

(MR SPEAKER)

## SPEAKER'S RULING – ALLEGED DELIBERATELY MISLEADING THE HOUSE

On 7 December 2021, the Member for Burnett wrote to me alleging that the Assistant Minister for Education deliberately misled the House on 30 November 2021.

The matter relates to a statement made by the Assistant Minister during Matters of Public Interest concerning the cashless debit card and the Australian Government's Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020.

*Specifically, 'the LNP want to force aged pensioners onto the cashless pension card. We should not be surprised. The LNP's plan to expand the card and force pensioners onto it means the government would be able to control where pensioners and vulnerable Aussies spend 80 per cent of their income... The LNP has enshrined the Cashless Debit Card for Pensioners in the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020'.*

The Member for Burnett argued that this is misleading because the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020 is to establish the cashless debit card as an

ongoing program rather than a time-limited trial in specific regions in Australia.

The Member further argued that aged pensioners are excluded from mandatory participation in 5 out of 6 of the trial locations, and that a pensioner can only be forced onto the card if they reside in Cape York and are referred by a state agency.

I sought further information from the Assistant Minister about the allegation made against her, in accordance with Standing Order 269(5).

The Assistant Minister submitted that her statements were based on a number of publicly available comments from members of the Australian Government calling for a national rollout of the card. She provided several examples of these statements.

However, in my view, there are two parts to the Assistant Minister's statement. First, that the Australian Government plans to expand the card, and second, that aged pensioners would be forced to use the card.

While the Assistant Minister provided sufficient evidence with respect to the first part her statement, she did not put forward any evidence with respect to the second part, that aged pensioners would be forced to use the card.

Standing Order 269(4) requires that in considering whether such a matter should

be referred to the Ethics Committee, that I should take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter.

I note that on 24 February 2022, the Assistant Minister made an apology and clarifying statement in the House, and this is recorded at page 257 of the Record of Proceedings.

In light of the Assistant Minister's apology and clarifying statement, I consider the Assistant Minister has made an adequate explanation and apology.

Therefore, I will not be referring the matter for the further consideration of the House via the Ethics Committee.

I table the correspondence in relation to this matter.

# Stephen BENNETT MP

Member for Burnett



7 December 2021

Honourable Curtis Pitt MP  
Speaker of the Legislative Assembly  
Via email: [Office.oftheSpeaker@parliament.qld.gov.au](mailto:Office.oftheSpeaker@parliament.qld.gov.au)

Dear Mr Speaker

I wish to draw to your attention a matter of privilege concerning comments made in the House by the Member for Keppel, Brittany Lauga MP, during the Matters of Public Interest debate on Tuesday 30 November 2021.

These comments are recorded in the Official Record of Proceedings (Hansard) on page 3802 (copy attached).

There are three elements to be proven in order to establish that a member has committed the contempt of deliberately misleading the House:

1. The statement must have been misleading;
2. The Member making the statement must have known, at the time the statement was made, that it was incorrect; and
3. In making the statement, the Member intended to mislead the House.

## 1. The statement must have been misleading

During the motion debate, the Member for Keppel stated:

*".. the LNP want to force aged pensioners onto the cashless pension card. We should not be surprised. The LNP's plan to expand the card and force pensioners onto it means the government would be able to control where pensioner and vulnerable Aussies spend 80 per cent of their income";*

The statement by the Member for Keppel asserts that the Federal Government will be expanding the cashless debit card to aged pensioners.

During the motion debate, the Member for Keppel also stated:

*"The LNP has also enshrined the Cashless Debit Card for pensioners in the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020. I table a copy of the bill for member's information".*

The Member for Keppel tabled one page from the Amendment Bill (copy attached) that she asserted supported the statement that the LNP will be forcing aged pensioners onto the Cashless Debit Card.

The purpose of the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020 (the Bill) is to establish the Cashless Debit Card (CDC) as an ongoing program rather than a time-limited trial, to transition Income Management in the Northern Territory and the Cape York region to the Cashless Debit Card and make a number of other amendments.

Under rules outlined in the Social Security (Administration) Act (sections 124PG to 124PGE), age pensioners are excluded from mandatory participation in the CDC scheme in five of the six trial areas. The only exception is Cape York.

The extract from the Bill tabled by the Member for Keppel directly contradicts the statement that she made during the debate, and the statement must therefore have been misleading.

**2. The Member making the statement must have known, at the time the statement was made, that it was incorrect**

During the motion debate, the Member for Keppel stated:

*“.. the LNP are out to stop 2.6 million Australian pensioners from having a meal at a pub, buying a scratchie or fresh fruit and veggies at the markets by forcing all pensioners onto the Cashless Debit Card across every corner of Queensland.”*

The Member for Keppel, in tabling the extract from *The Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020* indicated that she has read the Bill and understands its intent.

In asserting that pensioners across every corner of Queensland will be forced onto the Cashless Debit Card, the Member for Keppel was aware from her own tabled extract, that the payment applies “in relation to a program participant”.

Section 124PG to 124GE clearly define persons subject to cashless welfare (program participants) arrangements as from:

124PG	Ceduna
124PGA	East Kimberley area
124PGB	Goldfields area
124PGC	Bundaberg and Hervey Bay
124PGD	Cape York area
124PGE	Northern Territory

Subsection 124PD(1) provides the Definitions covered by the Act, specifically defining the geographical areas as:

- Bundaberg and Hervey Bay area means the area within the boundaries of the Division (within the meaning of the Commonwealth Electoral Act 1918) of Hinkler, as those boundaries were in force on 31 May 2018.
- Cape York area means the area determined in an instrument under subsection (1A).
- Ceduna area means Ceduna within the meaning of the Social Security (Administration) (Trial Area—Ceduna and Surrounding Region) Determination 2015 as in force on 15 March 2016 and includes the Surrounding Region (within the meaning of that determination as so in force).

