financial transaction tax and
that the European Commission has proposed it be
levied at a very low rate of 0.1 per cent on
transactions in shares and bonds and 0.01 per cent
on derivatives trading; and
(b) urges the Government to support further
discussion of a global financial transaction tax at
the next G20 meeting.

Senator RHIANNON: To move:
That the Senate—
(a) notes that:
(i) the weekend of 15 October and 16
October 2011 marks both International Day of
Rural Women and World Food Day,
(ii) the coming Commonwealth Heads of
Government Meeting (CHOGM) in October 2011
and the G20 meeting in early November 2011
both have food security on their agenda,
(iii) currently more than 50 per cent of the
world's food is produced by smallholder farmers,
of whom more than 70 per cent are women,
(iv) despite doing the majority of the
farming in the developing world women farmers
receive only 5 per cent of the training, own just 2
per cent of the land and access only 1 per cent of
the credit available for agriculture,
(v) policies to improve agricultural output
must be tailored to assist women if they are to be
effective, and
(vi) the contribution of women farmers must
be recognised and properly supported if we are to
achieve food security across the globe; and
(b) calls on the Government to:
(i) ensure that support for women
smallholder farmers is part of Australia's
contribution to addressing international food
security challenges, and
(ii) raise the importance of the role of
women smallholder farmers at CHOGM in Perth
in October 2011 and at the G20 meeting in
Cannes in early November 2011.

Senator ABETZ: To move:
That the Senate—
(a) recognises the positive contribution to
productivity, inflation, gross domestic product
and days lost through industrial action of the
Australian Building and Construction
Commission; and
(b) affirms the need for a tough cop on the beat with power to compel information in order to keep the building and construction industry free of thuggery, intimidation and illegality.

Senator FIFIELD: To move:
That the Senate notes the failure of the Gillard Labor Government to maintain the confidence of the Australian people in its ability to protect our borders.

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 Thursday, 13 October 2011, from 4 pm.

Senator HANSON-YOUNG: To move:
That the Senate—
(a) notes:
(i) the tragic deaths of four monks from the Kirti Monastery in Ngawa county, eastern Sichuan province between 26 September and 11 October 2011, and
(ii) the men set themselves on fire in order to highlight the continued human rights abuse and oppression of the Tibetan people;
(b) recognises:
(i) the people of Tibet continue to be subject to appalling human rights abuse, and
(ii) the Chinese authorities have continued to take repressive measures against monks of the Kirti Monastery, since the self-immolation of a monk in March 2011; and
(c) calls on the Government to urge the Chinese Government to cease repressive measures against the Tibetan people and respect human rights in Tibet.

Senator WATERS: To move:
That the following bill be introduced: A Bill for an Act to amend the Environment Protection and Biodiversity Conservation Act 1999, and for related purposes, Environment Protection and Biodiversity Conservation Amendment (Emergency Listings) Bill 2011.

Senator MILNE: To move:
That the following matter be referred to the Environment and Communications References Committee for inquiry and report by 30 November 2011:
Mandatory vehicle CO₂ emission standards, with particular reference to:
(a) the adequacy of the short and medium term targets currently being considered by the Government;
(b) costs and benefits of mandatory standards;
(c) design questions such as separate targets for different vehicle classes, bonus credits for electric vehicles and methodologies for setting targets for individual manufacturers;
(d) the legal framework;
(e) penalties for non-compliance; and
(f) any other related matters.

Senator BOSWELL:

Senator SCULLION: To move:
That the Senate—
(a) calls on the Australian Greens and green groups, including the World Wildlife Fund, the Australian Conservation Foundation, the Conservation Council of Western Australia and the Wilderness Society, to honour the promise they made in 2007 with the traditional land owners of the Kimberley, to allow the Indigenous community and Woodside Gas, to negotiate a deal to mine gas in the Kimberley without interference or objection from conservation groups;
(b) recognises the right of the traditional land owners of the Kimberley to use that land to create economic prosperity and employment opportunities for the Indigenous people of that region for generations to come; and
(c) expresses concern that Indigenous people who have exercised this self-determination and accepted a single hub at James Price Point have been victimised, unfairly pressured by some green and conservation groups and subjected to racial vilification through being referred to as 'toxic coconuts' in publicly distributed material.

Senator BOB BROWN: To move:
That the Senate—
(a) requests that the President convey to the people of New Zealand (Aotearoa) the Senate's concerns about the oil spill and other consequences of the stranding of the container carrier ship Rena; and
(b) sends its best wishes for a rapid and complete recovery from the oil spill and other consequences of this disaster in such a beautiful region of New Zealand.

Senator LUDWIG: To move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the Banking Amendment (Covered Bonds) Bill 2011, allowing it to be considered during this period of sittings.

Senator SIEWERT: To move:

That the following matter be referred to the Community Affairs References Committee for inquiry and report by 30 April 2012:

The factors affecting the supply and distribution of health services and medical professionals in rural areas, with particular reference to:

(a) the factors limiting the supply of health services and medical, nursing and allied health professionals to small regional communities as compared with major regional and metropolitan centres;

(b) the effect of the introduction of Medicare Locals on the provision of medical services in rural areas;

(c) current incentive programs for recruitment and retention of doctors and dentists, particularly in smaller rural communities, including:

(i) their role, structure and effectiveness,

(ii) the appropriateness of the delivery model,

(iii) whether the application of the current Australian Standard Geographical Classification – Remoteness Areas classification scheme ensures appropriate distribution of funds and delivers intended outcomes; and

(d) any other related matters.

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) (15:36): 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 Banking Amendment (Covered Bonds) Bill 2011, allowing it to be considered during this period of sittings. I also table a statement of reasons justifying the need for this bill to be considered during these sittings and seek leave to have the statement incorporated in Hansard.

Leave granted.

The statement read as follows—

STATEMENT OF REASONS FOR INTRODUCTION AND PASSAGE IN THE 2011 SPRING SITTINGS

BANKING AMENDMENT (COVERED BONDS) BILL 2011

Purpose of the Bill

The bill amends the Banking Act 1959 to allow Authorised Deposit-taking Institutions to issue covered bonds and to establish a regulatory framework for the Australian covered bond market.

Reasons for Urgency

As announced in the Government’s Competitive and Sustainable Banking System package, allowing Australian banks, credit unions and building societies to issue covered bonds is a critical step in securing the safety and sustainability of Australia’s financial system.

Given the current volatility in offshore bank funding markets, the Government intends to urgently provide ADIs with the ability to issue covered bonds – which they have indicated they will do during November and December – because this critical to maintaining the flow of credit to the Australian economy.

The offshore covered bond markets are currently the only term funding market which are effectively open, and were the only term funding markets which remained open during the global financial crisis. Our banks were not then able to issue covered bonds and the Government was required to introduce a wholesale funding guarantee to allow our banks to raise funds on competitive terms.

Covered bonds will allow the Australian banking system to diversify the range of funding sources it uses to meet the borrowing needs of
Australian households and businesses, including at longer tenors and lower cost.

(Circulated by authority of the Treasurer)

Withdrawal

Senator McEWEN (South Australia—Government Whip in the Senate) (15:36): by leave—At the request of Senator McLucas, I withdraw general business notice of motion No. 470, standing in her name.

Postponement

The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Economics References Committee, postponed till 13 October 2011.

General business notice of motion no. 27 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the introduction of the Food Standards Amendment (Truth in Labelling Laws) Bill 2010, postponed till 21 November 2011.

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 1 November 2011.

General business notice of motion no. 442 standing in the name of Senator Siewert for today, proposing the introduction of the Fisheries Management Amendment (North West Slope Fishery Partial Closure) Bill 2011, postponed till 1 November 2011.

COMMITTEES

Community Affairs References Committee

Reporting Date

Senator SIEWERT: by leave—I move:

That the time for the presentation of the report of the Community Affairs References Committee on the review of the Professional Services Review Scheme be extended to 1 November 2011.

Question agreed to.

Rural Affairs and Transport References Committee

Reporting Date

Senator KROGER: by leave—I move:

That the time for the presentation of the report of the Rural Affairs and Transport References Committee on the live export trade, and the Live Animal Export (Slaughter) Prohibition Bill 2011 [No. 2] and the Live Animal Export Restriction and Prohibition Bill 2011 [No. 2], be extended to 9 November 2011.

Question agreed to.

NOTICES

Withdrawal


COMMITTEES

National Broadband Network Committee

Meeting

Senator McEWEN: by leave—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 Thursday, 13 October 2011, from 9.30 am till 11 am.

Question agreed to.

Corporations and Financial Services Committee

Meeting

Senator KROGER: by leave—At the request of Senator Boyce, I move:

That the Parliamentary Joint Committee on Corporations and Financial Services be authorised to hold a public meeting during the sitting of the Senate today, from 4.45 pm, to take evidence for the committee’s inquiry into the
statutory oversight of the operations of the Australian Securities and Investments Commission.

Question agreed to.

NOTICES
Postponement
The following items of business were postponed:

Business of the Senate notice of motion no. 1 standing in the name of Senator Xenophon for today, proposing a reference to the Economics References Committee, postponed till 13 October 2011.

General business notice of motion no. 27 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing the introduction of the Food Standards Amendment (Truth in Labelling Laws) Bill 2010, postponed till 21 November 2011.

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 1 November 2011.

General business notice of motion no. 442 standing in the name of Senator SIEWERT for today, proposing the introduction of the Fisheries Management Amendment (North West Slope Fishery Partial Closure) Bill 2011, postponed till 1 November 2011.

COMMITEES
Australia's Immigration Detention Network Committee

Meeting

Senator SIEWERT: by leave—At the request of Senator Hanson-Young, I move:

That the Joint Select Committee on Australia's Immigration Detention Network be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 22 November 2011, from 4 pm.

Question agreed to.

Community Affairs References Committee

Reporting Date

Senator SIEWERT: by leave—I move:

That the time for the presentation of the report of the Community Affairs References Committee on regulatory standards for the approval of medical devices be extended to 8 November 2011.

Question agreed to.

Environment and Communications References Committee

Reporting Date

Senator KROGER: by leave—At the request of Senator Fisher, I move:

That the time for the presentation of the report of the Environment and Communications References Committee on recent programming decisions made by the Australian Broadcasting Corporation be extended to 13 October 2011.

Question agreed to.

Australian Commission for Law Enforcement Integrity Committee

Reporting Date

Senator KROGER: by leave—At the request of Senator Macdonald, I move:

That the Parliamentary Joint Committee on the Australian Commission for Law Enforcement Integrity be authorised to hold an in camera hearing during the sitting of the Senate on Thursday, 13 October 2011, from 11 am to noon.

Question agreed to.

Public Accounts and Audit Committee

Meeting

Senator McEWEN (South Australia—Government Whip in the Senate) (15:41): At the request of Senator Bishop, I ask that general business notice of motion No. 473, authorising that private and public meetings be held during the sitting of the Senate, be taken as a formal motion.
The DEPUTY PRESIDENT: Is there any objection to the motion being taken as formal?

Opposition senators: Yes.

The DEPUTY PRESIDENT: There is objection.

Migration Committee Meeting

Senator McEWEN (South Australia—Government Whip in the Senate) (15:41): At the request of Senator Singh, I ask that general business notice motion No. 475, authorising that a public meeting be held during the sitting of the Senate, be taken as a formal motion.

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

Opposition senators: Yes.

The DEPUTY PRESIDENT: There is objection.

Treaties Committee Meeting

Senator McEWEN (South Australia—Government Whip in the Senate) (15:41): I ask that general business notice motion No. 476, authorising that a public meeting be held during the sitting of the Senate be taken as a formal motion.

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

Opposition senators: Yes.

The DEPUTY PRESIDENT: There is objection.

MOTIONS

Vefamehr, Ms Marzieh

Senator HANSON-YOUNG (South Australia) (15:41): I move:

That the Senate expresses its deep concern for the welfare of Iranian actress Ms Marzieh Vefamehr who has been sentenced in Iran to one year in jail and 90 lashings for her role in the South Australian produced film My Tehran For Sale.

Question agreed to.

Asylum Seekers

Senator MILNE (Tasmania—Deputy Leader of the Australian Greens) (15:42): I seek leave to amend general business notice of motion No. 421 standing in my name for today, relating to the sinking of the SIEV X. Before asking that it be taken as a formal motion, I note that the amendment includes the addition of Senators Moore and Humphries as cosponsors of the motion.

Leave granted.

Senator MILNE: I amend the motion in the terms circulated in the chamber and ask that it be taken as formal.

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (15:43): Deputy President, could we seek a copy of that just to confirm that this copy I have is the relevant motion?

The DEPUTY PRESIDENT: Senator Milne, this is notice No. 421?

Senator MILNE: It is.

The DEPUTY PRESIDENT: The amendment included the names of Senators Humphries and Moore—is that correct?

Senator FIFIELD: No, not in what has been circulated.

The DEPUTY PRESIDENT: Senator Milne, there seems to be some discrepancy as to the amendment that has been circulated in the chamber. Would you clarify the exact nature of the amendment to 421?

Senator MILNE: I withdraw the additional cosponsors if there is some question about it. I had been informed that they had cosponsored it. If that is not the case, I withdraw their names and propose the motion with the amended date.
The DEPUTY PRESIDENT: Has that been circulated?

Senator Hanson-Young interjecting—

The DEPUTY PRESIDENT: Okay. To clarify: Senator Milne is moving notice of motion No. 421 as it stands with the date amendment. Is there any objection to that motion being taken as formal with that amendment? There being no objection, leave is granted.

Senator MILNE: I, and also on behalf of Senator Hanson-Young, move the motion as amended:

That the Senate—

(a) recalls, with regret, that on 19 October 2001, the SIEV X carrying approximately 400 asylum seekers sank on its way to Australia, resulting in the drowning of 146 children, 142 women and 65 men and only 41 people survived; and

(b) notes that:

(i) in interviews with the United Nations High Commission for Refugees, survivors told of the involvement of the Indonesian military in the boarding and organising of the voyage,

(ii) survivors reported that they saw two military vessels appear, shine lights on the water and sail away,

(iii) HMAS Arunta stood 4 hours away,

(iv) Australia maintained a People Smuggling Disruption Program in the region at the time,

(v) the Australian listening station at Shoal Bay was operational at the time, and

(vi) many outstanding serious questions remain about the failure to rescue desperate people in the water and must be answered in the interest of justice and humanity;

and

(c) calls on the Government to establish a judicial inquiry into the SIEV X, subsequent investigations in the SIEV X tragedy and all circumstances pertaining to its voyage, loss and rescue of survivors.

Question put.

The Senate divided. [15:49]

(The Deputy President—Senator Parry)
(iii) that assessment criteria for the Mine Closure Plan will be drafted by BHP Billiton and conditions for long-term surface management of the tailings are yet to be decided between BHP Billiton and the Commonwealth,

(iv) that the proposal will create a pit 4.5 km long, 3.5 km wide and 1 km deep with no plans for rehabilitation of this pit at the closing of mine operations,

(v) that by 2020, the tailings storage facility will leak up to 8 million litres of liquid radioactive waste a day into regional groundwater,

(vi) that the project will generate at least 4.2 million tonnes of greenhouse gas emissions per year for decades, and

(vii) that the sale of uranium in bulk concentrates is not sanctioned under Australia’s bilateral uranium sales agreements, a treaty has yet to be negotiated with China, put to the Joint Standing Committee on Treaties for inquiry and thereafter to the Australian Parliament; and

(b) calls on the government to reverse this decision in the light of BHP Billiton’s decision to proceed with ‘world’s worst practice’ uranium mining.

Question put.

The Senate divided. [15:53]

(The Deputy President—Senator Parry)

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

AYES

Brown, RJ
Hanson-Young, SC
Milne, C
Siewert, R (teller)
Wright, PL

NOES

Abetz, E
Bilyk, CL
Bishop, TM
Cameron, DN
Cormann, M
Edwards, S
Fawcett, DJ
Fifield, MP
Gallacher, AM
Ludwig, JW
Madigan, JJ
McEwen, A
McLucas, J
Nash, F
Polley, H
Sherry, NJ
Stephens, U
Thistlethwaite, M
Williams, JR

Feeney, D
Fisher, M
Kroger, H (teller)
Lundy, KA
Marshall, GM
McKenzie, B
Moore, CM
Parry, S
Pratt, LC
Singh, LM
Sterle, G
Urqhart, AE
Xenophon, N

Question negatived.

BILLS

Clean Energy Bill 2011
Clean Energy (Consequential Amendments) Bill 2011
Clean Energy (Income Tax Rates Amendments) Bill 2011
Clean Energy (Household Assistance Amendments) Bill 2011
Clean Energy (Tax Laws Amendments) Bill 2011
Clean Energy (Fuel Tax Legislation Amendment) Bill 2011
Clean Energy (Customs Tariff Amendment) Bill 2011
Clean Energy (Excise Tariff Legislation Amendment) Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011
Clean Energy (Unit Shortfall Charge—General) Bill 2011
Clean Energy (Unit Issue Charge—Auctions) Bill 2011
Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011
Clean Energy (International Unit Surrender Charge) Bill 2011
Clean Energy (Charges—Customs) Bill 2011
Clean Energy (Charges—Excise) Bill 2011
Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011

First Reading
Bills received from the House of Representatives.

Senator LUDWIG: I move:

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

Senator FIFIELD (Victoria—Manager of Opposition Business in the Senate) (15:56): Mr Deputy President, the opposition will be asking that you put separately the first procedural element of this motion, that these bills may proceed without formalities, and the second procedural element of the motion, that these bills may be taken together. I wish to debate these procedural parts of the motion.

The DEPUTY PRESIDENT: There being no objection, we will separate the motion and the first question is that these bills may proceed without formalities.

Senator FIFIELD: At first blush what the government is seeking to do by acknowledging the transmission of the message from the House of Representatives and seeking to have these clean energy bills proceed without formalities and taken together looks fairly unremarkable. But this is a very unusual circumstance. Never in my knowledge of Australian political history, which is reasonably extensive, has a government so blatantly broken faith with the Australian people. There was a clear and unequivocal commitment by the Prime Minister to not introduce a carbon tax. All Labor senators and all coalition senators in this chamber who were up for election at the half-Senate election in 2010 presented themselves on the platform of not introducing a carbon tax—as, for that matter, did every member of the Australian Labor Party in the other place and as for that matter did every member of the coalition in the other place.

Senator Cormann: It is an L-A-W law carbon tax.

Senator FIFIELD: Senator Cormann cites Paul Keating's L-A-W law tax cuts as another instance of a breach of faith with the Australian people, but I think this one even eclipses that—this promise was so stark, so clear and completely without qualification. That is why we are not simply standing back and waving this procedural matter through this place. That is why on a joint select committee we have opposed other procedural matters, that is why we opposed the proposition for an extra sitting week, that is why we opposed motions for the variation of hours and that is why we are seeking to handle these carbon tax bills in a different manner in this place today. To do otherwise, to sit back and simply wave this particular matter through at this point in time, would see the coalition being complicit with the government in breaking its election commitment to the Australian people. The numbers are no doubt against us in this place and on this matter, but that is no reason for us not to do our job. That is no reason for us not to seek, at each and every stage of the consideration of this package of legislation, to hold the government to account. That is our job. We have sought to do that with
previous procedural motions to grant additional time and days and we seek to do so again today.

We used every opportunity available to the coalition in the other place to seek to defeat this legislation and to thwart its progress, not because, as we are accused by those opposite, we are being mindlessly negative or because we are oppositionist in nature—far from it. This is an incredibly cooperative, incredibly constructive and incredibly positive opposition. We have a direct action plan as an alternative to the government's carbon tax agenda, which has been very well articulated by Mr Hunt in the other place and by Senator Birmingham in this place. We do have an alternative plan. Every time today, every time over the previous weeks and every time in the weeks ahead when the government says, 'You're a negative, oppositionist coalition,' we will say, 'That's wrong,' because we do have a clear plan and we do have a clear alternative.

The matter that is before us here, moved by Minister Ludwig, is that the bills may proceed without formalities and may be taken together. We think that they should not be taken together. We think that this package of 19 bills should be considered in sequence. Each of them deserves proper scrutiny. The government have sought to thwart proper scrutiny by passing a motion in this place which will see a guillotine come into effect in the weeks ahead. As I said this morning: on the one hand the government make great play of the fact that they consider this legislation should—as they say—be scrutinised appropriately, so they schedule an extra week; on the other hand they move a motion to put into effect a gag, or a guillotine. Call it what you will, the upshot is the same: the purpose of it is to truncate debate. The purpose of it is to stifle debate. What we want to see is the maximum amount of sunshine cast upon these bills, because we know that did not happen in the other place. It was a very short debate in the House of Representatives. We know that that scrutiny did not take place in the joint committee established for that purpose. This was a joint committee, which I charitably suggest operated for two weeks—

**Senator Cormann:** Three weeks.

**Senator FIFIELD:** Three weeks? I suggested it was operating for two weeks but it was only in session for one week. As all of us in this place know very well, the most direct parallel in recent parliamentary history in Australia is that of the goods and services tax and the new tax system legislation. There we had multiple Senate committees examining that package of legislation at the same time and doing so for over five months. This chamber, as a result of the Australian Greens and the Australian Labor Party combining, denied the Senate's committees the opportunity to examine the clean energy legislation.

We have a combination of problems here when it comes to parliamentary scrutiny. In the House of Representatives we had a very rushed examination. We had the curtailing, or the guillotining, of debate in the House of Representatives. We also had the forestalling of the work of the Senate committees. So the last place and the last opportunity for scrutiny for this package of bills is the Australian Senate, and we want to seek every opportunity to make sure that that happens. That is why we are moving that these bills not proceed without formalities and that they not be taken together. We have a job to do. We know the numbers are stacked against us but, regardless of whether a result in this place is a foregone conclusion, this chamber has a job to do. This chamber has a job as a house of review and senators have a responsibility as legislators to make sure that
there is appropriate examination of the bills that come before this place.

What we are seeing with this package of bills is the ultimate in gesture politics, but unlike usual gesture politics this has a detrimental effect. Usually in gesture politics there is some symbolic act taken but no detriment or harm is done. However, this is a political gesture which will do enormous damage to Australia, it will do enormous damage to Australian businesses, it will do enormous damage to Australian households and, for that matter—looking specifically at my shadow portfolio of disabilities, carers and the voluntary sector—it will do enormous damage to Australians with disabilities, to charitable organisations, to not-for-profit organisations and to the voluntary sector.

This legislation will be like a punch to the solar plexus for the not-for-profit sector in Australia. As a parliament we are meant to be keeping an eye out and trying to make life easier for Australians who are particularly vulnerable and who face additional challenges because of circumstances beyond their control, such as people with disabilities. Whereas the usual starting point for a government with any policy or piece of legislation is to do no harm, the starting point of this government with its policy and with its package of legislation is to do harm. That is the purpose of it. This was very clearly unearthed in the Senate Select Committee on Scrutiny of New Taxes, which Senator Cormann chaired, and despite all the obstacles in their way it was also something which was brought to the fore by Senator Birmingham and Senator Cormann together in the sham joint committee. So we should be in no doubt that this legislation will do harm, because that is its objective: it seeks to do harm. We would be derelict in our duty as an opposition if we did not take each and every opportunity that this parliament affords for scrutiny—whether it be in matters of public interest, matters of public importance, motions to take note of answers, question time, questions on notice, Senate estimates, debate on legislation, debate on procedural motions, or whatever opportunity is presented by this chamber—to hold the government to account.

If there is one thing I am not going to do, and that Senator Abetz, Senator Cormann, Senator Birmingham and Senator Williams are not going to do, it is to be complicit in facilitating the breach of an election promise solemnly given by the Prime Minister of Australia. We will not do that. We do not care how often those on the other side accuse us of being obstructionist or difficult. We are not. We are doing our job. The attitude of those opposite is: 'The numbers are in the bag. We're going to get this through. The opposition should lie back, let it all happen, think of a brighter and better day and just turn a blind eye.' That is the attitude of the government. Apart from showing contempt for the parliament, apart from not valuing the role of review that this chamber has, more than anything it just shows contempt for the Australian public.

It is bad enough that the Australian Labor Party formed government—I will not say 'won the election', because that is certainly debatable—on the back of a lie and won many of the seats that it holds on the back of a lie. That is bad enough in and of itself. It deserves to be condemned for that and that alone. But, recognising that it is in the nature of the Australian Labor Party to be dishonest and to deceive the Australian public, the very least that the government should have done was to ensure adequate scrutiny of this package of legislation in the other place and in the Australian Senate and its committees. It has not done that.
But there still is the opportunity for the Australian Labor Party to redeem its soul. There is still the opportunity for the Australian Labor Party to regain some dignity. There is still the opportunity for the Australian Labor Party to seek to reconnect with those people who used to support it. I say 'used to support it', because it is very clear now that the traditional base of the Australian Labor Party do not support it. But it is not too late for the Australian Labor Party to redeem its soul, to reconnect with its traditional supporters and to regain some dignity and some integrity. The way that it can do that is by discharging this legislation. As I said this morning, it is open to the government to discharge this legislation.

