

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 153

**Division/Agency:** Trade & Market Access Division

**Topic:** Minister Joyce visit to Indonesia

**Proof Hansard page:** 79

**Senator CAMERON asked:**

**Senator CAMERON:** Mr Quinlivan, can you provide the dates when the minister travelled to Indonesia in early October?

**Mr Quinlivan:** From memory, it was 3-8 October.

**Senator CAMERON:** Who travelled with the Minister?

**Mr Quinlivan:** I accompanied the minister along with an adviser from his office.

**Senator CAMERON:** So three?

**Mr Quinlivan:** Yes, and there was an additional person from our Trade and Market Access area in the department, so there were four of us travelling from Canberra.

**Senator CAMERON:** Did you travel business class to Indonesia?

**Mr Quinlivan:** We did.

**Senator CAMERON:** Do you have an itemised cost of the trip?

**Mr Quinlivan:** I do not have one now but I think it is a matter of public record.

**Senator CAMERON:** Can you provide that?

**Mr Quinlivan:** Yes

**Answer:**

Minister Joyce travelled to Jakarta, Indonesia, from 5-8 October 2015, arriving back in Australia on 9 October 2015. He was accompanied by his adviser Mr Andrew Henderson and Department of Agriculture and Water Resources (DAWR) Secretary Mr Daryl Quinlivan. Ms Karen Elsom from the Trade and Market Access Division, DAWR, also accompanied the group to support the Australian industry delegation. She stayed an additional day to assist Post with reporting requirements at the conclusion of the visit, and travelled from 5-9 October 2015, arriving back in Australia on 10 October 2015.

**Question: 153 (continued)**

Flights for departmental officials were booked through DAWR's travel service provider via QBT. The group stayed at the Ritz-Carlton Mega Kuningan at a daily rate of US\$200 (plus local taxes) subject to daily exchange rate fluctuations. An itemised costing of the visit relating to DAWR Canberra officials is below.

<b>Officer travelling</b>	<b>Flights</b>	<b>Accommodation</b>	<b>Travel Allowance</b>	<b>Total</b>
Daryl Quinlivan	5,504.09	1,104.02	455.00	7,063.11
Karen Elsom	5,343.59	1,488.83	477.85	7,210.27

\*All figures are in AUD

\*Flights are inclusive of QBT administrative/booking fees

\*A weekly average exchange rate of AUD-IDR 9,842.00 was used to calculate accommodation expenses

Costs of official travel by Ministers are paid for by the Department of Finance. Details of expenditure on entitlements (including overseas travel) for all Senators and Members is compiled every six months in a report titled Parliamentarians' Expenditure on Entitlements paid by the Department of Finance. The reports and supporting information are published on the Department of Finance website.

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 154

**Division/Agency:** Trade & Market Access Division

**Topic:** Schedule of meetings for Minister Joyce's Indonesia trip

**Proof Hansard page:** 79

**Senator CAMERON asked:**

**Senator CAMERON:** Can you provide a copy of the schedule of meetings?

**Mr Quinlivan:** Yes. I think we can do that to the extent it is available for public release.

**Senator CAMERON:** Will that include which government officials the minister met with?

**Mr Quinlivan:** Yes. I am not sure what the protocol is in releasing these things but, assuming that there are no major protocol problems, I think all of this information is available for release.

**Senator CAMERON:** I do not know what the protocol issues is.

**Mr Quinlivan:** Meeting with foreign ministers in foreign countries. Assuming there is no problem we will provide it.

**Answer:**

The schedule of meetings as conducted for Minister Joyce's visit to Indonesia from 5-8 October 2015 is provided in the response to Question on Notice 158.

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 155

**Division/Agency:** Trade & Market Access Division

**Topic:** California and kangaroo products

**Proof Hansard page:** Written

**Senator RHIANNON asked:**

1. In February Estimates it was confirmed that *“The Australian Government, through the Department of Agriculture [has] allocated \$143,000 to the Kangaroo Industry Association of Australia, towards funding the Californian legal firm Manatt, Phelps and Phillips to provide resources, expertise and contacts in support of government action in California to lift this ban”*.

Noting that then Secretary for the Environment Sen Birmingham made representations in California regarding kangaroo products in December 2014 and our Prime Minister, then Minister for Communications, Malcolm Turnbull made representations in January 2015.

Did the Australian government advise any Californian lawmakers that this payment had been made to influence Californian legislative action?

2. Please provide specific details about Australian resources and funding, personnel and government representations to Californian legislators, or other interests in previous attempts to lift the Californian ban on the import of kangaroo products:
  - a. As part of the 2007 lifting of the ban
  - b. As part of the 2010 lifting of the ban.
3. The Californian Senate Committee on Natural Resources and Water chose to not deal with the bill that would have permanently lifted the ban, with the result the ban comes into effect from 1 January 2016.

