

Rural and Regional Affairs and Transport Legislation Committee

Questions taken on notice for the Additional Budget Estimates hearings 14 February 2006

Department of Agriculture Fisheries and Forestry (DAFF)

Hansard page no	Division/ Agency	Question no	Senator	Subject & Question on Notice	Date reply received	Date to Senators	Tabling date	No.
13	F&A	1	Siewert	(WEA) Senator SIEWERT—I understand that. You said that you were aware of rumours in 2000 from the 2003-04 media. Can you highlight where you saw that in the media and how you knew about that? Mr Besley—I cannot, but I suspected you might ask that and I was thinking that we ought to dig it out. I think it was the <i>Age</i> but I cannot remember; I do not know. It came up at a board meeting. The board said, ‘Get down there and have a look at it.’ We could certainly let you have—and we would have to take this on notice—which newspaper it was and the date. Senator SIEWERT—Was that included in the reporting that you did to the minister? Mr Besley—Yes, it was. We referred to the media reports. We said we became aware of it through media reports, without citing the media which led us to undertake this investigation. So the report to the minister did contain that. Senator SIEWERT—You will get back to us with information on where specifically you became aware of those? Mr Besley—Yes. You would like to know which newspaper triggered our interest. We will find that out.				

15	F&A	2	Siewert	Senator SIEWERT—Did the minister come back to you and ask you any questions? Sorry, I will take one step back. You put this in the 2004 performance review—the confidential report that you gave to the minister—on what date? Mr Besley—It went to the minister in October 2004, as I remember. Senator SIEWERT—Did the minister get back to you and ask you any questions about what was in that report concerning this matter? Mr Besley—No. Senator SIEWERT—So it went to the minister and you do not know what happened to it beyond that? Mr Besley—I presume he noted it and had he had issues he wanted clarified he would have no doubt sought clarification. But he did not on this occasion. Senator O'BRIEN—Does the minister ever ask for clarification? Mr Besley—We cannot recall any instance. Senator O'BRIEN—Has there never been a request for clarification, Mr Taylor? Mr Besley—I would like to check that. I have only been sitting in this seat for a little while, though at the moment it seems like a long time. I do not recall it. Now you may say, 'Well, you didn't recall the other thing either'—and do I plead Alzheimer's or what? The report we write is based on a performance monitoring framework which was designed by consultation between us, the Grains Council and AWB and then signed off by the minister. So we report against that framework and I guess the minister is entitled to think that if we report accurately against that framework, which I believe we do, then there is very little need to ask for clarification on any points. You would have to ask him that.				
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16	F&A	3	O'Brien	Senator O'BRIEN—Can I get a clarification on what date you communicated with Minister Truss regarding your 2004 report, as required under the statute? Mr Besley—We sent the report to him, as I recall it, in October 2004. Senator O'BRIEN—Do you know the date? Mr Besley—No. We could get that for you.				
17	F&A	4	O'Brien	Senator O'BRIEN—Going back to when you made the decision to commence the investigation into the alleged kickbacks, I understand that the Wheat Export Authority advised the minister's office and the department that you were commencing this investigation. Is that right? Mr Besley—I guess that is right. Senator O'BRIEN—Who from the Wheat Export Authority had that responsibility? Was it you or was it Mr Taylor? Mr Besley—It was not me. Glen is just telling me that he does not recall that either. I think it would be better to look at that forensically— Senator O'BRIEN—Haven't you looked at it forensically, with the Cole inquiry going on? Hasn't the Wheat Export Authority staff been forensically looking at what you did, when you did it and why you did it? Mr Besley—We have, but you are asking a specific question which I cannot answer at the moment. Therefore, I would like to take it on notice. I do not think I should speculate. Senator O'BRIEN—I do not want you to speculate. I am just asking you, in the context of your inability to answer, whether you have looked at these things? Mr Besley—Yes, we do. Senator O'BRIEN—It wasn't you or Mr Taylor who advised the minister's office or the department? Mr Besley—It wasn't me. Senator O'BRIEN—You might both know that of your own knowledge.				

				Mr Taylor—I do not recall any such advice, but we will take that on notice. Senator O'BRIEN—Can you let us know who did the contacting and who in the minister's office was contacted? Senator Abetz—If there was contact, who made the contact. They are not at this stage accepting that contact was actually made, so let us just get that clear for the record.				
18	F&A	5	O'Brien	Senator O'BRIEN—Going back to the joint board meeting with the AWB International board and the Wheat Export Authority board, which was apparently a common occurrence— Mr Besley—When you say 'common', we do it two or three times a year. Senator O'BRIEN—So it has been going on since the establishment of the Wheat Export Authority. Mr Besley—No, it is relatively new. You may recall that the panel which looked at the wheat industry said we ought to be developing a more mature relationship between the two bodies, we ought to be strategic, topdown and so on. We believe that the idea of getting together two or three times a year at most is a sensible way of helping to resolve things that need to be resolved. It has become more regular recently. We probably do it three times a year now. Senator O'BRIEN—Was it happening before 2004? Mr Besley—Yes, it was. Senator O'BRIEN—But it was not happening in 2001-02? Mr Besley—I cannot say; I was not around at that stage. Senator O'BRIEN—Perhaps you could let us know on notice, thank you.				
18	F&A	6	O'Brien	Senator O'BRIEN—Perhaps you could let us know on notice, thank you. Just going back to the United States Defense Contract Audit Agency, you say that you have never				

