



Senator the Hon. Glenn Sterle
Chairman
Senate Rural and regional Affairs and Transport Legislation Committee
Department of the Senate
PO Box 6100
Parliament House
CANBERRA ACT 2600

Dear Senator Sterle

Having reviewed the transcript of the Budget Estimates hearing conducted by the Senate Rural and Regional Affairs and Transport Legislation Committee on Monday, 27 and Tuesday, 28 May 2013, The Department of Agriculture, Fisheries and Forestry would like to make the following corrections.

The first correction relates to Ms Irwin's response to a question by Senator Rhiannon. The relevant dialogue is on page 41 of the proof Hansard of 27 May 2013:

Ms Irwin: Senator, there are 18 markets that we currently have exported over 2.8 million animals to since ESCAS has been introduced.

Ms Irwin wishes to highlight to the committee that on page 41 she mistakenly stated the incorrect number of markets. The correct response should read:

Ms Irwin: Senator, there are 16 markets that we currently have exported over 2.8 million animals to since ESCAS has been introduced.

The second correction relates to a response by Mr Read to a question by Senator Edwards which can be found on page 101 of the proof Hansard of 27 May 2013:

Mr Read: The issue of concern identified by China on the certificate was in terms of a batch number and the placement of that batch number, which requires a systems fix in our export certification system. We then undertook to do that by 1 July. They appeared accepting of that—but, again, as you identify there, there were still issues of container clearance that occurred around the period of the 20th to the 24th. In that period there were also three days—just before Anzac Day, I think: Monday, Tuesday and Wednesday—which were holidays in Beijing, which made the facilitation clearance of certain product a little bit difficult. Our advice coming back from China at that stage was that, rather than keep progressing and pursuing the bilingual certificate, it would be far easier to revert back to the original certificate for clearance through those CIQ ports, which we did from that Anzac Day period—25th, 26th, over the weekend through to the following week.

Mr Read wishes to advise the committee that since the hearing it has been drawn to his attention that the public holidays referred to in the Hansard were the Monday, Tuesday and Wednesday after ANZAC day – 29 April to 1 May. The correct response should read:

Mr Read: ...In that period there were also three days—just after Anzac Day I think: Monday, Tuesday and Wednesday—which were holidays in Beijing, which made the facilitation clearance of certain product a little bit difficult...

The third correction relates to Dr J Findlay's response to a question by Senator Colbeck. The relevant dialogue is on page 28 of the proof Hansard of 28 May 2013:

Senator COLBECK: Do you monitor the performance of that process that you have? You have a three-step 'how to make a complaint' process on your website—it is complaints and feedback basically—do you have a performance monitoring process around complaints and how they are managed?

Dr J Findlay: I think we took this question on notice as well, but just to reiterate formal complaints under that process for AFMA are very rare. If we were to get one I can assure it would get a lot of my attention. So, yes, we do monitor it very, very closely. But I cannot remember the last one that has come in under that formal process. We obviously get a lot of comments in an operational body like AFMA with people not being happy with what we have done, but actual formal complaints through that process are rare.

Senator COLBECK: Like the discussion you had with Senator Ruston this morning, for example?

Dr J Findlay: Yes, there is a formal complaint underneath that process, but that is certainly part of a broader process involving the Ombudsman as well. I think that complaint was actually made to the Ombudsman before it was made to us, from memory.

Dr J Findlay wishes to advise the committee that since the hearing it has been drawn to his attention that he needs to make a correction to his evidence as follows:

Subsequent to providing the evidence above, it came to Dr Findlay's attention that, at the time of the hearings, the company had not lodged a formal complaint with AFMA as per the 3-step procedure referred to in Senator Colbeck's question and AFMA previous response to a Question on Notice. As stated in the evidence, AFMA was aware that a complaint had been lodged with the Commonwealth Ombudsman and AFMA understands that the Ombudsman had recommended that the complainant ensure that they had exhausted AFMA's internal procedures, however at the time Dr Findlay provided the evidence, no formal complaint (i.e. under the formal 3-step process) had been received by AFMA.