Having done that, the Prime Minister should go to Yarralumla and say to Her Excellency the Governor-General: 'I've made an awful blue. It seemed a good idea at the time to tell the Australian people that I wouldn't introduce a carbon tax, but it's kind of caught up to me. The Australian public are kind of onto me. The game is up. I know that, so therefore, Governor-General, I'm seeking an election to seek a mandate for this package of legislation.' Then the Prime Minister, having secured an election, should have the strength of her convictions and say to the Australian public: 'This carbon tax will be good for you. You need this carbon tax. You want this carbon tax. You just don't know how lucky you'll be if you end up getting a carbon tax.' That is what she should say if she really has the strength of her convictions.

That reminds me that I have seen one member of the Australian Labor Party do just that. That was the member for Isaacs, Mr Dreyfus. I was very fortunate: I attended the annual general meeting a few weeks back of an organisation called SEMMA, the South East Melbourne Manufacturers Alliance. Dandenong, where this meeting was held, is the heart of the manufacturing belt of Victoria. Something of the order of 44 per cent of Victoria's manufacturing output comes from the south-east. The topic of Mark Dreyfus's address to these 300 manufacturers in Dandenong was 'The carbon tax and why it's good for your business'. I must confess I did take a little bit of perverse pleasure in seeing 300 manufacturers strip flesh from the body of Mr Dreyfus, but what I found particularly informative was when one manufacturer stood up and said, 'Mr Dreyfus, the electricity bill for my manufacturing business is going to go up by $120,000 a year as a result of the carbon tax,' to which Mr Dreyfus replied in words to the effect of, 'That just goes to prove my point that the effect of the carbon tax will be modest.' They just do not get it. Another manufacturer stood up and said: 'We're in the medical devices business. One of our products costs $1,500 to make. Our margin on the product is $16, and the carbon tax will completely wipe that out.' Mr Dreyfus said words to the effect of, 'That tells us is that your business has other problems.'

Senator Abetz: What arrogance!

Senator FIFIELD: The height of arrogance. But I do have to give it to Mr Dreyfus: at least he was honest enough to go out there and to say that he thinks a carbon tax will be good for your business. The Prime Minister should have that same courage if she really believes in this package of legislation. She should have the courage to go to the public and say: 'This is great. You'll never be happier. You might think you're happy now, but it's nothing compared to how your life will be under a carbon tax.' If that is what she really believes then she should go out there and she should sell that. I think I know what the result would be. But, if by a miracle, the government should happen to win that election, I think everyone on this side of the chamber would respect
that verdict: the public would have clearly spoken, the public would have been given an opportunity to have their say—and we of all people would recognise that.

But, even if that highly unlikely scenario happened, we would still insist in this place on decent scrutiny. We would still insist on proper Senate scrutiny. We would still insist on five months of scrutiny of legislation of a significant magnitude. Even if the end result would be that the parliament would pass that package, this chamber, this parliament, has a job to do: to scrutinise this legislation. And it is the opportunity for that scrutiny that this government has sought to deny on each and every occasion—whether it be in the other place or whether it be in this place.

The most recent reason rolled out as to why this legislation must be passed, why it is so urgent, is the Durban conference. We were a little sceptical before the Copenhagen conference that there would not have been great hand-holding, rejoicing, embraces and universal agreement as to how to proceed in relation to climate change. We were a little cynical about that, and it did not come to pass. I have my doubts that it will come to pass at Durban, as well. But let me tell you, Mr Deputy President, I am not too fussed by what anyone at Durban thinks. I am not too fussed by what any other government who is represented there thinks. What I care about, what everyone on this side of the chamber cares about, is what the Australian people think and what the effect of this legislation will be on them. We stand here for the Australian people: we stand here for jobs, we stand here for growth, we stand here for business—because business employs people—and we stand here against unnecessary increases in the cost of living. This legislation deserves full examination, and it is for the reasons I have outlined that we contend that this legislation should not be taken together, that it should be taken in seriatim. I commend the motion.

Senator ABETZ (Tasmania—Leader of the Opposition in the Senate) (16:17): The coalition does deny the formality being sought by the government, because we want to ensure that they will have to take each and every step to perpetrate their deceit on the Australian people. We will not allow them to just throw into the Senate 19 bills and say, 'This is a package'—we will challenge their conscience on every single bill. They know that the only reason they are sitting on the government side of this chamber and in the other place is that Ms Gillard solemnly promised the Australian people that there would be no carbon tax. A greater deceit in Australian politics we have not witnessed. Sure, the second prize goes to former Labor Prime Minister Paul Keating when he promised L.A.W.—law—tax cuts before an election, legislated them, got re-elected and then immediately repealed them. It is no wonder Ms Gillard said just the other day that she saw her government in the same light as the Keating government; no wonder also that she dug into that treasure trove of tricks that Mr Keating used to deceive the Australian people all those years ago. What we are seeing today is a repeat of that history.

We are not going to allow the Labor Party to simply deal with this as a 'package of bills'. We want them to deal with each one, vote on each one, knowing that on each of the 19 occasions they are betraying the trust that the Australian people placed in them. I had occasion to say earlier today that 148 members out of the 150-member House of Representatives were elected on a promise of no carbon tax. Five out of the six senators elected at the last election from each of the states were elected on a promise of no carbon tax. Two out of the two senators
elected from each of the territories was elected on a promise of no carbon tax. And yet somehow this carbon tax, I understand, is going to get through this parliament. The Australian people are right to ask how they have been betrayed in such a gross fashion. How is it that, when an overwhelming majority of people have been elected on a solemn promise not to do something, they seek to do the exact opposite? That is going to be the millstone around the Labor Party's neck. Some call it the 'Milnestone' around the Labor Party's neck, but of course the Greens are the architects of this policy.

Senator Williams: And Windsor!

Senator ABETZ: Senator Williams raises the name of Mr Windsor, the member for New England, which is a very interesting point as well. Because those people who get themselves to this parliament as Independents have two great duties, I would suggest. The first is to reflect and represent the wishes of their electorate, because they say they are not beholden to any party and therefore they can do exactly what the wishes of their electorates dictate. I would also have thought the role of an Independent is to keep the government honest. Mr Windsor, the member for New England and Mr Oakeshott, the member for Lyne, are failing in both those duties. They know that their electorates overwhelmingly are opposed to a carbon tax—overwhelmingly. Senator Williams presented the result of a survey earlier today to this parliament, showing the overwhelming feeling in the electorates of New England and Lyne in relation to the carbon tax. The members have completely discarded the wish of their electors, and they are now in lockstep with a government that has lost the trust of the Australian people. And of course they have not kept the government honest, as one would have imagined Independents would seek to do. So we have a situation where the Australian people are rightly asking, 'What has happened in our democracy when a Prime Minister can stare down the lens of a TV camera to have it broadcast into every home in Australia that she will not introduce a carbon tax?' And when we say, 'Don't trust them,' we are accused of being hysterical. Well, today we have proven to have been historical, because history has now shown that that is exactly what Labor was going to do and that is exactly what Labor has done. Yet Mr Swan still parades around, having deceived the Australian people, as the 'world's greatest Treasurer'. But so was Mr Keating and so were Lehman Bros given gongs by this international organisation. The fact that Mr Costello never got it I think speaks for itself. I would prefer to be on Mr Costello's side in relation to that than Mr Keating, Mr Swan and Lehman Bros and other organisations that have failed.

During this debate from time to time we are accused of being negative. Let us be quite clear on this. When we say 'no' to deceit we say 'yes' to integrity in government. When we say 'no' to a carbon tax we say 'yes' to manufacturing jobs, we say 'yes' to agricultural jobs, we say 'yes' to decreasing the cost of living pressures that are faced by Australian people. So when people on the other side and some in the media seek to assert that the coalition has to be more positive, how much more positive can you be than trying to keep a government honest and attuned to its election promises? How much more positive can you be than condemning the deceit of the Labor Party and seeking to have integrity in government? How much more positive can you be than seeking to protect manufacturing jobs and agricultural jobs in Australia? How much more positive can you be than trying to decrease the cost of living pressures that Australians face?
So why this indecent haste to throw in 19 bills and have them all dealt with as one single package? I think we know the reason why, Mr Deputy President: because Labor wants to parade at Durban as the one country with a legislated scheme. That was Labor's policy under Mr Rudd, if you recall: the Carbon Pollution Reduction Scheme had to be legislated so that we could be the performing clowns at Copenhagen. That was the idea, that we would be the only country at Copenhagen with a legislated scheme. Not content with having failed to be the clowns at Copenhagen, they now want to be the dunces of Durban with a piece of legislation and throwing that around and saying, 'How clever are we?'

It was interesting that during question time today the President welcomed a delegation from the Japanese parliament. He also welcomed a delegation from the United States. I could not help but ask myself, albeit somewhat audibly, I confess: where is the Japanese carbon tax?

Senator Williams: It doesn't exist.

Senator ABETZ: It doesn't exist. Where is the United States carbon tax? It doesn't exist. If we welcomed a delegation from New Zealand and asked them where was their carbon tax, they would be saying, 'We are trying to reduce it and get rid of it as quickly as possible.' If we had welcomed a delegation from the French government, we could have asked them, 'Where is your carbon tax?' and they would have said, 'We will have no bar of it.' And so it goes on.

Why is it that the Labor Party, having promised no carbon tax, are seeking to inflict on the Australian economy the highest rate of carbon pricing in the world? Why are they trying to do it? And why did they pick on the price of $23 per tonne? Why not a round figure of $20 or $25? You know why? Because the Greens went to the last election promising $23 per tonne and so Ms Gillard just accepted that as her policy. If you recall, all of the so-called Treasury modelling that we were given previously was all based on the price of $20 per tonne. So all the work had to be redone to fit in with Senator Brown's policy and the Greens' policy.

Some people may assert that we in the coalition are somewhat harsh when we say that Ms Gillard deceived the Australian people. She did say, 'There will be no carbon tax under the government I lead.' So it begs the question: who actually does lead this government? It may well be that she does not and that Senator Bob Brown and the Australian Greens actually lead this government. We happen to think on this side that that may well be the case. But that is for the Greens-Labor alliance to sort out between themselves, because Ms Gillard and every single Labor member and senator are personally, corporately and individually responsible for this carbon tax. They cannot hide behind the skirts of Ms Gillard and the Labor Party collective and say, 'The party room made me do it.' In a democracy you are ultimately answerable to the people that elected you. Mr Perrett, who somehow found his conscience in Moreton Bay, very interestingly thinks it would be unconscionable to change leader but not unconscionable to break a solemn election promise in relation to no carbon tax. It is also interesting given that Mr Bandt, Mr Windsor and a few others think it is important from time to time to consult with their electorate on some of these fundamentally important issues such as gay marriage. If you are in the business of genuinely consulting with your electorate on matters such as gay marriage, why wouldn’t you consult with your electorate on the issue of a carbon tax and follow suit when they tell you what they want?
Just the other day I was in the seat of Braddon, at a stand at their local show, with Senator Richard Colbeck. I was standing there all day. Not a single person approached me about gay marriage being a fundamentally important issue for our nation, but dozens and dozens and dozens—indeed hundreds—approached us during the day to condemn the carbon tax and the deceit that had been perpetrated on them. So it is up to Mr Sid Sidebottom, the Labor member for Braddon, to determine whether he will put Ms Gillard's job before the hundreds and indeed thousands of people employed in Braddon in mining and in manufacturing and whether he will put the plight of the pensioners who will face increased costs of living as a result of these measures as his priority as opposed to Ms Gillard. Mr Dick Adams, in the seat of Lyons, will have to answer that as well. Geoff Lyons, in the seat of Bass, will have to answer that. Ms Collins, in the seat of Franklin, will have to answer that. And that is just in the state of Tasmania. Every other single Labor member will be required to answer as well to the electorate.

The issue before the chamber is to ensure that this package of 19 separate bills is dealt with appropriately, properly and extensively. When you have the sham of a joint committee chaired by Labor and deputy chaired by the Greens deliberately not publishing the thousands of submissions against the carbon tax, you know the fix is in. They call a quick committee. They advertise and say, 'You've got to have your response to these 19 bills in within six days.' And then they determine that certain submissions—because they are in letter form or do not actually make out an argument—should not be published as submissions. Yet they do publish those 'intellectually robust' submissions that are about two paragraphs saying: 'I like your carbon tax. Labor's doing a good job.' Oh, they will publish those okay. They will put them up on the internet for everybody to read. But, if somebody were to write the exact opposite of that, the Labor-Greens numbers—like they gagged debate earlier today—will be used to ensure that those sorts of submissions do not hit the internet and do not get publicised. This is the ham-fisted approach this government is taking in cahoots with the Greens.

The reason they are so defensive is that they know they have perpetrated a deceit on the Australian people. That is why they are getting themselves into this terrible, terrible bind. That is why they do not want 19 separate bills ventilated before the Australian people. They would rather have it all hushed up and rushed through as one single package because they do not want to be reminded 19 separate times of the deceit they have perpetrated against the Australian people.

Time and time again in this debate we have been told that the carbon tax is in fact a good idea and will be of great benefit to the Australian economy. If that is the case, I invite them: instead of making the carbon tax $23 per tonne, why not double it and make it $46 per tonne so we can have double the benefit? Of course, that exposes another Labor lie in this debate. The carbon tax is corrosive. It is destructive. Labor know it, and that is why they do not want 19 separate times of the deceit they have perpetrated against the Australian people.
I happen to believe that the Australian people are a generous people and an environmentally concerned people. I happen to believe that they may well be willing to take a bit of a hit on their lifestyle for an environmental benefit. If you could show on the other side of the ledger a genuine environmental benefit, they may well be willing to take an economic hit. But Senator Wong was asked today, 'What is the environmental benefit?' and the simple fact is that she is unable to explain. Indeed, we were told that without a carbon tax we would face a 40 per cent greater likelihood of droughts in Australia. Well, if she can make that prediction based on whatever evidence she might have in relation to that, why couldn't she answer the simple question from the Leader of the Nationals: 'With this carbon tax, how much less likely is there to be the threat of drought in Australia?' She could not answer.

And of course she could not answer, because everybody knows that a five per cent reduction in carbon dioxide emissions on the 1990 levels, if I recall correctly, on 1.5 per cent of the world's emissions is not going to make any real difference to the world's environment, especially when we know that our manufacturing sector will simply go to China and pollute even more over there than they do in Australia. As a result, we will have a perverse environmental outcome. Talk to the Europeans. They have seen the demise of their aluminium industry. Why? Because it could not compete under their very modest carbon price and it shifted off to Asia, Africa and elsewhere, where the pollution levels are a lot greater because they do not have the sorts of environmental controls that we enjoy in this country and they enjoy in Europe. So we will take these bills through every single stage, as they deserve. *(Time expired)*

**Senator Joyce** (Queensland—Leader of The Nationals in the Senate) *(16:37)*: I have had the joy—and that is a cynical way of putting it—of seeing some of this garbage that has been presented to our nation and that, apparently, we are to look at in globo. I would be fascinated to go through some of the details of some of these things because, apparently, we do not need to see them in seriatim—we are right across it. It is all a piece of cake.

This is interesting:

(1) A person who is or was required to provide a report under section 22E for an eligible financial year must keep records of the person's activities that:

(a) allow the person to report accurately under section 22E; and

(b) enable the Regulator to ascertain whether the person has complied with the person’s obligations under section 22E; and

(c) comply with the requirements of subsection (2) and the regulations made for the purposes of subsection (3).

The civil penalty is 1,000 penalty units. It further states: 'The person must retain the records for five years from the end of the financial year' and on and on it goes. Look at it: it is like Kafka's *Castle*. The place we have arrived at is amazing.

What about the EMEP test day? It is defined under section 63B(3) as follows:

In the income year of claim, this day is the day on which the claimant makes the claim for the payment. In subsequent income years, the EMEP test day is the anniversary of the day on which the claimant made the claim in a previous year, provided that, since the claimant made the claim, the Repatriation Commission has not determined that the claimant has ceased to be eligible for the payment. If the Repatriation Commission has determined that the claimant is no longer …

And on and on it goes. Apparently, the government are all across it. They are the
absolute full bottle on this. It is all right—straight through. I would love to ask the Prime Minister about some of these details and I would love to ask Minister Combet. They would not have the foggiest idea, apart from what has been sent to them on their BlackBerries. They have the BlackBerry message all worked out, but they would not know about the legislation. You can bet your life that this will be an absolute and utter debacle. But this is what they are doing to our nation.

These are the redesigned plans for the nation of Australia, for our economy. Here they are, set up by the people who could not get fluffy stuff into the ceiling without setting fire to 194 houses and, tragically, killing four people. This redesign of our nation's economy is being undertaken by the same people who gave us the Building the Education Revolution. This redesign of our economy is being undertaken by the same people who conducted a war against obesity. Remember that? We are still wondering: did we achieve detente, did we win, did we lose? Or are we going to have a second war on obesity? This is what the Australian Labor Party has delivered to us via the Australian Greens, because the Greens are now running the show.

Some sections of this legislation could be terminal for them, because they have become so soulless and, once you start being guided by the Greens, you completely isolate yourself from your conservative working-class voters, who will just leave you. Look at all this! It is just absolutely amazing. Now come the nasty bits. I am just opening it up. Under the heading 'Scheme to avoid future liability to pay administrative penalty—Intention', it states:

(1) A person commits an offence if—
and we are seeing a lot of the word 'offence' in this—

a. a penalty is due and payable by a body corporate or trust under section 212; and
b. before the penalty became due and payable, the person entered into a scheme; and
c. the person entered into the scheme with the intention of securing or achieving the result, either … the body corporate or trust:
   i. will be unable; or
   ii. will be likely to be unable; or
   iii. will continue to be unable; or
   iv. will be likely to continue to be unable;

And on and on it goes. Then comes imprisonment for 10 years. This is a nasty little document you have got yourself here, which bangs you up in the can for 10 years, and we are just supposed to look at it in globo because, apparently, you are so over it.

Minister Wong looks totally competent. I would bet you London to a brick that the government have not read the legislation. I bet you London to a brick they have not a clue what is in the legislation. We might want to ask the government questions about who they are going to bang up for 10 years. I think a lot of Australian people would like to know the answer to the question: 'Are the Labor Party about to bring in a piece of legislation which, if I get wrong, I could be in the slammer for 10 years?' Also, 'I want you to more fully disclose to me what is on page 324 of the Clean Energy Bill 2011.'

And the Greens are part of this. They do not believe in transparency. They are sitting there with that stupid smirk on their faces. Their leader 'Dr Brown' thinks this is all fun and games and that this is what you do—you just let these things run through.

Here is another quote with respect to retaining records:

(2) The person must retain the records for 5 years from the end of the financial year …

(3) The regulations may specify requirements relating to:
and how the records must be kept. The penalty is two years imprisonment. This is what we are getting! It is here, Australia; it has arrived. Aren't the Labor Party wonderful people? In a brief perusal of this Kafka's nightmare, I see you get 10 years in prison for one offence, two years in prison for another offence. This is the world the Labor Party live in. This is where we are off to, as they redesign our nation's economy on a colourless, odourless gas. You better not lose any. Do not steal any. What is the price of breathing these days? It must become more expensive. Are we going to keep records on that? I thought this was 2011. It is starting to sound awfully like 1984, with this almost Orwellian type of Big Brother approach to every facet of our lives. The government can increase this tax, without it ever having to go back to this parliament. It does not have to go back to this parliament. They have got around that. We cannot have the nation of Australia and its parliament having oversight of the tax! If they have to launch their attack against the climate, making the world colder from a room in Canberra, they can jack up the tax to rise to the challenge, and in rising to the challenge they make every person in Australia with a power point poorer. Every corner of their house will become a collection mechanism for the Australian Taxation Office. And of course they have to collect some friends along the way, so down the track they will have an emissions trading scheme. That is great, isn't it? The banks will love that: moving paper here, moving paper there. The banks are doing it tough; it is good to see the Greens looking after the big banks and giving them a multibillion dollar revenue stream from trading the permits.

The friends of big banks are the Australian Greens, because they are doing it tough and they need all the help they can get.

You are about to do it. You have moralised and got it through your head that it is right to tax someone in a weatherboard and iron house out in the suburbs, that it is right to collect money from them and to funnel it to someone who is probably doing very well thank you very much—and God bless them and good luck to them—and probably does not need that person's money. You are going to funnel that money to Martin Place. We do not need it in Mount Druitt when it can be in Martin Place. We do not need it in Cunnamulla when it can be in Martin Place. We do not need that money up in Bundaberg when it can be in George Street. This is a bonanza. I cannot wait to see who the geniuses are, the luminaries on the other side who will be able to answer some of these questions.

The way they are getting around it is that they are not allowing us to ask any questions. We had the first example of that today with the guillotine: they shall not ask questions on behalf of the Australian people. The job of the opposition in most instances is, naturally enough, to oppose, to see if you are prudent and across the facts. Because you are not, how are you dealing with that? You are launching yourselves into this guillotine. What is so nauseating is that we had to listen to the Leader of the Greens, Dr Bob Brown. He supported the guillotine with that stupid smirk on his face. Here is a quote from that same person:

Let there be no doubt about this: the government can—

**Senator Milne:** Madam Acting Deputy President, I raise a point of order. I draw your attention to standing order 193, 'Rules of debate':

A senator shall not use offensive words ... all imputations of improper motives and all personal reflections on ... members or officers shall be considered highly disorderly.
In the light of that, I would ask Senator Joyce to desist from making remarks of a personal nature about Senator Bob Brown and withdraw what he already has said.

Senator JOYCE: If he did not smirk, I am happy to. If there is anything that is offensive there I certainly—

Senator Milne interjecting—

The ACTING DEPUTY PRESIDENT (Senator Crossin): Senator Joyce, I think the point of order is to be mindful of the words that you use during this debate when reflecting on senators in this chamber.

Senator JOYCE: I will quote Senator Dr Bob Brown. These are some of the things he has said in the past:

Let there be no doubt about this: the government can manipulate the Senate and is doing so. The government can dishonour the processes of the Senate and is doing so. The government may try to treat the Senate as it does the House of Representatives—that is, as a rubber stamp—and convert this country to executive government, but the government will reap the whirlwind of that. Fortunately, it cannot do away with elections.

That sounds very prophetic. Who said that? It was Dr Bob Brown on 28 November 2005. This is the same person who is removing our right in this parliament to have proper oversight of these documents, which even on the briefest perusal we can find predominantly that you are sending people to jail. For doing what? For mishandling something that was formerly free—that is, carbon dioxide. We now have this colourless, odourless gas becoming not only something that we have to buy but something that, if we do not administer it properly, can end us up in jail.

And why? What is it going to do? What is going to happen to the temperature of the globe? Absolutely nothing will happen to the temperature of the globe, but we will have this bureaucracy and these fields of policeman coming into every corner of our lives. We are supposed to be protecting, giving more liberty to the people and making them more free, not tying them up in this absolute lunacy. Has anybody over there read this? Does anybody have a clue about it? No, you do not have to; you can just walk it in here and ram it through.

What of the Australian people? Are they just happy with it? They are happy that those opposite have thrown a match into the building and walked out the door, that they have thrown a match into the Australian economy and walked out the door? The management that has brought us this bundle, this packet of poo tickets, is the same one that currently has us $211.3 billion in gross debt, borrowing $2 billion last week and $2 billion the week before. They cannot make their ends meet their resources but they can cool the planet.

We have not only a right but an obligation to the Australian people to look at this in seriatiom, because I truly believe that if we do not look at it none of them will. Not Mr Combet, who is up there saying, 'This is a great day,' along with all the backslapping. They are all happy chappies, backslapping and saying: 'Isn't this marvellous? Isn't it marvellous what we have done to the Australian people today? Aren't we clever because, even though none of them wanted it, we showed the Australian people that we are so stubborn we would do it to them anyway.' Because, you see, they are wiser than the Australian people. They are wiser and more noble, and that gives them the right to do this to you. And if you do not like what they are doing to you, be careful because in here they have the right to put you in jail.

This debate has not finished. The Australian people will demand of us that we fight this all the way. And we will attach this to every lower house member who has voted for it. It is now their problem. They are personally
responsible for their actions today; they are personally responsible for bringing this in. And we will attach this to every senator who votes for it. We will attach it to the Greens and we will attach it to the Labor Party. If it brings you unstuck—and it will—that is something that you will have to deal with.

Isn't it funny how the Greens talk about liberty and supporting the liberty of the individual? They want a more liberal environment for drugs, but they do not want a more liberal environment for carbon dioxide—oh, no, they cannot have that; they have to regulate that; they are going to throw people in jail over that. That is the new world. They want a more liberal environment for drugs; they want to reduce all the offences for drugs. But they want to make it a criminal offence to misappropriate the air that we breathe. Then they get some people out on the front lawn. I looked at it the other day. There were more placards than people. And they do not know about it. It is almost a cult. They go out there, or GetUp gets them out there, and they rant and rave and yak on. But they are not going to be held responsible for what happens to people.

I do not know how we can explain this. What possessed you to do this? What possessed you to launch this on us? How many of you people over there understand or can explain to us the trading stock implications of carbon permits? When is it an asset? When is it trading stock? I do not know. You do not know; you do not have a clue. You have not even read it. There is so much in here. What about application to foreign ships? That is another little bit. Let us have a read of this:

This Act does not apply to the extent that its application would be inconsistent with the exercise of rights of foreign ships in:

(a) the territorial sea; or
(b) the exclusive economic zone; or
(c) waters of the continental shelf;


That is interesting. That obviously means that it could apply to Australian ships. Oh, that's right: it does. Australian things are evil! We have to have things from overseas; we cannot have a manufacturing industry anymore! Under this, if you want to fly to Fiji, that will be free of the carbon tax. But if you want to fly and support the Australian tourism industry, you will get taxed for that. And you had better obey the law, otherwise they will throw you in jail. This is the new world. Isn't it marvellous? It even applies to shipping. We know who is getting it free: if you are a foreigner, it is free; if you are domestic, you pay the tax.