				seen the report which I referred to earlier. Mr Vaile said on 13 February that that report was addressed by the Wheat Export Authority when they did the review of those contracts that were conducted by AWB. Are you saying you have never seen this report? Mr Besley—I am saying I have never seen it. Mr Taylor tells me he has not seen it. I think we should take it on notice. As I said, we were aware of it because it was mentioned in the media.				
18	F&A	7	Faulkner	Senator FAULKNER—When Mr Vaile made this claim in the House of Representatives, is it standard practice for someone at the Wheat Export Authority when your organisation is being mentioned in parliament to take note of that and check whether statements being made by a minister are accurate? What is the process in WEA in relation to that? This has been mentioned by a minister in parliament. There are a couple of occasions where it appears your name has been taken in vain. Is there any checking of this? Mr Besley—I do not believe there is anything sinister at all. I think we should have a look at that on notice. Senator FAULKNER—I am not asking whether it is sinister. I am asking you whether the Wheat Export Authority has a process of checking when its name is mentioned in parliament. It appears to me, on the evidence I have heard so far this morning, that on two occasions Mr Vaile may well have misled the parliament. Things will need to be clarified, but it sounds to me like there is a serious case here of a mislead. But my question is a process one: when the Wheat Export Authority is mentioned in parliament what happens? What do you do? Do you check it up? Do you make sure that any statements made about the authority are accurate? Is that standard operating procedure? CHAIR—Or do you just do what I do and say, ‘Oh, shit!’? Mr Besley—It is a small organisation but I understand that				

				the secretariat does its best to keep abreast of those kinds of things and check up on them. Obviously it did not check up on that one. Senator FAULKNER—It did not check up on that one. What about Mr Vaile yesterday in the House of Representatives—did anyone check up on that? Mr Besley—No.				
19	F&A	8	O'Brien	Senator O'BRIEN—Can we go back to the original request for information: what sort of request was it? Was it a written request, an email or a telephone call? Mr Besley—I cannot answer who asked what. The point was, to get to the bottom of it, it was raised at this board meeting— Senator O'BRIEN—Hang on—we will get to the bottom of it; I just want to do this with some certainty. In your checking of all these documents, in all of the scrutiny that is going on in this matter, you cannot tell me in what form you requested information from AWB International or AWB Ltd? Mr Besley—I cannot, but I could get that information for you—unless Mr Taylor can. Mr Taylor—I believe that the request for that material was included in what we call an information requirement schedule, which is prepared annually by the Wheat Export Authority. I would like to confirm that, if I might take that on notice.				
19	F&A	9	O'Brien	Senator O'BRIEN—Okay. So does that mean that you did not actually make a special request for the information about this matter; it was just part of your normal request for information? Mr Besley—At the board meeting it was a specific request. Senator O'BRIEN—But before that? I am trying to segment the process so that we can understand it.				

				Mr Besley—You will have to look at the answer that Mr Taylor has just said he would get on notice. Senator O'BRIEN—When you made the request did you request particular documents? Mr Taylor—I believe so, but I will also take that on notice. Senator O'BRIEN—Can we have a copy of that request? Mr Taylor—If we have no reason to not provide it, I believe we should be able to do so, yes.				
19	F&A	10	Faulkner	Senator FAULKNER—With respect, Minister, I have just heard evidence from Mr Besley in answer to Senator O'Brien's question indicating that 'essential elements' of the contracts were provided in a folder. Quite clearly, the committee would like to know what that means. What are the essential elements? So let's not talk about a complete record. What do you understand 'essential elements' to mean? Senator Abetz—I am sorry, that was the question and that is what I was commenting on. I was not commenting on Mr Besley's answer; I was commenting on Senator O'Brien's question. I accept your intervention to try to get the pressure off Senator O'Brien, but that is a completely different issue. Senator FAULKNER—I am sorry, it is not. It is in response to Senator O'Brien's question to Mr Besley— Senator Abetz—Was it a complete file or not? The Cole inquiry will undoubtedly determine that at the end of the day. Senator FAULKNER—My question to Mr Besley— Senator Abetz—Whether it included essential elements is a different question. Senator FAULKNER—The evidence given to this committee is that the file contained essential elements. Senator Abetz—You can provide essential elements without providing a complete file. That is logically obvious. Senator FAULKNER—Let us ask Mr Besley, shall we, what 'essential elements' means. Mr Besley—I assume—when I used that phrase it was not a				

				legal term of art that I was trying to use. I believe that there was enough information in there for our inquiring officer to be satisfied that he knew enough about the contracts to conclude something about them. Senator FAULKNER—I always worry, Mr Besley, when I hear the words ‘I assume’. Please assume nothing. Please just answer my question. Mr Besley—I cannot answer your question. Senator FAULKNER—I am sorry, I do not want assumptions. I am not being unfair. You would appreciate this is a committee of the parliament— Mr Besley—I do. Senator FAULKNER—and the committee requires not assumptions or presumptions but evidence. You used the term ‘essential elements’. I am asking you what you meant by that terminology—‘essential elements of the contracts’.				
20	F&A	11	Faulkner	Ms Hewitt—Yes. And could I add a further word in relation to your question about the department’s preparation of materials for forwarding to the relevant authorities—in our case, through DFAT to the Cole commission. We have continued to look for information that may be relevant as the inquiry has proceeded, so our collection of information is not fully complete and we are at the moment also looking at our email record. I am not suggesting that there will be more evidence, but I wanted to let you know that that process, while it is being undertaken, is in a sense continuing. Senator FAULKNER—That process originally kicked off as a result of— Ms Hewitt—Of a request. Senator FAULKNER—a request from the Prime Minister in this instance, was it? Ms Hewitt—I think it was a written request to me from my counterpart at DFAT, as I recall. That is my recollection. If that is not correct, could I come back to you in writing on				