- East Kimberley area means East Kimberley within the meaning of the Social Security (Administration) (Trial Area—East Kimberley) Determination 2016 as in force on 26 April 2016 and includes the areas of each of the Included Communities (within the meaning of that determination as so in force).
- Goldfields area means the following Local Government Areas as at 7 February 2018: (a) the Shire of Leonora; (b) the Shire of Laverton; (c) the City of Kalgoorlie-Boulder; (d) the Shire of Coolgardie; (e) the Shire of Menzies.

The Member for Keppel’s own tabled paper extract from the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020 makes it clear that the age pension inclusion in the Cashless Welfare Card is defined for participants in these specific areas only. Her assertion that this Amendment Bill is being rolled out to pensioners throughout Queensland is inaccurate, as made clear by The Bill.

The Bill makes it clear that current legislation prevents any age pensioners being forcibly moved onto cashless debit cards, with the exception of age pensioners in Cape York who have been referred to the program by a state agency.

The Amendments in The Bill extract tabled by the Member for Keppel make no mention of expanding the defined areas for program participants to any other areas. The Member for Keppel knew this from her reading of *the Social Security (Administration) Amendment (Continuation of Cashless Welfare) bill 2020*.

The Member for Keppel will be aware of the many publicly available statements by the Federal Minister for Social Services, Anne Ruston refuting claims of the rollout of the Cashless Debit Card for aged pensioners.

In March 2020, Social Services Minister Anne Ruston told a parliamentary committee she was “open to a conversation with the nation about further use of the cashless debit card as a welfare measure” (copy attached).

In a media release dated October 25, 2021 (copy attached), Ms Ruston said: “Let me make it crystal clear – the Morrison government will not force age pensioners onto the Cashless Debit Card. We were never going to, and never will.”

Three days later, on October 28, Ms Ruston told a Senate Estimates committee that she “categorically” rules out expanding the scheme to all pensioners, saying “there never has, there isn’t and there never will be under this government any intention to require age pensioners to go on to the cashless debit card” (copy attached).

Ms Ruston told the committee the only circumstances in which an age pensioner can go onto the card is either voluntarily or under state and territory vulnerability provisions. The federal government has “no power whatsoever to force any age pensioner on to the cashless debit card,” she said.

In June, Ms Ruston told The New Daily that the government “has no plan and will never have a plan to force age pensioners on to the cashless debit card”.

**3. In making the statement, the Member intended to mislead the House.**

In November 2021, the LNP State Council passed a motion calling on the Federal LNP to roll out the Cashless Debit Card trial to more districts in Queensland (Resolution #12, copy attached).

However, as outlined above, with the Cashless Debit Card clearly defined as excluding aged pensioners, the member for Keppel has made a misleading statement about the intent of the Queensland LNP when she made the association that any increased roll out of the card would include aged pensioners.

These statements are clearly and publicly shown to be untrue and misleading both by the Act itself and multiple public statements by the Minister for Social Services.

I submit this information to you as I believe it is sufficient to establish that the Member for Keppel made statements to The House that were misleading, that she knew to be incorrect, and that in so doing, she has intended to mislead The House.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Stephen Bennett', written in a cursive style.

**Stephen Bennett MP**

Member for Burnett

Shadow Assistant Minister for Tourism Industry Development

**Attachments**

**Resolution 10****POLICY STANDING COMMITTEE**

AMENDED

**SUPPORT FOR GRADUATES IN REGIONAL AUSTRALIA**

This State Council notes the large amounts of personal data being held via COVID-19 sign-in apps and the potential for this data to be stolen via cyber hacking and calls on the State and Federal Governments to legislate that data from sign-in apps be securely destroyed after 21 days by the developer of the app.

CARRIED

**Resolution 11****PINE RIVERS SEC****AMENDMENT OF PBAC BENEFITS FOR IMMUNISATION**

That this State Council recommends that recognising the importance of immunisation, urges the Pharmaceutical Benefits Advisory Committee to review the National Immunisation Program (NIP) enabling additional immunisations to Australians who require re-immunisation due to chemotherapy and other immuno-compromising conditions that wipe out prior immunity.

CARRIED

**Resolution 12****TOOWOOMBA NORTH SEC****CASHLESS DEBIT**

That this State Council call on the Federal Liberal National Government to roll out the Cashless Debit Card trial to more districts in Queensland.

CARRIED

**Resolution 13****POLICY STANDING COMMITTEE****FORMAL RECOGNITION OF EMERGENCY VOLUNTEERS**

That this State Council, recognising the value of our volunteers, calls on the LNP State Opposition to commit to a Volunteer Respect Act guaranteeing emergency volunteers certain legal rights and protections; and a subsequent MOU with an agreed set of conditions for volunteers.

CARRIED

**Resolution 14****YLNP****SCREENING FOR YOUNG WOMEN**

AMENDED

That this State Council call on the LNP State Opposition to support a national initiative within high schools to educate young women in conjunction with their HPV vaccines on endometriosis and other similar conditions, in order to tackle widespread issues of women's health.

CARRIED

**Resolution 15****DAWSON FDC / HINCHINBROOK SEC****COMMENDATION OF DEFENCE MINISTER'S ACTION**

AMENDED

That this State Council congratulate the Minister for Defence, the Hon Peter Dutton MP, on his decision, within a month of being sworn in, to reinstate the "Meritorious Unit Citations" to defence



it is absolutely clear that the state Labor government is failing to deliver the world-class education system that Queenslanders deserve.

