COMMONWEALTH OF AUSTRALIA

SENATE

Hansard

WEDNESDAY, 17 JUNE 2020

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SITTING DAYS—2020

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FORTY-SIXTH PARLIAMENT
FIRST SESSION—FIRST PERIOD

Governor-General
His Excellency General the Hon. David John Hurley, AC, DSC, FTSE (Retd)

Senate Office Holders
President—Senator the Hon. Scott Ryan
Deputy President and Chair of Committees—Senator Susan Lines
Temporary Chairs of Committees—Senators Askew, Bilyk, Brockman, Brown, Chandler, Faruqi, Fawcett, Fierravanti-Wells, Gallacher, Griff, Kitching, Polley, Marielle Smith, Sterle, Stoker and Walsh
Leader of the Government in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Government in the Senate—Senator the Hon. Simon Birmingham
Leader of the Opposition in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Opposition in the Senate—Senator the Hon. Kristina Keneally
Manager of Government Business in the Senate—Senator the Hon. Anne Ruston
Deputy Manager of Government Business in the Senate—Senator Jonathon Duniam
Manager of Opposition Business in the Senate—Senator Katy Gallagher
Deputy Manager of Opposition Business in the Senate—Senator Kimberley Kitching

Senate Party Leaders and Whips
Leader of the Liberal Party in the Senate—Senator the Hon. Mathias Cormann
Deputy Leader of the Liberal Party in the Senate—Senator the Hon. Simon Birmingham
Leader of The Nationals in the Senate—Senator the Hon. Bridget McKenzie
Deputy Leader of The Nationals in the Senate—Senator the Hon. Matthew Canavan
Leader of the Labor Party in the Senate—Senator the Hon. Penny Wong
Deputy Leader of the Labor Party in the Senate—Senator the Hon. Kristina Keneally
Leader of the Australian Greens in the Senate—Senator Larissa Waters
Deputy Leader of the Australian Greens in the Senate—Senator Nicholas McKim
Chief Government Whip—Senator Dean Anthony Smith
Deputy Government Whips—Senators James McGrath and Slade Brockman
The Nationals Whip—Senator Perin Davey
Chief Opposition Whip—Senator Anne Elizabeth Urquhart
Deputy Opposition Whips—Senators Raff Ciccone and Malarndirri McCarthy
Australian Greens Whip—Senator Rachel Siewert

Printed by authority of the Senate
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<th>Senator</th>
<th>State or Territory</th>
<th>Term expires</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abetz, Hon. Eric</td>
<td>TAS</td>
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<td>Antic, Alexander</td>
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<sup>(1)</sup> = Senator
<sup>(2)</sup> = Senator
<sup>(3)</sup> = Senator
<sup>(4)</sup> = Senator
<sup>(5)</sup> = Senator
<sup>(6)</sup> = Senator
Senator | State or Territory | Term expires | Party
---|---|---|---
Paterson, James | VIC | 30.6.2025 | LP
Patrick, Rex Lyall\(^{(1)}\) | SA | 30.6.2022 | CA
Payne, Hon. Marise Ann | NSW | 30.6.2022 | LP
Polley, Helen Beatrice | TAS | 30.6.2022 | ALP
Pratt, Louise Clare | WA | 30.6.2025 | ALP
Rennick, Gerard | QLD | 30.6.2025 | LP
Reynolds, Hon. Linda Karen, CSC | WA | 30.6.2025 | LP
Rice, Janet Elizabeth | VIC | 30.6.2025 | AG
Roberts, Malcolm Ieuan | QLD | 30.6.2025 | PHON
Ruston, Hon. Anne Sowerby | SA | 30.6.2025 | LP
Ryan, Hon. Scott Michael | VIC | 30.6.2022 | LP
Scarr, Paul Martin | QLD | 30.6.2025 | LP
Seselja, Hon. Zdenko Matthew | ACT | 30.6.2022 | LP
Sheldon, Anthony Vincent | NSW | 30.6.2025 | ALP
Siewert, Rachel Mary | WA | 30.6.2022 | AG
Smith, Dean Anthony | WA | 30.6.2022 | LP
Smith, Marielle Feuerherdt | SA | 30.6.2025 | ALP
Steele-John, Jordon | WA | 30.6.2025 | AG
Sterle, Glenn | WA | 30.6.2022 | ALP
Stoker, Amanda Jane\(^{(5)}\) | QLD | 30.6.2022 | LP
Urquhart, Anne Elizabeth | TAS | 30.6.2022 | ALP
Van, David Allan | VIC | 30.6.2025 | ALP
Walsh, Jess Cecille | VIC | 30.6.2025 | ALP
Waters, Larissa Joy | QLD | 30.6.2025 | AG
Watt, Murray Patrick | QLD | 30.6.2022 | ALP
Whish-Wilson, Peter Stuart | TAS | 30.6.2022 | AG
Wong, Hon. Penelope Ying Yen | SA | 30.6.2022 | ALP

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

<table>
<thead>
<tr>
<th>Territory</th>
<th>Senator</th>
<th>Party</th>
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<th>Party</th>
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<td>Gallagher, K.R.</td>
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<td>Seselja, Z.M.</td>
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<tr>
<td>Northern Territory</td>
<td>McCarthy, M.B.A.</td>
<td>ALP</td>
<td>McMahon, S.J.</td>
<td>CLP</td>
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\(^{(1)}\) Chosen by the Parliament of Tasmania to fill a casual vacancy (vice D Bushby), pursuant to section 13 of the Constitution.

\(^{(2)}\) Chosen by the Parliament of Victoria to fill a casual vacancy (vice M Fifield), pursuant to section 15 of the Constitution.

\(^{(3)}\) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice S Dastyari), pursuant to section 15 of the Constitution.

\(^{(4)}\) Chosen by the Parliament of Victoria to fill a casual vacancy (vice S Conroy), pursuant to section 15 of the Constitution.

\(^{(5)}\) Chosen by the Parliament of South Australia to fill a casual vacancy (vice C Bernardi), pursuant to section 15 of the Constitution.

\(^{(6)}\) Chosen by the Parliament of New South Wales to fill a casual vacancy (vice A Sinodinos), pursuant to section 15 of the Constitution.

\(^{(7)}\) Chosen by the Parliament of South Australia to fill a casual vacancy (vice N Xenophon), pursuant to section 15 of the Constitution.

\(^{(8)}\) Chosen by the Parliament of Queensland to fill a casual vacancy (vice G Brandis), pursuant to section 15 of the Constitution.
PARTY ABBREVIATIONS
AG—Australian Greens; ALP—Australian Labor Party;
CA—Centre Alliance; CLP—Country Liberal Party; IND—Independent;
JLN—Jacqui Lambie Network; LNP—Liberal National Party;
LP—Liberal Party of Australia; NATS—The Nationals;
PHON—Pauline Hanson's One Nation

Heads of Parliamentary Departments
Clerk of the Senate—R Pye
Clerk of the House of Representatives—C Surtees
Secretary, Department of Parliamentary Services—R Stefanic
Parliamentary Budget Officer—J Wilkinson
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<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for the Public Service</td>
<td>The Hon Scott Morrison MP</td>
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<tr>
<td>Minister for Women</td>
<td>Senator the Hon Marise Payne</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for the Public Service and Cabinet</td>
<td>The Hon Greg Hunt MP</td>
</tr>
<tr>
<td>Minister for Indigenous Australians</td>
<td>The Hon Ken Wyatt AM MP</td>
</tr>
<tr>
<td>Assistant Minister to the Prime Minister and Cabinet</td>
<td>The Hon Ben Morton MP</td>
</tr>
<tr>
<td>Deputy Prime Minister for Infrastructure, Transport and Regional Development</td>
<td>The Hon Michael McCormack MP</td>
</tr>
<tr>
<td>Minister for Agriculture, Drought and Emergency Management</td>
<td>The Hon David Littleproud MP</td>
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<tr>
<td>Minister for Communications, Cyber Safety and the Arts</td>
<td>The Hon Paul Fletcher MP</td>
</tr>
<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Minister for Regional Health, Regional Communications and Local Government</td>
<td>The Hon Mark Coulton MP</td>
</tr>
<tr>
<td>Minister for Decentralisation and Regional Education</td>
<td>The Hon Andrew Gee MP</td>
</tr>
<tr>
<td>Assistant Minister for Road Safety and Freight Transport</td>
<td>The Hon Scott Buchholz MP</td>
</tr>
<tr>
<td>Assistant Minister to the Deputy Prime Minister</td>
<td>The Hon Kevin Hogan MP</td>
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<tr>
<td>Assistant Minister for Regional Development and Territories</td>
<td>The Hon Nola Marino MP</td>
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<tr>
<td>Treasurer</td>
<td>The Hon Josh Frydenberg MP</td>
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<tr>
<td>Minister for Population, Cities and Urban Infrastructure</td>
<td>The Hon Alan Tudge MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Minister for Housing</td>
<td>The Hon Michael Sukkar MP</td>
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<tr>
<td>Assistant Minister for Superannuation, Financial Services and Financial Technology</td>
<td>Senator the Hon Jane Hume</td>
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<tr>
<td>Minister for Finance</td>
<td>Senator the Hon Mathias Cormann</td>
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<td>(Vice-President of the Executive Council)</td>
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<tr>
<td>(Leader of the Government in the Senate)</td>
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<tr>
<td>Assistant Minister for Finance, Charities and Electoral Matters</td>
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<tr>
<td>Minister for the Environment</td>
<td>The Hon Sussan Ley MP</td>
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<tr>
<td>Minister for Resources, Water and Northern Australia</td>
<td>The Hon Keith Pitt MP</td>
</tr>
<tr>
<td>Assistant Minister for Waste Reduction and Environmental Management</td>
<td>The Hon Trevor Evans MP</td>
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<tr>
<td>Assistant Minister for Forestry and Fisheries</td>
<td>Senator the Hon Jonathon Duniam</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>Senator the Hon Marise Payne</td>
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<tr>
<td>Minister for Trade, Tourism and Investment</td>
<td>Senator the Hon Simon Birmingham</td>
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<tr>
<td>(Deputy Leader of the Government in the Senate)</td>
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<tr>
<td>Minister for International Development and the Pacific</td>
<td>The Hon Alex Hawke MP</td>
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<tr>
<td>Minister Assisting the Minister for Trade and Investment</td>
<td>The Hon Andrew Gee MP</td>
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<td>Portfolio</td>
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<tr>
<td>Attorney-General (Leader of the House)</td>
<td>The Hon Christian Porter MP</td>
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<td>The Hon Christian Porter MP</td>
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<tr>
<td>Minister for Immigration, Citizenship, Migrant Services and Multicultural Affairs</td>
<td>The Hon David Coleman MP</td>
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<tr>
<td>Assistant Minister for Customs, Community Safety and Multicultural Affairs</td>
<td>The Hon Jason Wood MP</td>
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<td>Minister for Education</td>
<td>The Hon Dan Tehan MP</td>
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<td>Minister for Employment, Skills, Small and Family Business</td>
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<td>The Hon Karen Andrews MP</td>
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<td>Minister for Energy and Emissions Reduction</td>
<td>The Hon Angus Taylor MP</td>
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<tr>
<td>Minister for Resources, Water and Northern Australia Assistant Minister for Northern Australia</td>
<td>The Hon Michelle Landry MP</td>
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<tr>
<td>Minister for Defence</td>
<td>Senator the Hon Linda Reynolds CSC</td>
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<td>Minister for Veterans' Affairs</td>
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<tr>
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<td>Minister for Families and Social Services</td>
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<tr>
<td>Minister for the National Disability Insurance Scheme</td>
<td>The Hon Stuart Robert MP</td>
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<tr>
<td>Minister for Government Services</td>
<td>The Hon Stuart Robert MP</td>
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<tr>
<td>Assistant Minister for Children and Families</td>
<td>The Hon Michelle Landry MP</td>
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<tr>
<td>Assistant Minister for Community Housing, Homelessness and Community Services</td>
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Each box represents a portfolio. Cabinet Ministers are shown in bold type. As a general rule, there is one department in each portfolio. The title of a department does not necessarily reflect the title of a minister in all cases. Ministers are sworn to administer the portfolio in which they are listed under the 'Minister' column and may also be sworn to administer other portfolios in which they are not listed. Assistant Ministers in italics are designated as Parliamentary Secretaries under the Ministers of State Act 1952.
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<td>Shadow Minister for Industrial Relations</td>
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<td>Ms Emma McBride MP</td>
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The PRESIDENT (Senator the Hon. Scott Ryan) took the chair at 09:30, read prayers and made an acknowledgement of country.

STATEMENTS

Senator WHISH-WILSON (Tasmania) (09:31): I'd like to make a short, one-minute statement in relation to a matter said about me in the adjournment debate last night by Senator McGrath while he was in the chair.

The PRESIDENT: You can seek leave to make a statement at any point, if leave is granted. Are you seeking leave to make a one-minute statement?

Senator WHISH-WILSON: A one-minute statement, maybe even less, Chair.

Leave granted.

Senator WHISH-WILSON: I have been an acting deputy president myself for nearly five years. I was quite shocked and surprised to learn this morning that, during the adjournment debate last night—although two hours prior to it I had taken myself off the speaking list—Senator McGrath, in the chair, said, 'For those playing along at home, Senator Whish-Wilson has missed his spot, so, Senator Bragg, you now have the call.' I think it's totally inappropriate, firstly, for any acting deputy president to make those kinds of comments and to use that position to have a go at another senator, especially if they hadn't made inquiries as to why that senator wasn't on the list. So, President, could I ask you to take that on notice and seek a response from Senator McGrath and bring it back to the Senate chamber. I'd like this issue dealt with.

The PRESIDENT: Yes. I will speak to Senator McGrath and ascertain what happened. I may come back to you privately, or to the chamber, as is appropriate, Senator Whish-Wilson.

DOCUMENTS

Tabling

The Clerk: I table documents pursuant to statute and the return to order as listed on the Dynamic Red.

Full details of the documents are recorded in the Journals of the Senate.

COMMITTEES

Meeting

The Clerk: Proposals to meet have been lodged as follows:

Foreign Interference through Social Media—Select Committee—from 11 am.

Human Rights—Joint Statutory Committee—from 11 am.

The PRESIDENT (09:32): I remind senators that the question may be put on any proposal at the request of any senator. There being none, we will move on.

BILLS

Treasury Laws Amendment (2019 Measures No. 3) Bill 2019

Consideration of House of Representatives Message

Message received from the House of Representatives returning the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019, and informs the Senate the House insists on disagreeing to the amendments made and insisted on by the Senate.

Ordered that the message be considered in Committee of the Whole immediately.

The CHAIR (09:33): The committee is considering message No. 221 from the House of Representatives relating to the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019.

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (09:33): I move:

That the committee does not further insist on its amendments to which the House of Representatives has disagreed.

Senator PATRICK (South Australia) (09:33): I want to indicate that it's my understanding that we will not, in this instance, insist on these amendments being attached to this bill, because there is an urgent need for financial advisers to be relieved in terms of their requirements for professional qualifications. However, I will indicate to the chamber that the crossbench, the Greens and the Labor Party are quite determined to deal with this particular issue. We have a regime in the Federal Register of Legislation whereby 1,119 companies are excluded from having to lodge annual reports to ASIC. That creates the potential for aggressive tax minimisation through
opaqueness. It has to go. We cannot have a privileged class of companies in Australia, where there is one rule for certain companies with certain owners and another for all other companies.

Senator ROBERTS (Queensland) (09:35): I want to say that in the future One Nation will be supporting what Senator Patrick just said; we will be right behind him. We see this amendment as very, very important for the country.

Senator WHISH-WILSON (Tasmania) (09:35): I want to add that the Greens will be supporting this amendment. As we said yesterday and last week, we've put similar amendments up to Treasury bills in previous years. It's a really important issue. We've yet to have a statement from the minister as to why this is good public policy. Indeed, the government has been remiss in providing any information as to why this archaic grandfathering arrangement is still in place.

Senator Patrick interjecting—

Senator WHISH-WILSON: Great-grandfathering arrangement, as Senator Patrick is now calling it, although I wouldn't say there's much that's great about it. Transparency should be in our genes. It's absolutely critical for us to take legislative and regulatory action against tax evasion. Transparency is critical. There's no reason that this over-20-year-old clause should still exist. This chamber has the opportunity to remove it, and I urge all senators to support the amended bill.

Question agreed to.

Resolution reported; report adopted.

Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator KENEALLY (New South Wales—Deputy Leader of the Opposition in the Senate) (09:38): Labor supports the passage of the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020. The bill seeks to change the definition of 'goods' in the act to include narcotic goods, which will support the legitimate export of narcotic goods, in alignment with foreign country import requirements. Labor unequivocally supports the bill. We think it is time for the government to harness the full potential of this crop. In the explanatory memorandum, the minister claims the amendment will 'remove unnecessary and unintended regulatory barriers on the trade of Australian hemp products'. We agree. Hemp is a product that is often misunderstood and misrepresented. Despite its low THC level, the full utilisation of this plant—including for medicinal purposes, local consumption, textiles, oil and exporting—has historically been prevented due to misinformation about its narcotic character. Labor encourages the growth and development of the hemp industry. It should be legal to ingest, cultivate and produce hemp products in all states in Australia. Hemp is an environmentally friendly crop. It provides opportunities for value adding and export growth.

It is also time to remove unnecessary regulatory barriers to medicinal cannabis, starting with responding to the recommendations made by the Senate Community Affairs References Committee. Australian agriculture has been hard hit by the protracted drought, bushfires and now COVID-19. At every step of the way, this government has failed to respond to the needs of the sector in a timely manner. Sadly, this is just another example of the government's failure to provide a strategic, well-informed plan for Australian agriculture.

The National Farmers' Federation have put forward their vision to grow Australian agriculture to $100 billion in farmgate output by 2030. However, the NFF have made it clear that the Morrison government will need to play a central role by stepping up with developing a national strategy for agriculture. Farmers and regional communities are doing it tough and they are missing out on critical export opportunities, such as in hemp, because this government cannot get its act together.

As previously mentioned, Labor supports the substance of this bill. But we urge this third-term government to stop taking for granted the resilience of our farmers and regional communities. Start developing a competency plan for agriculture that addresses long-term drought resilience and allows farmers to capitalise on emerging opportunities, through innovative solutions, to address future challenges that will impact the value of the sector.

Senator DI NATALE (Victoria) (09:41): I rise in support of the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020. This bill removes barriers to Australian hemp and medicinal cannabis companies exporting their products to supply international markets. The Greens support this bill because we understand the many potential benefits of medicinal cannabis and we support a healthy Australian medicinal cannabis industry. But this bill also raises serious concerns about the domestic market. Since the Greens led the charge for the introduction of medicinal cannabis as far back as 2015, I've been highlighting the enormous barriers
to patient access to medicinal cannabis in Australia. The TGA arrangements at present are failing to provide people with timely, cost-effective access. As a result of the problems within the current regulatory system, we undertook a detailed inquiry into the barriers and problems with regulation of medicinal cannabis in Australia. We did that earlier this year and the committee tabled its report in March. It's now essential that the government implement the recommendations of that report. At the end of my speech I'm going to be moving a second reading amendment to that effect.

It's really important to understand the history here. The government made medicinal cannabis legal in 2015 and set up the regulatory framework through The Therapeutic Goods Administration. At that time we advocated very strongly that a separate, independent standalone regulator be established to allow people to access medicinal cannabis. That's the approach taken by many jurisdictions right across the world, recognising the very unique issues associated with a drug that in many circumstances has been prohibited for consumption and understanding also that medicinal cannabis is not one drug but indeed many different drugs.

We decided to give the government the benefit of the doubt. It was a big change at the time. Up until 2015 it was illegal, full stop, for a doctor to prescribe a patient medicinal cannabis. But what we've seen now is that the system is failing people. In the five years that have now passed, what we've seen is people failing to get access to medicinal cannabis when they need it. The barriers are many and I'll go through some of them in a moment.

The Community Affairs inquiry into patient access to medicinal cannabis uncovered a range of issues which advocates in the industry have been highlighting for many, many years. At the moment, if a doctor wants to prescribe a patient medicinal cannabis, they require the use of the Special Access Scheme through the TGA. This is important to understand. The TGA regulates products for approval here in Australia, but where there's a pharmaceutical drug that's from another jurisdiction, that hasn't yet entered the Australian market and hasn't been approved for use in Australia, there is a special provision called the Special Access Scheme that allows doctors to seek permission to prescribe that product. That's a scheme that was designed to be used in exceptional circumstances for drugs that may be of benefit to a limited number of people. The scheme was never intended to be used at scale for something like medicinal cannabis. It's remarkable—you've got the regulator, the TGA, that is designed specifically to regulate for the approval of pharmaceutical products, and they've been chosen to regulate a drug which bypasses their normal approval processes and uses something called the Special Access Scheme. As I said, what that scheme does is to allow for the prescription of products not yet approved for sale here in Australia, but it requires doctors to jump through a number of hoops in order to be able to prescribe it. It requires doctors to complete a detailed form every time, per patient, per script.

There is another way in which you can avoid having to go through that approval process for every specific script for a patient. You can become what is known as an authorised prescriber, but, again, the number of authorised prescribers has been extremely limited, and not only is the process for becoming an authorised prescriber onerous but also the committee found that the required approvals are really hard to come by. There are very few people who have been designated as having authorised prescriber status.

I will just give a practical example. When I was in general practice, if a patient came in to see me I could write a script for an opiate. Opiates are drugs—codeine type drugs and other injectable preparations of opiates, like pethidine, for example. I can write a script for an opiate like codeine without requiring any approval from anywhere else. It's up to my discretion as a prescribing doctor as to whether I think the patient will benefit from an opiate. Now, we know from what is happening here in Australia—indeed, right around the world—that there is a crisis in overdose deaths from prescription opiates. In the US, tens of thousands of people are dying from prescription overdose deaths. I can do the same for benzodiazepine type drugs—I can write a script. And we know that, when it comes to the use of drugs like opiates and benzodiazepines, people do die when they are taken in large quantities. The potential for overdose is very real. I don't require any approval to be able to prescribe those drugs, and yet I have to jump through a range of hoops to prescribe a drug like medicinal cannabis, for which there has not been one documented case of overdose. When you talk about the relative safety of particular drugs, medicinal cannabis is safer than over-the-counter drugs like alcohol. We're trying to put a square peg into a round hole.

The issues don't stop there. Doctors are struggling to get the necessary training and information they need to appropriately prescribe these products. Look, when I was training, we didn't even know there was an endocannabinoid system—it was something that just wasn't understood in medicine. We know now that medicinal cannabis products work because we have our own endogenous system, our own endocannabinoid system—our own body produces variations of these drugs itself, and that's why these products are effective. We didn't know about that only a short time ago. So the amount of information that doctors have on cannabis type products is very limited. Indeed, the only training I got was that cannabis is a dangerous drug and you need to ensure that people stay away from it.
If you can find a doctor who's willing to undertake the paperwork and feels comfortable in prescribing, you're going to find red tape in accessing medication thanks to the overlapping regulation not just at a federal level through the TGA process but also at a state level. I'm sure we'll have a contribution later on where we hear about the huge problems in Tasmania specifically, where that state has decided to make it harder than any other state for someone to access medicinal cannabis.

If you manage to go through the tangle of federal and state restrictions, patients are then going to be hit by the enormous cost associated with accessing these products because they're not subsidised—again, unlike other medications. So patients who need these treatments, who will benefit from them and who want to do the right thing continue to use the black market because they can get these products cheaply. Unfortunately they don't know what they're getting, it's an unregulated market and often what people think they're getting is not what they're purchasing, but they are being forced to break the law.

Our inquiry included contributions from senators on all sides and made unanimous recommendations on how to urgently fix this failing system. These recommendations need to be the government's highest priority in this area. While we support our local industry accessing export markets, surely we should be looking after Australian patients first. Our committee has recommended that immediate changes be made to both the Special Access Scheme and the Authorised Prescriber Scheme to allow a smoother, simpler, more straightforward process for doctors. We recommend that investment be made by the government and by the colleges to ensure that appropriate doctor education is available so that people learn about the endocannabinoid system and the benefits of medicinal cannabis rather than the stigma that's currently associated with the use of these products. Crucially we recommend that the government investigate a compassionate subsidy scheme for medicinal cannabis so that patients are not faced with huge price tags just for accessing their medication. Right now, when people are given a script, they can be forced to pay hundreds and hundreds of dollars each month simply to get access to a medication that would be of tremendous benefit to them and their families.

Through the committee we made a number of other recommendations, and I commend the report to all senators, but the key one is that the government moves forward to reform the system—that we establish an independent, stand-alone expert regulator for medicinal cannabis and move away from the TGA system, which is good for what it needs to do, but we are trying to put a square peg into a round hole. The report said very clearly that the government should reform the system if barriers to patient access persisted 12 months after tabling the report. Personally, I would've liked to have seen a stronger recommendation—immediate reform of the system—but, working across the divide with both Liberal and Labor senators, we accepted that the government be given 12 months to address the inadequacies of the regulation associated with medicinal cannabis.

We know that an independent regulator which understands many of the complexities associated with medicinal cannabis would allow for far greater patient access. That's experienced in many jurisdictions overseas. The irony of the current system is that, although the TGA is the pharmaceuticals regulator—it regulates the introduction of pharmaceutical products in Australia—most medicinal cannabis bypasses the normal regulatory framework within the TGA through the Special Access Scheme. So it circumvents the processes that are established within the TGA to regulate medicines. We have decided to use a regulator to regulate medicinal cannabis only to have it bypass their normal regulatory processes. It makes no sense, it's not sustainable and Australians deserve much better.

Of course, all these improvements to patient access would improve the viability of the Australian medicinal cannabis industry. This is a young market. It's just starting out and it wants to supply a domestic market, but the barriers are so high that despite knowing how many Australians are likely to benefit from these treatments there are only a trickle of prescriptions coming through. Yes, there has been incremental improvement over recent months, but it's coming off an extraordinarily low baseline and is still not enough to meet the extraordinary demand there is for medicinal cannabis progress. It's been estimated that millions of Australians would benefit from the use of medicinal cannabis or at least a trial of those products. At the moment, all we have is a few thousand Australians being able to access those products.

We know that our domestic market isn't enough to sustain a medicinal cannabis industry, and that's why the export market is important. As I've said, we do support that, but let's sort out our system here in Australia so that Australians can benefit from medicinal cannabis products. I have said on many occasions that this isn't a wonder drug. It doesn't have the benefits that some advocates purport, but it does have many, many potential benefits. You only need to talk to people who've experienced a remarkable improvement in their quality of life to know that this is a drug that Australians should be able to get access to.

The key issue for both industry and patient access domestically is the descheduling of CBD, one of the components of medicinal cannabis—and again it's important to understand here that THC is the drug with the psychoactive effect; CBD products don't have any psychoactive effects—and there's now a move to deschedule CBD-only products so that they can be accessed like other complementary medicines. Since the inquiry, the TGA
has begun a progress to down-schedule small-quantity-CBD products, from schedule 4 to schedule 3, so they can be available over the counter at pharmacies, rather than requiring a prescription. It's a good start, but the issue remains that even schedule-3 CBD—which, as I said, has no capacity to create a so-called high; we know it's safe, we know it's well understood—would still require registration on the Australian Register of Therapeutic Drugs, requiring all the years of huge investment in clinical trials. Clinical trials are important, but they shouldn't be a barrier.

So we support the bill, but it's time we got on with fixing the situation at home so that Australians can access medicinal cannabis products here. I therefore move the following second reading amendment:

At the end of the motion, add:

"...but the Senate calls on the Government to urgently implement the recommendations contained in the report of the Community Affairs References Committee on its inquiry into current barriers to patient access to medicinal cannabis."

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (09:56): Through you, Madam Deputy President, I would like to thank Senator Di Natale for his contribution, which I acknowledge, and I support the intent of his contribution. However, this bill is specifically about export, and I think we need to deal with TGA matters through the appropriate regulations.

There are a lot of opportunities in the medicinal cannabis area—and I'd like to just put in a plug for my colleagues in the New South Wales parliament, who in 2016 moved to enable the use of medicinal cannabis; so it is truly a bipartisan acknowledgement that there is a lot to be said for medicinal cannabis—but today I want to talk about the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020.

This bill reflects the ongoing support from our government, the National Party working with the Liberal Party, for Australian agriculture, because, at the end of the day, whether it is used for medicinal cannabis or industrial hemp, this is an agricultural product. I share the National Farmers Federation's ambitious goal to grow Australian agriculture to $100 billion by 2030—it's currently at $60 billion—and to do this we must look at two things: firstly, identifying emerging agricultural markets; and, secondly, ensuring that we in government do what we can to increase market access overseas. This bill recognises that legal narcotics such as medicinal cannabis and low-THC hemp are emerging markets, and we are easing restrictions so our producers can access those markets. Two-thirds of our traditional agricultural produce is exported. This legislation is designed to give our producers of legal narcotic products the same chance as we give to our wool-, beef- and wine-producing farmers, who enjoy the status of being leading Australian agricultural exporters.

Currently, markets in East and South-East Asia, as well as Europe, require government issued certification on plant exports, and that is fair enough. The amendment legislation we are debating today will allow our government to issue those certificates for our narcotic products—legal narcotic products. It will amend the Export Control Act and, in March 2021, will replace the 1982 act to ensure continuation. It is important to note that these changes only refer to legitimate narcotic goods, such as medicinal cannabis, and will not change other regulatory controls that we have in place on narcotics more broadly which we do not seek to produce, export or import. But, for our legal narcotics, we want to ensure that our growers are not at a competitive disadvantage in international markets, and this bill deals with that quickly and efficiently.

This legislation supports two key products that I want to talk about very briefly. Medicinal cannabis is a different product to marijuana—and our traditional view of it. It is a clear opportunity for a positive agricultural product—to grow cannabis plants under strict control orders and legislation. It is something the Morrison government, the coalition, strongly believes in, as shown by government's announcement last October of $3 million for the Medical Research Future Fund to examine the benefits of medicinal cannabis for pain or symptoms and side-effect management for cancer patients. Our government is committed to ensuring a safe, quality, regulated supply of medicinal cannabis to Australian patients, and this bill will enable the producers of that safe medicinal cannabis to access international markets.

There is also industrial hemp. This is a low-THC cannabis plant, the fibres and seeds of which are used for a variety of products. The use of low-THC cannabis as a useable fibre can be traced back some 50,000 years. Today it has multiple uses, including in paper, textiles, ropes, clothing and food for humans as well as animals. In fact, hemp seed is now claimed as a superbfood in a lot of the trendy cafes.

The potential for our farmers to compete in international markets is huge, and this bill will assist our Australian growers to participate in those markets. Allowing government certification will give such growers the best chance to export their product overseas. We all know our farmers make decisions on what to grow based on current demand, supplies, what is best for their on-farm business and where they can access markets, and that's what this bill is about.
In 2011-12 the gross value of Australian hemp production was around $300,000—over an estimated 185 hectares of plantation. In November 2017 the Australian food standards code was amended to permit the sale of low-THC hemp seed for food consumption, which has seen a small increase in hemp production. This bill will further raise the opportunities. Due to the perceived health benefits of hemp seed and the like, as well as traditional and novel uses for hemp fibre, which now include being used for biodegradable plastics, it should be no surprise that there is perceived to be a global increase in industrial hemp demand, making it an emerging market both domestically and internationally.

The certification of Australian industrial hemp and now medicinal cannabis by the Department of Agriculture, Water and the Environment will give many countries the assurance required to import our produce, and we all know Australia is very highly regarded internationally for its agricultural produce. Our government supports this because we believe in Australian agriculture, we believe in the Australian farmer and we believe in regional and rural Australia.

Today we are talking about an emerging agricultural market which will continue to grow, and it would be remiss of us not to enable our farmers to have full access to those markets. When you increase exports you increase the incomes of farmers and strengthen the economies of regional and rural Australia, and that is what this legislation is designed to do. Agriculture in Australia has always been ambitious and innovative. This legislation reflects that ambition and recognises this increasing market as an opportunity. We have a tremendous reputation for our produce both in the amount we produce—three times more than we consume—and in the quality. There is no reason why that reputation can't extend to our production of legal narcotics, and I commend this bill to the chamber.

Senator HANSON (Queensland) (10:05): The Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020 is another example of the commitment One Nation and I made to the Australian people that we would pursue changes in our laws to unwind the stranglehold on the cannabis industry. I need to pay respect to Senators Cormann and Kitching for their combined efforts to assist me in making this bill pass the parliament. My office reached out to the minister for agriculture, who is also the Deputy Leader of the National Party, David Littleproud. Minister Littleproud originally had no interest in making this bill come before the parliament, even though market standards predict global industry hemp demand is projected to grow from $4.6 billion to $26.6 billion over the next five years. I was listening to Senator Davey's comment that they're really interested in growing the agricultural industry in Australia, and again David Littleproud made a comment. The dairy industry is still dying. Over 500 more dairy farmers went last year. So, when it comes to pushing for the agricultural industry, I don't think Mr Littleproud is up to the job.

Mr Littleproud showed zero interest or foresight into the very real fact that the future hemp industry could very well act as a transition crop for struggling cane farmers in Queensland, including North Queensland, where sugar millers are squeezing them out of the market. When Mr Littleproud refused to deal with this bill in a timely manner, I went to Minister Cormann's office, and it was he and Senator Kitching—a Labor senator, and I thank her very much—who brought both the Liberal and Labor parties together.

I've seen the benefits this crop offers to food, fibre and medicines. I want to acknowledge the countless health-food stores who've been pushing the benefits of this crop, but I also want to acknowledge Woolworths, who have recently taken on Australian-made products, including hemp seed and hemp oil. I'm aware of Australian dog food companies who are looking to implement plant based substitutes like hemp, which is high in fibre. I also want to recognise the Lambert Initiative for Cannabinoid Therapeutics, which operates within Sydney university and whose use of cannabis to treat epilepsy will be recognised tonight with a virtual award for their efforts in assisting the many Australians who suffer these debilitating fits. Researcher Dr Lyndsey Anderson, an American attracted to Australia to work at the Lambert initiative, is being internationally recognised for her work.

We have an enormous way to go in making medicinal cannabis more readily available for patients across this country. But today's passing of this bill is another shuffle in the right direction in assisting the cannabis industry. I will be encouraging farmers nationwide to get on board with the cannabis industry, and I will be ensuring, after the next Queensland election, that One Nation remove the barriers that have been put in the way of growing hemp as a food and fibre product. I not only welcome the passage of this bill but am very pleased to have instigated the change we're legislating here today.

Senator STOKER (Queensland) (10:09): The Morrison government is very much committed to finding ways to continue to grow our agricultural sector, and AgriFutures, whose research is so very important to planning out policy in this area, have noted the potential future for the growth of the industrial hemp market worldwide. They've said:

There is a great opportunity for Australian growers to capitalise on growth of current and future products derived from industrial hemp with Global Market Insights predicting the market to surpass US$270 million in size globally, by 2025.
Most countries currently regulate unprocessed and semiprocessed plant products against the introduction of injurious plants, pests and diseases, but, up until recently, we've had some difficulties in being able to access some of those international markets that Australian growers might like to reach. This bill, the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020, ensures that there is the kind of legislative coverage needed to enable government certification for goods of this kind so that Australian growers have international market access. That means that we are complying with international agreements around this, like the International Plant Protection Convention, and it means that a problem faced at present, where the Department of Agriculture, Water and the Environment aren't able to issue government certificates to support the legitimate export of these goods, can be fixed so that those sorts of certifications can readily and easily be provided.

I must say this bill led me down a path of having to make some inquiries, because I'm on the record as being somebody who is antidrugs, in the narcotics sense, in every possible way. I'm always conscious of ways that we can reduce Australian people's use of harmful drugs. Despite the fact that there are some people out in the community who think drugs like marijuana are harmless, I think very differently, and I think that, once we start to tally up a lot of the mental and social costs associated with what some people pretend is harmless, it is exposed as nothing of the sort. But the inquiry I was led to by this bill was to find out precisely what kinds of things we were talking about under the heading of low-THC goods, low-THC hemp and medicinal cannabis products. I found it quite informative. I learned that the low-THC hemp, which is the subject of this bill, is a plant that's got 0.3 per cent or less of THC, which is the part of marijuana that gets a person high, so it's not a product that poses any kind of drug type risk. In fact, it's a really important agricultural product.

The hemp seed—of course, the variety that doesn't have those potentially harmful drug-like attributes—when hulled and unable to germinate, is a food product that is used by many. Again, I'm assured that it is not something that's harmful at all. I found the other uses for the hemp plant pretty interesting too. It's a really important fibre that is used in the production of fabrics and textiles, and those fabric, textile and food uses can provide a great opportunity for Australian farmers to diversify the crops they grow so that they are more resilient for different environmental and market circumstances. Anything that gives agricultural communities more of the choice and flexibility they need to be viable has to be a good thing. Medicinal cannabis in this country is heavily regulated but legal. While I'm not an enthusiast for it, the very tight controls that we have around it in this country are maintained by this bill. In circumstances where that is legal here and legal in other places, there's not really much of a reason why we should stop high-quality Australian farmers from being able to access those important markets.

So I commend the bill to the Senate. I think it is an important measure that we can implement to create better market access for Australian producers. Every thing we can do to ensure their ability to be viable, their ability to contribute to our economy, their ability to employ and their ability to continue to invest in the communities in which they grow has to be a good thing.

Senator ROBERTS (Queensland) (10:14): As a servant to the people of Queensland and Australia, I'm delighted to say that this bill, the Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020, holds enormous promise. For far too long, cannabis and hemp have been suppressed for reasons that have everything to do with established interests and nothing to do with the merits of the plant. That has hurt people for years and is hurting hundreds of thousands of people now. This bill addresses one area that has been holding back the Australian cannabis and hemp industry.

Currently, there is no formal system for providing approvals for the export of medical cannabis and hemp. The producer must apply to the minister for an ad hoc approval. While approvals have been granted, the volumes are a fraction of the potential that this crop offers. The Export Control Act 2020 came in this year and allows the minister to make rules that govern the issue of export certificates. If a substance is on the list, rules are issued to regulate the export of that substance. Cannabis and hemp were not included in that act. This amendment corrects that. Cannabis and hemp growers and manufacturers can now have certainty about the rules for export. Every grower is on the same footing. All who meet the rules can get an export licence and sell product into the world market, and what a market that is. The cannabis and hemp market in Australia is expected to grow to a billion dollars in just four years and double that to $2 billion by 2028. At that time the Asian market, our near neighbours in Asia, will exceed $10 billion. This is the start of a wonderful opportunity.

Australia's reputation as a high-quality, safe supplier of food and medicine will help our producers take a significant share of that huge market. I must compliment the government on its decision to require all cannabis producers to follow the international safety and quality standard known as the GMP—good manufacturing practice. Quality processing has been instrumental in growing our reputation for trusted product, and that means a lot to people overseas and in Australia. Internationally, the world market for cannabis and hemp is expected to reach $50 billion by 2030. Some of this growth is from the trend to legalise recreational cannabis, which, I need to
make clear, One Nation does not support. We do support natural Australian whole-plant medical cannabis by way of doctors prescription to any person with a medical need supplied by pharmacist and subsidised on the PBS. I note that the government is also looking to reschedule low-THC cannabis into schedule 3 as an over-the-counter chemist-only medication. One Nation supports that rescheduling. We have long pushed for this.

The Liberal government talks about market efficiency, but in the cannabis market we have nothing but overregulation and disincentives to enter the market. This bill will help, but there is much, much more to be done. I draw the government's attention to the review of the Narcotic Drugs Act conducted by Professor McMillan, which reported almost 12 months ago, in July 2019. Professor McMillan made 26 recommendations to improve the commercial efficiency of the cannabis market in Australia. None of those recommendations have been implemented. Many of those recommendations dovetail nicely with the intent of the export control legislation amendment to develop an Australian export industry for cannabis and hemp. The report calls for a reduction in the onerous conditions being applied to the industry and to people who work in it. These restrictions are an unnecessary and costly barrier to efficient, quality production. They're holding our farmers back. They're holding customers back. Professor McMillan has recommended that a single licence be issued for all or some of cultivation, production, manufacture and research, instead of the individual licences currently being required at each step.

The report also suggested licences be valid for five years rather than 12 months. Most exported cannabis and hemp is value-added. Allowing one producer to now grow, process, manufacture and research new products on a five-year licence guarantees the security of their investment, which improves the return on their investment. By encouraging vertical integration, our producers can benefit from multiple profit centres and insulate against fluctuations in one area of this emerging market. Export opportunities will be enhanced by a wider range of products offered for sale.

Volume and diversity resulting from export markets will benefit domestic patients as well. Let me explain. Currently, medical cannabis is prohibitively expensive. This is in part due to the high administrative, regulatory and security costs imposed on each stage of the process, from cultivating or importing through to selling the product to a patient. This high cost is spread across low volumes because of restricted access, making each prescription too expensive for patients to afford. That creates an ongoing cycle of high prices and low affordability, leading to low volume, which leads to high prices. It's a vicious cycle. This bill represents a way out of that self-defeating cycle by allowing for the current small domestic demand to be met through high-volume, low-cost export production.

The best medical cannabis is produced from plants that have been processed as little as possible. It is a wonderful, natural product. Conversion into vaping solutions, patches, topicals and capsules does not disturb the compound profile of the plant. It is a wonderful product. As medical cannabis has been legal for many years in most nations on the planet, we are seeing an explosion of new varieties of medical strains of cannabis. I have seen some of them myself. These have been developed to provide the optimum profile for a specific medical condition. This wonderful plant, in its many varieties, can be tailored to the specific needs of patients, and there are many patients in desperate need of this. Hundreds of different varieties are now available to the world market—hundreds. The more of these varieties that can be grown in Australia to support export demand, the greater the variety available to supply domestic patients will be. People can have this marvellous natural plant tailored to suit their specific medical needs. With a professional, efficient and profitable export industry, Australian patients will be able to access the exact cannabis profile for their particular health condition at much reduced prices and for much greater value.

As a senator from Queensland, I'm excited that we have a growing centre for cannabis excellence in Southport. Our beautiful climate is perfectly suited to growing hemp for food, textiles, cosmetics, oil, building products and so much more. Queensland will be on the forefront of this multibillion-dollar export industry for both hemp and cannabis. One Nation's policy of restoring property rights to farmers and building more dams will deliver to our farmers the capacity to grow Australia's agricultural capacity through hemp and cannabis.

Before closing, I want to reiterate what our party leader, Senator Hanson, said and express my thanks to Senator Cormann from the Liberal Party and Senator Kitching from the Labor Party. It was them who made it possible. Senator Hanson and some of our staff have been pushing for this for years, vigorously, and it is wonderful to see this step. Tiny though it is, it is a wonderful step, so thank you.

In closing, may I suggest that the success of this bill will depend upon what the export rules for cannabis are. To date, rules on medical cannabis and hemp have been so damn onerous that people have been left wondering if the government is fair dinkum about a plant that has so many proven applications and also so many successful runs on the board overseas. We look forward to the government proving, through fair and effective regulation, that they are indeed genuine about implementing this bill's intention.
**Senator RUSTON** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (10:24): The Export Control Legislation Amendment (Certification of Narcotic Exports) Bill 2020 is required to amend parts of the export control legislation. The bill will amend the definition of 'goods' contained within the Export Control Act 1982 and the Export Control Act 2020. The amendments will remove discrepancies in the treatment of narcotic goods with other goods that pose a similar risk to Australia's trade reputation and market access.

Markets for industrial hemp in Australia are underdeveloped by comparison to other OECD countries, especially Europe, the UK and Canada. The past 15 years have seen significant global innovation, significant levels of research into agronomy and the development of high-performance hemp products. AgriFutures has noted the potential for future growth of the industrial hemp market worldwide, stating:

There is a great opportunity for Australian growers to capitalise on growth of current and future products derived from industrial hemp with Global Market Insights predicting the market to surpass US$270 million in size globally, by 2025.

Most countries currently regulate unprocessed and semiprocessed plant products against the introduction of injurious plants, pests and diseases. Under international plant protection conventions, exporters and countries can issue phytosanitary certificates attesting to the absence of such pests and diseases on exported plant products, which is what this bill seeks to facilitate.

Since 2015, in place of phytosanitary certificates, alternative assurances have been provided for cannabis products exported to markets in Korea, the United States, Uruguay and New Zealand. Earlier this year an exporter from Queensland sought to export a commercial quantity of seed to the United States. The US Department of Agriculture indicated they would require formal phytosanitary certification from the Department of Agriculture, Water and the Environment for exports to be accepted. Since late 2019 exporters have expressed interest in exporting to other markets, including Thailand, Vietnam and Canada. These are all markets that require official phytosanitary certification—certification that the passage of this bill will finally allow Australian authorities to issue.

The proposed amendment will allow Australian exporters to meet the biosecurity import requirements for any market that requires a phytosanitary certificate. Countries that currently have strict import requirements including phytosanitary certificates for unprocessed plant products include China, Japan, Thailand, Vietnam, Korea, Canada and the US. In fact, the only major markets that don't have such requirements are Hong Kong and Singapore. This bill will address the government's current inability to issue phytosanitary certificates and enable certification of a broad range of agricultural commodities, including narcotic goods within the meaning of the Customs Act 1901. The bill will ensure Australia meets its obligations under international agreements and provides assurances to trading partners that our exported agricultural goods meet their requirements. The bill provides the confidence for existing and future exporters to pursue lucrative export opportunities, particularly for those involved with new and emerging industries. Being able to access a broad range of markets creates more export opportunities and higher profits for Australian farmers, producers and export businesses. The bill will support initiatives of the government to congestion-bust in regulation and ensure the agricultural industries come out firing after the threat of COVID-19 has passed. Without the ability for government to provide this certification, Australian exporters are at a disadvantage when compared to global competitors. I commend the bill to the Senate.

**The ACTING DEPUTY PRESIDENT** (Senator Bilyk): The question is that the second reading amendment moved by Senator Di Natale be agreed to.

The Senate divided. [10:32]

(The Acting Deputy President—Senator Bilyk)

Ayes ....................12
Noes .....................31
Majority ....................19

**AYES**

Di Natale, R
Hanson, P
Lambie, J
Patrick, RL
Roberts, M
Waters, LJ

**NOES**

Antic, A
Askew, W
Question negatived.
Original question agreed to.
Bill read a second time.

Third Reading

The ACTING DEPUTY PRESIDENT (Senator Bilyk) (10:35): No amendments have been circulated. Does any senator require a committee stage? If not, I call the minister to move the third reading.

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (10:35): I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Treasury Laws Amendment (2020 Measures No. 2) Bill 2020

First Reading

Bill received from the House of Representatives.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (10:36): I move:
That this bill may proceed without formalities and be now read a first time.
Question agreed to.
Bill read a first time.

Second Reading

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (10:37): I move:
That this bill be now read a second time.
I seek leave to have the second reading speech incorporated in Hansard.
Leave granted.
The speech read as follows—

This omnibus Bill includes a series of tax measures including a measure to amend the hybrid mismatch rules, continuing the Morrison Government's work on combating multinational tax avoidance, while ensuring that compliance burdens are kept to a minimum. The Bill also allows employers to report information already required for child support under Single Touch Payroll, further streamlining employer reporting to Government. The Bill establishes a deductible gift recipient general category for men’s sheds and women’s sheds and includes a number of other organisations on the list of deductible gift recipients. The Bill also includes a measure providing funding for Australia’s continued financial support of the World Bank. Finally, this Bill will also allow the ATO to share critical JobKeeper-related information with the Fair Work Commission and the Fair Work Ombudsman to ensure employers comply with the scheme.

Schedule 1 to the Bill amends the Income Tax Assessment Act 1997, continuing the Government's commitment to tackling multinational tax avoidance, by improving Australia's hybrid mismatch rules, which are based on one of 15 Actions from the OECD/G20 Base Erosion and Profit Shifting Project.
The hybrid mismatch rules are designed to prevent multinational companies from exploiting differences in the tax treatment of instruments or entities between jurisdictions, which enable those companies to defer or reduce tax.

The amendments in this Bill will ensure that the hybrid mismatch rules operate as intended and help to ensure the integrity of Australia’s income tax laws and their application to multinational enterprises. The amendments achieve this by making technical changes to the rules which clarify their operation and prevent the rules from applying in inappropriate circumstances.

Schedule 2 to the Bill amends the *Taxation Administration Act 1953* to broaden the information employers can voluntarily report under the Single Touch Payroll rules, to include employer withholding of child support deductions and child support garnishee amounts. This measure will further streamline employer reporting to Government demonstrating the efficiency gains for employers provided by Single Touch Payroll.

Schedule 3 to the Bill amends the *Income Tax Assessment Act 1997* to establish a deductible gift recipient (DGR) general category for men’s sheds and women’s sheds. This will enable sheds to more easily access DGR status from 1 July 2020, which in turn, helps them attract public financial support for their activities. The Morrison Government fully supports the important work undertaken by men’s sheds and women’s sheds.

Donors to DGR-endorsed sheds can claim an income tax deduction for donations of $2 or more. The DGR tax arrangements are intended to encourage philanthropy and provide support for the not-for-profit sector.

There are currently over 1,000 men’s sheds and around 20 women’s sheds. The number of sheds is growing as the movement gains traction for its community work and benefits.

Eligibility for endorsement in this new DGR category requires sheds to demonstrate that their activities advance mental health, and prevent or relieve social isolation.

Schedule 4 to the Bill amends the *International Finance Corporation Act 1955* and *International Monetary Agreements Act 1947*.

The World Bank's International Bank for Reconstruction and Development (IBRD) and the International Finance Corporation (IFC) play a vital role in providing financial assistance and advisory services to middle and low income developing countries.

This assistance creates significant benefits throughout our Indo-Pacific region, allowing countries to reduce poverty and build shared prosperity through investment in much-needed physical infrastructure and improved social outcomes.

The IBRD and IFC periodically raise capital to fund their activities by issuing new shares to member countries such as Australia.

However, our participation in these capital raisings is a costly and time-consuming process; requiring the drafting and introduction of new legislation for each instance where Australia subscribes to an IBRD or IFC capital increase.

These amendments aim to streamline the process by creating a clear legislative framework for Australia to enter into agreements, or amend existing agreements, to subscribe to capital increases. The amendments also establish standing special appropriations that will facilitate payments that Australia has committed to in subscribing to capital increases.

As these types of purchases of shares in the World Bank Group constitute a formal international treaty action, they will always be subject to oversight and consideration by the Joint Standing Committee on Treaties.

The passage of these amendments will also enable Australia to make its

A$154 million contribution to the IBRD’s latest capital raising that was announced in October 2018.

Schedule 5 to the Bill amends the *Income Tax Assessment Act 1997* to include C.E.W Bean Foundation, Governor Phillip International Scholarship Trust, High Resolves, Australian Academy of Law, Foundation Broken Hill, Motherless Daughters, Superannuation Consumers’ Centre and the Headstone Project (Tasmania) on the list of DGRs. This will allow members of the public to receive income tax deductions for the donations they make to these eight organisations.

Schedule 6 to the Bill will allow the Australian Taxation Office to share JobKeeper-related information with the Fair Work Commission and the Fair Work Ombudsman. Access to this information will help the Fair Work Commission and Fair Work Ombudsman address JobKeeper-related compliance issues, in relation to obligations under the Fair Work Act 2009. This measure will help the JobKeeper scheme operate efficiently and equitably.