At the time of giving evidence, AFMA had received a number of emails and letters from the company and a company representative had spoken to several AFMA officers about the company's complaint but this had not yet culminated in a formal complaint being lodged with the Executive Secretary of the AFMA Commission (i.e. stage 3 of the 3-step process).

Dr Findlay also advises that one of the two current investigations involving the company has been finalised with the skipper of the vessel in question, who was acting on behalf the company, being issued a Commonwealth Fisheries Infringement Notice for a breach of Section 95(1)(f) of the Fisheries Management Act 1991. The associated fine has now been paid to AFMA and the investigation of that particular matter has been finalised. An AFMA investigation into other matters involving the company remains ongoing as does the Ombudsman's investigation of AFMA following the company's complaint.

The fourth correction relates to response by Mr McCullough to a question by Senator Williams which can be found on page 55 of the proof Hansard of 28 May 2013:

Senator WILLIAMS: You said that you reallocated the money. Where did that go?

Mr McCullough: I will take that on notice. Ms Littlejohn has been given the charter to find a home for that \$625 000 and she has.

Mr McCullough wishes to highlight to the committee that he mistakenly stated that Ms Littlejohn has been given the charter to find a home for that \$625 000 and she has. In fact, the correct figure is \$884 500. The correct response should read:

Mr McCullough: The money has not been reallocated. Under the existing contract with the Sheep Cooperative Research Centre (Sheep CRC), the amount of \$884 500 is committed to fund Sheep CRC projects until June 2014. After this date, the AWI will no longer continue to fund the Sheep CRC.

The fifth correction relates to Mr McNamara's response to a question by Senator Rhiannon. The relevant dialogue is on page 75 of the proof Hansard of 28 May 2013:

Mr McNamara: ...Similarly, we are in the last stages of discussion with the New South Wales government on the second five-yearly review.

Mr McNamara wishes to advise the committee that since the hearing it has been drawn to his attention that the five-yearly review that was identified for New South Wales was incorrect. The correct response should read:

Mr McNamara: ...Similarly, we are in the last stages of discussion with the New South Wales government on the first five-yearly review.

The sixth correction relates to Ms Freeman's response to a question by Senator Nash. The relevant dialogue is on page 78 of the proof Hansard of 28 May 2013:

Ms Freeman: It is determining the need and partly, if I can say, under the current arrangement for rural financial counselling service there is a funding agreement between the Commonwealth and the state or territory, so we usually have a 85/15 per cent split. Under the current arrangement with the trial in the Northern Territory that is actually being funded by the Commonwealth government.

Ms Freeman wishes to advise the committee that since the hearing it has been drawn to my attention that the Northern Territory also made a contribution to arrangements for the RFCS. The correct response should read:

Ms Freeman: It is determining the need and partly, if I can say, under the current arrangement for rural financial counselling service there is a funding agreement between the Commonwealth and the state or territory, so we usually have a 85/15 per cent split. Under the current arrangement with the trial in the Northern Territory that is actually being funded by the Commonwealth government with a small in kind contribution by the Northern Territory government to the value of around 10 per cent.

The seventh correction relates to Mr Tucker's response to a question by Senator Colbeck. The relevant dialogue is on page 89 of the proof Hansard of 28 May 2013:

Mr Tucker: There has been no letter to the minister from a state minister agreeing to sign up in principle and agreeing to work out the detail.

Mr Tucker wishes to highlight to the committee that on page 89 he mistakenly stated incorrect information regarding letters received from the jurisdictions indicating their support for Farm Finance. The correct response should be:

Mr Tucker: As at 28 May 2013, the Australian Government has received letters from the Tasmanian, South Australian and Victorian ministers providing their in-principle support for Farm Finance.