Finally, there is also the serious matter of the principles of natural justice and welfare not being afforded to public servants who seek public interest disclosure or whistleblower status, because in this instance it seems to be problematic with respect to those two public servants who have sought assistance from the LNP opposition. As I indicated, one public servant has already left the Department of Education whilst the other is on long-term sick leave with the department due to the circumstances of this situation.

Clearly, both public servants and Queenslanders alike are rapidly forming the view that the Labor state government is losing control of the education system. I take this opportunity to say to the Minister for Education and the newly appointed director-general that these are serious matters which need to be looked at. These public servants have raised a raft of issues in relation to their particular unit. Time is of the essence in resolving those matters as they seriously appertain to students and student welfare issues, and I would encourage them to look into these matters as a matter of priority and urgency before the conclusion of this year.

### Cashless Debit Card

**Ms LAUGA** (Keppel—ALP) (2.50 pm): Pensioners are Australia's battlers. They have worked all their lives and deserve to enjoy their retirement, but Scott Morrison, Michelle Landry, Matt Canavan and the LNP are out to stop 2.6 million Australian pensioners from having a meal at a pub, buying a scratchie or fresh fruit and veggies at the markets by forcing all pensioners onto the Cashless Debit Card across every corner of Queensland.

**Mr Bennett:** That's just not true!

**Ms LAUGA:** I will be pleased to inform the member for Burnett over the next four minutes. Anne Ruston, the federal LNP Minister for Families and Social Services, admitted in a Channel 7 interview—

We're seeking ... to put all Income management onto the universal platform which is the Cashless Debit Card ...

The LNP has also enshrined the Cashless Debit Card for pensioners in the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020. I table a copy of the bill for members' information.

*Tabled paper:* Extract from the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020, page 14.

**Ms LAUGA:** I wonder if the member for Burnett was at the LNP State Council.

**Mr Bennett:** I was, actually.

**Ms LAUGA:** The LNP State Council passed a motion calling for the card to be expanded across Queensland. I take that interjection from the member for Burnett. How many of those members opposite were present at this LNP State Council when they made this decision? How many of those members opposite voted in support of the Cashless Debit Card to be rolled out across Queensland?

**Mr Bennett:** I did.

**Ms LAUGA:** I will take that interjection from the member for Burnett, who just confirmed that he did vote in support of rolling out the Cashless Debit Card across Queensland.

We have an aged care crisis that remains unaddressed and not responded to, Medicare rebates for critical hip, hand and shoulder surgeries that were cut under the cover of COVID from 1 July, and now the LNP want to force aged pensioners onto the cashless pension card. We should not be surprised. The LNP's plan to expand the card and force pensioners onto it means the government would be able to control where pensioners and vulnerable Aussies spend 80 per cent of their income.

It is not like an ordinary bank debit card. The government and a private company would control when, where and how pensioners can spend their own money, what kinds of shops they can and cannot shop at, and what they can and cannot buy in those shops. There are already three venues in Central Queensland where these cards cannot be used: Pacific Hotel, Keppel Bay Sailing Club and the Frenchville Sports Club. I table a copy of a list of the Cashless Debit Card's blocked merchants.

*Tabled paper:* Bundle of documents regarding the use of cashless debit cards.

I encourage all members to have a look at the list of blocked merchants in their respective electorates. It is quite concerning that at a large number of them—over 800—you are not able to use these cards. It is absolutely awful that people are already banned from buying a coffee, meal or beer at


these three venues using the cashless welfare card. Two of these venues are community clubs that support local sporting teams. It concerns me greatly that anyone on the cashless welfare card will not be able to pay for their kids' or grandkids' sport registration fees and uniforms at these sporting clubs. How many other venues are going to be blocked in Central Queensland when the LNP rolls this card out to pensioners?

They even have a secret technology working group committee with the big banks, Australia Post and all of the big retailers that is trying to work out how they can do product-level blocking to control exactly which products people can buy. It is disgraceful. This government thinks it knows better than Australians how to spend their money. The vast majority of pensioners manage their money perfectly well. They know where every cent goes. If this card scheme gets through, pensioners would not be able to pay cash to buy cheap food at their local market, second-hand goods, a meal or a beer at the RSL, or give cash to their grandkids. This shocking scheme comes after eight years of cuts to the pension and attacks on pensioners by the Liberals and Nationals. Mr Morrison is not on the side of pensioners.

I am calling on the federal member for Capricornia and LNP senator Matt Canavan to: apologise to Australian pensioners for the cashless pension control card plan; repeal all legislation that enables the cashless card and scrap the scheme; cancel the contract with Indue, the private company that runs and profits from the cashless card scheme; and stop the further privatisation of Centrelink. Labor will fight the federal government's plan to expand the shameful Cashless Debit Card and force it onto pensioners. A federal Labor government would abolish the privatised card. Labor will continue to fight this cruel card. Only an Albanese Labor government will scrap it completely if elected.

## MOTION

### Order of Business

 **Hon. YM D'ATH** (Redcliffe—ALP) (Leader of the House) (2.55 pm), without notice: I move—

That government business order of the day No. 1 be postponed.

Question put—That the motion be agreed to.

Motion agreed to.

## POLICE POWERS AND RESPONSIBILITIES AND OTHER LEGISLATION AMENDMENT BILL

Resumed from 15 September (see p. 2768).

### Second Reading


 **Hon. MT RYAN** (Morayfield—ALP) (Minister for Police and Corrective Services and Minister for Fire and Emergency Services) (2.55 pm): I move—

That the bill be now read a second time.

On 1 November 2021 the Legal Affairs and Safety Committee tabled its report on its examination of the Police Powers and Responsibilities and Other Legislation Amendment Bill 2021. The committee made only one recommendation: that the bill be passed. I applaud the committee for the work it has done in its consideration of this bill. The committee ensured that all stakeholders had the opportunity to provide comment on the bill, and I thank those members of the public who contributed to this process.