Full details of these measures are contained in the Explanatory Memorandum.

**Senator GALLAGHER** (Australian Capital Territory—Manager of Opposition Business in the Senate) (10:37): I rise to speak on the Treasury Laws Amendment (2020 Measures No. 2) Bill 2020 on behalf of the opposition. At the outset, I will confirm that the opposition will be supporting this bill. This bill contains six schedules relating to various aspects of Treasury legislation. The measures contained in the bill are technical and non-controversial.

Schedule 1 of the bill amends the hybrid mismatch rules in the Income Assessment Act 1997. 'Amends' is perhaps a generous assessment of this measure. The measure clarifies certain aspects and is expected to have a minor, unquantifiable revenue impact over the forward estimates period. We've heard the government make strong claims about how much they are doing to combat multinational tax avoidance, but you have to laugh when the strongest measure they've brought forward this year is a few minor typo corrections and clarifications in the more

Schedule 2 of the bill allows the Single Touch Payroll system to include employer withholding of child support deductions from salary and wages. This measure will further streamline and simplify our child support and family law system.

Schedule 3 amends the designated gift recipient rules in the Income Tax Assessment Act 1997 to include a new category for community sheds. This means that men's and women's sheds across the country will now be eligible to receive tax-deductible gifts. There are now more than 1,200 men's and women's sheds across Australia. These sheds are doing vital work, building connections and communities. This work is more important now than ever before as our community recovers and rebuilds following the coronavirus pandemic.

Schedule 4 of the bill amends the International Finance Corporations Act 1955 and International Monetary Agreements Act 1947, to allow the government to meet obligations to the World Bank's International Bank for Reconstruction and Development and the International Finance Corporation that they have under this bill. These measures support the provision of financial assistance and advisory services to middle- and low-income countries. Of course, Labor supports them. Labor will continue to offer the government bipartisan support for Australia's participation in important global institutions.

Schedule 5 of the bill adds a number of specified designated gift recipients to the broader list of specified designated gift recipients. Labor welcomes the inclusion of the Superannuation Consumers' Centre and welcomes their advocacy of the interests of ordinary Australians in the superannuation sector. I'm glad that we're now hearing more from people who represent the interests of ordinary Australians in the super sector, whether the union movement or the consumer movement.

Schedule 6 provides for the Australian tax office to share information on JobKeeper payments with the Fair Work Ombudsman and the Fair Work Commission. This will allow the Fair Work Ombudsman to better address JobKeeper related compliance issues, particularly where employers are sortting the system and pocketing funds. We welcome the government's decision to allow the Fair Work Ombudsman to do their job here, but we would encourage the government to go further. I'm speaking about the $6 billion in superannuation guarantee levy payments that are rightfully earned by Australian workers but snatched away by their employers to fatten their own profit margins. The Fair Work Commission and the Fair Work Ombudsman could be part of that solution, and yet at this point these bodies do not have the powers or the information necessary to tackle the problem of superannuation theft.

Unlike minimum wages, sick leave, annual leave or parental leave, the universal right to superannuation is not included in the National Employment Standards. This means that ordinary workers are powerless to pursue super theft claims through the Fair Work Commission and means that the Fair Work Ombudsman is toothless in the face of this $6 billion problem. This means that workers are powerless to organise through their union to take action through the Fair Work Commission to stop having their superannuation stolen by their employer, and this is not good enough. While we welcome and support the government's decision to allow these bodies to access information relating to JobKeeper and appropriately enforce compliance around this measure, we do call on the government to act to end superannuation theft and to give the Fair Work Commission and the Fair Work Ombudsman the powers that they need to do so. I commend the bill to the chamber.

**Senator WHISH-WILSON** (Tasmania) (10:42): The Greens are particularly interested in schedule 6 of this bill before us today, the Treasury Laws Amendment (2020 Measures No. 2) Bill 2020. Essentially it's an omnibus bill that includes six different legislative instruments, but we're particularly interested in schedule 6. The reason is pretty simple. We in the Greens fought hard to get JobKeeper during the COVID crisis that we've all been through in recent months. Indeed, I think the Greens were the first ones to raise the issue of the need for a living wage during this pandemic. We raised the fact that countries like the UK and New Zealand were considering a living wage during this pandemic. And that, while we applauded it—especially Senator Siewert, after all her fantastic work in recent years to increase Newstart, which has essentially become jobseeker—we felt that it didn't go far enough. We actually needed to provide certainty for workers and businesses to stay in business during this most unprecedented crisis that we've found ourselves in. It is simply to give confidence to families, to workers and to business owners and even to consumers and the economy, which is what we need to do in times of pandemic. We've learnt enough from history to know the most important thing we can do in times of crisis is inject confidence into the economy. We learnt that from the GFC and we've learnt that from other crises.

We got JobKeeper. Let me just say a few brief words about the background of JobKeeper. It wasn't just the Greens and the Labor Party and others who were actively out there saying that we needed a living wage in the form of something like JobKeeper. I understand that the reason the government finally came to the party and
legislated a living wage like JobKeeper is that the business community itself, along with the unions, the ACTU—and the role that Sally McManus and others played in negotiating the JobKeeper package with the business community has been well publicised—recognised the need to keep businesses open and to keep continuity in place. They also recognised the fact that many small business owners especially—and that is what JobKeeper was firmly aimed at, small businesses—didn't feel comfortable about joining and were unlikely to go down and join the long queues outside Centrelink. So we got JobKeeper, and I think it was a fantastic collaborative effort both by people within this parliament and by many, many stakeholders outside the parliament.

It hasn't been perfect. The Greens have been on the COVID-19 committee inquiry and we've been continually asking questions about some of the failings of JobKeeper. It is a gigantic effort to pull something like this together at short notice, and I put on record the Greens' thanks to all the hardworking public servants, especially the Treasury officials, those at the Australian Taxation Office and others, who have literally worked around the clock to make sure that we have this payment to keep small businesses ticking and to give money to workers and give them confidence. But it did leave out huge cohorts in this country, such as casual workers who have been employed for less than 12 months; and those on foreign worker visas, who are absolutely critical. In my state of Tasmania we especially need foreign workers in many of our agriculture industries and tourism industries. So it hasn't been perfect. The Greens have continually pushed for extra payments to the disability support sector, to the arts sector and indeed to the university sector and so on, and we're not taking our foot off the brake in that regard.

But what we've discovered in recent weeks is that there are a number of glaring omissions that have raised their heads and need to be fixed, and one of them is about the government's one-in-all-in rule, which basically said to employers, 'If you are going to pay any employees on JobKeeper, you must pay all your employees on JobKeeper.' Remember that employers, yes, had to fund the first four to five weeks of this payment, but then they would be refunded. That has definitely been an issue for many small businesses, particularly if they have dozens of employees; that was potentially $20,000, $30,000 or $40,000 they had to come up with at short notice. And, for those not following this debate, there was pressure put on the banks to provide low-interest loans and 'interest holidays' on existing loans, to do whatever they could, to help small businesses meet that gap. I moved an amendment to the original legislation many weeks ago to bring that payment date forward to make sure small businesses weren't put under that pressure. Nevertheless, that's no excuse for employers in this country, when they're being given money by the government—it's not their money; these are public funds, a stimulus payment to their workers, to keep confidence in the economy, to keep food on the table, to keep their businesses going—to cherry-pick who gets JobKeeper and who doesn't. If you are eligible—and I'll get to that point in a minute, because it's very important—the law as it stands says, if you pay one employee, you must pay them all.

Now, we know that many businesses, sadly, have not adhered to the one-in-all-in rule. I accept there has been some confusion in terms of dealing with accountants around this. The rules and the goalposts have been changing a lot. The situation is very fluid. It has been a difficult time. But the one-in-all-in principle is very simple, and it's there for a reason. This is a government stimulus payment to keep confidence in the economy, provided by the Australian taxpayer, the public. I know that Fair Work are dealing with thousands of complaints from employees who have been left out of JobKeeper. They've been told by their employer, 'Sorry. Joe and Jane got it, but I haven't been able to sign you up for it.'

Someone very close to me has been going through exactly this situation. They contacted Fair Work and said, 'Four of my fellow employees received it, three of us haven't, and our employer has provided no explanation apart from that he got it late or he didn't see it when you sent it through, and so on and so forth—all the excuses in the world.' Fair work said: 'You are entitled to this. Your employer needs to sign you up to it. It is the law.' Then Fair Work contacted them again and said, 'Look, we feel sorry for you, but there is nothing we can do to enforce this.'

I raised this issue in the COVID inquiry directly with the Australian tax office and directly with Treasury. As it turns out, while we have this rule in place, there are no enforcement powers in the legislation. There are no enforcement powers at all. Fair Work has been telling employees who have missed out—many of whom have severe anxiety and don't have the money to pay their rent and get through this—that it can't help them until this parliament legislates enforcement powers so Fair Work can go after these employers. When the tax office answered my question, it was quite interesting. I have a lot of time for Mr Hirschhorn and have worked with him now for many years. He said, 'Look, our first port of call is to have a discussion with the employer and say, "Why aren't you putting these workers on JobKeeper?" and try to sort it out at that point.' Mr Hirschhorn's view was that it's in no-one's interest for the employer to be fined. I understand where Mr Hirschhorn is coming from, but it's easy for him to say that. He's not the one missing out on getting a payment when he needs it. That's not a slur against Mr Hirschhorn at all, but I fundamentally disagree. I think there has to be a stick-and-carrot approach. If the carrot doesn't work—there are, sadly, dodgy employers out there—there needs to be a stick. Fair Work needs the information from the tax office and it needs the power to enforce this rule.
We don't know how much longer this scheme will go on. The government introduced, unfortunately, significant uncertainty into the equation again by saying that JobKeeper will be reviewed in June, after employers and employees had been told they would get it until September. The government suddenly took it away from the childcare sector 10 days ago at short notice. So the whole point of introducing confidence into the system by providing a stimulus payment is being eroded by this government's rush to pull the rug out from under the feet of employers and employees in this country. There is this idea that somehow the economy will snap back, but we're all very worried that we're facing a fiscal cliff and that, when these payments are withdrawn, we will have significant pain and hardship on our hands.

The Greens' view is that this payment should be extended, and it should certainly be extended to those unfortunate Australians who have been left out by this government. But let's fix the law as it is before us now, especially schedule 6 in this bill, which relates to the one-in, all-in rule. I understand that a second reading amendment has been circulated in the chamber on behalf of me and the Australian Greens. I move:

At the end of the motion, add:

"; but the Senate:

(a) notes that:

(i) the JobKeeper scheme requires that employers that have decided to participate must ensure that all eligible employees are nominated for the scheme,

(ii) the decision about employee eligibility is entirely at the discretion of employers, and

(iii) there is currently no avenue for employees to dispute decisions made by their employer to include some, but not all, employees in the scheme; and

(b) calls on the Government to give the Fair Work Commission the power to deal with disputes about whether a worker of an employer participating the JobKeeper scheme is eligible for the JobKeeper payment*.

I also want to highlight that my colleague in the other place, the Leader of the Greens, Mr Adam Bandt, will be introducing a private member's bill to cover this exact issue.

Senator Waters: And Mehreen's done it in this place, too.

Senator WHISH-WILSON: And I've just been reminded that my colleague Senator Faruqi has done exactly the same thing on behalf of Mr Bandt.

This is an issue we all care about. I know the Labor Party care about it and, I'm sure, so do the crossbench. To my colleagues across the chamber: in the spirit in which you introduced JobKeeper—and thank you for doing that; thank you for working with all stakeholders and bringing in a living wage—let me also remind you that what has been seen can't be unseen. Government stepping in and keeping businesses going is a good thing when it's needed. We would like to see this concept extended way beyond COVID to look at a permanent living wage. We think it's very important that government plays a strong role in our lives. The Greens have always argued for a strong role.

May I remind the minister, while I'm on my feet, that, in a recovery phase, the government also has a strong role to play by investing in the community: investing in infrastructure projects that will build this country; investing in transitioning to 100 per cent renewable energy in this country; providing job security for young Australians, who, by Jove, have had a difficult few years. If you're a young Australian now, you've been told to stay at home for three months and not go out. You've seen a summer of horrendous bushfires, with Australians being evacuated from beaches; record droughts; the destruction of the Great Barrier Reef, with a third mass coral bleaching in our oceans. You surely must be wondering what the future holds for you. It's our job as government to give them that certainty—for the next generation, not just for the next few weeks or the next month through the JobKeeper scheme. Our role is to take that concept and provide a future and security for young Australians—something that they can feel that they are being supported on. So we need to take these principles that we've all applied in recent weeks and months, which have been great, and now extend them to the future. No more austerity. No more zombie budget cuts. Let's have a strong role of government in our lives. The Greens will be supporting—(Time expired)

Senator SESEILIA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (10:57): Can I start by thanking Senator Whish-Wilson for his praise of our public servants—and I agree—with the great work that's been done by many officials, not just in the Treasury, though the Treasury certainly has been at the heart of the economic response of the government, and we're very pleased and very grateful for that very, very hard work.

Very briefly, on this second reading amendment that has been circulated: given we've had five minutes or so to consider it, we won't be supporting it. Senator Whish-Wilson obviously flagged that there may be private senators' bills that deal with this, and I think that that would be more appropriate than, with five minutes notice, looking to
set up a new mechanism, as is suggested in that second reading amendment. So, for that reason alone, we won't be supporting the second reading amendment.

I'd like to thank those senators who have contributed to the debate. Schedule 1 to the bill amends the Income Tax Assessment Act to ensure that the hybrid mismatch rules operate as intended and help to ensure the integrity of Australia's income tax laws and their application to multinational enterprises.

Schedule 2 to the bill amends the Taxation Administration Act to allow employers to voluntarily report under the Single Touch Payroll rules information about employer withholding of child support deductions and child support garnishee amounts from salary or wages that are paid to the Child Support Registrar. This measure will streamline the child support reporting process, simplifying reporting and giving employers a greater return on their investment in Single Touch Payroll.

Schedule 3 to the bill amends the Income Tax Assessment Act 1997 to establish a deductible gift recipient general category for men's sheds and women's sheds. This provides sheds with more opportunities to attract public financial support.

Schedule 6 to the bill will allow the ATO to share relevant information relating to the JobKeeper scheme with the Fair Work Commission and the Fair Work Ombudsman. This information will help the Fair Work Commission and the Fair Work Ombudsman to address JobKeeper related compliance issues in relation to obligations under the Fair Work Act 2009. I commend this bill to the Senate.

The PRESIDENT: The question is that the second reading amendment moved by Senator Whish-Wilson be agreed to.

The Senate divided. [11:04]

(The President—Senator Ryan)

Ayes.....................30
Noes.....................28
Majority..............2

AYES
Ayres, T
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Kitching, K
Lines, S
McCarthy, M (teller)
O'Neill, D
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M

Carr, KJ
Ciccone, R
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Siewert, R
Urquhart, AE
Waters, LJ
Whish-Wilson, PS

NOES
Abetz, E
Askew, W
Brockman, S (teller)
Chandler, C
Davey, P
Fierravanti-Wells, C
Hume, J
McGrath, J
Molan, AJ
Paterson, J
Reynolds, L
Ryan, SM
Seselja, Z
Stoker, AJ

Antic, A
Bragg, A J
Cash, MC
Colbeck, R
Duniam, J
Hughes, H
McDonald, S
McKenzie, B
O'Sullivan, MA
Rennick, G
Ruston, A
Scarr, P
Smith, DA
Van, D

Question agreed to.
Original question, as amended, agreed to.
Bill read a second time.

In Committee

Bill—by leave—taken as a whole.

Senator PATRICK (South Australia) (11:07): by leave—I move Centre Alliance amendments (1) and (2) on sheet 8974 together:

(1) Clause 2, page 2 (at the end of the table), add:

6. Schedule 7

The day after this Act receives the Royal Assent

(2) Page 29 (after line 10), at the end of the Bill, add:

Schedule 7 — Financial reporting obligations for large proprietary companies

Part 1 — Repeal of instrument

ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840

1 The whole of the instrument

Repeal the instrument.

Part 2 — Grandfathered exemption

Corporations Act 2001

2 Subsection 1408(6) (table item 7)

Repeal the table item.

Part 3 — Application

3 Application

(1) This item applies to a company if, immediately before the commencement of this item, the company was exempted from complying with subsection 319(1) of the Corporations Act 2001 by the ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840.

(2) Despite the amendments made by Parts 1 and 2, that exemption continues to apply to the company in relation to the 2019-20 financial year.

4 Instruments that provide relief from requirements of Corporations Act—Lodgment of annual reports by large proprietary companies

(1) Despite anything contained in the Corporations Act 2001, ASIC may not make a legislative instrument, however described, if that legislative instrument would have the effect of relieving the class of companies referred to in subitem (2) of the requirement to comply with subsection 319(1) of the Act for a financial year.

(2) The class of companies is the class of large proprietary companies that was relieved from the requirement to comply with subsection 319(1) of the Corporations Act 2001 due to the operation of the ASIC Corporations (Exempt Proprietary Companies) Instrument 2015/840 as in force immediately before the commencement of this Schedule.

For the benefit of the chamber: I am moving the same amendment that I moved for the Treasury Laws Amendment (2019 Measures No. 3) Bill 2019. This amendment seeks to remove from the statutes an exemption for 1,119 large proprietary companies from having to lodge an annual return with ASIC. That exemption creates a situation where there is scope for aggressive tax minimisation. That is what was presented to the Senate committee inquiring into corporate tax avoidance in the 44th and 45th parliaments. It also creates a situation where you have one class of companies and another class of companies. Any new company that comes along that meets the criteria for annual reports doesn't get an exemption. We can't have a situation where we have elite, wealthy business owners simply not having to lodge annual reports.

It's also important for anyone who wants to deal with a company to be able to go to ASIC and get access to reporting information to work out whether the company is solvent, what arrangements they have in respect of organisations and so forth. There is no justification for retaining this exemption. It was an exemption that was introduced back in 1995 as a temporary measure. Twenty-five years later it is still in the statutes. We know from the previous discussion on this last week that the government has no policy reason, other than it is still considering the 2015 report, for in fact not supporting this amendment. I will keep it brief: I will ask the minister whether or not he can present a policy reason for retaining this exemption.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (11:10): This is the second instance of Senator Patrick attaching this amendment to a government bill. It is delaying important measures. The Morrison government is committed to corporate transparency. The issue raised by the senator's proposed amendment is the subject of a recommendation in the Senate economics committee's report Corporate tax avoidance, part I: you cannot tax what you cannot see. The government will respond to this recommendation in due course as part of its response to the Senate economic committee's
Corporate tax avoidance reports. It wouldn't be appropriate to rush this amendment through prior to the government's response to the report being considered.

Senator PATRICK (South Australia) (11:11): Very quickly, Minister: there's a resolution of the Senate that all committee reports be responded to within three months. This has gone beyond three years. It's five years since we've received a response on this. Is there any reason you can give the Senate as to why the government hasn't complied with the resolution of the Senate, and, indeed, why it has taken so long to respond to this very important Senate committee report?

Senator SESELEJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (11:11): Senator Patrick, there's nothing that I can add over and above what has already been put on record by ministers in this place when this amendment has been moved by you in the past. In relation to the report, we are working through it. In terms of delivering that response, it will be delivered. We are committed to corporate transparency but we don't believe that rushing this amendment through prior to the response to that report would be the appropriate way to do it, particularly on a bill that deals with very separate issues.

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (11:12): Labor will be supporting this amendment. There's a part of me that feels for Senator Seselja, having to give an answer like that—not wanting to rush something through that was recommended five years ago and then confirmed three years ago. I imagine the government's focus on this issue might become more urgent as this amendment gets repeatedly put on these bills, as Senator Patrick has indicated he's intending to do. We do believe that this amendment is worthwhile. We think it's sensible. It increases transparency and consistency in the corporate law system. The private companies on this list, many owned by Australia's richest and most powerful individuals, are benefiting from an unfair and out-of-date grandfathering regime. We do believe this amendment increases accountability for large proprietary companies. We have supported this amendment in previous bills and we support it today. I think, if anything, it's going to make the government take this issue more seriously than it perhaps has over the past five years.

Senator WHISH-WILSON (Tasmania) (11:13): The Greens also want to put on record that we'll be supporting this amendment today. We introduced this exact same amendment two years ago. At the time we worked with the Labor Party and the crossbench to try and remove grandfathering exemptions for some of the most wealthy individuals and biggest companies in this country from providing their financial reports to the Australian Securities and Investments Commission. Transparency should be in our genes. We can't fix a system until we actually see the problem. There is no excuse from a public policy point of view. I'm glad that Senator Patrick has put the same question to Senator Seselja that he put to Senator Hume: what is the public policy purpose of providing an exemption from providing accounts so that they can be publicly scrutinised? I haven't seen a good response to that question. I think the Australian public are watching this debate and will continue to watch this debate and look out for your policy response on this.

I wanted to take a point that Senator Seselja made, because it is a good point. This chamber, indeed this parliament, has worked on tax transparency. We have passed some really important legislation, working together, across party lines. Senator Hume was very keen to speak in detail about the multinational tax avoidance law on Monday. She was filibustering out the debate, but nevertheless it was a very good point that she made and I was glad she made it. We have done some really good stuff together in this chamber. The fact that this anomaly sits there and has not been tackled by this chamber stands out like Chopper Read at a Country Women's Association morning tea. The more good work we do, the more it looks like a stupid anomaly that we haven't actually removed this.

An honourable senator interjecting—

Senator WHISH-WILSON: Yes, Chopper Read was an honorary Tasmanian, there at the end. That is not to say that I honour Chopper Read at all, however.

Honourable senators interjecting—

Senator WHISH-WILSON: It's only because there was an interjection that might have suggested that. Nevertheless, I make this point: we have the ability today to pass this legislation and also to remove the grandfathering exemptions, exemptions that were brought in over 20 years ago by the Keating government and locked in by the Howard government. We have repeatedly raised this issue. It's been raised in numerous Senate inquiries. It's been raised by the Australian tax office at estimates and so on and so forth. There's no excuse for keeping Australians in the dark in terms of the financial matters of these big companies. Let's do it today. Let's get it out of the way and then let's get on with our business.

Senator LAMBIE (Tasmania) (11:16): I think what we need to bring out in the open here is the donations. Over a thousand of these companies, since this grandfathering was put in place over 20 years ago, have donated
more than $20 million to the Liberal Party. Pratt Holdings is one of those companies. Since that time, it has donated over $5 million to the Liberal Party. Minister, can you assure the Australian public that these donations have absolutely nothing—nothing whatsoever—to do with the reason you want to leave this grandfathering in place?

Senator Patrick (South Australia) (11:17): I have just one final comment in relation to this. As Senator Gallagher said, I will be putting this amendment on every Treasury bill that it is possible to put it on. I point out that this is not an inappropriate bill to put it on. It’s an omnibus bill, and I’m simply adding in a measure to close a loophole. I was speaking with someone on your side of the chamber yesterday. I won’t identify that person, but they said, ‘We have to recognise that, on this one, we’re pregnant.’ Why don’t you just have the baby?

Senator Seselja (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (11:18): I’ll respond briefly. I don’t know how to respond to the baby analogy, but I’ll respond to the question from Senator Lambie, and, yes, I can assure her that there is no link.

The CHAIR: The question is that Centre Alliance amendments (1) and (2) on sheet 8974, by leave together, as moved by Senator Patrick, be agreed to.

The committee divided. [11:23]

(The Chair—Senator Lines)

Ayes ......................32
Noes ......................28
Majority ..................4

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Faruqi, M
Gallagher, KR
Hanson, P
Kitching, K
Lines, S
McCartney, M (teller)
O’Neill, D
Pratt, LC
Roberts, M
Siewert, R
Walsh, J
Watt, M

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Gallacher, AM
Green, N
Hanson-Young, SC
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Sheldon, A
Sterle, G
Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E
Askew, W
Brockman, S (teller)
Chandler, C
Davey, P
Fierravanti-Wells, C
Hume, J
McGrath, J
Molan, AJ
Paterson, J
Reynolds, L
Ryan, SM
Seselja, Z
Stoker, AJ

Antic, A
Bragg, A J
Cash, MC
Colbeck, R
Duniam, J
Hughes, H
McDonald, S
McKenzie, B
O’Sullivan, MA
Rennick, G
Ruston, A
Scarr, P
Smith, DA
Van, D

Question agreed to.
Bill, as amended, agreed to.
Bill reported with amendments; report adopted.
Third Reading

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (11:26): I move:

That this bill be now read a third time.

Question agreed to.

Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019

Second Reading

Consideration resumed of the motion:

That this bill be now read a second time.

Senator WHISH-WILSON (Tasmania) (11:27): The Greens are particularly interested in focusing, in my contribution today in the second reading debate, and also in the committee stage, on the bill's implications for defined benefit schemes and what that means to employees at Australian universities. The amendment under consideration today applies very narrowly to defined benefit schemes currently admitting new members. I understand that there are very few defined benefit schemes still open and admitting new members. This Senate has dealt previously with schemes in relation to Public Service and especially military personnel. The Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 has very serious implications for at least one of these schemes, which is UniSuper, who made a number of submissions to the Senate Economics Legislation Committee. While this amendment has narrow application, I should point out an inconsistency in that other defined benefit schemes provided by the Commonwealth, states and territories are not exposed to the same risks. Section 15 of the Superannuation Guarantee (Administration) Regulations 2018 already carves out government schemes.

Without this amendment, from what I know about adverse selection, it seems likely that new employees in the university sector will not be given the chance to join UniSuper's defined benefit scheme. That has implications for the next generation of researchers, scientists and lecturers. I think we all agree in this chamber that the university sector plays a very important role in both public education and world-class research. The Greens have a vision to support a well-funded, high-quality and sustainable university sector. A number of my colleagues have made this contribution over many years—most recently and most eloquently, of course, Senator Faruqi, who is our higher education spokesperson.

I will just provide a little bit of context as to why I'm especially interested in this bill. I myself worked at the University of Tasmania for nearly 10 years, on and off, as a lecturer, including full time in the last couple of years before I came into the Senate. The University of Tasmania has a direct link to this bill today, especially to UniSuper, because UniSuper was actually formulated and established at the University of Tasmania. The Tasmanians in the chamber would be well aware that the University of Tasmania is one of the largest employers in the state. It used to be the biggest employer; at the moment it's the second-biggest employer. Nevertheless, in my home town of Launceston, where my electorate office is, it is the biggest employer. It plays a critical role not just in the economy but also in the community.

I would also like to put on record while I have the opportunity that the Greens are currently campaigning—I know Labor have been supporting us, and I understand there's sympathy from my Tasmanian colleagues—to make sure we have long-term continuity in funding for our scientists and researchers at the University of Western Australia, the Institute for Marine and Antarctic Studies in Hobart, the Australian Antarctic Division and other institutions, to keep the fantastic, world-beating work they do there going. That funding faces significant uncertainty. It will fall off a cliff in 2022 due to research decisions that have been made recently. That is a critical part of the community in Hobart. We need to make sure we get the government to commit to long-term funding for Australian Antarctic science, Southern Ocean science and, of course, climate science in Tasmania.

We're also very concerned at the moment, given the COVID situation we find ourselves in with this pandemic, that the universities, and university workers and employers, have been particularly hard hit. Universities themselves are facing immense fiscal challenges with a drop-off in international student numbers, and we're not sure when they're going to get that certainty back. We understand it's going to be a very difficult recovery for universities, yet university workers, including casual workers, have been excluded from any kind of stimulus payment by this government. It's made it extremely difficult for university workers. So they face almost a perfect storm of pressures on them at the moment with the risks they face into the future, and we need to do everything we can to help employees at the universities.

We are concerned that this bill, without the amendment that has been circulated in the Senate, piles more uncertainty into a sector already in limbo—a sector fighting to overcome the loss of billions of dollars in income
and facing a government determined to avoid its responsibilities to assist this industry at a time of unprecedented crisis. I'm not sure why the government hasn't wanted to assist university workers, but I will say this: it's been really obvious to me in the eight years that I've been in the Senate that the government has continued to reduce funding to universities. They've continued this push for privatisation and commercialisation of universities. We've seen significant job losses at universities right around the country. My brother, who lectures at a major university in Western Australia, is continually talking to me about the pressures that his university has faced over many years in this push to essentially privatise education services. The Greens have often advocated in this place for free higher education to provide exactly what I had when I first went to university, a free degree; to try to give young Australians the certainty they need without their having to pay significant amounts of money back to the government; and, of course, to provide the numbers and the funding that are needed to keep employing staff at these universities.

So not only are universities facing significant uncertainty with major losses of revenue from student enrolments, the inability to access JobKeeper and impending job losses, especially of insecure casual and fixed term workers, but university staff are now facing uncertainty about whether or not they will have access to defined benefit schemes, which have been among the key features of university employment for nearly 40 years. For those following this debate, defined benefit schemes essentially set a guaranteed payment for workers and for staff that will go into their retirement.

Unfortunately this will have flow-on effects for the recruitment of new staff, particularly in the regions and the rural areas. As a Tasmanian, I am acutely aware of the challenges faced in recruiting good staff to regional universities. Getting good people to move to the university has been one of the major challenges in moving the University of Western Australia up the rankings. It's an extremely competitive space. This will make it harder for universities to attract and retain top staff, and it's unhelpful, to say the least.

As I mentioned earlier, I'm proud to note that UniSuper is a Tasmanian led innovation. The fund was conceived by a group of senior administrators at the University of Tasmania in the late 1970s, and the university provided the corporate vehicle to sponsor the establishment of the trustee company known as UniSuper. The provision of a national and fully portable defined benefit scheme has been of considerable assistance to all Australian universities, and this outstanding achievement continues to assist with the recruitment and retention of qualified staff, especially, as I will mention again, in remote and regional parts of our nation.

I'd also like to point out that this amendment is not an exemption from choice. I can see the minister nodding to that. The amendment ensures that all defined benefit schemes are able to operate on similar terms, while ensuring that those fortunate enough to be offered a defined benefit scheme will still be eligible for choice. This amendment allows a contribution to be made in compliance with choice if an enterprise agreement provides for an employee to join a fund for which the relevant person is eligible to become a defined benefit member, and only where the fund's governing rules permit the relevant person, within a period specified, to choose not to remain a defined benefit member and to choose another fund.

When I spoke in this chamber on the Treasury Laws Amendment (Protecting Your Superannuation Package) Bill back in 2018, I expressed concerns about making insurance and superannuation opt-in rather than opt-out. I think the principle applies equally here. Under the proposed amendments, members are able to opt out of defined benefit arrangements within a two-year period. Without these amendments, it is extremely unlikely that anyone will ever be offered a chance to opt in to a defined benefit scheme, owing to the adverse selection risks that have been well documented.

It would be a tragedy if a durable and highly performing fund were sacrificed to an inflexible, one-size-fits-all cookie-cutter all-choice regime. Doing so would deal enormous blows to product diversity in an industry dominated by the same style of largely uniform accumulation-style products. Rejection of this amendment would be all the more ironic, as it would signal the government had opted to deny the choice for defined benefit funds to continue to provide first-class retirement benefits in the best interests of their present and, importantly, future members. No arguments have been advanced that could possibly justify endangering arrangements which have served the higher education sector exceptionally well for many decades. I urge senators to support this amendment.

The Greens have circulated amendments through the chamber. I look forward to talking them and the Labor Party amendment when we go in committee.

Senator O’NEILL (New South Wales) (11:38): I rise to speak on the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019. I am delighted to talk on the great Labor achievement that is our modern superannuation scheme, which has ensured that all Australian workers now have a right to a dignified and prosperous retirement. I want to acknowledge the contribution of Senator Whish-Wilson in his remarks around the
university sector. Like Senator Whish-Wilson, I spent some time working in that sector and I am very much apprised of the very significant challenges faced by that workforce pre-COVID and particularly during the COVID period. I put on the record that I am a continuing member of the National Tertiary Education Union, which was my union when I left that workforce to come here to the parliament.

This bill amends the Superannuation Guarantee (Administration) Act 1992. It ensures that employees under workplace determinations or enterprise agreements have the right to choose their superannuation fund. This applies only to new workplace determinations and enterprise agreements made on or after 1 July 2020. The bill will allow employees to select the fund that best suits their own circumstances. A lack of super choices can mean that employees who have changed workplaces can end up with multiple super accounts, which can lead to high fees and charges and to them potentially paying multiple insurance premiums. More specifically, the bill will allow employees to choose their own superannuation funds, where they are employed under a workplace determination or enterprise agreement that is made on or after 1 July 2018. New employees to whom such a determination or agreement applies must be provided with a standard choice form, and if there is no chosen fund for a new employee the default fund arrangements apply. An employer does not have to provide existing employees with a form unless requested, once a new determination agreement is made. Where there is no chosen fund for an existing employee, an employer that continues to make compulsory contributions for that employee to the same fund in accordance with the previous determination or agreement will comply with the choice of fund requirements.

Labor has always been supportive of super choice and is committed to ensuring that every Australian worker is in a high-performing fund and that adequate information is available to empower consumers with the information that they need to make choices in their best interests. But I am worried that this bill proposed by the government—the Liberal-National party, who has so often taken to superannuation to cut it, to contain it, to diminish it, to abolish it—will not meet those criteria without significant amendment.

While this bill will have relatively minimal impact on the super sector, given that Industry Super Australia estimates that of those employees covered by an enterprise agreement only 7.4 per cent have no choice of superannuation fund, which represents 1.9 per cent of the workforce, the bill will have a significant effect on the retirements of that 1.9 per cent should it pass without amendment. Labor will move an amendment to ensure that there is a provision that allows workers to bargain for a single fund or set of funds where it is determined by the Fair Work Commission to be in their best interests. This amendment proposed by Labor is a commonsense measure that was highlighted in Labor's dissenting committee report on this bill. The report also noted the evidence that the ACTU and UniSuper provided to the committee and enabled the highlighting of the detrimental effect that the bill, if unamended, could have on their default defined-benefit product offering. The amendment that UniSuper provided at paragraph 2.63 of the committee report addresses their concerns and, indeed, many of my concerns about the effects that this bill could have. Any risk to defined benefit offerings lessens choice, rather than enhances it, and would achieve the opposite of what this bill claims it seeks to do.

We know that we cannot trust this LNP government with superannuation. I have seen many colleagues—members of the government, on the other side of the chamber—who have previously lambasted Australia's world-class superannuation scheme for a quick social media grab. I note Senator Rennick from Queensland, who claimed in a speech last year in this chamber that superannuation is a cancer. He actually said that. To describe superannuation as a cancer is a disgusting slur on all those who have suffered cancer, and as the co-chair of Parliamentary Friends of Cancer Care and Cure, I was revolted and sickened by that comment. It was ill-judged. Super is an enhancement of people's lives. No-one thinks that about cancer.

Superannuation has allowed thousands of Australians to share in the dignity of a retirement funded in full or in part by the benefits of superannuation, formerly a privilege that was restricted to public servants, politicians and senior managers in the banking and finance industries. I can tell you that, when I grew up on Curran Road in Blacktown and Aurelia Street in Toongabbie and then Kingsclare Street in Leumeah in Campbelltown, there weren't too many conversations over the back fence about how the superannuation was ticking over. There weren't too many conversations about what a defined benefit was. That gap in the difference of financial literacy was taken seriously by only one party, and that is the Labor Party, who instituted superannuation. That's why we have to watch so carefully what this government seeks to do. They were never committed to delivering superannuation for every Australian. They were quite happy to preserve it as a right for the well-employed in the Public Service and the wealthy who could afford the advice to set up such structures.

Senator Rennick bemoaned the management fees taken by superannuation firms and consultants, but he's been silent on the billions of dollars that this government forks out to consultant firms while sacking thousands of frontline public servants like our posties. Shame on this LNP government! I also note that Senator Bragg from my home state of New South Wales was reported recently as suggesting in his book that workers raid their super to
purchase a home. It reveals what a total lack of understanding they have and that a continuing ideological push against the benefits of superannuation for Australia still resides in this government.

This raid on superannuation was also the Liberal and National parties' answer to economic privations in the pandemic, which saw $14 billion ripped out of the super scheme—out of people's future savings, out of people's retirement—to be spent on a range of things, including, sadly, online gambling and needless purchases. That is even before the next phase of the raid is undertaken, and it's because this government is so loose with how it handles money despite its rhetoric about being great money managers. People should not forget that this is the party that lost $60 billion in a few weeks. Their figures were out by $60 billion. They could've left people with their super intact. They could've supported the Australian people better through this COVID crisis, but they failed. They have compromised people's futures and retirements with regard to super by the actions they have taken in their ideological bent.

The contribution from Senator Bragg to the debate on superannuation in recent times only serves to undermine a system that is responsible for giving millions of workers a comfortable retirement. I also notice that the Prime Minister's scheme to allow Australians to withdraw super to pay bills was so riddled with fraud that it had to be temporarily frozen in order for a correction to be made to that structure. My office had to help locals who had thousands of dollars stolen from their accounts by criminals. The government have not yet revealed exactly how many fraudulent claims have been made, because they don't come into this place and transparently reveal the truth. In fact, question time is an exercise in watching them painfully hide from the truth. Neither do we know yet what the government are doing to compensate victims after the ATO directed their super fund to make a payment to a fraudulent account.

This government has form on the shonky ways of moving Australians' money away from them in unedifying and unpalatable ways. Think about robodebt: illegally constructed debts, sent by this government to hundreds of thousands of Australians, which it now needs to repay. They don't care about helping Australians manage their money in ways that are sage and sensible. Rather, they take any opportunity they can to raid Australians' savings and to make them more at risk in terms of their finances.

Labor supports the concept of choice, but choice is not the most pressing issue right now in the superannuation sector. Rather, it's a retirement savings gender gap. According to the national advocacy group Women in Super, an older woman generally retires with 47 per cent less superannuation than a man, and yet women will very likely outlive men by at least five years. They're also likely to be the family's most active caregivers as well as the ones most likely to take time off to care for children or elderly relatives, further denuding their super compared to men. This is a problem far more pressing than the issue of choice of super for 1.9 per cent of Australia's workforce. But that is not what the government is choosing to focus on and that is not the legislation before us. Rather, we have this. Instead of solutions we have crickets from the government opposite.

Superannuation firms have also been active in addressing the gender wage gap and its knock-on effects in retirement savings. With lower earnings, breaks from their careers to begin families, and longer life expectancy, women face a far different picture to men when it comes to superannuation. Yet some superannuation funds are taking up that challenge. I want to acknowledge, in particular, the work of the SDA and the super fund REST, who have both campaigned very hard to support their majority female workforce in their goal for equitable treatment in retirement.

Super should be gradually increased as we face an ageing population and with healthcare and aged-care costs continuing to soar. I note the SDA union recommended several sensible changes to the current superannuation system, which would go further than anything this bill proposes to make Australia's super scheme more equitable. These suggestions offered by the SDA, in their submissions to important inquiries of this place, include:

… ensure superannuation is compulsory (through the award system) and universal (including through the creation of a new indicative model of retirement income with the first next step being 12% superannuation on all income)

… the removal of the $450 per month earnings threshold and ensuring superannuation is paid on parental leave

… application of representative governance model for all superannuation …

This is a result of the important civic work that the SDA, as an exemplary union, takes on on behalf of its members, in addition to supporting them in their workplaces and standing guard against the savage attacks on the working rights and the superannuation rights of these Australian people, particularly women.

These suggestions would attempt to balance the effect of penalty rates cuts on these workers as well as give millions more Australian women the opportunity of a dignified retirement. Currently, older women are the fastest-growing cohort of homeless people in Australia. According to census data, the number of women aged 65 to 74 describing themselves as homeless increased by 51 per cent in the five years to 2016. Shame on this government for presiding over that! Shame on them for their failure to respond to the housing needs of older Australians!
Shame on them for taking away the opportunity for improvements in superannuation for Australian women, in particular! With a social housing waiting list in my home state of decades, not years, many will find themselves on the waiting list in their 50s and will die before they're ever near getting into a house.

This government continually incentivises people to pillage super for paying daily bills in an economic crisis rather than offer real and sustained government help. Like everything else, this government's answer is to throw everything out to the free market, to that perfect neoliberal goal of 'choice', which they dress up as something much greater than it can ever be. But, as Martin Luther King Jr said, 'What good is having the right to sit at a lunch counter if you can't afford to buy a hamburger?' Choice is all well and good, but it's hardly the most pressing issue that this government could determine to undertake with legislation.

I support the measures that will make this bill work in keeping that honoured tradition of collective bargaining alive. I support amendments to this bill that will allow workers to bargain for a single fund or a set of funds, as well as adding measures to ensure— (Time expired)

Senator GREEN (Queensland) (11:54): I am pleased to follow Senator O'Neill because she raises some very important points about this bill, the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019, and about the government's attitude towards superannuation. I want to add my voice to that debate today.

I've heard or seen comments from the government that Labor senators, or members opposite, are trying to waste the Senate's time by contributing to this debate today, and that couldn't be further from the truth because I think it's important to understand what the government is doing as part of this broader debate around superannuation. I know that it's very clever of the government to call this bill 'Your Superannuation, Your Choice', because it gives them an opportunity to get up here and talk about choice in super and beat their ideological drum about what they have planned for superannuation in this country. But it does concern me greatly that this is another opportunity for the government to talk about their plans to raid Australians' superannuation.

We know that this bill is limited in its scope. It is talking about the small number of workers who, at the moment, are covered by an enterprise agreement that directs the superannuation fund that they use, and the amendments to this bill seek to make sure that people are able to collectively bargain in their workplace while also supporting the principles behind the bill around choice. But we know that this is part of an ideological debate that the Liberals are waging against superannuation.

The Liberal and National parties opposed compulsory superannuation when Labor introduced it in 1992, and they have been fighting this war ever since. But they really have taken it up a notch lately, haven't they? They've really taken up the memes. They're even writing books about it. They're getting op-eds written in the paper about just what they're going to do to superannuation and to Australian workers' superannuation. They've said in this place that superannuation should be voluntary—and they've said that many times; that is not a one-off gaffe from one member of the Liberal Party; we've had many members in this place say that superannuation should be voluntary. Obviously, that is deeply concerning because we know that, for many Australian workers, superannuation is the only way that they will be able to afford a dignified retirement, and we know particularly that there are many women in this country at the moment who did not have access to superannuation or who worked in part-time positions for many years raising their children and who have severely depleted superannuation funds at this moment, compared to the men who were working at the same time as them. So I am deeply concerned about any attacks on compulsory superannuation that would stop Australian workers who desperately need to have money for their retirement saved for that purpose.

What the government is trying to do is to pretend that they care about the wages of low-income earners. We know that that is nonsense, because the Liberal-National coalition has never stood up for the working conditions of Australia's lowest-paid workers, and they never will. The coalition has opposed the advancement of superannuation every step of the way. They opposed it when we introduced it, and they've sought to undermine it ever since.

Compulsory superannuation is a national achievement created by Labor, and it stands alongside the NDIS and Medicare as a system which makes our country fairer and stronger. But I want to talk about one aspect of this debate, and that is the proposals from members of the government around extending early access of superannuation payments, because it's one of these ideological fronts on which the Liberals have been waging war. They've said that the coronavirus pandemic has actually shown that more people should have access to their super for more reasons. For example, Liberal John Alexander has floated the idea of using super to buy a home, and I'll talk further about that proposal a little bit later.

But I want to make this clear: the primary purpose of superannuation is to provide a dignified retirement for every Australian. That is the primary purpose of superannuation. That is why, right now, there are provisions that allow for early access to superannuation but only in very limited circumstances. These circumstances include
compassionate grounds; severe financial hardship; and a terminal medical condition, which is very difficult. I know there are people who find themselves in that situation—getting that very difficult news about being terminally ill—and they know that they have their super there to count on in those very difficult times. Temporary incapacity and permanent incapacity are the other times when people are able to access their super. We know that super accounts have been used as a way to save for a home, by making voluntary payments.

The reason Labor have always argued to keep these reasons limited is that we don't want super to fix the policy mistakes of this government. We don't want people to not have super in their retirement or in those very limited circumstances, such as when they're very ill and they're given the absolute worst news—that they need to tie up their affairs. You may have had a friend who went through that. I've got a friend who has been given that news recently, and they've had to rely on their super. I cannot imagine what it would have been like to not have had that superannuation to depend on in those circumstances. Expanding the circumstances where super can be withdrawn will reduce the super balances of thousands of Australians. It'll increase the demand on age pensions, which will have an impact on the budget bottom line—that's what the government is always talking about—but also leave Australians with less money to use when they really need it.

Here's the other thing. Talking about allowing Australians to withdraw their super to fix a problem of the government's own making should ring alarm bells with people in the electorate, because, when we're talking about withdrawing super because housing has become so unaffordable, what does the government do? Do they build more social housing? Do they talk about how they're going to make housing more affordable? Do they make a plan to build better cities, to make them more connective, or to build better transport so people don't have to travel far to their workplaces? No, they don't do that. They say, 'You can use your retirement savings for this instead.' Senator Bragg has even said: The reality is a first home is much more important than super.

No-one is saying that a first home is not important. But what you're saying is that people don't deserve both—that they don't deserve a home and a dignified retirement. That's what you're saying to people like nurses and teachers who are out there working and saving. You're saying that the government doesn't want to do the hard work to make housing more affordable. What it wants to do is raid people's retirement savings. We know that Australian workers need those retirement savings later on in life. They will be relying on them. But instead of doing something to make housing more affordable, instead of trying to fix that problem, the government just wants to come in and raid superannuation savings.

It's lazy, it's pompous, it shows that you've got no idea what workers go through, it shows that you have no appreciation of how difficult it is for people to save for their retirement and it shows that you're completely out of touch with the purpose of superannuation in the first place, which is to provide a dignified retirement for Australian workers. I want Australians out there to be very careful when they hear this rhetoric from the Liberal-National government. When the government is saying to Australians that it wants to open up early access to super payments for other purposes, I want Australians to consider why that is and what policy failure by this government has created that problem in the first place.

We've seen the same thing happen with young workers during this pandemic. Instead of relying on government support, instead of being included in JobKeeper, many young Australians have had to rely on their superannuation to support themselves through this pandemic. This is a government which is setting up millions of younger Australians to be in a weaker position in their retirement. Already, we have seen that 500,000 young workers under the age of 30 have dipped into their super early. This makes up one-third of all early super applicants. In many cases, young workers have been left with no choice other than to empty all of their retirement savings. All of their retirement savings are gone, and that might not mean much if you're 25 years old and you consider that you've got a long time before your retirement but, again, what it points to is that this government isn't prepared to do the work to build the policies, to give the support to young people; instead, they have said, 'You can use your superannuation because we're not going to give you the support that you need.'

In the short term, this scheme is expected to cost the budget $1.1 billion in lost revenue. We know that this will have an impact on the budget. In the long term, it means fewer Australians will be able to support their retirement and that will mean more people demanding the pension system. We also know that this hasn't happened in a vacuum. Industry super analysis shows that in North Queensland alone 65,000 workers have been short-changed super and that government offered an amnesty to businesses that have systematically underpaid their workers. So not only do we have workers being asked to rely on their super during the most difficult economic time in their lives but it's off the back of years of underpayment of superannuation.

The coalition has used every opportunity to undermine super, including this pandemic, and that is completely disgraceful. We should be strengthening the systems that support people during this pandemic, not making them
weaker. We even know that the government's incompetence has opened the door to widespread fraud in the early access super scheme. I was listening to triple j's 'Hack' last night. Some people said the government just made it so easy to get this money that we've seen fraud as a result of this government's incompetence.

At the end of the day, superannuation is there for one reason: to provide Australians with a dignified retirement. Every time that the government come in here and try to reduce that access to a dignified retirement, Labor will come in here and show them out. We will stand in here and explain to people exactly what the government are up to. You can create your shiny memes, you can write your books and do your op-eds, but, at the end of the day, workers understand that superannuation is there for their retirement. We know that this government won't be supporting workers in their retirement; they will have to do it on their own.

Senator BILYK (Tasmania) (12:08): I too rise to speak on the Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019. Labor has a very proud track record when it comes to superannuation and will continue to fight for a stronger and fairer superannuation system. Compulsory superannuation, created by Labor, is a national achievement which sits alongside Medicare and the NDIS as major nation-building reforms. It has made our nation stronger and it's made our society fairer. Prior to the introduction of compulsory superannuation, most Australians only had the aged pension to rely on in their retirement. The introduction of compulsory superannuation was a revolutionary policy and achievement of the Hawke-Keating government. Labor and the union movement fought for and won compulsory employer-paid superannuation. We did this through national worker led campaigns, together with legislative action in this parliament, that today has resulted in a universal workplace right to occupational superannuation. This right was once only available to people like us—politicians, public servants, senior managers and long-serving employees in certain industries such as, let's remember, the banking and financial services industry. As I said, superannuation is a universal right and one that is enjoyed by all people in this building, not just those that sit in this place or in the other place, and it's available across every industry and sector.

Compulsory superannuation has been an incredible success. It provided a new system for funding retirement incomes. This not only creates retirement nest eggs for Australians; the savings are being invested in infrastructure and businesses which are generating wealth and creating jobs. Superannuation assets totalled $2.7 trillion at the end of the March 2020 quarter. Our super system is world class and has created a huge new pool of capital that can invest in Australian business. According to the Willis Towers Watson Global Pension Assets Study 2019, Australia remained the world's fourth-largest pension market, with Australia's superannuation assets rising to 131 per cent of GDP in 2018—up from 67 per cent a decade before. This latest ratio was the second highest among the 22 major pension markets covered by the survey.

We on this side of the chamber know that the Liberal Party has always opposed universal superannuation, and we are seeing it once again today. It was opposed by the then Leader of the Opposition, Mr John Howard, when it was first introduced, and he brought this opposition to government when he became Prime Minister. The Howard government's 1996 decision to abandon the Keating government's 15 per cent superannuation guarantee cost the average Australian worker roughly $250,000 in accumulation over their working life.

Fundamentally, superannuation is still opposed by the Liberals now. The Morrison government has used the COVID-19 crisis as an excuse to escalate the coalition's decades-long ideological war against super in general and industry super in particular. Coalition governments have used every opportunity to undermine superannuation, including the current process that has seen two million Australians resorting to accessing more than $13 billion in personal retirement savings. Why have they been forced to access these savings? Because of the gaping hole in government support.

This government's track record and ideological opposition to industry super funds causes me to be more than a little bit cynical about the reasons behind this bill, let alone its name. We know that those opposite come up with lovely, caring names for their bills. But we know that beneath the first pages of those bills there are often situations where workers are going to be worse off. I believe this bill is just a demonstration, once again, of the ideological opposition to industry super funds that, as I said, those opposite so often convey.

It's interesting to note that the ideological opposition to industry super funds goes even further amongst some members of the Liberal-National party caucus. We've seen Senator Bragg call for all kinds of superannuation to be made voluntary for people earning under $50,000 a year. He was backed up in that call, as the previous speaker, Senator Green, mentioned, by members of his caucus. On 13 November last year, Senator Ren尼克—yes, that very same senator who said, 'We do not want the hand of government reaching in and taking away our children's youth,' in a debate on early childhood education—called superannuation 'a cancer', stating in his speech:

Millions of dollars gets sucked out of the pockets of the battlers in the bush and sent to the blowhards in Sydney and Melbourne …
Let me just say that, as a cancer survivor, I was horrified to hear that comment. I don't think anybody from any party should refer to a benefit, especially a hard-won and hard-fought-for benefit for workers, as a cancer. I took great umbrage at that comment, and I'm glad to put on the record today how angry—and I was angry—that comment made me and other cancer survivors and cancer sufferers not only throughout my state of Tasmania—I know, because some of them spoke to me about it—but also throughout Australia.