Down the track, you get the joy of sending $56.9 billion—$56.9 thousand million—a year overseas to buy carbon credits. That is the ultimate in social engineering: taking money off the working Australian family and then bundling it up and sending it to Mr Mugabe, to the people of Zaire, to the people of the Congo and to the people of South-East Asia. That is what the Greens want to do: social re-engineering. They want to send it to those people who warrant it; those people who are more noble than us! Not only can we re-engineer Australia through a penalty of going to jail; we can re-engineer the whole world! You will have so much to tell them at Durban. It will be a wonderful time. You will be able to say to them that not only are you saving Australia but you are saving the world—saving the world with carbon permits.

But some poor sucker out at Blacktown, out at Ipswich, out at Roma, is going to work to pay for it. They are going to come home to their power bill, and there is your tax. So they work some of their lives in the sun stacking bricks, stacking shelves, behind a counter, shearing sheep, welding or
whatever—in whatever industries are left after you have completely and utterly botched our nation's economy—so that you can go on your frolic of sending money here, there and everywhere around the world. This is absurd. Don't you think that there is something not right about this? Isn't there something in your stomach that tells you that there is something not right about this? Where did this come from?

The Australian people hate this. That is why before the last election you did not tell them the truth. You said that you were not going to bring it in. And now you have brought it in. If they had known that you were thinking about banging them up in jail they might have had a different view about voting for you. They might have thought differently. If they had thought that you were about to regulate the very essence of their existence, the air that they breathe, they might have thought about voting for somebody else. Gosh, I would have. But this is where we are.

And you think that we are going to lie down on this and go to sleep. You think that somehow next week it will all be better. We are going to chase you and chase you every day. We will be at the doors every day. We will chase you every weekend. Every time that we get a chance, we will chase you and we will say: 'When you think about the Labor Party, think about the carbon tax; when you think about the Labor Party, think about your power bill; when you think about the Labor Party, think about the legislation that they brought in to bang you up in jail if you dare disagree with their world view. When you think about the Greens, think about the money that they sent overseas; when you think about the Greens, think about the guillotine and how they shut down the debate so that the Australian people couldn't properly ventilate their views on this mass of legislation.' That will be the debate. We will pursue you and pursue you, and we will not relent until the next election. Then at every polling booth in every seat we will be reminding the Australian people about you.

If the global economy comes unstuck, you have created it so that you cannot get out of it—apparently, you do not want to get out of this. I have a rough idea how the punter works. I know how they are going to deal with this, I have seen this before. We have made mistakes like this before. We made a mistake called Work Choices and got smashed. This is your mistake. Here it comes: exactly the same outcome. They are going to absolutely slaughter you.

Senator CORMANN (Western Australia) (16:58): We can well understand why the Labor Party wants to rush this legislation through the parliament with the minimum amount of scrutiny. The Labor Party is embarrassed. The Labor Party knows that this is bad legislation. The Labor Party knows that the carbon tax is not in our national interest. The Labor Party knows that the carbon tax will push up the cost of everything, will make us less competitive internationally, will cost jobs, will reduce real wages and will do nothing to reduce greenhouse gas emissions. The Labor Party knows that. The Labor Party knows that the carbon tax was not pursued because they think that it is the right thing to do. They are pursuing this carbon tax because that was the price that the Prime Minister had to pay to stay in power, because that is the price that the Australian Greens demanded from Julia Gillard for their support for her staying on in government. We have a responsibility to expose the many flaws in this legislation. We have a responsibility to make sure that every last problem—and there are many of them—in this carbon tax is properly aired so that people across Australia understand what this
arrogant, dictatorial, anti-democratic Labor-Greens government wants to impose on them. This is a bad tax. We know that Labor members think it is a bad tax, because they tell us so privately in the corridors of parliament. Labor senators and members of the House of Representatives tell us privately, 'Yeah, mate, we know that this is no good. We know it's not going to do anything to reduce global greenhouse gas emissions. We know it's bad for jobs. We know it's going to push up the cost of everything, but what choice have we? The Prime Minister went out in the courtyard on 24 February and nailed her colours to the mast. She made the announcement, and now we're stuck with it. There's no way back for us.' That is what they tell us privately in the corridors of parliament. The sensible people on the Labor side know that this is bad for Australia. The sensible people on the Labor side are prepared to admit, in the privacy of conversations, that the only reason this bad carbon tax is being pushed on the Australian people against their will is because the Australian Greens forced the government to do it.

Do not tell us that the Prime Minister has always been committed to putting a price on carbon, because we know it is not true. We know that Julia Gillard, as the then Deputy Prime Minister, went to the then Prime Minister and said, 'Kill the Carbon Pollution Reduction Scheme. It's no good. It's not in Australia's national interest.' We know that the Prime Minister went to the last election saying emphatically, 'There will be no carbon tax under the government I lead.' This is, as Senator Fifield said, the most emphatic, most brazen, most clear-cut pre-election commitment ever made by a Prime Minister—it was made five days before the election, only to be broken less than a month after the election.

Let us remind ourselves of the process. Not only did the Prime Minister say that there would be no carbon tax under the government she led; she said that before they would do anything about putting a price on carbon they would commit themselves to building community consensus. We have a community consensus, and the community consensus is that people do not want this carbon tax. People know it will not work. They know that it will impose significant sacrifices on working families across Australia, that it will push up the cost of everything, that it will cost jobs and that it will reduce real wages, but that emissions in Australia and overseas will continue to grow. This of course is according to the government's own modelling. So, yes, we understand why the government wants to rush this legislation through. We understand why, in defiance of parliamentary convention, it has refused to have a proper and thorough inquiry into the 19 bills, the 1,100 pages of legislation, that are going to come before the Senate very soon.

We are not going to make it easy for the government to rush this through with the minimum amount of scrutiny. We think that the Australian people deserve to have the Senate scrutinise properly this bad carbon tax legislation, to put the sunlight into every nook and corner of it. The Senate commissioned, on 30 September last year, the Senate Select Committee on the Scrutiny of New Taxes to inquire into a number of taxes, including the mining tax and the carbon tax. It is really funny. Labor senators on the committee at the time said, 'How can you possibly include a carbon tax in the terms of reference for the scrutiny of new taxes committee? There will be no carbon tax.' Clearly, the message had not quite filtered through from the Deputy Prime Minister, Bob Brown, to the Prime Minister, Julia Gillard, to the Labor senators on my
committees that, yes, there would be a carbon tax. Looking back over the last 12 months, you would think it pretty funny if it were not so serious. But this is what we have been getting from this government over the last 12 months.

There was the promise before the last election that there would be no carbon tax, the promise was broken immediately after the election and there was an announcement in the Prime Minister's courtyard in February—no detail, just that there would now be a carbon tax. Given that they understood, after three or four years of debate under the Rudd and Gillard governments about what a carbon tax would and would not do, how bad it would be, people were pretty upset when the Prime Minister said there would be a carbon tax. There was a big outcry. Everybody says you should not take too much notice of the polls, but there is a fine balance between leadership and arrogance. You know what? This government has crossed the line from leadership to complete and utter arrogance and contempt for the Australian people.

The Prime Minister said, 'Don't you worry, as soon as the detail is out, as soon as we have told you how much you are going to have to pay, how bad it would be, people were pretty upset when the Prime Minister said there would be a carbon tax. There was a big outcry. Everybody says you should not take too much notice of the polls, but there is a fine balance between leadership and arrogance. You know what? This government has crossed the line from leadership to complete and utter arrogance and contempt for the Australian people.

The Prime Minister said, 'Don't you worry, as soon as the detail is out, as soon as we have told you how much compensation there's going to be and where we're going to redistribute all the money, you're going to be happy. You're going to like the carbon tax.' Guess what? The announcement was made on 10 July and people still hate the carbon tax. What happened then? The Prime Minister said 'Don't you worry, I am going to wear out my shoe leather, I am going to walk down every street and shopping centre and tell people this is a great tax—and then they're going to love it.' Guess what? The longer the Prime Minister did that, the more unpopular the carbon tax became. Very quickly, the Prime Minister retreated from the shopping centres of Australia to the bosom of the press gallery in Canberra. Remember when she walked around a shopping centre with Mr Perrett, the member for Moreton? A lady approached the Prime Minister and Mr Perrett and asked, 'Why did you lie to us? Why did you tell us before the election that there would be no carbon tax, only to impose a carbon tax on us immediately after the election?' If Mr Perrett was serious about keeping faith with the people in his electorate, if he was serious about keeping faith with the lady in the shopping centre in his electorate, he would have voted against the carbon tax legislation this morning. But any suggestion by Mr Perrett that somehow he is committed to keeping faith with his electorate is just ridiculous. It is all about internal Labor Party leadership wranglings. It is all related to the internal soap opera that has become the Australian government.

After a couple of days talking to real people out in the community about the carbon tax and the impact it will have on household budgets, on the economy, on jobs and so on, the Prime Minister realised: 'Gee, this is a pretty unpopular tax. I'd better go back to somewhere where people are actually going to like it, where people are going to be friendly, where people are going to tell me that what I am doing is the right thing to do.' The National Press Club was holding a lunch, and of course that was nice and friendly territory for the Prime Minister. I will never forget the question that one particular journalist asked: 'Prime Minister, how can we help you make this bad tax more popular?' This was from a journalist. 'How can we help you sell this tax, Prime Minister?'

In every poll, every bit of feedback that senators and members on this side of the chamber—and, I am pretty sure, on the Labor Party side of the chamber—have been getting from the community as we travel
around Australia, as we talk to real people, as we meet with people in the shopping centres of Australia, as we meet with people in the businesses of Australia, as we meet with people in manufacturing businesses across Australia, we see that people get it. People understand why this is a bad tax. People understand that making higher emitting manufacturers in China more competitive than lower emitting equivalent manufacturers in Australia is not effective action on climate change. People understand that when you help a higher emitting business in China take market share from a lower emitting business in Australia you are just shifting the emissions overseas to areas where they are arguably going to be higher than they would have been in Australia. That is not effective action on climate change; that is a reckless and irresponsible act of economic self-harm. It is our job to prevent this government from inflicting harm on the Australian people. It is our job to protect the Australian people from this bad carbon tax which will push up the cost of living, which will reduce our international competitiveness and which will cost jobs and reduce real wages without doing anything to help reduce global greenhouse gas emissions.

We know that the government lied before the last election. We know that the Prime Minister lied before the last election when she said that there would be no carbon tax under a government she led. But the lie continues today. Firstly, we should take a bit of a step back and remind ourselves what this whole carbon tax is supposed to be about. It is supposed to be about Australia making a contribution to help reduce global greenhouse gas emissions. If that is what it is actually about then the first question that one should ask is: by how much will the carbon tax put forward by the Gillard government reduce global greenhouse gas emissions? What will be the net effect of the carbon tax in Australia on global emissions? That is the question that I asked the Secretary of the Department of Climate Change and Energy Efficiency, who was not able to answer it. I asked that question of the Minister representing the Minister for Climate Change and Energy Efficiency in this chamber, Senator Wong, in question time a couple of weeks ago. She could not answer. Given the failure of Copenhagen, given that there is no appropriately comprehensive global agreement, carbon pricing might be a nice theoretical economic concept but it does not work in practice because we are working in a global environment. If we are trying to address a global problem in a global trade and global emissions environment then we have to make sure that our policy response here in Australia fits in with what happens internationally.

Of course, since Copenhagen we have known that there is no prospect of a comprehensive global agreement to price emissions any time soon. That changed the debate in Australia. That changed our public policy interest in Australia. When Labor senators and Labor members in the other place, one after the other, quote ad nauseam how John Howard as Prime Minister was going to pursue an emissions trading scheme, they are right: the Howard government was committed to an emissions trading scheme—in the context of an appropriately comprehensive global agreement. But guess what: Australia's national interest changed in Copenhagen.

When Copenhagen failed to reach any agreement on pricing carbon, when it became clear in Copenhagen that there was no prospect of an appropriately comprehensive global agreement to price emissions, Australia's national interest became not to have a carbon tax, not to have an emissions trading scheme in Australia but to pursue direct action initiatives—that is, to invest our
money, to invest our resources and to invest our efforts in reducing emissions in Australia in a way that achieves a net reduction in emissions in the world. Direct action does not just shift emissions overseas; it reduces emissions in a way that achieves a net reduction. That is one of the many features that make direct action much more attractive than the government's carbon tax proposal.

The government have absolutely no capacity to entertain any of this policy discussion because they are strangled and locked in. They are under the thumb of Senator Bob Brown, Senator Milne and the Australian Greens. They are in a straitjacket. The Australian Labor Party these days are in the Australian Greens' straitjacket. So whatever the merits of the argument, whatever is right and whatever is wrong, whatever is good policy or whatever is bad policy, the Labor Party have absolutely no flexibility to consider policy issues on their merits because the Greens will not let them. That is the real tragedy with all of this.

The lie is still continuing. For example, again this morning the Prime Minister went on radio and said that emissions are going to reduce between now and 2020, when the Treasury's own modelling says that emissions are going to go up between now and 2020. The Prime Minister said on the radio this morning that there would be an additional 1.6 million jobs across Australia, according to Treasury modelling. That is actually not true. The Treasury modelling never assessed the impact of the carbon tax on jobs. It included a technical assumption that the carbon tax would have no impact on levels of unemployment in the long run, given that the economy will continue to grow. When you impose an assumption like that on the model, of course it is going to tell you what you want it to tell you, but that does not mean that the government actually ever credibly assessed the impact of the carbon tax on jobs. It did not.

It did not report on the impact of the carbon tax on regional Australia either. The state Labor government in New South Wales, before they were defeated, actually did some modelling on the impact of carbon pricing on regional areas through Frontier Economics. The impact was a 25 to 30 per cent reduction in economic activity in many regions of Australia. That was the assessment at the time and since then there have been many more assessments conducted by governments in New South Wales, Victoria, Western Australia and Queensland. They all say the same thing—that is, that this carbon tax will push up the cost of everything, reduce our international competitiveness, cost jobs and reduce real wages without doing anything to help reduce global greenhouse gas emissions.

The other thing the Prime Minister said was that the economy will continue to grow. When you look at the Treasury modelling it actually tells us that, if we have this carbon tax in place followed by an emissions trading scheme, by 2050 our GDP will be 2.8 per cent lower than it otherwise would have been. The government then say: 'That does not matter. That is not much, 2.8 per cent. Who cares? It is going to continue to grow. What is 2.8 per cent between friends?' It is funny how their rhetoric changes depending on what argument they are trying to pursue. When the government were talking about the impact of the productivity improvements through COAG reforms, they said that a 2.5 per cent increase in GDP was a great thing, a significant increase. The Productivity Commission estimated the National Competition Policy reforms increased Australia's GDP by 2.5 per cent. When it was an increase in GDP of 2.5 per cent we heard, 'That is massive, that is significant, that is incredible. How fantastic! What a great job we have done
through our massive economic reform.' But when there is an economic change that reduces our GDP by 2.8 per cent we hear, 'That is hardly anything. Who cares? That is nothing.'

We know that a reduction in GDP of 2.8 per cent by 2050 actually means in practice that the government's carbon tax legislation will see a reduction in GDP between now and 2050 of $1 trillion in today's dollars. That is extraordinary. That is nearly the whole GDP for the whole of Australia for a whole year. What that means in practice is that people across Australia will be required to work for a whole year effectively for nothing in order to pay for the impact of the carbon tax between now and 2050.

I am running out of time, which proves the point that the Senate and the parliament need much more time to debate the many flaws and problems in this legislation and the devastating impact that this carbon tax will have on families and communities across Australia. That is why we will not support any initiatives by the government to rush this legislation through the Senate inappropriately. (Time expired)

Senator NASH (New South Wales—Deputy Leader of The Nationals in the Senate) (17:18): I rise to make a contribution to this debate on the question that the clean energy bills may proceed without formalities. I am sure a lot of comments that I make are going to echo comments that have been made by colleagues on this side of the chamber. Let me take you back to about 18 months ago and the little bit of time prior to that when we were debating the idea of the government bringing in an emissions trading scheme. Colleagues, can you remember what happened then? I am sure you can, and I am sure those listening can remember what happened then. The Australian people looked at the government wanting to bring in an emissions trading scheme and colleagues will remember that this building went into meltdown. Our phones, our faxes and our emails went into meltdown with the Australian people saying to the Labor government that they did not want an emissions trading scheme. They absolutely knew that it was not going to achieve the desired result that the government were saying it would—that is, to change the climate. They knew that it was going to hurt them. They knew they were going to have to deal with this financially. They knew how much it was going to hurt the Australian people. They went into meltdown. The building went into meltdown. The government went into meltdown and they had a change of leadership.

That was the scenario we had when the Australian people actually knew what the government was proposing, what the government was actually planning on giving to them. Jump forward to just before the last election. The Prime Minister said to the Australian people, 'There will be no carbon tax under a government I lead.' Guess what, colleagues? The Australian people fell for it. They believed the Prime Minister. They actually believed the Prime Minister when she said, 'There will be no carbon tax under a government I lead.' Nobody jumped up through the election campaign saying, 'We don't want a carbon tax. This would be absolutely devastating for the country.' They felt there was absolutely no need to stand up and have their voice counted because the Prime Minister, Julia Gillard, holding the highest office in the land, had promised the Australian people there would be no carbon tax and the Australian people believed her. It is not surprising that when it went to election time we did not see the same outpouring, the same uprising, from the Australian people that we saw when we were debating the
emissions trading scheme because the Prime Minister had promised the Australian people that there would be no carbon tax. How sad is that? We have the Prime Minister of the country lying to the Australian people. I know every time we say that it touches a nerve on the other side and they say, 'It wasn't a lie.' If one of my children were to say to me, 'Mum, I haven't eaten the apple,' and 10 minutes later they were to say to me, 'Mum, I actually did eat the apple,' I would tend to think that they had told me a lie in the first instance. I do not know about other colleagues, but to me—

Senator Cormann: That sounds about right.

Senator NASH: Thank you very much, Senator Cormann. That sounds about right. So when you say one thing and then you do entirely the opposite, having promised people you will behave a certain way, to me that is a lie. That may be my own personal view, it may be my own understanding of how these things work, but to me it is a lie. Those people out in the streets across this country know that the Prime Minister told them a lie when she said that there was not going to be a carbon tax under the government she led. They know because today it has gone through the House of Representatives. What a very sad, dark day this is for the Australian people. I do not know, as I said in some remarks I made this morning, whether to be furiously angry or incredibly sad that this country is facing having to deal with this piece of legislation—this carbon tax. It is just simply wrong.

Everywhere I go, down every street, in every business, talking to people right across the country, particularly in regional communities, they are saying: 'Why are we doing this? We know it is going to hurt. We know financially we are going to be worse off. We know that electricity prices are going to rise. We know fuel costs are going to rise. We know transport costs are going to rise.' On that very fact alone, Madam Acting Deputy President, as you or anybody in this chamber would know, regional Australia suffers most because of the cost of transport. When those costs of transport go up, as they are going to do when this change comes in for the transport industry not very far down the track—it is going to cost the transport industry $500 million in the first year—they will be passed on to regional people. Those people that I speak to out in regional communities and in the cities keep saying to me, 'Why?' The very point about this, colleagues, is that it is not going to change the climate one little bit.

My colleague Senator Cormann pointed out earlier—and he is absolutely right—that the whole point of this legislation is to reduce global greenhouse gas emissions. So the simple question is: does the legislation actually do that? The answer is no. Colleagues, let us have a look. For those listening who cannot actually see what I am doing, I am holding up my copy of the legislation which is about six inches thick. Does the Clean Energy (Household Assistance Amendments) Bill 2011 change the climate? No. Does the Clean Energy Bill 2011 change the climate? No. Does the Clean Energy (Consequential Amendments) Bill 2011 change the climate? No. In the rest of this six-inch pile of legislation, does any single piece of paper or any single written word change the climate? No, it does not. That is why the Australian people are so furious with this Labor government bringing this carbon tax in. It does not do what the government intends the legislation to do. It does not change the climate.

As my good colleague Senator Joyce often says, the government thinks it can sit down here in Canberra and flick a switch and
change the temperature of the globe. It is simply nonsensical because we are the only country doing this. Those on the other side like to continually point out that other countries are doing this and we are just getting on board. The Productivity Commission—not Senator Nash or any of my Senate colleagues—says that no other country is doing or is about to do what we are about to bring in. That is a simple fact.

So what do we have then, colleagues? We have vanity legislation from the Prime Minister—nothing more, nothing less. This is vanity legislation from the Prime Minister so she can go to South Africa at the end of the year and say on the world stage, 'I have brought clean energy legislation into Australia; I am the queen of the world.'

The point is that it is not going to change the climate one little bit and the Prime Minister is somewhat misguided if she thinks bringing in this legislation is going to make her look good, because it is not. Quite frankly, I do not think anything at this stage can make the Prime Minister look good with the succession of bad policy decisions that this Prime Minister continues to make. What is extraordinary is the ineptness—if that is a word—the inept nature, of the way the Prime Minister is running this country. She thinks: 'This is a great idea. Let's lead the world. We have to lead the way.' Why do we have to lead the way when we emit only 1.4 per cent of the world's emissions? It is hard to understand, but 1.4 per cent of the world's emissions is Australia's contribution. Yet we have a Prime Minister and a government pushed by the Greens to bring in a carbon tax that is going to put a huge financial impost on this country. It is going to reconfigure our economy, it is going to put money into the pockets of the paper-pushers who are going to get to trade this stuff, but it is not going to change the climate one little bit. I do not know about you, colleagues, but to me that is just stupidity. It is absolute stupidity to place in front of this country legislation of this nature that is going to have the impact it will have, yet the intended outcome of the legislation—to reduce global greenhouse gas emissions—is not going to happen. So what is the point? This is why people around the country are so furious about the government bringing in this carbon tax. It is interesting that when we look at what the government says—and you cannot trust them, really, with everything we have seen from them—

Senator Cormann: Australians don't.

Senator NASH: Australians don't. Thank you, Senator Cormann, I will take that—Australians don't. You only have to look at the government's track record to know that you cannot trust them. There are a couple of things they do not go near. One is regional Australia, which Senator Cormann quite rightly referred to, and I will get there shortly. The other thing they never refer to is longevity of compensation. The interesting thing is that they are trying to go out and put oil across the water, saying to people: 'Don't worry. There will be compensation. Nine out of 10 families will be compensated. It will all be okay.' The Australian people do not trust that they can deliver anything given the track record on things like pink batts and BER halls and everything else that the government have touched that has gone to absolute mud. They simply do not trust that that can even be delivered.

As I said earlier, the Australian people simply do not want an emissions trading scheme. They said that many, many months ago now. But we are moving to an emissions trading scheme. This is something that is very rarely discussed in the context of the current debate. In 2015 we will get to the point where the carbon tax becomes an emissions trading scheme—the very thing that the Australian people went into revolt
about not so long ago when the government first had it flagged, the very thing. We are going to get to an emissions trading scheme. What happens when we get to an emissions trading scheme? We have a fluctuating price.

I do not know if any of my good colleagues here or any others have actually heard from the government about how they plan to compensate when the price is fluctuating. I do not know. Are they planning to compensate that far? Maybe they could actually give us a bit more detail. Perhaps the minister could jump in this debate. Maybe we will have to wait for the substantive debate on this particular issue. What is going to happen? Is the compensation going to go that far? How do you actually compensate on a daily basis when there is a fluctuating price? Has anybody thought about that? Has anybody thought to ask the government how they plan to do that? If that compensation that they are so solidly and certainly talking about is going to go very far anyway, how on earth is it going to work under an emissions trading scheme? They do not know what the price is. Can you just imagine, at the very least—Senator Cormann, I am sure you have thought of this—the bureaucratic nightmare of having to deliver compensation under a fluctuating price, let alone a regulated price under a carbon tax? It is quite extraordinary.

Just on the bureaucratic cost, one wonders what the government is going to say. Again I am sure this will come up during the substantive debate and I am sure we are going to have a lengthy committee stage to allow these sorts of issues to be aired—unless the government is going to continue to guillotine us, which I think would be quite appalling and inappropriate when the Australian people at least deserve some scrutiny of this. One wonders exactly what they are going to say when we get to that point. How is it going to work, I wonder. There are so many unanswered questions that I am sure the government cannot even answer. They simply do not have a clue.

The government have been pushed by the Greens to bring in this carbon tax. As colleagues have discussed earlier today, that is what has happened. The government have done a backflip because they have got this cobbled-together Greens-Independent-Labor government, which is no way to run a democracy, and I am guessing they had no choice. Isn't it interesting, for those who are listening, to be very well aware that the Greens have 10 members and senators. There are 226 members and senators in this parliament, yet the Greens are telling the government what to do. You tell me how democratic that is, colleagues. You tell me what sort of democracy that is when we have got 10 members out of a 226-member parliament telling the government what to do. And good luck to them; that is the way it fell out. The Prime Minister was so desperate to govern under any circumstances, to stay Prime Minister—I do not know how long that is going to last—that she was prepared to cobbled together this government. That is simply not democracy. It is an undemocratic government because we have not got the majority of people having their say.