The bill amends the Police Powers and Responsibilities Act 2000 and other legislation to provide a number of public safety benefits and efficiencies. It expands the existing police banning notice regime so that it applies to a person who unlawfully possesses a knife in a relevant place. The amendments will give police enhanced powers to ensure reportable offenders are not accessing child exploitation material via digital devices.

Amendments to the Police Powers and Responsibilities Act regarding assumed identity legislation will provide greater safety to our officers who carry out vital undercover work. The bill also provides various operational efficiencies and protections for the Queensland Police Service in relation to the monitoring of surveillance devices, and the inclusion of nine Commonwealth child sexual abuse offences as reportable offences under the Child Protection Act 2004 will further enhance community safety. This means that those offenders who are convicted and sentenced to a period of imprisonment or a supervision order for those offences are placed on the national child protection system.

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(f) the Northern Territory;

**57 Subsection 124PD(1) (definition of program area)**

After "any part of such an area", insert ", or any part of the Northern Territory,".

**58 Subsection 124PD(1) (definition of program participant)**

Omit "124PGC", substitute "124PGE".

**59 Subsection 124PD(1)**

Insert:

*Queensland Commission* has the same meaning as in Part 3B.

*recognised State/Territory authority* has the same meaning as in Part 3B.

**60 Subsection 124PD(1) (paragraph (a) of the definition of restrictable payment)**

After "in relation to a program participant", insert "under section 124PG, 124PGA, 124PGB or 124PGC".

**61 Subsection 124PD(1) (after paragraph (a) of the definition of restrictable payment)**

Insert:

(aa) in relation to a program participant under section 124PGD or 124PGE, means:

- (i) a payment of a kind listed in paragraph (a); or
- (ii) an age pension; or
- (iii) a social security bereavement payment in relation to an age pension under Division 9 of Part 2.2 of the 1991 Act; or
- (iv) a distance education payment under the scheme known as the Assistance for Isolated Children Scheme, where the payment relates to a child or children at a Homeland Learning Centre; or



COMMONWEALTH OF AUSTRALIA

# Official Committee Hansard

## SENATE

COMMUNITY AFFAIRS LEGISLATION COMMITTEE

**Estimates**

THURSDAY, 5 MARCH 2020

CANBERRA

BY AUTHORITY OF THE SENATE

**SENATE**

**COMMUNITY AFFAIRS LEGISLATION COMMITTEE**

**Thursday, 5 March 2020**

**Members in attendance:** Senators Askew, Bilyk, Dodson, Hughes, Kitching, Lines, McCarthy, McLachlan, O'Neill, O'Sullivan, Patrick, Polley, Sheldon, Siewert, Marielle Smith, Dean Smith, Steele-John, Urquhart, Waters, Watt.

**Senator HUGHES:** What's that?

**Mr Terrell:** We will continue to provide supports to those clients that are eligible for that program. That includes something you may have also heard about: the zero-to-six NDIS intervention pathway, which has been a remarkable success. Ms Mavrias referred to this earlier on. One of the things we do exceptionally well with providers like the Shepherd Centre is to have a referral pathway, which the NDIA put in place in 2018. So young children, particularly newborns and two-, three- and four-year-olds, are able to go through the NDIA eligibility process and get plans very quickly so they can get those wraparound services. That is also going to continue post 1 July. That's very clear for us.

**Senator HUGHES:** So is it mainly around the hardware, the hearing aids—

**Mr Terrell:** No. We will continue to provide them with devices and support parents in terms of the services that we currently do. We don't do speech therapy and the other supports that those families and children need; they are provided through other means. That will continue after 1 July. The other thing which is important to recognise is that the Hearing Services Program itself, which is a program run by the Department of Health, supports many hundreds of thousands of Australians every year. We support some of them and there are a lot of other providers that support those clients as well. That program will also continue to operate.

**Senator BILYK:** With those changes you've just talked about, you will still see new cases? It doesn't have to be an existing case?

**Mr Terrell:** Correct. This question is probably best directed to the Department of Health because it is their program. But the eligibility criteria for the Hearing Services Program and the component which is the Community Services Program will not change on 1 July. So if someone is eligible to come and see us today, they will also be eligible to see us on 1 July and we will continue to provide them with the best support we can.

**CHAIR:** Thank you very much for your time tonight.

**Proceedings suspended from 18:31 to 19:33**

**CHAIR:** We will now resume on outcome 2. Thank you, everybody, for your willingness to accommodate the changes earlier. Senator Siewert.

**Senator SIEWERT:** I want to go to the cashless debit card. Minister, there was speculation in the media around a national rollout. When I was commenting in the chamber on this, I heard some comments from you. Could you clarify the government's position about a potential national rollout of the cashless debit card?

**Senator Ruston:** If you read the comments from me, I said I was open to a conversation with the nation about further use of the cashless debit card as a welfare measure. I said nothing more than that.

**Senator SIEWERT:** And what does that mean?

**Senator Ruston:** I think we should start having a conversation. We should start talking to Australians—those that are on the card and those who pay the taxes that fund welfare. I think we should have a conversation about the broader application of different supports we can give people on welfare. But I've not made any comment in relation to any decisions to roll it out.