So the government just refused to listen to advice, and that's why they put so much of the hard-earned superannuation savings of Australians at risk. We've seen billions of dollars taken from the accounts of our lowest waged employees. And of course we know that in early May the government was forced to temporarily freeze the scheme because of fraud. The Australian Federal Police have still not ruled out the involvement of organised and offshore crime in this fraud. I'm not quite sure what the government is doing, because they're yet to reveal how many fraudulent claims have been made or what the government is doing to compensate victims after the ATO directed their super fund to make a payment to a fraudulent account. It has also been reported that there is an alarming trend of super funds being plunged directly into online gambling—and we all know that that cannot be good. If true, the embattled government scheme may be boosting the profits of dodgy overseas gambling businesses instead of stimulating the economy and addressing cases of real hardship. But we know that those opposite don't care—and they certainly don't care about super.

I call on the minister responsible and the Prime Minister to come clean with that information that needs to be asked about that fraudulent activity. We've got a government that is intent on attacking workers' wages, their conditions and their ability to better organise for better rights at work. But now it wants to destroy their retirement income. Do you just want everyone to end up on the pension—is that what it's about? I can explain to you that, with an ageing population, that's not going to be a very smart move on your behalf. The rate of the superannuation guarantee has been scheduled to progressively rise to 12 per cent in 2022 but, of course, it was frozen by the Abbott government in 2014. When the superannuation system was designed it was intended that the guarantee would rise. Analysis by Industry Super Australia shows that if the superannuation guarantee moved to 12 per cent, as the last Labor government intended, a 30-year-old male earning $85,000 a year would stand to gain $147,000 from their super by the time they reach retirement—compared with if the super guarantee was frozen at 9½ per cent. Separately, a 30-year-old woman earning $85,000 a year who takes time off work to have children could gain up to $93,000.

In the last 12 months $20 billion of superannuation assets have moved into the not-for-profit sector, with consumers in search of lower fees and higher performance. Choice is already happening. While too many Australians still retire without adequate retirement savings our super system needs to be strengthened and protected, not undermined. It's clear that every move this government makes is to undermine the most successful retirement savings scheme in the world. The bill we are debating today is entirely designed to continue this attack. The government wants to dismantle the system we have in order to advantage the mates of those opposite in the banking sector. Let me be clear: industry funds benefit members, not big banks as those opposite would wish to do. They outperform retail funds again and again. I would like to quote from a report by the McKell Institute. The report states:

... available evidence demonstrates a clear causal relationship between not-for-profit representative governance funds and higher levels of returns for members. Both raw and risk-adjusted research supports the proposition that the two governance models produce significantly different returns for their members.

The report also states:

In 2013, Industry Super Australia concluded that had all superannuation funds returned the 5.7 per cent long-term annual average of not-for-profit funds, Australia's retirement savings would be $88 billion higher. In 2016, a similar analysis showed that if retail funds had earned the same returns as industry super funds between 1996 and 2015, Australia's pool of super retirement savings would be roughly $105 billion greater; an increase of more than 5 per cent than the actual situation. Based on these figures, an individual member, with a starting balance of $20,000, could have been $36,000 better off by using an industry fund.

But those opposite want employees to be forced into slickly marketed funds which promise the world but in the end just return super profits to the big banks. They don't really care about choice. As I've said, it's entirely a cover for enriching their mates. They want to ensure that dodgy employers can force employees into the super fund of their bank's choice for the employer's own profit. If they did care about Australians having better retirement savings, they wouldn't have cut the super guarantee in 1996 and 2014 and they wouldn't have Senator Reynolds over there saying superannuation is a cancer and should be made voluntary. In fact, they probably shouldn't have him over there at all, with some of the comments he's come out with.

Labor supports choice in superannuation, but we are also committed to making sure every worker is in a high performing fund and that adequate information is available to empower consumers with the information they need.
to make choices in their best interests. Labor remains concerned that there is a significant risk to defined benefit offerings, which will lessen choice and achieve the opposite objective to what the bill intends.

Labor referred the super choice legislation to the Senate Economics Legislation Committee to ensure the bill had no unforeseen or unintended consequences which left super fund members worse off or with less choice. In their dissenting report, Labor senators noted the ACTU's evidence highlighting the detrimental effects that the bill could have on defined benefit product offerings. The ACTU said:

Should the bill pass, some superannuation funds would need to re-evaluate how and if they could offer their products. UniSuper is one of the best performing super funds in the country. It offers one of the rarest and most valuable retirement products available, which is an open defined-benefits scheme. This is an incredibly generous product which guarantees retirement incomes for life, and that is why the National Tertiary Education Union bargains for this fund for their workers. Its viability is centred on longevity risk of each member and the fact that it is compulsory. If workers were to choose to be a member then this would be evidence of self-selection into the fund and thus would increase the risk of the product failing.

Should the bill pass, the fund could seriously reconsider the offering of the product to its members and potentially close off entry to one of the most beneficial outcomes for hundreds of thousands of members. The ACTU opposes this bill and is seeking amendments which would protect workers in circumstances where they would be better off having a single fund.

Labor also noted evidence from UniSuper, which similarly highlighted the detrimental effect that the bill, unamended, could have on the defined benefit product offering. UniSuper also provided to the committee an amendment that addresses their concerns. Labor will move amendments to address the issues raised by UniSuper relating to defined benefits scheme in order to ensure that the bill does not inadvertently threaten the viability of these schemes.

All of us on this side know that workers are better off as a result of collective bargaining. Industry Super Australia estimates that, of those employees covered by enterprise agreements, only 7.4 per cent have no choice of superannuation fund. This represents just 1.9 per cent of the workforce. (Time expired)

Senator HUME (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (12:23): First, I would like to thank those senators who have contributed to this debate today and yesterday. The Treasury Laws Amendment (Your Superannuation, Your Choice) Bill 2019 addresses a long-running issue in the superannuation system and will mean better outcomes for many, many Australians. The Productivity Commission noted that the current system, which restricts choice of fund for some members, can discourage member engagement, and it concluded that this reform was much needed. The Productivity Commission report also highlighted the negative effects that unintentionally holding multiple superannuation accounts were having on millions of Australians, with duplicate fees and insurance premiums. Through its Protecting Your Super package the government took action to address the stock of these duplicate accounts, and this bill is the next step, ensuring that Australians are not forced into having multiple accounts because of their enterprise agreement or a similar determination. The bill will also encourage greater member engagement, promote competition and address situations where a member disagrees with the choice of fund their employer has made for them.

While choice is vital, as Centre Alliance pointed out in its additional comments to the Senate committee on this bill, informed choice is equally as important. Improving members' ability to make informed choices by providing simple and accessible comparison information about superannuation products was a key recommendation of the Productivity Commission landmark report on the superannuation system. While a number of recommendations from that Productivity Commission report have already been addressed, including a retirement income review, the Treasurer is currently considering a more comprehensive response to that Productivity Commission report and will issue that response in due course.

However, the government has committed to changing the way that people are defaulted into superannuation products, including to ensure that members are only defaulted one time. Preventing people from languishing in underperforming funds will underpin any changes that we make to default superannuation. This bill is the first step in providing choice, improving competition and improving outcomes for members, and the bill will commence on 1 July 2020.

I have listened very carefully to all the contributions to this debate, and they have been impassioned and they have been sincere, but, in all honesty, they have largely also been somewhat irrelevant, very ideological and often just plain wrong. I think it's important to acknowledge some of the straw men of this argument. This bill has nothing to do with the early release of super scheme, which is an initiative that was supported by the Labor Party and has been supported now by over two million Australians who have been grateful for the access to their superannuation in this temporary scheme during a period of financial distress. This bill has nothing to do with undermining enterprise bargaining negotiations. Unions can still collectively bargain wages and conditions. They can still name a default fund. This bill doesn't change the default system one iota. For those who don't choose a
fund, their employer can still do it for them. This bill has nothing to do with the industry versus retail, versus public, versus corporate, versus self-managed super debate. Indeed, diversity within this sector is fundamental to the premise of this bill. Competition is good; it drives down fees. We want all sectors to thrive. In the same vein, this bill has nothing to do with the debate between defined benefit and defined contribution—again, quite the opposite. We would like to see more people be able to choose the fund that suits them best, including defined benefit schemes. This bill has nothing to do with wage theft, it has nothing to do with super theft, it has nothing to do with the extent of the rollout of Single Touch Payroll—an initiative, I might add, that this government has implemented, and it has been possibly the most effective deterrent to wage and super theft ever initiated by a parliament.

This bill—your super, your choice—has nothing to do with any of those things. If those are the arguments that this Senate is prosecuting here, you have either intentionally or inadvertently misunderstood this bill. It's about a basic and fundamental right, which is choice to do what you want with your own money. In the same way that we don't let our employers choose our bank account or our bank, and we make that choice a condition of employment, so too should we not let our employers choose our super fund. This bill removes the ability of an employment agreement to demand that you contribute to a particular super fund as a condition of that employment. This is even more important in a system where superannuation is compulsory. When the government mandates that nearly one dollar in 10 of your hard-earned wages must be quarantined, and potentially for up to 45 years, surely you should at least have some say as to where that money is invested and what it's invested in. So choice is indeed a logical and necessary corollary of compulsion. In Australia we compel people to vote, but we don't tell them who to vote for or force them to vote for someone that they don't want. Well, in Australia we also compel people to contribute to superannuation to save money for retirement, and, similarly, we shouldn't tell them where to save their money or which fund they should contribute to.

Moreover, the Financial System Inquiry, the Productivity Commission and, indeed, the Fair Work Commission have all made it abundantly clear that denying or even restricting choice has long-term impacts on superannuation savings, and casuals are particularly vulnerable. Hand on heart, despite what you may have heard from those opposite, I am a super believer, and all the things that I have ever said in this chamber, in public and in private attest to this. And to those opposite: you know it. But, if you think that the system we have now is perfect; if you think it's actually serving the workers that you represent as best as it could; if you think that high fees, duplicate accounts, inappropriately applied insurance, unnecessary opacity and complexity and persistently underperforming funds that, without this bill, will have the ability to lock disengaged workers into them for years and years of erosion of their retirement savings are all okay, then are you really doing the right thing by the people you claim to represent? I cannot understand why you are circling the wagons on this issue. Super is good. But it can be so much better.

This bill is not about dismantling super—quite the opposite. 'Your super, your choice' is about building a superannuation system that will serve Australians well for the next 30 years, and surely that is something that we all want. I commend this bill to the Senate.

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

The Senate divided. [12:35]

(The President—Senator Ryan)

Ayes ................. 31
Noes ................. 25
Majority .......... 6

AYES

Antic, A
Bragg, A J
Cash, MC
Colbeck, R
Fierravanti-Wells, C
Hughes, H
Lambie, J
McGrath, J
McLachlan, A
O'Sullivan, MA
Patrick, RL
Reynolds, L
Ruston, A
Scarr, P
Smith, DA

Aykroyd, B
Brockman, S
Chandler, C
Davey, P (teller)
Hanson, P
Hume, J
McDonald, S
McKenzie, B
Molan, AJ
Paterson, J
Rennick, G
Roberts, M
Ryan, SM
Seselja, Z
Stoker, AJ
Question agreed to.
Bill read a second time.

**In Committee**

Bill—by leave—taken as a whole.

**Senator McALLISTER** (New South Wales) (12:38): by leave—I move opposition amendments (2), (3) and (4) on sheet 8871 revised together:

(2) Schedule 1, item 6, page 4 (lines 3 and 4), omit the item, substitute:

6 Paragraph 32C(6) (h)

Repeal the paragraph, substitute:

(h) an enterprise agreement:
   (i) made before 1 July 2020; or
   (ii) if the agreement includes a restriction on the choice of superannuation funds—made on or after 1 July 2020; or
   (iii) to which subsection (6AAA) applies; or

[choice of fund]

(3) Schedule 1, item 7, page 4 (before line 7), before subsection 32C(6AA), insert:

(6AAA) For the purposes of subparagraph (6) (h) (iii), this subsection applies to an enterprise agreement that provides for an employee to join a fund in relation to which:

(a) the employee is eligible to become a defined benefit member; and

(b) either or both of the following are satisfied:
   (i) the governing rules of the fund permit the employee, within a period specified within those rules, to choose not to remain a defined benefit member;
   (ii) the employee may choose another fund.

[choice of fund]

(4) Schedule 1, page 4 (after line 16), at the end of the Schedule, add:

8 At the end of section 32F

Add:

(4) A fund (the selected fund ) cannot become a chosen fund for an employee or a person who will become an employee under this section if the person has become or is eligible to become a defined benefit member pursuant to an arrangement of the kind referred to in subsection 32C(6).

9 Subsection 32NA(2)

After "An employer is not required under section 32N to give an employee", insert "or a person who is eligible to become an employee".

10 Paragraph 32NA(2) (a)

After "the employer is making", insert "or will make".

11 Paragraph 32NA(2) (b)

After "the contributions are made", insert "or will be made".
12 Subsection 32NA(9)

After "An employer is not required under section 32N to give an employee", insert "or a person who is eligible to become an employee".

13 Paragraph 32NA(9) (a)

After "the employee is", insert "or will become".

As we've made clear in this debate, Labor supports choice in superannuation, but we are committed to making sure that every worker is in a high-performing fund and that adequate information is available to empower consumers with the information they need to make choices that are in their best interests. We are concerned that there is a significant risk that this bill poses to defined benefit offerings, and we're concerned that the effect of this risk will be to lessen choice and to achieve the opposite of what this bill purports to achieve. These amendments specifically address the issues raised by UniSuper when they appeared before the Senate Economics Legislation Committee in its inquiry into the bill. They address issues relating to defined benefit schemes in order to ensure that the bill does not inadvertently threaten the viability of those schemes.

Senator WHISH-WILSON (Tasmania) (12:39): The Greens will be supporting these amendments.

The CHAIR: The question is that amendments (2) to (4) on sheet 8871, as moved by Senator McAllister, be agreed to.

The committee divided. [12:44]

(The Chair—Senator Lines)

<table>
<thead>
<tr>
<th>Ayes ................. 25</th>
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<tr>
<td>Noes .................. 31</td>
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<tr>
<td>Majority ............. 6</td>
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</tbody>
</table>

AYES


NOES


Question negatived.

Progress reported.
STATEMENTS BY SENATORS

Korean War: 70th Anniversary

Senator ASKEW (Tasmania) (12:47): I rise today to acknowledge the 70th anniversary of the Korean War, which began on 25 June 1950 when North Korean forces invaded South Korea. Australian Army, Royal Australian Air Force and Royal Australian Navy personnel fought to defend South Korea as part of the United Nations multinational force. The war ended on 27 July 1953, three years and one month, almost to the day, after it began, with some Australian defence personnel staying on as part of the peacekeeping force until 1957.

The Australian War Memorial has an extensive range of documents and artefacts relating to the Korean War. During my research I found that the United Nations Commission on Korea was established in 1948 to monitor the withdrawal of World War II occupation forces from Korea. However, in May 1950, as war loomed on the Korean peninsula, two Australian military observers, Major Peach and Squadron Leader Rankin, were on the ground monitoring activity. They were Australia's smallest peacekeeping contingent but were vitally important, as they were the only UN observers in place when North Korea invaded South Korea. It was their report that proved North Korea had initiated hostilities that was the evidence that the UN needed to intervene.

Senator Dean Smith and I moved a Senate motion to mark the 70th anniversary of the Korean War last month. We moved that the Senate note that 25 June 2020 would mark the 70th anniversary of the start of the Korean War and that 24 April 2021 would mark the 70th anniversary of the Battle of Kapyong. The Battle of Kapyong is considered a decisive conflict that resulted in significant Australian sacrifice: 32 soldiers killed, 59 wounded and three imprisoned. The successful motion also noted the number of Western Australians who perished in the Korean War, those who have died since and the surviving veterans. However, the motion was also an acknowledgement of the more than 700 Tasmanians who fought in this war.

While many listening here today might know of the Korean War through historical studies or the popular US television series *M*A*S*H*, I have a personal connection to this conflict through my family that I would like to share with you today. My uncle Douglas, better known as Doug Bushby, worked as a UN accredited war correspondent during the Korean War, and my father, Max Bushby, OBE, joined his brother towards the end of the war as a correspondent too. In his role as a war correspondent, Doug Bushby covered the war itself, but he is better known for his films and photographs depicting the scenes that went on behind the conflict, which were caused by the war itself. Some of this work can be viewed at the Australian War Memorial, not far from here, with this exhibition accompanied by relics that my uncle brought home to Launceston with him when he returned. He subsequently donated many of these items to the War Memorial.

One of these items is a full-length feature film that Doug Bushby made about the Korean War, which was edited in Hollywood. But one of the most significant pieces is a photograph of my uncle holding a red, silk Communist peace flag and a certificate. The flag was taken from the Chinese lines at the Hook, which has also been documented as 'the bloody Hook' after being the scene of one of the final battles in this war. The Chinese flew four peace flags from their positions on a ridge line opposite the 2nd Battalion, Royal Australian Regiment, 2RAR, just after the ceasefire came into force. The red flag my uncle held included signatures from two Australian lieutenants, a Chinese major and the Korean army's chief of staff, all of whom signed on the day peace was declared.

2RAR were stationed in Puckapunyal in Victoria prior to leaving for Korea on 5 March 1953 on board the MV New Australia. They arrived in Korea on 17 March and patrolled the no-man's-land to the north of UN lines, including sections of the Jamestown Line and the hill I referred to called earlier, called the Hook. On 24 July 1953, Chinese forces attacked 2RAR and a US marine regiment at the Hook, and this battle continued on 25 July. 2RAR held firm against these attacks, and the Chinese forces abandoned the Hook on the morning of 26 July. The armistice came into effect at 10 pm the following night.

My uncle was visiting the Australian troops just after the ceasefire in August 1953 and asked the Australian soldiers if they could make contact with the Chinese. This was arranged, and Doug Bushby gifted his wallet to English-speaking Chinese officer Hshawng Shon Kwang, asking if he could have one of the four flags in exchange. Two flags were retrieved from the ridge line, and the Chinese officer presented a red flag and a green flag to the Australians, inscribing both flags with Doug's pen. The red peace flag, which my uncle kept, says:

Presented by the Chinese People's Volunteers. We Chinese want peace and the British want peace too. We will unite to bring peace to the whole world.

The certificate my uncle holds in his left hand was a citation for service to the Chaplain Corps. It was presented to him by the Chief of Naval Operations of the Republic of Korea, Vice Admiral Park Ok-kyu, on 6 August 1953. My uncle published a translation of the citation in his book, *Adventures in Revival*. The inscription reads:
TO: DOUGLAS BUSHBY, United Nations War Correspondent. You have largely contributed to newly organised the Republic of Korea Navy as a member of War Correspondents to the United Nations from the period of April 1953 to August 1953. You have distributed a large quantity of religious tracts and pamphlets regardless the unfavourable conditions, in order to inspire the morale and encourage the religious faith among the officers and men of our Navy and Marine Corps. Especially you served in the fierce battle line under the shower of enemy shells by taking pictures of real battle scenes and spreading them throughout the United Nations. Therefore, I sincerely confer you this letter of appreciation. Mr Bushby, an Australian UN accredited War Correspondent and devout Christian, committed much of his time to relief and missionary work amongst Korean refugees, orphans and North Korean and Chinese prisoners of war.

As mentioned, while in Korea during the war my uncle spent a lot of time providing relief and conducting missionary work for the Korean refugees, orphans and North Korean and Chinese prisoners of war. There is another photo showing him being presented with a bunch of flowers by a North Korean prisoner of war and a prisoner-of-war chaplain, when he accompanied US Army chaplain Harold Voelkel on a visit to the Phnom Penh prisoner-of-war camp. During this visit, he preached to the prisoner-of-war congregation.

An opinion piece by Amanda Price, published in The Korea Times in May 2019, said:

Doug (Doug) Bushby … is well known for his compelling images of the Korean War.

However, she writes further:

He is less well known for the hundreds of hours he dedicated to helping orphans, the wounded and POWs.

His standing within these communities in Korea was obviously significant, based on not only the accounts I've been told but also the inscription on the certificate from Rear Admiral Park Ok-gyu.

Doug Bushby's book Adventures in Revival includes several chapters depicting what he experienced during the Korean War and his mission work in the country with prisoners of war. The book also includes several of the photos he took as a war correspondent, including of the United Nations Honor Guard when the truce was signed and of the churches he found and the people he met. Interestingly, a copy of this book has been listed for sale on the British eBay site for US$100.

As Amanda Price wrote in her opinion piece that I mentioned earlier:

… no one was prepared for the sheer scope and force of the evil that would engulf the Korean Peninsula. No one anticipated that cities and villages on both sides would be razed, or that millions would lose everything they had, including their lives.

… … …

To find even a faint silhouette of goodness during the Korean War was, understandably, beyond the grasp of many. Yet, amid the sulfurous clouds and charcoal smoke, such moments did exist.

The horror of the Korean War, of any war, is hard to fathom for those of us who have not served. However, it is through war correspondence, like my uncle and father shared, that we can gain some understanding.

Doug Bushby put himself on the line to help others, and it is that compassion to which I wish to pay tribute. I'm proud of the involvement of both my uncle and father in reporting stories of the Korean War, especially around the time of the armistice being signed. Through their storytelling, both men played an important role in sharing stories from this war 70 years ago. I note that I myself was fortunate to visit South Korea in 2005 as part of an APEC trip, and I actually stood in the DMZ where the armistice was signed. Standing in that room where both my uncle and my father had been for that historic moment was quite an emotional moment for me, as you can imagine.

It was an honour to co-sponsor the motion with Senator Dean Smith last month. Australian soldiers fought valiantly during the Korean War, and their sacrifice deserves to be recognised on such a significant anniversary.

Aboriginal Deaths in Custody

Senator McCARTHY (Northern Territory—Deputy Opposition Whip in the Senate) (12:57): In recent weeks we've seen hundreds of thousands of Australians take to the streets to march and to call on the reduction that's necessary in black deaths in custody and, certainly, the high incarceration rates of First Nations people. As a 19-year-old and 20-year-old, as a journalist for the ABC, I covered the royal commission into black deaths in custody, in particular in Darwin, and also the day when Elliott Johnston brought down the recommendations. We could then talk about the names of the 99 people who had died. At the time my colleague Senator Pat Dodson was one of the royal commissioners.

This has been an incredible journey. Yet when we look at the deaths of over 437 or 438—possibly 439—Aboriginal people since then, we don't really know all of their names. I looked through the Australian Institute of Criminology website and saw the statistics, but it is The Guardian Australia's Deaths Inside database that documents the names. They collected and analysed all available coronial data and other sources to build a searchable database of First Nations deaths in custody since 2008. So we certainly don't know the names of those
who died between 1991, when the findings of the Royal Commission into Aboriginal Deaths in Custody were handed down, and 2008. As I said, the Australian Institute of Criminology has the statistics but we don't know the names of those people or the circumstances surrounding their deaths. They're just numbers.

I'd like to take the time that I have now to mention as many names that I can and pay my respects to those families who are still seeking justice for their loved ones and wanting to know what has happened. On 29 March 2020, an unknown male, 30, was arrested and taken to Horsham police station, where his condition deteriorated. He was transported to hospital by ambulance, where he later died. On 21 March this year, TC, female, 40, was found dead in her single cell at Brisbane Women's Correctional Centre. On 2 January this year, Ms Walker, 37, was arrested for shoplifting on 31 December 2019 and denied bail. She was remanded at a maximum security women's prison, the Dame Phyllis Frost Centre, and found dead three days later. On 9 November 2019, Mr Walker, 19, died after he was shot at Yuendumu when two police officers went to his house to arrest him for breaches of his suspended sentence. On 6 November 2019 an unknown male, 20, fell 10 metres to his death while being escorted from Gosford Hospital to Kariong Correctional Centre.

On 30 October 2019, RN, male, 39, died in Royal Perth Hospital three days after being sedated by paramedics at the direction of police. On 17 September 2019 Ms Clarke, 27, was shot dead by a police officer outside her house in Geraldton in Western Australia. On 12 June 2019, JB, male, 30, was found unresponsive in his cell in Acacia Prison and attempts to revive him were unsuccessful. Authorities warned he was suicidal. On 9 April 2019, Cherdeena Wynne, 26, died in hospital five days after she became unresponsive after being handcuffed by police on a side street off Albany Highway. On 14 March 2019, T Walton, 21, was shot multiple times by police who were seeking to question him. On 11 February 2019, A Eades, 46, was allegedly attacked by other prisoners and found critically injured in his prison cell on 26 February 2019. He died in hospital 13 days later. His injuries included a broken neck, severe brain swelling and facial fractures and lacerations.

On 11 September 2018, CD, male, 16, drowned in the Swan River in Perth while trying to escape an on-foot chase by police. On 10 September 2018, TS, male, 17, drowned alongside his best mate, CD, while fleeing police who were chasing him and four other boys on foot following reports of teenagers jumping fences. He and three other teenagers entered the river to escape but only two made it out. On 1 September 2018, Nathan Reynolds, 36, died in custody in the Outer Metropolitan Multi-Purpose Correctional Centre, a minimum security prison in South Windsor, allegedly following a severe asthma attack. On 29 June 2018, DK, male, 34, stopped breathing during arrest while being removed from a house by police. On 3 May 2018, Mr Yeeda, 19, collapsed in West Kimberley Regional Prison in Western Australia and was declared dead less than an hour later at Derby Hospital.

On 10 February 2018, TK, male, 39, became unresponsive after police attended his Townsville home and he was forcibly restrained. On 7 February 2018, Patrick Fisher, 31, fell from a 13th-floor balcony in a Waterloo public housing block in Sydney while allegedly trying to climb down to escape from police. On 3 February 2018, JH, male, 23, was found hanged in his cell at the Junee Correctional Centre in New South Wales two days before he was due to face court. On 22 September 2017, Ms Day, 55, died 17 days after falling in the cells of Castlemaine Police Station after being arrested for public drunkenness. On 4 December 2017, TMH, male, 47, had a heart attack while being loaded into an ambulance and later died in Boulder, Western Australia. On 22 September 2017, Tane Richard Chatfield, 22, was found unresponsive in his cell after being separated from his cellmate and receiving medical treatment for a seizure.

On 22 August 2017, KG, male, 47, was discovered unresponsive in an observation cell at the Adelaide City Watch House. On 8 August 2017, JT, male, 39, died. He had complained of chest pain the day before his death, but prison staff in the Northern Territory mistakenly believed he was complaining of a sore throat. On 4 July 2017, EJW, male, 35, died in hospital after suffering a brain haemorrhage in prison. He was shackled to the bed in the last days of his life, despite being unconscious and unresponsive. On 25 June 2017, R Thomas, 29, was thrown from his car after an accident while being pursued by a highway patrol car.

On 26 May 2017, PR, male, 50, became unresponsive after being arrested, handcuffed and placed in a prone restraint position by South Australian police outside his house in Parafield Gardens. An ambulance was called, but he was unable to be revived. On 12 May 2017, C Riley, male, 40, died after being shot by police with a stun gun in an Officeworks car park in East Perth. On 29 March 2017, TAS, male, 35, was critically injured when the car he was driving flipped less than a minute after police began a pursuit in Bathurst. He died in hospital a short time later. On 1 March 2017, J Anderson, 23, died in Fiona Stanley Hospital after being found hanged in a 'safe' cell at Hakea Prison. On 4 January 2017, RPN, male, 62, died at Alice Springs Hospital of renal and liver failure while serving a mandatory life sentence.

These are the people that hundreds of thousands of Australians walked the streets for this week and last week, and they will no doubt continue to do so. We don't know some of the other names, or a lot of the other names, but
we certainly pay our respects to those families still seeking justice, equality and fairness in our country. We must never stop the pursuit of justice, equality and fairness for all Australians, especially First Nations people.

COVID-19: Travel

Senator McKIM (Tasmania—Deputy Leader of the Australian Greens in the Senate) (13:07): Can I just thank Senator McCarthy for an incredibly moving speech and thank her for bringing those really important stories to the attention of the Senate today.

Many in this chamber will have received emails from an increasingly desperate number of temporary visa holders that are currently stranded overseas and unable to return to Australia due to the COVID-19 travel ban. Our borders closed on 20 March, so it's been three months that so many people who call Australia home have been trapped overseas—three months that people have been separated from their partners, three months that many parents have been separated from their children, three months that people have been separated from their homes, their friends, their pets, their jobs, their businesses and their lives in Australia.

There are so many stories that have been shared with my office, from people like Chaithra Shankar, who rushed to India after her mother was diagnosed with cancer and had to undergo immediate surgery. Her husband and four-year-old son stayed at home in Melbourne. She planned to be away for a week but couldn't get back before the borders closed. She writes:

My son has never stayed away from me for such a long period and is too young to completely comprehend the reason behind this … He is crying daily in the video call requesting me to return back … It's so painful to watch him like that … I have lost all faith … I'm dying every day … I can't live without him … I just want to come back to my son.

Chaithra's requests for a travel exemption have been rejected 22 times by the government. There is also Londa James, who arrived with her two children, aged four and 16, to start work as a teacher in Melbourne in February. Her eight-year-old daughter's passport was delayed, so her husband and daughter stayed in Abu Dhabi to wait for her passport to arrive. Then the borders closed. She writes: My concern is I've never been away from my children for such a long time. My daughter is now displaying changes in her behaviour and signs of anxiety as a result of the separation. We have two medical reports as proof of this to support our application in the hope that there would be some mercy shown to us. She's still unable to come to Australia.

Then there's Urooj Usman, who took her two children to see her dying father in Pakistan. Her husband stayed in Australia. She booked a flight that would land in Australia before the borders closed, but her flight was delayed—by just two hours—so the airline turned her and her children around in Dubai. She writes:

Every single passing day is increasing my anxiety and pain. It's been three months now I am separated from my husband and my kids are separated from their father. This situation is very stressful and overwhelming.

Urooj has been rejected six times from returning to Australia but has just received a permanent residency approval. But to become a permanent resident Urooj needs to lodge the application that she has been approved for from within Australia. Of course, she can't because she's stranded overseas. Perversely, if she had that permanent residency, Urooj would be able to come home immediately, without needing an exemption.

These families have all applied for travel exemptions under the 'compelling and compassionate' category and have had all their applications rejected by the government multiple times. Why? How are these cases not compelling and worthy of compassion? Without any publicly available criteria on how these and many other requests are being triaged and assessed, we simply have no way of knowing why the government is rejecting these claims. So I ask the government now: why are you blocking parents from being reunited with their young children? Why are you stopping children from returning to their schools? Why are you tearing families and their lives apart? When will the government publicly release the criteria by which temporary visa holders are having their applications for travel ban exemptions assessed? At the very least, if you've got a home here, a job here or immediate family here, you should be allowed to return to Australia. It's time to bring these people home. In fact, it's long past time.

Next I want to talk about people who are stranded overseas on an expired bridging visa B. Like other temporary visa holders, they have their homes, their jobs, their businesses, their partners, their children and their lives in Australia. However, these visas have a time limit on them, and, despite these people's best efforts to get back to Australia before the borders closed, they became stranded and their visas have now expired. They are people like Henrietta Haldane, who writes:

I moved to Australia in 2017 to be with my daughter who is an Australian Citizen … I came on holiday to Japan for 3 weeks to visit my son on a Bridging Visa B, which expired on the 27th May … My son has submitted the exemption form 8 times, only to be rejected … I am 80 years old and suffer from high blood pressure, so this stress is not doing me any favours. I just want to go back to my home in Sydney and to my daughter.

There's Ruchita Patel, who writes:
We came to India on a Bridging Visa B, which expired on the 20th of May ... I am stuck here with my 8 year old son ... My husband is there in Australia ... My son is missing his school too ... My husband is struggling alone from the last 3 months in this pandemic situation and we are desperate to meet him ASAP.

Ruchita's son is in year 3 at the Bomaderry Public School in Nowra, New South Wales, and has now missed almost two terms of school. Or there's Rafay Jameel, stranded in Pakistan, who writes:

I have been living in Australia for more than 7 years... I have a job where my employer desperately needs me back. I have a house I am still paying rent and all the utility bills for. I am on Bridging Visa B which expired on 26 May. I am extremely worried and going through depression because if I don’t come back soon I am afraid all my 7 years of hard work will be lost and I will be left with nothing.

These families and these people have invested their time, energy, skills and passion into Australia. They are part of our communities, they are part of our schools, they are part of our businesses, and they are guests in our country. They pay their taxes, but they don't have access to social security or Medicare. They are here under their own steam. They love Australia and proudly look forward to the day when, hopefully, they can become permanent residents and citizens of our country. They're expressing a great trauma at being ripped from their homes and lives during a once-in-a-generation pandemic. They simply cannot understand why they are being blocked at every turn from returning to their homes, with no end in sight, with no point in time to focus on and with nothing to stay hopeful for.

I call on the government to urgently announce new visa arrangements for people stranded overseas on expired bridging visa Bs, so that they can return to their children, their partners, their families, their homes, their work and their lives here in Australia. It's just not good enough for decisions that impact on temporary visa holders to be made on an arbitrary basis by an unaccountable public official, without any publicly-released criteria being made available so that people can understand why their applications are being rejected.

There is simply no need to prolong the harm that is being caused, to prolong the distress and the trauma that is being caused. These people all understand they would need to be quarantined for two weeks when they arrive back in Australia and most of them have indicated that they are very happy to pay any costs associated with that. They just want to return home to their lives and their families and their jobs in this country, which we have invited them into as our guests. We're a better country than this and we need to do better.

Holden
Queensland State Election

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (13:17): Earlier this year, I called out General Motors Holden for their unethical behaviour in blindsiding 185 Holden dealers and their families and their staff around Australia by retiring the Holden brand by press release. Over the last couple of days, news reports have emerged that General Motors was considering the decision to retire the Holden brand far sooner than they're prepared to admit. Yesterday caradvice, Australia's largest independent automotive publisher, wrote:

It has been claimed that emails outlining how Holden planned to notify dealers and the Australian Competition and Consumer Commission (ACCC) about the closure—and the loss of about 600 jobs—were written on an afternoon flight from Detroit to Los Angeles in late January.

The email exchanges written on a laptop computer using in-flight wifi were visible to other passengers in nearby seats, according to a social media post seen by caradvice.

CarAdvice quotes the social media post:

"So the managing director of Holden, Kristian Aquilina, was sitting in front of me on the plane," the Facebook post said.

"In the most incredible lapse of information security, he composed emails and reviewed documents about the end of Holden in Australia, to be announced in February," the social media post continued.

"He wrote about how to spin things with the ACCC, the dealer network and the timing of notifying employees … right in front of my eyes. (And) writing how concerned he was about leaks."

Oh, General Motors! You are flying business class, all the while planning the destruction of Holden here in Australia.

The decision of General Motors to discontinue Holden operations in Australia is their prerogative, but their appalling conduct, their appalling misbehaviour in how they are dealing with Holden dealers, how they are dealing with the Holden family in Australia, is to be condemned, because what is becoming clearer and clearer is that General Motors did not convey such plans to Holden dealers until the last possible second of the last possible minute. In doing so, General Motors has acted irresponsibly and in a manner that is very unfair to the very ambassadors that have enabled General Motors to operate in the Australian marketplace. I'm talking about Holden dealers. This is a kick in the stomach to Holden dealers and their families. It is a kick in the stomach to the Holden dealers.
family here in Australia. We're not just talking about Holden dealers; we're talking about the allied trades, the mechanics, the receptionists, the sales staff—tens of thousands of people. Shame on you, General Motors.

The Holden brand is more than just a car with four wheels. The Holden brand might now be worthless to General Motors, but to Australia it is priceless. I have written, as I have said previously in this place, to Mary Barra, the CEO of General Motors, asking to buy the Holden brand for a dollar—not because it is worthless but because it is priceless. I'm yet to get a response from Ms Barra. Holden is the livelihood of many Australians, particularly in rural and regional communities. I have said it before and I'll keep saying it until I'm blue in the face: be better, General Motors, because I'm going to keep on fighting for Holden dealers and the Holden family.

Equally damming is the scandal of Paradise Dam. You don't hear about Paradise Dam in the Bermuda triangle that is Sydney, Melbourne and Canberra. You don't hear about it in the press gallery. You don't hear about Paradise Dam much from the Queensland Labor government because they don't want you to know and they don't want anyone to know. In my last statement to the Senate on Paradise Dam, I called on the Queensland Labor government to release the commission of inquiry's report into the dam before they started to tear it down. We have a unique situation in Queensland. We have a Labor government that are not only not building dams and not supporting the building of dams but are actually tearing down dams, such is their distaste for rural and regional Queensland and such is their lack of comprehension for the importance of water infrastructure to grow the economy of Queensland.

The Labor government did release the commission of inquiry report into Paradise Dam with 96 hours notice before they sent in the bulldozers to tear down the wall of Paradise Dam. When Queensland Labor finally did release the report, the responsible minister, Minister Lynham, said:

"The Commission heard evidence about a litany of issues with the design and construction, some of which were ultimately found to be root causes of the present-day structural and stability concerns."

The commission found that the design of the primary spillway ... was simply not wide enough.

This is a fancy way of saying what we already knew: Peter Beattie and Queensland Labor's commissioning of the Paradise Dam is the biggest infrastructure fail in Australia's history. This is a dam that cost hundreds of millions of dollars and is as useful as a chocolate teapot in Billabong Street in the middle of summer. The people of the Bundaberg-Burnett region were told they were going to get water; that is not happening. They were told that the dam wall would be reduced by five metres. That's also not happening now, because now they have been told it's going to be closer to six meters. What they aren't being told is that there is a plan from the Queensland Labor government to safely return Paradise Dam to full capacity. No-one is denying that the safety and security of the people in the Bundaberg-Burnett region should be guaranteed. But part of that safety and part of that security is ensuring that there is water security for the growing agriculture sector in the Bundaberg-Burnett region. This destruction of the Paradise Dam will be, effectively, a $2.4 billion economic hit to the region.

But you're not going to hear anything from Palaszczuk and you won't hear anything from state Labor about this, because within the DNA of Labor in Queensland is a dislike of anything to do with dams. They don't want to build dams. They don't like dams. We've got a state Labor government in Queensland who aren't building dams and who are actually tearing down the dams that do exist—such is their record. The reason for this is that they are chasing Greens preferences, because those in the Labor Party in Queensland know that the only way they can win the coming state election in 140 or so days is by getting the Greens party preferences, and they know that the Greens party is the tail that wags the dog that is the modern Queensland Labor Party. I call on the Queensland Labor Party to forget about the Greens and to stand up for Queensland and to restore Paradise Dam to its full height—because the Frecklington-Mander LNP government will.

That's why the election on 31 October is so important. We can't afford another four years of Labor mishandling and mismanaging the Queensland economy. We can't afford four years of Palaszczuk hiding in her high-rise, hiding from the voters and hiding from Jackie Trad, because we all know that Jackie Trad has got the numbers in that caucus and will come back and knife Palaszczuk. We can't afford four years of Labor playing games.

That's why we need Deb Frecklington and Tim Mander, who are focused on jobs and water security. That's why we've got Deb Frecklington and Tim Mander, who are going to deliver a budget within 100 days, when state Labor in Queensland aren't going to deliver a budget within a year. So the choice is clear: vote 1 LNP.

**Indigenous Australians**

**Senator DODSON** (Western Australia) (13:27): I wish to thank my colleague Malarnirri McCarthy for attempting to put the humanity to human beings who otherwise would be numbers on a file. Two weeks ago we observed National Reconciliation Week, but the sad reality, then and now, is that our nation is far from reconciled.
Just remember what we witnessed only a fortnight ago. In my home state of Western Australia, a sacred Aboriginal heritage site of world significance was destroyed, followed by an insincere apology by the company; the High Court ruled that the tear gassing of teenagers in the Don Dale Youth Detention Centre in Darwin was unlawful; and Black Lives Matter protests erupted here and around the world.

Fuelling the protests was the dreadful realisation that, since the report of the Royal Commission into Aboriginal Deaths in Custody, nearly 440 Aboriginal people have died in custody. Without answers, this breeds fear of foul play being at work. I was one of the six royal commissioners back then, but our report did not support the initial expectation of foul play. A death in custody does not, as a fact, impute guilt or culpability to the officers in attendance or to the institution per se. It does raise the question of what happened when the death occurred and why the person came to be in custody.

The then Minister for Aboriginal Affairs, Mr Robert Tickner, tabled our report in May 1991 and noted that the most significant contributor to incarceration was the disadvantage of Aboriginal people in every way, whether socially, economically or culturally. Mr Tickner told the parliament, and the report highlighted:

The dispossession and subordination within a dominant and often hostile society frequently motivated self-interest, the development of racist attitudes both overt and hidden and the way in which these attitudes became institutionalised in the very practices of legal, educational, welfare and Aboriginal assistance authorities.

The fact that hundreds of Aboriginal persons have died in custody since the royal commission diminishes us all as a nation. We must ask ourselves: What are the common themes that drive this continuing subjugation of First Nations? What are the underlying factors through which First Nations people have become destabilised, disempowered and dispossessed? And why have our good intentions and resolve failed to make any difference?

There is no pride in seeing First Nations people so reduced by societal factors from within and without that they are perceived as exceptional recipients of government largesse, not worthy of restorative justice and denied true equality of opportunity in our society. Why is it so difficult for the descendants of the settler and colonist to have the necessary discussion about uncomfortable truths? The First Nations know the shortfalls in their societies and have been trying to address them for some time, but they will not advance without true partnership and change. Incarceration and out-of-home care for children present questions of moral, ethical and legal substance that go to the heart of our willingness to deal with our relationship and understanding of each other. Deaths in custody is not just about policing and incarceration rates; it goes to the legacy of dispossession and disempowering of First Nations. Subjugation goes to the point of interaction of First Nations and mainstream society manifested in our schools, workplaces, shops, hospitals, real estate agencies and in other places. It is also embedded in the institutions that administer the many services and often in our public institutions. It's in our Constitution. Mr Menzies recognised that in relation to section 51(xxvi), the race power. That is why First Nations want a voice to parliament and at regional and local levels: to stop the subjugation.

Australian racism explains the deep distrust felt by First Nations people towards our institutions and agendas of assimilation and adoption of those. It explains why we are not surprised, but are still outraged, when First Nations people are locked up behind bars, even if they are responsible for breaking the law. Systematically, First Nations people have been treated as inferior and deficient and tolerated through condescension. This has brought subjugation, destabilisation and disempowerment in order for those of non-Indigenous society to remain confident in their positions of privilege and power.

The royal commission report identified the impact of that exclusion. Commissioner Elliott Johnston, the esteemed Queens Counsel, wrote back then:

… he had no real idea of the degree of "pinpricking domination, abuse of personal power, utter paternalism, open contempt and total indifference" which confronted Aboriginal people in their everyday lives, with no personal control over one's own children, one's employment, personal savings and decisions as to whether to buy a car or other personal belongings.

Commissioner Johnston pointed out:

… communities—
then were—
faced with a multiplicity of grants which effectively mean that agendas are being set elsewhere, that assumptions as to what is best for Aboriginal people are made elsewhere.

That was 30 years ago. What's changed in the decades since? I say that if there's been any change it's been for the worse. Maybe with the Aboriginal peak organisations at the table these days we'll get institutional change. Thirty years on, we are all still optimistic.

First Nations peoples have never ceded their sovereign claims to their lands and waters. They've never entered a treaty on the terms of their subjugation. They remain sovereign peoples. Now more than ever, Australia cannot afford to be unreconciled. We must accept that this nation is in transition, confronted by the necessity of the voice
to parliament, constitutional recognition, truth telling and agreement making. We must avoid going down the path of seeing history as a set of competitive narratives and instead work towards the pursuit of truth and respect. We need a political settlement on questions of national independence, integrity, and identity. Two hundred and fifty years of avoiding these fundamental questions has handicapped us as a nation from navigating the complex challenges before us and left us unable to capitalise on the great opportunities of a future together.

We feel this confusion in our public discourse, with well-meaning policy objectives failing to meet the expectations of modern multicultural Australia—standards we recognise when crossed but seem unwilling to speak about honestly. We've seen generations of political leaders come and go, blindly touching for a sense of common ground and common identity, without addressing the darkness of dispossession and racism, keeping us chained to the ethnocentric understanding of Australia's identity—one that has never really been true. We have a system unable to understand or celebrate diversity and difference, and First Nations are left to deal with a bureaucratic machine that has often been a tool more of oppression than of liberation. We see this shortcoming in our geospatial engagement with the world. With a new form of imperialism emerging, Australia, without a robust and honest civic identity, simply cannot stand on its own two feet.

Amidst the culture wars, it's easy to forget that there is a purpose in national reconciliation. It's not a purely academic question. We labour for the cause of reconciliation to seek a political settlement and bring a sense of unity to our Australian project. Indeed, the ceremonial makarrata brings two parties in disagreement to resolve their differences and become as one. We're all the lesser for its absence, whether we're descendants of the First Fleet, migrants or, indeed, First Nations.

During this pandemic, we've learned a lot about resilience. The nation can learn a lot about resilience from the First Nations people. The path forward has been offered to us through the Uluru Statement from the Heart. The parliament must honour that call and listen to the torment of the powerlessness that continues to haunt this place. Only then will we continue on the path of reconciliation, built on honour, equality, recognition and respect and free from racism.

Senator Wong: I thank the chamber for allowing Senator Dodson to finish.

Indigenous Australians

Senator HANSON (Queensland) (13:37): All lives matter. The majority of the Senate opposed that motion that was put up by me and supported by only one other senator, Malcolm Roberts. All Australians should be treated equally when it involves the delivery of government services and funding. All citizens and residents are equally deserving of services that make our lives better, but there remains a significant imbalance in the funds and services dedicated specifically to those of Aboriginal heritage as opposed to non-Aboriginals. This was a matter that I raised in my maiden speech to the parliament in 1996, and in the ensuing two decades plus there has been little change to the attitude of the government, which continues to throw money at the problem, with virtually no improvement to the lives of those needy Aboriginals. It seems to be a bottomless pit into which money continues to be thrown, but that money has achieved virtually nothing.

If taxpayer funds are spent in a specific area, we are right to expect positive outcomes. As I said in the Senate in February 2020, most Australians know that tens of billions of dollars are spent each year to help alter the standard of living of those in remote Aboriginal communities and even those living in developed parts of Australia. When you spend billions of dollars a year on any group of people, you expect outcomes. Sadly, those billions have gone to the non-productive, unrepentant Aboriginal industry, not to where they should go, the grassroots Aboriginal and Torres Strait Islander people. It is an industry that has achieved no notable benefits in pulling our First Nations people out of squalor, domestic violence and poverty.

Over the years I have been labelled a racist for my views, mostly by white Australians and those Indigenous people who thrive financially for themselves and their families. I call it the Aboriginal industry. Their agenda is not in the best interest of all Australians, white or black. It's about milking the cow—the taxpayer—crying the victim constantly and blaming whites for a so-called invasion.

I was born in Australia. This is my land. Where the hell do I go? I will not accept the blame game for the so-called invasion you refer to. Your push to change our history books and the false claims that are foisted on our young throughout our education system are disgraceful, all to better suit the Left's agenda. All atrocities must be noted and taught to ensure we acknowledge our past, but, more importantly, to protect our future.

I will not acknowledge or echo the words 'welcome to country' that have been forced on people to say at functions or events. I am very respectful to those who have fought for our freedom and sacrificed their lives for the way of life that we all have the opportunity to enjoy today. I will not support those whose agenda is to divide us as Australians. Wanting a separate nation within a nation at the expense of the Australian taxpayer—this should never happen.
Many Aboriginal and Torres Strait Islander people that I have met over the years, including many elders, have come to understand my honesty and resolve and not the lies they had been fed—mostly by Labor and the Greens, less so by the coalition—to destroy me and stop One Nation from taking their votes. Remember, it was John Howard who disendorsed me as a candidate in 1996 when I called for equality for all Australians.

The Closing the gap report 2020 shows just how little improvement has been realised for Aboriginal people, despite the billions spent each year over the past decades. As I have said many times, money alone will not solve the problem. It comes back to determination, discipline and a willingness to make the changes, and that must come primarily from the Aboriginal people themselves.

I met recently with a group of strong and focused Aboriginal women from all parts of Australia who are desperate for positive change for their children and their communities. I think it makes sense to allow women to play a bigger role and have a say in the direction taken by initiatives to improve the lives of Aboriginal Australians. These same Aboriginal women and elders say they want the Aboriginal land councils gone or made accountable; they are corrupt and don't represent the needs of the Aboriginal people. There is duplication of Aboriginal services, costing billions of taxpayers' dollars to prop them up, with no review or accountability—why? Members in this place are continually calling for accountability from other government departments.

In seven key areas the Closing the Gap initiative has not performed well, with even Prime Minister Scott Morrison admitting the poor results. Poor results will continue in substance abuse, domestic violence, child sexual abuse, education, housing, jobs, health and Aboriginal incarceration if we keep giving excuses, calling them disadvantages, throwing money at the problems and treating their ineptness as our responsibility, when they have to take responsibility for their own actions. Someone needs to start looking in the mirror.

The child sexual abuse that is committed in Aboriginal communities is an absolute disgrace. Very little is done about it by authorities because they are black and they pull the race and cultural card. Those poor children, and also the women who are bashed and raped—is that the fault of the white man? No. Go to Doomadgee and see the children walking the streets to at night to flee the abuse they receive in their own homes from their own parents and family members. Is that the white man's fault? No.

I have had a gutful of the bleating from the Greens and others. How many Indigenous people have you had in your homes? Have you fought personally to help an Indigenous woman in prison to get her life on track? Have you been with her seven children in her own home? I very much doubt it. I have. Many in this place are all BS and push their own political agenda without really understanding the implications and ramifications of what they are saying. My research has found that, although the systems and programs may have changed in some ways and perhaps become more complex, there is still an overwhelming imbalance weighing heavily in favour of Aboriginal Australians in services provided in the areas of education, legal services, housing loans, health, royalties for mining operations and employment support services.

Are handouts a good thing? Do they help improve the lives and positions of many Aboriginals, particularly those who live in remote areas? To favour any one race in Australia over other races in government support and the provision of services amounts to racist policy and actually prolongs the problems. There are many Australians who would love the handouts and opportunities given to the Indigenous. I might add that many Indigenous are living in very nice housing, are in well paid jobs and are not struggling, but they can apply for educational assistance for their children that many Australians would love for their own children but can't get because of race. Tell me this is not racism.

As I said at the outset, additional handouts to Aboriginals do not help them. They make them reliant on government and actually prevent them from becoming independent and being able to create new and more fulfilling lives for themselves. We need to encourage Aboriginal people themselves to take control of their communities, to reduce substance use and abuse, to encourage school attendance and education, and to promote discipline and determination in employment.