				that?				
21	F&A	12	O'Brien	Senator O'BRIEN—When did you first get information? Was it just a trickle or did you get a bundle of information upon making the first request? Mr Besley—I think I would have to take that on notice rather than speculate, just as I think I need to take on notice what I said in a sort of throwaway line about the 'essential elements'. We look at contracts as required in order to check on the information they provide us with on an FOB basis so we can do our job. But this was a larger look than that. Rather than speculate, it would be much better if I was to take on notice what was in the file. Senator ROBERT RAY—But your colleague, Mr Taylor— ACTING CHAIR—Just a moment, Senator Ray, I do not think Mr Besley had finished his answer. Senator ROBERT RAY—I am sorry. Mr Besley—We could take on notice a request to provide specifically the information that was in that file that we saw. I cannot tell you what it was; I was not there. But a responsible officer went down, looked at it and wrote a note to file which was the basis of our inclusion of the statement about it in the report to the minister.				
22	F&A	13	O'Brien	Senator FAULKNER—Could a copy of that file note be made available to the committee, please? Mr Besley—The Cole inquiry has that document, but there is no reason why we could not provide it. Senator FAULKNER—Eventually, as you know, the Cole inquiry lodges its documentation on its web site. Mr Besley—I am reminded that it is an ingredient of a confidential report to the minister. We would need to be sure that he was happy for us to provide that document. But the Cole inquiry does have it.				

				ACTING CHAIR —Perhaps you could take that question on notice and come back a little later during your evidence and clarify it. Senator O’Brien, are you continuing?				
22	F&A	14	O’Brien	Senator O’Brien—That officer was given a file which contained either the 17 contracts in their entirety or parts of them. Mr Taylor—Correct. Senator O’Brien—But you are not sure which? Mr Taylor—I do not know the actual content of those contracts—whether they were complete or not. Mr Besley—We should take that on notice and provide answers to you, because neither Mr Taylor nor I were there. So, rather than try and speculate, I think it would be better if we did that.				
24	F&A	15	O’Brien	Senator O’Brien—So are you saying that, if indeed you said that all that was in the file was contracts, your answer was incomplete? Mr Besley—If I said that, I did not intend to say that that was exclusively all he saw. If I have given you that impression, I apologise, because part of the deal was to understand the contract. There were two or three reasons. As I said before, let us get the thing on the <i>Notice Paper</i> and we can be quite specific about what was in there and what was the basis of what we said to the minister in the PMR.				
24	F&A	16	O’Brien	Senator O’Brien—So, in May 2004, in the material that the Wheat Export Authority had received, which you earlier described as data, was there information about a Jordanian trucking company? Mr Besley—There was. I cannot tell you what form it was in. If you would like to find out what it is, I suggest we take that on notice as well. I do not want to guess about anything				

				but I have just been reminded by Glen that there was an earlier reference to the Jordanian trucking company. Senator FAULKNER—Would you mind, Senator O’Brien, if I interrupt you to check: in your letter relating to the issue of evidence at the additional estimates hearings on 1 November 2005, Mr Besley, you said: The WEA was made aware in mid 2004 from material in its possession that AWB(I) was supplying wheat into Iraq under an arrangement that included over land transport by a Jordanian trucking company. My question is: are we now talking about the same instances? It is the same instance? Mr Besley—It may have been mid— Senator ROBERT RAY—May or August—one of the two dates. Mr Besley—Let us not be too precise about what the middle is. Senator FAULKNER—You have written a letter dated 7 February 2006 indicating that the WEA ‘was made aware in mid 2004 from material in its possession that AWB’ et cetera. Given this is a very recent letter, are you able to say what the material in the possession of WEA was? Mr Besley—Not here and now, but I can get it for you. That is the information that we were talking about with Senator O’Brien.				
32	F&A	17	Faulkner	Senator FAULKNER—I am aware of the note to file. Did the file note go to the board as well? Mr Besley—I cannot remember whether it did at the time. Probably, but I could not answer that. I would like to check that. If you are interested in the order of events, I think we should check.				
32	F&A	18	Faulkner	Senator FAULKNER—Did your official have any face-to-face discussions with AWB?				

				Mr Besley—I believe so but, again, I cannot tell you: I was not there. Glen was not there, but he has told you— Senator FAULKNER—But is this sort of material included in the file note? Mr Besley—It probably is, but it is best if we check it. I do not believe we should dump the file and then let people walk out. I would like to be sure.				
34	F&A	19	O'Brien	Senator O'BRIEN—When did you review the material in the possession of the Wheat Export Authority in the context of the Volcker report? Mr Taylor—May I take that on notice.				
35	F&A	20	Siewert	Senator SIEWERT—That was despite the fact that you had collected documents in September 2005—and I will come back to those documents. That did not come up in the documents that you sent in September 2005 to DFAT? That was not in the documentation? Mr Taylor—I could not answer that question at the moment. A lot of information was included in that request from DFAT, so I could not answer whether that came up in that context. Senator SIEWERT—When you provide us with the information about what was in the documents that we discussed earlier, can you also please provide us with a list of documents that was included in that brief in September 2005? Mr Taylor—Yes.				
38	F&A	21	Siewert	Mr Mortimer—As far as I know, it did not. I do not think that was considered to be within its terms of reference. It might be helpful if we get the terms of reference of that review to you, but it was essentially a broad based review of the operation of the structural arrangements and the particular outcomes of those resulting from AWBI holding the export				