COMMONWEALTH OF AUSTRALIA

# Proof Committee Hansard

## SENATE

COMMUNITY AFFAIRS LEGISLATION COMMITTEE

**Estimates**

(Public)

THURSDAY, 28 OCTOBER 2021

CANBERRA

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BY AUTHORITY OF THE SENATE

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can speak for the next three-quarters of an hour about the difference between the BasicsCard and the CDC. The bill did not go to the substance of income management or no income management. What we have seen subsequently is a conflation. I would be really keen to understand the official position of the opposition in relation—

**Senator GREEN:** I don't think that is a matter for estimates.

**Senator Ruston:** the CDC. We saw a private member's bill introduced into the lower house this week. I am keen to understand why the shadow minister for social services, Ms Burney, who has responsibility and carriage for this policy in the opposition, hasn't said anything. I'm really interested in the actual argument and what we're talking about here. It seems to me that a whole heap of issues have been conflated. There are lies and there is misinformation that is all adding to a completely dishonest and disingenuous presentation to the Australian public that seems to be nothing more than political scaremongering. The victims of this are older Australians.

**Senator O'SULLIVAN:** I have a couple more questions. I want to go back to the age pensioners. Under the legislation, under what circumstances can an age pensioner be put on to the cashless debit card?

**Senator Ruston:** Currently, an age pensioner could be required to go on to the cashless debit card in one of two ways. I will get Ms Hefren-Webb to clarify this. One is if they voluntarily request to do so. Currently, we have over 700 Australians who are on the age pension who have actually requested to go on the card. In the transition in Cape York, where we offered the opportunity to people in Cape York who are on the BasicsCard to go on to the cashless debit card, I am pleased to say that every single one of them chose to move across. We also now have more people in Cape York who are voluntarily on the card than those who have been required through the Family Responsibilities Commission to go on it. The only other circumstance in which an age pensioner can be required to go on to the card is under the state and territory vulnerability provisions, which, for instance, may be someone under a child protection order and the like. So the federal government, in and of itself, has no power whatsoever to force any age pensioner on to the cashless debit card. They are the only two circumstances under which this can happen.

**Senator O'SULLIVAN:** Thank you. To the department: has the government ever considered requiring age pensioners to be placed on the cashless debit card?

**Ms Hefren-Webb:** From the department's perspective, we have provided no advice to my knowledge.

**Senator O'SULLIVAN:** You have never been asked for advice?

**Ms Hefren-Webb:** No. Not while I've been in this role, no.

**Senator Ruston:** I will qualify. I said 700 people have voluntarily gone on to the cashless debit card. They are not age pensioners necessarily. Some will be age pensioners. Seven hundred Australians have voluntarily gone on to the cashless debit card.

**Senator O'SULLIVAN:** Thanks for that clarification. Minister, with regard to age pensioners, in a similar vein: was there any consideration given, even into the future, for age pensioners to be put on the cashless debit card?

**Senator Ruston:** I can categorically say there never has, there isn't and there never will be under this government any intention to require age pensioners to go on to the cashless debit card. I can repeat that all day if you would like me to.

**Senator O'SULLIVAN:** Thank you.

**Senator McCARTHY:** I want to go to product-level blocking and multiple issues. How many CDC product-level blocking sites are currently in operation?

**Ms Hefren-Webb:** I have to see if one of my colleagues can come to the table and answer specifically for you.

**Senator McCARTHY:** While we're waiting for them to come to the table, Ms Hefren-Webb, I might check with the minister on her latest response of 700 Australians who have gone on to it. How many age pensioners are on the BasicsCard?

**Mr Boneham:** There are two types of merchants involved in product-level blocking. The first is the larger corporates. That includes Woolworths, Australia Post, Coles and a number of other corporates. They have their own product-level blocking software. That is available in around 5,800 stores at the moment. In relation to smaller merchants, we currently have around 30 or 31.

**Senator McCARTHY:** How many merchants does product-level blocking work at? That is 5,800?



**Senator GREEN:** Can I see if there is an answer to that question I asked this morning? I asked a question this morning and they were going to come back with a number.

**ACTING CHAIR:** Yes. That's right. They still might do that. Shall we inquire at 1.00 pm?

**Senator GREEN:** While Senator O'Sullivan gets ready. I can ask it in 15 minutes.

**Senator O'SULLIVAN:** My questions are going to be about the cashless debit card. I think, Ms Hefren-Webb, you can probably answer these questions. Can you please explain the type of company that Indue is and what their role is in relation to the cashless debit card?

**Ms Hefren-Webb:** Yes. Indue is an approved deposit-taking institution, so essentially a financial institution. Their role is to provide participants with the cashless debit card with access to banking services, essentially. There is the provision of a card and online support for that card and telephone support. In some locations, they subcontract local organisations to provide face-to-face advice as well. So they effectively operate similar to a financial institution for the purposes of the cashless debit card.

**Senator O'SULLIVAN:** Are other banks, such as the Commonwealth Bank, Westpac and ANZ, to name a few, also authorised deposit-taking institutions?

**Ms Hefren-Webb:** That's correct, yes.

**Senator O'SULLIVAN:** Indue is acting in the same way they are?

**Ms Hefren-Webb:** Yes. That's right.

**Senator O'SULLIVAN:** Has the Australian government ever been an authorised deposit-taking institution?

**Ms Hefren-Webb:** Not since the sale of the Commonwealth Bank, I think, is the answer to that. No. We're certainly not now. I was reminded by one of my staff the other day about a conversation that the Commonwealth used to own the Commonwealth Bank. I can't recall when it was sold.

**Senator O'SULLIVAN:** Neither can I. I think it was decades ago. How long has the government had contracts with Indue for? What were they for?

**Ms Hefren-Webb:** The government has had contracts with Indue, to my knowledge, since about 2008. Indue is the provider of the BasicsCard. Services Australia actually has the contract agreement for the BasicsCard. This department holds the contract for the cashless debit card. Indue provides both cards.

**Senator O'SULLIVAN:** So the relationship with Indue and the contract with Indue predate the cashless debit card because the BasicsCard is also provided by Indue?

**Ms Hefren-Webb:** Correct. When the BasicsCard commenced, there was an approach to market undertaken at the time to determine who would be able to provide a card service. Indue were successful in that procurement process.

