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Mr SPEAKER (Mr Neil Andrew) took the chair at 2.00 p.m., and read prayers.

QUESTIONS WITHOUT NOTICE

Health: Funding

Mr BEAZLEY (2.01 p.m.)—My question is to the Prime Minister. Given your claim that enough federal money is being spent on health and that all health problems are the states’ fault, are you concerned that your health minister today admitted in the Australian that there is ‘a deficit in funding’ for radiotherapy? Are you concerned that as a result 10,000 patients last year missed out on potentially life saving radiotherapy treatment? Prime Minister, what positive solution will you be proposing to address this looming crisis in cancer treatment? Will you now support Labor’s cancer plan, which I released earlier this year, to put new resources into the prevention, detection and treatment of cancer?

Mr HOWARD—I thank the Leader of the Opposition for his question. The first point I would make is that this government has made record provision for health in all areas in the time that it has been in government. I would remind the Leader of the Opposition that an estimated $31.6 billion is to be paid to the states and territories over the five years of the current arrangements under the Australian health care agreement to help them provide public hospital services to the year 2003. I should remind the Leader of the Opposition that this represents a real increase of about 28 per cent, in comparison with funding provided in the last year of the 1993 Medicare agreement negotiated by the Labor Party when it was last in government. The Commonwealth continues to fund public hospital services at a greater rate than the states and territories. Commonwealth funding is estimated to rise by 6.2 per cent this financial year, while the states’ own source funding will rise by only 3.1 per cent.

In the 2001 budget, the one just past, we allocated an additional $750 million over four years to further strengthen Medicare by improving access to primary care services, boosting targeted funding for quality primary care and ensuring safer use of medicines. Key initiatives will increase rebates for some GP services, increase support for after-hours and emergency care services, improve mental health care, provide more support for GP management of asthma and diabetes, and improve participation in screening for cervical cancer.

In the area of rural health, in the 2000 budget the government provided $562 million over four years for a regional health strategy under the title ‘More Doctors Better Services’. This was in addition to $171 million provided in the 1999 budget for rural health. This is in addition to the fact that as a result of the government’s initiatives we now have, as of June 2001, 44.9 per cent of the Australian population, or about 8.7 million people, with private health cover—and that is three million Australians more than in December 1998. Three million more people have come into private health insurance under a policy opposed by the Labor Party when it was put up in the parliament, a policy that is worth about $600 a year to a family with private cover, at an estimated cost to the government of $2.2 billion for the current financial year 2001-02.

I would also remind the Leader of the Opposition in relation to the issue he raised and in relation to all other health issues raised by the opposition that one of the most important things that any government can do in the area of health is to make a greater commitment to research in the whole area of health and medical research. In the 1999 budget we committed an additional $614 million over five years to effectively double the amount of money that is going to be provided in relation to health and medical research in this country.

When you look back over the record of this government, it has been a government that has provided ongoing and increasing support. The 28 per cent increase will of course be under an agreement that is operative until the year 2003. It is not an increase that stops this year; it keeps on going for the duration of the five-year agreement. I repeat that in the time that we have been in government we have made a record provision for
health in all areas, and it is a record that compares very favourably indeed with the performance of the Labor Party when it last had an opportunity to do something instead of wave fanciful ideas around.

Zimbabwe: Human Rights

Mr JULL (2.07 p.m.)—My question is addressed to the Minister for Foreign Affairs. Given Australia’s longstanding links with Zimbabwe and our role as CHOGM host nation, how best can the Australian government demonstrate concern at recent events threatening the human rights of the citizens of that country?

Mr DOWNER—I thank the honourable member for Fadden for his question. Quite a number of members on this side of the House have in recent times raised with me the issue of Zimbabwe. I particularly acknowledge the interests and concerns of the member for Hinkler in relation to Zimbabwe. He has been very active in promoting the cause of human rights in Zimbabwe. The Australian government is unequivocal in expressing its concern about the continued deterioration of law and order in Zimbabwe, threats to the independence of the judiciary, suppression of critical media, intimidation of the opposition and disrespect for the human rights of Zimbabweans, be they black or be they white. I am not convinced that the Zimbabwean government did all it could to control the recent violence involving black and white Zimbabweans in Chinhoyi. I am pretty convinced that the recent detention of the editor of the *Daily News*, which is an opposition newspaper, and three of his staff was arbitrary—although I acknowledge that those people have subsequently been released by the Zimbabwean judiciary.

This morning I spoke with the Zimbabwean High Commissioner and I made it clear to her that there was very deep concern in the Australian community about the failure to uphold the rule of law in Zimbabwe in the interests of all Zimbabweans, be they black or be they white. I also told the high commissioner that the government’s concerns were widely held throughout the Australian community, which has for a long time supported a free and democratic Zimbabwe. Malcolm Fraser’s work, for example, in supporting President Mugabe in his early years, in helping him come to office, has been well acknowledged around the world. There is no doubt at all that Australia has done a great deal for that country over many years. We do not have a direct interest in the issue of land reform in Zimbabwe, but we are concerned that in implementing its policy Zimbabwe lives up to its international obligations, particularly in relation to the Harare declaration, which was agreed to at the Harare CHOGM in 1991. I also took the opportunity of explaining to the high commissioner that it was unhelpful in public debate here in Australia for her to describe statements made by members of this House—in this case, the member for Fisher—as ‘racist’.