				monopoly under the legislation. Senator SIEWERT —If you could get me the terms of reference, that would be useful.				
40	F&A	22	O'Brien	Senator O'BRIEN—And who was the Grains Council representative? Mr Besley—There are two growers who are appointed by the minister on the recommendation of the Grains Council. In 2004 it was Malcolm Heath, who has been replaced, and Jim Flockart, was it? Mr Taylor—I think there was a change during 2004. Mr Besley—Yes, I think Leith Cooper came on when Jim Flockart went off, but I would need to check the dates.				
40	F&A	23	O'Brien	Senator O'BRIEN—When the authority attends the Grains Council meeting with the lofty title you have just described, particularly in 2004 was a report given on the investigation into the allegations of kickbacks? Mr Besley—I would have to check that. I do not recall. We had such a meeting only last week. There was a lot of talk about the Cole inquiry, as you can imagine. Senator O'BRIEN—I am asking about 2004 given that that is contemporaneous with the investigation, the joint meetings of the board, the documentation received in May which talked about contracts with a Jordanian trucking company, and the allegations which had been in the media the year before when Colin Powell raised the issue that US grain interests alleged that this kickback arrangement was taking place. Mr Besley—I would need to get the agenda to you. I do not remember whether we discussed that.				
43	F&A	24	Faulkner	Senator FAULKNER —And you are quite clear as to the				

				evidence that you have provided to this committee about the United States Defense Contract Audit Agency report of 2003? You are quite clear that the Wheat Export Authority did not have access to that document? Mr Taylor—That is my recollection. I would like to take that on notice and absolutely confirm that beyond doubt. But my understanding is that the Wheat Export Authority does not have on hand a copy of that document. The WEA was certainly aware of it through media reports. Senator FAULKNER—But you can say to this committee that you have not accessed it or read it? You can say that? Mr Taylor—I can say that. Senator FAULKNER—And you can say that too, Mr Besley? Can you? Mr Besley—Yes, I can.				
43	F&A	25	O'Brien	Senator O'BRIEN—Did the Wheat Export Authority's officer ask for that material and AWB (International) refuse to provide it? Mr Besley—We cannot answer that; we do not know. We could ask, if that is important.				
51	F&A	26	Milne	Senator MILNE—In April 2005 it was established. How often did it meet? Mr Taylor—I could not give you the exact meeting numbers. I could take that on notice. Senator MILNE—I will accept that on notice, but did it meet monthly or three-monthly or ad hoc as required? Mr Besley—If I can come in, it was more as required. It was tasked with working out, in the interests of the industry, what the process for export consents ought to be with regard to what Williams recommended.				
56	F&A	27	Siewert	Senator SIEWERT —How many times have you sent people				

				to AWB to investigate their contracts? Mr Besley—Not offhand, no. I could dig that up for you. We have certainly done some detailed investigations down there at times, but I do not know just off the top of my head.				
57	F&A	28	Siewert	Senator SIEWERT—Is that something that you could make available to the committee? Mr Besley—I think we would have to check with the minister, because normally you do not just hand out legal advice from your lawyer without some proper process. That is the process we would have to go through. But, subject to his clearance of it, I would have no difficulty with it coming to you.				
60	F&A	29	O'Brien	Senator O'BRIEN—How much in total is being sought under the current scheme through the applications currently awaiting processing? Ms Cvijanovic—I am unaware of the exact figure in relation to that. I can take it on notice.				
63	F&A	30	O'Brien	Senator O'BRIEN—Is that the subject of legal advice to the department? Mr Mortimer—I expect it would have been, but I will have to take that on notice and check. Senator O'BRIEN—Can you let us know who provided it and provide a copy to the committee? Mr Mortimer—I will take it on notice.				
67	AQIS	1	Milne	Senator MILNE—In relation to the permit for the export of Tasmanian devils—the christening present to Denmark—has that been dealt with, and who should I best direct these questions to? Senator Abetz—Can I just flag an interest in this. I think the zoo in Mexico is desperately wanting Tasmanian devils. I				