The eighth correction relates to a response by Senator Ludwig to a question by Senator McKenzie. The relevant dialogue is on page 93 of the proof Hansard of 28 May 2013:

Senator Ludwig: Always recall that the Commonwealth is already supporting all of the rural financial counsellors. That is our commitment. The cost of the Rural Financial Counselling Service is \$5.6 million on top, plus the whole of the RFCS program, which is about \$56.9 million that we fund. What I am indicating is that we have not only put our concessional loans on the table, we have also put significant money dealing with rural financial counsellors, plus the existing rural financial counselling service, plus we have announced our share of the drought policy and put that on the table. We have announced our share of how we would lift the farm managed deposits to \$100 000, which would be—

I wish to advise the committee that the correct terminology relating to the Farm Management Deposits Scheme is:

Senator Ludwig: Always recall that the Commonwealth is already supporting all of the rural financial counsellors. That is our commitment. The cost of the Rural Financial Counselling Service is \$5.6 million on top, plus the whole of the RFCS program, which is about \$56.9 million that we fund. What I am indicating is that we have not only put our concessional loans on the table, we have also put significant money dealing with rural financial counsellors, plus the existing rural financial counselling service, plus we have announced our share of the drought policy and put that on the table. We have announced our share of how we would lift the Farm Management Deposits Scheme's non-primary production income threshold from \$65 000 to \$100 000.

The ninth correction relates to Mr Tucker's response to a question by Senator McKenzie. The relevant dialogue is on page 94 of the proof Hansard of 28 May 2013:

Mr Tucker: It is interest at market rate.

Please replace with;

Mr Tucker: It is interest at market rate after the five year period.

The tenth correction relates to a response by Mr Tucker to a question by Senator Waters. The relevant dialogue is on page 99 of the proof Hansard of 28 May 2013:

Mr Tucker: I can answer in part. The EPBC Act exemption never applied to Queensland because there was never an RFA.

Senator WATERS: Yes, but there is a special section that applied to the South-East Queensland forest area.

Mr Tucker: That is right.

Senator WATERS: It did apply, which made them exempt, but now it no longer applies.

Mr Tucker: That is right. If they did want to take additional activity that is beyond those arrangements then it has been confirmed that the EPBC Act applies.

Mr Tucker wishes to advise the committee that the EPBC Act exemption does apply to the South-East Queensland forest area, therefore the correct response should read:

Mr Tucker: I can answer in part. The EPBC Act exemption never applied to Queensland because there was never an RFA in Queensland.

Senator WATERS: Yes, but there is a special section that applied to the South-East Queensland forest area.

Mr Tucker: That is right.

Senator WATERS: It did apply, which made them exempt, but now it no longer applies.

Mr Tucker: The EPBC Act continues to define the South-East Queensland forest area as an RFA area. If you require further information on this exemption I suggest you discuss the matter with SEWPAC.

The eleventh correction relates to the terminology used by Mr McNamara in his response to a question by Senator Waters. The relevant dialogue is on page 100 of the proof Hansard of 28 May 2013:

Mr McNamara: ...In terms of the Export Control Act, which is the main legislative instrument that DAFF has a relationship with industry in Queensland, they were still required, should they export over 2000 tonnes, to actually seek a licence through the Export Control Act...

Mr McNamara wishes to advise the committee that the correct terminology is 'kilograms' instead of 'tonnes', therefore the correct response should read:

Mr McNamara: ...In terms of the Export Control Act, which is the main legislative instrument that DAFF has a relationship with industry in Queensland, they were still required, should they export over 2000 kilograms, to actually seek a licence through the Export Control Act...

The twelfth correction relates to a response by Senator Ludwig which can be found on page 123 of the proof Hansard of 28 May 2013:

Senate Ludwig: No it has been referred off to Minister Emerson and Minister Combet...

I wish to advise the committee that the matter was referred to Minister Emerson and the Treasurer. The letter was then copied to Minister Combet and the Prime Minister. The correct response should read:

Senator Ludwig: No, it has now been referred off to Minister Emerson and the Treasurer, and copied to Minister Combet and the Prime Minister...

The final correction relates to a response by Ms Evans to a question by Senator Rhiannon which can be found on page 133 of the proof Hansard of 28 May 2013:

Ms Evans: \$2.8 million is under the Improved Animal Welfare Program...

Ms Evans wishes to advise the committee that since the hearing it has been drawn to her attention that the correct amount is \$2.7 million. The correct response should read:

Ms Evans: \$2.7 million is under the Improved Animal Welfare Program...

Thank you for the opportunity to review the transcript of the Budget Estimates hearing on Monday, 27 and Tuesday, 28 May 2013 and to provide clarification on the above points.

Yours sincerely,

Lee Cale

Assistant Secretary
Parliamentary Business Branch

26 June 2013