The definition of 'Aboriginal' continues to be contentious and unclear in many cases. The Australian Institute of Aboriginal and Torres Strait Islander Studies provides an outline of three working criteria for confirming Aboriginality which are usually accepted by government agencies and community organisations. These three criteria are:

- being of Aboriginal or Torres Strait Islander descent
- identifying as an Aboriginal or Torres Strait Islander person
- being accepted as such by the community in which you live, or formerly lived.

It is worth noting that the number of those who identify as Aboriginals has increased dramatically in the last 50 years. In 1971 there were officially 115,953 Aboriginals in Australia, or 0.9 per cent. Since that time, we've had
an increase of 459 per cent, while the population generally has increased by 83.5 per cent. Some suggest the increase is the result of increased willingness to identify as Aboriginal. It is a matter for further research as to whether the increase is because of the loose definition and the many government benefits available to Aboriginals. I believe it is. To all those struggling Australians wanting equal opportunities for their children and families: tick the box. There is no place in our country for racism or, for that matter, reverse racism.

I will finish with a quote from a speech given by Martin Luther King Jr in 1963:

I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.

This is what I want for Australia. Every individual life matters. Aboriginal lives matter. All lives matter.

**Australian Capital Territory Government**

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (13:48): I read with great interest a story in today's Canberra Times titled 'Rates set to fall for most households'. The article states:

Chief Minister Andrew Barr will … use his annual "State of the Territory" address to announce rate freezes for about two thirds of home owners.

This follows Mr Barr's announcement on Monday that his government will freeze a number of fees and charges at 2019-20 levels, including birth, death and marriage registration, car rego, land title fees and others.

What these two announcements ignore, and what most of the media coverage has ignored, is that, since Mr Barr embarked on a so-called tax reform package in 2011, he has jacked up rates and charges year on year, putting a massive strain on Canberra households, families and businesses. While Mr Barr claimed at the time that his so-called tax reform package would see rates increase while stamp duty would be abolished, here we are, nearly 10 years down the track, and rates will have more than tripled and stamp duty is still here, still gouging Canberrans. In fact, even with rates tripling, Canberrans paid more than $15 million more in stamp duty in 2019-20 than they did in 2010-11. What do we expect from the Australian Labor Party and their fellow travellers, the Greens? For them, tax reform means only one thing: tax increases. Their philosophy is to tax you back into the Stone Age, and they are merciless in doing so. Is this some sort of road to Damascus conversion from Mr Barr to lower tax? I don't think so. The reality of the situation is that, having jacked up rates, Mr Barr now finds himself staring down the barrel of an election, with many Canberrans fed up with the gouges and the rorts of his government. What we see here is nothing more than a desperate pre-election fix from a desperate chief minister trying to save his job.

Mr Barr has form on pre-election fixes. Ahead of the 2016 election, instead of the planned nine per cent increase, Mr Barr decided to be generous and only slug Canberrans with a 4½ per cent increase. This was after having year-on-year increases of around 10 per cent. After the election, he returned to his merry ways and his massive tax gouges. When Senator Gallagher was Chief Minister, Mr Barr was her Treasurer. It was they who embarked on this so-called tax reform—I mean, tax-increase plan. I said at the time that, under ACT Labor, Canberrans' rates would triple within a decade, and, of course, Andrew Barr said that that was a lie. Well, here we are, eight years down the track, and we are well on the way. A decade into Senator Gallagher and Chief Minister Barr's grand tax plan, rates revenue will have increased from $209 million in 2011-12 to $697 million by 2021-22—more than triple. Who's paying for that? Of course, it is ordinary Canberrans. History has proven that it is actually Mr Barr who lied to Canberrans, and he should hang his head in shame. Having lied at the start of this tax plan, how can he be believed now, on the eve of an election?

If you don't believe me, perhaps you believe former Labor Chief Minister Jon Stanhope, who is critical of how Mr Barr and ACT Labor have managed the territory's finances since taking over the top job. I quote from Mr Stanhope:

Since releasing the debt genie from its bottle in 2013 net debt in the ACT has "ballooned" to Skywhale proportions. From a position of negative net debt of $736 million in 2011 it has increased in giant leaps, somewhat akin to the cravings of an ice addict for methamphetamine, the more you have the more you need, to a debt of $109 million in 2013; $910 million in 2015; $1.453 billion in 2017 and $2.216 billion in 2019 ...

The reality of the situation is that, having jacked rates up every year and increased stamp duty every year, with increasing debt every year, service delivery in the ACT is worse than it has ever been, because the ACT Labor-Greens government is more focused on political grandstanding than getting the basics right. We see this in Mr Barr's chronic underfunding and mismanagement of the ACT health system. Despite Commonwealth funding more than doubling since the coalition came to federal government, Mr Barr has cut hospital funding in real terms year on year. The situation is so egregious that a recent report showed that the ACT has the highest emergency department wait times in the country. Just one in five patients who were classed as 'urgent' was seen within the recommended 30 minutes of presenting themselves. More startling and a figure of real concern is that not even
those requiring resuscitation are always seen within the recommended time frame. This is quite an amazing record: jacking up rates, tripling rates in less than a decade, huge tax increases for families and business, yet still delivering record debt and still managing to underfund and mismanage the health system. That is quite the record when you are taking that much tax and still running massive deficits and still delivering such poor services for the people of the ACT.

The reality of the situation is that, under the Barr Labor-Greens government, many Canberrans—working people doing it tough, pensioners and people in lower income households—are locked out of homeownership, lack the essential services they need and are ignored. The Labor-Greens government doesn't even pretend to be committed anymore to affordable housing. And if you haven't got private health insurance, you'll be left waiting years for medical treatment that is essential to your quality of life. Again, Jon Stanhope, the longest serving Chief Minister in the territory's history, has completely lost confidence in Barr's government because it is simply not getting the job done. He says that ordinary Canberrans are:

… abandoned by the Labor Party, ignored by the unions and are invisible to the Greens. Ironically, they now have nowhere left to turn but to Alistair Coe—
and the Liberals

and who could blame them …

Who could blame them, indeed?

I've received many representations on the Barr Labor government's rates rorts from my constituents. Here are some of the direct quotes from people in the community:

They mean increased financial stress, having to choose between maternity leave and returning to work early after only 8 weeks, no family holidays, no extracurricular activities for the children.

The cost to our budget due to rates is significant. We have to go without to make sure they can be paid.

In addition to hurting its own constituents, the disgusting greed of the ACT Labor Government directly damages small businesses and harms the underemployed throughout the territory.

I feel like a cash cow for Barr Government as they are making up any excuse to get more money. Services in the south are dismal. So money leaves our pockets and we see no return.

The rates increases mean I have more difficulty in paying other bills and I have less discretionary funds. Also, what on earth did they spend it on? We have the worst hospital in Australia and dilapidated unmaintained local parks.

This is just some of the feedback from the community about this tired, long-serving Labor-Greens government and how much they are letting the people down. Canberra ought to be the best place in the country to live, but Canberrans are being let down by an uncaring, arrogant and incompetent Labor-Greens government.

I would ask Canberrans not to fall for this pre-election pretence from a government that only ever increases taxes. If we want things to get better in our city, if we want to see real change, then Canberrans need to let their voices be heard at the ballot box in October. Kick out this incompetent Andrew Barr Labor-Greens government and vote for Alistair Coe and the Canberra Liberals.

Morrison Government: Women Workers

Senator WALSH (Victoria) (13:56): I rise to talk about the five ways in which this government is sidelining the women workers of Australia during the COVID-19 crisis. This is a government that has had a problem with women workers for a long time, and it's doubled down on that problem in its unequal response to the COVID-19 crisis. Let's see if I can get through my list of the five ways that the government is sidelining Australia's women in the few minutes that I have for this statement.

No. 1 is the government's backflip on aged-care workers. Eighty-seven per cent of aged-care workers are women. Minister Colbeck promised a retention bonus, which would be paid after tax, to support the low-paid, hardworking aged-care women of Australia. But the government and Senator Colbeck have backflipped and decided that this would be before tax, meaning less going to the aged-care workers, who have been on the front line for so long as essential workers during this crisis.

No. 2 is the government's choice to exclude over a million casual workers from JobKeeper in the first place. We know women are over-represented both in casual jobs and in the sectors that have been hit hard by the shutdown—retail, hospitality, food and accommodation. Women make up 60 per cent of the people who've been excluded due to the government's decision to stop casuals with less than 12 months service from being able to apply for JobKeeper.

No. 3 is kicking early-childhood educators off JobKeeper. Straight after announcing that JobKeeper would be maintained for Australia's workers, the government decided to target a group of 120,000 women workers and kick them off JobKeeper. These are women who have been working hard and doing everything that the government
has asked of them—going to work, performing essential work and keeping the rest of Australia at work. How does the government reward them? By making them the first people it kicks off the JobKeeper program. What an absolute disgrace. What a way to reward that absolutely essential workforce.

No. 4 is ending free child care while this crisis continues. While the government are busy making women's jobs more uncertain, they're also making it harder for women with families to even be able to return to work. We know that the government's decision to end free child care will have a much larger impact on women, compared to men, and their ability to work.

No. 5 is the lack of a jobs package for women workers. What a stand-out record this government already has on supporting women workers! Let's add to that the government's decision to make grants for $150,000 bathroom renovations, with golden toilets and platinum bidets and absolutely no support for the industries that women work in.

This government has a problem with women workers. Those opposite broke their promise to aged-care workers, who are mostly women. They excluded over a million casuals from JobKeeper, who are mostly women. They kicked educators off JobKeeper early, who are mostly women. They're ending free child care at an absolutely critical time for the working women of Australia, and, in the meantime, they've announced no real support for the working women of Australia during this crisis.

The PRESIDENT: It being 2 pm, we will move to questions without notice.

QUESTIONS WITHOUT NOTICE

Women's Economic Security

Senator PRATT (Western Australia) (14:00): My question is to the Minister for Women, Senator Payne. Minister Sukkar justified providing stimulus for jobs in the male-dominated housing industry while providing none for jobs in female-dominated industries by saying:

Yes, it is dominated by men and in many cases those people will be supporting families …

Does the minister endorse his comments?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:00): I actually didn't hear all of Senator Pratt's question. The observation I would make in relation to the part I did hear—

The PRESIDENT: Order! Senator Wong, a point of order?

Senator Wong: Could I suggest we restart the clock and have the question again, because the minister should hear the question before answering it.

The PRESIDENT: With the leave of the Senate, I'm happy to let the question be asked again.

Senator PRATT (Western Australia) (14:01): To Senator Payne: Minister Sukkar justified providing stimulus for jobs in the male-dominated housing industry while providing none for jobs in female-dominated industries by saying:

Yes, it is dominated by men and in many cases those people will be supporting families …

Does the minister endorse his comments?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:01): I am glad that Senator Pratt put that question again. As I understand it, Minister Sukkar is the Minister for Housing. Therefore I would expect him to talk about the housing and construction industry as it relates to his portfolio. I didn't hear his direct comments, but if Minister Sukkar is speaking about his portfolio that is what I would obviously expect him to do.

I want to refer you to another speech, which will be remarkably inconvenient for those opposite but nevertheless. In his CEDA speech earlier this week, the Prime Minister was absolutely clear in saying: We know there is a disproportionate impact on women. He goes on to also speak about younger Australians, those with lower skills and a range of other people with challenges in the workforce:

… which identify key parts of the labour force, key parts of the Australian community we need to focus on as we prepare and plan our way out and make our way out.

Opposition senators interjecting—

The PRESIDENT: Order!

Senator PAYNE: 'We need to focus on'—those are the words of the Prime Minister of Australia in relation to these issues.
The PRESIDENT: Order, Senator Payne! Senator Cormann, on a point of order?

Senator Cormann: Point of order: interjections are disorderly, and the most persistent interjector is always the Leader of the Opposition in the Senate. I would ask you to call her to order.

The PRESIDENT: I was calling the chamber to order. The minister is correct; interjections are always disorderly. Senator Payne to continue.

Senator PAYNE: The Prime Minister went on in his CEDA speech to make a number of other points, including the work that JobKeeper and jobseeker have done to put a floor under the fall in consumer confidence which we saw in March. We have now recovered that lost ground in consumer confidence, and the Westpac and ANZ indices both tell us that the high-frequency spending data shows that that's being increasingly translated into increased retail sales. Those opposite mention work areas which have a high proportion of women working in them. That includes hospitality and retail, and we know that the good news for those women and young people who work in both of those areas, for example, is that they will be early benefiters from the reopening process. (Time expired)

The PRESIDENT: Senator Pratt, a supplementary question?

Senator PRATT (Western Australia) (14:04): Yesterday, the ABS released data showing that, since March, women lost payroll jobs at 1.3 times the rate of men. Modelling from the Bankwest Curtin Economics Centre found that the majority of the casuals excluded from JobKeeper are women, including more than 200,000 women in retail and fast food alone. Why did the government design a scheme that leaves women behind during Australia's first recession in 29 years?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:04): I absolutely reject the premise of Senator Pratt's question, and in fact—

Senator Wong interjecting—

The PRESIDENT: Order, Senator Wong! Senator Cormann, a point of order?

Senator Cormann: Senator Wong doesn't even try to comply with standing orders. Interjections are disorderly. Please call her to order.

The PRESIDENT: I was doing so at that point and I'm going to reinstate my request that senators who are called to order at least count to 10 before they commence breaching standing orders again. Senator Payne to continue.

Senator PAYNE: As I said, I absolutely reject the premise of Senator Pratt's question. What has been made clear by ministers, by the Treasurer, by the finance minister, by the Prime Minister and by me is that we absolutely recognise it is critical that, in the recovery process, we draw on the capabilities of the entire nation—men, women—women, men—to ensure the fastest possible economic and social recovery.

The PRESIDENT: Senator Pratt, a final supplementary question?

Senator PRATT (Western Australia) (14:06): Yesterday, Minister Ley said in the other place:

Women have been the hardest hit through COVID-19.

So why in the last two weeks alone has the government left women further behind by snapping back to unaffordable child care, dudding aged-care workers, taking from childcare workers and refusing paid parental leave to people who were expecting to be eligible?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:06): It seems to me that those opposite would have preferred to have seen the childcare sector collapse upon itself. It seems to me that they would have preferred that the government didn't take advice from the sector about how best to sustain it in the middle of a pandemic, because, quite frankly, you don't have the basic skills—

Opposition senators interjecting—

The PRESIDENT: Order! I will call the minister to continue when there's silence.

Opposition senators interjecting—

The PRESIDENT: Order! Senator Payne.

Senator PAYNE: Prior to COVID-19—

Senator Wong interjecting—

The PRESIDENT: Order! Senator Cormann, a point of order?

Senator Cormann: Senator Wong continues to defy your order. Interjections are disorderly.

The PRESIDENT: Senator Wong, a point of order?
Senator Wong: He's very sensitive today. I just said across the table that if he was going to play this game we would make the point that he was interjecting on his own minister. I'm not sure that that's an interjection; it's a private conversation with the leader of the government.

The PRESIDENT: I don't want to get to the point where what I might broadly describe as conversations across the centre table are deemed as interjections. However, there have been interjections, Senator Wong, and I have called you to order previously. Senator Payne to continue.

Senator PAYNE: Prior to COVID-19, there were more women in the workforce in Australia than ever before. The gender pay gap had closed to its lowest level on record, at 13.9 per cent. When Labor was last in office, it was 17.4 per cent. Our ambition as a government is to return to those numbers and grow them and enhance them. That is the approach we will be taking. We absolutely know that we must draw upon every woman and every man in this country in the recovery process, to ensure the fastest possible economic and social recovery.

Trade with the United Kingdom

Senator ABETZ (Tasmania) (14:08): My question is to the Minister for Trade, Tourism and Investment, Senator Birmingham. Can the minister update the Senate on the progress towards the exciting prospect of a free trade agreement with the United Kingdom?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:08): I thank Senator Abetz for his question and his interest in this very important topic. I'm pleased to inform the Senate that later today Australia and the United Kingdom will officially commence negotiations towards a free trade agreement between our two countries. This is a great step forward in terms of creating new opportunities that will lead to new and further job opportunities for Australians. The UK is already our seventh largest trading partner, and our total two-way trade is worth more than $30 billion a year.

But we can do much more than that. We are seeking an ambitious and comprehensive free trade agreement that secures commercially meaningful market access for our farmers and businesses and across the services sectors as well as for goods, and further strengthens our two-way investment flows.

The UK is Australia's third-largest services trading partner. In 2019, our two-way services trade was worth in excess of $15 billion. We want to make sure that, across financial services, professional services, telecommunications, fintech and emerging sectors, we enhance and strengthen those opportunities. The UK is already our second-largest source of foreign investment in Australia, with foreign direct investment valued at $127 billion in 2019. We see exciting investments, such as by British based pharmaceutical company AstraZeneca in its $200 million manufacturing facility in North Ryde in Sydney. We know that, when the UK entered the European Economic Community in 1973, our agriculture exports suffered the worst. At that stage, the UK was our third-largest goods trading partner; it is now our 12th. Tariffs on agricultural products account for 67 per cent of all tariffs the UK applies to Australian exports. We seek to eliminate as many of these as possible to create new opportunities for our farmers and our businesses to grow more jobs through the relationship. (Time expired)

The PRESIDENT: Senator Abetz, a supplementary question?

Senator ABETZ (Tasmania) (14:10): I thank the minister for that very informative answer. Can the minister inform the Senate how a United Kingdom free trade agreement will create more jobs for Australians?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:10): One in five Australian jobs is dependent upon trade related employment. Whether it's across Senator Abetz's home state of Tasmania or my state of South Australia or any part of our great country, there are so many Australians who rely upon trade and market access to sustain their employment and their jobs. It's estimated that, through our trade growth over recent years, more than 240,000 trade related jobs have been created across Australia. And, despite the challenges of the pandemic, we have seen trade volumes hold up very strongly in so many of our key markets. We know there are more Australian businesses exporting and we know from analysis that Australian household incomes are higher as a result of those trading relationships. This is all about making sure that we continue to post the record trade surpluses we have off the back of record exports and, in doing so, create more job opportunities for people right across Australia.

The PRESIDENT: Senator Abetz, a final supplementary question?

Senator ABETZ (Tasmania) (14:12): Can the minister advise the Senate how expanding the export market choices for our farmers and businesses will assist our post pandemic recovery?

Senator BIRMINGHAM (South Australia—Minister for Trade, Tourism and Investment and Deputy Leader of the Government in the Senate) (14:12): Right through our time in government, we have sought to grow the choices for Australian farmers and businesses about who they do business with. That is why we have struck trade deals with the Republic of Korea, Japan and China, and have signed the Trans-Pacific Partnership and our
Indonesia agreement that comes into force on 5 July. It is why, whilst we are pleased to be launching negotiations with the United Kingdom, we're also determined to conclude negotiations with the European Union, such a significant and valuable partner for us. We're looking to make sure we grow those opportunities across all of those EU nations, which have a population and potential consumer base for Australia of more than 400 million people. We have just completed our seventh round of negotiations with the EU, doing so through virtual organisations and formats, making sure we continue to make real progress to deliver the type of comprehensive relationship that can create more job opportunities for Australians and mutually beneficial outcomes for our nations.

**Child Care**

**Senator BILYK** (Tasmania) (14:13): My question is for the Minister for Women, Senator Payne. A survey by early childhood advocates The Front Project found the government's decision to make Australian families pay unaffordable childcare fees will take food from families' tables. More than half the parents surveyed said the high cost of early learning impacts their weekly grocery budget and how much they can buy. Why is the government making parents choose between food and care during Australia's first recession in 29 years?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:13): I have not been made aware of the survey. I am not familiar with the group that Senator Bilyk referred to. I think it is important to be clear here about the response that the government has worked through, which is something that's never been done before. Australian families were indeed facing a crisis that was unprecedented. We took an important and temporary measure to help Australian families get through the crisis. We are supporting the childcare sector to keep it strong and to keep its workers employed, both of which are fundamental to any provision of any childcare at all. We also know, as those opposite have raised, that we have seen women do an even more disproportionate share of unpaid caring and domestic work, and that's an issue that we believe needs to be addressed irrespective of COVID-19. We know that working or returning to work needs access to child care.

What many service providers and sector peak bodies have told the government is that the rise in demand could not be supported on what were, then, the business continuity payments that formed the basis of the emergency relief package. Parents were also reporting, and I have said this in the chamber before in response to other questions, that they couldn't access the level of care that they needed, into the future, under the relief package as it stood. But we don't believe and we don't agree with those opposite on a number of the points that they have made. Parents who are able to afford to pay for child care, of course, will continue to

**The PRESIDENT:** Order, Senator Payne. Senator Bilyk, a supplementary question.

**Senator BILYK** (Tasmania) (14:15): One Western Australian mother told The West Australian newspaper: 'My out-of-pocket expense is three-quarters of my salary. When bills come in, I often have to work out how I can feed my family or pay the rates.' Why is the government bringing back fees when costs went up 7.2 per cent in the last 12 months alone?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:16): As a government we have put a considerable, greater, contribution into the childcare system in this country. Importantly, in the context of this process, we have also established a transition payment, as it is described. That was the choice between having an ongoing JobKeeper or a 25 per cent subsistence payment to the sector. We are talking about the same amount of support in that context, but it does mean that more employees are able to be helped, and in the consultations that government had with the sector that was seen as the better way forward. So that transition payment of 25 per cent of childcare services fees revenue will continue to support the sector through to 27 September. In fact, it puts $708 million back into the sector as it moves back to the childcare subsidy system. What we have said to providers is that in order to receive the transition payment providers will need to guarantee employment levels to protect staff as they move off JobKeeper. (Time expired)

**The PRESIDENT:** Senator Bilyk, a final supplementary question.

**Senator BILYK** (Tasmania) (14:17): Mr Morrison's childcare snapback will hurt family budgets. Mr Morrison's JobKeeper snapback will cost families their jobs. Mr Morrison's jobseeker snapback will see them have a fraction of the support they need. Why is this government determined to hurt Australian families in September?

**Senator PAYNE** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:17): Let me repeat that we have put $708 million into the sector as it moves back to the childcare subsidy system, and that is an important contribution from the Commonwealth, recognising a number of the challenges that continue in the sector. I want to be very clear: in terms of continued additional support for families who need it, we are providing a safety net in the form of an additional childcare subsidy for families in financial difficulty. Those families can
still receive free care for a maximum of 100 hours per fortnight. The additional childcare subsidy for families transitioning from jobseeker back to work. We are easing the activity test until 4 October to help families whose employment has been affected. They will receive subsidised care as they return to work and study and training. So to ensure the viability of the sector, to ensure that child care can actually be accessed, this is a very important process. *(Time expired)*

**Jobseeker Payment**

_Senator SIEWERT* (Western Australia—Australian Greens Whip) (14:18): My question is to the Minister for Families and Social Services, Senator Ruston. Is the government still intending to drop people on the jobseeker payment back to the base rate of $40 a day at the end of September?

_Senator RUSTON* (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:19): Thank you very much, Senator Siewert. As I have mentioned in this chamber on a number of occasions in the last few weeks, the coronavirus supplement that was made available to people who were on working-age payments at the start of the coronavirus pandemic was put in place for the period of the pandemic. We made it very clear at the time that all of the measures that we put in place, not just the coronavirus supplement, were time limited, they were timely and they were to be targeted to make sure that we were able to help as many Australians as we possibly could get from where they were at the time with the pandemic—and the implications of the pandemic on the economy and on their employment prospects—to the other side of the pandemic.

We are absolutely committed to making sure that we continue to support Australians so that they can manage their lives during this pandemic. But, over recent days, we are now starting to see the economy opening up again. We are seeing restrictions able to be lifted. We are seeing jobs being created again in the marketplace. In fact, today we were pleased to report that we are starting to see the earliest of green shoots, with increased job creation, above the levels of job creation we had actually anticipated.

Today we are working our way through making sure that we can put in place all of the things that we need to do so that the economy can open up and so that those people that you refer to that are currently receiving payments through income support are able to get back into the workforce so that they can make provisions and can improve their wellbeing. So, Senator Siewert, the coronavirus supplement was time limited, it was temporary and it was targeted.

**The PRESIDENT:** Senator Siewert, a supplementary question?

_Senator SIEWERT* (Western Australia—Australian Greens Whip) (14:20): I will take that as a 'yes'—you do intend to drop it back to $40 a day. Has the government done any modelling on the expected rate of mortgage defaults and the number of renters who will be in housing stress in October if the rate does go back to $40 a day? If not, why not? If so, what are the details, please?

_Senator RUSTON* (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:21): As the senator rightly points out, this has been one of the most unprecedented situations that any government in the world has ever had to confront. In fact, I'm sure there has not been a government in the world that has had to confront this probably since the Second World War. Obviously, as we work our way forward to deal with all of the challenges that are before us, as we get our economy back on track and get it onto a stable footing, we'll be looking at many things, and we will continue to monitor as we become further aware of the impacts of this crisis. We will continue to work with all of the sectors around Australia. The Prime Minister continues to work with his state and territory counterparts through the continuation of the national cabinet to make sure that we are in the best possible position on the other side of the coronavirus pandemic to ensure that we can continue to support all Australians in their lives.

**The PRESIDENT:** Senator Siewert, a final supplementary question?

_Senator SIEWERT* (Western Australia—Australian Greens Whip) (14:22): I'll take that one as a 'no'. Minister, if the jobseeker payment goes back to $40 a day at the end of September, what essential bills, such as housing, power, water and food, do the government suggest people don't pay?

_Senator RUSTON* (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:22): Thank you, Senator Siewert, for your follow-up question. Clearly you haven't been listening to what we have been saying in this place, what Senator Cormann said in response to many of the questions that he has been asked this week. The most important thing that we can do is get the economy back open again so that we can get people back into work. The other thing, Senator Siewert, that you failed to recognise in your original question when you referred to the $40 a day is the myriad of other supports and payments that are particularly targeted to people. For instance, anybody who has got children obviously is eligible to receive the full amount of the family tax benefit part A and part B. Those people that you refer to who are in rental...
accommodation are obviously eligible to be in receipt of Commonwealth rental assistance. And there are a myriad of other payments that are made available to make sure that our welfare system targets the specific needs of individuals who require the support of the federal government.

**Trade: Agriculture**

**Senator McDonald** (Queensland) (14:23): My question is to the Minister representing the Minister for Agriculture, Drought and Emergency Management, Senator Ruston. How is the Liberal-National government expanding trade and gaining better access to markets—

**The President:** Senator Patrick, props aren't allowed. Remove that immediately. Quite frankly, you're embarrassing yourself and you are demeaning Australian politics and the people who vote for you. Remove that or I will remove you from the chamber immediately.

*Senator Patrick interjecting—*

**The President:** Remove yourself from the chamber, Senator Patrick.

*Senator Patrick then left the chamber.*

**Senator McDonald:** My question is to the Minister representing the Minister for Agriculture, Drought and Emergency Management, Senator Ruston. How is the Liberal-National government expanding trade and gaining better access to markets in our major trading partners for the agricultural sector?

**Senator Ruston** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:24): I thank Senator McDonald for her question, and I also recognise her strong interest in and commitment to the regional communities of Australia and our agricultural and other primary industry sectors. Senator McDonald has a very strong understanding of the importance of overseas markets to our rural and regional communities and the businesses that exist within them. It is quite an astonishing statistic that 70 per cent of Australia's agricultural production is exported. Therefore, access to a diverse range of overseas markets is very important to Australia, and it has never been more important than it is now, with the economic challenges that Australia faces with the coronavirus pandemic.

This government has a very strong record in delivering market access and opportunities to all of our Australian industries but particularly to our farmers and fishers. Today, I'm very pleased to be in the Senate with my colleague the Minister for Trade, Minister Birmingham, on the cusp of embarking on new free trade agreement negotiations with the United Kingdom. In the UK—and in the EU, where negotiations are already underway—there is enormous opportunity to deliver ambitious and comprehensive free trade agreements, securing more favourable access for Australian products into these new markets.

The government understands that it's not just about new markets for our agricultural sector; we also need to make sure that our industries know exactly how they can best take advantage of these new markets. We don't take a 'set and forget' approach. So, through a series of 12 webinars, Austrade will ensure that exporters have all of the information that they need so that they can take the steps that they need to take to take the most advantage of the free trade agreements. Australia's free trade agreements with key trading partners continue to deliver huge benefits for Australia.

**The President:** Senator McDonald, a supplementary question?

**Senator McDonald** (Queensland) (14:26): How will the government's prioritisation of new and better free trade agreements benefit farmers and our rural, regional and remote communities as well as the broader Australian economy?

**Senator Ruston** (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:27): Thank you again to the senator for her question, because exports are absolutely vital to Australia's agricultural industries and our regional economies, with more than two-thirds of our production exported. So growth in Australian exports to premium markets is absolutely vital for the future of our agricultural sector, and maintaining strong relationships with our trading partners is absolutely critical to that success. Australian businesses that export, you will be interested to know, on average hire 23 per cent more staff, they pay 11 per cent higher wages and they have labour productivity 13 per cent higher than non-exporters. These are industries that are leading Australia. So trade is a very major contributor to our economy, it's a major creator of jobs and it has a positive impact on our ability to pay for the essential services that all Australians rely on. It is absolutely essential that we get these free trade agreements in place.

**The President:** Senator McDonald, a final supplementary question?
Senator McDONALD (Queensland) (14:28): What other measures has the government implemented to assist Australian agriculture to thrive?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:28): We have a range of programs that we've put in place to help Australian agriculture. Just last week, we implemented the new farm household allowance program to make sure that we can assist our farmers to put food on the table and help them through what has been a very a crippling drought in our agricultural areas. We've also invested in rural financial counselling services so farmers can get the advice they need when they need it to make sure that they can make the best possible decisions to ensure their longevity and that they are able to get into the export markets that Senator Birmingham is about to open up for them.

It's also very important to note that we take the mental health and wellbeing of our farmers very, very seriously, and we make sure that we have got the funds and the resources behind that. But there are myriad other things that the government's doing: concessional loans, taxation measures that are general, and water for fodder, silage and pasture. The Australian government is committed to our farmers.

Aged Care

Senator CAROL BROWN (Tasmania) (14:29): My question is to the Minister for Aged Care and Senior Australians, Senator Colbeck. Last fortnight it was revealed that just 38 food boxes had been delivered under a program that was intended to provide 36,000 food boxes to older Australians. Who is responsible for this failure, and why did it go so wrong?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:29): Can I, at the outset, reject completely the premise of the question from Senator Brown. This government, I think quite wisely, made provision to support senior Australians—when there were issues at the supermarkets, when there were issues with senior Australians being able to get out—to be able to access support that they might require. We put in place a range of measures that supported senior Australians to be able to get the services that they required. In fact, I'm pleased that not so many people needed to have emergency food supplies provided to them.

But I do know that a number of the other measures that we put in place to assist senior Australians, to provide food, to provide meals, were extremely successful. For example, in some areas the number of people receiving Meals on Wheels services increased by 50 per cent. That was another of the elements that we put in place to assist senior Australians that were having problems getting food. We made provision for what we estimated might be required by senior Australians under that particular program. Senior Australians were freely able to apply for the food boxes. It was a demand-driven process. The fact that we did not need to send out those boxes, I think, shows the success of many of the other measures that we put in place, including the extraordinary additional support that's been provided to senior Australians through programs like Meals on Wheels, who have, as I said, in some places had up to a 50 per cent increase in demand and service provision.

The PRESIDENT: Senator Brown.

Senator CAROL BROWN (Tasmania) (14:31): My first supplementary question is: when did the minister first learn that the program would deliver 0.1 per cent of the food boxes promised to older Australians? Does the minister believe that the program has been a success? If not, what lessons has he learned?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:32): I don't believe that making provision for something that we think might happen during a pandemic is a failure. In fact, I think the fact that not so many people required that service is a good thing. The fact that the estimate that we made of what the demand might be hasn't been met is a clear demonstration that the number of other services that we put in place to support senior Australians—

The PRESIDENT: Order! Senator Brown, on a point of order?

Senator Carol Brown: On relevance. I've asked a number of questions, and I would ask the minister to respond to the questions that have been asked.

The PRESIDENT: Senator Cormann, on the point of order?

Senator Cormann: The minister was being directly relevant. Some of the interjections were not being directly relevant. The minister made it very clear that people had the opportunity to apply for what is a demand-driven program.

The PRESIDENT: I'm going to rule on the point of order. The minister is being directly relevant if he's talking about the program about which he was specifically asked. It is not appropriate for a point of order to simply ask me to instruct the minister to answer part of a question or instruct him how to answer a question.
Senator COLBECK: I think it's a good thing that not that many people have required this form of assistance, but it is also a demonstration that the many other forms of assistance that we've provided to senior Australians have clearly been a success. As I said, in some places there has been up to a 50 per cent increase in the number of meals that have been provided through the Meals on Wheels service, and an extra $50 million was provided—

(Time expired)

The PRESIDENT: Senator Brown.

Senator CAROL BROWN (Tasmania) (14:34): Why is this minister incapable of delivering older Australians anything more than empty slogans and unfulfilled promises?

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (14:34): I completely and utterly reject the premise of the question. We made provision for a service if people needed it. The fact is that the demand hasn't been what we thought it might have been, and it's a good thing that people have been able to get the food without having to rely on emergency relief packages. I think it's a good thing. It's also, as I've said, a demonstration of the fact that a range of measures that included additional capacity of over $50 million into Meals on Wheels has been a significant success, because Meals on Wheels provides a number of other things than just delivery of a food package. It provides human contact. It provides a capacity to be in touch with the outside world. I am not at all disappointed at the fact that the demand hasn't been what we thought it might have been. I don't regard it as a failure to make a promise. I regard it as a success in providing—

(Time expired)

Trade

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (14:35): My question is to the Minister for Employment, Skills, Small and Family Business, Senator Cash. How will building an outward-looking, open and sovereign trading economy help to strengthen the Liberal-National government's record delivery for Australian small and family businesses in particular in rural New South Wales?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:36): I thank Senator Davey for the question. Senator Davey, like all of us in the Morrison government, understands it is critical to put in place policies to support small and family businesses in Australia. Why? Because, when it comes to rural and regional Australia, they well and truly are the backbone of those communities. They give back to those communities. They support local jobs. They support local charities. And of course they support the local sporting organisations. This support has only been made even more important because of the impacts of COVID-19, the impacts of the bushfires and the impacts of the drought on our economy.

The government has a strong record of supporting small and family businesses across Australia, including fast-tracking tax relief for small and medium businesses, because we understand that the money that we gave back to them—which was their own money—they were able to invest back into their business to grow that business and create more jobs. We've also, as you know, improved access to finance for those businesses so that they can access the money that they need, again, to grow their business and to create more jobs. We're also ensuring that small businesses are paid on time through our own government policies—leading by example, of course—but also in the implementation of the payment times reporting framework.

On this side of the chamber, the government's side of the chamber, we're absolutely committed to cutting red tape and supporting small businesses with advice in disputes with the ATO and big business. In the wake of COVID-19, we have put in place targeted measures to support small businesses. The government's funding boost today of the Export Market Development Grants scheme acknowledges the importance of ensuring that small businesses have the opportunity to develop their ability to get into export markets.

The PRESIDENT: Senator Davey, a supplementary question?

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (14:38): Can you explain how the government's skills agenda, now bolstered by the JobMaker plan, is assisting in the creation of local training opportunities and skilled employees in regional and rural New South Wales?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:38): The government is supporting apprentices in Australia and creating local training opportunities, in particular in regional Australia. Senator Davey might remember the implementation of the Australian apprentice wage subsidy, a very successful measure which of course provides wage subsidies for apprentices in areas of skill shortage, in particular in rural and regional Australia. That wage subsidy was actually opposed by those on the Labor side of politics. It was quite bizarre, actually. One would've thought they would've supported that measure. It was targeted at creating opportunities for small and family businesses to take on apprentices in particular areas of need and in rural and regional Australia. But at the time it was famously called by those on the Labor side of the
chamber a 'political fiasco'. Well, no, it wasn't a political fiasco. It was a policy that was implemented specifically to support businesses in rural and regional Australia.

The PRESIDENT: Senator Davey, a final supplementary question?

Senator DAVEY (New South Wales—Nationals Whip in the Senate) (14:39): Thank you. Why is supporting small and family businesses, and their apprentices, critical to supporting local economies, local jobs and local economic recovery following COVID-19?

Senator CASH (Western Australia—Minister for Employment, Skills, Small and Family Business) (14:40): Again, the Morrison government understands that you need to support small and family businesses across Australia because they are the backbone of the Australian economy. It is critical that we put in place policies that will support them through this crisis and enable them to come out the other side and prosper, grow and, ultimately, create more jobs for Australians. There are around 3.5 million small businesses in Australia. They give the dignity of work every day and they employ over six million Australians. When you come from rural or regional Australia, as so many on this side of the chamber do, you acutely understand that these businesses are the backbone of the local economy, they are the ones out there supporting local jobs, they are the ones out there supporting local charities and they are the ones you often see supporting local sporting organisations. It is incredibly important that we put in place the right policies, as we are doing, to support these businesses so they can prosper, grow and create more jobs. (Time expired)

Live Animal Exports

Senator FARUQI (New South Wales) (14:41): My question is to the Minister representing the Minister for Agriculture, Drought and Emergency Management. In 2018, Minister Littleproud said he was shocked and gutted by footage of thousands of suffering sheep being cooked alive aboard the live export ship Awassi Express. All of Australia was shocked and appalled by this unspeakable cruelty to animals which has been going on for decades. While the government refuses to shut down live animal exports, it did implement a ban on live sheep exports to the Northern Hemisphere during summer months because of the excruciating suffering that heat stress inflicts. Now that you've made a mockery of your own rules by granting an exemption to the Al Kuwait, a ship scheduled to leave Fremantle today, I ask: why did the government bother instituting new rules for live exports if it had no intention of enforcing them?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:42): Thank you, Senator Faruqi, for your question. Firstly, the Australian government takes its responsibility for animal welfare, particularly in our farming sector, very, very seriously. As you'd be aware, the decision was made by the Federal Court to allow the Al Kuwait to load and sail. I'd also like to point out to you that there is an independent observer aboard that ship who will sail with that voyage all the way to its destination.

The matter you are referring to is one that we take very seriously. There are in place very, very strict rules and guidelines around the export of live animals from this country. You rightly pointed out the footage we saw last year—and I think everyone in Australia was absolutely disgusted at that footage. That's why this government has worked absolutely tirelessly with the industry, with the sector, with people who have an interest in the welfare of animals, to make sure our live export trade is done in a manner that is absolutely world's best practice.

I think I would be correct in saying that Australia's live export trade and the animal welfare conditions that we expect all our farmers to undertake are seen around the world as the best practice. Through our demonstration of best practice, we like to think we are encouraging other countries around the world to undertake best practice as well and, in doing so, increase the level of animal welfare protections that are in place for all animals around the world. But we will not destroy our Australian agriculture sector by an ideological pursuit when we have put in place very, very strict conditions.

The PRESIDENT: Senator Faruqi, a supplementary question?

Senator FARUQI (New South Wales) (14:44): Minister, the Department of Agriculture obviously has a glaring conflict of interest as the so-called independent regulator of an industry it actively promotes. The Moss review showed that the Department of Agriculture had failed animals and was incapable of regulating the live export industry. Will the government commit to establishing an independent office of animal welfare at arm's length from the minister and the Department of Agriculture to protect animals from cruelty and exploitation?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:44): I first of all refute that there is a conflict of interest, and I would absolutely endorse the processes that are in place now as a result of many reviews and much change since we saw that horrific footage a couple of years ago. So I think that the Australian government, through the independence of the Department of Agriculture's role in being the inspector, have put in place a set of conditions that ensure that
Australia's live exports are governed under the very strictest of conditions. The fact that the Al Kuwait has been able to load today is a reflection that the Federal Court viewed the provisions that have been put in place by the Department of Agriculture as being adequate to protect the welfare of those animals on board that ship.

The PRESIDENT: Senator Faruqi, a final supplementary question?

Senator FARUQI (New South Wales) (14:45): Minister, I have received thousands of emails in just the last two weeks from people across Australia who are angry at the way this government mistreats animals.

Government senators interjecting—

The PRESIDENT: Order! Order on my right! Stop the clock. Order on my right. I need to hear the question. Senator Faruqi, to continue.

Senator FARUQI: They want animal cruelty to end, but of course this government just does not care. Will the minister just be honest and admit once and for all that this government will prioritise profits for big business over animal welfare every single time?

Senator RUSTON (South Australia—Minister for Families and Social Services and Manager of Government Business in the Senate) (14:46): First of all, I would say: absolutely, the Australian government does not do as you have alleged. The Australian government is absolutely committed to upholding the absolutely very high standards of animal welfare while supporting a sustainable live export trade. It is very important that we get the balance right on animal welfare—an absolute priority—and jobs for Australians, particularly rural and regional jobs for rural and regional Australia and the economies and the regional communities that rely upon them.

We saw the absolute disaster that was created when we banned, as a knee-jerk reaction, the live export from northern Australia, and to watch those hundreds of thousands of cattle die of starvation because an industry got stopped in its tracks was probably far crueller than anything that you could ever imagine, Senator Faruqi. So maybe think about what you're saying, because right now we are absolutely committed to the highest level of animal welfare, and we will continue to be so, whilst providing jobs.


Minister for Foreign Affairs

Senator WONG (South Australia—Leader of the Opposition in the Senate) (14:47): My question is to the Minister for Foreign Affairs, Senator Payne. In what has been described as a 'rare public speech' last night at the ANU, the foreign minister finally acknowledged the issue of foreign state backed disinformation in Australia. The risks of foreign state backed disinformation have been known for many years, given, for example, the occurrences in Crimea in 2014, the US in 2016 and Hong Kong last year. Can the minister explain why it has taken the government until now to finally act?

Senator PAYNE (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:47): I must be having hearing difficulties today, Mr President; it comes with age, I'm sure. But let me start at the beginning. I'd be very happy to send Senator Wong the collected works so that she had ready access to a vast range of remarks! In fact, Senator, I'll have it dropped down to the chamber for you any time—and in fact I'll even table it, if that would assist you with your consideration.

I think what the Australian government has clearly set out—and, indeed, what the Prime Minister talked about at the Lowy Institute—was prosecuting a case for our national interest, and that includes through multilateral institutions. As you know, the Prime Minister instituted the multilateral audit and asked my Department of Foreign Affairs and Trade to carry out that audit. Part of that process has meant examining over 100 multilateral institutions, processes and fora, and that has underpinned everything that we have done. What the audit findings have shown us is the value of focusing on our national interest and ensuring that, in doing so, we work within the appropriate systems to achieve outcomes for Australia in our national interest, which should always be the premise upon which—

The PRESIDENT: Order. Senator Wong, on a point of order?

Senator Wong: On direct relevance: the question is about foreign state backed disinformation, and my question was why the government has taken until now to act, given the examples we have seen internationally.

The PRESIDENT: I have allowed you to restate the question. I am listening carefully to the minister's answer. She has 47 seconds remaining.

Senator PAYNE: I was responding, I thought, directly to a number of the observations that Senator Wong made in her question. Specifically, if she wishes, in relation to the question of disinformation, what the government has made clear is the threat that disinformation presents, no matter who perpetrates it, to the orderly provision of information in communities—particularly in the context of a pandemic. The critical impact we have
The PRESIDENT: Order, Senator Payne. Senator Wong, a supplementary question?

**Senator Wong** (South Australia—Leader of the Opposition in the Senate) (14:50): In 2016 the Joint Standing Committee on Electoral Matters said:

…it is essential that this issue—

of foreign-state-backed disinformation—

be actively considered as a part of Australian elections.

So I again ask: after four years of thinking about it, what is the Morrison government now actually doing, beyond the headlines, to protect Australian elections from foreign-state-backed disinformation?

**Senator Payne** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:50): I would remind the senator and those opposite of the passing of the countering-foreign-interference legislation, which is absolutely apposite to the sorts of issues the senator is raising. In the midst of the pandemic and the crisis that we and millions and millions of people around the world have been dealing with, we are absolutely focused on the importance of shining a light on disinformation, because it is the most effective antidote.

**The PRESIDENT:** Senator Wong, a final supplementary question?

**Senator Wong** (South Australia—Leader of the Opposition in the Senate) (14:51): In last night's speech, the foreign minister also finally rebuked Mr Morrison's infamous 'negative globalism' speech of last October. Given that the internal opponents of multilateralism within the coalition include Minister Dutton, who says, 'There are other bodies within the UN that aren't acting certainly in the interests of Australia', how will this minister persuade her colleagues that multilateralism is a key Australian national interest?

**Senator Payne** (New South Wales—Minister for Foreign Affairs and Minister for Women) (14:51): I absolutely and fundamentally reject the premise of Senator Wong's question. As I was trying to say in my response to her first question, very, very clearly, when the Prime Minister talked at the Lowy Institute he talked about prosecuting a case for our national interests, including through multilateral institutions. He instituted the multilateral audit and asked the Department of Foreign Affairs and Trade to carry it out. That audit has been absolutely comprehensive. What it shows us is that Australia has a very important role to play in shaping the values and the norms within multilateral institutions themselves. We are talking about institutions that are extremely important to Australia in terms of advancing our national interest and promoting and protecting our values. Whether they are underpinning the global rules and norms that ensure a level playing field, whether they are regulating international cooperation in areas like aviation, telecommunications, maritime transport, intellectual property and a range of others— *(Time expired)*

**Defence Industry**

**Senator Henderson** (Victoria) (14:52): My question is to the Minister for Defence, Senator Reynolds. Can the minister outline how the Morrison government is building an outward looking and globally competitive defence industry here in Australia?

**Senator Reynolds** (Western Australia—Minister for Defence) (14:53): Thank you, Senator Henderson, for the question and for your unrelenting support for Australian defence industry. The Morrison government is fully committed to delivering a globally competitive Australian defence industry that delivers three sovereign outcomes for our nation: firstly, to meet our contemporary defence needs; secondly, to create thousands of multigenerational jobs right here in Australia; and, thirdly, to achieve greater export success.

We are providing unprecedented opportunities for Australian industry to participate in defence work. We are very purposely and very deliberatively maximising opportunities for Australian industry involvement in defence programs. As our companies bid for work, they are now required to submit Australian industry capability plans detailing how they will maximise opportunities for Australian businesses. We absolutely hold these companies to account on their contracted commitments through enforceable deliverables. We are now also developing an independent Australian capability audit program to validate delivery of this contracted commitment.

At the heart of our industry policy is a commitment to support the global competitiveness of Australia's defence industry, as seen in our Defence Export Strategy. To that end, this government has committed $20 million per year to support Australia's defence industry achieve greater export success; we've established the Australian Defence Export Office and a grants program; we've appointed a Defence Export Advocate; we've released this year's Defence Sales Catalogue, the fourth and the largest; and, finally, we have also invested $1.3 billion to support Australian technical innovation in defence industry.
The PRESIDENT: Senator Henderson, a supplementary question?

Senator HENDERSON (Victoria) (14:55): Can the minister outline how these government's defence industry policies are creating opportunities for Australian companies and workers, both here and overseas?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:55): I certainly can, Senator Henderson. The Morrison government's $200 billion investment in defence capability provides unprecedented opportunities for Australian companies—and, let me tell everybody in this chamber, they are embracing these opportunities in record numbers. Thanks to the policies of those on this side of the chamber, global defence companies are establishing uniquely Australian entities that are today employing thousands and thousands of Australians and are exporting Australian-built cutting-edge capability to the world. I'm so proud of companies like Thales Australia, of French origin, which is now employing almost 4,000 Australians. They are now delivering for Australia and also now exporting high-technology products for defence, including the Bendigo-built Bushmasters. Another wonderful example is the 50 Australian companies, such as Chemring Australia, just outside of Geelong, who are now exporting over $1.7 billion of—(Time expired)

The PRESIDENT: Senator Henderson, a final supplementary question?

Senator HENDERSON (Victoria) (14:56): Can the minister outline how these policies are setting the foundations for building the Attack class submarine here in Australia?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:56): Again, Senator Henderson, thank you for the question.

Senator Sterle interjecting—

Senator REYNOLDS: Let me be very clear. The Attack class submarine is on time and it is on budget, Senator Sterle. In the current preliminary design phase, we are starting to select many of the systems and the future suppliers. As Naval Group Australia approaches industry, it is a mandatory requirement for Australian industry plans to be developed as they approach the Australian market. This will ensure that we are maximising Australian industry content—a minimum of 60 per cent. To ensure we are developing our sovereign knowledge base, we already have over a hundred Australians working in Cherbourg, in France, including 20 of Naval Group Australia's 200 employees. As this project ramps up, I am absolutely confident Naval Group Australia will succeed in ensuring that its presence in Australia generates thousands of multigenerational jobs and, in time, more defence exports.

Australia Post

Senator O'NEILL (New South Wales) (14:57): My question is to Senator Reynolds, the Minister representing the Minister for Communications, Cyber Safety and the Arts. On Monday the minister said in relation to mail speed standards, 'There have been no changes, no changes, no changes, no changes.' I refer to the media release issued by the Minister for Finance and the Minister for Communications, Cyber Safety and the Arts on 21 April 2020, which said the following:

… required delivery time for regular intrastate letters will be extended to five days after the day of posting …

Who is right—the minister or the media release?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:58): I stand by my statement in this chamber earlier.

The PRESIDENT: Senator O'Neill, a supplementary question?

Senator O'NEILL (New South Wales) (14:58): That means 'no changes, no changes, no changes'. Last night, Senator Hanson said of Australia Post workers:

There will be no redundancies offered to these workers …

Can the minister guarantee there will be no reduction in Australia Post's workforce?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:59): As I believe I said previously in this chamber, there will be no forced redundancies of their posties, and that remains correct.

The PRESIDENT: Senator O'Neill, a final supplementary question?

Senator O'NEILL (New South Wales) (14:59): It's been reported that Australia Post has hired James Hardie's former spin doctor. Why does the government need expensive PR advice when it's clearly capable of running misleading arguments without assistance?

Senator REYNOLDS (Western Australia—Minister for Defence) (14:59): I would remind the senator that Australia Post's day-to-day operations are the responsibility of its board and management and not of government.

Senator Cormann: Mr President, I ask that further questions be placed on the Notice Paper.
QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

New South Wales: Bushfires

Senator CORMANN (Western Australia—Minister for Finance, Vice-President of the Executive Council and Leader of the Government in the Senate) (15:00): I seek leave to add to an answer I provided to a question from Senator Watt yesterday.

Leave granted.

Senator CORMANN: I thank the Senate. Mr President, I've written to you in relation to an answer I gave to a question from Senator Watt yesterday in relation to bushfire relief. I stated that about $1.4 billion worth of bushfire response and recovery funding is already hitting the ground in communities. To clarify my answer, most of this $1.4 billion in funding comes from our $2 billion National Bushfire Recovery Fund—around $1 billion of it, in fact, as I've previously stated. This, of course, includes funding that represents our share of the debris clean-up, which will be reimbursed to the state government in accordance with standard arrangements. The clean-up is well underway, as I also outlined yesterday.

However, as the Prime Minister always said, the $2 billion fund was in addition to the response and recovery funding that the Commonwealth already funds under standard disaster recovery arrangements. Around $400 million of the $1.4 billion I referenced as already hitting the ground is part of those standard disaster recovery arrangements with Commonwealth funds. The fact remains that we have over $1.4 billion in federal funding in response to the bushfire crisis hitting the ground in affected communities, and this is assisting those communities now. I hope that that clarifies the answer provided yesterday, and I table the letter.