If we had at this point the majority of people in this country having their say, there would be no carbon tax. That leads to the question: why won't the government wait until after the next election to bring in the carbon tax? We could go through all this now; we could go through all the motions. It can go through the chamber. But why not have the start date of the carbon tax after the next election, whenever that might be—sooner, later, who knows? Why won't the government do that? To me that simply seems fair. The Prime Minister would then be saying to the Australian people: 'Look, I didn't really mean to lie to you before the last election. I am really sorry I told you there
was not going to be a carbon tax. But I really believe in this carbon tax and I believe in it so much and I believe you will too, so I will go to another election and give you an opportunity to have your say. Wouldn't you do that? I think anybody with any confidence that what they were putting forward was something that the majority of the Australian people would want would do that. They would do that without any shadow of a doubt.

We can deduce that the only reason this Prime Minister, Julia Gillard, will not have the start date for the carbon tax after the next election is she knows the majority of the Australian people do not want it and that they will vote the Labor government out. Otherwise, why wouldn't she do it? It makes perfect sense. Give the Australian people a say. One of the things I love about this country is that we are a democracy, that you do have the opportunity to have your voice heard, that you do have the opportunity to have your say. But apparently not—apparently not under this Prime Minister, because she can tell you one thing, do entirely the other and then still not give you the opportunity to have your say. That I think is what makes this one of the saddest days in this nation's history. To watch that legislation go through the House of Representatives, to watch that happen today, knowing it is a piece of legislation that will hurt the Australian people and that will do absolutely nothing when it comes to the intent of the government is sad, stupid and, quite frankly, appalling. I think it just goes to show the level that this government has gone to to stay in power. It is really quite extraordinary. Colleagues, the impact on regional Australia is going to be huge. This will have to wait for another day, because time precludes me now from going through all those impacts. But, as my colleagues from regional areas right around this chamber and the other place know, regional Australia is going to be hit harder than anywhere else. Farmers are the bottom of the food chain. There is nowhere for these costs to be passed on to. The costs of fuel, transport, fertiliser and electricity are all going to land in the lap of the farmers. It is all going to land on those regional agricultural businesses. There is no escape for them. They cannot get away from the impact this carbon tax is going to have on them, and that is wrong.

That is what we on this side of the chamber will keep fighting against. I can only promise the Australian people that we will not stop. This carbon tax may have gone through the House of Representatives and it may well get through the Senate, but we will not stop. We absolutely promise the Australian people that, in government, the coalition will get rid of this carbon tax and make sure Australia has a better future.

Senator BIRMINGHAM (South Australia) (17:38): I rise to support the arguments put so eloquently by my colleague Senator Fifield and by other colleagues—Senators Abetz, Cormann, Joyce and Nash—that the Senate should deny the government's move that these carbon tax bills proceed without formalities and that the Senate should deny the government's move that these bills be taken together. I do so because we have seen an absolute failure of the parliamentary scrutiny process to date, and this is the only opportunity we have. This chamber is the only thing standing between these bills and their becoming the law of Australia.

This chamber should give these bills full, thorough and proper parliamentary scrutiny. If that means taking a pathway that differs from what we usually do when we consider packages of legislation then we should do that to ensure we have proper scrutiny. Have these bills had any decent scrutiny in the
other place? No, they certainly have not. They were subject to a gag order. They were subject to what is politely described as 'time management'. How much consideration in detail did these bills have? Just a few hours last night. That was all they had for what we in the Senate paraphrase as the 'committee stage'. When it came to looking at the detail of the legislation, they had just a few hours last night in the House of Representatives.

That is just not good enough for a package of this size and of this scale and with the impact it will have on the Australian community. This is a vast package. As Senator Joyce highlighted when he brought the whole pack of legislation into the chamber, we are talking about 19 separate bills totalling more than 1,100 pages of new legislation. That, of course, is before all the explanatory memoranda that go with it are added on. It is a vast and sweeping package with vast and sweeping implications.

The other place rammed it through. The government, combined with their cohorts from the Greens and the crossbench, provided just a few hours of consideration in detail last night, and that was all we saw. Yes, there has been a parliamentary inquiry into this—a joint select committee that Senator Cormann and I had, dare I say, the misfortune of serving on. Frankly, it was a farcical process that did not stand true to what we in the Senate would expect as proper committee scrutiny of legislation.

It took just around three weeks from the motion to establish the committee to the committee's reporting. Within that time just six days, including a weekend, were provided to the Australian people to make submissions on this vast, sweeping package of more than 1,100 pages. The Australian people nonetheless responded. More than 4½ thousand people made submissions during that process. Yet, overwhelmingly, those submissions were not only ignored by the Labor Party, the Greens and the Independents but actually silenced. They were not accepted as submissions. They were not published as submissions in the usual way. They were locked out of the process.

I am just happy that the coalition members of that select inquiry at least took the time to look at the submissions, took the time to read them and took the time to quote from hundreds of them in the committee's report. Equally, the farcical inquiry into these sweeping bills did not get the chance to hear from them. No. Again, the numbers on this committee were nine Labor-Green-Independent members against five coalition members. The Independent was Mr Windsor, who developed the legislation, and the Greens were Senator Milne and Mr Bandt, both of whom, with Mr Windsor, served on the multiparty committee that developed this legislation.

So it was the proponents of this legislation who dominated the inquiry into it and obviously came to a predetermined outcome. They were the ones who set where the committee would go and who it would hear from. Despite requests from the opposition that the committee travel to Mackay in Queensland—your home state, Madam Acting Deputy President Boyce—and hear from the industries and the workers in Mackay and the people of North Queensland their views on this carbon tax that will have an impact on the mining industry and other industries, including the tourism industry that is so important to that state, the Labor Party and their cohorts said no.

We saw a request from Mrs Gash—another member of the committee, from the other place—for the committee to travel to the Illawarra to hear from stakeholders in her region who were concerned. Frankly, it is not that far for the committee to go there from
Canberra. But no: again, the Labor Party and their cohorts on the committee said no. We had a request from Senator Cormann that the committee travel to Perth, a city where, of course, the concern about this tax proposal is very real and where there are many, many industries that are worried—particularly, of course, Australia's mining industry, which has such a foothold in Perth. Again the Labor Party and their cohorts said no. Where did they decide they would take evidence on this legislation? You may be surprised to learn that we had two days of hearings in Canberra, one day in Melbourne and one day in Sydney—a really great representation of Australian viewpoint!

Senator Payne interjecting—

Senator BIRMINGHAM: A broad representation indeed, Senator Payne—quite astounding. We saw that with this legislation, of such sweeping effect, the parliamentary inquiry into it did not get outside the Melbourne-Sydney-Canberra triangle. It is just outrageous. If any part of this parliament should be outraged, of course, it should be the Australian Senate. It should be the place in which the states, with their equal representation, deserve to have a fair say heard—where the smaller states, the more distant states and the more disparate regions are meant to get their voices heard. Yet they were silenced throughout that inquiry process.

So, yes, we do seek to deny leave for these bills to proceed without formalities, we do seek to deny leave for them to be taken together and we do so because the parliamentary committee process has let us down, because the House of Representatives has let us down and because the government has let the Australian people down. Therefore we want to make sure that this Senate does not follow suit and let the Australian people down again. I fear the Senate will. I fear that the Labor-Greens majority that is in here nowadays will ultimately want to steamroll it through the Senate as well—that ultimately they will apply a gag in this place and deny the opportunity for full and thorough scrutiny of every bit of this vast and sweeping legislative package. But we will try to stop them and we will try to ensure that there is proper consideration.

In looking at the consideration that happened in the other place, I took the opportunity to look at what some of the Labor MPs from my home state had to say about these proposals in the other place—those members who spoke on the carbon tax package. There may not have been much consideration in detail—there was very little, as I said just last night—but many members took the opportunity to give speeches in the second reading debate, and I thought it was interesting to look at what some of those members said. Mr Georganas, the member for Hindmarsh, said:

… the world is moving on this issue. This includes, of course, not just the UK, Europe, Canada, South Africa, South Korea and very large blocks within the United States; it includes China …

He may think that, he may say that and he may be able to come up with certain isolated examples, but to suggest that Canada is moving on this issue when in fact the re-elected government of Canada has stepped right away from implementing any carbon-pricing regime, has made it very clear that it has no intention of doing so and is tied emphatically to the type of action that the United States takes—a country that equally has no desire and is not likely to implement a nationwide carbon price—is just utterly misleading. He cites South Korea, a country where, yes, legislation for carbon pricing may have been introduced into the parliament but where it has been deferred; it
was deferred in the face of widespread public criticism. He cites the United States, where, of course, we know that even the regional state-based schemes are shrinking back and shrinking back. California is basically the only place anybody can cite with any credibility now, and it has a scheme of minuscule scale compared with what is proposed for Australia. And, of course, he cites China. The government loves to keep citing China, but the evidence of the committee inquiry demonstrates that China’s emissions keep going up and up and up. They have no nationwide carbon price in place. When it comes to carbon pricing, we are talking at best about the tiniest regional programs at very small, trial-scale level that obviously are nothing like what this government is proposing here.

Let me turn to some other comments of Mr Georganas. There is one that I think is a doozy of a comment. Mr Georganas said in his contribution in the other place on these bills that the Labor Party has been the ‘party of consistency’ on this issue—the party of consistency!

*Senator Payne interjecting—*

**Senator BIRMINGHAM:** Senator Payne asks whether he said it with a straight face. Unfortunately I have not gone back to get the video footage to see whether he said it with a straight face.

**Senator Ronaldson:** They are consistently inconsistent.

**Senator BIRMINGHAM:** Senator Ronaldson is correct: they are consistently inconsistent. This is the party that under Mr Rudd stood for an ETS until Mr Rudd changed his mind after Copenhagen and said it was not the time for an ETS. Then Ms Gillard rolled Mr Rudd, and she stood against both an ETS and a carbon tax. In fact, as we all know and as many people have said already in this place and in this debate, Ms Gillard uttered those immortal words, ‘There will be no carbon tax under the government I lead.’ She uttered them just days before the election. She did have a climate change policy: it was for a citizens’ assembly. That was her climate change policy. Then, of course, after the election—after she had cobbled together a government with the support of the Greens—she changed her mind again and decided that she was for a carbon tax. So for Mr Georganas to suggest that Labor has been the party of consistency really does beggar belief.

Mr Georganas did indicate that we have heard that people will be worse off as a result of the carbon price flowing on to consumers but, as many Labor MPs did, went on to try to say that nine out of 10 households will receive compensation. Nine out of 10 will receive compensation, but it does not get away from the fact that, on the government’s own estimates, three million households will be worse off under this proposal. At least three million will be worse off on the government’s own estimates, and their modelling is highly optimistic about the extent of international action. They can model quite precisely what extra money will end up in the pockets of households, but the modelling is very imprecise about what the extra costs will be for those households. In fact, they need only be two per cent wrong in those costs for millions more households to be worse off as a result of this proposal.

It was not just Mr Georganas; we had Mr Zappia, the member for Makin, who also made a contribution—another member from my home state. He also sought to claim that other countries were taking action, although he gave an interesting list of countries. He said:

Finland, the Netherlands, Norway, Sweden, Denmark, Switzerland, Ireland and the UK have all had an indirect or direct tax system that
impacts on industries in those countries ... So it is not as though we are acting in isolation ...

Phew! Regardless of the accuracy or not of his comments, I am relieved to know that the Australian economy, with its competitors from around the world, is at least in line with Finland, the Netherlands, Norway, Sweden, Denmark, Switzerland, Ireland and the UK. There is nothing wrong with any of those countries, of course. But, by and large, with one or two small exceptions, their economies hardly resemble the industrial mix and the mining mix of the Australian economy. This is not comparing apples with apples, Mr Zappia—far from it.

Mr Zappia also pointed out that the Productivity Commission noted that 89 countries that represent 80 per cent of global emissions and nearly 90 per cent of total GDP are already acting. He failed to point out that the Productivity Commission made extremely clear that no other country in the world has an economy-wide ETS or a carbon tax in place—no other country has anything like what this government is proposing.

Ms Rishworth, the member for Kingston in South Australia, also spoke on these bills. She said she was:

... proud that it is this Labor government that is bringing forward a ... plan to tackle climate change; a plan that will ensure that we reduce our carbon emissions ...

Let me deal firstly with her pride. If she is so proud of it, why did she not take it to the election? Is she so proud of it, why does she not take it to an election? If she and all of those 72 members of the Labor Party in the House of Representatives are so proud of this proposal, why do they not have the courage of their convictions and take it to an election? Let the Australian people have a say. Let the Australian people say whether they are proud of their Labor representatives for introducing this. She said it is:

... a plan that will ensure that we reduce our carbon emissions ...

Unfortunately, that is just not true. It is a plan that will ensure that Australian companies spend billions of dollars buying permits from overseas to meet a target to reduce emissions. Australia's emissions will keep going up under this plan. Australia's emissions will be more in 2020 under this plan. It will not reduce our emissions at all. It is misleading to say so. What this plan actually facilitates is simply a multibillion-dollar transfer of funds by Australian companies into international carbon credits, many of which are of questionable operation or questionable value. It will facilitate the transfer of funds. Those Australian companies, if they can afford to actually purchase those credits, will then continue to emit within Australia. Australia's domestic emissions will keep going up and those companies will pass the cost of purchasing those permits onto their consumers, which will ultimately mean that Australian households will pay more as a result. Ms Rishworth also said:

It will mean that 500 of Australia's biggest polluters will pay for every tonne of carbon pollution they emit into our atmosphere.

But it is not just 500; there are sweeping changes in these bills that relate to fuel arrangements. Everybody who uses fuel for off-road purposes will face increased prices—tens of thousands of businesses around Australia will face increased prices. So it is not just the 500—in the refrigerant sector alone, hundreds more will face increased prices because of the treatment of certain gases. We know that, in fact, tens of thousands of businesses will directly pay increased prices and every Australian business will pay increased prices as a result of the flow-on effects.

Mr Champion, the member for Wakefield, spent basically his entire speech talking
about anything but the government's carbon tax legislation. I will not rehash his comments about various coalition MPs and others who were the focus of his contribution. But, right at the end of his contribution, he said:

We are going to implement this practical solution to a practical problem. I think on 1 July next year everybody will shrug their shoulders and just get on with a prosperous economy and an increasingly efficient and green society and economy.

It is hardly a practical solution; it is a great big money-go-round—money goes round and round; billions of dollars go in, billions of dollars go out and the government is left with a multibillion-dollar deficit at the end of it. It is quite a remarkable situation—the government is introducing a multibillion-dollar new tax but will actually end up with a deficit of $4 billion-plus over the forward estimates period.

I would not want Ms Ellis, the member for Adelaide, to miss out as I roll through the South Australian Labor MPs. She argued it was reasonable:

Following the election where it became clear that no party had the numbers on the floor of this parliament to ... change—

the policy that they had. I would have thought that perhaps they could have mustered the numbers on the floor of the parliament for their citizens assembly as there have been plenty of other talkfests. We had two of them just last week. Ms Ellis ultimately also cited some of the same points such as 'only 500 companies' and 'reducing Australia's emissions'—points which I have already countered.

Lastly, there was one South Australian Labor MP who did not speak in the debate—Mr Butler, the member for Port Adelaide. I wonder why Mr Butler did not speak. Senator Cormann might know because he joined me in visiting some of the extremely emissions intensive industries that are located in Mr Butler's electorate of Port Adelaide—businesses like Adelaide Brighton and Penrice that will face enormous bills under this carbon tax. Mr Butler, like so many Labor MPs, just did not have the courage to say why he wants to impose this cost on them.

Senator LUDWIG: I move:

That the question be now put.

Question put.

The Senate divided. [18:03]

(The President—Senator Hogg)

Ayes ...................... 34
Noes ...................... 30
Majority ............... 4

AYES

Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
Polley, H (teller)
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

Bishop, TM
Brown, RJ
Collins, JMA
Crossin, P
Farrell, D
Gallacher, AM
Hogg, JJ
Ludwig, JW
Marshall, GM
McLucas, J
Moore, CM
Pratt, LC
Sherry, NJ
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

NOES

Adams, J (teller)
Birmingham, SJ
Boyce, SK
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Fisher, M
Johnston, D
Macdonald, ID
Mason, B
Nash, F

Back, CJ
Boswell, RLD
Brands, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

The PRESIDENT: The question now is that these bills may proceed without formalities.

The Senate divided. [18:08]

(The President—Senator Hogg)

Ayes......................34
Noes......................30
Majority...............4

AYES
Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
Polley, H (teller)
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

NOES
Cash, MC
Cormann, M
Eggleston, A
Ferravanti-Wells, C
Fisher, M
Johnston, D
Macdonald, ID
Mason, B
Nash, F
Payne, MA
Ryan, SM
Williams, JR
Xenophon, N

PAIRS
Carr, KJ
Evans, C
Faulkner, J
Feeney, D
Wong, P

Carr, KJ
Abetz, E
Evans, C
Heffernan, W
Faulkner, J
Joyce, B
Feeney, D
Bernardi, C
Wong, P
Bushby, DC

Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

The PRESIDENT: The question now is that these bills may be taken together.

The Senate divided. [18:12]

(The President—Senator Hogg)

Ayes............34
Noes...............30
Majority..........4

AYES
Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Furner, ML
Hanson-Young, SC
Ludlam, S
Lundy, KA
McEwen, A
Milne, C
Polley, H (teller)
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

NOES
Adams, J (teller)
Birmingham, SJ
Boyce, SK

Back, CJ
Boswell, RLD
Brandis, GH

Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M
Scullion, NG
Xenophon, N
Ayres...35
Noes...............29
Majority..........6

Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

The PRESIDENT: The question is that these bills be now read a first time.

The Senate divided [18:17]

Ayres.................35
Noes................29
Majority.............6

Ayres

Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Furner, ML
Hanson-Young, SC
Ludlam, S

Marshall, GM
McLachlan, T
Mevale, C
Polley, H (teller)
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ
Xenophon, N

NOES

Abetz, E
Back, CJ
Birmingham, SJ
Boswell, RLD
Brandis, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fierravanti-Wells, C
Fifield, MP
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M
Scullion, NG
Xenophon, N

Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

Bills read a first time.

MOTIONS

Brown, Senator Bob

Senator IAN MACDONALD
(Queensland) (18:21): I seek leave to move a motion to invite Senator Bob Brown to explain to the Senate why his principled opposition to guillotines on debate and gags
on senators' speeches has changed with his support for the Gillard government's much-guillotined carbon tax package. That is the first part of the motion. The second part of the motion will ask the Senate to note speeches made by Senator Brown opposing guillotines, including, without being limited to, the speeches he made on 4 December 2002 and 5 December 2005.

Leave not granted.

Senator IAN MACDONALD: I move:

That so much of the standing orders be suspended as would prevent me from moving a motion relating to the Leader of the Australian Greens (Senator Bob Brown) and his previous statements on limitation of debate.

At the next opportunity, we will be proceeding to debate all the carbon tax bills, the names of which have just been read out by the clerk. These are perhaps the most important and serious bills that have come to this chamber in recent times. We will be doing that because Senator Bob Brown and the Greens have agreed with the government that the debate on these bills and the debate on the pre-emption to the bills should be guillotined.

The Greens have a track record of opposing guillotines on discussion in this chamber. Senator Brown has made a habit in the past of opposing guillotines and gags on speeches. I think that the Senate should invite Senator Brown to explain why he has changed his mind. After a lifetime of opposing guillotines and gags, here is Senator Brown actually being part of the proposals to curtail speech in this chamber.

This is a particularly important set of bills that Senator Brown is stopping discussions on. One can only wonder why it is. We know that the Greens got a $1.6 million donation, even though Senator Brown used to rail about how bad it was when donations were made by corporate entities. The question might be asked—and I think Senator Abetz has asked it: does the donor of the $1.6 million to the Greens political party perhaps have an interest in the outcome of the climate change bills? Perhaps the donor of the $1.6 million has a particular interest. That may not be correct, but, if my motion is agreed to and we can set aside standing orders so that the motion inviting Senator Bob Brown to explain himself can be passed, perhaps all will be revealed. Perhaps in fairness to Senator Brown the Senate should invite him to explain how he has had this sudden change of view on his very principled opposition to guillotines.

For those who might be listening to this as they drive home from work today, on what will be one of the blackest days in Australia's parliamentary history—after which, as a result of the carbon tax, everyone listening to this debate will be paying more for everything—I say to you that the car you are driving is going to cost you more to go home in the future because there will be a tax on the transport of the components that are required to make your vehicle work.

It is important that this motion to suspend standing orders be carried so that I can then move my motion which, if passed by the Senate, would invite Senator Bob Brown to get up and explain why he has changed his mind. Perhaps—it is a big perhaps—I am wronging Senator Brown. Perhaps his principled opposition to guillotines only applies when there are conservative, Liberal governments in power. Perhaps there is something else. But why not give Senator Brown the opportunity to explain by passing this suspension motion and then passing the substantive motion? Then the Senate can invite Senator Brown and give him 20 minutes to explain why, for years, he opposed guillotines and now he does not. A lot of his supporters said: 'Yes, we're going to vote for the Greens because, although we
don't always like their policies, we like their principles; we like the fact that they will never guillotine debate in the parliament of a democracy like Australia.' But Senator Brown today has voted with the government five or six times already, I think, to guillotine free speech in this parliament on perhaps the most important set of bills that this parliament has dealt with in the last couple of decades.

I urge the Senate to suspend the standing orders so that I can move my motion and invite Senator Brown to explain his change of principles. (Time expired)

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) (18:27): This is, quite frankly, a sad stunt and—

Senator Ronaldson: Mr Acting Deputy President, I rise on a point of order. I was actually on my feet first. The Manager of Government Business in the Senate was not quick enough to get up, and I seek the call.

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop): Senator Ronaldson, as you know, the first speaker to stand and catch the eye of the chair gets the call. In this case, I saw Senator Ludwig first.

Senator LUDWIG: This is a sad stunt. It has no merit. I move:

That the question now be put.

Question put.

The Senate divided. [18:32]

(The President—Senator Hogg)

Ayes.................35

Noes....................30

Majority................5

AYES

Bilyk, CL

Brown, CL

Bishop, TM

Brown, RJ

NOES

Abetz, E

Back, CJ

Boswell, RLD

Brandis, GH

Colbeck, R

Edwards, S

Fawcett, DJ

Fifield, MP

Humphries, G

Kroger, H

Madigan, JJ

McKenzie, B

Parry, S

Ronaldson, M

Sullion, NG

Adams, J (teller)

Birmingham, SJ

Boyce, SK

Cash, MC

Cormann, M

Eggleston, A

Fierravanti-Wells, C

Fisher, M

Johnston, D

Macdonald, ID

Mason, B

Nash, F

Payne, MA

Ryan, SM

Williams, JR

PAIRS

Carr, KJ

Evans, C

Feeney, D

Wong, P

Heffernan, W

Bushby, DC

Joyce, B

Bernardi, C

Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

Senator IAN MACDONALD (Queensland) (18:35): Mr President, before you took the chair there was an incident where Senator Ronaldson rose first but the
Acting Deputy President recognised someone else. I seek your ruling, as the President, on whether it was appropriate that the chair should recognise a senator who clearly got to his feet after Senator Ronaldson.

**The PRESIDENT:** The practice in this place has been that the call goes from one side of the chamber to the other. That has been established by precedents before me.

*Senator Ronaldson interjecting—*

**The PRESIDENT:** I am sorry, Senator Ronaldson, I am just saying what the precedent is that has long been established in this place. I was not in the chamber to see what took place.

*Senator RONALDSON* (Victoria) (18:36): I seek leave to take note of your ruling.

**The PRESIDENT:** No, I have to put the question that is currently before the chair.

*Senator Ronaldson interjecting—*

**The PRESIDENT:** The Senate has just taken the decision that the question be put. The question before the chair is the suspension of standing orders that has been moved by Senator Macdonald. So that is the decision of the Senate; that is not my decision. I have to abide by that.

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

The Senate divided. [18:41]
(The President—Senator Hogg)

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*Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.*

**Question negatived.**

*Senator RONALDSON* (Victoria) (18:44): Mr President, I seek leave to take note of the ruling that you made prior to the last division.

**The PRESIDENT:** Are you referring to the question that Senator Macdonald asked?
**Senator RONALDSON:** Yes, and your response to it.

**The PRESIDENT:** I did not think it was a ruling as such.

**Senator RONALDSON:** Then I seek leave to take note of your statement in response to the question from Senator Macdonald.

Leave not granted.

**Senator RONALDSON:** I move:

That so much of standing orders be suspended as would prevent me moving a motion to take note of the matter clarified by the President.

I note with some interest that Senator Brown is here. I think the fact that he has used the gag in conjunction with the Labor Party to stop him explaining himself is quite remarkable. It has been a quite a remarkable and disgraceful day in this chamber. But it is not quite as disgraceful as some of the other people involved in this debate, or their lack of involvement in this debate. Senator Birmingham went through some of the Labor Party members who had spoken on this debate and some who had not. There was another glaring example of someone who did not have the intestinal fortitude to enter this debate—some would say lack of guts; I would not use that language—that is, the member for Corangamite, Mr Cheeseman. Mr Cheeseman refused to speak in this debate. It is interesting because there were some 37.5 hours of debate over 30 calendar days, to quote the Leader of the House in the other place. Where was the absent member for Corangamite in relation to this debate? He was missing in action.