**Senator O'SULLIVAN:** Does Indue, as an authorised deposit-taking institution, in the same way that the Commonwealth Bank, ANZ or others do, have any say over what merchants or products are blocked?

**Ms Hefren-Webb:** No. They are decisions of the department operating under the framework of the legislation.

**Senator O'SULLIVAN:** So it's the department that makes the decision. You would then instruct Indue to put into their settings in their systems to enable or disable a particular payment and transaction to go through?

**Ms Hefren-Webb:** Correct.

**Senator O'SULLIVAN:** How are those decisions made by the department?

**Ms Hefren-Webb:** Obviously, there are some prima facie decisions, where a merchant is selling predominantly goods that are excluded under the cashless debit card—bottle shops et cetera. The question of mixed merchants is one where we examine closely the types of products that they are selling and the pattern of transactions. We might make a decision about blocking access to a merchant if there's a pattern of unusual transactions that arises with that merchant and discussions with that merchant haven't enabled us to satisfactorily determine that they are putting in place the proper measures to not sell restricted items. So it is case by case.

**Senator O'SULLIVAN:** So if someone wants to make a purchase at a blocked merchant and they are prevented from doing so because they are blocked by the system, who do they contact? What is the process? Do they contact Indue for that?

**Ms Hefren-Webb:** They can contact Services Australia on the call hotline.

**Senator O'SULLIVAN:** So they wouldn't contact Indue for that?

**Ms Hefren-Webb:** No.

1. [Home](#) /
2. [Media](#) /
3. Media Statement: Labor must end its campaign of lies targeting Age Pensioners

## Media Statement: Labor must end its campaign of lies targeting Age Pensioners

Monday 25 October 2021

Labor are running a shameful scare campaign aimed at age pensioners based on blatant lies.

Let me make it crystal clear - the Morrison Government will not force age pensioners onto the Cashless Debit Card. We were never going to, and never will.

This Government understands pensioners have worked hard to help build the Australia we live in today. That's why I, as the Social Services Minister, want to personally reassure all age pensioners of this.

In fact, the Government voted with the crossbench last year to support an amendment to legislation which explicitly ruled out ever forcing age pensioners on to the Cashless Debit Card. But Labor opposed the amendment. Therefore, the Bill the Opposition has introduced today is simply an attempt at rewriting history.

But Labor's Bill goes further and introduces a reckless plan to end a program that is helping unemployed Australians of working age stabilise their lives and their communities.

Bizarrely, this plan was not put forward by Labor's social services spokesperson Linda Burney who understands the complex challenges facing the communities where the program operates.

It was put forward by backbenchers from Melbourne and Byron Bay who have not bothered to consult with the communities it will affect.

Labor has clearly demonstrated they don't care about supporting communities. They just care about playing politics, so much so they'll simply lie to people and scare them into voting for them.

tags: news feature

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NEWS NATIONAL

6:00am, Jun 18, 2021 Updated: 10:50am, Jun 18

# No, the government isn't putting age pensioners on the cashless debit card



Josh Butler and Samantha Dick

EXCLUSIVE

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extend the cashless card – which quarantines 80 per cent of a recipient’s payments – to the elderly.

It’s a claim **Senator Ruston** vehemently denies, bluntly ruling out any such move, but Labor MP Justine Elliot said she “won’t be silenced” and plans to continue spreading the message online.

“I am committed to calling out Labor’s misinformation because putting claims on social media which are simply not true doesn’t help anyone,” Senator Ruston told *The New Daily*.

At the centre of the issue are several Facebook posts from Ms Elliot, the Member for Richmond.

“WARNING TO PENSIONERS”, one read, accompanied by emojis of a flashing emergency services siren.

“If re-elected, Scott Morrison will force pensioners onto the cashless welfare card.”

Ms Elliot’s various Facebook and Twitter posts have racked up many thousands of comments, likes and shares.

### **Government denies pensioners to go cashless**

Under the Cashless Debit Card program, 80 per cent of a person’s welfare payments are quarantined on a card that cannot be used to withdraw cash, or buy alcohol or gambling products.

The government has faced **intense scrutiny and criticism** over forcing people in some regional communities onto the card.

The Australian Human Rights Commission claimed some programs of the card are not compatible with human rights

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a card that will limit what and where you can spend your own money.

Under Scott Morrison's Liberals and Nationals, you could soon be saying goodbye to cheap food and drinks at your local club and pub - and even buying a simple lotto ticket will be banned....  
**See more**

**Scott Morrison wants to put 80% of your pension on a cashless welfare card**

So he can control how you spend your pension.

The Australian Pension Welfare Card  
This card can only be used for approved purchases  
1234 5678 9876 4321  
AUSTRALIAN PENSIONERS

**“I see... the cashless debit card becoming a more universal platform.”**

Scott Morrison's Social Services Minister 1 Feb 2020 The Sydney Morning Herald

1.5K 1.3K comments 2.3K shares

Ms Elliot's post claimed pensioners should "[say] goodbye to cheap food and drinks at your local club and pub", or even buying a lotto ticket.

The Facebook post also includes a quote from Senator Ruston, from February 2020, where she said "I see... the cashless debit card becoming a more universal platform".

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Ms Elliot and Senator Ruston have engaged in a social media back and forth, with the minister replying directly to one of Ms Elliot's posts to claim she was "spreading lies and simply fear-mongering."

"The government has publicly ruled out ever requiring age pensioners to use the cashless debit card," replied Senator Ruston, adding purchases could be made at pubs, clubs and even for lotto tickets.

"Please check the facts before your next misinformed social media rant."

### **Labor MPs rally, but minister stands firm**

Several other Labor MPs, including Julian Hill and Peta Murphy, also commented on Ms Elliot's post in support of her claims.