Please provide details about Australian resources and funding, personnel and government representations to Californian legislators that is happening now or planned to happen - to try to have ban lifted next year, in 2016.

**Question:** 155 (continued)

4. It is a legal requirement for entities paying more than \$5,000 to lobbyists to register as a lobbyist employer in California. A complaint has been lodged with the Californian Fair Political Practices Commission about this legal violation:
  - a. Has the Australian government consequently registered as a lobbyist employer in California?
  - b. Has it previously registered as a lobbyist employer in California, with the previous efforts to lift the ban in 2007 and 2010?
  - c. Has the Australian Government consequently submitted expenditure reports on their \$143,000 funding towards lobbyists? If yes, please provide the date.
5. The Australian government knowingly and specifically funded the Californian legal lobbying firm Manatt, Phelps & Phillips to influence the Californian government and individual lawmakers to repeal a necessary animal statute:
  - a. Was the Australian government ever advised or did it ask about the legal requirements to register as a lobbyist employer?
6. It was reported in California that 14 Californian lawmakers received money from the lobbying firm the Australian government funded, including \$1,000 to freshman lawmaker, Mike Gipson, who ended up sponsoring the Australian industry's bill to permanently lift California's the ban on kangaroo imports.
  - a. Did the Australian government and the Kangaroo Industry Association of Australia know of any payments lawmakers to make legislative decisions to support kangaroo corporations?
7. Please provide details of any other monies the Australian Government has paid to influence any other government through lobbyists or overseas advisers to effect the importation of kangaroo products – any time.
8. Please supply the name of lobbyists or any other commercial entity that have received Australian government funding to help effect the importation of kangaroo products to the EU?
  - a. To China?
  - b. To Russia?
  - c. To Peru?
9. The only reporting requirement that the Californian government has required as a condition of lifting the ban was that the Australian Government report on whether the shooting quotas were reached.
  - a. Does any other country importing kangaroo products require any reporting on numbers of kangaroos shot under shooting quotas?
  - b. Please provide the reporting requirements of each country as a condition of that country's continued allowing of kangaroo imports?

**Question:** 155 (continued)

10. Given that kangaroo surveys are not done for conservation purposes but to extract shooting quotas; and if California is the only country that has required reporting on shooting quotas:
- a. If the Australian government and KIAA partnership succeeded in permanently lifting the Californian ban, does this then mean there would be no need for kangaroo surveys anymore?
  - b. Has there been any discussion about this? Please provide details.

**Answer:**

1. The grant provided by the Department of Agriculture and Water Resources (the department) to the Kangaroo Industry Association of Australia (KIAA) was made in accordance with the legislative and policy requirements of the Australia Government at that time, relevantly the *Financial Management and Accountability Act 1997*, the *Commonwealth Grant Guidelines* and the department's *Grants Management Manual*. The grant was provided to the KIAA so it could engage a suitable representative to undertake work towards assessing, reporting on, and developing potential options for the KIAA to consider and potentially act on, to prevent kangaroo products from being banned in California. The department did not notify Californian law makers of the grant.

2. a and b:

The Australian Government has undertaken a range of activities to address the prohibition on the sale of legally-harvested kangaroo products in California since 2004. These are part of the broad government-to-government activities undertaken to support various industries to open and maintain access and remove unnecessary trade barriers to the United States market. Attempts to disaggregate resources, funding, personnel and government representations made specifically to address the Californian kangaroo prohibition would involve an unreasonable diversion of departmental resources.

3. The department understands that the bill to address the prohibition on the sale of legally-harvested kangaroo products in California remains eligible for consideration when the legislature reconvenes in January 2016. The Australian Government is considering further work with the Californian legislature to progress the bill in 2016 as opportunities arise through the legislative process.

- 4.

- a. Through its representatives in California, the department is addressing the allegations made in the complaint and is cooperating with the Californian Fair Political Practices Commission (FPPC) to determine the most appropriate resolution.
- b. The department has no records to indicate that the Commonwealth registered as a lobbyist employer in relation to previous efforts to address the prohibition on the sale of legally-harvested kangaroo products in California.