				made all the inquiries and I was blocked off at every avenue, including the state government saying, ‘It’s impossible, can’t do it,’ and that they wouldn’t do it. Now, all of a sudden, it is happening. Senator MILNE—No, it is not happening yet. That is the point. Senator Abetz—So I want to know the process, so we can see what we can do for Mexico. CHAIR—Minister, you can fly over there any time you like if all they want is a Tasmanian devil! Ms Hewitt—I suspect, Senator, it might be an issue that is somewhere between our portfolio and the Department of the Environment and Heritage. But to the extent that it is a DAFF issue, it would be an AQIS one. Mr Yuile—I will have to check with our live animal exports area. As we were just discussing, it is probably linked, as the secretary has said, to the Department of the Environment and Heritage and their responsibility for exports in certain areas of certain protected species. I think it would also depend on the importing country’s requirements. If I might, I will take it on notice to pick up on the AQIS element of the estimates. In the meantime I will speak to the live animal exports area and see if I can get you a bit more substance and some sort of a response. Senator MILNE—If I can put it to you in the context that you are about to follow up, my understanding of the latest research shows that there is still no diagnostic test at all to be able to establish whether an animal has the disease or not, that recent field tests have shown that previous thinking—that the disease only developed at maturation—is in fact wrong in that some juvenile animals have developed the disease and that the latest research also shows that the disease is a very rare cancer in that it can be transmitted by biting, so				
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				there are cancer cells going to another animal. Given that, I would ask for some serious assessment of the dangers of giving any export licence in the context of that disease. I would appreciate hearing back from you what advice you are giving as to the export licence decision. Mr Yuile—As I say, I think there is also an import dimension to this is in terms of what the Danish import requirements might be. Let me take that on notice and I will see what further information I can find before the AQIS estimates.				
69	BA	1	Heffernan	Ms van Meurs—Yes, they do have a number of fruit flies that we do not have. CHAIR—God help us. What else have you got? What other things have they got? Ms van Meurs—Off the top of my head I can say they have mealy bugs, but I would have to take the others on notice.				
69	BA	2	Heffernan	CHAIR—Are they any different from the mealy bugs that we are always worried about? Ms van Meurs—Our view is that we can undertake inspection on arrival. Ms Hewitt—Chair, could we send you perhaps a short note summarising the contents of the draft? CHAIR—I think you had better. You had better do better than a note—you had better come and have a chat to us. Senator O'BRIEN—Why don't you supply it to the committee, and we will put it in the <i>Hansard</i>? Ms Hewitt—Indeed. Senator O'BRIEN—It might not get out of his office if you send it to him. Ms van Meurs—Again, the draft is actually up on the Biosecurity website, Ms Hewitt—It is on the website, but we can provide a summary of it.				

70	BA	3	Hogg	Senator HOGG—In the case of the mangoes, how long ago was the policy determined? Ms van Meurs—We will have to take that on notice. Senator HOGG—Was it two years ago? Three years ago? Five? Ten? Ms van Meurs—Anywhere between two years and five years. I would have to take that on notice. Senator HOGG—Take it on notice. I was looking mainly for a ballpark figure. I wanted to see that we were not dealing with something that was totally out of date. Thank you.				
70	PIAPH	1	O'Brien	Dr Murray—There have been a number of consultancy reports. The one I think I was referring to was a study of costs that may be imposed should a BSE case occur in, for example, the management of feed mills, the feeding of animals and changes to abattoir construction arrangements. As I recall, this is what I was talking about. Senator O'BRIEN—Is it available on the website? Dr Murray—I do not think it is on the website, but we can make it available to this committee.				
73	AQIS	2	O'Brien	Senator O'BRIEN—I have an AQIS document headed 'Import case details public listing—commodity: animal or plant specimens preserved or fixed' and dated 15 December 2002. It refers to condition C5407, so that is the condition that was in place, I take it, at the end of 2002? Dr Clegg—I would have to look at that particular condition. That sounds like it has come off our ICON database, but I do not have that information before me.				
75	AQIS	3	Heffernan	CHAIR—Pardon my ignorance on all of this, but was the sample that came out originally a pallet full or a tonne or a handbag full?				

				Dr Clegg —I can provide you with quantities. I think we have actual quantities on the database for those trial shipments.				
77	BA	4	Heffernan	CHAIR—I understand; that is far enough on that. I thank Biosecurity Australia for the briefing I got on this. My point at the time was that, if there was a worldwide outbreak of bird flu or whatever it is we need these eggs to create a vaccine for, I would have thought that if I was America and the supplier of these eggs and had a serious outbreak of bird flu and wanted to get as much vaccine as I could then I would tell everyone else to go hunt. So, if we relied on importing these eggs in the event of a worldwide outbreak of a disease of some kind, we would be putting ourselves at grave risk of not being able to get the eggs to enable the production of vaccines et cetera. It followed in my mind that the sensible thing for Australia to do would be to put a few dollars—whether it is \$1 million or \$5 million or whatever; it would be cheap insurance—into creating a separate egg farm away from the one we have in an appropriate location as some sort of national insurance, rather than relying on someone else. It is like water. It is not much good relying on the farm that has water every time except when there is a drought. My view is that, while that contingency plan may well be biosecure, it may not be secure in the event of some global catastrophe. Is there no merit to that argument? You can tell me to go to hell, if you want to. Dr Martin—I guess that issue is not one for Biosecurity Australia. My understanding is that there used to be three SPF premises and now there is one. CHAIR—Do you think there is someone out there in the government listening to this conversation? I hope there is, because I think that is an issue that we need to address, I just thought I had better raise it to give it a bit of a run. Ms Hewitt—I will take that question on notice. I think it is something that we should reflect on further and perhaps				

				resume discussion about when we meet next.				
83	AQIS	4	O'Brien	Senator O'BRIEN—Can you remind me of the date of the first shipment that you have a record for? Dr Clegg—I do not have a date on it, but we issued the import permit in, I believe, April 2003,so it could have been any time after that. I can get that information for you Senator O'BRIEN—Thank you. I would like that, if you can get it, because I was a bit confused in the earlier exchange. I am told that the first shipment arrived on 31 January 2003, which is pre permit, which is why I was talking about the trial shipments and why I was a bit confused by the evidence you were giving me. I am reminded that the applicant says there was an arrangement for trial shipments before an import permit was issued and that there were a number of trial shipments. Dr Clegg—Not to my knowledge. I will check that and give you that information. Mr Yuile—It would still require a permit. Dr Clegg—Yes. It would all require a permit. But a shipment may arrive and be held. That is possible. Senator O'BRIEN—I am told that the first shipment arrived on 31 January 2003 from the Netherlands, that there were two more shipments on 4 February 2003—one from Indonesia and the second from China, that another shipment came from China on 22 February 2003 and that a shipment came from Indonesia on 18 March. They all seem to predate the first permit. Obviously, having gone through a process and having set up a wholesale-retail chain around the country and getting ready for its main shipment, to have the whole thing closed down was cataclysmic for this business. So essentially what you are telling me—so I can be clear on this—is that AQIS and Biosecurity Australia have no record of the arrangements that relate to a pre-permit shipment?				