In a statement to *TND*, Senator Ruston was blunt in again ruling out the allegations.

"Let me be perfectly clear, this government has no plan and will never have a plan to force age pensioners on to the cashless debit card," she said.

But Ms Elliot said she was not convinced, and would continue posting.

"As you can see from my Facebook page, nobody believes what she's saying," she told *TND*.

"A lot of people in my area were raising their concerns, I've been inundated. All the conversation we hear from this government is they **want to expand this**. Everything points to them doing it and nobody trusts them.

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agenda," she said.

"The entire Labor team will keep pursuing this ... I won't be silenced or bullied by these people."

In a 2SM radio interview on Wednesday, Member for Bruce Julian Hill claimed "there's a plan, it's clear now to put pensioners onto this cashless welfare card".

### **Sector confident, yet opposed to cashless cards**

Ian Yates AM, chief executive of Council of the Ageing, told *TND* he was "confident" – based on regular conversations with the officials – the government had no plans to move pensioners onto cashless debit cards.

"COTA would not support such a move, but does not believe there is any plan or intention to do so," he said.

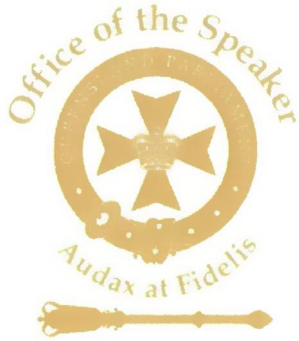
Australian Council of Social Service CEO Dr Cassandra Goldie said she was "firmly against the cashless debit card being made mandatory for anyone".

"People struggling on social security know better than most about budgeting and don't need the federal government to teach them," she told *TND*.

"This cashless debit card is an invasion of privacy. It's unnecessary, expensive, stigmatising and impractical."

Kathryn Wilkes, spokesperson for **No Cashless Debit Card Australia**, said thousands of people on the card often struggled to pay for simple things because the card doesn't allow it.

For example, she said some supermarkets in regional areas don't accept the card, so users are forced to either drive out of



Your Ref:

Our Ref: 220110-OUT-Keppel

10 January 2022

Ms Brittany Lauga MP  
Member for Keppel  
Assistant Minister for Education

By E-mail: [Keppel@parliament.qld.gov.au](mailto:Keppel@parliament.qld.gov.au)

Dear Brittany

I have received correspondence on 7 December 2021 from Member for Burnett, raising a Matter of Privilege. The said matter concerns whether you have deliberately misled the House. A copy of this correspondence is attached.

Deliberately misleading the House is listed as an example of behaviour that the House may treat as a contempt (see *Standing Order 266 (2)*).

*Standing Order 269 (5)* provides that in considering whether such a matter should be referred to the Ethics Committee, the Speaker may request further information from the person the subject of the allegation. Accordingly, I am writing to you pursuant to that Standing Order.

*Standing Order 269 (4)* provides that in considering whether the matter should be referred to the Ethics Committee, the Speaker shall take account of the degree of importance of the matter which has been raised and whether an adequate apology or explanation has been made in respect of the matter.

I wish to stress that I have not yet formed a view as to whether this particular allegation should be referred to the Ethics Committee. However, as a matter of course, I remind all members who are the subject of such allegations of the long established convention that should a Member become aware they have inadvertently misled the House, they should, at the earliest opportunity, correct the record and apologise for their inadvertence.

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Should you wish to provide me with further information to assist me in making a determination as to whether the matter should be referred to the Ethics Committee under *Standing Order 269* please provide your response by COB 24 January 2022.

In the meantime, should your office have any queries relating to this matter, they may be directed to my Executive Officer, George Hasanakos, by email to [Speaker@parliament.qld.gov.au](mailto:Speaker@parliament.qld.gov.au) or on 07 3553 6700.

Yours sincerely

A handwritten signature in blue ink that reads "Curtis Pitt". The signature is written in a cursive style with a large initial 'C'.

**HON CURTIS PITT MP**  
Speaker of the Legislative Assembly



**Brittany Lauga**MP B Urb Dev (Urb&Reg Plan)(Hons), C.Dec

MEMBER FOR KEPPEL AND ASSISTANT MINISTER FOR EDUCATION



24 January 2022

The Honourable Curtis Pitt MP  
Speaker of the Legislative Assembly  
Queensland Parliament  
George Street  
Brisbane QLD 4000

**BY E-MAIL:** [speaker@parliament.qld.gov.au](mailto:speaker@parliament.qld.gov.au)

Dear Mr Speaker

I refer to your correspondence dated 10 January 2022 regarding an allegation by Mr Stephen Bennett MP – Member for Burnett regarding a statement I made in the Legislative Assembly during Matters of Public Interest on 30 November 2021.

Thank you for the invitation to provide further information regarding the allegations made by the Member for Burnett before you determined whether to refer the matter to the Ethics Committee of the Queensland Parliament for its consideration.

Mr Speaker, at the outset I reject the Member for Burnett's allegation that my Matter of Public Interest statement in the Queensland Parliament was misleading, as it was based on multiple known public statements by Federal Members of Parliament and the reading of federal legislation.

Mr Speaker, to establish the contempt of Parliament of deliberately misleading the House, there are three elements which are required to be established, they are:

1. The statement must have been misleading;
2. The Member making the statement must have known, at the time the statement was made, that it was incorrect; and

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3. In making the statement, the Member intended to mislead the House.

I will deal with each limb below.

### **1. The statement must have been misleading**

Mr Speaker, my statement to the Legislative Assembly was undertaken after careful research and advice regarding the matter. It is no secret that the Federal LNP Government, led by Mr Morrison has had plans to expand the Cashless Welfare Card for many years. Mr Morrison's government has indicated multiple times that they intend on expanding the cashless debit card to include all pensioners.