**Question:** 155 (continued)

- c. The department publishes details of individual grants on the internet (<http://www.agriculture.gov.au/about/obligations/grants-reporting-requirements>) and has done so since 2009. The \$143 000 (GST inclusive) grant provided to the KIAA was reported on the department's website for the 2013-14 financial year, in accordance with Australian Government grant reporting obligations.
5. The purpose and intent of the grant provided in 2014 by the department to the KIAA was so it could engage a suitable representative to undertake work towards assessing, reporting on, and developing potential options for the KIAA to consider and potentially act on, to prevent kangaroo products from being banned in California. The KIAA chose to engage Californian law firm Manatt.
6. The department is not aware of the claims made in this question and has not made any payments to Californian lawmakers.
7. Please refer to Question on Notice 112 from Budget Estimates May 2015 for details of kangaroo projects funded by the Department of Agriculture and Water Resources and the Agriculture portfolio agencies since 1995.
8. See response to Question 7 above. Attempts to investigate the detail of all grants provided by the Australian Government to provide this information for the European Union, Russia and Peru would involve an unreasonable diversion of departmental resources.
9. a and b:  
  
No markets other than California had reporting requirements in relation to exports of kangaroo products.

10. a and b:

Regular kangaroo population monitoring is conducted to inform State Government wildlife trade management plans. Plans are supported by State Government compliance and enforcement activities as part of the strict regulation of the commercial kangaroo industry. Since 2010, the Australian Government has been required to provide annual reports on the commercial harvest of kangaroos in Australia to the California Department of Fish and Wildlife to maintain the current moratorium on the import prohibition for kangaroo products in California. These reports are prepared by the Department of the Environment in accordance with the requirements set out in Subsection 653c of the *California Penal Code*, and include information on the annual quota and harvest.

There has been no proposal to change existing reporting arrangements on the commercial harvest of kangaroos.

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 156

**Division/Agency:** Trade & Market Access Division

**Topic:** Countries and kangaroo exports

**Proof Hansard page:** Written

**Senator RHIANNON asked:**

1. Please provide an updated list of all countries currently importing kangaroo products, those that have recently agreed to import kangaroo products, and those currently being lobbied to import products made from shot kangaroos.
  - a. For recently agreed kangaroo markets, please provide advice of the agreed quantities or volumes of kangaroo products to be imported into that countries.
2. Please advise details of the opening up the Chinese market to kangaroo imports:
  - a. Please advise of the details where kangaroos are referred to in the recent TPP.
  - b. What is the quantity of each type of kangaroo product agreed to be imported into China?
  - c. May I please have copies of any protocols including contaminant testing protocols that the Chinese have agreed to.
  - d. Please advise of the outstanding issues raised by the Chinese regarding the export of kangaroo products to that country.
  - e. When has the KIAA's John Kelly or Ray Borda accompanied any Australian government officials to lobby Chinese decision-makers to open up kangaroo imports?
3. The Russians banned the importation of kangaroo meat by Macro Meats due to the continuing contamination of its shipments of kangaroo meat for the third time in 2014. Unlike other importing countries, Russia carries out its own contamination testing: Please update re what is happening with efforts to reopen the Russian market

**Question:** 156 (continued)

**Answers:**

1. As at 1 August 2015, Australia has export certification arrangements for kangaroo products (i.e. meat and/or hides and skins) to approximately 70 countries. These countries include the following:

Bangladesh, Barbados, Bermuda, Canada, EU (28 member states as well as countries which adopt EU legislation French Guiana, French Southern Territories, Gibraltar, Guadeloupe, Iceland, Martinique, Mayotte, Reunion, Saint Pierre and Miquelon, Switzerland), Fiji, French Polynesia, Grenada, Hong Kong, Indonesia, Japan, Korea, Mauritius, Mexico, New Caledonia, New Zealand, Papua New Guinea, Peru, Singapore, Solomon Islands, South Africa, Taiwan, Trinidad and Tobago, Turkey, the United States (including US territories Virgin Islands, Puerto Rico, Guam, American Samoa), and Vietnam.

The department is working with industry to gain, maintain or expand access for kangaroo products (i.e. meat and/or hides and skins) to markets, including Canada, China, India, Indonesia, Philippines, Russia, Singapore, Thailand and the United States (California).

- a. Access for kangaroo meat to Peru has been gained recently (2014). Peru has not specified any quotas.
2.
    - a. China is not a party to the Trans-Pacific Partnership (TPP) trade agreement. All tariffs on kangaroo meat will be eliminated upon entry into force of the TPP, except for Vietnam which will eliminate tariffs six years after entry into force. Vietnam will however eliminate tariffs on kangaroo meat in 2016 under the ASEAN-Australia New Zealand FTA.
    - b. China has not yet agreed to access for kangaroo meat.
    - c. There are no agreed protocols between Australia for the export of kangaroo meat to China.
    - d. The remaining issues are unclear and the Australian Government continues to work with the Chinese Government to determine their exact nature.
    - e. Representatives of the Kangaroo Industry Association of Australia (KIAA) have accompanied officials from the Department of Agriculture and Water Resources (the department) to China on one occasion in the past three years – in September 2014.