				Ms Hewitt—Could we take that on notice and be absolutely clear that we are correct in our advice to you? Senator O'BRIEN—Yes. Ms Hewitt—We will do that quickly.				
85	AQIS	5	O'Brien	Senator O'BRIEN—What were the pesticides found in? Tomatoes and garlic? Ms Goodchap—I believe that fenvalorate was found in the garlic. It is a chemical which is widely used in Australia as well as overseas. In the sun-dried tomatoes I believe it was a chemical called procymidon. Senator O'BRIEN—I am not familiar with either. Can you be a little more helpful? Ms Goodchap—We can take those on notice for you. Senator O'BRIEN—Thank you. I am sure Hansard will want to know how to spell them! Senator Abetz—What in particular do you want to know about them? Senator O'BRIEN—What their properties are. It is fine to say there is a chemical residue. I presume they are agricultural chemicals, not just residual chemicals in a soil that was used for planting in. The Fijian samples were the cassava leaf, drumstick leaf and other specialist items we were talking about. The other items were from Thailand and Romania? Ms Goodchap—No, China.				
85	AQIS	6	O'Brien	Senator O'BRIEN—They were the <i>E. Coli</i> ones we were talking about? Ms Goodchap—That is correct. Senator O'BRIEN—Where were the chemical residue items from? Ms Goodchap—I believe that one was from Turkey—the sun-dried tomatoes—and I do not know off the top of my				

				head where the garlic was from. Senator O'BRIEN—There is a lot of Chinese garlic in supermarkets, but that does not mean that is where it was from. Ms Goodchap—I think it is likely. But I would like to check that detail before I confirm that.				
86	AQIS	7	O'Brien	Senator O'BRIEN—Minister McGauran issued a press release on 9 November relating to the Australian Meat Exports to China. The press release states that AQIS is developing the necessary documentation for opening up the Chinese market for Australian tripe. Is this a big market we are looking at? It is a big country. Mr Read—I do not have the quantum of the potential of that tripe market in China, but it is a sizeable market. Senator O'BRIEN—The press release says that Chinese authorities are hoping to finalise the tripe protocol as soon as possible. Can you tell me where that process is up to? Mr Read—The protocol is currently with the Chinese authorities. We are waiting for further discussion as to the suitability of that protocol. Senator O'BRIEN—Perhaps you can get us some information on the potential market. Mr Read—Certainly. Mr Yuile—To the extent that the statistics are available, I will certainly try. My understanding is that it is not just the size of the market, but also the economics for the operators of being able to take additional product out of carcasses.				
91	ABARE	1	Webber	(Australian Industry Greenhouse Network) Senator WEBBER—Would you receive any funding from any of the member companies? Ms Schneider—I am not familiar with all of the member				

				companies. Senator WEBBER—I am happy for you to take that on notice if you want to check. Ms Schneider—I can take that on notice.				
91	ABARE	2	Webber	(Global Greenhouse Emissions) Senator WEBBER—Did Dr Fisher or anyone else advise the climate pact meeting that reducing global greenhouse emissions by 23 per cent by 2050 was substantially short of what is necessary to avoid dangerous climate change? Ms Schneider—I was not at the meeting so I am not aware of exactly what he said. He did not have speech notes; he did not have a written speech. Senator WEBBER—Can you take that on notice and check? Ms Schneider—Yes				
92	ABARE	3	Webber	(Greenhouse Abatement) Senator WEBBER—In your projections for greenhouse abatement, did ABARE include the impact of renewable energy in China under the Chinese law that stipulates the deployment of renewables? Ms Schneider—We certainly make some quite strong assumptions about the growth in non-hydro renewable energy in the Asia-Pacific partnership countries. In developing those assumptions we take account of policy measures in each of those six countries. I cannot say that that particular policy issue was addressed. I would have to refer that back to our analysts. Senator WEBBER—It would be good if you could. Ms Schneider—That is the way we go about deriving those assumptions. Senator WEBBER—Perhaps you can check on whether you				

				specifically looked at that. Ms Schneider—We do have a very significant increase in renewable energy in those simulations. Senator WEBBER—If you can check that, particularly in relation to China, that would be good.				
92	ABARE	4	Webber	(Greenhouse Abatement) Senator WEBBER—So we have not written off that it will not be developed without price signals? Ms Schneider—I cannot answer that for sure. I can come back to you on that.				
93	ABARE	5	Webber	(Emissions trading) Senator WEBBER—So there are going to be some issues there. It has been reported in the past that Dr Fisher has said that emissions trading is not practical. Does ABARE still hold that view, given the success of the Kyoto carbon financing market? Senator Abetz—Do we know in what context it was said? It might help to contextualise it. Ms Hewitt—We can take that on notice and see if there is an answer.				
93	BRS	1	O'Brien	(National Social Data Study) Senator O'BRIEN—I would like to begin by asking for an update on the national social data study. Ms Hewitt—That is not ringing bells. Perhaps it is work known by a different title. Senator O'BRIEN—It may be. That is the title I know it by. If we have found terminology that does not ring any bells— Dr Samson—We will take it on notice on the assumption				