Senator WATT (Queensland) (15:01): I thank Minister Cormann for providing that statement to the Senate. I seek leave to take note of the minister's statement.

The DEPUTY PRESIDENT: Leave is granted for three minutes.

Senator WATT: That's all I need. As I was saying, I thank Minister Cormann for the statement that he just made there, but unfortunately, again, we've seen in that statement from Minister Cormann three hallmarks of this government from him and from the Prime Minister: misrepresentations of their previous statements, getting basic figures wrong and being loose with the truth.

I will just remind people what this concerns. Yesterday I asked Minister Cormann a number of questions about the pathetic efforts of this government in relation to bushfire recovery. In answer to the questions that I asked, the minister claimed:

About $1.4 billion worth of funding out of $2 billion—
in the National Bushfire Recovery Fund—
is already hitting the ground in communities

I wasn't surprised that the minister made that comment, because this is one of the misrepresentations that this government is consistently making in relation to bushfire recovery. The truth is that the Prime Minister announced a $2 billion Bushfire Recovery Fund in January this year. The government's own figures, which were tabled about a week or so ago, indicate that only $529 million of that $2 billion fund has been spent. The government then tries to include another $470 million or so that it will be spending in the future on things like debris removal and tries to say that it has therefore spent a billion dollars from the $2 billion fund, even though it has actually spent only $529 on its own figures. Then, to be a little bit more cheeky, it throws in another $400 million of grants and loans that have been made to bushfire victims, as occurs after every single disaster that this country faces. That extra $400 million has nothing whatsoever to do with the $2 billion Bushfire Recovery Fund, which, as I say, on the government's own figures, has spent only $529 million.

So I was a little disappointed when I got Senator Cormann's letter today, where he says that what he said yesterday was that about $1.4 billion worth of bushfire response and recovery funding is already hitting the ground. If that were what he had said yesterday, there wouldn't have been a need for me to write to him. But the truth is that that is not what he said yesterday. What he said yesterday in answer to the question I asked was that $1.4 billion of funding out of the $2 billion fund is being spent. That is simply not true and I think it would have been preferable for him to be honest in his answer in the letter that he provided to the Senate today and to admit that he got it wrong. It is very disappointing that we see this minister misrepresent his previous statements. It is yet another example of him and this government getting their figures wrong—anyone remember the $60 billion JobKeeper bungle? I think I remember that one! This minister does have a problem with numbers—he didn't get them from Peter Dutton, either! Again, they are being loose with the truth.

Senator WONG (South Australia—Leader of the Opposition in the Senate) (15:05): I seek leave to make a short statement.
The DEPUTY PRESIDENT: Leave is granted for two minutes.

Senator WONG: I rise to follow Senator Watt's comments and just make this point. When you have the Leader of Government in the Senate being loose with the truth in question time, being given the opportunity to come in here and demonstrate the accountability that our democracy demands from ministers, to demonstrate as the leader—the examples to his frontbenchers—what do we get? We get more measly words, more tricky words—a bit loose with the truth—and he doesn't fess up to the fact that he got it wrong. We would have more regard for ministers on that side if they were actually prepared to come in here and say, 'I correct the record'. That's what democracy requires. But even from Senator Cormann, who otherwise is generally somebody who does understand this democratic principle, we get more words where he's saying, 'I didn't actually say that,' when we know he did. In the same question time we have Senator Colbeck refusing to acknowledge what 'after tax' means. We have Senator Reynolds saying that a change from three to five days isn't a change. This is a mockery. What it demonstrates is the rot at the top of the Morrison government, where the Prime Minister is loose with the truth. You're all being infected by it and you are bringing it into question time, which is a travesty of what it should be in our democracy. Senator Cormann, you should be ashamed of yourself and you should have fronted up.

QUESTIONS WITHOUT NOTICE: TAKE NOTE OF ANSWERS

Women's Economic Security

Child Care

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (15:07): I move:

That the Senate take note of the answers given by the Minister for Women (Senator Payne) to questions without notice asked by Senators Pratt and Bilyk today relating to the economic impacts of COVID-19 on women.

The questions asked of the Minister for Women, Senator Payne, today were going to issues around women, and particularly the impact of the coronavirus pandemic on women and some of the particular issues that are being drawn to the attention of all of us. Many of us knew these previously, but I think the coronavirus pandemic has shone a torch not only on the value of women's work but also on some of the disadvantages that women experience in the labour market. We know that women have lower participation rates and lower earnings and that they have lost more jobs—in April alone, I think 500,000 people lost their jobs and 55 per cent were women. We know that more women feature in the underemployment figures and that, in terms of lost hours of work, women experience a greater loss. We also know that women are over-represented or disproportionately represented in industries that have been smashed by the coronavirus restrictions—food, retail, entertainment and accommodation. We know that women are over-represented in insecure work and in work that pays lower incomes. All of these areas have been hit hard by the coronavirus restrictions.

On the value of women's work, women are and have featured prominently in the essential frontline workers—nurses, healthcare workers, early childhood educators, teachers and aged care workers: 87 per cent of nurses and midwives are women; 87 per cent of aged care workers are women; and 96 per cent of early childhood educators are women. We have relied on these roles to keep the community cared for. In retail, in supermarkets, as cleaners, again, you will see more women than men. Key jobs that perhaps have not been recognised for their value have been shown to be so important during the coronavirus pandemic. The Minister for Women told us that the Prime Minister and the government acknowledged the disproportionate impact that the coronavirus pandemic and the consequential restrictions that were put in place have had on women. That admission from the government begs the next question: if that's the case, why are they making decisions that have a harsher impact on women? I'll come back to that.

I think one of the issues is the way they have designed programs such as JobKeeper to exclude people that might have more than one job and be working in highly casualised industries with high turnover. That will exclude women. We know that women are doing more of the caring and unpaid work. We know child care that was removed, that's coming in September, why was it child care that was removed, if we're trying to get women back to work? We know child care remains one of the biggest barriers to women's full participation in
the labour force, and yet this government chose to remove free child care and kick the workers off JobKeeper, putting in place a transition arrangement which the minister acknowledges is less than what they were getting before. That is going to disproportionately affect women.

Senator SESELJA (Australian Capital Territory—Assistant Minister for Finance, Charities and Electoral Matters) (15:12): I'm very pleased to join the debate in terms of the Labor Party's question time tactics. I want to focus on Senator Pratt's question. As we reflect on the current state of play, as we reflect on last year's federal election and we think about how out of touch the Labor Party are, as was demonstrated again by the Australian people overwhelmingly rejecting them, we think about the kinds of issues and attacks that the Labor Party launches on the government, which demonstrate how out of touch they are. Senator Pratt's questioning, attacking Minister Michael Sukkar, an outstanding minister in this government doing an outstanding job, reminds us just how out of touch Labor are, attacking a program that is designed to support tens of thousands of jobs in the construction industry. The attack is: 'There are a lot of men who work in construction.' That appears to be Labor's attack when it comes to the construction industry. If you want an example of why they continue to sit on the opposition benches, perhaps we can reflect on their disdain for the housing industry and their inability to look beyond the very, very important issues in the housing industry. Their critique now about the HomeBuilder program, a program that's so important to so many Australians, is: 'Well, a lot of men work in the construction industry.'

We'll come back to some of those issues, but I'd like to compare and contrast that approach with Minister Sukkar and the coalition government, in terms of being in touch with the electorate and the community. I'm reminded that Bill Shorten actually launched his 2019 campaign in the seat of Deakin, which is Minister Sukkar's electorate. Labor were coming to get him, because they had a plan which the people in the outer suburbs of Melbourne were going to embrace. They were going to make so many gains in Victoria. Why were they going to make those gains? It was because the Labor Party had a plan that reflected the values of Australians.

Let's think about what some of those plans were. Central to their election prospects, which of course the people overwhelmingly rejected, was Labor's housing tax. There they were in question time again today attacking a scheme that defends jobs in the construction industry simply because there are too many men in the construction industry. What did Labor want to do to the construction industry? They wanted to gut the construction industry. One of the reasons that Labor were rejected at the last election was their housing tax. Just reflect for a moment on where we would be if the Labor Party had come into government and implemented that housing tax ahead of the COVID crisis and the hit to the economy we have had. They would have had the absolute double whammy of being whacked from pillar to post. I'm reminded about how seriously they are taken on some of these issues by Tim Richardson, who says he's concerned about federal Labor's intervention because they've won one election in the last 25 years. Maybe it's because of policies like the housing tax.

Labor talk a big game on women, but, when it comes to actually acting, we've had the record in terms of women's workforce participation. We have delivered in a way that the Labor Party couldn't. Almost 900,000 jobs were created for women by the coalition. I'm reminded of what the Labor Party voted against in their protection racket for the CFMEU and the misogynous thugs in the CFMEU. They say, 'Now we're acting on John Setka.' In 2015 they voted against a motion that simply condemned Luke Collier for abusing female FWBC inspectors. Shaun Reardon made threatening late night phone calls to a female staff member of the building industry watchdog. A CFMEU official spat at a female inspector when she was called out to the work site to inspect a union blockade. They talk a big game. We've seen it in Victoria this week. As soon as you go beneath the underbelly, as soon as you go beneath the veneer, we see what they actually do, and they're on the record here defending the CFMEU, excusing their disgraceful behaviour. We're not going to be lectured to by this mob on the other side.

Senator McALLISTER (New South Wales) (15:17): Well, for 2,509 days, this backward-looking government, as exemplified by the last contribution, has completely failed women. While we live in hope that they might stop phoning it in from the 1950s, there is no indication that anything has changed during the most serious period we've been through economically, the first recession in 29 years, while we have been dealing with COVID-19. They have failed mothers by snapping back to a childcare system that is expensive and complex. They have failed older women, leaving them to face poverty and homelessness in retirement. They have failed young women in insecure and low-paying jobs by making so many of them ineligible for JobKeeper.

We know what those opposite think in their hearts about working women. They think that women's economic lives don't matter and that they would be better served in the home, as we heard from Senator Rennick just this week. But, unlike so many of those opposite, we don't hanker for a world where women are locked at home behind white picket fences. Unlike Senator Seselj, we don't think that women's and men's interests stand in
opposition to one another; we think that both ought to be considered and that this is an absolute imperative in the public policy debate.

Labor want something more for Australian women. We want our daughters and our nieces to have every opportunity. We want them paid what they're worth on the day that they enter the workforce and every day subsequently. We want them to retire in dignity. If they decide to have children, we want them supported to combine a career with their parenting responsibilities. Is any of this at all laid out in any way in the government's plan for women or for the response to COVID-19? We wouldn't know very much, because the government rarely talks about women. Indeed, invited to do so today, we've just had five minutes from Senator Seselja where he could barely find it in himself to even mention the word. They show almost no interest in the economic lives of women.

It's not surprising, in some ways, that their policy settings have so little to offer Australian women when we think about the government's Expenditure Review Committee, which is comprised entirely of men. There is not a single woman sitting in that most important decision-making body. I recall on one occasion when I raised the issue of the unfair impact of tax arrangements on Australian women, then Treasurer Morrison responded with the patronising reply, 'We don't have pink forms and blue forms at tax time,' and that there was no need to consider the impact of their tax proposals on Australian women. The Liberal men of ERC may think that women's economic lives are a joke. I can tell you that that is not how we see our lives. Survey after survey indicates that women want so much more. Tragically, the first thing they want is respect—respect in the workplace and, I dare say, they'd like some respect from their representatives here in Canberra.

The COVID-19 period would have been a good opportunity for the Liberals to change direction, to come to grips with the very great differences between men and women's economic lives and the need for a policy that responds to the lives of women. The ABS has released data showing women have lost jobs since March at 1.3 times the rate that men have lost jobs, but we don't see any specific response to that or any indication that it matters. Part-time work and casual employment can be conveniently flexible, but often the result is that women are taking these jobs so they can balance their work and family lives. When it came to designing a response in COVID-19, what did the government do? They constructed JobKeeper in such a way that so many people in casual work were excluded, and so many of them were women.

There is an opportunity now to create something better. We don't want a snapback to an unfair world for women. We don't want a snapback to a world where women earn 14 per cent less than men. We don't want to snap back to a world where women's career possibilities are constrained because child care is not available or affordable. We don't want a snapback to one of the most gendered labour markets in the world. This crisis presents a perfect opportunity to actually build something better for Australian women, and it's a shame the government appears entirely uninterested. (Time expired)

Senator BROCKMAN (Western Australia—Deputy Government Whip in the Senate) (15:22): This is an extraordinary strawman that the Labor Party continues to put forward. I guess we should be used to it at this point.

Senator O'Neill interjecting—

Senator BROCKMAN: Senator O'Neill, we should be used to it at this point. In the face of an unprecedented economic and health crisis, we've seen from this government a comprehensive response across the economy. What we get from the Labor Party is the usual politics of identity, politics of division. They cherrypick some information. They spin it in a particular way. They choose their dataset very carefully. They ignore the overall economy. They ignore the comprehensive measures that this government has put in place to underpin our economy, to underpin economic growth, to get the economy moving again, to get Australians back in work, to get all Australians back participating in the workforce, to get small business back up and running, to protect our families, to give people a chance to be the best they can possibly be. We get this politics of identity, this cherrypicking of information.

Absolutely, I will knowledge that the ABS stats show that women in the workforce were impacted very, very hard by the crisis that confronts this government. But does the Labor Party ever raise the fact that the latest ABS stats also show that jobs for women recovered at 1.4 per cent whereas jobs for men only recovered at 0.4 per cent. Do you ever talk about the identity politics of that? Of course you don't, because it doesn't fit into your narrative. It doesn't fit into this politics of identity that you are seeking to continually drive. Senator Seselja rightly pointed out that almost 900,000 jobs were created for women by this government in the six years before the coronavirus impacted our economy so remarkably and with such great venom.

This government has a strong and proud record of supporting women's participation in the labour market. Prior to COVID-19, the March 2020 labour force figures showed near record high employment of women in the...
economy—almost 6.2 million women employed in the Australian economy. The labour participation rate for women is at an almost record high of 61.3 per cent, 2½ percentage points higher than when the coalition took office in September 2013. From September 2013 until just prior to COVID-19 impacting our economy, almost 900,000 jobs were created for women. Does the Labor Party ever quote these sorts of statistics? Of course they don't. They're too busy playing the politics of identity, the politics of division, and cherry-picking information to suit their particular narrative.

The latest Labour Force Survey figures show that seasonally adjusted employment for women fell by 325,000. Of course, this is the impact of the COVID crisis. This is an impact across the economy that this government is only too well aware of and is seeking to comprehensively address. Let me give you one more example. Today Minister Birmingham talked about the need to open our borders to get the tourism and hospitality sector up and running again. That will disproportionately impact, in the positive, women—because women are a greater percentage of the workforce in that particular sector. Does that factor into Labor's narrative? Did they come out in support of Minister Birmingham? Did they jump up and down and congratulate him for his words at The Press Club? Of course not—because, again, it doesn't fit into their narrow world view. We want to get the whole Australian economy—we want to support all Australian working families—out of this economic and health crisis and get the economy back up and running again as quickly as we possibly can.

Senator O'NEILL: (New South Wales) (15:27): What a shock it is that we've got all blokes on that side speaking on this issue when we've been asking them to verify the fact that they have failed women during this massive crisis facing Australia. COVID-19 is an experience that many of us could not have imagined and the burden of care has fallen heavily on the women of this nation. I am proud to be an Australian woman in the Labor Party. There are many of us. We are varied and we are very different. We bring our perspectives to this place in many, many more numbers than you guys. On this side of the chamber, we've got a few more women here in the Senate. But you couldn't line up one woman today to stand up to answer our questions about women being affected by COVID. You left it to the blokes again—your usual standard—

Senator Dean Smith: Madam Deputy President, on a point of order on quotas—

The DEPUTY PRESIDENT: That's not a point of order, Senator Smith. Please resume your seat. Please continue, Senator O'Neill.

Senator O'NEILL: We've heard this bleating and moaning from these poor men opposite, who are denying even what the minister said in the other place. The women have been hardest hit through COVID-19—and that is quoting—

The DEPUTY PRESIDENT: Senator O'Neill, please resume your seat. Senator Smith.

Senator Dean Smith: For those people who are not able to watch on television: one-third of the Labor senators opposite are men—

The DEPUTY PRESIDENT: Senator Smith, are you raising a point of order? If you're not, please refrain from interrupting. Senator O'Neill.

Senator O'NEILL: I can tell I've hit a raw nerve, because Senator Smith is actually one of the more exemplary senators on the other side and I can see I've even upset him. So I consider that quite effective in arguing the point that this government—

The DEPUTY PRESIDENT: Senator O'Neill, please resume your seat. A point of order, Senator Smith?

Senator Dean Smith: I was just going to comment on Senator O'Neill's accurate reflection on me!

The DEPUTY PRESIDENT: Senator Smith, that is not a point of order. Senators have the right to be heard in silence. People jumping up and making spurious points of order fits into the category of not being respectful to the senator making their contribution. Please continue, Senator O'Neill.

Senator O'NEILL: I've heard of mansplaining, but I think we've got 'man-interrupting' going on here against a woman speaking her mind, an Australian Labor woman speaking to the reality of Australian women who are at this very time making decisions in one critical by-election in the seat of Eden-Monaro. They've got a choice between sending another bloke to Canberra like this lot or sending a great woman in the shape of Kristy McBain, and I encourage them to do that. The problem with this government is that it simply does not listen to the voices of women and it does not understand the challenges of being a woman in Australia and, if its members are going to call being a woman in Australia and standing up for women 'identity politics', then they need to go back and learn a few understandings about what identity politics actually is.

Minister Ley in the other place declared that women have been hardest hit through COVID-19. And what I'm worried about, as an Australian woman standing up for women impacted, is that this government has lined up a set of policies by which we are set to snap back to unaffordable child care. Right around this country, women are
talking to me. They're talking to their partners. They're sitting at dining room tables figuring out how much they can actually manage in terms of putting food on the table or paying for child care because this government has so mismanaged the whole childcare sector. They are dudding aged-care workers, not providing them with the promised money that they announced. We see this time and time again: a series of announcements from this government and then a failure to deliver. They're taking away from childcare workers. They are refusing paid parental leave. These are the priorities of this government.

At the beginning of the COVID-19 crisis—in response to great, passionate advocacy by the unions of this country, the big businesses of this country and the Labor Party, and when we begged and pleaded with this government to provide wage subsidies—it finally came through with jobseeker. Yes, they came through with it, but who did they take it away from first? They took it away from the women of Australia. They took it away from the childcare workers, the most female dominated industry in this country. Women in Australia need to remember that this government does not stand up for them. The Liberal-National government have failed Australians.

It's a matter of international record. In the World Economic Forum's The Global Gender Gap Report 2013, Australia was 23rd in the rankings in terms of women's economic capacity. After seven years of this blokey dominated LNP government that's out of touch with the women of Australia, the reality now is that we've slipped all the way down to 44th of 153 countries. And after what the government has done in response to COVID, I have no expectation that our position will rise. In fact, I'm sure it will get even worse. We know that this government has failed Australian women. As the Labor Party, we are very concerned that child care will not be accessible to women, that they won't be able to get back to work and that there will be barriers to their participation in the economy and the society. We are concerned that Scott Morrison's snapback will actually be a job crusher for the women of Australia.

Question agreed to.

**Jobseeker Payment**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (15:33): I move:

That the Senate take note of the answer given by the Minister for Families and Social Services (Senator Ruston) to a question without notice asked by Senator Siewert today relating to the JobSeeker payment.

The answer is: yes, the government is still intending to drop jobseeker back to the old base rate of $40 a day. And when I asked whether they had done any projections or modelling on the expected mortgage defaults, the answer, obviously, was no, because the minister filibustered that question and did not adequately answer it.

Who thinks realistically that the 1.64 million people that are unemployed in this country and receiving jobseeker—that was the last answer we got on the number of people at the COVID select committee—are all going to be employed by the end of September when jobseeker ends? I bet you no-one thinks that all those people are going to be getting jobs by that time. As much as we wish it were so, realistically, it's not going to happen. The government needs to be planning for that. But are they? What are they going to do for all those people? Are they planning for the fact there's going to be a massive number of people that will have to default on their mortgage payments or that will have to default on their rent?

Where do they intend all these people to live, for a start? We are going to be escalating homelessness, for a start. I asked, 'Okay, what advice are you going to be providing to Australians in terms of which bills they don't pay, because you cannot meet all of your bills when you are living in poverty on $40 a day. Which bills? Energy? Food?' Food is usually the first to go because it's discretionary.

So we're going to drop people back into poverty on $40 a day. What impact is that going to have on our economy and our recovery? It will have a very significant impact—a devastating impact—on our recovery. It will also impact on the states because the states will also be losing out on those people's income who are spending and injecting money into the state economies. It'll also be the states that are expected to supply the community services, the emergency relief, the homelessness shelters, when people start having to default on their payments. It isn't good enough. You need to keep the rate.

Question agreed to.

**Live Animal Exports**

**Senator FARUQI** (New South Wales) (15:36): I move:

That the Senate take note of the answer given by Senator Ruston to a question without notice asked by Senator Faruqi today relating to animal welfare and live exports.

I rise to take note of the government's woeful response to my questions about the total lack of concern for the welfare of animals in the live export trade, and the failure to establish an independent office of animal welfare. The live export industry has been plagued by scandals for decades, and people right across Australia have had
enough. They want it to stop. The scathing 2018 Moss review into regulation of the live export industry exposed that the Department of Agriculture lacks the skills, resources, technology, culture that will be effective in regulating the industry. The department cannot possibly promote the live export industry and its profitability and, at the same time, protect animals.

We know that, as long as the Department of Agriculture is allowed to regulate the live export industry, animals will continue to suffer, will continue to die on these ships of misery. It should not be left up to whistleblowers and grassroots animal advocates to uncover the industry’s crimes and hold exporters to account. The only way to begin to fix our broken animal protection system is to establish a truly independent authority with responsibility for animal welfare.

Since elected in 2013, the Liberal-Nationals government has done nothing to improve animal welfare. Worse, instead of holding abusive industries to account, they grant exemptions for animal cruelty. It is pathetic for this government to claim to be shocked and appalled whenever the routine abuse of animals is exposed, to cry your crocodile tears and then return to business as usual when you think the scandal has passed. By the time this ship carrying tens of thousands of sheep reaches its destination, thousands of sheep would have suffered inevitable heat stress. Do your job for once. Ban live exports and establish an independent office of animal welfare.

Question agreed to.

PETITIONS

Collins Class Submarines

The Clerk: Petitions have been lodged for presentation as follows:
To the Honourable President and members of the Senate in Parliament assembled:
I support Senator Rex Patrick's petition to save 700 South Australian submarine jobs.

I urge the Senate to agree that each and every one of the 700 jobs on the Collins Class submarine maintenance contract remain in South Australia.

By Senator Patrick
Petition received.

Senator PATRICK (South Australia) (15:38): I seek to make a short statement in relation to the Collins class submarine sustainment petition that was lodged.

Leave not granted.

NOTICES

Presentation

Senator Hanson-Young to move on the next day of sitting—
That there be laid on the table, by the Minister representing the Minister for Environment, by 9am on 7 July 2020, the draft report of the statutory review of the Environment Protection and Biodiversity Conservation Act 1999.

Senator Lambie to move on the next day of sitting—
That the provisions of the Electoral Legislation Amendment (Miscellaneous Measures) Bill 2020 be referred to the Joint Standing Committee on Electoral Matters for inquiry and report by 2 November 2020.

Senator Di Natale to move on the next day of sitting—
That the Senate—
(a) notes that:
(i) the telehealth Medicare Benefits Schedule (MBS) items introduced during the COVID-19 crisis have provided many Australian patients with safe, continued access to healthcare from their homes when they might otherwise have forgone these consultations,
(ii) telehealth provides particular benefits for patients with mobility issues, disadvantaged families, rural and remote patients, and Indigenous Australians,
(iii) the telehealth items, spanning general practice, mental health, specialist, allied health and other consultations have allowed greater protection for healthcare professionals during the pandemic, while allowing them to continue delivering care to patients,
(iv) greater use of telehealth has been a long-term reform objective in the Australian health system for many years, and has the potential to allow greater, more equitable access to healthcare across Australia long after the COVID-19 pandemic, and
(v) the current telehealth items introduced during COVID-19 are due to expire on 30 September 2020;
(b) acknowledges that:
(i) telehealth consultations cannot and should not fully replace face-to-face consultations, but offer choice and accessibility to healthcare when required, and
(ii) video consultations are preferable to telephone consultations where possible, while acknowledging that Australians have inequitable access to high quality broadband services, and some older Australians in particular face barriers to accessing video consultations; and
(c) calls on the Government to make the telehealth MBS items permanent, with a full evaluation after 12 months, including of patient access, compliance, and continuity of care.

Senator Hanson-Young to move on the next day of sitting—

That there be laid on the table, by the Minister representing the Minister for the Environment, by 9 am on Friday 26 June 2020:
(a) all documents relating to plans and exploration of plans by the Department of the Environment to reform or amend the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) between 1 October 2017 and 30 April 2018;
(b) all documents relating to plans and exploration of plans by the Minister for the Environment to reform or amend the EPBC Act between 1 October 2017 and 30 April 2018;
(c) any and all exposure drafts of bills to amend the EPBC Act prepared between 1 October 2017 and 30 April 2018.

Senators Waters, Faruqi and Steele-John to move on the next day of sitting—

That the Senate—
(a) notes that:
(i) Friday, 19 June 2020 marks the sixth annual International Day for the Elimination of Sexual Violence in Conflict,
(ii) UN Action Against Sexual Violence in Conflict (UN Action) plays a vital role in working towards ending sexual violence in conflict by uniting 13 UN entities to amplify advocacy, improve coordination and accountability, and support prevention and response efforts, and their six guiding principles are:
   (A) rape is not an inevitable consequence of conflict – it must be prevented,
   (B) gender-based violence, including sexual violence, is a violation of fundamental human dignity and rights,
   (C) attempts to end sexual violence must address gender-based inequalities by empowering women and protecting and promoting their rights,
   (D) the constructive involvement of men and boys is vital,
   (E) survivors of sexual violence must guide advocacy and programming efforts to end sexual violence and secure peace, and
   (F) sexual violence in conflict is one of history's great silences – we all have a duty to act, and
(iii) sexual violence in conflict continues to affect millions of people, especially women and girls; it persists due to ineffective protections, inadequate rule of law and judicial systems, and under-resourced support services for survivors, and sexual violence during conflict can constitute a war crime, crime against humanity and act of genocide, and it must be prevented;
(b) acknowledges that:
(i) the focus of this year's commemoration event is the impact that the COVID-19 pandemic is having on victims and survivors of conflict-related sexual violence,
(ii) COVID-19 is having a detrimental impact on all aspects of the lives of victims and survivors of conflict-related sexual violence, and
(iii) quarantine, isolation and movement restrictions, and limitations on services, exacerbate the social and structural barriers to reporting and monitoring sexual violence in conflict; these crisis-related limitations also reduce the availability of support services for survivors, including health services, justice services, counselling services, and emergency housing services; and
(c) calls on the Government to increase support for UN Action efforts to eliminate the occurrence of sexual violence in conflict.

Senators Siewert and Waters to move on the next day of sitting—

That the Senate—
(a) notes that recent research published by the Open University on investment in the care industry found that:
(i) if Australia invested 1% of GDP in the care industry, it would raise the employment rate by 1.2% which, as a point of comparison, is more than the same investment in the construction industry,
(ii) investment in the care industry would result in 79% of new jobs being filled by women, thereby helping to reduce the gender employment gap in Australia, and
(iii) the fiscal returns from investing in the care industry are higher compared to investing in other industries, allowing greater investment for the same net cost;
(b) acknowledges that the care industry, including the education, health, aged care and child care sectors, play a critical role in Australia's recovery from the COVID-19 crisis; and

(c) calls on the Government to invest in the care industry to generate new jobs, close the gender employment gap and ensure we have the workforce to deliver universal access to essential services.

**Senator Griff** to move on the next day of sitting—

That the Senate—

(a) notes that the Victorian Premier, Mr Daniel Andrews, yesterday, said of South Australia, "Why would anyone want to go there?";

(b) presumes he actually meant "why wouldn't everyone want to go there??";

(c) recognises that approximately 40% of South Australia's interstate tourism market comes from Victoria;

(d) acknowledges the many reasons why thousands of Victorians travel to South Australia each year, including (but not limited to): Kangaroo Island; the Fleurieu Peninsula; the Flinders Ranges; the Adelaide Hills; the Barossa Valley; McLaren Vale; Coonawarra; Port Lincoln; Port Pirie; Renmark and all the regions; world class food and wine; real iced coffee; houseboats on the Murray; the Christmas Pageant; the Adelaide Festival; the Adelaide Fringe; fritz; FruChocs; the Tour Down Under; the city parklands; Vili's pies; Haigh's; the Adelaide Strikers, Port Power, the Crows, and no congestion;

(e) calls on Premier Andrews to take a moment, enjoy some FruChocs and a Farmers Union (real) Iced Coffee and concede that South Australia is a wonderful, vibrant and welcoming tourist destination; and

(f) encourages all Australians to back the South Australian Tourism 'Welcome Back Campaign' which looks forward to welcoming all Aussies to '#IchooseSA' as borders re-open.

**Senator Faruqi** to move on the next day of sitting—

That the Senate:

(a) notes that:

(i) the COVID-19 crisis has further exposed existing inequalities in our broken housing system,

(ii) renters across Australia face eviction as COVID-19 related eviction bans come to an end across states and territories, and

(iii) as the economic crisis continues, more people are at risk of homelessness than ever before;

(b) calls on the Government to:

(i) increase funding for emergency housing,

(ii) invest in building more public and community housing which will create construction jobs and apprenticeships, and provide homes for people,

(iii) direct lenders to implement mortgage relief, where needed, with no interest accrual, a ban on foreclosures and a freeze on owners' credit ratings,

(iv) permanently increase income support, and

(v) implement a national plan to end homelessness; and

(c) calls on the National Cabinet to:

(i) implement waivers for rent arrears, with relief for those with rental debts, and

(ii) agree on a national standard of renters' rights and rental laws to protect people from unfair evictions.

**Senator Rennick** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) the important and brave contribution of all Australian workers throughout the COVID-19 pandemic, and

(ii) the high cost of union fees for workers who belong to a union; and

(b) calls on all senators to lobby and encourage unions representing Australian workers to reduce union fees in the medium term to acknowledge the contribution and financial hardship of these workers.

**Senators Sheldon, Sterle and Gallacher** to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) truck drivers across Australia are under pressure because of the squeeze on rates,

(ii) pressure on truck drivers does not exist in isolation; it has real life consequences which can be catastrophic,

(iii) truck driving is Australia's deadliest industry, with around one in three workplace deaths involving a transport worker,

(iv) maintaining safe rates of pay for truck drivers contributes directly to increased road safety for all road users,

(v) longstanding state laws in Australia provide owner-drivers with certainty over their rates,
(vi) during the pandemic, truck drivers have risked their health and lives to continue delivering goods, crossing closed state borders, finding truck stops shut or unable to provide them with hot meals or showers, and

(vii) in response to an opinion article urging fellow owner-drivers not to undercut each other during the COVID-19 pandemic, on 1 June 2020 the Australian Competition and Consumer Commission (ACCC) wrote to owner-driver Mr Frank Black threatening criminal charges carrying jail terms; and

(b) further notes that the ACCC has been asked to:

(i) withdraw the letter and accusations levelled at Mr Frank Black therein,

(ii) apologise to Mr Frank Black, and

(iii) confirm that the ACCC will commence a detailed inquiry into destructive competition in the road transport industry that sees those at the top of the supply chain squeezing transport operators, their employees and owner drivers like Frank Black into deadly circumstances.

Senator Patrick to move on the next day of sitting—

That—

(1) The Senate notes that:

(a) the House of Representatives Select Committee on Regional Development and Decentralisation released the 'Regions at the Ready: Investing in Australia's Future' report on 28 June 2018;

(b) recommendation twelve of that report called on the government to develop a clear regional development policy through a comprehensive Regional Australia White Paper, following a Green Paper public consultation process;

(c) the Government established an expert panel to "undertake a targeted assessment of the key issues raised in the Report, including the development of a White Paper" which was to report to Government by 31 March 2019; and

(d) the report of the expert panel has not been made available to the Parliament or to the public.

(2) There be laid on the table by the Minister representing the Minister for Infrastructure, Transport and Regional Development, by no later than 18 June 2020, a copy of the expert panel report on the 'Regions at the Ready: Investing in Australia's Future' report.

Senators Lambie and Patrick to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) suicide by current and former Australian Defence Force members continues to claim at least a life a week,

(ii) on 5 February 2020, the Prime Minister said his National Commissioner for Defence and Veteran Suicide Prevention would be "bigger and better than a Royal Commission", and

(iii) on 27 February 2020, the Senate disagreed with the Prime Minister;

(b) again condemns the Morrison Government's proposed National Commissioner for Defence and Veteran Suicide Prevention as a poor imitation of a Royal Commission;

(c) believes that nothing short of a Royal Commission into Veteran Suicide can address this painful and ongoing scourge;

(d) expresses its view that:

(i) the Prime Minister's National Commissioner will have neither the power, nor the resources, of a Royal Commission, and can in no way be considered "bigger and better";

(ii) any insistence on this unproven, experimental model over the proven and successful model of a Royal Commission is made knowing that it risks making things worse, not better;

(e) calls on the Morrison Government to establish a Royal Commission into Veterans' Suicide, with a clear start and end date; and

(f) invites the Royal Commissioner to recommend that a standing, permanent capability be established to oversee reform, should the Commissioner see fit to do so.

Senators Canavan, Davey, Molan and Dean Smith to move on the next day of sitting—

That the Senate—

(a) recognises the hard work, dedication and sacrifice of the over 80,000 state and federal police officers in Australia;

(b) notes that, in 2018-19, over 9,000 police officers were injured in the line of duty throughout Australia, more than one officer every hour;

(c) further notes that the 2018 'Answering the call' national survey, found that over 24 per cent of police officers reported that they are sometimes or often physically assaulted when undertaking work duties; and

(d) condemns those calling for the defunding of our essential police forces, including the views expressed by NSW Greens Legislative Councillor Mr David Shoebridge, who has stated that "That's what #defundthepolice could look like here in NSW".

Senators Cormann and Wong to move on the next day of sitting—
(1) That the following variations to the standing orders have effect as a temporary order until the last sitting day in June 2021:
   (a) at the end of standing order 66, add:
      (5) The following additional requirements apply to the consideration of general business notices of motion as formal motions:
      (a) Senators may make (or have made on their behalf) only one request for formality in any sitting week.
      (b) No more than 12 motions may be dealt with as formal motions on any sitting day, comprising no more than four proposed by Government senators, four proposed by Opposition senators, and four proposed by minor party and independent senators.
      (c) The motions to be considered shall be notified to the President.
      (d) The allocation of motions to be taken as formal amongst minor party and independent senators each day shall be determined by the President and, across the course of a sitting week, shall be as nearly as practicable proportional to the numbers of those minor party and independent senators in the Senate.
      (e) The restrictions in paragraph (5) do not apply in respect of motions for the consideration of legislation (including the introduction of bills) or the conduct of Senate or committee business (including the appointment of a select committee).
   (b) After standing order 76(7), insert:
      (7A) A general business notice of motion shall not exceed 200 words, unless it is a motion:
      (a) for the consideration of legislation or the conduct of Senate or committee business (including the appointment of a select committee), or
      (b) proposing an order for the production of documents.

(2) That the Procedure Committee review the operation of this order, and report to the Senate by the last sitting day in May 2021.

   **Senators Keneally, McCarthy, Bilyk, Polley, Rice and Molan** to move on the next day of sitting—

That the Senate—
   (a) notes that:
      (i) six babies a day in Australia are stillborn, and the rate of stillbirth in Australia has not changed in 2 decades,
      (ii) the Senate Select Committee into Stillbirth Research and Education heard many stories from parents and grandparents of stillborn babies about the silence around stillbirth and the solitary nature of this particular grief, and
      (iii) the Committee made recommendations to improve bereavement support for parents and that the Government has accepted or accepted in principle all recommendations from the Committee's report;
   (b) acknowledges that social distancing restrictions, which have been necessary during the COVID-19 crisis, will have compounded the grief and sorrow for families mourning their stillborn babies; and
   (c) extends condolences and sympathies to the families of stillborn babies in Australia, especially during the COVID-19 crisis.

   **Senators McKenzie, Canavan, Davey, McDonald and McMahon** to move on the next day of sitting—

That the Senate—
   (a) notes that:
      (i) regional Australia is a fundamental pillar of our economy, and will play a critical role as we emerge and rebuild from the economic impacts caused by COVID-19,
      (ii) our regional, rural and remote areas punch well above their weight; they represent just under a third of the national population, yet contribute two thirds of our national income,
      (iii) regional Australians have had to endure the COVID-19 pandemic in the wake of a devastating summer of bushfires, and
      (iv) the courage demonstrated by those in our regions as they continue to persist and resist, time and again, characterises the best of what it means to be Australian; and
   (b) commends the Liberal and Nationals Government on:
      (i) continuing to recognise and respect the challenges faced by our regional communities, and letting those in bushfire-affected communities know that they have not been forgotten by this Government,
      (ii) supporting these communities as they recover and rebuild through the $448.5 million Regional Bushfire Recovery and Development Program, and
      (iii) ensuring that our regions are better prepared than ever before the next bushfire season – attributing over $37 million towards strengthening communications across rural fire depots and evacuation centres.

   **Senator Green** to move on the next day of sitting—

That the Senate—
   (a) notes that:
(i) the design of the Morrison-McCormack Government’s HomeBuilder program has been criticised within the Government and publicly,

(ii) housing experts are concerned that the HomeBuilder program will not deliver for regional areas, where the required spend will overcapitalise existing houses, and

(iii) similarly, the LNP Member for Herbert, Mr Phillip Thompson OAM MP, and the LNP Member for Leichhardt, the Honourable Warren Entsch MP, have raised concerns that renovations for houses in their electorates will not meet the $150,000 threshold;

(b) supports the comments about the HomeBuilder program of Senator Canavan, that "I'm worried we are putting ourselves in a weaker position if asset prices in Australia were to fall", and recognises the Morrison-McCormack Government has failed tradies, home buyers, home renovators and thousands of Australians on public housing waiting lists; and

(c) calls on the Morrison-McCormack Government to address the inadequacy of this scheme, especially in regional areas.

Senator Gallagher to move on the next day of sitting—

That the Senate—

(a) notes that:

(i) more than 5 million Australians and their families are relying on government assistance to help them through the COVID-19 pandemic,

(ii) JobKeeper and the increase to JobSeeker are set to expire at the end of September, and

(iii) more than $250 billion in deferred loans for mortgages and business are also due to expire at the end of September; and

(b) calls on the Government to outline a national economic plan that:

(i) prevents millions of Australians being 'snapped-back' to unemployment, poverty and insecure jobs at the end of September,

(ii) has job creation and skills development at the centre, and

(iii) ensures that ongoing government investment is targeted to lift Australia out of its first recession in 29 years.

Postponement

The Clerk: A postponement notifications has been lodged in respect of the following:

General business notice of motion no. 680 standing in the name of Senator Gallagher for today, proposing an order for the production of documents relating to the government modelling on COVID-19, was postponed until 18 June 2020.

The PRESIDENT (15:38): I remind senators the question may be put on any proposal at the request of any senator. There being none, I will move on.

BILLS

Competition and Consumer Amendment (Australian Consumer Law—Country of Origin Representations) Bill 2020

First Reading

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:39): I move:

That the following bill be introduced: A Bill for an Act to amend the Competition and Consumer Act 2010 and for related purposes.

Question agreed to.

Senator DUNIAM: I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:39): I table the explanatory memorandum relating to the bill and move:

That this bill be now read a second time.

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

Leave granted.

The speech read as follows—

This Bill marks the next step towards implementing the Government's commitment to establish robust country of origin labelling laws for Australian made complementary medicines.

The amendment lays the foundation for Australian made complementary medicines to have robust access to a safe harbour Australian origin claim and to the 'Australian Made, Australian Grown' logo - the iconic kangaroo in a triangle symbol.

We are justifiably proud of our vitamin and minerals manufacturers, our so called "complementary medicines" sector, and the high quality, diverse product range it delivers to growing local and export markets.

The sector made various representations to the Government, outlining concerns about the impact of changes to country of origin claims in Australian Consumer Law made by the Competition and Consumer Amendment (Country of Origin) Act 2017.

This 2017 amendment limited the circumstances under which products can meet the definition of 'substantially transformed' in the Competition and Consumer Act 2010, which in turn limited access to the safe harbour provisions that apply to an Australian origin claim.

To address these issues, the Minister for Industry, Science and Technology, the Hon Karen Andrews MP, established a taskforce to review the industry's concerns and identify possible solutions.

This Bill has been informed by the taskforce's extensive consultation with relevant stakeholders including state and territory government agencies, Complementary Medicines Australia, manufacturers within the complementary healthcare sector, industry stakeholders with an interest in 'Made in Australia' claims, consumer organisations and Australian Made Campaign Limited.

Reporting in February 2019, the taskforce highlighted the importance of origin labelling to the Australian community while also acknowledging the high level of concern from the complementary medicines sector, with the loss of Australian origin labelling.

The report also highlighted the great faith consumers placed in an Australian origin claim.

The research indicated that labels featuring an Australian origin claim, together with a bar chart and a statement indicating the proportion of Australian ingredients, best conveyed this information.

Complementary medicines manufacturers believe the Australian brand, together with our high product safety standards and scrutiny of manufacturing practices by the Therapeutic Goods Administration, are all key to our strong reputation for a well-made, safe product.

Following the taskforce’s report, we undertook a public consultation process in October 2019. We sought the views of the public and industry on a number of options to make Australian origin labelling more accessible for complementary medicines.

And finally, we put a reform proposal to the states and territories through the Consumer Affairs Forum.

State and territory ministers representing their consumer affairs portfolios agreed with the Government's proposal to amend the Australian Consumer Law in a two-step process.

That is why in December 2019, as a first step, we restored access to 'Australian Made' claims for complementary medicines manufactured in Australia, by enacting the Competition and Consumer Amendment (Australian-made Complementary Medicines) Regulations 2019. These 2019 regulations were an interim solution.

The on-going solution we are now preparing to deliver with the passage of this Bill is part of the second step the states and territories are supporting us to undertake.

Following passage of the Bill, we will make new regulations to prescribe one or more processes in the Australian manufacture of complementary medicines that will meet the definition of 'substantially transformed'. We will also introduce an information standard to govern labelling on complementary medicines when an Australian origin claim is made under these reforms.

The Prime Minister has been very clear in tasking the Minister for Industry, Science and Technology to map the way forward and work, with a whole of government approach, to create the right conditions for Australian manufacturing to grow.

Our export capability is a vital driver for manufacturing. It is difficult to over-state the critical importance of export markets to enable real growth for our economy.

We are a trading nation, always looking at how to develop and diversify our export markets.

The complementary medicines sector is an important and growing contributor to Australia's economic prosperity through increasing exports. It has a positive reputation both in Australia and overseas, over a diverse product range.

The industry supports the employment of around 29,000 people, with exports valued at over $1 billion in 2019, up over 15 per cent on 2018.

In the first three months of this year we exported almost $225 million worth of complementary medicines.

It is in the national interest to grow this lucrative sector, and the Bill that I am introducing today marks another step on that journey.

In these current challenging times, there has been a groundswell of community support for Australian made products, which is good news for local manufacturers of complementary medicines.
I know businesses are always concerned that when regulation is introduced, the compliance will be onerous. Regulations made under the changes we are introducing will only apply to those businesses that choose to rely on the new safe harbour provision.

If a business does not want to make an Australian origin claim under these reforms - that is, these changes to the Act, creation of new regulations and an information standard – then that business will not face any additional regulatory burden. It will not be required to comply with new labelling requirements.

These changes will provide long term certainty to the complementary medicines sector on their safe harbour, Australian origin claims, while responding to consumers' concerns on country of origin labelling.

The Bill strikes the right balance between encouraging domestic sales and exports, while maintaining consumer confidence in the transparency of Australian origin claims, and in the value of the widely recognised 'Australian Made, Australian Grown' logo.

This Bill reflects the Government's commitment to support manufacturers and ensure that they continue to play a critical role in creating more local jobs and further driving Australia's future economic growth.

I commend this Bill.

Ordered that further consideration of the second reading of this bill be adjourned to the first sitting day of the next period of sittings, in accordance with standing order 111.

BUSINESS

Consideration of Legislation

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:40): 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:

- Broadcasting Services Amendment (Regional Commercial Radio and Other Measures) Bill 2020
- Education Legislation Amendment (2020 Measures No. 1) Bill 2020
- National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020
- Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020
- Treasury Laws Amendment (2020 Measures No. 2) Bill 2020
- Treasury Laws Amendment (2020 Measures No. 3) Bill 2020

Leave granted.

BILLS

Commonwealth Electoral Amendment (Banning Dirty Donations) Bill 2020

First Reading

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (15:40): I move:

That the following bill be introduced: A Bill for an Act to amend the Commonwealth Electoral Act 1918, and for related purposes.

Question agreed to.

**Senator WATERS:** I present the bill and move:

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

Question agreed to.

Bill read a first time.

Second Reading

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (15:41): I table the explanatory memorandum relating to the bill and move:

That this bill be now read a second time.

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

Leave granted.

*The speech read as follows—*

I welcome the opportunity to introduce this Bill today, and take a first step towards getting dirty money out of politics. I would like to acknowledge the important work done on this issue by former Senator Lee Rhiannon and Senator Richard di Natale that has assisted in the development of this bill.
If passed, this bill would stop dirty industries with a track record of seeking to influence decision makers through donations—the banking, mining, defence, pharmaceutical, liquor, tobacco and gambling industries—from making political donations. The bill would also limit the amount that can be donated by individuals and other entities to $3,000 per election term, minimising the opportunity for big money to buy outcomes.

There has never been a more important time for donation reform. Our democracy is in trouble. Public trust in parliament and politicians is at an all-time low, and the community feels less and less confident that their representatives represent them, rather than doing the bidding of their corporate donors.

And it's no wonder. One hundred million dollars is the amount of corporate donations that the Labor, Liberal and National parties have taken since 2012 from the big banks, from industries like mining, defence and big pharma, from property developers, and from alcohol, tobacco and gambling companies. These are just some of the industries that have paid the Liberal, National and Labor parties to put their private profits ahead of the needs of our community.

These industries are not donating tens of millions of dollars because they believe in the institution of strong democracy. They are donating because it gets results.

The Greens have maintained the www.democracyforsale.org website for over a decade, tracking publicly disclosed political donations and putting a spotlight on influence-peddling. In 2018, the Senate Select Committee on the Political Influence of Donations laid out examples of the nexus between donations made by industry bodies and public policy outcomes or project approvals. The cosy relationships and the proximity of donations and policy outcomes that boost industry profits suggest undue influence.

Recognising the corrosive influence that donations from the development sector had had on planning policy, infrastructure, and urban development, Queensland and New South Wales have both legislated to restrict political donations from property developers. The High Court has upheld these restrictions and this Bill seeks to extend those to the Federal arena. But it also recognises the influence of other key industries.

Since 2012, the fossil fuel and resources industries have donated over $7.5 million to both of the major parties. They get $6 billion a year in fossil fuel subsidies. That's cheap fuel and accelerated depreciation that the rest of us don't get. That's a pretty good return on investment—about $2,000 in subsidies for every dollar they donate. Generous donations have also bought them a Liberal government that is completely paralysed by the words 'climate change' at a time when the Australian community faces a future of more extreme bushfires, crippling droughts and floods.

The cosy relationships and financial support have led to a situation where, despite overwhelming scientific evidence demanding action to address the climate crisis, borne out by the recent devastating bushfire season, no coal mine or coal seam gas project has ever been rejected by the Federal government—Coalition or Labor.

The gas industry donates millions of dollars to the government, so it was no great surprise when the Prime Minister appointed his gas industry mates to the National Covid Coordination Commission and did not even require them to publish their conflicts of interest. It was also no surprise when a Taskforce of that Commission called for and received government support for a "gas led recovery" and a plan focussed on projects that directly benefit the gas industry. Representatives who met with the Taskforce have confirmed that discussion was dominated by gas projects, ignoring renewable energy proposals despite strong support for a renewables-led recovery from scientists, economists and policy analysts. Again, the community loses the opportunity for a sustainable recovery because the government is beholden to its fossil fuel donors.

The banking and financial sector is also a regular contributor and beneficiary. The sector has donated about $60 million since 2012 to both sides of politics, and that support secured them immunity for some time despite the evidence of customers being ripped off all over the country. Both of the major parties had to be dragged to the banking royal commission, something the Greens campaigned for since 2014, following scandal after scandal and public backlash over their inaction. How much faster would the commission have happened if the Liberal, National and Labor parties weren't on the payroll of the banks? And would we have seen stronger action in response to the scathing royal commission report?

The gambling industry is another significant donor to State and Federal political parties, and their influence can be seen in the deeply entrenched support for poker machines throughout Australia. ClubsNSW donated heavily to the Liberal party following Labor's commitment to Andrew Wilkie pokies reform. Submissions to the Senate Select Committee into the Political Influence of Donations inquiry set out the clear efforts of ClubsNSW to support Coalition members who opposed the ALP/Wilkie funneling $30,000 to then opposition spokesperson on gambling, Kevin Andrews, and a further $10,000 following the Coalition's election and repeal of the poker machine regulations.

These are only the donations that we know about, none of which have been illegal. It doesn't include money paid to attend business forums or cash for access meetings, it ignores exorbitant subscription or membership fees, and it doesn't include money funnelled through representative and fundraising bodies.

But regardless of the source or the amount, the obvious expectation from industry is that donations will return results. They're buying outcomes. This feeds the public perception that decisions in this place are made improperly, with self-interest and the interests of donors and mates consistently overriding the public interest.

In banning political donations from those industries that have a history of seeking to influence policy decisions, the bill implements a key recommendation of the Senate Select Committee into the Political Influence of Donations. It makes it an offence for a prohibited donor to make a donation, or solicit another person to make a donation on its behalf. It is also an offence to accept a donation from a prohibited donor.
Another Committee recommendation that this bill seeks to implement is to limit all other political donations to $3,000 in an election term. As the High Court recognised in McCloy v NSW, uncontrolled use of wealth to influence decision-making compromises equal participation in democracy. By aggregating and capping all political donations made by any person or entity, the bill seeks to level the playing field and avoid those with more money gaining greater access to government.

The bill will limit donations made for political purposes, but is not intended to limit donations made to political campaigners or other entities to support their non-campaign activities.

The bill makes it unlawful to accept a donation above the donation cap, and allows the Commonwealth to recover the excess as a debt. The bill complements reforms to strengthen the disclosure regime. However, the bill also recognises that, in the absence of real-time disclosure laws or a standardised register, there may be a time delay in aggregating donations. Where a donation is accepted in error that exceeds the cap, the recipient has the opportunity to return the excess to the donor to correct the error.