The department does not have knowledge of when KIAA representatives may have accompanied government officials from outside this department.
  3. The department continues to seek resumption of trade in kangaroo meat to Russia. The department last wrote to Russia on 20 April 2015 and a response has not yet been received.

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 157

**Division/Agency:** Trade & Market Access Division

**Topic:** Agriculture white paper commitment

**Proof Hansard page:** Written

**Senator SIEWERT asked:**

Please provide an update on the \$30.8 million funding for breaking down 'technical barriers to trade'. What has occurred thus far? Are the five new 'agriculture counsellors' on track? What processes will occur before they take up their roles in January 2016? What else will the funding provide for?

**Answer:**

Under the Agricultural Competitiveness White Paper, the Government is investing \$30.8 million over four years to break down technical barriers to trade.

Five new agriculture counsellors in key overseas markets and seven additional locally employed staff will help industry maintain existing and achieve new market access, at the cost of \$16.9 million over four years. The counsellors have been selected and will be deployed overseas from January 2016 in Vietnam, Malaysia, the Middle East, China and Thailand. The designated counsellors are currently undergoing pre-posting training within the department and meeting with key government and industry stakeholders to discuss current trade and market access issues.

The remaining funding is enabling the Government to increase its capacity to connect all aspects of our agricultural relationships with trading partners, including through cooperation activities, technical market access negotiations and international standards setting. The department is developing a more rigorous, evidence-based and collaborative approach to its international work. It is working with industry sectors to support their development of export plans. It is gathering evidence and analysing information to develop technical market access strategies for key markets. It is also working with State governments and industry to take a more coordinated and collaborative approach to market access activities to improve outcomes for Australian agriculture. This is to ensure the efforts of industry and government on market access are better targeted and to leverage outcomes from free trade agreements.

The funding is also enabling the department to update and enhance the Manual of Importing Country Requirements, which provides guidance for Australian agricultural exporters on importing country requirements for a range of exported animal, plant and food commodities. This will make it easier for exporters to comply with importing country requirements.

**Rural and Regional Affairs and Transport Legislation Committee**

ANSWERS TO QUESTIONS ON NOTICE

Supplementary Budget Estimates October 2015

**Agriculture and Water Resources**

**Question:** 158

**Division/Agency:** Trade & Market Access Division

**Topic:** Ministerial International Travel

**Proof Hansard page:** Written

**Senator BILYK asked:**

In relation to any international travel undertaken in 2015 by current or former Ministers in the portfolio, can the following please be provided to the Senate:

1. A copy of the itinerary for each overseas trip;
2. An itemised list of the costs of each trip including the class of travel for any flights;
3. Copies of receipts for any food or beverages that the Minister consumed at taxpayer expense during each trip;
4. Copies of receipts for any self-drive hire cars or chauffeured services utilised by the Minister during each trip;
5. Copies of receipts for any other ground transport;
6. Copies of receipts for any hotel accommodation; and
7. Details of any spouse travel.

**Answer:**

1. A copy of the itinerary for The Minister for Agriculture and Water Resources visit to Indonesia in October 2015 is attached.

2, 3, 4, 5 and 6.

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The Department of Agriculture and Water Resources is not responsible for booking ministers flights and does not maintain records of ministers' class of flights.

7. The Minister's spouse did not accompany the Minister for Agriculture and Water Resources to Indonesia.

*As of 09 October 2015*

**VISIT TO INDONESIA BY THE HON. BARNABY JOYCE MP  
MINISTER FOR AGRICULTURE AND WATER RESOURCES  
5 – 8 OCTOBER 2015  
PROGRAM AS COMPLETED**

**MINISTERIAL PARTY:**

- The Hon. Barnaby Joyce MP, Australian Minister for Agriculture and Water Resources
- Mr Daryl Quinlivan, Secretary, Australian Department of Agriculture and Water Resources
- Mr Andrew Henderson, Ministerial Advisor
- Ms Karen Elsom, Assistant Director, Australian Department of Agriculture and Water Resources