I looked through those who did speak from regional Victoria. The retiring member for Bendigo, Mr Gibbons, spoke on 15 September. On 20 September the member for Ballarat, Catherine King, spoke in relation to this matter. On 11 October the member for Corio, Mr Marles, spoke in relation to this matter. Where was Mr Cheeseman? This is the same Mr Cheeseman who last year posted a very interesting speech on his website. The interesting part was that it actually was not the speech that he gave, but he still posted it. I will go through the speech. This is the Noah of Geelong. I will read what Mr Cheeseman said on his website:

The Great Ocean Road Mr. Speaker, an icon of Australia and the engine room of our local tourism economy, will be largely destroyed.

It will be breached in place after place, if sea level rise is as expected.

Huge swathes—

**Senator Ludwig:** Mr Acting Deputy President, on a point of order: I know there is a broad latitude allowed in these debates; however, I think, and the Senate may agree, that Senator Ronaldson has certainly gone way past the latitude of the debate we are in at the moment. I would ask you, Mr Acting Deputy President, to at least confine him to the point.

**The ACTING DEPUTY PRESIDENT (Senator Mark Bishop):** The point of order is upheld. Senator Ronaldson, you are speaking very widely and away from the matter before the chair. I would ask you to confine your remarks to the matter before the chair.

**Senator RONALDSON:** The member for Corangamite used the same sort of language that Senator Brown uses about sea level rises. That is why Senator Macdonald wanted him to come in here and explain his actions today. I am sure that Senator Brown would probably say these sorts of things as well:

It will be breached in place after place, if sea level rise is as expected.

Huge swathes of the Bellarine Peninsula will be inundated.
Current areas of the mainland will be cut off and become islands.
Queenscliffe will become an island.
The area from Barwon Heads to Breamlea will become an island.
This is from the man who did not have the intestinal fortitude to come in to the other place in 37.5 hours of debate and explain why he is supporting the carbon tax. This is the man who bragged about putting in place the current Prime Minister, the soon-to-be-deposed Prime Minister, Ms Gillard. Why did he not come in and explain to the constituents of Corangamite why he is supporting this tax?

In the time left to me I will read out some of the comments of the City of Greater Geelong in relation to this toxic carbon tax: 'Geelong has a large percentage of trade exposed and emissions intensive industries. While we accept the need for Australia to contribute to a global reduction of carbon emissions, it is vital that the Geelong region is not unfairly disadvantaged. Manufacturing remains one of the primary industry sectors in Geelong.' It goes on: 'Local industries must be supported so they can remain competitive and that local jobs are not put in jeopardy. If products that are currently manufactured in Geelong are forced offshore, the effect will be self-defeating in terms of global carbon emissions.' This is the City of Greater Geelong that has made it quite clear they are desperately concerned about this toxic carbon tax. Where is the absent member for Corangamite in relation to this debate? He is a disgrace. He has abrogated his responsibilities to his electorate to say why he supports this toxic carbon tax.

Senator Abetz: But he voted for it.

Senator RONALDSON: As the Leader of the Opposition in the Senate said, he voted for it, but he did not have the intestinal fortitude to come in and speak on it. The member for Bendigo did. The member for Ballarat did. The member for Corio did. But the absent member for Corangamite, who will be judged on this action amongst others, did not have the guts to explain to his electorate why he supports this job-destroying tax.

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) (18:51): The opposition do not help themselves in this debate. We are clearly dealing with the end of a procedural motion where the clean energy bills are introduced so that they are available for debate when we return to the Senate. With respect to all of the issues the opposition wish to raise on the clean energy bills—both from their perspective and from ours on this side—they will have a great opportunity to use their time effectively during the second reading debate.

Senator Ian Macdonald: Mr Acting Deputy President, on a point of order: could you remind the minister that the motion before the chair relates to the President's statement and taking note of it? Senator Ronaldson's motion was to suspend standing orders so that we could debate the President's ruling on why he called Senator Ludwig instead of Senator Ronaldson. That is what it is all about. Would you point out to the minister that talking about carbon tax issues is fairly irrelevant to this?

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop): Senator Macdonald, resume your seat. There is no point of order.

Senator LUDWIG: I think Senator Macdonald has just pointed out the
irrelevancy of Senator Ronaldson’s contribution. On that basis, I move:

That the question be now put.

Question put.

The Senate divided. [18:58]

(The Acting Deputy President—Senator Mark Bishop)

Ayes....................34
Noes.....................29
Majority...............5

AYES

Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H
Rhiannon, L
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ

Bishop, TM
Brown, RJ
Collins, JMA
Crossin, P
Farrell, D
Furner, ML
Hanson-Young, SC
Ludwig, JW
Marshall, GM
McLaras, J
Moore, CM

NOES

Abetz, E
Back, CJ
Boswell, RLD
Brandis, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fisher, M
Johnston, D
Macdonald, ID
Mason, B
Nash, F
Payne, MA
Ryan, SM
Williams, JR

AYES

Evans, C
Feeney, D
Hogg, JJ
Wong, P

PAIRS

Fierravanti-Wells, C
Bernardi, C
Joyce, B
Bushby, DC

Senator Arbib did not vote, to compensate
for the vacancy caused by the resignation of
Senator Coonan.

Question agreed to.

Original question put:

That the motion (Senator Ronaldson’s) be
agreed to.

The Senate divided. [19:01]

(The Acting Deputy President—Senator
Mark Bishop)

Ayes .................29
Noes .................34
Majority ...............5

AYES

Abetz, E
Back, CJ
Boswell, RLD
Brandis, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fisher, M
Johnston, D
Macdonald, ID
Mason, B
Nash, F
Payne, MA
Ryan, SM
Williams, JR

NOES

Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Faulkner, J
Gallacher, AM
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H

PAIRS

Carr, KJ
Heffernan, W

CHAMBER
Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question negatived.

BILLS
Clean Energy Bill 2011
Clean Energy (Consequential Amendments) Bill 2011
Clean Energy (Income Tax Rates Amendments) Bill 2011
Clean Energy (Household Assistance Amendments) Bill 2011
Clean Energy (Tax Laws Amendments) Bill 2011
Clean Energy (Fuel Tax Legislation Amendment) Bill 2011
Clean Energy (Customs Tariff Amendment) Bill 2011
Clean Energy (Excise Tariff Legislation Amendment) Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Import Levy) Amendment Bill 2011
Ozone Protection and Synthetic Greenhouse Gas (Manufacture Levy) Amendment Bill 2011
Clean Energy (Unit Shortfall Charge—General) Bill 2011
Clean Energy (Unit Issue Charge—Auctions) Bill 2011
Clean Energy (Unit Issue Charge—Fixed Charge) Bill 2011
Clean Energy (International Unit Surrender Charge) Bill 2011
Clean Energy (Charges—Customs) Bill 2011
Clean Energy (Charges—Excise) Bill 2011
Clean Energy Regulator Bill 2011
Climate Change Authority Bill 2011

Second Reading
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) (19:04): I move:

That these bills be now read a second time.

I table the second reading speeches and move:

That the debate be adjourned.

Question put.

A division having been called and the bells being rung—

Senator Fifield: Mr Acting Deputy President, I seek your guidance. Minister Ludwig moved several unrelated matters in the one motion. I seek your guidance as to whether that can be done—moving a motion to adjourn the house and other matters.

The ACTING DEPUTY PRESIDENT (Senator Mark Bishop): Senator Fifield, the motion was to adjourn the debate on the second reading.

Senator Fifield: Sorry, Mr Acting Deputy President, he spoke very quickly.
Senator Ian Macdonald: Mr Acting Deputy President, perhaps I could just clarify what you said. Admittedly Senator Ludwig spoke very softly and very quickly, but I thought he moved three particular motions at the same time. Could you just explain exactly which motion we are voting on at the moment?

The ACTING DEPUTY PRESIDENT: The minister moved to table the second reading speeches, and he moved adjournment of the debate. That is the matter we are voting on: adjournment of the debate.

The Senate divided. [19:09]

(The Acting Deputy President—Senator Mark Bishop)

Ayes.................35
Noes...............29
Majority.............6

AYES
Bilyk, CL
Brown, CL
Cameron, DN
Conroy, SM
Di Natale, R
Farrell, D
Furner, ML
Hanson-Young, SC
Ludwig, JW
Marshall, GM
Mclucas, J
Moore, CM
Pratt, LC
Siewert, R
Stephens, U
Thistlethwaite, M
Waters, LJ
Xenophon, N

Bishop, TM
Brown, RJ
Collins, JMA
Crossin, P
Evans, C
Faulkner, J
Gallacher, AM
Ludlam, S
Lundy, KA
McEwen, A (teller)
Milne, C
Polley, H
Rhiannon, L
Singh, LM
Sterle, G
Urquhart, AE
Wright, PL

NOES
Adams, J (teller)
Birmingham, SJ
Boyce, SK
Cash, MC
Cormann, M
Eggleston, A
Fierravanti-Wells, C
Fisher, M

Back, CJ
Boswell, RLD
Brands, GH
Colbeck, R
Edwards, S
Fawcett, DJ
Fifield, MP
Humphries, G
Kroger, H
Madigan, JJ
McKenzie, B
Parry, S
Ronaldson, M
Scullion, NG

PAIRS
Carr, KJ
Feeney, D
Hogg, JJ
Sherry, NJ
Wong, P

Heffernan, W
Bernardi, C
Joyce, B
Abetz, E
Bushby, DC

Senator Arbib did not vote, to compensate for the vacancy caused by the resignation of Senator Coonan.

Question agreed to.

ADJOURNMENT

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

That the Senate do now adjourn.

Bond, Aunty Penny

Senator MOORE (Queensland) (19:12): I want to thank Senator Singh for allowing me to go before her in tonight's debate. Last Friday in Cherbourg in Queensland—as you well know, Mr Acting Deputy President Furner—the community mourned the passing of a wonderful woman. Aunty Penny Bond, who was Penelope Embrey-Cobbo, was born in Cherbourg on 18 October 1932 under a dray during a very wild storm. Her parents named her Moomba, which means storm in Kabi Kabi. She was known throughout her life as a stormy person. I am deeply grateful to the people who put together the beautifully moving eulogy that was read at Aunty Penny's ceremony for some of the content of my speech this evening.
Aunty Penny was the daughter of Dennis Embrey and Kathleen Starlight and the granddaughter of Fred Embrey Kabi Kabi and Sylvia Cobbo. Aunty Penny is a woman who reflects the history of Aboriginal people in Queensland, particularly in south-west Queensland. She went into the dormitory system in Cherbourg and was eventually taken in by her uncle and aunt—who are now both deceased, of course. When her uncle died, Aunty Penny returned to the dormitory system and grew up under Queensland's Aborigines act, in an era when women and men were actually farmed out as domestics and labourers. Aunty Penny's first placement was at the Cherbourg Hospital as a nurse's aide, where she fondly recalled nursing the many friends and people in the community. Following that placement—which was not at her wish; it was actually under the determination of the Aborigines act at the time—Aunty Penny was sent out west to work as a domestic on various stations. She worked as a cook at St Xavier's college and around the Stanthorpe and Killarney areas on properties as a cook, a domestic or a nanny in the service of the families. When she returned to Cherbourg she worked as a domestic with the Perrett family around the Murgon district.

Around 1961 Aunty Penny was granted an exemption, a process that none of us truly understands. She was allowed an exemption from the act and moved to Brisbane to work. She at this stage was slowly beginning to become familiar with the politics affecting all Indigenous Australians, and she was very frustrated and angry at the restrictions and the situation. She started to publicly and privately question the government and was determined to become part of the change to recognise all Indigenous people. Her first meeting was at the OPAL centre, which we know well in Queensland and where she gained good insight into the plight of Aboriginal people and worked closely with a number of wonderful Queensland Aboriginal people.

Senator Ian Macdonald: Senator Bonner, as I recall.

Senator MOORE: Senator Bonner indeed, Senator Macdonald. In 1962 Aunty Penny had her first child, and later she met her partner for life, Mr Ken Bond. Mr Bond was eventually posted to Papua New Guinea as an Australian government patrol officer, and Aunty Penny went with him to live and work in New Guinea. She actually moved about that area quite openly at the time. In 1966 they returned to Australia and took up residence in Sydney. Their youngest daughter, Beverly, who many of us know and work with very closely on the Sunshine Coast, was born at Mount Hagen in PNG. Aunty Penny became very involved in women's and children's issues when she was working in PNG and worked closely with her husband to support him in his work. During the time in PNG they made long-lasting friends and were able to mix with many cultures. Aunty Penny treasured the time that she had in PNG and talked about it often in later life. As PNG moved towards independence, Aunty Penny and her husband, Mr Bond, returned to Australia to join their children, who were then at boarding school. Mr Bond gave up his job and then worked with the Australian Department of Aboriginal Affairs and was transferred all around Queensland. Once again, Penny moved with him and worked across the country, staying with her interest in women's and children's rights and also the issues around political processes and the independence of Aboriginal people.

When Aunty Penny moved back to Cherbourg, she worked very closely with women's groups there and was known from that time on as a great inspiration to women
in their situation in Cherbourg and also generally. I first heard of Aunty Penny in the 1990s, and I remember clearly that she was a strong advocate for including women in all elements of political activity. She spoke out strongly to ensure that women's voices were heard and to make sure that women were active in the ATSIC processes in elections and also stood for office. She got deeply involved in a number of International Women's Day activities and again was an inspiration to all of us, teaching us much about Aboriginal culture. She was a true driving force in Aboriginal rights in South-East Queensland.

From an early age, Penny's elders instilled in her the importance of her people, her country and her culture. She worked to make a genuine difference. Her daughter Beverly Hand remembers her mother as someone who worked selflessly for the advancement of Aboriginal people. Ms Hand said:

A lot of the work she did set the basis for freedom and rights of Aboriginal people today. She touched everyone, she didn't just touch politicians or Aboriginal people, she touched people from all walks of life.

One of the things that were most important in Penny talking about the role of Aboriginal people in widening knowledge was her long-term involvement with the Woodford Folk Festival. I am sure many people remember her activities at the folk festival, which we all enjoyed—most importantly yarning with people about Aboriginal culture and their arts. Many of us, I think, got some of our best experiences of learning about Aboriginal culture from talking to her. Sim and Pat Symons helped with the original involvement of Aboriginal people in the Woodford Folk Festival. Sim said:

My main recollection of Aunty Penny's involvement in Woodford was a very strong sense that here was someone with a direct connection to the Woodford site and also into the area that I have lived for 40 years. Her presence also meant a lot to the visiting Aboriginal groups who were always keen to make contact with an elder from the country they were visiting.

She was a past mistress of the Indigenous welcome and made everyone feel welcome in their area. In 2000 Penny received an honorary fellowship from the University of the Sunshine Coast for her work as an adviser on Indigenous issues during the establishment of that university. She maintained a very close relationship with the university and was extremely proud when her daughter Penny followed in her legacy and was recognised with a fellowship earlier this year for her work in environmental education and conservation. She was a strong advocate for education for her people and worked hard so that her family and her friends were able to enjoy the best possible education. Former Maroochy Shire councillor, reconciliation campaigner and friend Charmaine Foley said that Penny was someone who had introduced many people to Indigenous issues for the first time.

Because of her gentle ways, her strength and her capacity to teach and give and the way she told her story with such dignity she really helped people to understand the issues Aboriginal people faced. Her strength as a proud Aboriginal woman gave mentorship and courage to other women to stand up for their beliefs.

At the service last Friday in Cherbourg, so many people came together to pay tribute to such a wonderful women. One of the clearly impressive things was that the service sheet listed her very many family and friends who gathered together. She was so proud that her children were able to work in various elements of public service and that her grandchildren were able also to be so successful, to learn from their grandmother's strength and to work across the world.

We are proud of working with Aunty Penny. She will be missed, because she will
not be with us around the place in Cherbourg any longer, but her enormous spirit, courage and commitment will always be with us. She never stopped promoting Aboriginal culture and rights. I am told that she had a three-part statement for how she was going to live her life. She believed that to have a healthy life you had to (1) have a clear memory, understanding and treasuring of the past; (2) live a worthwhile present and be active; and (3) plan for the future. The people who gathered in Cherbourg on Friday and her very many friends in Australia and internationally who knew of this woman know that we will have the memories of the past, which are with us; that we can live with our loss now; but, most importantly, that we can understand Aunty Penny's strong hopes for the future and the fact that Aboriginal people—particularly Aboriginal women—have learnt much from us. Together we are all stronger for having known her. Vale, Aunty Penny.

Mental Health

Senator FIERRAVANTI-WELLS (New South Wales) (19:22): As we commemorate World Mental Health Day this week, I would like to put on record the coalition's strong track record on mental health policy. It is this record that underpins our plans for the future of mental health services in Australia. In 2006, the coalition's Better Access to Mental Health Care initiative added $1.9 billion to mental health services over five years. The better access initiative improved mental healthcare plans, extended the ability of GPs to treat mental illness and greatly expanded patients' access to Medicare funded psychologist consultations. It also boosted funding for mental health treatment in regional areas, not well served by private psychiatrists and psychologists, and placed special emphasis on new services to prevent suicide and to treat drug and alcohol abuse.

With one in five Australians experiencing mental illness in any year, it is no surprise that the better access initiative provided 5.8 million services during 2010-11, according to the Department of Health and Ageing's report Better health, better care, better life. Since the program's inception, more than two million people have received more than 11 million mental health services through the program, but the government's evaluation, which led to the cuts announced in the budget, examined the experiences of only 3,500 people.

The coalition knows how important it is to fund mental health services and its 'Real action plan for better mental health' released for the 2010 election provided for a $1.5 billion boost to front-line mental health services. This included $440 million for 20 early psychosis prevention and intervention centres in major metropolitan and regional areas, designed to provide comprehensive and targeted care for young Australians aged between 15 and 24 years who are at high risk; $832 million to fund 800 extra mental health beds, specifically to support these early psychosis prevention and intervention centres—and this would mean up to 20 acute and 20 subacute beds could be provided on average for each centre; and $225 million towards an additional 60 headspace sites. These headspace sites, of course, were established by the Howard government in 2006 and provide information and services at one-stop shops for young people aged between 12 and 25 years.

The coalition's package was endorsed by leading health experts such as Professor Pat McGorry and Professor John Mendoza. Both the Senate and the House of Representatives passed motions last year endorsing this policy and calling on the government to make the investment. The Gillard government, meanwhile, said it would make mental health a second-term priority. In
March, stung by criticism that it had not delivered promised mental health reforms, the Minister for Mental Health and Ageing, Mr Butler, issued a manifesto of what is being done to 'advance vital reforms in mental health'. At the time, we were informed that he had participated in 18 forums in cities and towns, and he learned that the community 'expects us as a nation to do better by people with mental illness'. The coalition had been telling him that for quite some time.

The government had a manifesto but probably had no intention of doing anything more until it was shamed into doing something following the coalition's announcement in April of a further $430 million to supplement our election commitment. The coalition will improve existing employment services, as many people with serious illness are on the disability pension because they are unable to work more than 15 hours a week. To address this, the coalition announced it would spend an extra $180 million on improving existing employment services. Meaningful work is often a vital element in restoring and maintaining mental health. Further funds would be provided to boost outside services that job agencies could deploy for intervention on behalf of their clients.

Mental health research is grossly underfunded and we will establish a national mental health research centre to improve our understanding of the nature and the extent of mental illness in Australia, and increase our knowledge of the range and effectiveness of treatment and other interventions aimed at reducing mental illness. We will see that an investment of $20 million is made to establish a national mental health workforce training institute, whose role will include improving the quality and take-up of mental health education and training, providing practical workplace training and engaging in course development and accreditation. We will also see that a vital investment of $40 million is made to the National Mental Health Commission to provide expert advice to the minister for mental health to champion mental health issues and improve outcomes for patients. The commission will strengthen the accountability of government to deliver better mental health services.

Having had the privilege of serving as opposition shadow minister for mental health, along with being the shadow minister for ageing, I am pleased that the next coalition government will have a dedicated minister for mental health. All services for people with mental illnesses, including funding for employment and accommodation services for people with mental illness, will be brought under one umbrella. A future coalition government will encourage the states to make their contribution to mental health policy reform, as supported accommodation services for people with disabilities, including mental illness, are generally a state responsibility.

Typically, the Gillard Labor government cannot make a major announcement without mucking it up. On budget night, it announced a $2.2 billion mental health spend, but as soon as you scratched the surface the gloss faded. This was no comprehensive package but a smoke-and-mirrors trick that spends only $580 million over the first four years. This is well short of the total that Ms Gillard claimed would be spent. Remember the night she shared the Parkinson-like interview with Simon Sheikh from GetUp!? And the very night after the budget, they shared a lounge in the theatrette in this building and claimed between them that they had solved the problem of mental health. If it were not such a preposterous claim, it would have been laughable. As it was, it insulted many of the people who had been working for a long time to achieve reform. That is the style of
organisations such as GetUp! that easily live up to their reputation of arriving at five minutes to midnight and disappearing as quickly once the photo opportunity has passed. Interestingly, we have not seen Simon around the parliament recently. Perhaps his usefulness to the Labor Party has expired. Labor's total spend on mental health over the forward estimates will be only about one-third of what the coalition has proposed over the same period. Most alarmingly, in 2011-12 there will be only $47.3 million in new funding on mental health from the Gillard government, with the majority of money being allocated in later years. Who can trust the Gillard government to deliver this urgent funding in later years, the biggest proportion of which will not be allocated until five years from now? Of course, anything can happen in five years. We may be struggling under the weight of Ms Gillard's toxic carbon tax.

The public and mental health practitioners soon saw through the facade of the mental health budget initiatives and bombarded their elected representatives with their tales of misgivings about the proposed cuts to the Better Access program, which was central to the May announcement. The coalition was successful on 23 June in initiating a wide-ranging Senate inquiry into the funding and administration of mental health services in Australia. Astonishingly, over 1,000 submissions were received. Having now waded through so many of those submissions and having participated in the hearing, it is little wonder to me that so many people are angry with this government and have so many misgivings about the proposed cuts that are being made to mental health.

The Gillard government has to find savings where it can and with a budget deficit of $47.7 billion it needs to find money wherever it can. This is Australia's second-biggest deficit on record. Never mind that the government is taking money from people suffering mental ill health, who are trying to recover. But that is what the cuts to the Better Access program were designed to do—find money to help the government's budget bottom line. The public are not mugs and members of the medical and allied health professions know when they are being short-changed.

The Senate Community Affairs References Committee is due to report next week and there is only a short time before these changes will be implemented. I want to assure all those people who have been affected that their concerns voiced to us with such clarity and insight carry great weight and the committee is considering the implications with an immense sense of responsibility. Another sorry chapter in the Gillard government's handling of mental health was the appointment of Monsignor Cappo to the role of chair of the National Mental Health Commission. This was an appointment made without transparency and one that caused disquiet through the sector. The role was seen as needing experience and ability and it was with some relief that Monsignor Cappo stood down from that role. (Time expired)

Genocide

Senator XENOPHON (South Australia) (19:32): I rise to speak tonight on an issue that is sensitive for many reasons. From 1915 to 1923, the Armenian, Greek and Assyrian people were the victims of one of the first modern genocides. The exact figures are not known, but it is estimated that over 3.5 million people died as a result of deliberate, systematic actions by the Ottoman empire. The Armenian, Greek and Assyrian people endured forced marches into the desert with little or no food or water, and imprisonment in so-called relocation camps, which were effectively concentration camps.
Ottoman troops also massacred countless victims in vicious attacks on cities and local villages, which included mass drownings, burnings and poisonings.

The Republic of Turkey, which succeeded the Ottoman empire, does not recognise these events as genocide. The government of Turkey says that these hundreds of thousands of people were not deliberately killed. Instead, they died as a result of actions taken by the Ottoman empire to protect their country during the war. This position is rejected by the overwhelming majority of genocide scholars and experts in international law who concur that the massacres indeed constituted genocide because they were 'acts committed with intent' as stipulated in article 11 of the UN Convention on the Prevention and Punishment of the Crime of Genocide.

Eminent Queens Counsel Geoffrey Robertson, in his paper examining the legal aspects of the issue, also disagrees with the Turkish government's assessment of these events. He writes:

To the extent that 'deliberately inflicting on a group conditions of life calculated to bring about its physical destruction in whole or in part' involves some kind of order that amounts to an 'infliction', the Interior Minister's orders for deportation of Armenians is an obvious example. Collective or organised action may follow as when others pursue a common plan, eg to rob or rape or murder the deportees. However, this does not need to be a government policy: it can be conduct which has the acquiescence of the authorities. There is no doubt that in 1915, the Ottoman government willingly acquiesced and even continued the deportations in the knowledge that many of the deportees would die.

They are the views of Geoffrey Robertson QC, who has an eminent reputation when it comes to fundamental issues of human rights.

Over 20 countries around the world have formally adopted resolutions acknowledging this genocide as a true historical event. Without the acknowledgment of past injuries it is impossible for healing to begin. I have recently been approached by the Armenian National Committee of Australia and the Australian Hellenic Council, who are seeking Australian recognition of these horrific events. They hope that later this year the Senate will formally acknowledge this genocide and join with the Armenian, Greek and Assyrian people in honouring the memory of those who lost their lives. This acknowledgment is not a snub or an insult to the Republic of Turkey. It is merely another step in bringing buried history into the light. The past has valuable lessons to teach us, no matter how dark.