The Australian public are demanding more transparent and representative government that acts in the public interest. This bill is an important first step towards getting big money out of politics and restoring public confidence in our democracy.

If we are committed to enhancing the democratic process, which surely is something that every parliament should regularly turn its mind to, this should be a priority. This bill does not stifle debate or prevent individuals from donating to support a political party. It bans donations from industries that have become associated with having a corrupting influence on how we work as decision makers and will return democracy to the community.

I commend the bill to the Senate.

Senator WATERS: I seek leave to continue my remarks later.

Leave granted; debate adjourned.

MOTIONS
Leahy, Sister Mary

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:41): At the request of Senator Brown, I move:

That the Senate—

(a) notes:

(i) that many of the world's 1.6 million seafarers are currently trapped on board ships as shore leave has been cancelled due to COVID-19, including many hundreds of Australian seafarers, and the cancellation of shore leave for workers who have been at sea for up to nine months can have a significant impact on the seafarers' physical and mental health, and

(ii) for over 20 years, Sister Mary Leahy, known as the angel of Sydney's waterfront, has worked as Chaplain to seafarers either visiting or based in Sydney — Sister Mary's work is praised by seafarers and shipping company CEOs alike; and

(b) records its thanks to Sister Mary, and her team of volunteers, for the important work she is undertaking with, and on behalf of, seafarers during these most challenging times.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:42): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Australian government, through AMSA, enforces the rights of seafarers to decent working and living conditions under the maritime labour convention. That includes the right of seafarers to choose not to extend their contracts and to seek repatriation. There are significant challenges to crew changes in the COVID-19 environment resulting from border closures, the lack of aviation services and quarantine arrangements. On 9 April the national cabinet agreed that the Australian government and all states and territories would implement a consistent and immediate exemption for all non-cruise maritime crew for the safe movement of crew into Australia and across borders.

The exemption allows for an international crew change with appropriate health protocols being met. Shore leave is permitted once a 14-day quarantine period on the vessel has elapsed and no crew member has demonstrated signs of illness or is suspected of having COVID-19. Some states and territories have additional requirements. The Australian government is working with states and territories regarding their individual jurisdiction requirements, with the desired outcome of more specific advice on how crew changes could occur effectively within Australia.

Question agreed to.

Racism

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:43): At the request of Senator McCarthy, I move:

That the Senate—
(a) recognises that all people in Australia, regardless of their ethnicity, cultural or religious background, deserve to be respected in our society;
(b) notes the letter from more than 30 community groups in response to a rise in racist attacks and commentary in Australia;
(c) acknowledges that racism has negative physiological and psychological impacts; and
(d) calls on the Government to:
   (i) immediately begin a bipartisan approach to the development of a national racism strategy that will build a more tolerant and inclusive society, and
   (ii) immediately begin a bipartisan approach to developing a national racism campaign that educates and sends a message of zero tolerance to any form of racism in Australia.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:43): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: Australia is the greatest multicultural society in the world. The government calls out racism when it occurs and has zero tolerance for the very small minority that seek to divide our nation. The government has an ongoing communications strategy to send a clear message that racism is not acceptable and that no-one has to put up with it.

Question agreed to.

Living with Disability

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (15:43): At the request of Senators Marielle Smith and Gallacher, I move:

That the Senate—
(a) acknowledges that:
   (i) many Australians face challenges physically accessing the wider community, whether they live in urban, regional or remote areas, and
   (ii) many Australians living with disability do not have access to reliable, affordable and safe transport;
(b) notes that:
   (i) around 4.4 million Australians live with disability,
   (ii) the lives of many of these Australians can be significantly improved by the National Disability Insurance Scheme with the right commitment, funding and effort to work through the issues that they face on a daily basis,
   (iii) too often, barriers to transport, both economic and practical, prevent Australians living with disability from participating fully in the social and economic life of our community,
   (iv) too many Australians with disability are not able to access reliable, affordable and safe transport when they need it most, and
   (v) further research and publicly accessible data is required which details the use of transport by Australians with disability; and
(c) calls on the Government to prioritise the transport needs of all Australians living with disability.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:44): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: NDIS transport supports are not intended to replace state and territory responsibilities for ensuring accessible public and community transport. States and territories are responsible for ensuring that public transport options are accessible to people with disability and are compliant with relevant non-discrimination legislation. The NDIS funds transport supports for a participant where it is reasonable and necessary, represents value for money, and the supports are related to the impact of their impairment or impairments on their functional capacity.

Question agreed to.

BUSINESS

Withdrawal

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:45): I move:

That General Business Order of the Day no. 23, relating to the Social Services Legislation Amendment (Ending the Poverty Trap) Bill 2018, be discharged from the Notice Paper.
Question agreed to.

MOTIONS
Pensions and Benefits

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:45): I, and also on behalf of Senator Steele-John, move:

That the Senate—
(a) notes that Disability Support Pension and Carer Payment recipients did not receive the $550 per week coronavirus supplement;
(b) recognises that disabled people and carers are:
   (i) experiencing higher vulnerability to COVID-19, disruption to essential supports and services, and increased economic insecurity during the pandemic,
   (ii) reporting increased living costs as a result of COVID-19 and increased economic insecurity, and
   (iii) more likely to be hit hardest by the recession because they are already disadvantaged within the labour market;
(c) acknowledges that 40% of people on the Disability Support Pension, and 20% of people on Carer Payment are living below the poverty line; and
(d) calls on the Government to immediately provide additional financial support to Disability Support Pension and Carer Payment recipients, and ensure its COVID-19 recovery plan includes specific strategies to support disabled people and carers.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:45): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The government is providing disability support pension and carer payment recipients with two $750 economic support payments to provide additional support in the context of the coronavirus outbreak. Question agreed to.

Employment

Senator FARUQI (New South Wales) (15:46): I move:

That the Senate—
(a) notes that:
   (i) between World War 2 and the 1970s, the average unemployment rate was 2%, and
   (ii) since the 1980s, 5% unemployment has been considered 'full employment' by most governments, even though it means hundreds of thousands more people either have no work or not enough work; and
(b) considers that:
   (i) 'full employment' should mean what most people think it means, namely that everyone who wants a job can get one, and
   (ii) Australia should have a full employment target of 2% unemployment and 2% underemployment.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:46): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The coalition government is working hard to keep unemployment as low as possible. Our job creation record is strong. Prior to COVID-19, we had created 1.5 million jobs since coming to office in 2013, and we will work to get Australians back to work as our economy opens up and the coronavirus restrictions are lifted in the coming months. The government is focused on getting Australians into jobs, and the best way to reduce unemployment is by supporting small and family businesses to hire Australian workers. We don't believe in setting specific targets for the number of people who should be out of work.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor supports the intent of the motion, but we won't be supporting it today. We believe the concept of full employment is complex. It involves the interaction of many factors, including: the structure of the job market and industries; participation; casualisation; frictional unemployment, as some people choose to move between jobs; and how unemployment rates can interact with inflation. We think that choosing a hard unemployment target via a Senate motion is an arbitrary endeavour.
The PRESIDENT: The question is that motion No. 678, moved by Senator Faruqi, be agreed to.
The Senate divided. [15:52]
(The President—Senator Ryan)

Ayes ...................... 9
Noes ...................... 30
Majority ............... 21

AYES

Di Natale, R ........ Faruqi, M
Hanson-Young, SC ... McKim, NJ
Rice, J ................ Roberts, M
Siewert, R (teller) ... Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E .............. Antic, A
Askew, W ............. Bragg, A J
Brockman, S .......... Canavan, MJ
Chandler, C ........... Davey, P
Duniam, J ............. Fierravanti-Wells, C
Gallagher, KR ........ Henderson, SM
Hughes, H ............ Hume, J
Lambie, J ............. McDonald, S
McGrath, J .......... McKenzie, B
McLachlan, A .......... McMahon, S
Molan, AJ ............. Paterson, J
Rennick, G ........... Ruston, A
Ryan, SM ................ Scarr, P
Smith, DA ............. Stoker, AJ
Urquhart, AE (teller) . Van, D

Question negatived.

Greyhound Racing

Senator FARUQI (New South Wales) (15:53): I move:

That the Senate—

(a) notes that:

(i) more than 100 greyhounds have been killed at racing tracks across Australia so far this year,
(ii) more than 3,000 injuries have been suffered by greyhounds at racing tracks across Australia so far this year, and
(iii) unlike other sports, greyhound and horse racing was allowed to continue during COVID-19 in all states and territories where it usually operates, with the exception of Tasmania;

(b) recognises that greyhound racing is an inherently dangerous and cruel 'sport'; and

(c) calls for a national ban on greyhound racing.

The PRESIDENT: The question is that general business notice of motion No. 681 be agreed to.
The Senate divided. [15:55]
(The President—Senator Ryan)

Ayes ...................... 8
Noes ...................... 30
Majority ............... 22

AYES

Di Natale, R ........ Faruqi, M
Hanson-Young, SC ... McKim, NJ
Rice, J ................ Siewert, R (teller)
Waters, LJ .......... Whish-Wilson, PS

NOES

Abetz, E .............. Antic, A
Question negatived.

Oil Exploration

Senator SIEWERT (Western Australia—Australian Greens Whip) (15:57): I, and also on behalf of Senator Whish-Wilson, move:

That the Senate—

(a) notes that, as part of the acreage release process, the Government is asking industry to nominate areas they are interested in for oil and gas exploration around Ningaloo Reef, Shark Bay, and the Exmouth Gulf;

(b) acknowledges that:

(i) the Exmouth Gulf is a rare and precious estuarine system and crucial to the health of the World Heritage listed Ningaloo Reef,

(ii) Ningaloo Reef is one of the world's last healthy coral reefs and is home to humpback whales, whale sharks, dugongs, sawfish, turtles, and seagrass,

(iii) Shark Bay is World Heritage listed, satisfying all four criteria for natural heritage values, and is home to stromatolites which are among the oldest forms of life on earth,

(iv) any seismic exploration and drilling could have a devastating environmental impact on these areas, and

(v) areas south of the Pilbara are too environmentally sensitive to risk; and

(c) calls on the Federal Government to remove Ningaloo Reef, Shark Bay, and the Exmouth Gulf from the acreage release process.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (15:57): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The proposed national acreage release across the country provides an opportunity for Australia to ensure energy security, bring down prices and support Australian jobs. The exploration and production of oil and gas in waters adjacent to Exmouth and the Ningaloo Reef has been undertaken safely and responsibly for decades. Indeed, the pristine environment of the area is testament to the successful and rigorous regulation of the industry and its ability to coexist with areas of high environmental value.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: Labor won't be supporting this motion. We support the oil and gas industry and acknowledge that these areas would be subject to extensive environmental approvals and community consultation.

The PRESIDENT: The question is that motion No. 687 be agreed to.

The Senate divided. [16:00]

(The President—Senator Ryan)

Ayes .................... 8
Noes .................... 29
Majority ................ 21

AYES

Di Natale, R
Faruqi, M
COVID-19: Northern Territory

Senator McMAHON (Northern Territory) (16:01): I, and also on behalf of Senators McKenzie, Canavan, Davey and McDonald, move:

That the Senate—

(a) notes that:

(i) the Northern Territory (NT) Gunner Labor Government closed the NT border on Tuesday, 24th March 2020, without a plan to re-open the border, citing expert medical advice as the foundation of this decision, and

(ii) Northern Territory Leader of the Opposition and Country Liberal Party Leader, Mrs Lia Finocchiaro MLA, has asked Chief Minister Gunner on multiple occasions to explain his criteria for re-opening the border, and he has not provided an acceptable answer detailing the criteria upon which a decision will finally be made;

(b) recognises that:

(i) the last Territorian resident to have tested positive for COVID-19 was diagnosed on 6 April and there has never been an instance of community transfer of the virus in the NT,

(ii) there has been a total of 30 cases of COVID-19, all of whom recovered, and with no deaths recorded within the NT,

(iii) comments made by Prime Minister Scott Morrison on 27 May 2020 that "the national medical advice that came from the expert panel that has driven all the other decisions never recommended closing (interstate) borders" and that border closures such as these "do harm the economy, they do harm jobs and it is important that we get those removed as soon as possible," and

(iv) over the past four years the economy of the Northern Territory has suffered greatly under the Gunner Labor Government, with most businesses now under enormous financial stress while the NT border remains closed; and

(c) calls on the NT Gunner Labor Government to:

(i) provide certainty and clarity to the people of the NT on when the Territory border will re-open,

(ii) deliver a real plan for re-opening the border, with identifiable targets, clear criteria and structured goals, based on the expert medical advice provided by the Chief Medical Officer of Australia, and

(iii) commit to re-opening the NT border by next Monday, 22 June 2020.


The PRESIDENT: Leave is granted for one minute.

Senator GALLAGHER: As government senators know, this is a matter for states and territories. We respect their positions, and we must continue to follow the medical advice at all times. The government claims to want national unity on COVID-19, but cheap stunts like this from the government senators suggest otherwise.

Question agreed to.
National COVID-19 Coordination Commission

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (16:02): I move:

That the Senate—
(a) notes that:
(i) the Morrison Government’s handpicked National COVID-19 Coordination Commission was established without clear terms of reference,
(ii) the membership of the Commission and its Manufacturing Taskforce is dominated by people with ties to the gas industry and who stand to benefit from investment in gas projects, including the Narrabri pipeline championed by the Commission,
(iii) despite requests for greater transparency, all but one of the members of the Commission have declined to make their conflict of interest disclosures publicly available,
(iv) members of the Commission’s Manufacturing Taskforce are not required to disclose their conflicts of interest to the Prime Minister and Cabinet even though public records show some hold shareholdings in companies that would benefit from the projects the Taskforce recommends,
(v) Paul Bastian, a member of the Manufacturing Taskforce, has reported that the Taskforce is overwhelmingly focused on a gas-led recovery and did not give adequate consideration to renewable energy projects, and
(vi) the Commission has failed to give comprehensive, independent consideration to important economy-boosting projects such as renewable energy and public housing infrastructure; and
(b) calls on the Federal Government to disband the National COVID-19 Coordination Commission.

The President: The question is that motion No. 688 be agreed to.

The Senate divided. [16:04]

(The President—Senator Ryan)

Ayes ..................... 8
Noes ..................... 30
Majority ................. 22

AYES

Di Natale, R
Faruqi, M
Hanson-Young, SC
McKim, NJ
Rice, J
Siewert, R (teller)
Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E
Antic, A
Bragg, AJ
Brockman, S
Canavan, MJ
Chandler, C
Davey, P
Duniam, J
Fierravanti-Wells, C
Gallagher, KR
Henderson, SM
Hughes, H
Hume, J
McDonald, S
McGrath, J
McKenzie, B
McLachlan, A
McMahon, S
Molan, AJ
Paterson, J
Patrick, RL
Rennick, G
Roberts, M
Ruston, A
Ryan, SM
Scarr, P
Smith, DA
Stoker, AJ
Urquhart, AE (teller)
Van, D

Question negatived.

COVID-19: Pensions and Benefits

Senator WATERS (Queensland—Leader of the Australian Greens in the Senate) (16:06): I move:

That the Senate—
(a) notes the imminent end to many of the government’s COVID-19 economic response measures, including:
(i) the JobKeeper wages subsidy which is due to finish on 27 September 2020, except for childcare centres for whom JobKeeper will finish at the end of June 2020,
(ii) the increase in JobSeeker and other social security payments which are due to finish on 24 September 2020, along with the relaxation of eligibility criteria,

(iii) economic support payments to eligible income support recipients, the last of which will be made during July,

(iv) free childcare, which will finish at the end of June 2020,

(v) cash flow support for small and medium sized enterprises, which is due to finish at the end of September 2020,

(vi) the apprentice wages subsidy for small and medium sized enterprises which is due to finish at the end of September, and

(vii) arrangements for eviction moratoriums, rent reductions and mortgage holidays, which are all due to finish at the end of September; and

(b) calls on the Federal Government to:

(i) extend economic response measures so as to avoid more people losing their jobs, more people having their income reduced, and more people falling into poverty,

(ii) develop a government-led recovery plan that will create the jobs for the future, and

(iii) announce these measures urgently so as to provide certainty and confidence, and to give the nation the best chance of making a strong recovery.

Question agreed to.

**COVID-19: Arts and Entertainment Industry**

**Senator HANSON-YOUNG** (South Australia) (16:07): I move:

That the Senate—

(a) notes that:

(i) it has been more than three months since COVID-19 physical distancing rules effectively shut down the arts and entertainment industry overnight,

(ii) hundreds of thousands of workers in the arts and entertainment industry have been impacted, and

(iii) the Morrison Government has not announced any specific industry assistance for arts and entertainment;

(b) calls on the Morrison Government to detail and deliver a recovery package for the arts and entertainment industry; and

(c) transmits this resolution to the House of Representatives for concurrence

**Senator DUNIAM** (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:07): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: The Prime Minister and the Minister for Communications, Cyber Safety and the Arts have confirmed that the government is looking at the issues impacting the arts, screen and entertainment sectors. In addition, a substantial number of organisations within the arts community are benefiting from the JobKeeper program. For example, the government understands that the Queensland Ballet, the Melbourne Theatre Company, the Sydney Symphony Orchestra and Opera Australia are all benefiting from the JobKeeper program. The government is also advised that the total support received for the initial JobKeeper fortnights in April by the creative and performing arts, under the cash flow boost and JobKeeper initiatives, is totalling $99.6 million.

Question agreed to.

**Asylum Seekers**

**Senator McKIM** (Tasmania—Deputy Leader of the Australian Greens in the Senate) (16:08): I wish to inform the chamber that Senators Griff and Keneally will also sponsor the motion. I, and also on behalf of Senator Griff and Senator Keneally, move:

That the Senate—

(a) notes that 14 June to 20 June 2020 is Refugee Week in Australia, and that 20 June 2020 is World Refugee Day;

(b) reaffirms Australia's commitments as a signatory to the Convention Relating to the Status of Refugees;

(c) agrees that:

(i) refugees and people seeking asylum have made, and will continue to make, significant contributions to Australia's social fabric and economic well-being, and

(ii) the indefinite detention of refugees, both offshore and onshore, causes trauma and harm to people who have applied for refugee status under the Convention Relating to the Status of Refugees; and

(d) calls on the Federal Government to immediately accept the kind offer from the New Zealand government to provide resettlement to 150 people each year from Australia's offshore detention cohort.
Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:08): I’d like to request that this question be divided into parts (a), (b) and (c)(i), and then, separately, parts (c)(ii) and (d).

The PRESIDENT: On the basis of that request, I will put the question. The question is that parts (a), (b) and (c)(i) be agreed to.

Question agreed to.

The PRESIDENT: The question is that parts (c)(ii) and (d) of motion No. 691 be agreed to.

The Senate divided. [16:13]

(The President—Senator Ryan)

Ayes ......................27
Noes ......................27
Majority ...............0

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Lines, S
Patrick, RL
Rice, J
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
McKim, NJ
Pratt, LC
Sheldon, A
Sterle, G
Walsh, J
Watt, M

NOES

Abetz, E
Birmingham, SJ
Brockman, S
Cash, MC
Duniam, J
Henderson, SM
Hume, J
McGrath, J
McLachlan, A
Payne, MA
Reynolds, L
Ruston, A
Seselja, Z
Van, D

Antic, A
Bragg, A J
Canavan, MJ
Davey, P
Fierravanti-Wells, C
Hughes, H
McDonald, S
McKenzie, B
McMahon, S
Rennick, G
Roberts, M
Ryan, SM
Smith, DA (teller)

Question negatived.

COMMITTEES
COVID-19 Select Committee

Senator GALLAGHER (Australian Capital Territory—Manager of Opposition Business in the Senate) (16:15): Earlier a postponement notification was circulated to my notice of motion No. 680. I would like to seek leave to now move that motion. I thank other senators and apologise for the inconvenience.

Leave granted.

Senator GALLAGHER: I move:
That the Senate—
(a) notes that:
(i) on 8 April 2020 the Senate unanimously supported the establishment of the Senate Select Committee on COVID-19 to inquire into the Government's response to the pandemic,
(ii) the Leader of the Government in the Senate told the chamber on 8 April 2020 that "we do believe there is a need for scrutiny" and that "it is very important to have in place a committee of the type that is being proposed", 

(iii) the Government has refused to provide the Senate Select Committee on COVID-19 with important information relevant to its inquiry including:

(A) modelling and scenario work undertaken by Treasury on the Government's response to the COVID-19 pandemic, and

(B) the date the Chief Medical Officer first briefed Cabinet on COVID-19, and

(iv) in relation to each of the examples in paragraph (a) (iii):

(A) the Government has asserted that it cannot provide the relevant information because it pertains to Cabinet,

(B) the Government has failed to make a public interest immunity claim in relation to the information sought, 

(C) in particular, no attempt has been made to identify any specific harm to the public that would result from disclosing the information, and

(D) the Committee has reiterated its requests for information and, in the case of the Treasury modelling, did not accept the Department's answer;

(b) reaffirms:

(i) the resolution of the Senate of 16 July 1975 relating to the powers of the Senate and the accountability of witnesses and requiring that any claim to withhold information from the Senate be based on an established ground,

(ii) the order of the Senate of 13 May 2009 (the 'Cormann order'), which sets out the process to be followed for witnesses, including ministers, to raise public interest immunity claims, including by stating the grounds of those claims and the harm that might be occasioned by providing the information, and

(iii) the principle that information may only be withheld following consideration by the Senate of a properly founded claim of public interest immunity, as laid out in the Cormann order and reaffirmed in orders of the Senate of 22 September 2020, 10 February 2011, 3 March 2016, 11 October 2016, and 12 September 2017; and

(c) orders the Minister representing the Treasurer and the Minister representing the Minister for Health to provide the information identified in paragraph (a) (iii) to the Senate Select Committee by 12 pm Thursday 18 June.

Senator DUNIAM (Tasmania—Assistant Minister for Forestry and Fisheries and Assistant Minister for Regional Tourism) (16:15): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator DUNIAM: It's a longstanding practice not to disclose information about the operations and business of the cabinet and its committees, including when a matter went to cabinet, who attended and what form of submission was provided, as to do so could potentially reveal the deliberations of the cabinet, which are indeed confidential.

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

The PRESIDENT: Leave is granted for one minute.

Senator ROBERTS: We support this motion. The people of Queensland and of Australia deserve to be treated with respect and to have confidence that the government's serious and far-reaching decisions taking us through the COVID scare are based on credible and robust data. The government's huge economic response is based on the Doherty institute report. It seems that is in turn based on the flawed assumptions of Professor Ferguson, Imperial College, London, and I am deeply concerned as to the validity of the data and concerned about decisions made on that basis. Professor Ferguson's modelling predictions are known to be wildly exaggerated and fanciful. His work has had devastating impacts on national economies. Yet his assumptions are cited as the basis for the Doherty report. I refer to the model description where baseline values and more were obtained from Imperial College in London. The government should release Treasury and health department modelling and scenario work as the basis for blowing $320 billion.

Senator PATRICK (South Australia) (16:17): I seek leave to make a short statement.

The PRESIDENT: Leave is granted for one minute.

Senator PATRICK: I'm very concerned that we see things like Treasury modelling, which is used to inform the Treasurer, having a claim of cabinet-in-confidence made over it. It seems the government is spraying cabinet sprinkle dust right across a whole range of decision-making, which, basically, denies the Australian public the ability to scrutinise and to participate in our democracy. It's really important that we have openness and transparency in relation to these matters. I remind the government that the Prime Minister is at liberty to waive any genuine privilege in relation to cabinet documents so that the Australian population can see the basis upon which decisions were made by the government.

The PRESIDENT: The question is that motion No. 680 be agreed to.
The Senate divided. [16:22]

(The President—Senator Ryan)

Ayes .................. 29
Noes .................. 26
Majority .............. 3

AYES

Ayres, T
Brown, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallagher, AM
Green, N
Lambie, J
McKim, NJ
Pratt, LC
Roberts, M
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lines, S
Patrick-Young, SC
Rice, J
Sheldon, A
Sterle, G
Walsh, J
Watt, M

NOES

Abetz, E
Bragg, A J
Canavan, MJ
Davey, P
Fierravanti-Wells, C
Hughes, H
McGrath, J
McLachlan, A
Molan, AJ
Rennick, G
Ryan, SM
Seselja, Z
Stoker, AJ
Antic, A
Brockman, S
Chandler, C
Duniam, J
Henderson, SM
McDonald, S
McKenzie, B
McMahon, S
Paterson, J
Ruston, A
Scarr, P
Smith, DA (teller)
Van, D

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Morrison Government

The ACTING DEPUTY PRESIDENT (Senator Faruqi) (16:25): I inform the Senate that, at 8:30 am today, 26 proposals were received in accordance with standing order 75. The question of which proposal would be submitted to the Senate was determined by lot. As a result, I inform the Senate that the following letter has been received from Senator Ciccone:

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

The Morrison Government's continual failure to deliver, leaving Australians to suffer the consequences.

Is the proposal supported?

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

The ACTING DEPUTY PRESIDENT: I understand that informal arrangements have been made to allocate specific times to each of the speakers in today's debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator PRATT (Western Australia) (16:25): We have a very broad but a very apt MPI on the table today. It gives us an opportunity to highlight the Morrison government's continual failure to deliver, leaving Australians to suffer the consequences. This is happening in every corner of our nation, whether you're a tradie in the outer suburbs who's lost your job; whether you're a childcare worker who lost your job during the so-called free childcare, because your childcare centre couldn't afford to stay open; whether you are a casual worker who didn't qualify for JobKeeper and is now unemployed; or whether you're a disability support pensioner who didn't get any
extra payment but have an increasingly higher cost of living because of things like needing to catch taxis instead of being able to take public transport. We've heard this day after day in question time answers: the government is very happy to deliver the Prime Minister's, 'Scotty from marketing', advertising campaign messages, but they refuse to acknowledge the Prime Minister—

Senator Duniam: On a point of order: it is disorderly to refer to members of the other chamber—or any chamber, for that matter—in any way other than by their appropriate titles. Madam Acting Deputy President, I wonder if you could remind Senator Pratt to use appropriate titles when referring to members of parliament.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): Could I remind all senators to please use appropriate titles for our colleagues.

Senator PRATT: Our Prime Minister, Scott Morrison, is very focused on his advertising but not on execution and delivery, as the answers given in question time from all of those opposite refuse to acknowledge any of their mistakes or bungles—or 'misexecutions'. We saw that just this afternoon from Senator Colbeck, where he was lauding the seniors emergency food delivery as an example of where they were making the best-laid plans in case they were needed. Well, they were needed. I've spoken to many a pensioner who was grateful for home delivery from Coles or Woolies or who lined up outside the many food banks in our nation. One of the reasons they were lining up was they couldn't buy toilet paper because, when they went down to the shopping centre, there was none there. So don't try to tell me that pensioners didn't need that extra support during that time. You just didn't get around to rolling it out.

Let's have a look at some of the other examples. There was a massive underspend on JobKeeper. Billions of dollars that was supposed to keep people connected to their jobs hasn't been spent—and guess what? We have a rising and record level of unemployment. My office has been inundated with calls from people who've had trouble getting through to Centrelink to get the support that they need. This is off the back of an overstretched system that was forced to deliver this government's ridiculous and unfair robodebt. When Centrelink collapsed because the system was overloaded by the number of calls and applications, the government didn't acknowledge it was their fault; they said there had been a cyberattack—again, marketing and spin, 'nothing to see here'. But the devil is always in the execution, and this government is failing at every turn.

Let's look at robodebt. Since 2017, we've seen example after example of how unfair and unjust it was, and heard claims that it was illegal, but the government didn't listen. Instead, to prove to the government that it was illegal, they had to be taken to court. Yet what do we do get from those opposite? During a motion to take note of answers this week, I heard Senator Stoker justify the use of robodebt, despite the fact that the Prime Minister had just apologised for its use. I think Senator Stoker said something along these lines—and she'll correct me and pull me into line later if I'm wrong: 'The government's got the right to retrieve debts that are owed. That's our responsibility to the taxpayer.' And of course that is the case. But the government could not prove that these debts were in fact owed at all, hence the illegality of the whole program. You're not supposed to send a debt collector out after someone, which is what this government did—you sent debt collectors out to chase people for their Centrelink debt—unless you can prove that a debt is actually owed, which you couldn't.

Let's look at the home renovation scheme promising to keep tradies in jobs—well, that's if you qualify. I don't know anyone who is planning to spend $150,000 on renovating their house and who can also meet the income limits. But, even if it does get things started, the scheme cuts out later this year. You've got to have your contract signed and start work, I think, by December.

But everything that this government is doing is going to be snapped back. It absolutely terrifies me that any good work that this government is doing with the stimulus that it's injecting into the economy might be completely undone because of its snapback agenda—snapbacks before the economy is ready. Your execution of these issues is absolutely dreadful.

I call on the government to really think about what you're doing. We need a properly executed plan for our nation in these times of need, and yet, day after day after day, all that is revealed is the terrible, terrible mess that you are making. It is time for this government to fess up to its mistakes instead of just relying, time and time again, on your marketing pitches—marketing pitches that have absolutely nothing to do with the truth for ordinary Australians, who are suffering the consequences.

Senator ABETZ (Tasmania) (16:33): While there are rorts, scams, secret bugging, secret recordings, funny money, and cash deals in Aldi bags going on within the Australian Labor Party, they come in here pretending to the Australian people that somehow the Morrison government is not delivering. Here I have a document of 20 pages, with 20 achievements on each page. If you know your numbers, that's about 400 achievements that we can point to. But you would have thought that the Labor Party, having been in opposition now for some seven years, would be using an opportunity such as this to tell the Australian people about their positive forward agenda. No.
All we heard was seven minutes worth of criticism, of unrelenting negativity—no alternative plan for the Australian people, no plan for jobs, no reason for the Australian Labor Party to put jobs first.

We in the coalition know that jobs are vital: vital for people's mental health, physical health, self-esteem and social interaction—vitaly important. That is why the Prime Minister and the government have said, time and time again: 'Jobs are front and centre of our policy development and our policy delivery.'

But what do the Labor Party do, being confronted with a huge scandal in Victoria? It looks as though it's leaked over from Victoria into the bordering New South Wales. Possibly they should have had border protection between those two states! But Labor in those two states are absolutely wrecked with scandal. What do they come in here to do? They come into this place making false assertions to try to distract attention from the dilemma that they face. So we had the spectre of the would-be Prime Minister of this country addressing CEDA, the Committee for Economic Development of Australia, and I think his big-picture vision was that we might have national drivers licences—really big-picture stuff! Visionary! I'm sure that people like Bob Hawke and John Curtin would be thinking: 'If only we could have come up with such a dynamic policy formulation for the future of our nation!'

Why is the Australian Labor Party so bereft of any policies? Because it is so consumed in internal warfare, branch stacking, funny money, Aldi bags—you name it. So, even when the Morrison government is delivering—from a space agency right through to child protection, right across the board—we have the hapless opposition betwixt and between, deciding whether or not they might actually support mandatory sentencing for those that abuse the most precious thing within our community—namely, our children. They agreed with mandatory sentencing for border protection, but not for people who abuse our children, the next generation? Where was the policy thought? Where was the policy formulation? Let alone where was the moral compass in determining that mandatory sentencing should not be part and parcel of the criminal law—especially when you are confronted with the fact that 39 per cent of those convicted of child sex offences weren't sent to jail? It's hard to imagine a more horrific crime, and yet the Labor Party are betwixt and between, not knowing how or why they should be protecting our children, because they're consumed by their internal warfare, their internal hatred, their factionalism—you name it—and so they take their eye off the ball.

If we want to talk about the litany of policy failures, can I remind those opposite that, if you live in a glasshouse, it's very foolish to throw rocks. That of course is what the Australian Labor Party have done with bringing this forward, because, if the Labor Party want to throw rocks at policy failures, I can hear one pane of glass smashing as I mention live cattle exports, another pane of glass smashing as I mention Pink Batts, another pane of glass being smashed when I mention the cash splash to the dead, and so the list goes on. And who could forget Fuelwatch or GROCERYchoice—the list of policy failures? And then, of course, on top of it all was the legacy of deficit and debt, which is a mortgage and an imposition on the next generation of Australians—completely and utterly immoral, in circumstances where you put such a millstone around the neck of the next generation.

So I suppose I'm somewhat gobsmacked at the cheek of the Australian Labor Party to come in here to assert that somehow Mr Morrison has failed to deliver, in circumstances where we have faced a pandemic—a once-in-a-century problem. I think most people recognise that Prime Minister Morrison has handled that exceptionally well, with his bringing together of the national cabinet and dealing with the border closures to protect Australia, before the World Health Organization was even willing to admit that we had a pandemic on our hands and that closing our international borders might be a good idea. Prime Minister Morrison is leading from the front, delivering for the Australian people. All you have to do is consider a comparison of the death rates. The last time I looked, we had, I think, four deaths per million of population whereas our cousins in the United Kingdom were confronted with 482 per million. There was 100 times the mortality and fatality rate in the UK, yet the Australian Labor Party comes in here and talks about policy failure. Excuse me! With a record like that, the world is looking to Australia, as we speak, asking how it is that we have achieved such a good result. It is through hard policy discussion and delivery and making it happen.

An opposition senator interjecting—

Senator ABETZ: We have this hapless senator from New South Wales interjecting, suggesting we were listening to Victorian Labor. That would be the last thing anybody in Australia would want to do today—listen to what's coming out of the Victorian Labor Party—unless you are interested in 60 Minutes and all the disclosures there. But I would have thought that using the Victorian Labor Party as the gleaming star example of Labor Party success is indicative of how bereft the federal Labor Party is. They actually look to the Victorian Labor Party as some sort of guiding light! How desperate would you have to be to look to Mr Andrews and his state government for that? How many ministers have now resigned—I think it was three or four—and how many others are under a cloud?
I say to those opposite: if you want to be treated seriously by the Australian people, come forward with a positive policy agenda. It is no use just throwing rocks and hoping that the Australian people will be distracted from your own policy failure in relation to policy. Just look at defence. In six years not a single major project was started or thought about—let alone delivering jobs for our fellow Australians. Be it in defence, be it in welfare, be it in border protection, be it in trying to balance the budget—the list goes on and on and on of positive policy achievements for the betterment of the welfare of the people of Australia. That stands in stark contradistinction to what the Australian Labor Party has to offer—scandal, scams, bugging each other and reporting each other to the police. And, all the while, they fail to deliver a positive agenda for the Australian people. So, I am more than happy to support Mr Morrison and his government. (Time expired)

Senator SIEWERT (Western Australia—Australian Greens Whip) (16:43): I rise to make a contribution on this MPI and to raise the Morrison government's failure to adequately invest in the care economy. The government is failing to take the opportunity to make sure that, as we come out of this crisis, we focus on a better normal: addressing our health, economic, climate and inequality crises. An element where the government has been missing is underinvesting in the care economy, which must be part of our recovery. For too long, we have ignored the wellbeing and economic benefits from investing in social and community services. Investment in social infrastructure, such as community and social services, education, health, aged care and child care, has a positive impact on the whole of society. Not only does this address inequality and wellbeing; it increases productivity and generates future revenue. A focus on preventative health and social care is an investment in future wellbeing that also reduces the need for further expenditure if we are addressing these issues.

New research from The Open University shed light on the economic and social benefits of investing in, as they call it, the care industry. Research has found that if Australia invested one per cent of its GDP in the care industry it would result in raising the employment rate by 1.2 per cent. If we invested the same amount in the construction industry it would only increase the employment rate by 0.2 per cent. That's not to say construction isn't important. Issues such as public transport, renewable energy and social housing must be invested in, but that is not enough for our recovery.

Furthermore, investment in the care economy would help reduce the gender employment gap. The research showed that 79 per cent of new jobs created through investment in the care industry would be filled by women. There are clearly striking benefits to investing in education, health, social services and community services—benefits that you would think any government investing in and navigating its way out of this crisis and recession would be interested in capitalising on. It just shows how critical the care economy is to our recovery. This research is very important and I urge the government to take it on board. The social fabric of our nation is important. In the midst of a recession, we need a new way of doing things. I urge the government to recognise the value of the care economy and start investing to deliver access to essential services for all Australians.

Senator AYRES (New South Wales) (16:46): I listened with some interest to the answer that the Minister for Aged Care gave during question time. I don't think there would be any other country in the Western world where the Minister for Aged Care would simultaneously be the Minister for Youth, but that's what the Morrison government has delivered to the people of Australia. Senator Colbeck's answers in question time are an enduring delight for everybody, I'm sure. He was asked about the performance of the government in relation to a promise that the government made to deliver 36,000 food packages to elderly Australians. Like many of the announcements that the Morrison government makes, they're breathlessly made with press releases, videos, government ministers standing in front of microphones but very little delivery. In this case 36,000 were promised but 38 were delivered. Even my high-school maths tells me that that's not 10 per cent, not one per cent but 0.01 per cent delivery. It's an emblem of the government's failure. It's an emblem of the cancer that goes to the heart of this government's approach to policy delivery and delivering for all Australians.

Today, in the other place, the Prime Minister was asked about the impact on women from Yass who have to travel to either Canberra or Goulburn to give birth. His answer was that there might need to be some improvements to the road system. He is out of touch, out of his depth, entirely devoted to spin. He has no capacity for the policy substance. And there are so many examples.

The National Party doesn't have a Minister representing the Minister for Agriculture in this place. On the commitments the government has made to Australian agriculture and the Australian farming industry: biosecurity levy? No delivery. A real-time payment platform for dairy farmers, breathlessly announced in the election campaign? The minister crawled back from that proposition today—another policy failure, another failure to deliver on behalf of this government. That would have meant something for Australian dairy farmers. The government promise to deal with $1 milk and the floor price for dairy farmers? No delivery. Drought response? No delivery. Not all the money has gone out the door—the government appears incompetent at delivering money
to Australian farmers. They can fill the advertising budgets of the agencies and send people driving all over the country, but there's no real delivery.

Look at the coronavirus response, which I listened to Senator Abetz talk about. The absolute disaster of policy failure on coronavirus in the United States, Brazil and the United Kingdom and the failure of government responses in those places, driven by the kind of politics that animates some people on the government's backbench, is a cautionary tale. In contrast the Australian public health response so far has delivered a very good outcome, but the Prime Minister took a very long time to get to there; it was only the response of the state premiers that dragged him to reaching the right policy conclusions. Meanwhile, in New South Wales, the failure of Border Force, the Border Force minister and the Prime Minister to stop the Ruby Princess debacle has delivered misery to the four corners of the Australian continent—misery in every state, infections in every state and many, many deaths as a result of that policy failure.

Then there's the coalition's economic response. There's no certainty about what's going to happen when there's a snapback of the jobseeker payment. Prior to the announcement of the scheme, it was universally acknowledged by everybody except those on the other side that Centrelink payments were too low for unemployed Australians. The snapback will have dire consequences. JobKeeper, a policy demanded by Labor, was mocked by people in here up until a few days before the government announced it. But there are serious policy failures there too: millions of Australian casuals excluded, universities excluded and international students left to starve. Australia's reputation overseas has been shattered, with international students who can't pay their bills and can't get enough to eat queuing for food in all of our major cities. And the entertainment and arts sector has been left to fail by a government that doesn't understand its responsibilities.

There's also the enormous $60 billion error in the forecasting and delivery of that policy. As the Leader of the Opposition said, you could see it from space. The Americans managed to put a man on the moon for less than $60 billion, in today's dollar terms. It is the biggest forecasting and delivery error in Australian history. I imagine it's probably the biggest error in the Southern Hemisphere. The one thing that the Minister for Finance can be confident of, the one achievement he can notch up there, is that nobody else will make an error that big. He is in the record books for the biggest policy error in Australian political history. That is the end of the Morrison government's economic credibility. They needn't knock at the door of economic credibility ever again. It's overconfidence and smugness that lead to policy neglect, and that error has real consequences. Rating agencies made decisions about the position they took in relation to the Australian economy. People made investment decisions. Many more people are unemployed because of that policy failure.

The HomeBuilder scheme—you couldn't design such a scheme even if you got the cleverest people in the country and said to them: 'I want you to design a scheme that reaches almost nobody, and, for those that it does reach, I want it to fund them a little bit extra to do a project that they were already going to do.' They devised a policy scheme that would provide no extra stimulus to the Australian economy—none—but drive up inequality, which is emblematic of this government's approach.

Pre-COVID, the government had nothing to boast about. There was downward pressure on wages—flattening wages; downward pressure on retail spending; declining business investment; and decreased productivity. Monetary policy was on its knees, with the Reserve Bank beggning the government to actually do something. Fiscal policy was in all sorts of trouble, and there was no plan.

On all sorts of other policy areas, like the federal ICAC the government promised they would deliver—no delivery. On energy policy, Senator Canavan's favourite thing, there are plenty of policies—there have been 17 of them—but none have been delivered. They've managed to construct an environment in energy policy where prices go up, emissions go up, investment goes down and confidence is shattered. The manufacturing industry has been forced offshore because of their policy failure and incapacity to develop a plan. Senator Canavan's mad plan for a new, expensive coal-fired power station would only serve to add to the policy chaos in energy policy on the other side of the chamber and push prices up further. It would increase emissions further and drive more industry offshore. He is smart enough to know it but he will continue to press that case because it suits him. There are 140,000 fewer apprentices. There is robodebt. Finally, in terms of delivery, we have the government's position in relation to Australia Post. Well, policy delivery there will mean that, because of Scott Morrison's plan for Australia Post, people in regional areas will get their mail later.

The problem with these people is that they believe their own spin. They believe their own spin and they are condemned to repeat it. On the grave and serious issues that face Australia in terms of its future economy—Australia's place in a more dangerous world; dealing with climate change; making sure that we reconcile effectively with our First Australians; and the future of our rivers and our country towns—they are not up to the task of charting a course for modern Australia in very challenging times.
Senator CANAVAN (Queensland—Deputy Leader of the Nationals in the Senate) (16:56): I thought this MPI was going to focus on the failure to deliver for Australians during coronavirus. That's what Senator Ayres was focused on for most of his contribution, but you could tell he ran out of steam because he didn't have much more to say by the end and started talking about energy policy and all these other things that we have disagreements on.

It is a shame that the Australian Labor Party can't bring themselves to share a bit of the pride that I think most Australians feel in how the country has responded over the past few months. It's been a challenging time for our nation. It's been more challenging for some than others. One thing I think we as a nation can take heart from is that, overall, we have responded in a united, committed, determined way to tackle this virus and to support each other through it. That cooperation, that determination, has been led by the Prime Minister, Scott Morrison. He's led that commitment and he's been supported by other governments around the country. I'm happy to say he's been supported by governments of the other side of politics, of the Labor Party, and by Liberal-National governments across the country, who have come together to cooperate in support to do the right thing by our country.

What I'm most proud of, though, is how the Australian people have come together to fight this virus and have overall complied with the onerous restrictions placed on their livelihoods. In good humour, and with steely determination, they have sought to respond and adjust to the changing economic circumstances facing them. I'm astounded by the resilience of so many small-business people in this country who have had their livelihoods turned upside down but have dusted themselves off, gone on with what they could do and made the best of what has been a pretty hard road for some. That's what I'm proud of. It's a shame that the opposition can't bring themselves to express even one iota of that pride in that shared achievement of this country.

By any measure, this nation has responded as well as, if not better than, almost any country in the world to this threat. We have stayed largely united. We have complied with the restrictions and we have done what we needed to do to protect the safety of others, and we are supporting each other in the fallout from what we've had to do and also in the rebuilding effort that is to come. That is something I think we should take pride in.

That's not to say that every decision governments around the country have made has been precisely perfect. But, overall, we have made sure that we have responded in a way that has protected Australians' health, that we have supported those who have needed assistance and that we are now also focused on rebuilding and creating jobs as we recover from what's happened in the last few months. I think our Liberal-National government has been particularly responsive and has made sure that it's parked any ideological commitments, or ones we may have previously made, and done what is right.

The problem here is that the Australian Labor Party haven't quite caught up with the program. They still think that somehow the caricature they present of the Liberal National government is true, that somehow we're evil mean-spirited people who only want to deliver budget surpluses because we like to be evil and mean spirited. No. We deliver those surpluses because they're important, to protect the future generations of Australia. But when other priorities come along—as they have, here, in the last few months—we adjust, because the end objective is to deliver for Australians. And that is what we have done.

We must, though, at some stage, return to the important point that we cannot keep spending forever. We have to be mindful of the debt that has been racked up, because all of the spending, all of the assistance we've provided in the last few months, has been borrowed money. We've had to borrow a lot of it from overseas, to support Australians. It's the right thing to do right now, but it has to be repaid. It is not our money, down here. It is the Australian people's debt that will be repaid, from themselves and their children and grandchildren, and we will commit ourselves to the prudent application of funds to support Australians, to get us through this crisis and rebuild our nation.

Senator ROBERTS (Queensland) (17:01): As a servant to the people of Queensland and Australia, I support this submission. In recent letters to the Prime Minister—in March, April and May—we expressed concern over the government's use of flawed modelling data to justify locking us all away and causing untold damage to our economy, businesses and jobs. The government's responses to these letters did not address the real issues, yet they stated: 'The government is well aware of the heavy economic and social toll created by the restrictions.' Today, now, we need to know where the plan is to rebuild our businesses and jobs—or will the Prime Minister just cut the COVID lifeline and feed our workers and businesses to the sharks?

We are already hearing about insolvency practices preparing to wind up many struggling Australian businesses, and as many as one in six could disappear soon. Back in the global financial crisis, the Labor government applied academic models that left us with high budget deficits and public debt. Yet they did not address the real problems, and soon we may have a national debt of well over $1 trillion—and nothing to show for it. What due diligence was done on flawed infection modelling from Professor Ferguson in Britain? That locked us all up. If this government had learnt early from nations like Taiwan and promptly adopted rigorous testing, combined with strict
isolation for people with the virus and isolation of the vulnerable, the rest would have been returned to work far sooner, with minimal economic disruption. Taiwan, for example, isolated the sick and vulnerable. The healthy continued working. They have a strong economy. Their health is 15 times better than Australia's. The Prime Minister will really be tested in October, when the support stops and we see businesses and our economy unravel.

Senator GREEN (Queensland) (17:03): At the start of this pandemic, as many Australians across the country watched daily press conferences, each time the number went up about the restrictions that will be put in place I know that many Australians' stomachs just sank—particularly our arts and entertainment workers, who knew that, with every new restriction announced and increased, their jobs would be some of the first to go and some of the last to come back. I know this because when those announcements were being made I was sitting next to an arts worker: my wife. As the ghost lights were switched on in theatres across the country, this government ghosted arts workers.

In Far North Queensland, we have a vibrant arts community and this is backed up by a strong line-up of Indigenous performers from the Cape and the Torres Strait Islands and other regions across outback Queensland. Every year several arts and dance festivals are held, including the Cairns international arts festival, which has had to go online this year. It is incredibly disappointing, I know, for many of those performers and workers that the income that they get from the events that were due to be held won't be coming in this year. But it is even more devastating that those workers were not included in the government's plans to support people through JobKeeper.

There might be some people in here that think that regional Queenslanders don't care about the arts, but I know that that's not true, because they talk to me everywhere I go in regional Queensland about the arts industry. I know this because I was in regional Queensland, in Stanthorpe, when the government axed the arts department. I was in Stanthorpe because they were facing a water crisis. I was pleased to find out, apart from the fact that they were talking about water security, that one of the things that they were very concerned about was this government's record on the arts.

Arts and entertainment workers are among millions excluded from the government's JobKeeper program. The structure of JobKeeper was designed in a way to exclude performers employed in the arts and entertainment sector, and it is having real-life consequences. These workers, who often make ends meet from gig to gig, have been forced to deal with the complete shutdown of their industry on their own. We know that, in many parts of regional Queensland and other regional areas across the country, arts and entertainment workers are actually employed by local councils, and local councils' workers were also excluded from JobKeeper. But, in another cruel blow, many arts and entertainment workers fund the jobs that they love so much by picking up casual hospitality jobs from time to time. Those jobs were also excluded from JobKeeper, unless they had worked for their employer for more than 12 months.

These heartless exclusions really cut deep, and that's because it hurts when you feel like you're not worth government support even though you do a valuable job. Arts and entertainment workers do the jobs that they do because they love their work. Their creativity is tied up in their identity, and I know that it would be absolutely devastating for them to not be able to do that work right now. They understand the reasons why and the restrictions that are in place and they want to get back to work as soon as those restrictions are lifted. But, throughout this period, they've been doing that on their own.

Of course, the government won't even acknowledge that there is a problem, even though they have been whispering now for a little while about a specific rescue package for the arts sector. If the government is going to raise expectations for these workers, it is better to deliver genuine support for workers. There is an official parliamentary petition calling on the Morrison government to support arts and entertainment workers through the coronavirus crisis, and it has passed more than 30,000 signatures this week. This incredible support makes this one of the most successful parliamentary petitions in recent years, with three weeks yet to run. The response is yet more evidence that this is an industry in crisis, crying out for help from this government, and it is an industry supported by our community.

We have called for a comprehensive industry support package, including support for workers themselves, many of whom have been shut out of the government's JobKeeper wage subsidy. At the start of June, the government gave those workers a glimmer of hope, as I said, by suggesting that there would be a rescue package on the way, but now, two weeks later, there's still nothing, and these workers are desperately waiting for that assistance. Why did the government raise expectations just to let these people down once again? The Palaszczuk Labor government has delivered $42.5 million for the arts industry, and that includes $22.5 million announced yesterday. That funding will focus on stabilising local art companies and see that jobs for artists and arts workers are protected.
We know that arts workers are resilient. The show must and will go on. As I said at the beginning of my speech, many ghost lights were lit in theatres all across the country during this time. I thought I’d share some words from Ange Sullivan, who is Head of Lighting at the Sydney Opera House. She said that ghost lights have two main functions. There’s a practical reason, to make sure that, if anyone goes into the theatre, they can see where they're going and they don't fall off the front of the stage, but there's another romantic idea about ghost lights, that:

Every theatre has at least one ghost, and when they come out at night we don't want them bumping into scenery or disturbing props.

It is a romantic notion, using ghost lights during this time, but it's also desperately, desperately sad, because arts workers feel so alone at the moment. Ange went on to say:

We decided that the entire House needed something to look forward to. A beacon, if you like. It's about us saying, 'We haven't gone forever, we're coming back and we're going to leave the lights on to show you that.'

Every arts worker will remember that this government ghosted them when it mattered. Every arts worker in this country will remember the amount of times that they asked for help and they were not listened to. Arts workers are really, really struggling, not only because they have lost their jobs, but because they can't do what they love to do right now. So I’m calling on the Morrison government to deliver that rescue package and to help these arts workers in the future. (Time expired)

Senator HUGHES (New South Wales) (17:11): I know it has been a rough week for Labor members, especially ones from Victoria. But I'm not sure Senator Ciccone had finished drafting the MPI before submitting, given both its lack of specificity and its blatant deception. The Morrison government is proud of what it has delivered and continues to deliver for our nation. Throughout this unprecedented time, our focus is on fighting the virus, delivering the economic lifeline Australians need to get through the course of the virus, reopening our economy and our society with a clear road ahead, building confidence and momentum in our economy and growing our economy for the years ahead. This is a five-year plan that will shape our country for the next 30 years. That means we're getting Australians out from under the doona, delivering jobs, guaranteeing the essential services Australians rely on, getting children back into school, keeping Australians safe and taking care of our economy.