I am advised that when asked, the Federal Government has also refused to rule out rolling out the Cashless Welfare Card to everyone, including pensioners, time and time again. I note the Member for Burnett has provided a number of external links to attempt to justify his argument, however, I provide the below information for Mr Speaker's consideration on how I derived my argument that the Federal LNP Government, under the leadership of Mr Morrison has plans to expand the card:

1. The Federal Government included aged pensioners in the Social Security (Administration) Amendment (Continuation of Cashless Welfare) Bill 2020.

If the Federal Government is not proposing to expand the use of the Card to aged pensioners, then why would they make a special legislative amendment to Section 61 of the Act to allow for it?

2. Minister for Social Services, Anne Ruston, admitted in a Channel 7 Interview on 1 February 2020 that *"we are seeking to put all income management onto the universal platform... the cashless debit card"*. The interview is available here: <https://youtu.be/Gkn-ORSx8oo>
3. On 24 March 2020, Minister for Social Services Anne Ruston refused to rule out changing rules of card in a ministerial response to the Combined



**Brittany Lauga** MP B Urb Dev (Urb&Reg Plan)(Hons), C.Dec

MEMBER FOR KEPPEL AND ASSISTANT MINISTER FOR EDUCATION



Pensioners and Superannuants Association. The CPSA report on the Minister's response is available here: <https://cpsa.org.au/article/cashless-welfare-card-for-everyone-no-ifs-no-buts/?highlight=Cashless%20Welfare>

The Combined Pensioners and Superannuants Association responded by stating that the Minister's letter "falls well short of a categorical statement that Age Pensioners will never be put on the Cashless Welfare Card".

4. On 1 February 2020 the Sydney Morning Herald Report that Minister for Social Services Anne Ruston said she wants the cashless debit card to become a "more universal platform": <https://www.smh.com.au/politics/federal/financial-literacy-tool-bid-to-take-cashless-welfare-card-national-20200131-p53wfm.html>
5. On 2 September 2019 Minister Anne Ruston refused to rule out national roll-out on RN Drive with Patricia Karvelas: <https://youtu.be/dPRI2iwTaL8>
6. On 29 November 2019, Minister for Resources, Water and Northern Australia Keith Pitt raised potential of a national rollout on The Kenny Report, Sky News: <https://youtu.be/y9oD3r5gVYI>
7. On 8 December 2020, Senator Matthew Canavan voiced his support for the national roll out on Sky News with Peter Stefanovic: <https://www.skynews.com.au/details/6214738561001>
8. On 12 September 2019, Prime Minister Scott Morrison said that the cashless debit card is "commending itself for wider application" as reported by SBS: <https://www.sbs.com.au/nitv/nitv-news/article/2019/09/12/aboriginal-organisations-attack-cashless-welfare-card-intervention>
9. In November 2021, the Toowoomba North SEC of the LNP moved a motion at the LNP's State Council to roll out the Cashless Debit Card trial to more districts in Queensland. The motion was carried.

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Mr Speaker, I therefore submit that my comments in the Legislative Assembly were not misleading but made on public information and statements by the Federal LNP Government.

In addition, it is plausible to deduce that the act of amending the legislation to allow for the roll out of the card to pensioners is a clear signal of intent that it is a possibility.

## **2. The Member making the statement must have known, at the time the statement was made, that it was incorrect**

Mr Speaker, as previously stated, I do not believe that the statement was incorrect, it was made after research of public known information, as referenced above.

In particular I submit that the Federal LNP Government under the leadership of Mr Morrison has:

1. Confirmed the government's plan to expand the program to all forms of income management;
2. Refused multiple times to rule out the roll out of the card to pensioners, including to the Combined Pensioners and Superannuants Association;
3. Amended legislation to allow for the roll out of the card to pensioners; and
4. Moved to expand the Cashless Debit Card to more districts in Queensland as agreed by the LNP Queensland State Council.

## **3. In making the statement, the Member intended to mislead the House**

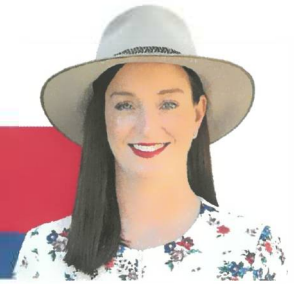
Mr Speaker, there is no evidence that I intended to mislead the House as my statements were made based on research of publicly known information. I draw Mr Speaker's attention to his ruling of 26 November 2019 which noted that a difference of opinion is not a matter of privilege. Neither is a difference in expression or lexical semantics.

In that ruling the then Deputy Premier made statements about coal and the Member for Burdekin in his correspondence disagreed with the statements and points to alternate evidence. I submit Mr Speaker that this is akin to the situation



**Brittany Lauga** MP B Urb Dev (Urb&Reg Plan)(Hons), C.Dec

MEMBER FOR KEPPEL AND ASSISTANT MINISTER FOR EDUCATION



before you. Whereby, the Member for Burnett has his own interpretation of the policy intent of the Federal LNP Government and I have mine, based on public statements.

As such, I submit that my statements were not misleading and were based on my and other individuals review of the policy intent of the Federal LNP Government. Mr Speaker, the Legislative Assembly is a chamber where policy ideals are debated and challenged, and this is exactly what has occurred here.

The expansion of the Cashless Debit Card program is of great concern to many pensioners and their families, including in my community and I was advocating on their behalf in the People's House via a Matter of Public Interest.

Thank you, Mr Speaker, for the opportunity to respond to these allegations.

Should you require any further information, or any clarification of matters contained herein, please do not hesitate to contact me.

Yours sincerely

Brittany Lauga MP Keppel

**Assistant Minister for Education**

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