**PROGRAM:**

**Monday 05 October 2015**

**1835**            **Arrive at Soekarno-Hatta International Airport**  
*QF 41 from Sydney 1450 – 1835*

**1900**            **Depart for Ritz Carlton, Mega Kuningan**

**1945**            **Arrive at Ritz Carlton, Mega Kuningan**

**2030**            **Briefing with Australian Industry Delegation**

*Venue: Ritz Carlton Hotel*

**2100**            **Briefing Concludes**

*End of official engagements*

**Tuesday 06 October 2015**

**0530**            **Depart Hotel for Embassy (0930 am Canberra time)**

**0600**            **Teleconference for Australian government business (1000 am)**

*Venue: Australian Embassy Chancery*

**0830**            **Briefing with Australian Embassy**

*Venue: Australian Embassy Chancery*

**0930**            **Depart for Elders Abattoir**

**1030**            **Visit Elders Abattoir**

*Venue: PT Elders Indonesia Abattoir, Bogor*

As of 09 October 2015

- 1145 **BBQ Lunch at Elders**
- 1245 **Depart for Jakarta**
- 1400 **Arrive at Hotel**
- 1430 **Depart for Ambassador's residence**
- 1500 **Sugar Roundtable Discussion**  
*Guest List: Indonesian industry and Australian industry*  
*Venue: Ambassador's residence*
- 1600 **Break**
- 1615 **Beef and Cattle Roundtable Discussion**  
*Guest List: Indonesian industry and Australian industry*  
*Venue: Ambassador's residence*
- 1730 **Break**
- 1830 **Doorstop with Indonesian and Australian media**
- 1845 **Reception for Minister Hosted By Ambassador  
(Included launch of NTCA student alumni program)**  
*Guest list: Ministerial Party, Australian Industry Delegation, Indonesian Business and Association, Indonesian Governments, House of Representatives (DPR), Kadin Indonesia (Chamber of Commerce)*  
*Venue: Ambassador's residence*
- 2030 **Return to Hotel**
- 2100 **Arrive at Hotel**  
*End of official engagements*

**Wednesday 07 October 2015**

- 0745 **Time for Canberra Business (11.45 am Canberra)**
- 0830 **Depart Hotel for BKPM**
- 0900 **Meeting with Chairman of BKPM (Indonesian Investment Board), Mr Franky Sibarani**  
*Venue: BPKM office*

- 1000 Depart for Indonesian Parliament
- 1030 Meeting with Chairman of Commission IV, Mr Edhy Prabowo, and Members of Commission IV  
*Venue: Indonesian Parliament*
- 1130 Depart for Steak Restaurant (featuring imported Australian beef)
- 1200 Light lunch  
*Venue: Holy Cow Steakhouse, Kebayoran Baru*
- 1300 Depart for Ministry of Marine Affairs and Fisheries
- 1330 Meeting with Minister of Marine Affairs and Fisheries, Susi Pudjiastuti  
*Official signing of Joint communique on IUU fishing  
Media conference*  
*Venue: Ministry of Marine Affairs and Fisheries Office*
- 1430 Depart Minister's office for Istiqlal Mosque  
Tour Mosque  
Tour Jakarta Cathedral
- 1600 Depart Cathedral for Ranch Market
- 1615 Arrive at Ranch Market  
*Doorstop with Australian and Indonesian media*  
*Venue: Grand Indonesia*
- 1645 Depart for Hotel
- 1700 Arrive at Hotel
- 1715 Interviews with Indonesian media  
*Venue: Ritz Carlton Hotel*
- 1830 Depart for Ambassador's residence
- 1900 Dinner with Australia Industry Delegation  
*Venue: Ambassador's Residence*
- 2100 Return to Hotel
- 2130 Arrive at Hotel

*End of official engagements*

**Thursday 08 October 2015**

**0700 Breakfast meeting with Minister for Villages, Decentralisation and Transmigration, Mr Marwan Jafar**

*Venue: Ritz Carlton Hotel*

**0745 Depart Hotel for Ambassador's Residence**

**0815 Horticulture Roundtable**

*Guest List: Indonesian industry and Australian industry*

*Venue: Ambassador's residence*

**0915 Depart Ambassador's residence for Ministry of Agriculture**

**1000 Meeting with Indonesian Minister for Agriculture, Amran Sulaiman**

*Venue: Ministry of Agriculture*

**1100 Depart for Hotel**

**1200 Light lunch at the Hotel**

**1330 Depart for Ministry of Trade**

**1400 Meeting with Minister for Trade, Thomas Lembong**

*Venue: Ministry of Trade*

**1500 Doorstop interview with Australian and Indonesian media**

**1515 Depart for Soekarno-Hatta International Airport Jakarta**

**1630 Arrive at VIP Terminal Soekarno-Hatta International Airport Jakarta**

**1815 Depart Jakarta for Australia**

*GAR 846 to Singapore 1815 – 2105*

*QF6 2350 – 1045 (9 October)*

**2350 Depart Singapore for Sydney on Qantas Flight QF 6 332**

*End of Visit*