We have the JobMaker plan to get Australia moving, focused on infrastructure and deregulation. This includes almost $72 billion in major infrastructure projects across the country being fast-tracked, slashing approval times and creating 66,000 jobs. And because the government recognises that, in these unprecedented times, some Australians will need to depend on government assistance in the short term, it has already temporarily supercharged the social security safety net, providing additional assistance to Australians affected by the economic impacts of the pandemic. Payments are rolling out for the $70 billion JobKeeper program, including a $1,500 per fortnight wage subsidy for 3½ million Australians. We have a $150 million domestic violence support package, to help family and domestic violence support services meet the growing demand as a result of the impacts of the coronavirus crisis. We're supporting senior Australians through two new initiatives under a $6 million communications package to prevent loneliness and social isolation. The government has also awarded $1 million in grants to 215 local community organisations to provide at-risk seniors with digital devices, such as mobile phones and laptops. The Morrison government is continuing to take action to help Australians whose mental health and wellbeing is affected by the pandemic by providing an additional $48 million to support the Mental Health and Wellbeing Pandemic Response Plan. The list goes on.

We were delivering prior to COVID and we will continue to deliver in the face of this crisis and beyond. We were already seeing increases in job creation and increases in female participation in the workforce and we are looking to the future, ready to build on that. The Morrison government is delivering. We're focused on taking care of people now and setting up our nation for success in the coming decades. We all know the impacts of the coronavirus across the economy and that they have been severe. Businesses and households are facing increased uncertainty, and economic activity has slowed significantly, but this government's economic support package has provided timely support to affected workers, businesses and the broader community and it has kept Australians in work and businesses in business. We have put a floor under the economy and will lay the foundation for a strong economic recovery. The government is focusing on reopening and rebuilding. We need to get businesses back open. We need to enable Australians to go back to work. We need to ensure that consumers and businesses have the confidence to return to normal activities.

With respect to Senator Ciccone and the point that he may have been trying to make: there are some things we are very proud to have failed to deliver, and quite frankly the Australian electorate are pretty relieved that we have. We failed to deliver a retiree tax. We failed to deliver limitations to negative gearing that would have seen increases in rental prices and decimated the property investment market. We failed to deliver a pink batts program
that literally lead to tragic deaths. We failed to deliver unwanted and overpriced school halls. We failed to deliver cheques to dead people. We failed to deliver cash in ALDI bags. We failed to deliver cash in folders along with fake ALP membership forms. We failed to deliver a protection racket for paedophiles rather than protect Australian children. And we definitely failed to sell out Australia to the highest bidder. Unlike those opposite, we are not failing the Australian people. We are delivering the economic health and security they need now and into the future. (Time expired)

Senator RICE (Victoria—Deputy Australian Greens Whip) (17:17): The Morrison government has failed to deliver; it sure has. It has failed to deliver a society where First Nations people are safe and equal, a society free of racism and discrimination. The Morrison government has failed to deliver justice to our First Australians. That's why tens of thousands of people have been protesting in the streets. Yet what does the Prime Minister focus on when asked about police brutality and black deaths in custody? He praises statues of colonisers, he denies slavery and he condemns protesters. He is definitely silent on the racist policies and institutions that are costing lives and tearing families apart. If only he cared as much about black lives as he does about protecting statues.

Black lives are at risk every day in Australia, and all the media and public attention on police violence hasn't stopped police officers attacking innocent people. On Monday, the South Australian police assaulted and wrongfully arrested Noel Henry. This violence isn't unusual, but this time it was filmed. South Australian police have now started an internal investigation. Police officers investigating other police officers—we know how that will end. Just today we have learnt that a senior counterterrorism police officer in New South Wales delivered a gross and mocking acknowledgement of country at a police Christmas party last year. This speech was reworded to acknowledge 'the Tactical Operations Unit nation' instead of traditional owners. It was stomach churning and disgusting and shows the unbridled disrespect and contempt that police have for First Nations people.

First Nations people in Australia are the most incarcerated group per capita anywhere in the world. We have seen 437 black deaths in custody and not one conviction. Every day, new stories emerge of how differently Indigenous people in this country are treated from everyone else, and this is all happening on their land, on stolen land. It is this original and ongoing sin that has taken root in our unequal power structures, in our racist institutions and in our laws, yet the Morrison government is nowhere. We must stop police brutality and systemic racism against First Nations people and other people of colour. We must make up for our original sin, dismantle systems of oppression and finally see justice for First Nations people. All of us must examine our own settler colonial history, listen to and centre black voices and actively work to decolonise.

Senator VAN (Victoria) (17:20): I rise to speak on this matter of public importance, and I'd like to start by thanking my very good friend, fellow Collingwood supporter and senator for Victoria, Senator Ciccone, for this dorothea dixer. It is wonderful to have the opportunity to highlight the role the Morrison government has had in delivering jobs, guaranteeing essential services, keeping Australians safe and taking care of our country. Let's be frank: for those opposite, the past week must've felt like the red wedding episode of Game of Thrones. I believe Senator Ciccone is probably the only Victorian parliamentarian not checking for reds under the bed at the moment.

For many Victorians, the past year has been a year like no other. From the drought to the bushfires and now the COVID pandemic, the Morrison government has been there every step of the way. It is coming up to a year since I took my seat in this place, so let's go to the highlight reel and discuss what the Morrison government has actually delivered. In my first week in this place, we delivered $158 billion in tax cuts—not a bad start to the year. In response to the drought, the Australian government committed over a billion dollars across the country to support the drought response recovery and preparedness actions.

Then the bushfires came along. Earlier this week I spoke about the significant support that the Morrison government had given to bushfire victims. I was also lucky enough to spend some time with BlazeAid down in Gippsland, where I saw firsthand the damage that the fires had done. It was clear to me that the effort needed to recover from this is going to be enormous and long lasting. To that end, the Morrison government delivered on that as well. Through the National Bushfire Recovery Agency, we've committed $2 billion to the Regional Bushfire Recovery and Development Program. Of that, $1.3 billion has been spent so far. That has looked after 281,000 Australians, who have received direct financial support through disaster recovery allowance payments. Additionally, 23,000 businesses have received direct financial assistance.

Then, while we were working on the bushfire recovery, the coronavirus pandemic hit. The Morrison government initiated one of the most successful responses in the world, saving tens of thousands of lives and millions of livelihoods. The Commonwealth, in supporting people during the coronavirus pandemic, has already committed $260 billion towards mitigating the economic impacts of the coronavirus. In that, there is $70 billion worth of payments rolling out for the JobKeeper program, including the $1,500-per-fortnight wage subsidy keeping 3.5 million Australians in their jobs. For those who lost their job or didn't have one, we've established a
new time-limited coronavirus supplement to be paid at the rate of $550 per fortnight on top of the existing $550 per fortnight. To say that there has been a failure in letting people fall through the cracks is just not true.

There have also been payments of up to $100,000 to eligible small and medium-sized businesses and not-for-profits. Additionally, $200 million will go to more than 300 charities to support the community. For mental health, $48 million to support the pandemic response plan was presented to national cabinet last week. In order to get the country moving out of the pandemic crisis, we have committed a further $1.5 billion to immediately start work on small priority projects defined by the states and territories. Of that, $1 billion is going to projects that are now shovel-ready and $500 million is reserved specifically to target road safety works. I should remind the Senate that this builds on around $7.8 billion worth of projects we brought forward since last year.

I'd just like to show that the combined contribution of the states and territories totals only $36 billion. So the federal government, the Morrison government, has delivered eight times what the states have done. In my home state of Victoria, they've only delivered a paltry $5.2 billion in initiatives. So, colleagues, I think it's safe to say the Morrison government has not failed in any way, shape or form but has delivered incredibly well for the country.

**Senator WATERS** (Queensland—Leader of the Australian Greens in the Senate) (17:25): I rise to speak on this matter of public importance, the Morrison government's failure to deliver. I'll tell you who it hasn't failed to deliver for: vested interests and its big business donors. They're doing quite nicely, thank you very much, out of this government, and, likewise, the government's political party is doing quite nicely out of the donations that come from that large sector. There have been millions of dollars in donations made to the Liberal-National Party since they have been in government—from the big mining companies, from the gambling industry, from property developers, from all sorts of people that want favours and want policy written that favours their bottom line. And, hey presto, we get tax cuts for those large companies and tax cuts for the wealthy. So it sounds like they're delivering quite nicely for their donor mates.

We know that fossil fuel companies give tens of millions of dollars in donations, and this government continues to deliver fossil fuel subsidies, accelerated depreciation that nobody else gets, discounted diesel fuel that nobody else gets. Now they're getting a fast-tracking of environmental laws. And you know what else they're getting? They're getting a commission stacked with representatives from the gas industry that don't have to disclose their conflicts of interest to the public or, in some cases, don't have to disclose them at all, and a commission that's recommending, who would have guessed it, yet more investment in gas infrastructure.

This government is delivering quite nicely for the big polluters, who happen to be big donors to its political party, and it is absolutely negligent in dealing with the climate crisis. The government could be investing in job-rich renewable energy. It could be funding schools and hospitals. But instead it's dishing out tax cuts to the wealthy and to big business and it's paving the way for yet more dirty gas to wreck our land, to wreck our water and to wreck our climate.

**The ACTING DEPUTY PRESIDENT** (Senator Brockman): The time for this discussion has now expired.

**DOCUMENTS**

Regional Investment Corporation

Consideration

**Senator RICE** (Victoria—Deputy Australian Greens Whip) (17:27): I move:

That the Senate take note of the document.

I wish to speak to the ANAO report on the Regional Investment Corporation. The Regional Investment Corporation, or RIC, was established in 2018, with significant financing, supposedly to streamline administration of $4 billion in concessional loans across two schemes, for farm businesses and national water infrastructure. As we can see in this report from the ANAO, $387 million, across 367 farm loans, has been approved within 18 months of operation. The ANAO note that the RIC board appointments largely reflect the required skill sets and find that there were, on average, 113 business days between submission and decision on loans.

In relation to the board, the ANAO report shows that, between June 2018 and March 2020, there had been no skills coverage on the board in relation to financial accounting and auditing. This is a pretty massive oversight for an investment corporation making large loans. More concerninglly, the ANAO report notes that the then chair declared a conflict of interest on 10 September 2019 but continued to chair the meeting, including in relation to the RIC strategic framework and audit and budget updates. The chair's resignation to the minister didn't follow until 19 September 2019, despite requirements under the Public Governance, Performance and Accountability Act for notification as soon as possible and taking steps to manage conflicts of interest. This is pretty extraordinary.

Returning to the timing for the loans, this is something that I'm quite concerned about. In particular, I want to highlight the case of loans to plantations which were intended to be delivered by the RIC. As part of their election
commitments, the Liberals committed to support the delivery of one billion new plantation trees through a new concessional loan product under the Regional Investment Corporation. There was a very short consultation that took place on that approach between November and December 2019. But, despite the promises, the process, the spin and the marketing, we've yet to see the Liberals deliver on this. In fact, media reporting today confirms:

CHEAP loans aimed at boosting the nation's forestry plantations have yet to be rolled out, more than a year after they were first promised.

We need to end native forest logging, with its terrible impacts on our wildlife, water and climate. Instead we should be supporting environmentally sustainable forestry plantations, including through these concessional loans where appropriate, to help complete the shift to a wood products industry that is 100 per cent based on plantations, shifting from the current 88 per cent.

But the Liberals are all marketing spin and no substance when it comes to doing the right thing. We've known for decades the incredible damage that native forest logging does. We know it's bad for the ecosystems that are torn apart and it's bad for threatened species whose habitats are destroyed. It's terrible for our communities too, and we lose the benefits of the forest as a carbon store, which are so critical as we face a climate emergency. Then we lose the economic benefits that come from regional tourism as people travel to explore these precious places. But, most of all, we lose the forests themselves, that incredibly important connection to nature and the incredible beauty and diversity of these forests as they are logged, taking hundreds of years, if ever, to return to something similar to their former state. So much is at stake, and there are enormous implications. That's why the recent Federal Court decision on logging native forests in Victoria was so important. It found that native forest logging in 66 forest areas across Australia was illegal, and it put native forest logging on notice. It's got implications right across Australia.

We know that it's time for the Commonwealth to get out of native forest logging. It was time decades ago. So we need action from the government on support for sustainable plantations and jobs in the plantation based wood products industries. But, sadly, the Regional Investment Corporation hasn't even been able to issue any of these loans. Instead we have this ANAO report showing that the RIC has taken more than 100 business days on average to approve loans under its existing schemes. If you're seeking financing under a concessional loan scheme for plantations, you are still waiting.

All we've seen from this government is slick spin and marketing. We saw it in forestry videos commissioned by the department to make the forestry industry look incredibly glossy. For a party that likes to talk about government waste, the Liberals spend far too much on marketing and spin. They should deliver the substance that makes a real difference by supporting plantations and ending native forest logging.

Question agreed to.

NOTICES
Presentation

Senator CICCONE (Victoria—Deputy Opposition Whip in the Senate) (17:32): Madam Acting Deputy President, I understand there's been agreement with the government, but I seek leave to lodge a late notice of motion circulated under Senator Gallagher's name.

Leave granted.

COMMITTEES

Rural and Regional Affairs and Transport Legislation Committee

Report

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (17:33): I present the report of the Rural and Regional Affairs and Transport Legislation Committee on the performance of the Australian Maritime Safety Authority together with the Hansard record of proceedings and documents presented the committee, and I move:

That the Senate take note of the report.

Question agreed to.

Scrutiny of Bills Committee

Scrutiny Digest

Scrutiny of Delegated Legislation Committee
Report


Leave granted.

Senator FIERRAVANTI-WELLS: I rise to speak to the tabling of the Senate Standing Committee for the Scrutiny of Delegated Legislation's annual report 2019. For almost 90 years, the Scrutiny of Delegated Legislation Committee has operated on a genuinely non-partisan basis to scrutinise all delegated legislation subject to disallowance by the Senate against the technical scrutiny principles set out in standing order 23. In doing so, the committee plays an essential role in ensuring on behalf of the Senate that executive made laws comply with the fundamental principles of the separation of powers and the rule of law.

The 2019 annual report documents one of the most significant years in the committee's history. As part of its regular scrutiny work in 2019, the committee examined 1,434 disallowable legislative instruments in 13 private meetings. Approximately 16 per cent of the instruments considered by the committee raised technical scrutiny concerns. Consistent with previous years, the majority of the committee's scrutiny concerns related to compliance with statutory requirements. However, there was a marked increase in the proportion of instruments which, in the committee's view, contained matters more appropriate for parliamentary enactment.

In addition to its regular scrutiny work, the annual report highlights several important changes to the committee's principles and practices during 2019 which have greatly enhanced the committee's capacity to perform its scrutiny role. Perhaps most significantly, the committee reported on its 2019 inquiry into the continuing effectiveness, role and future direction of the committee and the adequacy of the existing framework of parliamentary control and scrutiny of delegated legislation. The committee made 22 unanimous recommendations which emphasised the need to strengthen the committee's powers, functions and scrutiny principles and the broader framework of parliamentary control and delegated legislation.

Since tabling its inquiry report, the committee has taken a number of steps to promote these objectives. For example, in November 2019 the Senate agreed to the committee's proposed amendments to Senate standing orders 23 and 25(2)(a). Amongst other things, the amendments to the standing orders changed the committee's name to more accurately reflect the scope of the committee's work, amended the scope of instruments that the committee could consider, provided the committee with permanent general inquiry powers, enabled the committee to self-initiate inquiries into matters exclusively related to the technical scrutiny of delegated legislation, clarified the scope of the committee's scrutiny principles, enabled the committee to identify but not assess issues in delegated legislation likely to be of interest to the Senate, and clarified the power of the legislation committees to inquire into and report on delegated legislation made in the portfolios allocated to them.

In addition to the changes to the committee's standing orders, the annual report details a number of changes that the committee made to its internal work practices in 2019. For the first time in 19 years, the committee conducted private briefings with senior departmental officers to gather further information to resolve its scrutiny concerns without recourse to disallowance. The committee is grateful to the representatives of the Department of Home Affairs and the eSafety Commissioner for their participation in such briefings in 2019.

The committee also held its first ever private briefing with a minister as part of its scrutiny of the Quality of Care Amendment (Minimising the Use of Restraints) Principles 2019. The committee thanks the Minister for Aged Care and Senior Australians for his constructive engagement with the committee to satisfactorily resolve its scrutiny concerns about that instrument. These briefings embody the deliberative model of parliamentary scrutiny on which the committee's work is based and have proved to be a particularly effective means of resolving its technical scrutiny concerns.

From July 2019, the committee also changed its reporting practices to draw the Senate's attention to its most significant scrutiny concerns—to outstanding undertakings and instruments which authorise Commonwealth expenditure. For example, throughout the year, the committee reported on delegated legislation which authorised expenditure amounting to over $6 billion. I'm pleased to report that, since implementing these changes for its reporting practices, the committee has observed an increased responsiveness and timeliness by ministers and agencies in engaging with the committee to resolve technical scrutiny concerns. For example, the rate with which undertakings were implemented has increased tenfold since the committee altered its reporting practices.

While 2019 saw some significant steps towards strengthening parliamentary oversight of delegated legislation, some significant challenges remain. The annual report notes some key technical scrutiny issues which the committee will continue to monitor in the future. In particular, I would like to emphasise the committee's concerns regarding the exemption of delegated legislation from parliamentary oversight. In 2019, approximately 20 per cent...
of delegated legislation was exempt from disallowance and, therefore, removed from oversight by this committee and the parliament more generally. This proportion is likely to increase in 2020, due to the significant number of exempt instruments being made in response to COVID-19.

In its response to the committee's inquiry, the government committed to publishing guidance and materials on the circumstances where it is appropriate to exempt instruments from disallowance, and to amending the Federal Register of Legislation to enable exempt instruments to be easily identified. However, the committee notes that the government has yet to fulfil these commitments. These concerns have informed the committee's decision to undertake an inquiry into the exemption of delegated legislation from parliamentary oversight, using its new own-motion inquiry power. The committee looks forward to working constructively with the executive branch of government to address the issues arising from this inquiry.

On behalf of the committee, I would like to take this opportunity to acknowledge the work and assistance of the committee's legal adviser, Associate Professor Andrew Edgar. Committee members and committee staff very much value his expertise and his excellent counsel. I would like to especially acknowledge the hard work and commitment of the secretariat staff: Glenn Ryall, the committee secretary; Laura Sweeney, the principal research officer; and all the team. Without all your efforts, we would not have been able to achieve so much during one of the most significant years of the operation of the committee. I also thank ministers and departments for their willingness to constructively engage with the committee to resolve scrutiny issues.

Finally, noting the committee's longstanding practice of undertaking its scrutiny in a non-partisan and consensual way, I thank my current and former scrutiny committee colleagues for their commitment to the committee's important work. With these comments, I commend the committee's annual report 2019 to the Senate.

Question agreed to.

**Delegated Legislation Monitor**

Senator FIERRAVANTI-WELLS (New South Wales) (17:43): I present Delegated Legislation Monitor No. 8 of 2020 of the Standing Committee for the Scrutiny of Delegated Legislation and I move:

That the Senate take note of the report.

I would like to take this opportunity to highlight two key matters raised in the monitor. The first concerns the committee's scrutiny of the National Health (Take Home Naloxone Pilot) Special Arrangement 2019. This instrument makes a special arrangement under section 100 of the National Health Act to support the establishment of a PBS subsidised pilot program to supply naloxone to people who are at risk of an opioid overdose and persons who are likely to be able to assist such persons. In doing so, section 25 of the instrument provides that private third parties may be authorised by contract or other means to exercise all of the departmental secretary's powers and perform all of the departmental secretary's functions under the instrument.

The committee considers that the authorisation of private third parties to perform the powers and functions of a departmental secretary is a significant matter that must be expressly authorised on the face of an instrument's enabling act. In this case, the committee is concerned that the enabling provision of the National Health Act does not provide for such an express authorisation. The committee is also keen to ensure that appropriate accountability safeguards apply to any actions taken by private third parties in performing the functions and exercising the powers of public officials. For example, it would expect that authorised private third parties are subject to the same privacy and freedom-of-information laws as public officials.

Following extensive engagement with the Minister for Health, the committee retains significant scrutiny concerns about the instrument. Consequently, the committee has summarised these concerns in chapter 1 of Delegated Legislation Monitor No. 8 and is seeking further advice from the minister in the hope that this matter can be resolved without recourse to disallowance.

The second issue I would like to highlight is ASIC's recent undertaking to amend three legislative instruments to address the committee's scrutiny concerns. The instruments exempt or modify the operation of specific provisions of the Corporations Act to introduce relief measures related to financial advice and capital raised during the COVID-19 pandemic. The explanatory statement indicated that the emergency measures were intended to be temporary. However, the instruments themselves did not specify end dates for the measures. As a technical scrutiny matter, the committee was concerned that allowing the exemptions to remain in force for an unspecified period undermined parliament's ability to exercise oversight of the measures and was contrary to the committee's request to ministers and agencies that COVID-19 measures be time limited. I am pleased to advise that, in response to the committee's comments, these instruments have now been amended to specify end dates.

On behalf of the committee, I would like to thank the assistant minister and ASIC for their constructive engagement with the committee on this matter. This provides an excellent example of how the executive and the
committee can work together to ensure that policy objectives are implemented in a way that complies with the fundamental principles of legislative scrutiny and parliamentary oversight. With these comments, I commend the committee's Delegated Legislation Monitor No. 8 of 2020 to the Senate.

Question agreed to.

**Human Rights Committee**

**Report**

Senator HENDERSON (Victoria) (17:47): It's my great pleasure to present *Human rights scrutiny report: Report 7 of 2020* of the Parliamentary Joint Committee on Human Rights. I move:

That the Senate take note of the report.

I am pleased to table the Parliamentary Joint Committee on Human Rights' seventh scrutiny report of 2020. This report contains a technical examination of legislation with Australia's obligations under international human rights law. The report continues the committee's important work of scrutinising legislation developed in response to the COVID-19 pandemic. I note in particular the legislative instruments that determine requirements to prevent or control the entry or spread of COVID-19 in designated remote communities. The committee considers that these measures promote and protect the rights to life and health. While they may necessarily limit the rights to freedom of movement, equality and non-discrimination, the committee considers these are permissible limitations. In forming this view, the committee was mindful of the potential loss of life that our nation was facing when the pandemic was first declared and the critical importance of responding immediately and urgently to mitigate and manage these risks.

The committee also notes the importance of consultation with those in remote communities. I would like to quote the Minister for Indigenous Australians, the Hon. Ken Wyatt, who advised the parliament on 14 May 2020 in relation to these measures:

So, right from the beginning, we worked with elders, leaders and peak organisations. Working with my colleague Greg Hunt, we used the Biosecurity Act to define secure areas for remote communities in order to isolate them from people bringing COVID-19 in. One of the best expressions I heard was from an elder who said, 'This thing has no songline, and we don't want to create a songline that brings death.'

This demonstrates the very real human rights need for such action to be taken.

I would also like to briefly note the committee's concluding remarks with respect to two Civil Aviation Safety Authority instruments. The committee thanks the minister for explaining the human rights compatibility of these measures and commends CASA for revising the statements of compatibility to reflect this and for adopting the same course of action for two additional relevant instruments that it has identified. This is an excellent example of the way that the committee's dialogue model of engagement with ministers and departments can work in practice.

The committee has also continued to consider non-COVID-related legislation. In this report, the committee seeks further information in order for it to assess the human rights compatibility of the Australian Security Intelligence Organisation Amendment Bill 2020 and the Migration Amendment (Prohibiting Items in Immigration Detention Facilities) Bill 2020. I think it's important to reiterate that the committee has not reached a concluded view as to these bills' compliance with human rights law. I wish to also further reiterate that the committee's statutory role is to assess proposed legislation for compatibility with the seven core international human rights treaties to which Australia is a party and then to report to the parliament. In performing this function, the committee receives legal advice from, and is assisted by, an external legal adviser as well as the secretariat staff. Our report clearly sets out the legal advice received, which is separate from any view of committee members, and I spoke about that in my last contribution. Where the committee seeks a further response from the relevant minister, the committee is seeking information as to whether particular limitations on rights which have been identified are permissible as a matter of international human rights law. I stress that most rights can be properly limited if it is demonstrated that the limitation is reasonable, necessary and proportionate.

Finally, the committee has concluded its consideration of the Telecommunications Legislation Amendment (International Production Orders) Bill 2020. This bill seeks to establish a new framework for international production orders to provide Australian agencies with access to overseas communications data for law enforcement and national security purposes and to allow for reciprocal arrangements for certain countries. While the committee considers that the bill seeks to achieve the important and legitimate objective of protecting national security and public safety, it has some concerns as to whether it includes sufficient safeguards. In particular, the committee has expressed its concerns that the bill, as currently drafted, does not specifically prohibit mutual assistance with a foreign country where it may lead to the imposition of the death penalty or to degrading treatment. The committee has made a number of recommendations that consideration be given to amending the bill in order to reduce the risk that information which could expose a person to the death penalty or to degrading
treatment or punishment may be shared with a foreign country and to improve the compatibility of the bill with the right to privacy.

I encourage all parliamentarians to carefully consider the committee's analysis. With these comments, I commend the committee's report No. 7 of 2020 to the chamber.

Question agreed to.

Joint Committee of Public Accounts and Audit

Report

Senator O'SULLIVAN (Western Australia) (17:54): On behalf of the Chair of the Joint Committee of Public Accounts and Audit, I present the report of the committee entitled Report 481 Efficiency and effectiveness: inquiry into Auditor-General's reports 25, 29, 38, 42, 44, 45 and 51 (2018–19). I move:

That the Senate take note of the report.

One of the key functions of the Joint Committee of Public Accounts and Audit is to ensure the accountability and transparency of public administration and expenditure in the Commonwealth. Accordingly, examining the efficiency and effectiveness of the administration of government programs directly ties into the statutory responsibilities and interests of the committee. This report is presented to the parliament pursuant to section 8(1) of the Public Accounts and Audit Committee Act 1951 and details the committee's findings from the inquiry into the following Auditor General's reports 2018-19:

- Report No. 25 Efficiency of the processing of applications for citizenship by conferral;
- Report No. 29 Efficiency of the investigation of transport accidents and safety occurrences;
- Report No. 38 Application of cost recovery principles;
- Report No. 42 Management of small business tax debt;
- Report No. 44 The effectiveness of the Export Finance and Insurance Corporation;
- Report No. 45 Coordination and targeting of domestic violence reports and actions; and
- Report No. 51 Farm management deposits scheme.

The purpose of this inquiry was to examine the efficiency and effectiveness of the administration of a range of government programs across a variety of subject matters and Commonwealth agencies. The committee identified several common themes across the seven Auditor-General's reports which were examined, including the importance of strong governance structures, the effective measurement and management of program performance, and appropriate stakeholder engagement. These elements are critical to the success of all government programs, and the committee's findings are relevant to all government agencies undertaking program management on behalf of the Commonwealth.

In examining the operations of these programs, the Committee has made 11 recommendations to agencies, including:

- to the Department of Home Affairs, relating to externally reported key performance indicators and an electronic tracking system for applicants seeking citizenship by conferral;
- to the Department of Finance, in reference to cost recovery guidelines and benchmarking activities by cost recovery entities;
- to the Australian Taxation Office, regarding improvements to data analysis and systems designed to report on debt arising from compliance activities;
- to the Department of Social Services, relating to risk management and public reporting for the National Plan to Reduce Violence against Women and their Children 2010-2022; and
- to the Department of Agriculture, Water and the Environment and the Australian Taxation Office, in relation to policy objectives, key performance indicators and risk assessments for the farm management deposits scheme.

On behalf of the chair, I would like to acknowledge the work of the committee secretariat, and like all committee secretariats, we receive fantastic support and I particularly want to point out the support that we receive on this committee. We are often dealing with such varied subjects, and there is never anything—no subject and no issue—that they are not willing to take on. So I particularly thank the secretariat of this committee for this inquiry. I thank the other members of the committee for their cooperation in producing this bipartisan report. I commend the report to the Senate.

Question agreed to.
Economics Legislation Committee

Report

Senator McGrath (Queensland—Deputy Government Whip in the Senate) (17:58): I present the report of the Economics Legislation Committee on the performance of the Inspector-General of Taxation together with the Hansard record of proceedings and documents presented to the committee. I move:

That the Senate take note of the report.

Senator McGrath: I seek leave to continue my remarks.

Leave granted; debate adjourned.

DOCUMENTS

Sheean, Ordinary Seaman Edward (Teddy)

Order for the Production of Documents

Senator Hume (Victoria—Assistant Minister for Superannuation, Financial Services and Financial Technology) (17:59): I table documents relating to two orders for the production of documents concerning the Defence Honours and Awards Appeals Tribunal.

Senator Urquhart (Tasmania—Opposition Whip in the Senate) (17:59): I move:

That the Senate take note of the documents.

I rise to speak on the order for the production of documents, particularly in relation general business notice of motion No. 595. I want to speak on the display of utter arrogance by the Prime Minister, who has defied an order of the Senate to produce documents in accordance with that order, and that was regarding advice received on the decision to deny a Victoria Cross to Ordinary Seaman Edward ‘Teddy’ Sheean.

On 1 December 1942, 18-year-old Teddy Sheean made several profoundly courageous decisions when ordered to abandon his ship, HMAS Armidale, after it came under aerial bombardment and torpedo attack from the Japanese, decisions that would protect, defend and ultimately save the lives of his crewmates. Sheean did not abandon ship. He turned back, returned to his gun, strapped himself to it and fired on the enemy aircraft that were strafing and killing his mates. Wounded, he persisted and shot down at least one of them, remaining at his weapon until he was killed and the Armidale disappeared beneath the waves.

Teddy Sheean is a hero. He was posthumously mentioned in dispatches—a great honour. But it has been consistently asserted by his many supporters that an MID does not adequately reflect Teddy's gallantry. Those supporters straddle all political divides. Chief amongst them are his tireless family, supported by former senator Guy Barnett, now the Tasmanian Minister for Veterans' Affairs. For decades, they have worked towards a comprehensive review of his case to prove just how valiant this young lad was and that he deserves to be awarded the Victoria Cross.

In 2013 they were sorely disappointed when a valour inquiry by the Defence Honours and Awards Appeals Tribunal found Sheean's actions did not meet the criteria for that award. Determined that a full merits based review was the only way to achieve justice, they pushed on. In 2018 the Chief of Navy, Vice Admiral Noonan, wrote to Mr Barnett, saying that he had considered the matter and formed the view that there was no new evidence to support a review of Sheean's actions. In October that year, Mr Barnett applied to the tribunal, seeking a review of this decision by Vice Admiral Noonan. The review went ahead. It examined the story and the witness accounts in detail—process and precedent. It was the full merits based review that they had hoped for.

Finally, on 23 July last year, the tribunal recommended to the Minister for Defence Personnel, Darren Chester, that the minister recommend to the sovereign that Ordinary Seaman Edward Sheean be posthumously awarded the Victoria Cross. I'll repeat that: the tribunal recommended to the Minister for Defence Personnel, Darren Chester—a member of this government, the Morrison government—that he recommend to the sovereign that Ordinary Seaman Edward Sheean be posthumously awarded the Victoria Cross. Shortly after, Minister Chester advised the tribunal that he was comfortable with the recommendations and would be communicating with senior ministers, including the Prime Minister, Mr Scott Morrison.

All the way through this, Teddy's supporters have been most respectful of process, procedure and the reverence in which the VC is held. After all those years of work, it looked like Teddy was finally going to get the medal that he so well deserved. Then things went absolutely awry. The Prime Minister, Mr Scott Morrison, intervened. That's when things went bad. He rejected the recommendations of the tribunal and his own minister out of hand and refused to recommend to the Queen that the VC be awarded.

I guess one of the disappointing things from my point of view is that the Tasmanian senators on the other side of this chamber, as I understand, have also supported the position that Teddy Sheean be awarded the Victoria
Cross. They're not silent in this; I understand they've pressed the Prime Minister to uphold that decision. But they have been silent in this chamber, so they should be speaking out and they should be supporting this decision. Defending this decision, the Prime Minister claimed that he had taken advice from Australia's military chiefs—not chief but chiefs, past and present. This is the very advice that the Senate demanded be tabled in this place by noon today—12 noon; that was six hours ago, actually. But Mr Morrison could not be bothered to meet that deadline and the documents have been received now, over six hours later—4½ hours late, defying a Senate motion. The only advice was one letter from General Angus Campbell that was already publicly available. There were no other letters. We wind back to the radio interview where the Prime Minister made a statement on ABC Tasmania on 26 May 2020. He said: 'We have not taken this decision lightly. I have taken advice from Australia's military chiefs'—that's plural, past and present. But all we've seen today is a letter that was already tabled in the other place a couple of days ago.

So where is all this advice that he sought? Was it actually official advice or was it just a few matey chats with the old boys? It's not good enough, Prime Minister—not good enough at all. Now, in a desperate attempt to save face, we have yet another review and not one provided for by any kind of prescribed process. It's a process that the Prime Minister just made up that is now going to determine whether or not that independent tribunal's position will be upheld.

We are baffled and we are angry that the Prime Minister would reject the recommendations of the independent tribunal. That's why the awards tribunal is set up; it's why it's independent—for the express purpose of providing him with expert, independent advice. But he didn't like that advice, so he goes off and develops another review committee. It's outrageous. It is incredibly unfair that an open and proper process could be ditched by the Prime Minister in favour of private advice—advice that we, the Australian people, have not been privy to because he has not provided that to this chamber today. In the end, this is about trust—the trust of the Australian people—that proper process is followed. Right now, people are seeing nothing but an arrogant Prime Minister who has made the worst kind of captain's call—the worst—and still we wait for justice for Ordinary Seaman Edward 'Teddy' Sheean.

Senator BILYK (Tasmania) (18:08): I would like to associate myself with my colleague Senator Urquhart and her comments. As she said, Ordinary Seaman Edward Sheean was only 18 years of age when he committed an act of extraordinary bravery. On 1 December 1942, when the HMAS Armidale was struck by torpedoes its personnel were ordered to abandon ship. Sheean, although severely wounded by attacking Japanese aircraft, returned and strapped himself to one of the ship's guns to engage enemy aircraft. He shot down at least one of the aircraft and, in so doing, was defending his fellow personnel, knowing that he would go down with that ship. It's possible that Mr Sheean's actions, in drawing away the fire of enemy aircraft, saved the lives of his fellow crew members.

The Victoria Cross is awarded to a person who 'in the presence of the enemy' displays the: … most conspicuous gallantry, or daring or pre-eminent acts of valour or self-sacrifice or extreme devotion to duty …

For those who know of Teddy Sheean's deeds and have followed the various inquiries into them—I've been here for 12 years and we've been debating this issue for longer than that—the Prime Minister's decision not to posthumously award him a VC is more than baffling. My Labor colleague Senator Urquhart moved for the documents relating to this decision to be produced, because this issue warrants public scrutiny.

On the face of it, the decision and explanations of those opposite make absolutely no sense. We had the Minister for Defence claim in this place that the 2019 review by the Defence Honours and Awards Appeal Tribunal did not present any new evidence. Senator Reynolds also claimed that their inquiry was a review of the 2013 decision, not a full merits based inquiry. Guess what? She was wrong on both counts, and that's according to the chair of the DHAAT. Chair Mark Sullivan's decision to write to the minister regarding her misleading the Senate is not something I think he would have taken lightly. Yet he did it. Given Senator Reynolds' explanation was comprehensively torn apart by Mr Sullivan, the reasons for the Prime Minister's decision not to accept the independent tribunal's unanimous recommendation of 11 members remain a mystery. That's why the Senate ordered the production of these documents—to get to the bottom of the mystery, because there's nothing yet in the government's public statements or statements to this place that excuses or justifies the decision.

I was also very surprised at comments in the media about this issue by the Liberal member for Braddon, Mr Pearce. Mr Pearce, I've got to say, is a fence-sitter and here's a classic example. I do recognise that Mr Pearce acknowledged that Mr Sheean's actions were worthy of a Victoria Cross, but he also stated that he thought the PM made the correct decision to have another review. Seriously, how long can you sit on the fence? That is the most ridiculous double standard you could come across. It's a particularly curious intervention given that Mr Pearce joined his Liberal colleagues in advocating for a VC to be posthumously awarded to Mr Sheean only a month earlier, saying he was satisfied with the process but not satisfied with the decision. I'm pretty disgusted that Mr
Senator CAROL BROWN (Tasmania) (18:14): I too rise to associate myself with the remarks of my Tasmanian Labor Senate colleagues Senators Urquhart and Bilyk and to demand that the decision of the independent Defence Honours and Awards Appeals Tribunal be upheld so that Teddy Sheean can finally be recognised for his brave and gallant service with the awarding of the Victoria Cross. Given that the Prime Minister has steadfastly refused to provide any real insight at all into his decision to unilaterally quash the findings of the tribunal, it is essential that the authority of this place be respected and that documents pertaining to this decision be tabled for every Australian to see.

I don't need to retell the incredible story of bravery and courage that underpins the legacy of Ordinary Seaman Teddy Sheean. It is a story known so well, particularly to Tasmanians and particularly to Tasmanians on the north-west coast—and so it ought to be—and it has spurred so many supporters to fight so long to see that Teddy is given the respect and recognition he deserves. The Defence Honours and Awards Appeals Tribunal has determined that no less than a Victoria Cross should be awarded to Teddy—an honour awarded for the most conspicuous bravery or some daring or pre-eminent act of valour, self-sacrifice or extreme devotion to duty in the presence of the enemy, and an honour justly deserved. For a Prime Minister to intervene after a pre-eminent tribunal has made such an emphatic decision, based on the weight of overwhelming evidence, is extraordinary. It is precisely in circumstances such as this that the Australian people should be entitled to see the advice the Prime Minister relied upon to make such an extraordinary decision to set aside the decision of a tribunal set up specifically to deal with such matters.

Quite extraordinarily, the member for Braddon, Mr Gavin Pearce, stood up in the other place and said:

In my opinion, the Prime Minister has taken the right decision ...

Let's just let that sink in. The member for Braddon is on record in the parliament backing the Prime Minister's mishandling of this process. It is a mishandling that effectively amounts to a bizarre intervention to overrule the findings, recommendations and decisions of the Defence Honours and Awards Appeal Tribunal—simply extraordinary. And for what? We have not been given a reason why the Prime Minister would seek to intervene to overturn the decision of an expert tribunal specifically tasked with considering the merits or otherwise of awarding of a military honour. Its decision should be upheld and respected, not cast aside without explanation. Teddy Sheean and his family and supporters deserve so much better. Tasmanians deserve better. Indeed, all of our serving military personnel and our veterans deserve better.

The member for Braddon, though, went further. He went on to say:

It is not this place's job to kick this around like a football or like a can down the road.

I actually agree with the member for Braddon, Mr Pearce. I couldn't agree more. That's why the decision of the independent umpire should be respected. The only person kicking this matter around like a football is the person who refuses to respect the decision of the umpire who has called time on this matter, and that person is the Prime Minister, a Prime Minister who refuses to provide a proper explanation for doing so. And his actions are backed 100 per cent by the member for Braddon, Mr Gavin Pearce. I'm astonished—absolutely astonished. I would have thought that the local member for Braddon would be going in to bat for Teddy Sheean, his family and his supporters at every opportunity, not backing in a recalcitrant Prime Minister who has unquestionably done the wrong thing by failing to accept the decision of an independent tribunal. All Tasmanian members and senators should call on the Prime Minister to set aside his hastily formed review of a review, get on with upholding the appellate tribunal's decision and allow the awarding of the Victoria Cross to Teddy Sheean.
COMMITTEES

Rural and Regional Affairs and Transport Legislation Committee
Rural and Regional Affairs and Transport References Committee
Road Safety Joint Select Committee

Membership

The ACTING DEPUTY PRESIDENT (Senator Carol Brown) (18:20): The President has received a letter requesting changes in the membership of various committees.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:20): by leave—I move:

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

Rural and Regional Affairs and Transport Legislation Committee—
Discharged—
Senator Green
Participating member: Senator Gallacher
Appointed—
Senator Gallacher
Participating member: Senator Green.

Rural and Regional Affairs and Transport References Committee—
Discharged—
Senator Sheldon
Participating member: Senator Gallacher
Appointed—
Senator Gallacher
Participating member: Senator Sheldon.

Joint Select Committee on Road Safety—
Discharged—
Senator Sterle
Participating member: Senator Gallacher
Appointed—
Senator Gallacher
Participating member: Senator Sterle.

BILLS

National Vocational Education and Training Regulator Amendment (Governance and Other Matters) Bill 2020
Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020

First Reading

Bills received from the House of Representatives.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:21): I indicate to the Senate that these bills are being introduced together. After debate on the motion for the second reading has been adjourned, I shall move a motion to have the bills listed separately on the Notice Paper. I move:

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

Question agreed to.

Bills read a first time.

Second Reading

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:21): I move:

That these bills be now read a second time.

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

The speeches read as follows—

NATIONAL VOCATIONAL EDUCATION AND TRAINING REGULATOR (GOVERNANCE) AMENDMENT BILL 2020

Today I introduce the National Vocational Education and Regulator Amendment (Governance and Other Matters) Bill 2020.

The Australian vocational and education training (VET) sector is a vital engine that drives the Australian economy. The VET sector supports millions of students each year to obtain skills and expertise for success in future employment and further education. It provides agile pathways for people to enter the workforce, upskill or reskill.

VET qualifications and training need to be of a high standard to ensure they are trusted by students and employers and benefit the wider Australian community.

Delivering excellence in training lies at the heart of the Australian Government's skills agenda. That is why in October 2019, this Government announced reforms to the agency responsible for regulating the VET sector - the Australian Skills Quality Authority (ASQA).

The Government has committed $18.1 million towards reforms to enhance ASQA's engagement with the VET sector and ensure its regulatory approach is fair, transparent and effective. The reforms respond to the Braithwaite and Joyce reviews which both called on ASQA to adopt a greater educative role and improve its regulatory approach.

The first phase of reform is a rapid review of ASQA's governance, culture and processes which commenced in November 2019. The review is evaluating the effectiveness of ASQA's internal regulatory practices and processes, including how ASQA makes and reviews decisions. The review is due for completion in March this year and will inform a longer term program of improvements to support ASQA's continued evolution as a modern and effective regulator.

While the review is ongoing, initial work focussed on ASQA's governance. The regulatory experts undertaking the review evaluated the alignment of ASQA's current governance arrangements with best practice guidelines and arrangements of comparable bodies across Australia and recommended a revised model for ASQA to support effective, modern, fit-for-purpose governance.

The revised governance model in the Bill draws on best practice for Commonwealth regulators. It replaces the existing three commissioner structure with a single agency head, to be known as the Chief Executive Officer (CEO) of ASQA. This will enable the CEO to perform a role more consistent with that of the head of an agency, including leading ASQA's long and short-term strategy and making top-level managerial decisions that determine the organisation's objectives, resources and policies. This will be supported by a revised organisational structure which will better allocate and clarify operational responsibilities and improve regulatory decision-making.

Further, the Bill establishes a statutory Expert Advisory Council to advise the CEO of ASQA. The Advisory Council fills a gap at the strategic level. Rather than representing particular stakeholder or jurisdictional interests, the Council will provide ASQA with access to expert strategic advice to help it to continuously improve as a regulator while maintaining its independent regulatory decision making. The Council will also create a mechanism for meaningful sector engagement and demonstrate ASQA's commitment to ongoing improvement and learning from the expertise of others.

The members of the Advisory Council will bring to the table diverse skills such as expertise in regulation, communications, delivering training, and experience operating a training provider. To ensure the right mix of people and skills, I will seek out the views of the Ministerial Council for Skills before appointing the Chair or members to the Advisory Council. The Advisory Council will not be a decision-making body but rather a valuable source of strategic advice, a vehicle for confidential information-sharing and a strong foundation for stakeholder confidence in the regulator.

The revised governance model will enhance ASQA's organisational capability and support best practice regulation, continuous improvement and effective engagement with the VET sector. The changes will facilitate a shift towards a regulatory approach which focuses on combining educating and engaging with registered providers to foster excellence, and compliance monitoring and enforcement. The revised governance arrangements will hold ASQA in good stead to address future challenges such as changes to its internal practice, enhancements to ASQA's educative role, and the significant reform anticipated in the VET sector over the coming years.

The Bill also includes information sharing arrangements that support use of data collected by the National Centre for Vocational Education and Training (NCVER) under the Act. Improved information sharing will support governments and regulators, so that the diverse needs and requirements of all Australians, including groups with different needs, such as people with disability and those where English is not a first language, are considered in policy, funding and regulation.

Promoting quality in the system will ensure that VET is valued as a legitimate and reliable pathway enabling individuals to achieve personal and professional development, and industry to access a work-ready skills base with consistent, relevant and nationally recognised knowledge and skills.

Quality regulation is integral to ensuring the training system is equipped to deliver high quality student outcomes and to efficiently adapt to changing skill needs, labour market fluctuations and developing technologies. These reforms will benefit not only ASQA, but also the providers they regulate, VET students, graduates, employers, and the Australian economy at large.
The Bill is another critical step in this Government’s reform process to support ASQA’s continued evolution as a transparent and balanced regulator that engages effectively with stakeholders and builds quality in the VET sector.

THERAPEUTIC GOODS AMENDMENT (2020 MEASURES NO. 1) BILL 2020

I am pleased to introduce the Therapeutic Goods Amendment (2020 Measures No. 1) Bill 2020, which amends the Therapeutic Goods Act.

This Bill supports the delivery of the highest quality healthcare for Australians by:

- contributing to efforts to reduce delays for Australians in accessing new medical devices, by aligning the key medical device definitions in Australia with those in the European Union;
- improving understanding about what is required for successful applications for marketing approval for new prescription medicines, by enabling the TGA to provide early, non-binding scientific advice to industry sponsors about the safety, quality or efficacy of their products; and
- encouraging innovation in the assessed listed complementary medicine category, by introducing a data protection regime for clinical trial information submitted in support of applications for marketing approval for such medicines.

There are also a number of minor, unrelated measures outlined in the Bill, to reduce regulatory burden or make other improvements to regulation.

Main measures

This Bill implements three main measures.

First, the Bill amends a number of foundational medical device definitions to support the closer alignment of the regulation of medical devices in Australia with the EU framework, and more broadly with the global regulation of medical devices.

In particular, the Bill ensures that the definition of ‘medical device’ expressly covers software, implants and reagents. This reduces uncertainty around the definition of medical devices as those intended to be used for the prediction or prognosis of disease, the investigation, replacement or modification of a pathological process or state, the support of conception and the in vitro examination of specimens derived from the human body for a specific medical purpose. The Bill also brings the ‘accessory’ and ‘system or procedure pack’ definitions more into line with the EU terms.

These changes are designed to assist efforts to improve access for Australian consumers to new medical devices, by identifying Australia as a market that is closely aligned with the EU and for which access may be sought by device manufacturers and sponsors without delay, following EU approvals of their products. They also support recommendation 20 of the Expert Panel Review of Medicines and Medical Devices Regulation, agreed to by the Australian Government in its Response to the Review in September 2016, in relation to aligning the regulation of medical devices in Australia with the EU, wherever possible. These changes improve the clarity of these definitions which, in turn, supports better regulatory compliance for industry sponsors and manufacturers of medical devices.

Secondly, the Bill enables the Secretary to provide scientific advice to an applicant about prescription and over the counter medicines – before they submit a formal application to the TGA for marketing approval.

In some instances, it can be difficult for sponsors of medicines to determine the nature of information needed to support an application for registration, particularly in relation to whether a bioequivalence study is needed for a generic prescription medicine or what is required to justify not submitting a bioequivalence study. This uncertainty may risk sponsors investing considerable time and resources on evidence that is not needed, or providing insufficient evidence resulting in applications being rejected. Both instances may delay consumer access to new medicines and savings to the public through availability of generic brands.

To better support the timely availability of medicines for Australians, the Bill allows the applicant to request non-binding, scientific advice on prescribed aspects of the safety, quality or efficacy of a registrable medicine. While it is anticipated that initially this will focus on bioequivalence issues, the new power would allow a range of matters relevant to safety, quality or efficacy to be prescribed in the regulations.

The advice will be non-binding in that an applicant who requests such advice may apply for registration of a medicine regardless of the advice given in relation to the medicine. However, the TGA will be required to have regard to such advice when evaluating a medicine for registration. This will ensure that, in addition to helping medicine sponsors to have greater confidence about the requirements for an application, the advice will also directly support and streamline any subsequent application for registration.

Thirdly, the Bill introduces a data protection regime for assessed listed medicines – these are lower risk complementary medicines that are assessed in relation to their efficacy claims before they are given marketing approval.

This regime is based on the existing data protection regime in the Therapeutic Goods Act for innovator prescription medicines, and provide 5 years’ protection for clinical trial information that a sponsor submits in support of an indication (i.e. health condition) for an assessed listed medicine. This will be in cases where the information is not currently publicly available and no other medicine has that indication at the time the application for listing is made. This will mean that a sponsor of another assessed listed medicine will not be able to utilise the same information in the evaluation of its own medicine during that 5-year period.
This measure is designed to provide an incentive for sponsors of assessed listed medicines to invest in clinical trials research and innovation and, in so doing, to improve the competitiveness of the Australian complementary medicines industry.

Other, minor matters
The Bill also contains a number of other, minor measures, to reduce regulatory burden, improve the consistency of regulatory requirements or make other minor changes to remove spent and redundant provisions, correct headings and codify a long-standing condition of marketing approval for registered and listed therapeutic goods.

These include changes to:

- remove an unintended barrier to the operation of the provisional registration pathway for promising new medicines, by ensuring that where sponsors of these medicines need to vary certain aspects of their products while they are provisionally registered – such as dosage form or strength – they may apply for marketing approval for such versions without having to go back to the start of the pathway;
- allow sponsors of clinical trials that are approved by the Secretary to request variations to their approvals – currently trial sponsors cannot make such requests and would have to make a fresh application for a new trial, even for minor variations; and
- remove spent and redundant references to "therapeutic devices" in the Therapeutic Goods Act and from the Patents Act, as this product category has been superseded by medical devices.

Debate adjourned.

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

Health Insurance Amendment (General Practitioners and Quality Assurance) Bill 2020
Australian Sports Anti-Doping Authority Amendment (Enhancing Australia's Anti-Doping Capability) Bill 2019

Official Development Assistance Multilateral Replenishment Obligations (Special Appropriation) Bill 2019

Paid Parental Leave Amendment (Flexibility Measures) Bill 2020

Assent

Messages from the Governor-General reported informing the Senate of assent to the bills.

Treasury Laws Amendment (2020 Measures No. 2) Bill 2020

Consideration of House of Representatives Message

Message received from the House of Representatives returning the Treasury Laws Amendment (2020 Measures No.2) Bill 2020 and informing the Senate that the House has disagreed to the amendments made by the Senate.

Ordered that the message be considered in Committee of the Whole immediately.

The TEMPORARY CHAIR (Senator Carol Brown) (18:24): The committee is considering message No. 225 from the House of Representatives, relating to the Treasury Laws Amendment (2020 Measures No.2) Bill 2020.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:24): I move:

That the committee does not insist on its amendments to which the House of Representatives has disagreed.