As elected representatives in our country, it is our job to learn and remember these lessons so that we can play our part in making sure they do not happen again. There is nothing to be gained by denial or excuses, but there is much to be gained by facing up to the truth, no matter how painful. In the coming months I will be working with the Armenian National Committee and the Australian Hellenic Council to formulate a motion to put to the Senate, and I will encourage all of my colleagues to support it.

The Armenian, Greek and Assyrian communities in Australia and around the world deserve to have these past atrocities acknowledged as what they were: genocide. Without acknowledgment, there cannot be acceptance and without acceptance there cannot be healing. We live in a world where we are surrounded by violence. Images and stories of violent acts saturate news coverage and have permeated our music, games and entertainment. We must not become desensitised to these stories and images. The more we distance ourselves, the more we say it is not our problem, the less real they
become. And the less real they become, the less we try to do to stop them. The Armenian, Greek and Assyrian genocides should not be allowed to fade into history but should be kept alive and remembered, just as any act of genocide should be. US Congressman Jerry Costello once said:

... genocide is the most potent of all crimes against humanity because it is an effort to systematically wipe out a people and a culture as well as individual lives.

I understand the concerns of those who say that refusing to acknowledge genocide could in a sense make us complicit in this destruction. Previously, Australia has not formally acknowledged this genocide because of our diplomatic relationship with Turkey. I acknowledge these relationships are important, and our bond with Turkey, forged in our shared history of the events at Gallipoli, is a special one. But friends tell each other the truth. I do not call for condemnation of the Republic of Turkey; I only call for our nation to acknowledge the facts. If we do not acknowledge this history for fear of offending another country, where do we draw the line? When is an event or issue serious enough for us to take the risk? Or do we simply keep moving the boundaries further and further away, so we never have to act?

It is time for Australia to choose a position. Either we acknowledge these genocides, or we refuse to. If we do not take a stand on this issue, we need to consider what it says about our country. Are we a country that can accept and acknowledge the past? Or are we a country that turns its back for fear of offending? We cannot change the past; we can only choose to accept or deny the lessons it has to teach us.

**Australian Clearinghouse for Youth Studies**

**Senator SINGH** (Tasmania) (19:39):

Last week, I had the privilege of celebrating the 30th anniversary of the Australian Clearinghouse for Youth Studies, which has, somewhat surprisingly to some, for 27 years been based at the Faculty of Education of the University of Tasmania after moving from its original birthplace here in Canberra at the Australian National University, where it resided for its first three years.

The Australian Clearinghouse for Youth Studies is the nation's only youth-specific clearinghouse and publishes Australia's only peer-reviewed journal dedicated to youth studies—*Youth Studies Australia*. Along with the ACYS website, the Youth Field Xpress email newsletter and other occasional publications, the ACYS plays a vital role in acting as a repository of youth-related information as well as a conduit through which research from diverse fields that relates to 12- to 25-year-olds can be collected, classified and redistributed.

Over the course of the last 30 years, the ACYS has gone from strength to strength, consistently adjusting their method of communication and information gathering as the technology of the times changed. As the Managing Editor of the ACYS—Sue Headley, who has been with the clearinghouse in an editorial capacity for no less than 16 years—has observed, the development of the ACYS has been a story of technological innovation. When the concept was originally received from the ANU, it involved the publication of a small bundle of notes regarding youth studies. The expansion and increased professionalism of the journal saw it published externally, until the advent of desktop publishing when staff at the ACYS were ahead of the curve and were able to make the technology of the time
work for them. While the core work of the ACYS remains centred on providing an evidence base for researchers, practitioners and policy-making involved in work with young people, its role and expertise as a publisher has gone from being incidental to being a substantial enterprise in and of itself. Its imprint, ACYS Publishing, plays its own important role in publishing academic and reference texts.

But the principal role of the clearinghouse is to process and repackage information on young people into an accessible, reader-friendly form; one that can be used by service providers, government and practitioners. It is to create a scholarly basis for action; to ensure that our thinking about young people is informed more by rigorous, peer-reviewed evidence and data than by the preconceptions, suppositions and memories that too often inform our views about a demographic that is, by its very definition, facing issues and challenges that are new and unique to a new and unique generation.

The ACYS has managed to remain contemporary because, like all good work in academia, it has forced itself to examine and explore new trends and issues uncovered in research. But it has also remained contemporary by virtue of its diverse staff. Ably led by an experienced editor in Ms Headley and with an enthusiastic director in Professor Rob White, the ACYS is constantly refreshed by staff with diverse specialities, skills and backgrounds. Externally, it is linked to the dynamic network of peak youth bodies around the country, themselves constantly refreshed by the turnover inevitable in organisations that maintain a youth membership. Indeed, it is partly this relation to the state and territory peaks—including, I might say, a very close relationship with the Youth Network of Tasmania, and the terrific work done by Joanna Siejka and Naomi Marsh at the network, and the Tasmanian Youth Forum—that makes the clearinghouse so important. I thank these bodies for their dedication and the work they have done for the clearinghouse, making it as vital and as contributory as it is. It is a contact point as well as a resource; a place to allow youth practitioners to speak a common language based on common data.

The ACYS and Youth Studies Australia are funded by the Department of Education, Employment and Workplace Relations, and its work is demonstrative not just of the government’s commitment to dealing with issues affecting young people but also of its approach. Since it came to power, the Gillard government has expanded and improved the opportunities for young people in a number of ways, including the ongoing support of the clearinghouse. It has expanded and improved those opportunities for young people to actually contribute to youth and to other government policy that may affect youth. By establishing the Australian Youth Forum and funding the Australian Youth Affairs Coalition, the government has sought to ensure that its policy is grounded in the views, experiences and very real issues that young people face. Those real issues are very much those that the Australian Clearinghouse for Youth Studies researches and raises every day through its publications, through its email newsletter and through the ACYS website.

I encourage those senators interested in our youth and in youth studies in Australia to go onto the ACYS website (www.acys.info) and inform themselves about some of those publications that the ACYS has recently published and is continuing to publish as it goes through the process of migrating past issues of Youth Studies Australia over to its new site. These will include a range of issues prior to 2005, and this allows us as senators in this place to look at the changes over time...
not just in data but in youth studies. It shows what issues were important to youth in 2005 compared with those issues important to youth in 2011.

One of the articles currently on that website is 'The continuing importance of the cultural in the study of youth'. This is an academic study of youth culture that has in fact changed markedly over the past two decades. One only has to start thinking about technology as being at the forefront of some of those changes in youth culture, whether it be the various acronyms used in SMS messaging—which I still have some trouble understanding when I receive the occasional text from my teenage son—or whether it is to do with more detailed issues that may be affecting youth in relation to class, gender, ethnicity, race and so on. In the article, by Andy Bennett, he says:

…the term youth culture is itself now regarded as increasingly questionable, given the multigenerational followings for punk, dance, hip hop, hardcore and other music and style-based genres once deemed to be exclusively the domain of youth.

I encourage those interested in youth studies to read Andy Bennett's article as it provides a very good evaluation of that term 'culture' when it comes to youth cultural studies and of the notion of culture as a direct product of our class relations, as he refers to it.

The clearinghouse has played a vital role in bringing the attention of policymakers, researchers, community workers, teachers and young people to the substantial work that is being done across so many areas of academia. It has performed this task for 30 years and has demonstrated its capacity not just to adapt and stay active but to excel. I congratulate the ACYS for its 30 years of cutting-edge work and I look to forward to its continued, changing contribution into the future.

Senate adjourned at 19:49
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Broadband, Communications and the Digital Economy

(Question No. 353)

Senator Ludlam asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 13 December 2010:

With reference to the Digital Switchover Taskforce and the Satellite Subsidy Scheme which will help households that rely on analog-only self-help towers to make the transition to the Viewer Access Satellite Television (VAST) and, in particular, to the switchover process in remote Indigenous communities:

(1) Is it true that on or about 1 April 2010 the Minister wrote to remote Indigenous communities which run analog television (TV) self-help transmission facilities and mentioned that one of their options for converting to digital television was to set up a digital self-help TV transmission facility; if so, can a copy of that letter (redacted as necessary to protect privacy) be provided. (2) What assistance could the department have provided those communities to assess the option of setting up their own digital self-help transmission facility.

(3) What kind of financial assistance and information has been provided to inform homes within remote communities to assess the option of converting to the new VAST satellite. (4) What type of research has the department done on remote Indigenous communities in relation to the following:

(a) the average number of TV sets and recorder devices in homes which need to be converted to digital;

(b) the extent of insertion of local material into local self-help TV transmissions; and

(c) the extent to which only indoor TV set top aerials are needed for current terrestrial TV reception. (5) (a) Can the Minister confirm that the per-home subsidy available to remote Indigenous homes to convert to the VAST satellite may vary from approximately $550 to $980; and (b) what was the nature of the consultations that took place with remote Indigenous community viewers to determine these figures.

(6) During the 2010-11 Budget estimates the department reported there was only one model of VAST set top box available at a cost of approximately $269, whereas the Minister said at the same time that an equivalent high definition terrestrial set top box costs approximately $80. Given that portable indoor aerials for terrestrial TV reception are less expensive than satellite dishes and mounts: Can the Minister confirm whether the total private and public subsidy cost of converting homes in remote Indigenous communities to digital via satellite is nearly always likely to be more expensive than converting by terrestrial means.

(7) Will new homes in remote Indigenous communities be faced with the full extra cost of VAST after the satellite subsidy period expires.

(8) Given that homes across the remote central and eastern areas of Australia will have access to the new VAST free-to-air satellite platform from 15 December 2010, and that remote Indigenous homes in Queensland will be invited to opt into the Government's per home subsidy scheme to assist them to convert to satellite in April 2011, what is the Government doing to assist remote Indigenous communities to develop robust digital self-help facility designs and to compare the overall benefits of
Senator Conroy: The answer to the honourable senator's question is as follows:

(1) Yes. A copy of the generic letter sent to licensees of self-help facilities not being converted to digital in remote areas, including remote Indigenous communities, is attached (available from the Senate Table Office).

(2), (3) and (8) The department has not provided assistance or information to homes or communities about the establishment of digital self help facilities. Decisions about whether or not to establish such facilities, or to upgrade existing facilities which are not on the broadcasters' self-help upgrade list, are matters for the local community.

Communities considering converting their self-help facilities to digital themselves, rather than accessing the government-funded Viewer Access Satellite Television (VAST) service and the Satellite Subsidy Scheme, must make their own arrangements to assess the option. The relevant local authorities will also need to contact the Australian Communications and Media Authority (ACMA) about the availability of suitable television spectrum and other technical matters.

(4) Consultations with Wujal Wujal Aboriginal Shire Council, Northern Peninsula Regional Council and Hope Vale Aboriginal Shire Council were undertaken by officers of the Digital Switchover Taskforce between September and December 2010. Consultation was also undertaken with the Regional Organisation of Councils of Cape York which is the peak body representing Aboriginal Shire Councils in Far North Queensland.

The recent review of the Indigenous Broadcasting and Media Sector (the Review) undertook a comprehensive consultation process, including public forums and meetings with key stakeholders in the Indigenous and mainstream broadcasting sectors and government agencies. Those consulted included the Australian Indigenous Communications Association, the Indigenous Remote Communications Association, National Indigenous Television, Indigenous Community Television, Imparja Television, the remote Indigenous television operators, NBN Co, the Northern Territory State Government and Broadcast Australia. The Review also drew upon previous government reviews into Indigenous broadcasting and relevant audience research data.

(a) Due to the remoteness of Indigenous communities throughout Australia, the Review was unable to locate or source sufficiently accurate data to determine the extent of current television and recording devices within these communities.

(b) While Remote Indigenous Broadcasting Services television operators have the ability to insert local content within their transmissions networks the Review was unable to determine the extent which operators use this facility and the actual hours of local content that is produced and transmitted. (c). The use of indoor aerials was not surveyed.

(5) (a) Eligible households located in identified remote Indigenous communities who rely on an existing self-help tower that will not be converted to digital, will receive a fully subsidised installation, requiring no household co-payment, of the necessary satellite reception equipment needed to convert to VAST.

(b) Because households in identified remote Indigenous communities will receive a fully subsidised installation package to convert to VAST, no consultation about the subsidy amount in identified remote Indigenous communities was undertaken.

Liaison with affected Queensland Aboriginal Shire Councils and TV tower licensees took place in February 2011. Some Councils were contacted last year and were looking forward to the lack of tower maintenance burden with VAST. This is also the first time such a comprehensive range of free-to-air entertainment, news, children's and sports channels has been provided to very remote towns in Australia.
Further liaison with Indigenous Broadcasting peak bodies, relevant Queensland Remote Indigenous Media Organisations (RIMOs), and town representatives took place before SSS applications opened on 30 May 2011. This was to inform Remote Indigenous Communities (RICs) of the free VAST install opportunity for each household and to communicate the subsidised VAST rollout details.

(6) The Government considers that satellite is an efficient and effective means of delivering digital television to remote communities. Terrestrial self-help retransmission facilities have a number of limitations that do not apply to satellite: they impose on-going, and not always predictable, costs on local communities and councils for their operation and maintenance; they have an inflexible coverage area which cannot accommodate population shifts beyond the area served by the transmitter; and they can be subject to extended outages when there are transmitter faults if licensees have difficulty accessing spare parts and/or experienced technicians, particularly when transmitters are located in isolated or remote areas.

In addition, self-help transmitters do not cover all parts of Australia not served by broadcaster-operated transmitters, and consequently even if all of the nearly 700 existing self-help retransmission sites were converted to digital, this would still not ensure that all viewers throughout Australia would be able to access digital television services.

(7) New households, established after the satellite subsidy period expires, in areas served by the VAST service will need to purchase and install a VAST set top box and a satellite dish to receive the VAST service at their own cost.

(8) Please see response (2) above.

Defence: Staffing
(Question No. 792)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to staffing in the Human Resources area: (a) what is the current level of staff; and (b) how many of these staff are employed at the following levels:

(i) below E-1, (ii) at E-1 and E-2, (iii) at SES 1, (iv) at SES 2, and (v) at SES 3.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(a) In answering this question, the 'Human Resources area' has been identified as People Strategies and Policy Group. As at 15 July 2011, the current number of Defence APS employee staff is 555.

(b) Staff in the group are employed at the following levels:

(i) Below Executive Level 1: 361
(ii) At Executive Level 1 and 2: 172
(iii) At Senior Executive Service Band 1: 5
(iv) At Senior Executive Service Band 2: 3
(v) At Senior Executive Service Band 3: 1

Defence: Staffing
(Question No. 793)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to the Human Resources area, what is the average cost per employee, including but not limited to, superannuation, leave and other entitlements, fringe benefits tax, separation and
redundancies, other allowances, health expenses, office accommodation, equipment and other employee expenses, at each of the following levels: (a) below E-1; (b) at E-1 and E-2; (c) at SES 1; (d) at SES 2; and (e) at SES 3.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

Using the standardised average staffing costs as set out in Defence's resource costing manual, the costs for the Human Resources area staffing, defined as the People Strategies and Policy Group (refer to Senate Question on Notice 792) are as follows:

(i) Below Executive Level 1: $38.54m
(ii) At Executive Level 1 and 2: $25.04m
(iii) At Senior Executive Service Band 1: $1.1m
(iv) At Senior Executive Service Band 2: $0.79m
(v) At Senior Executive Service Band 3: $0.39m

The average cost figures include salary, allowances, superannuation, indirect overheads and fixed overheads.

Defence: Staffing
(Question No. 802)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to staffing in the Finance area: (a) what is the current level of staff; and (b) how many of these staff are employed at the following levels: (i) below E-1, (ii) at E-1 and E-2, (iii) at SES 1, (iv) at SES 2, and (v) at SES 3.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(a) In answering this question, the 'Finance area' has been identified as Chief Finance Officer Group. As at 15 July 2011, the current level of staff is 157.
(b) Staff in the group are employed at the following levels:
   (i) Below Executive Level 1: 73
   (ii) At Executive Level 1 and 2: 70
   (iii) At Senior Executive Service Band 1: 4
   (iv) At Senior Executive Service Band 2: 1
   (v) At Senior Executive Service Band 3: 1

Defence: Staffing
(Question No. 803)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to the Finance area, what is the average cost per employee, including but not limited to, superannuation, leave and other entitlements, fringe benefits tax, separation and redundancies, other allowances, health expenses, office accommodation, equipment and other employee expenses, at each of the following levels: (a) below E-1; (b) at E-1 and E-2; (c) at SES 1; (d) at SES 2; and (e) at SES 3.
**Senator Chris Evans:** The Minister for Defence has provided the following answer to the honourable senator's question:

Using the standardised average staffing costs as set out in Defence's resource costing manual, the costs for the Finance area staffing, defined as the Chief Finance Officer Group (refer to Senate Question on Notice 802) are as follows:

(i) Below Executive Level 1: $8.14m
(ii) At Executive Level 1 and 2: $10.22m
(iii) At Senior Executive Service Band 1: $0.88m
(iv) At Senior Executive Service Band 2: $0.26m
(v) At Senior Executive Service Band 3: $0.39m

The average cost figures include salary, allowances, superannuation, indirect overheads and fixed overheads.

**Defence: Staffing**

*(Question No. 812)*

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to staffing in the Non-Equipment Procurement area: (a) what is the current level of staff; and (b) how many of these staff are employed at the following levels: (i) below E-1, (ii) at E-1 and E-2, (iii) at SES 1, (iv) at SES 2, and (v) at SES 3.

**Senator Chris Evans:** The Minister for Defence has provided the following answer to the honourable senator's question:

(a) In answering this question, the 'Non-Equipment Procurement area' has been identified as the Directorates undertaking the non equipment procurement function within Non Equipment Procurement and Contracting Branch in Defence Support Group. As at 27 July 2011, the current level of staff in Non Equipment Procurement is 46.

(b) Staff in the group are employed at the following levels:

(i) Below Executive Level 1: 24
(ii) At Executive Level 1 and 2: 21
(iii) At Senior Executive Service Band 1: 1
(iv) At Senior Executive Service Band 2: 0
(v) At Senior Executive Service Band 3: 0

**Defence: Staffing**

*(Question No. 813)*

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to the Non-Equipment Procurement area, what is the average cost per employee, including but not limited to, superannuation, leave and other entitlements, fringe benefits tax, separation and redundancies, other allowances, health expenses, office accommodation, equipment and other employee expenses, at each of the following levels: (a) below E-1; (b) at E-1 and E-2; (c) at SES 1; (d) at SES 2; and (e) at SES 3.

**Senator Chris Evans:** The Minister for Defence has provided the following answer to the honourable senator's question:
Using the standardised average staffing costs as set out in Defence's resource costing manual, the costs for the Non-Equipment Procurement area staffing, defined as the Directorates undertaking the non-equipment procurement function within Non Equipment Procurement and Contracting Branch in Defence Support Group (refer to Senate Question on Notice 812) are as follows:

(i) Below Executive Level 1: $2.7m
(ii) At Executive Level 1 and 2: $3.09m
(iii) At Senior Executive Service Band 1: $0.22m
(iv) At Senior Executive Service Band 2: 0
(v) At Senior Executive Service Band 3: 0

The average cost figures include salary, allowances, superannuation, indirect overheads and fixed overheads.

Defence: Staffing
(Question No. 822)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to staffing in the Information and Communications Technologies area: (a) what is the current level of staff; and (b) how many of these staff are employed at the following levels: (i) below E-1, (ii) at E-1 and E-2, (iii) at SES 1, (iv) at SES 2, and (v) at SES 3.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(a) In answering this question, the 'Information and Communications Technologies area' has been identified as the Chief Information Officer Group. As at 15 July 2011, the current level of staff is 1169.

(b) Staff in the group are employed at the following levels:
   (i) Below Executive Level 1: 658
   (ii) At Executive Level 1 and 2: 504
   (iii) At Senior Executive Service Band 1: 5
   (iv) At Senior Executive Service Band 2: 3
   (v) At Senior Executive Service Band 3: 1

Defence: Staffing
(Question No. 823)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 5 July 2011:

In regard to the Information and Communication Technologies area, what is the average cost per employee, including but not limited to, superannuation, leave and other entitlements, fringe benefits tax, separation and redundancies, other allowances, health expenses, office accommodation, equipment and other employee expenses, at each of the following levels: (a) below E-1; (b) at E-1 and E-2; (c) at SES 1; (d) at SES 2; and (e) at SES 3.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

Using the standardised average staffing costs as set out in Defence's resource costing manual, the costs for the Information and Communication Technologies area staffing, defined as the Chief Information Officer Group (refer to Senate Question on Notice 822) are as follows:
(i) Below Executive Level 1: $73.68m  
(ii) At Executive Level 1 and 2: $73.2m  
(iii) At Senior Executive Service Band 1: $1.1m  
(iv) At Senior Executive Service Band 2: $0.79m  
(v) At Senior Executive Service Band 3: $0.39m  

The average cost figures include salary, allowances, superannuation, indirect overheads and fixed overheads.

**Bureau of Meteorology**  
(Question No. 918)

**Senator Joyce** asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 17 August 2011:

In regard to the department's 2011-12 Portfolio Budget Statement, and in particular the Bureau of Meteorology: can an outline be provided of its expenditure under program 1.1.4 Water Information (p. 106) of their responsibilities, both departmental and administered funding, for each year of the forward estimates.

**Senator Conroy:** The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

Portfolio Budget Statements, program component 1.1.4 Water Information, is a departmental component. The program component's primary functions are:

- Issuing national water information standards
- Collecting and publishing water information
- Conducting regular national water assessments
- Publishing an annual National Water Account
- Providing a national flood warning and forecasting service
- Providing water availability forecasts
- Development of water information systems
- Water information research

The Government provided departmental funding for this program component as part of the "Water for the Future" initiative. Estimated expenditure from this funding for the 2011-12 financial year and the forward estimate period is:

- 2011-12 $36.8m
- 2012-13 $39.3m
- 2013-14 $39.5m
- 2014-15 $39.8m

**Murray-Darling Basin Authority**  
(Question No. 921)

**Senator Joyce** asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 17 August 2011:

In regard to the Murray-Darling Basin Authority (MDBA), can a list be provided of all office locations that the MDBA leases or owns, including the following details for each location:
(a) office size;
(b) if leased, annual lease payments and lease cost per square metre;
(c) if leased, the length of the lease, including any options to terminate the lease;
(d) the value of any buildings owned; and
(e) depreciation costs on buildings that are owned.

**Senator Conroy:** The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

Lease—51 Allara Street, Civic Canberra
(a) Size: 3,863 m²
(b) Annual lease payments: $1,506,570 (plus GST). Lease cost per square metre: $390/m²
(c) Length of the lease: 10 years and 3 months commencing from 1 January 2007. No option to terminate.
(d) N/A.
(e) N/A.

Lease—40 Allara Street, Civic Canberra
(a) Size: 805 m²
(b) Annual lease payments: $309,925 (plus GST). Lease cost per square metre: $385/m²
(c) Length of the lease: 5 years 11 months commencing from 1 May 2011. No option to terminate.
(d) N/A.
(e) N/A.

In addition, the MDBA has Licence Agreements to use accommodation as follows:

- approximately 22m² plus car park at 2p Greenhill Road, Eastwood, Adelaide. The annual cost for the space is $25,200 (plus GST). The Agreement is reconsidered annually and the current Agreement is until 20 June 2012.
- approximately 30m² at the Charles Sturt University, Albury. The annual cost is $40,000 (plus GST). The current 3 year Agreement expired on 31 August 2011 and a new Agreement is currently being negotiated.

**Sustainability, Environment, Water, Population and Communities**

(**Question No. 1020**) 

**Senator Abetz** asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, upon notice, on 22 August 2011:

With reference to the answer to question on notice no. 837 (Senate, Hansard, 17 August 2011, p. 111), which indicates that the department provided a redrafted answer to question on notice no. 71 (from the 2010-11 additional estimates hearings of the Environment and Communications Legislation Committee in February 2011) to the Minister on 7 April 2011:

(1) Why did it take 46 days or thereabouts to have this answer transmitted to the committee.
(2) Why was the question tabled on the Monday immediately following Senate estimates.
(3) Why was no priority given to the answer that had been sitting in the Minister's office for more than 5 weeks, so that it could be available for Senate estimates.

**Senator Conroy:** The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:
The answer to question on notice 71 was provided to the Committee on 23 May 2011, immediately after it was approved for tabling and prior to the Department of Sustainability, Environment, Water, Population and Communities appearance at the budget estimates hearing on 24 and 25 May 2011.

**Defence: Explosive Detection Dogs**  
*Question No. 1025*

**Senator Back** asked the Minister representing the Minister for Defence, upon notice, on 24 August 2011:

1. How many military explosive detection dogs (EDD) are (recognising operational sensitivity, to the nearest five is sufficient):
   
   (a) held in units training by Army; and
   
   (b) presently deployed in Afghanistan.

2. Of our past 2 years of improvised explosive device (IED) events where diggers have been killed or wounded in action; in any analysis, were all these patrols accompanied and intimately supported by EDD teams; if not, why not.

3. What is the total number of military dogs that have been deployed each year since Australian forces commenced operations in Afghanistan and how many of those have been killed in action.