				that perhaps we do know it by a different name. If what you are looking for is an update, we would be happy to provide a progress report if it is indeed something that falls within our purview. Senator O'BRIEN—If you can find it, I want to find out what has been done to ensure that the results of this study are translated to practical outcomes on farms. Perhaps this is not your area. Dr Samson—I am afraid it is collectively not ringing any bells, but we will certainly look into it and try to track it down for you.				
95	BRS	2	O'Brien	(Dryland broadacre system) Senator O'BRIEN—Is it possible that the ministerial council could make whatever decisions are necessary to allow an automatic commencement on the work on the more difficult areas once the dryland broadacre system goes live? Dr Samson—I would have to check council decisions but my sense of it is that that basic decision has been made—we will move to that. Certainly, from the bureau's perspective, that is what we anticipate doing and we are gearing ourselves up to do that work. Senator O'BRIEN—I am happy for any clarity we can get on that.				
95	BRS	3	O'Brien	(Water 2010 project) Senator O'BRIEN—What is the funding? Dr Grant—As I recall, it is about \$600,000 this year, but I will take that on notice if you need to be precise.				
96	RPI	1	O'Brien	Senator O'BRIEN—In November Mr Murnane confirmed that the minister is required to table a statement that he is				

				satisfied that Dairy Australia is fully compliant with the terms of its statutory funding agreement with the Commonwealth and that the act requires that that statement be tabled soon after the AGM. The AGM was held on 25 November last year. I may have missed it but I could not find any record of the minister tabling the required statement. Has it happened? If not, why not? Mr Murnane—I understand that it has been tabled, but I can certainly check the date for you. Senator O'BRIEN—Would it have been tabled out of session? Mr Murnane—I believe so. Senator O'BRIEN—If you could draw our attention to the tabling, I am sure that it is available from the Table Office. Mr Murnane—Certainly.				
97	RPI	2	O'Brien	Senator O'BRIEN—Can someone provide the committee with an update on the areas that are currently in receipt of exceptional circumstances assistance. Mr Koval—I do not have a full list of the latest areas. There are some 50-odd areas receiving assistance. I can provide you on notice with a complete list of all areas currently receiving EC assistance. Senator O'BRIEN—Thank you for that. Can we get that information on a state-by-state basis, if possible, and also how long each area has been in receipt of assistance? Mr Koval—Certainly.				
97	RPI	3	O'Brien	(EC declaration) Mr Koval—That is correct. They were extended for varied periods of time as well. Some of them were extended for a shorter period than others to match them up with seasonal conditions and things like that. Senator O'BRIEN—Can you on notice provide the details				

				of the areas and the extensions or nonextensions? Mr Koval —Certainly.				
98	F&F	1	Sterle	(Illegal Foreign Fishing Vessels) Senator STERLE —That calendar year, I take it, is 2005-06? Mr P. Murphy —From January to December 2005. In total, 384 persons were charged. Senator STERLE —Could you provide a copy of that data to the committee? Mr P. Murphy —I could do that on notice.				
98	F&F	2	Sterle	(Illegal Foreign Fishing Vessels) Senator STERLE —Have there been any large fines for any crews? Mr McLoughlin —I would have to take that one on notice. We tend to look at the skippers in particular. Skippers would be the sorts of people that we target for significant offences, but the courts tend to determine relative guilt between skippers and crews.				
106	F&F	3	Sterle	Senator STERLE —Is it possible that, if a vessel was intercepted by an Australian patrol vessel and was subjected to automatic forfeiture—they would have all their fishing gear confiscated—they could simply return to their home port, take on new equipment and come straight back? Mr McLoughlin —There is that possibility, yes. Senator STERLE —Do we have any information on anyone who was caught reoffending doing that? You can take that on notice. Mr McLoughlin —I think we should do that.				
106	F&F	4	Siewert	Senator SIEWERT —What species are involved? You				

				talked about red snapper. Mr McLoughlin—There are half a dozen species collectively titled ‘red snapper’, found largely in the Arafura Sea. They exist from the north of Darwin right through to Torres Strait, the top end of the Barrier Reef and up into Indonesian waters, so it is a very wide range. I would be happy to provide you with more details of the species and their range.				
107	F&F	5	Siewert	Senator SIEWERT—I have been looking at the Philippines, where significant rehabilitation work has been going on and where they have been putting in no-take areas and so on. I was looking at that to see if they can do a similar sort of thing in Indonesia, if Australia provided some help and expertise. Mr Hurry—There has been a program under way, based on Timor, for quite a number of years—I think it is COREMAP—which has been involved in looking at the rehabilitation of coral reefs. I am not sure where that program is at. It is not run by our department; it is run by Environment Australia. We could get you some information on that. There is some activity on coral reefs, I understand, in Indonesian waters through some of the NGOs. The other program that Australia has been involved in, but not at an official level so far, has been the Arafura-Timor Sea regional forum, which is a program that is looking for global environment funding to look at some initiatives to rebuild fisheries. Again, I could get you some additional information on that.				
107	F&F	6	Webber	Senator WEBBER—You will appreciate I am not going to be too difficult—especially with this outbreak of agreement! Last time we met, and under the previous, less than helpful relationship between the two governments—and, as I say, I				