The CHAIR: The question is that the motion as moved by the minister be agreed to.

The committee divided. [18:28]

(The Chair—Senator Lines)

AYES

Abetz, E
Birmingham, SJ
Brockman, S (teller)
Chandler, C
Davey, P
Fawcett, DJ
Henderson, SM
Hume, J

Antic, A
Bragg, A J
Canavan, MJ
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Hughes, H
McDonald, S

Ayes ......................29
Noes ......................33
Majority.................4

AYES
AYES

McGrath, J
McLachlan, A
O'Sullivan, MA
Remnick, G
Scarr, P
Smith, DA
Van, D
McKenzie, B
Molan, AJ
Paterson, J
Ryan, SM
Seselja, Z
Stoker, AJ

NOES

Bilyk, CL
Brown, CL
Carr, KJ
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Kitching, K
Lines, S
McCarthy, M
O'Neill, D
Pratt, LC
Roberts, M
Siewert, R
Urquhart, AE (teller)
Waters, LJ
Whish-Wilson, PS

Resolution negatived.
Resolution reported; report adopted.

REGULATIONS AND DETERMINATIONS

Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020

Disallowance

Senator SHELDON (New South Wales) (18:32): I'd like to add the name of Senator Rice as a co-sponsor of this motion. I, and also on behalf of Senator Rice, move:

That Items 4 to 7 of schedule 1 of the Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020, made under Schedule 1 of, be disallowed.

I'm aware that there are differing views on the two issues contained in the disallowance motion. Accordingly, I ask that at the conclusion of this debate the question on this motion be divided with respect to item 4 and items 5 to 7 so that senators may vote differently on item 4, relating to sovereign entities, and items 5 to 7, relating to the higher-education sector.

I rise to speak to my motion that would disallow items 4 to 7 of the government's Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020. These are the amendments the government introduced on 1 May, which further tightened the eligibility for the JobKeeper program. I do this because there are thousands of Australians who deserve better from this government—their government.

The COVID-19 health pandemic has rocked the foundations of Australia and of global society. It has closed successful businesses of all shapes and sizes across all industries, left millions of people around the world unemployed, and killed over 100 people in Australia and 400,000 across the world. It will leave a permanent mark on the lives of so many of us.

During periods like this, periods of unprecedented social and economic upheaval, the people of Australia look to us, their democratic leaders, for guidance, for leadership and for support. Throughout this period Labor has consistently called for action to support the economy, in order to protect jobs and to help Australian workers, businesses, families and communities through what has been a once-in-a-generation period of instability.

We know the origin story of JobKeeper. We know that at the outset the government really just wanted to throw Australians on the Centrelink queues. It was only because of continued pressure from the Labor opposition, the
The JobKeeper program began on 30 March 2020, but, on 1 May, the government moved to exclude Australian workers in universities and workers whose companies are ultimately owned by a foreign sovereign entity. It was an outrageous and cruel stroke of a pen that has left thousands and thousands of families out in the cold. The higher education sector, a sector that employs roughly 260,000, may, as a result of the COVID-19 pandemic, see some 21,000 workers unemployed. These workers include cleaners, security staff, caterers and administrators working across Australia’s universities, and the academics, the many that teach so many important people across the economy. They are workers in our suburbs and in our regions, the places hardest hit by the economic turmoil of the pandemic. These workers have done nothing wrong and yet the government has now on three occasions changed the regulations to make it impossible for universities to meet the thresholds for JobKeeper, depriving these hardworking Australians of the support they need during this shutdown. I want to commend the National Tertiary Education Union, their leadership and their president, Alison Barnes, for their steadfast advocacy for these workers, doing everything they can to keep them in secure jobs.

I want to focus now on those Australian workers who are shut out of the sovereign entity provisions. Let's be very clear about what the government has done: in 2018 they approved the sale of Qantas’s Q Catering to dnata, a catering company owned by the Emirates airlines, which is itself owned by the UAE government. Now they want to turn around and effectively punish these workers for this decision. It is no fault of these workers what the ultimate ownership structure of the company is. It is a well-known feature of the aviation industry around the world that there are high levels of government ownership. This is how aviation works. In any case, it should not matter. They are Australian workers. They pay income tax, like everyone else, to this government. The government promised an economic compact with the Australian people. It promised to support some six million workers—a number they trumpeted. Now, after their accounting blunder was exposed, we know it is just three million. Australian workers have been short-changed by this heartless government, which has broken its compact with the people of Australia.

JobKeeper is an Australian wage subsidy. The money is going into the pockets of Australian workers, not foreign governments. This government, instead, wants to split hairs about ownership structures and shareholdings. Qantas workers are getting JobKeeper. Even Swissport, an aviation firm employing thousands of Australians, opaquely owned by the Chinese government—through HNA’s takeover—are getting JobKeeper. These aviation workers are getting this support because Australian workers are Australian workers. Full stop.

Dnata employs over 5,500 workers across nine Australian airports, including Sydney, Melbourne, Brisbane, Adelaide, Darwin, Coolangatta, Avalon, Perth and Cairns. Many of them worked previously for Qantas, before it sold its catering business to dnata. These workers were amongst the very first hit by the coronavirus lockdowns, when the government made the decision to shut aviation down. It was hard, but they accepted this was a public health emergency. Subsequently, they were told by their employer that it would be okay, that they would get JobKeeper and they would have jobs on the other side of this crisis. Dnata had to stand down 90 per cent of their workforce and employ only a skeleton crew.

Then JobKeeper was announced, and the company was ‘invited to apply’. Some workers even received payments from their employers in the expectation they would be receiving JobKeeper. Many cancelled jobseeker applications, looking forward to getting back to work and the certainty that JobKeeper payments would provide them and their families. They were playing by the rules, only to have the government move the goalposts on them mid-game. The lunacy—that workers who hand you the meal on a flight can receive the support, but the workers...
who make the meal are denied it. It is hard to describe this situation as anything short of these workers being double-crossed by their own government. Cancelling their applications has cost them time and money they can ill-afford.

I want to pay tribute to the incredible work of the Transport Workers Union of Australia and the Australian Services Union, who represent these workers, and, importantly, the workers themselves who are standing up. The workers at dnata have no control over who owns their company. They work for a company that is sovereign owned by another country. But they are Australian workers, and after a lifetime of work and paying tax they deserve our support. The decision to exclude these workers is harsh and lacks compassion and logic. It impacts not only these workers but also their partners, families and communities.

This decision has created such unnecessary and harmful stress to workers and their families. It's even more harsh after a $60-billion JobKeeper accounting error by the government was revealed only a few weeks ago. I'm pleased to acknowledge that at least one member of the government, the member for Hughes, Craig Kelly, has joined with me in supporting the case of the dnata workers. He acknowledges, as do many members and senators, that these workers could easily be included within the original funding envelope provided for the program.

This is a heartless decision that hurts Australians, Australians like Nelly and Darlene. Nelly was made a permanent employee of Q Catering in 1980. She took pride in her job. She says in writing to me:

Keeping myself mentally and physically active, continuing to be a provider for my family and also working with my team, who after 40 years had become my family away from family.

Sacrificing time away from actual family for all of those years to be able to contribute to something greater, knowing I wasn't a burden on society also filled me with satisfaction.

I have never asked nor received family assistance from the government. I didn't ever plan to.

Unfortunately, as of March this year, we were all asked to 'step down' from our jobs.

Four decades working for Qantas, wiped clean because the company had sold to a foreign entity. Something we came to find out the Australian government approved before it could be sold.

Now 4 months into Covid 19, having paid taxes for over 40 years regardless of who owned the company, not only was I out of work, unable to qualify for assistance I should have been entitled to and left reevaluating all of my life's hard work and sacrifices to this point, I felt helpless, broken and unsure of what to do next.

She is not eligible for jobseeker and, because of this government, she has been excluded from JobKeeper.

Another dnata worker, Darlene, also contacted me this week. This is what she had to say:

My grandfather served in world war one and world war two. My grand uncle died on the battlefield in Polygon wood Belgium 26/09/1917 serving in world war one. My father passed away last year from illness received serving with the Australian Navy in Korea, yet you don't consider me to be Australian enough to receive JobKeeper. Please explain what your requirements are to be classed Australian. The Australian government allowed this sale to go through yet are punishing and sacrificing us for their poor decisions. You can help us to right this wrong. Please give us JobKeeper.

Well, the Prime Minister likes to talk about quiet Australians. He likes to talk about a fair go. If you have a go, you get a go. Where is the go for Nelly, Darlene and their families? Where is the backing of these quiet Australians? If the JobKeeper allowance is not for them, it's not worthy of the name and would be more appropriately called 'Job Faker'. And this government is not worthy of a name either.

Senator COLBECK (Tasmania—Minister for Aged Care and Senior Australians and Minister for Youth and Sport) (18:47): In response to the economic crisis caused by the coronavirus, the government has provided total economic support worth $260 billion or 13.3 per cent of GDP. As a part of this response, the $70 billion JobKeeper program provides unprecedented support to millions of Australians. Eligibility has focused on maximising the reach of the JobKeeper program, while ensuring the program is able to be implemented as quickly and efficiently as possible and while remaining sustainable.

Senator RICE (Victoria—Deputy Australian Greens Whip) (18:48): The Greens support this disallowance and specifically I want to talk to discussing disallowing item 4 of these regulations from the coronavirus economic response package. We also support the disallowance of items 5 to 7. My colleague Senator Faruqi spoke extensively to this in her own disallowance last week. I associate myself with the remarks she made about those items which were related to the higher education sector.

There was a time when the coalition liked to talk about 'team Australia'. But they're not talking about being a team now that we're in a crisis. Now that Australian workers are in the lurch, the coalition are back-pedalling as fast as they can. Now when it really matters, people in Australia who are doing it tough are finding out whose side the coalition is really on. This government might be willing to pay hundreds of thousands of dollars to a former mining executive to fly around the country but they're not willing to support Australians who are doing it tough and communities that are struggling.
The particular workers that I want to talk about tonight are some of the workers in the aviation industry. We know the aviation industry is in a bit of difficulty at the moment with this pandemic, because, as we know, most people aren't flying. There are very few flights either domestically or internationally. We're in a situation, as states lift their restrictions, where we may see an increase in domestic flights, but international flights are not likely to return to the levels that we saw pre-crisis in a particularly short amount of time—if, indeed, they ever do. So we've got a situation with aviation workers. There are tens of thousands of them who are out of work because of the pandemic. These are just the types of workers that the government's JobKeeper package was designed to support—people who, because their industry was being badly affected by this pandemic, were not able to be in work.

But we've got a particular cohort of workers who aren't being supported: the workers employed by dnata. Before this crisis, dnata handled 300,000 tonnes of cargo and supported more than seven million passengers. There are 5,500 workers, and the government is not supporting them. The government is also not supporting the hardworking workers of Cabin Services Australia, who do all the cleaning of cabins and preparation of flights across the country. I met some of these workers out on the lawns of Parliament House last week, and they could not understand why they were being singled out. They are proud of their work. As politicians, we fly around the country a lot. Every time we have flown on a flight, it's those workers at Cabin Services Australia who have done the hard work and cleaned the cabins to make sure that they are safe and clean for us to fly in.

So why aren't these workers being supported by JobKeeper? Because their companies are owned by a foreign government. But that makes no difference to them. In fact, in the case of dnata it's only a matter of different corporate takeovers now that the company is owned by a foreign government. It makes no difference to the workers. They are employed here in Australia and have been paying taxes here in Australia. They are just like all the other Australian workers who are being supported by JobKeeper. By supporting these workers with JobKeeper, we're not propping up foreign governments; we are supporting Australians who are out of work during this pandemic. Not supporting these workers has a terrible impact on them, their families and communities around the country; it's a huge impact. Supporting them means food on plates, mortgage payments and being able to pay the bills in the midst of this crisis. This pandemic is hard enough for people without the coalition throwing workers under a bus. The tragedy is that there is a real opportunity for this government to act and to make a real difference in people's lives. The government could step up and provide support, and support these workers in this crisis.

The Greens believe that we need to have a serious look at the sustainability of the aviation industry after the COVID pandemic, or whatever situation we're in as the COVID virus plays its way out throughout the world, and that we need to have a serious look at aviation in the context of the climate crisis as well. But leaving workers in the lurch on the arbitrary basis of their company being owned by a foreign government is not the way to do this.

The Greens believe that we should take action domestically to ensure that we have two viable airlines connecting up our rural communities as we come out of this crisis and to ensure that all existing workers in the aviation sector are looked after. We support the calls from the Transport Workers Union for a national plan for aviation, and I want to thank the Transport Workers Union for the work that they have been doing to try to support the workers in this industry. The TWU are calling for a two-airline model; government equity in the airlines to ensure long-term stability; accessible and affordable services for regions; protection and promotion of regional jobs; JobKeeper for all aviation workers; workers to get the same pay for the same job; safe supply chains and regulation of airports; and capped CEO salaries. We support those calls. This is a crisis, and it requires a real response from government that doesn't leave people behind. It requires a response that doesn't allow one of our domestic carriers to go into administration. The Greens are calling for the government to, if required, take steps for public ownership of Virgin as a step to deal with this crisis. However, of course the support that the government is giving should come with conditions. We think it should support worker representation on the board and no bonuses for executives.

Public ownership is an important way for government to support workers through this crisis, making sure that an aviation crisis doesn't exacerbate the jobs crisis that we face. Public ownership is also a way for government to support airlines in tackling the environmental challenges we face. In the long term, airlines must reduce their emissions if we're going to stay within our carbon budget and have a safe future on this planet so we can continue to live on it. Any public ownership stake must ensure that airlines live up to their commitments to reduce emissions under the Carbon Offsetting and Reduction Scheme for International Aviation. We've heard reports that airlines are lobbying to have their targets made easier, even as they ask for government support.

So let's be clear. Government needs to be supporting the aviation industry. Governments must support workers through a national aviation plan that includes public ownership when necessary. It must ensure that airlines meet their emission targets. But in the context of this disallowance tonight, what we must ensure is that workers are not
left behind—that hardworking workers in the aviation industry, who have been paying their taxes and working hard, like every other Australian worker, deserve to be supported like other Australian workers have with the JobKeeper scheme. For that reason, the Greens strongly support this disallowance motion tonight.

Senator HANSON (Queensland) (18:56): This disallowance motion on the Coronavirus Economic Response Package (Payments and Benefits) Amendment Rules (No. 2) 2020 has created a significant amount of torment for both Senator Roberts and me. I stated from the outset that the repercussions the coronavirus will have on Australia and the rest of the globe will be potentially felt for generations. One of those industries that felt the immediate impact of this virus was aviation—and its affiliate industries. The fate of dnata employees was first brought to my attention by FIVEaa announcer Leon Byner several weeks ago. I made a commitment to Leon that I would look into this. I thank Labor Senator Tony Sheldon, who has been a very strong advocate for the workers of dnata. He has given me a very raw insight into what these employees are going through.

This chamber will never quite know how much anger I felt when I heard that we lost another wholly owned Australian business called Q Catering to the United Arab Emirates. You see, many of these employees started their careers employed by Qantas until it was sold to Emirates, a UAE state owned government company. Emirates have posted 32 consecutive years of profit. In their 2019-20 annual report, they posted a revenue of US$28.3 billion. Unfortunately for these Australian workers—and let's be upfront about this—they might work for a foreign government company, but they are Australian workers.

The emergency legislation that was passed by Labor and the coalition government to safeguard jobs under the JobKeeper program prohibits Australian and foreign governments from accessing the JobKeeper program. I'll say it again: the JobKeeper program cannot be accessed by foreign governments and, equally, it cannot be accessed by Australian governments, which also includes local councils. This was passed by the Liberals, Labor and the Nationals. The disallowance motion that has been put forward today is somewhat of a false hope for the workers of dnata. To them: I sincerely apologise to you and your colleagues if you had hopes that this disallowance motion would give you access to the JobKeeper program.

One of the questions I asked both the government and Labor related to the return of domestic and international travel. As Australian states determine their relaxation of domestic travel, there is an expectation that flights will resume in some form of capacity over the coming months. As for international travel, that's not likely to restart more broadly until we either find a cure for the coronavirus or somehow everyone miraculously recovers.

That brings me to the decision process that Senator Roberts and I used for our determination. The vast majority of the nearly 6,000 dnata workers here in Australia will not have a job to return to once the JobKeeper payments end on 27 September. As I stated months ago, our aviation industry will barely be open for domestic, let alone international, travel. This is going to be a complete blow to many dnata employees, but I'm being completely upfront and honest with you.

I have confirmed with the government that many dnata employees will qualify for jobseeker, which, at the moment, still includes the coronavirus supplement of $550 per fortnight and gives recipients a total of $1,100 per fortnight. Depending on an individual's circumstances, parents may be eligible for other supplements like family tax benefit part A, of up to $186.20 per fortnight for a child up to 12, or family tax benefit part B, which can offer up to $158.34 each fortnight for children under five. Jobseekers can also make an application for Commonwealth rent assistance. I also want to point out that people on social security payments will also be eligible for two $750 economic support payments, the second of which will be paid following 13 July. It is also important that anyone caught in these horrible circumstances knows that their ability to access jobseeker will not be asset tested and that the partner threshold has been lifted to $79,788 per annum.

I've always tried to maintain a responsible position when it comes to spending taxpayers' money. There have been some tough choices made by the Morrison government, and I can assure you: some of those I agree with and others I don't. But we've all had to make tough choices these past few months, and I sense that there are going to be many more over the next 12 months as well.

All employees who have lost their jobs or were ineligible for the JobKeeper program have my absolute sympathy at this moment in time. I am very conscious of the needs of these workers, and I'm also aware that my party's head office has employed one of these workers who lost their job at the Brisbane airport. Taryn has been with my head office now for a fortnight, and I would encourage any business that is looking for employees right now to consider closely the former employees of dnata and our airport staff.

Let me say this to all Australians: I will do everything in my power to ensure that we rebuild jobs in this country and that we stop selling our profitable businesses to foreign governments and overseas companies. And I will continue to fight with the same vigour to ensure that Australian jobs go to Australian workers moving...
forward. I want to acknowledge Senator Sheldon for his determined representation of the aviation industry, but, on this occasion, One Nation will not support the disallowance motion.

Senator PATRICK (South Australia) (19:04): I rise to make a very short statement. It seems to me perverse that there are Australian workers who, for no reason that they had any control over, find themselves in a situation where they are working for a foreign company and yet are not able to get access to the JobKeeper payments. This is not money that goes to the company. It's money that goes to the workers. In some sense, it tells you how the Liberal Party think. They think through the lens of a business. They're looking at this from a business perspective and saying: 'How do we support businesses? This one's a foreign business, and, therefore it doesn't warrant support.' I understand that, but this particular payment goes straight to the worker.

Senator Hanson interjecting—

Senator PATRICK: I'm not talking about companies, Senator Hanson. I'm talking about people who work for companies, who are good people. They go to work and spend their time working hard for the company—servicing Australian customers, ultimately—and they will suffer as a result of the decisions made by government. What we're trying to do here tonight is stop this particular decision. Again, I'd just emphasise—this money goes directly to the workers. It does not go to the companies.

Senator ROBERTS (Queensland) (19:05): The COVID scare has been having a massive impact on our country. We know that. As a servant to the people of Queensland and Australia, I want to express my empathy to the people who have either been put out of work or have limited work. There's enormous stress on people—we know that—and especially in the airline industry. It has been decimated because there is such close contact between people when we fly on an airline or mix in an airline terminal.

I want to acknowledge the dna people. They are fine people, fine Australians, who must be feeling devastated to be in such a solid industry and to have been sold out by Qantas, to have been sold out by the government that allowed that sale to a foreign company, a foreign government. It is very stressful, I'm sure. There's a lot of worry, a lot of concern and a lot of pressure. People want to be heard, and people also need support. We'll come to that support in a minute.

I want to compliment Senator Sheldon for his sincerity, his strength and his advocacy for the TWU and their campaign. I also want to acknowledge Senators Sterle and Gallacher, former TWU officials, who have also been strong in supporting Senator Sheldon. We've listened to Senator Sheldon, and we compliment him for the way he has brought his argument forward—the facts, and also his approach, which was very respectful and sincere. We also went to the government and asked them for their opinions, their views and their data. As Senator Hanson and I always do, we listened to people, to get the data and to get the facts.

As I said, we do not like the sale of this company to any foreigner, let alone a foreign government. It's one of the core industries in our country. It is, though, a very difficult decision. It's a very difficult issue. Senator Hanson pointed out—and I'm not going to go through the details of Senator Hanson's speech, because Senator Sheldon wants to put this to a vote tonight—the comparable after-tax benefits from jobseeker and JobKeeper. But I also want to point out, as I think Senator Hanson did, that JobKeeper ends in September. This program—and I disagree with Senator Patrick—is not for businesses. It's for people to maintain connection with the businesses, so I don't accept that criticism of the government from Senator Patrick. It is to maintain that connection. That connection is going to be severed after September. That's it. It won't last any longer. International air travel and even a lot of domestic travel won't recover by then. So I think it's heartless to give people false hope. I'm certainly not accusing Senator Sheldon of giving people false hope. I know what he's doing, and I admire him for that, but I think we need to be straight with these people.

What I'd like to do is to ask the government to think about its response. Maybe we need something other than JobKeeper and jobseeker—we need a 'job-restarter'. Taiwan—and I mentioned this to the government, back in March—has had amazing results. What they did was isolate the vulnerable, isolate the sick and let everyone else get back to work. That's what we could be doing. There has been virtually no impact on the Taiwan economy. They've had one-fifteenth of the deaths we've had, and yet they've got a similar population, they're very close to China and have a highly dense population. Instead of isolating everyone and separating everyone, by isolating the few that have got it, the few that are vulnerable, and letting the rest get back to work, they've done a remarkable job.

What we need to do is get this country back to work. If that was the level of performance when we led the world in per capita income back in the 1900s and 1920s—we were No. 1, but we're sliding out of the top 10 as a result of COVID—the target, I hope, should not be just to get back to where we were pre COVID; we need to get back to our full realistic potential. That's why I say we need to get 'JobRestarter' going—a comprehensive program that restores low-cost energy, restores infrastructure, creates a proper and fair taxation system, and...
creates an environment where more Australian businesses will survive and not have to sell out in the future. We need to end the stress on the economy, end the stress on people's health and end the lack of security. We need a realistic return not just to where we were pre COVID but to where our potential is.

We also need to remember that taxpayers are footing the bill. Through you, Madam Acting Deputy President, I compliment Senator Sheldon again—and Senator Sterle and Senator Gallacher. As Senator Hanson said, though, on this occasion we will not be voting with them.

Senator STERLE (Western Australia) (19:11): I want to qualify that it is Labor's advice, given to us, that the Treasurer, Mr Frydenberg, can change the legislation to address what Senator Hanson was saying when the legislation was put through. He can unequivocally change the legislation at the stroke of his pen.

Senator SHELDON (New South Wales) (19:11): I thank the crossbench for the opportunity to speak to them. This isn't a situation of voting with Labor or voting with the Greens; this is a situation of voting with Darlene and Nellie and the thousands of people like them. So I implore all the crossbenchers to vote with Nellie and Darlene and thousands of others.

The ACTING DEPUTY PRESIDENT (Senator Faruqi): The question is that item 4 of schedule 1 of the rules be disallowed.

The Senate divided. [19:16]

AYES

Ayres, T
Brown, CL
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lambie, J
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Siewert, R
Waters, LJ
Whish-Wilson, PS

Bilyk, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Keneally, KK
Lines, S
McCarthy, M (teller)
O’Neill, D
Pratt, LC
Sheldon, A
Sterle, G
Watt, M
Wong, P

NOES

Abetz, E
Birmingham, SJ
Brockman, S (teller)
Chandler, C
Davey, P
Fawcett, DJ
Hanson, P
Hughes, H
McDonald, S
McLachlan, A
O’Sullivan, MA
Rennick, G
Roberts, M
Seselja, Z
Stoker, AJ

Antic, A
Bragg, A J
Canavan, MJ
Colbeck, R
Duniam, J
Fierravanti-Wells, C
Henderson, SM
Hume, J
McKenzie, B
Molan, AJ
Paterson, J
Reynolds, L
Scarr, P
Smith, DA
Van, D

Question negatived.

The ACTING DEPUTY PRESIDENT (Senator Faruqi) (19:20): The question is that items 5 to 7 of schedule 1 of the rules be disallowed.

The Senate divided. [19:20]
(The Acting Deputy President—Senator Faruqi)

Ayes .....................29
Noes .....................31
Majority ...............2

AYES

Ayres, T
Brown, CL
Ciccone, R
Dodson, P
Faruqi, M
Gallagher, KR
Hanson-Young, SC
Lines, S
McCart, M (teller)
O'Neill, D
Pratt, LC
Sheldon, A
Sterle, G
Watt, M
Wong, P

Bilyk, CL
Chisholm, A
Di Natale, R
Farrell, D
Gallacher, AM
Green, N
Keneally, KK
McAllister, J
McKim, NJ
Patrick, RL
Rice, J
Siewert, R
Waters, LJ
Whish-Wilson, PS

NOES

Abetz, E
Antic, A
Birmingham, SJ
Bragg, A J
Brockman, S (teller)
Canavan, MJ
Colbeck, R
Davey, P
Duniam, J
Fawcett, DJ
Fierravanti-Wells, C
Hanson, P
Henderson, SM
Hughes, H
Hume, J
Lambie, J
McDonald, S
McKenzie, B
McLachlan, A
Molan, AJ
O'Sullivan, MA
Paterson, J
Rennick, G
Reynolds, L
Roberts, M
Scar, P
Seselja, Z
Smith, DA
Stoker, AJ
Van, D

Question negatived.

ADJOURNMENT

The ACTING DEPUTY PRESIDENT (Senator Faruqi) (19:22): Order! I propose the question:

That the Senate do now adjourn.

Tasmania: Economy

Senator CHANDLER (Tasmania) (19:22): The easing of coronavirus restrictions has led to a renewed sense of optimism for our country, for businesses to resume trading, for workers to return to work and for Australians to enjoy their lives. The latest round of relaxed restrictions means we can get back to restaurants and pubs, which is not only a great reward for the vast majority who have followed the rules but also fantastic for those businesses to be able to reopen and start getting back to business.

In Tasmania, travel restrictions within our state were lifted in time for the Queen's Birthday long weekend, and many people took the chance to visit friends and family in different regions or to go to the shack. This is welcome news for Tasmanian businesses across the state, particularly in the tourism and hospitality industries, who just two months ago were staring down the barrel of potentially six months without any trade at all. I want to commend the Tasmanian business community tonight. They deserve so much credit for the sacrifice they've made in diligently playing their part to prevent the spread of this infectious disease.

We all recognise that recovery for our economy, jobs market and business sector is going to take a massive combined effort. That's why over the last six weeks I have been busy engaging with local councils, business leaders and Tasmanians on how they think we can get Tasmania back in business. Tasmania needs its leaders and elected representatives to help develop a clear plan to assist businesses in the recovery process, encourage new
developments and create new jobs for Tasmanians. I have received incredibly valuable feedback from Tasmanians who have provided me with their thoughts and ideas on how we can work together to recover and expand the state's economic prospects. For example, Tasmania's agriculture industry is a major contributor to our economy and something that we're extremely proud of in our state. This industry will play a major role in recovery, with the potential to increase production and seek new market opportunities for our produce. Further investment in the state's irrigation infrastructure will assist with the growth of this important industry, create jobs and meet the nation's demand for fresh produce.

The federal government's record on investing in water infrastructure projects in Tasmania speaks for itself, with the Australian and Tasmanian Liberal governments jointly investing $170 million to deliver the next tranche of new irrigation schemes. With the Morrison government last year creating the National Water Grid Authority, there is also a great opportunity to leverage that authority's expertise not only to pursue further irrigation investment but also to droughtproof the east coast of Tasmania, which suffered through record dry conditions last year. I look forward to pursuing that opportunity with state and federal colleagues.

For many Tasmanians this crisis has also highlighted our nation's reliance on imported products. The coronavirus pandemic has laid bare just how dependent we are as a nation on foreign markets. International trade and forging strong relations with other nations is extremely important for Australia as a member of the global community, but that doesn't mean we should shy away from opportunities to make or grow things we may not have previously produced. What's more, economic threats made by Beijing in response to Australia's push for an independent inquiry into coronavirus have highlighted our need to diversify markets and address our overdependence on China. These are all things we need to consider as we continue to forge ahead with recovery efforts. Tasmania also must be open to development in infrastructure opportunities, both large and small. Of course, projects must be sensible and appropriate. But it's clear that, if we are to bounce back strongly, we can't afford to be seen by the investment community as an antidevelopment state.

The announcement earlier this week that Project Marinus, the proposed second interconnector across Bass Strait, has been identified as one of the 15 major projects the Morrison coalition government has given priority status to is a welcome development. This project would enable another generation of hydroelectricity development in our state, as well as other renewable energy projects, providing a huge economic and job creation boost for Tasmania. Project Marinus and the Battery of the Nation initiative to grow Tasmania's renewable energy capacity will inject over $7 billion into the Tasmanian economy and create thousands of jobs to support Tasmania's renewable energy sector.

We need to keep development ideas coming forward in Tasmania so that the private sector can invest with confidence and create jobs for Tasmanians. I will continue, over the coming weeks and months, to seek those ideas and work hard to get Tasmania back in business.

**Potato Industry**

Senator URQUHART (Tasmania—Opposition Whip in the Senate) (19:27): Many of you in this place and many people on the north-west coast of Tasmania, where I live, will know potato processing gave me a start in employment that lasted for over 10 years of my working life. The extraordinary soils of the north-west and the near-perfect growing climate, plus the hard yards worked by hundreds of farmers, produce great potatoes. Thousands of people rely on the potato industry for their livelihoods. They have done so for nearly 200 years.

In 1826 the Van Diemen's Land Company sent the first shipload of potatoes from north-west Tasmania to Sydney. Today that industry supports the lives and families of around 320 employees at Simplot's Ulverstone potato-processing plant, around 200 employees at McCain's Smithton plant and more than 165 local growers that supply more than 300,000 tonnes of potatoes each year to the Simplot plant alone. McCain have another large plant in Ballarat that employs over 500 people. Of course, there are also all the associated indirect jobs in transport, logistics and shipping. These plants process potatoes into a variety of frozen products, value-adding enormously to the raw product. They are typical of highly productive regional industries that provide a substantial number of jobs vital to regional economies—vital to the lives, wellbeing and happiness of literally thousands of people. It's an industry that I'm passionate about and it's the kind of industry we need more of if we're to have jobs and opportunities in regional Australia.

The COVID-19 pandemic has reminded us of the importance of our manufacturing industries—industries we need to nurture and invest in to ensure that we have the resources as a nation to provide for our population and to feed them. The pandemic has also thrown industries around the world into crisis, with restaurants and food outlets closing down for months and no longer buying product, creating mountains of surplus food. Tasmanian potato growers and workers at our vegetable-processing plants are rightly stressed about the fluctuation in global commodity prices caused by the coronavirus. And, recently, the farmers and workers in the potato industry in
north-west Tasmania and Ballarat became deeply concerned that a $1 billion COVID-19 assistance package to European potato farmers could see large quantities of cheap french fries dumped on Australian supermarket shelves.

I completely understand the fear and anxiety that these workers and farmers experience over this issue. This fear caused farmers and workers to rally recently, along with the community, at a socially distant rally in Smithton and Ballarat organised by the AMWU, my union. They were unusual events, with many people showing up in their cars and cheering through their car window so they could stay COVID safe. In Smithton I told those workers and farmers I would take their concerns to this place and make sure my colleagues here understand their anxiety. This industry is vital for employment and the economy on the north-west coast of Tasmania, an area hit hard by COVID-19 and already doing it tough before the pandemic. We are talking about the livelihoods of hundreds of people.

In response, Labor has called on the government to ensure that no worker and no industry gets left behind in the wake of the virus restrictions, which have had a severe impact on the frozen chip industry. We have implored the government to ensure that the Anti-Dumping Commission is ready to act in case of the dumping of any products into Australia under the guise of lower global prices. That means ensuring the commission is adequately resourced and able to respond swiftly should the need arise. It was Labor that established the Anti-Dumping Commission, and we're rightly proud of that achievement, but its existence has not been sufficient to allay the fears of these workers and farmers, simply because the immediate impact of a product dumping could see their livelihoods wiped out before the commission's processes have an effect. They could quite easily become collateral damage in a market that is overwhelmed.

We have since been reassured by the Europeans that they will not be dumping their product, but we must remain vigilant. We must check when we go to the freezer at the supermarket. We must do everything we can to encourage investment in vibrant regional industries to lead us out of this economic crisis. One worker said, 'The last thing we need is a kick in the guts by cheap imports.' To the McCain potato workers, the potato farmers and the AMWU I say: good on you for drawing this to the attention of the nation, and please stay vigilant. We stand with you.

Forestry

Senator RICE (Victoria—Deputy Australian Greens Whip) (19:31): I rise tonight to speak on protecting our forests, particularly forests that are part of the lands of the Wurundjeri, the Taungurong, the Gunai Kurnai and the Bidwell peoples. I acknowledge the traditional owners of these lands and their elders past, present and emerging. I acknowledge that these are stolen lands and that there has been no consent to the logging and destruction of these forests of this First Nations forest heritage. And I pledge to work alongside First Nations people until we have achieved justice for them and for country.

Last month, the Federal Court handed down a landmark legal decision. It found that VicForests, the Victorian government logging agency, had broken the law in its logging of, and plans to log, 66 different areas of forest. The court found that the state and federal government were failing to protect two threatened animals: the tiny Leadbeater's possum, of which there are only around 2,000 left in the world, and the greater glider. The court found that logging was killing these animals and helping to send them closer and closer to extinction. I applaud and congratulate Friends of Leadbeater's Possum, who brought the legal case, their amazing legal team at Environment Justice Australia and the thousands of people who helped fund the case.

Leadbeater's possums, called 'wallert' in the Taungurong language, can fit in the palm of your hand. They're very fussy about where they nest. They need hollows that are only found in mountain ash trees that are over a hundred years old. They are critically endangered, which means they are facing an extremely high risk of extinction in the wild in the immediate future.

Greater gliders can fly from tree to tree. They are the largest of the gliding possums, with big teddy bear ears and a long fluffy tail. Being vulnerable means that they are facing a high risk of extinction in the wild in the medium-term future. It's estimated that almost a quarter of the greater gliders in Victoria were killed in last summer's fires. You would think that this would have been enough for governments to realise that the logging of the forest where these animals live should stop. You would think that, when the Federal Court says that the logging has been illegal, state and federal governments would realise that, as with whaling, the game is up. You would think they'd realise that it's time to scrap our logging laws—the regional forest agreements—and strengthen our environment protection laws to protect our wildlife. You would think they'd realise that it's time for our forests to be left in peace to grow old, to be protected for their wildlife, their water, their carbon, their value for tourism and recreation, their beauty and their ability to inspire and soothe and rejuvenate the human spirit. You would
think they'd realise that it's time for the wood products industry to complete the shift to being 100 per cent based on plantations, up from the current 88 per cent—but no.

Last week I put a motion to the Senate calling upon the government to accept the Federal Court decision that the logging was illegal and to take immediate urgent action to ensure Australia's native forests are protected. The government and Labor voted against the motion. The Labor Party said that they support the benefits that flow from sustainable management of our native forests and support regional forest agreements—that is, they support ongoing logging, ongoing forest destruction and the ongoing deaths of endangered animals. I've been campaigning for the protection of our forests for over 30 years and I am angry.

So what do we do? The other senators in this place are not listening. We need to make them listen. I applaud the brave protesters who stopped the logging in forests across Victoria last week. I applaud forest campaigners across the country who have been inspired by the Federal Court decision and are now working on legal actions in their own states, and I call upon anyone listening to join these campaigns. You might like to learn more and share what you've learnt. You might like to donate to cover legal costs, to take time to visit these wonderful forests or to join actions on the ground. I call on you to help make our democracy work for us and for our forests, and to elect more people to this place who will vote for forest protection. People in the seat of Eden-Monaro have a chance to do that by voting for the Greens candidate Cathy Griff in the by-election that will be held next month. Above all, I urge you to not give up hope. Keep campaigning and keep fighting for our forests. Eventually, together, we will win.

**Western Australia: Environment**

**Senator DEAN SMITH** (Western Australia—Government Whip in the Senate) (19:37): Last night, in the adjournment debate, I was telling a compelling story about how the Western Australian Labor environment minister, Stephen Dawson, is the latest soft target for environmental alarmism in my home state of Western Australia. I'd like to continue that sorry tale. In November 2017, approximately nine months after appearing before the committee, Professor Black and former senators Bob Brown and Christine Milne wrote to Minister Dawson, repeating their alarmist and unsubstantiated claims. They requested he instruct the Environmental Protection Agency to conduct a section 46 review of Yara Pilbara's operating licence.

Section 46 of the Environmental Protection Act 1986 states:

If the Minister considers that the implementation conditions relating to a proposal, or any of them, should be changed (whether because of changes to the proposal authorised under section 45C or for any other reason), the Minister may request the Authority to inquire into and report on the matter within such period as is specified in the request.

Section 46(6) requires the EPA report to include:

(a) a recommendation on whether or not the implementation conditions to which the inquiry relates, or any of them, should be changed; and

(b) other recommendations that it thinks appropriate.

This is a totally unnecessary step by the WA Labor environment minister but a heavy regulatory impost on Yara Pilbara, especially because the EPA had previously analysed Yara Pilbara's emissions and concluded it was unlikely that the predicted quantities of nitrogen oxide and ammonia that would be emitted from the TANPF would have a significant impact on rock art in the surrounding areas. However, in September 2019, after conducting an inquiry and acknowledging that Yara Pilbara already uses best-practice pollution control technology to minimise air emissions, the EPA recommended that the minister impose stronger licence conditions to protect Bururr Peninsula rock art from Yara's emissions. This advice was swiftly acted upon by Minister Dawson, when he issued Ministerial Statement No. 1121 on Christmas Eve in 2019, imposing stricter conditions on Yara Pilbara's facility.

What does all of this mean? Despite having already employed best-practice pollution control technology to minimise air emissions, Yara Pilbara must compare its operations against industry best practice every four years or when directed to do so by the WA Department of Water and Environmental Regulation. The practical implications of these new licence conditions mean Yara Pilbara could at any time be non-compliant with its operating licence, based on a subjective assessment of what constitutes best practice. Their licence to operate can now only be considered conditional, and all resource companies considering investment in Western Australia now need to consider the additional risk of having potential licence changes imposed upon them without scientific or evidentiary cause.

Not only is this a bad outcome for Yara Pilbara; it is a bad omen for all future resource project investment in my home state of Western Australia. Just when our mining and resource sector has been the lifeboat for the Australian economy during this pandemic, the actions of the WA Labor government have unnecessarily increased uncertainty for this critical part of our state and national economy, all because Minister Dawson fails to stand up...
to scientific alarmism—those in the community who masquerade as experts, building an argument by quoting out of context, selectively choosing data and misusing science. The objective of this alarmism is to obstruct and to derail industrial development across WA’s far north.

My message tonight is a simple one. WA’s resource sector should be alert and alarmed. This case study regarding Yara Pilibara and Professor David Black introduces a new, heightened degree of risk for existing and future resource projects in Western Australia. The WA Labor government and Minister Dawson have emboldened the activist movement and put at risk the employment opportunities of thousands. Potentially no resource company is safe from the campaign tactics and trickery of these activists. So be prepared. The activists will quickly move to their next victim, stir up the community, bully companies and the regulator into submission, and wrap job and wealth-creating resource companies in more and more red tape. WA’s resource sector has been warned, and it’s time for WA’s resource sector to stand up and be counted.

**Regional Newspapers**

**Senator GREEN** (Queensland) (19:42): It is with great sadness that I pay tribute tonight to the more than 100 regional newspapers which will no longer be printed from 29 June. It follows the recent closure of online sites *10 daily* and *BuzzFeed News Australia* this month and mounts on top of more than 150 Australian newsrooms that have shut down since January 2019. Local journalists play an essential role in breaking news and telling the stories that matter to their communities, particularly in regional Australia. These newspapers have a rich connection to their community, in some cases going back further than a century. North Queensland mastheads like the *Daily Mercury*, *Whitsunday Times*, *Whitsunday Coast Guardian* and *Bowen Independent* will cease print publication after this month. The *Tablelander*, *The Northern Miner*, *Port Douglas & Mossman Gazette* and *The Burdekin Advocate* will disappear completely. The loss of these regional media jobs will be a devastating blow for regional communities, journalists, printers and sales staff. The natural consequence of these cuts is that regional Queenslanders will be less informed about the issues impacting their lives. Fewer reporters will be available to perform their watchdog role covering council meetings and court proceedings. Many have noted that regional papers are also a training ground for Australian journalists.

More than that, what we know is that we have great journos in regional Queensland that love to call regional Queensland home. And they do a great job writing the stories about local government decisions and shining a light on community news. Without them, many stories simply wouldn’t get told. When decision-makers are less accountable to the public, this leads to poorer community outcomes. But these cuts won’t just impact journalists. These regional media cuts will see the Rockhampton print centre close on 26 June and the Warwick print centre close on 17 July. Eighty-four hardworking print workers will lose their jobs; 45 of them were permanent staff. Some of these workers found out that they were going to lose their job on breakfast TV or on radio news while they were on their way to work. That is not good enough. These workers deserved better than that.

I know how important these jobs are to regional communities and I know that these workers work hard, and have done for so many years, to get the news out. When I was young, my dad worked the night shift as a printer at Fairfax, so I know that print workers don’t turn up day after day simply to do a job; they do it because they love serving their community, and getting the news out is important work. Sadly, so many regions are missing out on these vital news services.

We have heard a lot from this government during this crisis about supporting manufacturing workers. But they are not supporting these manufacturing workers. We also hear a lot from the members opposite about how they represent the regions. But when it comes to regional media they have gone missing. What is the point of a Liberal-National government if they cannot save regional newspapers? They are very happy to head out there with their Akubra hats and do a press conference and make an announcement, but when they do that there will not be any regional journos there to hear them. These cuts, as we know, started a long time before the COVID-19 pandemic. The government simply cannot hide behind COVID-19 for letting these cuts unfold.

Labor warned that the government’s Regional and Small Publishers Innovation Fund, announced in 2017, was ideologically motivated and inadequate. This government also wasted precious time in failing to provide timely and effective support for a media sector in crisis. And now we know that the minister's Public Interest News Gathering Fund, announced in the middle of this crisis, is scant on detail, inadequate and too late to save regional Queenslanders’ jobs. Delays on this government’s watch mean that essential funding is yet to flow to media organisations in their time of need. These jobs needed this government to step in, but they have turned their back on regional Queenslanders once again. *(Time expired)*

**Mature Age Workers**

**Senator SIEWERT** (Western Australia—Australian Greens Whip) (19:47): I rise tonight to discuss mature-age workers, a cohort of Australians I am very worried about, particularly in the midst of this crisis and recession.
The data paints an unsettling and upsetting picture for anyone concerned about the wellbeing of older Australians. It shows that our older workers are having a particularly difficult time in the labour market, especially through the coronavirus crisis. For example, employment for people aged 50 years and over fell by 3.4 per cent in April this year. The number of Australians aged over 50 who are unemployed or working zero hours significantly increased in the month of April. Australians aged over 55 also spent a much longer time looking for jobs compared to the younger age groups.

One of the shortcomings of this data from the ABS is that it hides the cohorts that are specifically struggling at this time, including older Australians from CALD backgrounds, disabled people and women. Older workers face a myriad of barriers in the workplace, including ageism and discrimination. These are especially pronounced during a recession, when jobs are scarcer. We have all heard accounts from people who have been told to remove their age from their CV and to dye their hair if they want to keep their job, or have been refused training on the basis of their age.

Tonight I want to express my strong concern that the government isn't considering the needs of older workers enough at this time. One of the ways we could better support older unemployed workers is by improving the job active scheme. I have spoken a lot about the job active scheme in this place. I often hear from people who have been discriminated against by their provider on the basis of their age. For example, they been told to look for volunteer roles instead of paid work. We need to embark on a process of educating employment consultants to ensure they are equipped to sensitively assist older unemployed workers. There needs to be a greater focus on career guidance and a pathway for providers to specialise in helping disadvantaged older workers.

The Career Transition Assistance program is one way employment providers can help older workers. While I welcome the recent announcement this program now has a separate funding source, I have concerns that it is not geographically dispersed, and the referral rate to date has been incredibly low. Another way we could better support older workers would be by retaining the rate of the jobseeker payment. Before COVID, people aged over 45 years made up the largest age cohort on jobseeker and they spent the longest time out of work. Setting income support payments above the poverty line would prevent older people ageing in poverty on the aged pension. This should be coupled with the relaxed eligibility requirements around income and asset tests until the economy has recovered. We still have a lot of work to do to ensure older workers aren't left behind. Older workers were already doing it tough juggling health issues, caring responsibilities and facing discrimination in the workplace and when trying to find work.

The government needs to step up and show leadership at this critical time; otherwise, a whole large cohort of older Australians who are seeking work may never find work again. Where is the recovery plan for older workers to ensure they have specialist support to help them find work and access better training? Where is the reach out to expand the Career Transition Assistance program so it is better geographically dispersed, so that more people, older Australians, can access it? While we have such a large cohort of older Australians who are being discriminated against, where ageism is playing a clear role in keeping people out of work, we cannot drop these hardworking Australians, who will want to regain work, on to $40 a day. It is unconscionable to do that to this group of Australians.

Australian Labor Party

Senator HENDERSON (Victoria) (19:52): I rise in this adjournment debate to raise some very serious questions about the conduct of the Labor Party in Victoria and Victorian Labor Party members of parliament, not just state but federal. On 60 Minutes on Sunday night and in The Age newspaper the following morning, the shocking headlines reverberated in every household in Victoria and around the nation. Labor writes notorious head kicker, Adem Somyurek, a power hungry Minister of the Crown, brought back into cabinet by Premier Daniel Andrews after being forced to resign over his treatment of a staff member, was caught red-handed on videotape boasting about how he wielded most of the power in Victorian Labor as well as branch stacking, using disgusting foul language about numerous people—including the Premier and one of his female cabinet colleagues—seemingly organising forged documents, cash payments for fake Labor Party members, with staff improperly working for his factional machine rather than for the members of parliament for whom they were hired to work.

Labor has tried to give the impression that it has moved quickly to stop the rot, with the Premier referring these matters to Victoria Police and IBAC, sacking Adem Somyurek, expelling him from the party and forcing the resignation of two other cabinet ministers close to Somyurek. The national executive of the ALP has taken over the Victorian branch and a full-blown inquiry is now underway. It seems the pre-selections of all state and federal MPs in Victoria are now safe.
Labor and the Leader of the Opposition, Mr Albanese, have been incredibly slow off the mark when it comes to understanding the role of the federal member for Holt, Mr Byrne. It was Mr Byrne’s federal electorate office in Cranbourne West where these covert video recordings occurred. The surveillance may be unlawful under both Victorian and Commonwealth law. The Leader of the Opposition, Mr Albanese, was the only person in the nation, it seems, who didn’t seem to notice the map of the electorate for Holt, a poster, the parliamentary screensaver and there was even—for viewers who watched this very closely—a photo of Mr Byrne on the bookshelf. But Mr Albanese failed to speak with Mr Byrne, let alone understand whether he had any knowledge of this surveillance. Under the Victorian Surveillance Devices Act, it is an offence for a person to knowingly install, use or maintain a listening or optical device unless it’s for law enforcement purposes, in the public interest or for the protection of the lawful interests of the person making the recording. The maximum penalty is two years in jail. Mr Byrne has agreed to cooperate with police. If he has any knowledge of these covert activities in his office whatsoever, his position as deputy chair of the parliament’s—

**Senator Watt:** Point of order: I draw your attention to standing order 193(3), which states:

A senator shall not use offensive words against either House of Parliament or of a House of a state or territory parliament, or any member of such House, or against a judicial officer, and all imputations of improper motives and all personal reflections on those Houses, members or officers shall be considered highly disorderly.

I suggest that some of what Senator Henderson is saying right now contravenes that standing order.

**The ACTING DEPUTY PRESIDENT (Senator Fawcett):** I have been listening very carefully, with standing order 193—particularly subparagraph 3—at the front of my mind. Senator Henderson has not been reflecting on the member nor has she to this point imputed improper motives but has been recounting facts. I am watching that very closely.

**Senator HENDERSON:** I won’t be shut down in this debate. If Mr Byrne has any knowledge of these activities, it appears that his role as deputy chair of the Parliamentary Joint Committee on Intelligence and Security is untenable. But there are other federal MPs who have said very little, including the member for Corio, Richard Marles, and Senator Carr, who are closely aligned with Mr Byrne in Victoria. It is indeed the case that the most prominent beneficiary of this week’s fiasco is Mr Marles, and I ask: is that a coincidence? As the new king of Labor’s Right in Victoria after Mr Marles white-anted the member for Maribyrnong, Mr Shorten, Victorians, and particularly the people—

**The ACTING DEPUTY PRESIDENT:** Order, Senator Henderson! You do need to be careful about personal reflections under standing order 193.

**Senator HENDERSON:** Victorians, and particularly the people of Geelong, need to know exactly what Mr Marles knew. Was he aware of any of the goings-on in Mr Byrne’s office or was he aware of any of this conduct or any of these allegations which have surfaced since Sunday night? It is no secret that Mr Marles will now be working day and night to take over the leadership from Mr Albanese. This is now much more serious—

**The ACTING DEPUTY PRESIDENT:** Order, Senator Henderson! That is a personal reflection and an imputation of improper motive. You will withdraw that.

**Senator HENDERSON:** I withdraw. These matters are very serious, and Victorians deserve to know the full truth and nothing but the truth.

**COVID-19: Aged-Care Workers**

**Senator WATT (Queensland) (19:58):** Essential workers have been the heroes of COVID-19. Our health workers, our cleaners, our truckies, our retail staff and of course our aged-care workers have ensured that some of our most vulnerable citizens remain safe from the virus. I know that expectations were raised amongst aged-care workers when the government agreed to pay them a retention bonus to ensure the continuity of the workforce for aged-care workers in both residential and home care. But, sadly, as we so often see with this government, these expectations were dashed by yet another broken promise.

Firstly, having raised these expectations and for once making aged-care workers feel truly valued for their vital work, the government then excluded about 40 per cent of aged-care workers from receiving the retention bonus. Just as this government has excluded short-term casuals, arts and entertainment workers, university workers, migrant workers and others from receiving the JobKeeper payment, it decided to exclude the catering staff, cleaners, gardeners, therapy assistance and leisure and lifestyle workers at aged-care facilities, as well as aged-care workers delivering care under the Commonwealth Home Support Program. Is the government really saying that some aged-care workers aren’t as important as others? Why would the government exclude 40 per cent of aged-care workers from receiving a payment meant to recognise their service?
Secondly, the government promised payments of up to $800 after-tax per quarter for residential care workers and up to $600 after-tax per quarter for home care workers. But after making this announcement, the government changed the goal posts, making these payments taxable. All week we've seen the aged care minister dodge this. The fact is that the government have broken their promise. It's an absolute disgrace and disrespects aged-care workers.

Senate adjourned at 20:00