4. How many:
   
   (a) have died as non-battle casualties from accidents in the Middle East Area of Operations;
   
   (b) have been lost and then recovered;
   
   (c) remain unaccounted i.e. missing in action;
   
   (d) have been repatriated to Australia; and
   
   (e) military canine remains have been returned to Australia.

5. Relating total troop numbers with total military dog numbers, how does Australia compare with each of our allies having dogs deployed with their troops in the Middle East Area of Operations (MEAO), for example, if we accept that the British have some 9,000 troops deployed with 90 dogs, this gives a ratio of specialist military dogs of one dog to 100 troops; what is Australia’s ratio for the protection for our diggers in the MEAO.

6. (a) If needed, how is each dog physically attached to its handler, for example, one or more leads; or

   (b) what material is used in the lead, for example, webbing, Kevlar, steel reinforced leather, or other; and

   (c) if the handler is wounded or immobilised, can the dog free itself.

7. What is the standard operating procedure to medivac the dog in the event the handler is the subject of a medivac procedure.

8. In what other countries, if any, are Australian military dogs and handlers deployed currently.

9. When was the last time any of our handlers served in a training environment overseas with any of our allies/coalition forces with their EDD in amplification of their home training, for any period of time, for example more than 6 months.

10. In the past 12 months, what is the highest rank of any officer who has sought professional advice on our dog efforts from a professionally qualified veterinary surgeon.
(11) (a) What is the rank of the senior military person with direct responsibility for the military dog program who is a qualified cynologist; and
(b) what is the operational chain of command above this person.
(12) What is the annual budget in 2011-12 and the out years in the forward estimates in regard to:
(a) maintenance of the military dog unit in Australia and overseas; and
(b) replacement of service dogs (breeding/training).
(13) Are there plans to increase the number of dogs being trained for deployment into Afghanistan and other theatres; if so, what are these plans and the timing of the increases.
(14) Given that in the Israeli Defence Force (IDF), dogs killed on operational deployment have their remains returned to their specialist dog unit [OKETZ] for a formal burial with full military honours in a cemetery especially for their dogs: when Australian dogs are tragically killed in action, are their remains returned to Australia.
(15) What is the highest number of rotations any dog handler has served or is serving in Afghanistan.
(16) Is there any difficulty in recruiting quality handlers.
(17) Does Australia have any veterinary surgeons serving in the Army as veterinary surgeons; if so, how many.
(18) Does Australia have any veterinary nurses in the Army; if so, how many.
(19) Did Australia ever have any veterinary nurses serving in the Army's EDD program.
(20) Does Australia we have any plans to recruit and/or commission veterinary specialists, such as surgeons or nurses, into the Army to enhance both our EDD effort on the ground and professional advice to senior officers.

Senator Chris Evans: The Minister for Defence has provided the following answer to the honourable senator's question:

(1) Due to reasons of operational security, the Australian Defence Force does not publicly comment on the number of Explosive Detection Dogs employed in Afghanistan or other areas of operation. Likewise, it does not comment on the ratio of Explosive Detection Dogs to deployed personnel as this would allow the number of Explosive Detection Dogs to be determined indirectly. The protection of deployed forces is of paramount concern for senior military leadership and the Explosive Detection Dogs make a valuable contribution to the Counter Improvised Explosive Device fight. The Counter Improvised Explosive Device fight relies on the application of multiple detection and defeat methods, of which the Explosive Detection Dog forms one component. The Australian Defence Force continually reviews all levels of operational capability, including Explosive Detection Dogs, and is satisfied that the assets deployed are appropriate for the mission being undertaken.

(2) Over the past two years, there have been seven deaths in five separate incidents caused by Improvised Explosive Devices on either mounted or dismounted patrols. On every occasion that a combat death has occurred, Defence has conducted a detailed investigation into the cause and followed through on all recommendations received as part of that investigation. Explosive Detection Dogs and / or High Risk Engineer Search teams were deployed in support of four of the incidents involving Improvised Explosive Devices that resulted in the deaths of Australian personnel. Over the period 2010 and 2011, there were 58 incidents where Improvised Explosive Devices caused injury to Australian Defence Force personnel. Any further breakdown of this information could be used to determine the availability of Explosive Detection Dogs and High Risk Engineer Search teams for use on operations and can not be released for reasons of operational security. Likewise, the number of patrols supported by Explosive Detection Dogs, and the reasons as to why these patrols may or may not have been supported by Explosive Detection Dogs, is classified and can not be released. At all times, the manoeuvre commander retains the authority over tactical considerations associated with the
employment of capabilities to aid in the Counter Improvised Explosives fight. This is in keeping with the highly successful and battle tested philosophy of mission command that forms the cornerstone of Australian combat leadership.

(3) The Australian Defence Force can not publicly comment on the number of Explosive Detection Dogs employed in Afghanistan since the commencement of military operations due to reasons of operational security; however, it is a matter of public record that Explosive Detection Dog Razz was killed in action on 20 September 2007 and Explosive Detection Dog Herbie was killed in action on 7 June 2010.

(4) (a) Three Explosive Detection Dogs have died as a result of accidents not related to combat. Explosive Detection Dogs Merlin, Andy and Nova all died as a result of vehicle related accidents. Immediately following each incident, a thorough investigated was conducted and any recommendations implemented.

(b) Two Explosive Detection Dogs have been listed as missing in action and subsequently recovered. Explosive Detection Dog Sarbi was recovered after a significant period of absence and returned to Australia where it is currently employed at the School of Military Engineering in support of training courses. In July 2011, Explosive Detection Dog Sparky was recovered after a short period of separation from its handler.

(c) One Explosive Detection Dog is currently listed as missing in action. Explosive Detection Dog Lucky has been missing since an engagement with insurgents on 4 July 2011. It was during this action that Sergeant Todd Langley was killed. At the time of the action, deployed forces attempted to recover the animal but were prevented from doing so by heavy insurgent fire. Since that time, extensive searches have been conducted for the animal, including the offering of a monetary reward in the local area.

(d) Due to reasons of operational security, the Australian Defence Force is not able to provide public comment on the total number of Explosive Detection Dogs that have been repatriated to Australia since the commencement of military operations as this would allow the level of capability employed to be indirectly determined.

(e) The remains of three Explosive Detection Dogs have been returned to Australia. All animals received a memorial service in Tarin Kowt prior to being returned to Australia and the names of all deceased Explosive Detection Dogs are recorded on a dedicated memorial at the School of Military Engineering. The remains of two Explosive Detection Dogs killed as a result of Improvised Explosive Device explosions have not been returned to Australia as the lack of remains meant that recovery was not possible.

(5) See response to question (1) above.

(6) (a) Explosive Detection Dogs are employed in both the on-lead and off-lead capacity depending on the type of search being conducted. In Afghanistan, Explosive Detection Dogs are predominantly employed in the off-lead capacity.

(b) Each Explosive Detection Dog is fitted with a working harness constructed of nylon. This material is similar to that used in the construction of individual load carriage equipment provided to Australian personnel. Each Explosive Detection Dog handler uses a lead constructed of nylon cord. This nylon cord forms the link between the animal and the handler when the Explosive Detection Dog is employed in an on-lead capacity. When employed in the off-lead capacity, Explosive Detection Dogs are trained to return to the handler on command in the event that the tactical situation dictates that the animal be secured. The Australia Army is currently in the process of re-fitting all Explosive Detection Dogs with purpose made, individually fitted harnesses and leads, as well as a wide range of ancillary items such as clothing. This activity is part of the remediation plan implemented by the Chief of the Army to ensure the animals and handlers have the most up-to-date and fit-for-purpose equipment available.
(c) In the event that the handler is wounded or immobilised during the employment of the animal in the on-lead capacity, the Explosive Detection Dog remains secured to the handler by the nylon lead. The ability of the animal to free itself in this situation is dependent on the manner in which the lead was attached to the handler prior to the incident.

(7) In the event that an Explosive Detection Dog is injured, it is subject to the same evacuation procedures used by Australian personnel. This includes triage, casualty prioritisation, and methods of extraction. If an Explosive Detection Dog handler is injured and requires evacuation, every effort is made to evacuate the animal with the injured handler. Where this is not possible, the animal is assigned to the care of another member of the Royal Australian Engineer search team who assumes responsibility for the safety and welfare of the Explosive Detection Dog for the remainder of the mission. At the Forward Operating Base, the Explosive Detection Dog is re-united with its handler or, where this is not possible, commences a re-teaming procedure with another trained handler. In the event that both the handler and Explosive Detection Dog are injured, evacuation of the handler takes priority.

(8) Explosive Detection Dogs are not currently employed in any other foreign countries.

(9) In January 2011, the School of Military Engineering deployed an Explosive Detection Dog supervisor to the United Kingdom to conduct and observe the United Kingdom Basic Dog Handlers Course. This course is equivalent to the Australian Basic Dog Handlers Course that is conducted annually at the Australian School of Military Engineering. The primary focus of the exchange serial was to evaluate the training curriculum employed by the British Explosive Detection Dog trade in order to provide recommendations towards maintaining the best practice for Australian Explosive Detection Dog training. A secondary focus of the exchange serial was to evaluate methods of procuring and assessing animals with the necessary pre-requisites to be trained as an Explosive Detection Dog. The Australian Army currently spends $60,000 each year on the procurement of animals using both commercial and non-commercial methods. Historically, only 10 per cent of animals who commence the assessment trials go on to be qualified Explosive Detection Dogs. The current commercial contractual arrangement for the provision of animals has improved the training success rate as the animals commence their military assessment having been screened for initial suitability and having been scent orientated by a commercial dog expert. The School of Military Engineering is confident that Australian Explosive Detection Dog training is in line with trade best practice for employment in Afghanistan as well as for the wide variety of domestic support missions that are undertaken by Australian military Explosive Detection Dogs.

(10) In April 2011, the then Chief of Army received specialist advice on Explosive Detection Dogs from a qualified serving veterinarian. This advice informed the Chief of Army’s decision regarding the implementation of the current Explosive Detection Dog remediation plan.

(11)

(a) The term cynology refers to the study of dogs and is extremely wide in its application. The classification of cynology as a field of science in its own right is contentious, but may refer to anyone who holds a formal qualification in biology, genetics, zoology, behavioural science, history, breed specialists and veterinarians. Informally, cynology can also be linked to people with no specific scientific training, such as breeders, animal trainers, animal communicators and those with an element of personal experience with dogs in general. The Commanding Officer of the School of Military Engineering has responsibility for the training provided to Explosive Detection Dogs and has almost 20 years experience in both regimental and staff appointments, a number of which are Corps related, involving dealings with Explosive Detection Dogs.

(b) The School of Military Engineering is a component of the Combined Arms Training Centre. The Combined Arms Training Centre is commanded by the Forces Commander who in turn is responsible to the Chief of Army.
(12) (a) The cost to maintain one Explosive Detection Dog annually is approximately $90,000. This includes all aspects of the animal's welfare and ongoing training requirements as well as the salary for the specialist handler.

(b) The Australian Army currently spends $60,000 annually on the procurement and training of new animals as Explosive Detection Dogs. The majority of this money is allocated to a commercial contract that provides pre-selected dogs that have demonstrated increased suitability to successfully qualify as Explosive Detection Dogs.

(13) Explosive Detection Dogs are not trained exclusively for Afghanistan but rather for a wide range of tasks. These include domestic as well as international contingencies. With effect 2012, the Australian Army will significantly increase its quota of trained Explosive Detection Dogs and has already commenced putting in place the domestic support and infrastructure requirements to facilitate this. These requirements were endorsed by the then Chief of Army in April 2011 as part of ongoing Explosive Detection Dog remediation activities and include new kennel facilities at a number of major Army bases, the standardisation of specialist canine carriage vehicles for domestic training, and the establishment of a veterinarian position at the School of Military Engineering. The School of Military Engineering veterinarian will assist in the ongoing development of doctrine and enhance the combat medical skills of handlers to enable them to continue to provide a high level of medical care to their Explosive Detection Dogs during deployed situations. In addition to the increased training quota previously highlighted, the Australian Army forecasts an additional four trained dogs in 2011, six in 2012, and six in 2013.

(14) A memorial service is held in Tarin Kowt for every Explosive Detection Dog killed in Afghanistan. Where physically possible, the cremated remains are returned to Australia and the name of the Explosive Detection Dog recorded on a dedicated memorial at the School of Military Engineering.

(15) As with a wide range of military specialists, commitments to operations in Afghanistan have necessitated that a number of Explosive Detection Dog handlers complete multiple deployments. These deployments range from two to nine months in duration. Since operations in Afghanistan commenced in 2001, several handlers have completed two or more deployments and one handler has deployed on four occasions for periods of two to nine months.

(16) Explosive Detection Dog handler applicants are subject to a robust screening and on-the-job training process before being selected for the Australian Basic Dog Handlers Course. Prior to the course, all applicants are assessed through the use of a trial job placement and on-the-job training period at one of the regular Army Explosive Detection Dog sections in either Darwin, Brisbane, Townsville, or Sydney. If, as a result of their performance during placement training, soldiers are recommended for attendance on the Basic Dog Handlers Course, they are posted to the School of Military Engineering to attend the 12 month basic course. During the course, each trainee undertakes formal training in all areas of Explosive Detection Dog employment and welfare as well as an extended period of further on-the-job experience under the supervision of a qualified instructor. This regime ensures that the personnel selected and trained are of the highest quality. Most applicants wishing to become Explosive Detection Dog handlers are sappers and non-commissioned officers within the Royal Australian Engineers. This background means that most potential handlers have worked with Explosive Detection Dogs prior to pre-selection during routine unit activities. While the selection process is rigorous and detailed, there is no shortage of applicants and no difficulty in recruiting quality handlers.

(17) There are currently two veterinarian positions established within Army and a further two that have been approved for establishment with effect 1 January 2012. The first of the new positions is at the School of Military Engineering and a qualified veterinarian has been identified to fill that position in 2012. The second is at the 2nd Health Support Battalion. In addition, Headquarters 1st Division has a qualified veterinarian acting in the role of Staff Officer Grade Two Prevent Medical—Veterinary.
Specialist veterinary and surgical support to deployed Explosive Detection Dogs is provided through a robust and reliable coalition system.

(18) There are no qualified veterinary nurses serving as veterinary nurses in the Australian Army.

(19) The employment classification designated for nurses in the Australian Army does not specify which specific skill sets are held by the individual. As such, this question could not be answered without an extensive search of historical records and it may not be possible to determine with certainty whether any nurse previously enlisted held a specialist veterinary nurse qualification. A full search, dating back to the 1970s, would require significant time and resources to complete as many records pre-date electronic record keeping.

(20) See response to question (17) above.

Fair Work Australia
(Question No. 1039)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

Has Fair Work Australia purchased user and server licences for application; if so:
(a) what was the purpose of these; and
(b) what was the cost.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

(a) As required by the Department of Finance, Fair Work Australia has entered into a Microsoft Volume Sourcing Agreement which ensures sufficient licenses are held for 369 Members and staff and corresponding production servers.

(b) The cost of entering into the Microsoft Volume Sourcing Agreement is currently $112,127 (includes GST) per annum.

Fair Work Australia
(Question No. 1040)

Senator Abetz asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

Has Fair Work Australia contacted the Centre for Public Management to conduct any investigations; if so:
(a) what was the nature of the investigation;
(b) why was the investigation initiated;
(c) who authorised the investigation; and
(d) what was the result of the investigation.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

(a) Fair Work Australia engaged the Centre for Public Management to conduct an investigation into a code of conduct matter in 2010-11.

(b) The investigation was initiated from a complaint by an employee.

(c) The investigation was authorised by the General Manager of Fair Work Australia.

(d) The investigation resulted in one breach of the APS code of conduct, a written warning was issued as a result.
Health and Ageing: Code of Conduct Investigations  
(Question Nos 1053, 1078 and 1081)

Senator Abetz asked the Minister representing the Minister for Health and Ageing, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years:
   (a) 2010-11; and
   (b) 2011 to date.

(2) How many investigations established:
   (a) a breach; or
   (b) no breach of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Ludwig: The Minister for Health and Ageing has provided the following answer to the honourable senator's questions:

(1) and (2) In the period 2010-11 19 Code of Conduct investigations were commenced within the portfolio.

Of those, 12 breaches were found; five had a finding of no breach; and one investigation is ongoing. One investigation was cancelled prior to a determination due to the resignation of the employee concerned.

In the year to date four Code of Conduct investigations have commenced within the portfolio. One breach has been determined and three investigations are ongoing.

(3) The details of which elements of the Code of Conduct were suspected to have been breached are provided in the table below.

<table>
<thead>
<tr>
<th>Year and Case</th>
<th>Code of Conduct elements * suspected to have been breached in each case</th>
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<tbody>
<tr>
<td>2010-11</td>
<td></td>
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<tr>
<td>Case 1</td>
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<tr>
<td>Case 5</td>
<td>3, 5, 8, 11</td>
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<tr>
<td>Case 6</td>
<td>1, 3, 11</td>
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<td>Case 7</td>
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<tr>
<td>Case 8</td>
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<td>Case 9</td>
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<td>Case 12</td>
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<td>Case 18</td>
<td>1, 2, 3, 5, 7, 8, 10, 11</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
Case 19 Code of Conduct elements * suspected to have been breached in each case
Case 19 1, 8, 11

2011 YTD
Case 1 2, 3, 11
Case 2 3, 10, 11
Case 3 3, 11
Case 4 1, 10, 11

Please note the scope of the portfolio encompasses the following:
- Aged Care Standards and Accreditation Agency;
- Australian Commission on Safety and Quality in Health Care;
- Australian Institute of Health and Welfare;
- Australian National Preventative Health Agency;
- Australian Organ and Tissue Donation and Transplantation Authority;
- Australian Radiation Protection and Nuclear Safety Agency;
- Cancer Australia;
- Food Standards Australia New Zealand;
- General Practice Education and training Limited;
- Health Workforce Australia;
- Independent Pricing Authority;
- National Blood Authority;
- National Health and Medical Research Council;
- National Health Performance Agency;
- Private Health Insurance Administration Council;
- Private Health Insurance Ombudsman;
- Professional Services Review;
- Office of the Aged Care Commissioner;
- Office of the Gene Technology Regulator; and
- National Industrial Chemicals Notification and Assessment Scheme.

(4) The penalties applied where a breach of the Code of Conduct are provided below.

<table>
<thead>
<tr>
<th>Sanctions (penalties) imposed</th>
<th>2010-11</th>
<th>2011 YTD</th>
</tr>
</thead>
<tbody>
<tr>
<td>No sanction imposed</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Sanction not yet decided</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Reprimand</td>
<td>5</td>
<td>1</td>
</tr>
<tr>
<td>Reprimand and fine</td>
<td>1</td>
<td>1</td>
</tr>
<tr>
<td>Reduction in Salary</td>
<td>2</td>
<td>2</td>
</tr>
</tbody>
</table>

(5) Refer to the answer provided in 1) and 2) above.

* Section 13 of the Public Service Act 1999

The Code of Conduct requires that an employee must:
(1) behave honestly and with integrity in the course of APS employment
(2) act with care and diligence in the course of APS employment
(3) when acting in the course of APS employment, treat everyone with respect and courtesy, and without harassment

(4) when acting in the course of APS employment, comply with all applicable Australian laws

(5) comply with any lawful and reasonable direction given by someone in the employee's Agency who has authority to give the direction

(6) maintain appropriate confidentiality about dealings that the employee has with any Minister or Minister's member of staff

(7) disclose, and take reasonable steps to avoid, any conflict of interest (real or apparent) in connection with APS employment

(8) use Commonwealth resources in a proper manner

(9) not provide false or misleading information in response to a request for information that is made for official purposes in connection with the employee's APS employment

(10) not make improper use of:

(a) inside information

(b) the employee's duties, status, power or authority in order to gain, or seek to gain, a benefit or advantage for the employee or for any other person

(11) at all times behave in a way that upholds the APS Values and the integrity and good reputation of the APS

(12) while on duty overseas, at all times behave in a way that upholds the good reputation of Australia

(13) comply with any other conduct requirement that is prescribed by the regulations

Finance and Deregulation
(Question No. 1056)

Senator Abetz asked the Minister for Finance and Deregulation, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010 - 11; and (b) 2011 - to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Wong: The answer to the honourable senator's question is as follows:

(1) (a) Six. (b) Four.

(2) (a) Nine. (b) One.

(3) Section 13, subsections (2), (3), (4), (5), (7) and (11).

(4) Employees resigned before Code of Conduct investigation was complete; deductions from salary by way of a fine; reprimand.

(5) None.
Resources and Energy and Tourism
(Question Nos 1061 and 1062)

Senator Abetz asked the Minister for Resources and Energy and the Minister for Tourism, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Ministers portfolio for the financial years: (a) 2010-11; and (b) 2011-to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Sherry: The Minister for Resources and Energy and the Minister for Tourism has provided the following answer to the honourable senator's questions:

Responses are on behalf of Geoscience Australia, the National Offshore Petroleum Safety Authority (NOPSA) and the Department of Resources, Energy and Tourism. Staff are employed under the Public Service Act 1999 and therefore subject to the APS Code of Conduct.

(1) (a) 2010-11
5
(b) 2011-to date
Nil

(2) (a) A breach
5
(b) No breach
Nil

(3) Sections 13(1), 13(8), 13(10) and 13(11) of the Public Service Act 1999.

(4) Formal written reprimand, fine of 2% of annual salary, reduction of annual salary or termination of employment under section 29(3) of the Public Service Act 1999.

(5) Nil.

Special Minister of State
(Question No. 1083)

Senator Abetz asked the Minister representing the Special Minister of State, upon notice, on 29 August 2011:

(1) How many Code of Conduct investigations have there been within the Minister's portfolio for the financial years: (a) 2010 - 11; and (b) 2011 - to date.

(2) How many investigations established: (a) a breach; or (b) no breach, of the Code of Conduct.

(3) In each case, what provisions of the Code of Conduct were thought to have been breached.

(4) What penalties were applied where the Code of Conduct was broken.

(5) How many investigations are ongoing.

Senator Wong: The Special Minister of State has supplied the following answer to the honourable senator's question:

Please refer to the Minister for Finance and Deregulation's response to Question No. 1056.

QUESTIONS ON NOTICE
Nuclear Testing
(Question No. 1085)

Senator Ludlam asked the Minister for Tertiary Education, Skills, Jobs and Workplace Relations, upon notice, on 29 August 2011:

With reference to the Aboriginal people of central Australia and the north west of Western Australia who were exposed to radioactive fallout or direct radiation exposure from atomic weapons testing by the British Nuclear Test Program of the 1950s and 1960s.

(1) Has the Government ever undertaken a study into the number of Aboriginal people exposed to fallout or direct radiation exposure and the nature of their injuries; if so, can the findings of these studies be provided.

(2) Is the Government aware of how many Aboriginal people exposed to the impacts of these tests are still alive; if so, how many.

(3) Is the Government aware of whether any compensation, in the form of money, legal advice, healthcare or any other form of assistance has ever been offered to Aboriginal people exposed to these tests.

(4) Are there currently any government programs, advice lines, funds, or other forms of assistance in place for Aboriginal victims of atomic weapons testing; if not, what does the Government intend to do to provide redress for those exposed to the harmful impacts of nuclear weapons testing.

(5) Is the Government satisfied that justice has been done to those who were exposed to nuclear weapons tests.

Senator Chris Evans: The answer to the honourable senator's question is as follows:

(1) The responsibility for this matter falls within the resources, energy and tourism portfolio. The Department of Resources, Energy and Tourism has provided the following response:

In 1981 the South Australian Health Commission conducted a survey of disease that might be related to radiation on the Pitjantjatjara lands. This study was inconclusive because “The Aboriginal population at risk could not be defined precisely, neither with regard to total size nor age-sex distribution.” This view of difficulties in defining a potentially exposed population was confirmed in evidence to the Australian Royal Commission into British Nuclear Tests in Australia which reported in 1985.

Advisers to the Aboriginal groups represented in the Royal Commission also attempted to determine how many Aboriginal people were exposed to potentially hazardous levels of radiation during the tests. From documents made available by the Royal Commission and the British, Commonwealth, South Australian and Western Australian governments and interviews with all available Aboriginal witnesses, they concluded that the total was probably less than 100.

(2) The responsibility for this matter falls within the resources, energy and tourism portfolio. The Department of Resources, Energy and Tourism has provided the following response:

No. The Government is not aware of how many Aboriginal people exposed to the impacts of these tests may still be alive. As stated in the answer to (1), the Aboriginal population at risk could not be identified precisely and as such it is not possible to identify how many may still be alive.

(3) The responsibility for this matter falls jointly within the resources, energy and tourism portfolio and the education, employment and workplace relations portfolio.

The Department of Resources, Energy and Tourism has provided the following response:

Yes. In 1991 the Australian Government settled in full, all claims for trespass and injury brought against the Commonwealth of Australia by Aborigines living in South Australia at the time of the nuclear tests conducted at Maralinga and Emu Field. These nineteen claimants were identified during
the Royal Commission into British Nuclear Tests in Australia by a team of lawyers, scientists and historians advising Aboriginal groups during the Royal Commission.

Under the then Special Administrative Scheme, compensation was made available for two specific cancers, leukaemia (other than chronic lymphatic leukaemia) and multiple myeloma. Aboriginals (or their dependents) were eligible if they were in the environs of Maralinga between April 1955 and May 1963, and Emu Field between 26 September 1953 and May 1963. This Scheme is now closed.