				am prepared to accept that there is some fault on both sides—we used to have a disagreement about the size of the illegal fish take in our northern fisheries. Has anyone got any up-to-date accurate information on that? Mr McLoughlin—Anything that we told you would be an educated guess at best, because we just do not know. Senator WEBBER—Short of counting each and every one of them. Mr McLoughlin—That is correct. Senator WEBBER—I understand that. Mr McLoughlin—We do have some information about, for example, the boats that we do apprehend. What have they got on board? We do try and make some educated guesses there, but it is the subject of a number of research projects that we have funded and are still running to try and get better estimates of that. Senator WEBBER—Can I have a best guess, though? I appreciate all the caution required. Can you take that on notice and come back to me with a best guess? Mr McLoughlin—I would rather come back to you with a best guess. What I can do is talk about the level of catch that we find on the apprehended vessels, which is hard numbers. I am sure you understand our reluctance to make guesses here at estimates. Senator WEBBER—Yes. Mr McLoughlin—We have engaged the CSIRO, the Australian Institute of Marine Science and researchers in the Northern Territory, for example, to start work on identifying species. There are hundreds of species involved, and determining the impacts of this fishing is our interest, and part of that is not only the amount of fish caught but what species are being caught. I would take that one on notice if I could.				
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109	F&F	7	Webber	Senator WEBBER—Have you received any reports about pearl leasers having their operations being interfered with by illegal fishermen? You can take that on notice and check it. Mr P. Murphy—Not to my knowledge. I will take it on notice.				
111	F&F	8	O'Brien	(Fishing Future Package) Senator O'BRIEN -An appropriate question for tonight, then. I want to take some time on the fisheries structural adjustment package. I refer to the \$220 million Securing our Fishing Future package announced late last year by the former minister, whose press release of 14 December said: Since announcing the Securing our Fishing Future package three weeks ago, my department and I have been meeting industry and State representatives to further develop its implementation arrangements. Can you provide details of these meetings? Mr Talbot—We have certainly met with a number of states and a range of industry associations. I do not have the dates of those meetings with me but I can provide that information. Senator O'BRIEN—Yes, provide that on notice. It is not all states, is it?				
126	NRM	1	Joyce	Senator JOYCE—For the record, I imagine your hydrology study was on the macroinvertebrates, including such things as the ecological effects on the river. There was no benchmarking against other what would be known as pristine systems, such as the Paroo Valley?				

				Mr Dalton—I would have to check each of the studies. One was around hydrology. One was about some of the environmental values of the Lower Balonne. I am not familiar with all of the details of the study but, in the case of the environmental assets, once again it was about establishing what was the nature of the information that had already been collected and available data sources. I am not aware that there has been an assessment, for example, of macroinvertebrates in that part of the river system compared with another part. I would have to check, Senator.				
126	NRM	2	Joyce	Senator JOYCE—The main point I am trying to express is that there is no comparative analysis. It is basically looking at the Lower Balonne in an ‘as is’ scenario rather than in a comparative analysis with another like system. Does your study take into account the economic usage of the water and a comparative analysis to other usages should there be a change in the licensing structure? Mr Dalton—There has been some work but once again I am not familiar with the full detail of that. I need to check that for you. There is a basic assessment of the value of various flood plain and irrigation activities which I understand has been handed out.				
				Additional written Questions on Notice				
Written	NRM	3	Milne	(Invasive grasses) Has the Commonwealth held discussions with the NT government regarding alien invasive species of grasses like Buffalo and Elephant grass? Is there any joint action planned to prevent their further planting and to begin containment and eradication processes?				

Written	PIAPH	2	Milne	(Bumble bee) What action is AQIS taking to prevent the spread of the bumble bee from Tasmania to mainland Australia?				
Written	AQIS	8	Milne	(Exchange of ballast water) Who enforces compliance with the regulations relating to the exchange of ballast water in cargo ships? Do the empty tankers entering the port at Newcastle to take on coal cargo fully exchange ballast in accordance with the regulations? How many occasions has compliance with the ballast regulations been checked at Newcastle port over the past 3 years?				
Written	NRM	4	Siewert	(National evaluations) At Supplementary Estimates November 2005 the Committee was informed that both NAP and the Trust were being reviewed via 10 national evaluations. 1. Have these reviews all been completed? 2. If not, which ones are still outstanding and when will they be completed? 3. What was the cost of each review? What was the total cost of the review process? 4. Are the reports to be made publicly available? 5. If not, why not?				
Written	F&F	9	Siewert	(Shark fishery) What is the value of the shark fishery in Commonwealth waters?				
Written	All depts/ agencies MS	1	Ludwig	(Grants to Hillsong Church) How many grants have you issued to Hillsong Church, its associated corporations and entities? List name, price and				

				duration of funding by department.				
Written	All depts/ agencies CP	1	Ludwig	(Briefs to DPP) 1. How many briefs have you forwarded to the DPP for 2001-02, 2002-03, 2003-04, 2004-05? a. How many briefs were returned without action, and how many were actioned? 2. For each year, what was the average time (as well as indicating the minimum and maximum time in each case) in which it took the DPP to... a. Bring charges against the accused party b. Formally bring the matter to a conclusion through either a verdict of guilty or not guilty, the entrance of a nolle prosequi or dropping the charges c. Return the brief for no further action 3. Did the department or agency forward any formal complaints to the DPP regarding the handling of the brief? a. If so, give details. 4. Did the department or agency forward any informal complaints to the DPP regarding the handling of the brief? a. If so, give details.				