In addition to this settlement significant payments were made to traditional land owners in respect of loss of access to the nuclear test site land arising from the British Nuclear Weapons Test program.

As compensation claims for non-Commonwealth employees currently falls within my portfolio responsibilities, I provide the following additional information:

Currently, the Administrative Scheme, which is separate from the Special Administrative Scheme referred to above, provides monetary compensation and covers medical expenses for non-Commonwealth employees who were at or near the British Nuclear Tests and suffer health complications as a result of being exposed to ionising radiation. Under this scheme five Aboriginal claimants were paid a total of $0.2 million in 1989. These are the last known Aboriginal claimants under the Administrative Scheme.

4) The Administrative scheme referred to above remains open to claimants including Aboriginal Australians, contractors and pastoralists.

5) The Government is satisfied it has responded appropriately.

**Health and Ageing**

(Question No. 1098)

**Senator Siewert** asked the Minister representing the Minister for Health and Ageing, upon notice, on 8 September 2011:

With reference to chapter 6 of the report by the House of Representatives Standing Committee on Legal and Constitutional Affairs, *Access all areas: Report of the inquiry into draft Disability (Access to Premises–Buildings) Standards*, dated June 2009, and in particular to paragraphs 6.43 to 6.49 on Multiple Chemical Sensitivity (MCS), can an update be provided on any work that has been undertaken with respect to this and any other details of work undertaken by the department to improve building access for people with MCS, including work undertaken to improve access to buildings that house medical service providers.

**Senator Ludwig**: The Minister for Health and Ageing has provided the following answer to the honourable senator's question:

The Health and Ageing portfolio is not responsible for building design matters that might relate to Multiple Chemical Sensitivity and is not equipped to undertake work on such matters. Building design and other options to reduce potential chemical sensitivity reactions would appropriately be considered by building control authorities, and entities that own, lease, operate or manage premises. In the case of hospitals or other medical services, the Department is aware that some public and private providers are moving to develop protocols to provide an environment that reduces exposure to irritants.

**Oil Product Stewardship Scheme**

(Question No. 1101)

**Senator Bob Brown** asked the Minister representing the Minister for Sustainability, Environment, Water, Population and Communities, in writing, on 8 September 2011:

(1) Given that the Oil Product Stewardship Scheme has seen an increase in the volume of recycled oil in category 1 in the past few years, of this amount, how much is being recycled as:
(a) hydraulic oil;
(b) lubricant oil; or
(c) transformer oil.

(2) Does the Government have any plans to increase incentives for the types of oil not currently being recycled in category 1; if not, are there any other moves to increase the volume of the oils not being recycled in large volume in this category.

Senator Conroy: The Minister for Sustainability, Environment, Water, Population and Communities has provided the following answer to the honourable senator's question:

(1) Transformer oil has different characteristics to hydraulic and lubricant oils so used transformer oil tends to be re-refined separately from those oils. In 2009–10 about 4.3 million litres of Category 1 re-refined oil was transformer oil and the remaining 39.8 million litres was hydraulic or lubricant oil.

Hydraulic and lubricant oils are similar and these used oils tend to be re-refined together to produce re-refined base oil, from which either hydraulic or lubricant oil can then be made. Data on the proportion of hydraulic versus lubricant oil produced from re-refined base oil is not available.

(2) No to both parts of the question.

Australia Post
(Question No. 1107)

Senator Abetz asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 9 September 2011:

With reference to the answer to Question No. 7 taken on notice during the 2011-2012 Budget Estimates hearings of the Environment and Communications Legislation Committee in May 2011, in relation to Australia Post:

(1) Were the 18 cases each settled for $12,500 in total or in each case; if in total, can a breakdown be provided for the total settlement on each case.

(2) In relation to the legal costs for these cases:
(a) were they external or internal legal costs; and
(b) (i) if they were internal, how much was spent, and
(ii) if they were external, how much was spent?

Senator Conroy: The answer to the honourable senator's question is as follows:

(1) The $12,500 referred to in the previous answer (Senate Budget Estimates 2011-12 QoN No. 7) was for two cases, which were settled for $7,500 and $5,000 respectively.

(2) (a) and (b) The $253,765 referred to in the previous answer (Senate Budget Estimates 2011-12 QoN No. 7) was for external legal costs for seven cases.

Regional Australia, Regional Development and Local Government
(Question No. 1115)

Senator Humphries asked the Minister representing the Minister for Regional Australia, Regional Development and Local Government, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Ministers portfolio bee reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Ministers portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.
Senator Sherry: The Minister for Regional Australia, Regional Development and Local Government has provided the following answer to the honourable senator's question:

(1) In the Department of Regional Australia, Regional Development and Local Government staffing numbers have not been reduced as a result of the efficiency dividend or other budget cuts.

As advised at the Budget Estimates hearings 2011, the National Capital Authority has cut three corporate positions; an SES officer, APS6 and APS5. Of those, the SES position was directly attributed to the efficiency dividend.

(2) There are no plans for staff reductions in the Department of Regional Australia, Regional Development and Local Government or in the National Capital Authority.

(3) The Department of Regional Australia, Regional Development and Local Government currently has four graduates sourced from the Department of Infrastructure and Transport Graduate Program. The Department has an arrangement in place to be included in the PM&C Graduate Program for 2012. No reduction in graduate numbers for the duration of the 18 month program are expected. Graduates will be recruited by PM&C and undertake a rotation through the Department of Regional Australia while completing the formal PM&C Learning and Development Program.

Not applicable for the National Capital Authority.

Infrastructure and Transport: Staffing
(Question No. 1120)

Senator Humphries asked the Minister representing the Minister for Infrastructure and Transport, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Carr: The Minister for Infrastructure and Transport has provided the following answer to the honourable senator's question:

(1) No.
(2) No.
(3) No changes or reductions are envisaged for graduate recruitment or cadetships.

Health and Ageing: Staffing
(Question Nos 1121 and 1147)

Senator Humphries asked the Minister representing the Minister for Health and Ageing, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.
Senator Ludwig: The Minister for Health and Ageing has provided the following answer to the honourable senator's question:

(1) In 2010-11 the department managed the impact of the efficiency dividend without reducing staffing levels.

In 2010, the Australian Government commissioned a review of the administrative arrangements in the Health and Ageing portfolio (strategic review). A thorough analysis of the portfolio has been undertaken, including examination of its approach to program and grant management and corporate services.

Staffing numbers in 2011-12 and the forward estimates will be impacted by the strategic review outcomes together with movement in measure funding, cost pressures and Budget parameters i.e. the efficiency dividend and wage cost indexation. It is presently estimated staffing for the core department will reduce from a forecast 4,060 staff in 2010-11 to a forecast 3,640 in 2012-13 i.e. an estimated decrease of 420 staff or approximately 10%.

(2) See answer to part (1).

(3) The Department of Health and Ageing is engaged in a process of continual improvement for graduate recruitment, cadetships and similar programs. The Department will continue to recruit entry level staff via graduate recruitment, Indigenous graduate recruitment, Indigenous cadetships, ICT Cadetships and ICT Apprenticeships at similar levels to previous years.

Families, Housing, Community Services and Indigenous Affairs: Staffing
(Question No. 1122)

Senator Humphries asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister’s portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister’s portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Arbib: The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator’s question:

(1) The Department is reducing staff numbers in the current financial year as a result of changes in departmental budget. The reductions are occurring across the Department as a result of either a reduction, reprioritisation or consolidation of functions, transfer of functions to another area or cessation of discretionary functions and subsequent restructuring. The categories of employees that are affected by the reduction process are within the APS2 to SES levels. There have been nil reductions in other Portfolio agencies.

(2) The planned reduction in the Department is in the order of 200 staff. This is being achieved through a range of means including natural attrition, reviewing non-ongoing and contract arrangements and redeployment of employees to priority areas. Voluntary redundancies are being offered only after other options have been exhausted. There are no planned reductions in other Portfolio agencies.

(3) The Department will be maintaining a significant graduate presence despite budgetary constraints, by recruiting 50 graduates in 2012. One cadetship, 16 Indigenous traineeships and four traineeships for People with Intellectual Disability will also be offered. There are no planned changes for graduate recruitment, cadetships or similar programs in other Portfolio agencies.
Agriculture, Fisheries and Forestry: Staffing
(Question No. 1128)

Senator Humphries asked the Minister for Agriculture, Fisheries and Forestry, upon notice, on 12 September 2011:

(1) Have staffing numbers in agencies within the Minister's portfolio been reduced as a result of the efficiency dividend and/or other budget cuts; if so, in which areas and at what classification.

(2) Are there any plans for staff reduction in agencies within the Minister's portfolio; if so, can details be provided i.e. reduction target, how this will be achieved, services/programs to be cut etc.

(3) What changes are underway or planned for graduate recruitment, cadetships or similar programs, and if reductions are envisaged can details be provided, including reasons, target numbers etc.

Senator Ludwig: The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator's question:

(1) Staffing numbers will be reduced over the period of the 2011–12 financial year. The department is currently working to identify the areas and clarify the numbers and classifications of staff that will be affected.

(2) Yes. Staffing numbers will be reduced over the period of the 2011–12 financial year. The department is currently working to identify the areas and clarify the numbers and classifications of staff that will be affected.

PBS figures show staffing numbers for the portfolio to be 5,063 in 2010–11 (estimated actual) and 5,114 (budgeted) for 2011–12. PBS figures show staffing numbers for the department to be 4,524 for 2010–11 (estimated actual) and 4,570 (budgeted) for 2011–12.

As the portfolio is constantly managing its priorities, and PBS figures are prepared in May each year, PBS figures do not always reflect the current portfolio position.

Staffing in the portfolio represents a diverse number of skill sets. While some areas may be recruiting, others may be downsizing. Skill sets may not necessarily be readily transferrable across areas and as a result it is not simply a matter of transferring staff between areas. However, this may be possible in some instances.

Reductions will be achieved by rationalising and realigning the department's functions, transferring staff into vacant priority positions, natural attrition and voluntary redundancies where necessary.

(3) The DAFF graduate program will be operating in 2012. The department is yet to confirm the number of participants in the 2012 program

Health and Ageing: Staffing
(Question Nos 1168, 1193 and 1196)

Senator Abetz asked the Minister representing the Minister for Health and Ageing, upon notice, on 13 September 2011:

To ask the Ministers listed below (Question Nos *1158-*1199)—With reference to the department and all agencies within the Minister's portfolio:

(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.

(2) What is the daily allowance for working at sea.

(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Ludwig: The Minister for Health and Ageing has provided the following answer to the honourable senator's question:
(1) Nil.
(2) Not applicable.
(3) Nil.

Families, Housing, Community Services and Indigenous Affairs
(Question No. 1169)
Senator Abetz asked the Minister representing the Minister for Families, Housing, Community Services and Indigenous Affairs, upon notice, on 13 September 2011:

With reference to the department and all agencies within the Minister's portfolio:
(1) What was the total cost of allowances for government employees or contractors working at sea for the 2010-11 financial year.
(2) What is the daily allowance for working at sea.
(3) How many days in total were spent at sea in the 2010-11 financial year.

Senator Arbib: The Minister for Families, Housing, Community Services and Indigenous Affairs has provided the following answer to the honourable senator's question:

(1) and (2) Nil.
(3) None.

Innovation, Industry, Science and Research
(Question No. 1207)
Senator Abetz asked the Minister for Innovation, Industry, Science and Research, upon notice, on 15 September 2011:

(1) Has the department paid for any studio set screens; if so:
   (a) for what purpose; and
   (b) why were they necessary.
(2) What was the size of the screens and was there any artwork on the screens; if so, can a copy of the artwork be provided.
(3) Where are the screens now.
(4) Can a breakdown be provided of the costs of acquiring and maintaining the screens.
(5) Were the screens associated with any event or activity; if so:
   (a) what event or activity; and
   (b) what were the separate itemised costs of this event or activity.

Senator Carr: The answer to the honourable senator's question is as follows:

All studio set screens, identified by the Department of Innovation, Industry, Science and Research have been listed in a table and attachments (available from the Senate Table Office).

Broadband
(Question No. 1210)
Senator Abetz asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 15 September 2011:

With reference to the answer provided to Question no. 325 taken on notice during the 2011-12 Budget Estimates of the Environment and Communications Legislation Committee in June 2011, did
the NBN Co pay any money to the Communications, Electrical and Plumbing Union for the opportunity to provide the presentation, or for places that may not have been taken up.

**Senator Conroy:** The answer to the honourable senator’s question is as follows:

NBN Co Limited (NBN Co) has advised that it did not pay any money to the Communications, Electrical and Plumbing Union in relation to this presentation.

**Broadband**  
*(Question No. 1221)*

**Senator Abetz** asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 20 September 2011:

With reference to the answer to question on notice no. 665, was Universal McCann engaged to supply the media buy for a National Broadband Network (NBN) campaign over the 2009-10 and 2010-11 financial years; if so:

(a) how does this reconcile with the answer to part 2 of the question;
(b) how much was the contract value with Universal McCann and what services did it cover;
(c) did the Government reverse a decision to proceed with this NBN campaign; if so: (i) when, and (ii) what cost implications has this for the contract with Universal McCann;
(d) when was any draft answer to my question prepared by the department received by the Minister’s office; and
(e) does the answer to question on notice no. 665 differ from that draft answer; if so, can a copy of the draft answer be provided.

**Senator Conroy:** The answer to the honourable senator’s question is as follows:

This question relates to a past program, now expired, which was not the subject of QoN 665.

**Broadband, Communications and the Digital Economy**  
*(Question No. 1228)*

**Senator Abetz** asked the Minister for Broadband, Communications and the Digital Economy, upon notice, on 20 September 2011:

With reference to both the answer and amended answer to question on notice no. 665:

(1) What is the difference between the original and amended answers.
(2) When was a draft answer first received in the Minister’s office.
(3) Why has it taken so long for the answer to be provided.
(4) When was the answer cleared by the Minister’s office.
(5) (a) When was the answer provided to the Senate Table Office; and (b) how was it provided.
(6) Why did it take the Government 4 months to provide an answer of ‘no’.

**Senator Conroy:** The answer to the honourable senator’s question is as follows:

(1) The original contained an incorrect date.
(2), (3) and (6) The answer was provided as soon as I was assured with the accuracy of the response.
(4) 15 September 2011.
(5) The answer was tabled on 20 September 2011 after it had been revealed that the cleared answer had yet to be lodged.
Australian Competition and Consumer Commission  
(Question No. 1260)

Senator Ryan asked the Minister representing the Treasurer, upon notice, on 22 September 2011:

(1) In regard to the Australian Competition & Consumer Commission (ACCC):
   (a) what is the total expenditure for the ACCC for the 2011-12 financial years and over the forward estimates;
   (b) how much expenditure has the ACCC spent in the 2010-11 financial years on:
      (i) advertising, 
      (ii) travel (include a breakdown: business, economy, domestic, international), 
      (iii) hospitality and entertainment, 
      (iv) information and communication technology, 
      (v) consultancy, 
      (vi) education/staff training, 
      (vii) external accounting, 
      (viii) external auditing, 
      (ix) external legal, and 
      (x) memberships of grants paid to affiliate organisations;
   (c) how many staff does the ACCC employ at the following levels:
      (i) senior executive service ACCC/AER members; 
      (ii) EL2; 
      (iii) EL1; 
      (iv) APS 6; 
      (v) APS 5; 
      (vi) APS 4; 
      (vii) APS 3; 
      (viii) APS 2; 
      (ix) APS 1; and 
      (x) Graduate;
   (d) For each of the following ACCC building locations:
      (i) 23 Marcus Clarke Street, Canberra; 
      (ii) Level 7, Angel Place, 123 Pitt Street, Sydney; 
      (iii) Level 35, The Tower, 360 Elisabeth Street, Melbourne; 
      (iv) Level 24, 400 George Street, Brisbane; 
      (v) Level 6, Central Plaza, 370 Flinders Mall, Townsville; 
      (vi) Third Floor, East Point Plaza, 233 Adelaide Terrace, Perth; 
      (vii) Level 2, ANZ House, 19 Grenfell Street, Adelaide; 
      (viii) Level 8, National Mutual Centre, 9-11 Cavanagh Street, Darwin; and 
      (x) Third floor, AMP Building, 89 Collins Street, Hobart,

QUESTIONS ON NOTICE
please specify:

(A) how many staff are employed at each location,

(B) what is the size of the ACCC office footprint in square metres,

(C) is the office leased or owned: (1) if leased, what is the rate per square metre, when will the rental lease expire, and how long is the lease agreement or (2) if owned, what is the value and the depreciation of each of the buildings owned.

(2) In regard to the Product Australia website:

(a) what expenditure is incurred providing and servicing this website; and

(b) how many ACCC and/or contracted staff administer the website.

(3) In regard to SCAMWatch:

(a) what expenditure is incurred providing and servicing this website; and

(b) how many ACCC and/or contracted staff administer the website.

(4) In regard to Product Recalls Australia:

(a) what expenditure is incurred providing and servicing this website; and

(b) how many ACCC and/or contracted staff administer the website.

(5) In regard to Infocentre:

(a) what expenditure is incurred providing and servicing the Infocentre;

(b) how many calls has the Infocentre received in the following financial years:

   (a) 2007-08,

   (b) 2008-09,

   (c) 2009-10, and

   (d) 2010-2011;

(c) how many ACCC and/or contracted staff administer the Infocentre Website; and

(d) where are these staff located.

(6) In regard to Australian Consumer Law (ACL) Awareness and Compliance:

(a) what expenditure is incurred this year and budgeted for in the forward estimates for ACL Awareness and Compliance;

(b) how many ACCC staff members are involved administering this measure; and

(c) where are these staff located.

(7) In regard to ACL Enforcement of Consumer Protection:

(a) what expenditure is incurred this year and in the forward estimates for the ACL Enforcement of Consumer Protection;

(b) how many ACCC staff members are involved administering this measure; and

(c) where are these staff located.

(8) In regard to Australian Energy Regulator New Consumer Protection:

(a) what expenditure is incurred this year and budgeted for in the forward estimates for the Australian Energy Regulator New Consumer Protection;

(b) how many ACCC staff members are involved administering this measure; and

(c) where are these staff located.

(9) In regard to the Petrol Commissioner:
(a) what expenditure is incurred this year and budgeted for in the forward estimates for the Petrol Commissioner;
   (b) how many ACCC staff members are involved administering this measure; and
   (c) where are these staff located.

(10) In regard to National Broadband, Regulatory framework:
   (a) what expenditure is incurred this year and budgeted for in the forward estimates for the National Broadband, Regulatory framework;
   (b) how many ACCC staff members are involved administering this measure; and
   (c) where are these staff located.

(11) In regard to Water for the Future, Driving Reform in the Murray Darling:
   (a) what expenditure is incurred this year and budgeted for in the forward estimates for the Water for the Future, Driving Reform in the Murray Darling;
   (b) how many ACCC staff members are involved administering this measure; and
   (c) where are these staff located.

(12) For each of the following programs/initiatives:
   (a) Product Australia Website, SCAMWatch,
   (b) Product Recalls Australia, Infocentre,
   (c) ACL Awareness and Compliance,
   (d) ACL Enforcement of Consumer Protection,
   (e) Australian Energy Regulator New Consumer Protection,
   (f) Water for the Future,
   (g) Driving Reform in the Murray Darling,
   (h) National Broadband, Regulatory framework, and
   (i) Petrol Commissioner:
      (i) what was the advertising expenditure in the 2010-11 financial year,
      (ii) what was the travel expenditure in the 2010-11 financial year,
      (iii) what was the hospitality and entertainment expenditure in the 2010-11 financial year, and
      (iv) how much was spent on:
         (A) consultancy,
         (B) education and training to staff,
         (C) external auditing,
         (D) external accounting,
         (E) external legal, and
         (F) membership or grants paid to affiliate organisations.

(13) How much did the ACCC spend on external legal services in the following financial years:
   (a) 2006-07
   (b) 2007-08
   (c) 2008-09
   (d) 2009-10
   (e) 2010-11
(14) How much has the ACCC budgeted to spend on external legal services for the 2011-12 financial year?

**Senator Wong:** The Treasurer has provided the following answer to the honourable senator's question:

1 (a) 2011-12: $155.318m; 2012-13: $153.762m budget; 2013-14: $150.231m budget; 2014-15: $148.662m budget

1 (b)(i) $178,810

(ii) business class within Australia $907,832

(economy class within Australia $1,067,783

(first class international $4,077

business class international $265,473

(economy class international $89,485

(iii) $9,363 in hospitality to visitors including delegations and committees

(iv) $10,750,194 operating and capital (excluding depreciation charges)

(v) $4,654,314

(vi) $3,680,911

(vii) nil

(viii) $71,000 ANAO external audit

(ix) $25,348,014

(x) $21,000 OECD Product safety working group

1 (c)

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1 (d) (A)

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<td>Darwin</td>
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</table>

**QUESTIONS ON NOTICE**
Location | Number of staff
----------|----------------|
Hobart    | 4
Townsville| 3
Total     | 840

(1) (d) (B) & (C) detailed at Attachment A *(Available from the Senate Table Office)*.

(2) (a) & (b) The website is not separately budgeted nor costed. It forms part of the wider ACCC online support arrangements undertaken by several areas in the ACCC.

(3) (a) & (b) The website is not separately budgeted nor costed. It forms part of the wider ACCC online support arrangements undertaken by several areas in the ACCC.

(4) (a) & (b) The website is not separately budgeted nor costed. It forms part of the wider ACCC online support arrangements undertaken by several areas in the ACCC.

(5) (a) Infocentre costs form part of the Intelligence, Infocentre and Policy Liaison Branch and are not separately budgeted.

   (5) (b) (a) 78,720 calls (excludes internet and other contacts)
   (b) 96,118 calls (excludes internet and other contacts)
   (c) 105,438 calls (excludes internet and other contacts)
   (d) 143,307 calls (excludes internet and other contacts)

(5) (c) The Infocentre does not have a dedicated website nor a role in administering the ACCC website, other than responding to emails received.

(5) (d) Infocentre staff are located in Canberra

(6) (a) Expenditure budgeted for in 2011-12 for awareness is $1.600m with no further expenditure in forward estimates (as per NPP)

   (6) (b) 4.0 FTE (as per NPP)
   (6) (c) Canberra

(7) (a) As per NPP

   2011-12: $1.100m
   2012-13: $1.101m
   2013-14: $1.101m
   2014-15: $1.101m

(7) (b) 9.0 FTE (as per NPP)

(7) (c) Canberra

(8) (a) As per NPP

   2011-12: $5.419m
   2012-13: $5.387m
   2013-14: $4.162m
   2014-15: $3.584m

(8) (b) 29.0 FTE (as per NPP)

(8) (c) Melbourne/Canberra/Adelaide

(9) (a) As per Fuel Monitoring and Petrol Commissioner NPP

   2011-12: $3.082m
   2012-13: $1.000m
(9) (b) 18.0 FTE
(9) (c) Melbourne
(10) (a) As per NPP
  2011-12: $1.653m
  2012-13: $1.662m
  2013-14: $1.266m
  2014-15: $0.994m
(10) (b) 7.0 FTE
(10) (c) Melbourne
(11) (a) As per NPP
  2011-12: $1.729m
  2012-13: $1.742m
(11) (b) 9.0 FTE
(11) (c) Melbourne
(12) (a) (i) – (iv) (B) The website is not separately budgeted nor costed. It forms part of the wider ACCC online support arrangements undertaken by several areas in the ACCC.
  (12) (a) (iv) (C) – (F) $Nil
(12) (b) (i) – (iii) The website and Infocentre are not separately budgeted nor costed. The former forms part of the wider ACCC online support arrangements undertaken by several areas in the ACCC, and the latter is a component of the Intelligence, Infocentre and Policy Liaison Branch.
  (12) (b) (iv) (A) $33,548
  (12) (b) (iv) (B) Not costed separately
  (12) (b) (iv) (C) – (F) $Nil
(12) (c) The ACL Awareness program NPP was not in operation in 2010-11
(12) (d) (i) – (iv) (B) This measure forms part of the wider Enforcement function and is not separately costed.
  (12) (d) (iv) (C) – (F) $Nil
(12) (e) The AER New Consumer Protection NPP was not in operation in 2010-11
(12) (f) (i) – (iv) (B) This measure forms part of the Water Branch function and is not separately costed.
  (12) (f) (iv) (C) – (F) $Nil
(12) (g) (i) – (iv) (B) This measure forms part of the Water Branch function and is not separately costed.
  (12) (g) (iv) (C) – (F) $Nil
(12) (h) The National Broadband Regulatory Framework NPP was not in operation in 2010-11.
(12) (f) This measure includes Fuel Branch function and Petrol Commissioner so costs are aggregated:
  (12) (f) (i) $Nil
  (12) (f) (ii) $67,556
  (12) (f) (iii) Not costed separately.
  (12) (f) (iv) (A) $15,225

QUESTIONS ON NOTICE
(12) (f) (iv) (B) $33,345
(12) (f) (iv) (C) – (F) $Nil

(13)(a) 2006-07—$16,442,976
          (b) 2007-08—$20,681,967
          (c) 2008-09—$19,792,333
          (d) 2009-10—$20,889,982
          (e) 2010-11—$25,348,014
(14) Budget funding $22,593,000