I regret that Zimbabwe has refused to accept the ministerial mission proposed by the Commonwealth Ministerial Action Group, of which I am a member. The Commonwealth Ministerial Action Group suggested that a three-minister mission, including me, go to Zimbabwe and have the opportunity to speak to President Mugabe, talk to him about international concerns and, of course, hear his side of the story as well, so that there can be a proper process of Commonwealth involvement and a report by the Commonwealth Ministerial Action Group of its findings to the Commonwealth Heads of Government Meeting in Brisbane in October. I think it has been a mistake by President Mugabe to refuse to allow that mission collectively to visit his country, since they can visit individually. As a consequence, this issue will be discussed by the Commonwealth Ministerial Action Group in London in two weeks time, a meeting that I will attend. There is a proposal for a Commonwealth ministerial meeting to address the issue of Zimbabwe to be held in Abuja, which is the capital of Nigeria, a few days after the CMAG meeting in London.

Finally, let me say that I can understand that not only many people in Australia generally but some of the members of this House have a great sense of anger about what has been happening in Zimbabwe to black and white Zimbabweans. I acknowledge that some people have said that President Mugabe should not visit Australia for
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They have said that both as a reflection of the interest and concern Australia has for Zimbabwe and of the concern that many Australians have for what has happened there in recent times, I understand that sense of anger, but it is important that people in Australia understand that it is not for the host of any CHOGM meeting to pick and choose who can and who cannot come to that meeting. Obviously, if that were the case, the CHOGM process would not work properly at all. But, if President Mugabe chooses to come to Australia—and at this stage we have no idea whether he will—it will be an opportunity this government will not miss to take up with him the very great concerns there are in this country about what has been happening in Zimbabwe.

**Distinguished Visitors**

Mr Speaker—I inform the House that we have present in the gallery this afternoon Mr Seamus Brennan, Minister of State from Ireland, accompanied by officers of the Irish Embassy and the parliament of Ireland. I extend to all of our guests a very warm welcome.

Honourable members—Hear, hear!

**Questions Without Notice**

Health: Cancer Treatment

Mr Beazley (2.13 p.m.)—My question is to the Prime Minister. Prime Minister, now that you have had time to get advice on the radiation oncologists’ report that was released yesterday, are you concerned that the report concludes that, unless there is an immediate capital injection into our major cancer treatment centres, by 2005 over 20,000 Australians will not be able to access vital life saving cancer treatment? Again, I ask: what positive solution will you be proposing to address this looming crisis in cancer treatment? Why won’t you start by cutting back on your $20 million a month advertising bill and use some of this funding for an immediate investment into vital cancer prevention, detection and treatment?

Dr Woolridge—I thank the Leader of the Opposition for his question. I will answer his question about the radiation oncology report and then the way forward on that and then about cancer services generally. I am aware of the recently released national strategic plan for radiation oncology. In fact the problems it details have been around for about 20 years. I would say to the honourable member that the single biggest problem in this area is getting enough technicians to deal with the equipment, and this is an international problem. We are facing quite some threats from Canada, which has now realised it is way behind in this area and is heavily recruiting. Some of the states have realised they have a problem here. Queensland, I understand, has recently increased the remuneration for this group of people by 25 per cent to try to keep them. So, even if you put more machines in tomorrow, there would not be the people to operate the machines.

The next point I would make is that the figure of 10,000 for people missing out on treatment is in fact wildly inaccurate. This uses a benchmark from North America that 50 to 55 per cent of all people who get cancer should receive radiation oncology treatment, and that is not a figure that is evidence based. The figure came from AHTAC, the Australian Health Technology Advisory Committee; but, if you have a look at their original recommendation in 1996, it did say something like that, in the absence of other benchmarks, this should be considered; but it was not a recommendation. There is no evidence that that is what the benchmark should be in Australia. In Australia we base our health policy as much as we can on an evidence base, not on which part of the medical profession is bleating loudest for more resources for their area.

The third thing I would say is that these people are not receiving no treatment; they may be receiving chemotherapy or alternative treatments. The fact is that there is no evidence in Australia that we are getting worse outcomes in cancer treatment than anywhere else in the world; in fact, in many cases we are getting better outcomes. So you could actually make things worse by putting a whole lot of resources into an area where it is not proven that you could get the outcomes.

The fourth point I would make is that this report came out because the federal government funded it. It was actually a report that I
funded from the Royal Australian College of Radiologists. We have attempted to work through this very, very complex area with state and territory governments. There have been several attempts in the past two decades to deal with this. I might say that some of them under the previous Labor government, as the shadow Treasurer suggests, did come to absolutely nothing whatsoever. So we were prepared to work with the College of Radiologists. We managed to get state and territories together. We have used the health ministers conference to discuss this on a number of occasions, and we are trying to get a strategic approach that can deal with a very complex problem that has a lot of parts and has defied solution previously.

It is a great disappointment to me that the College of Radiologists, rather than using the $100,000 that the Commonwealth provided them with to come up with a cooperative strategic plan, have instead produced an audit and chosen to release it in a way to cause maximum alarm—alarm that is completely unfounded. What you have here is a medical professional group using the run-up to an election in an attempt to gain benefit for themselves in an area where, if you poured more money in it immediately, there is no evidence that you would necessarily make any difference.

On cancer generally, let me make just one point, and I will make it very clearly: Labor’s entire cancer proposal is funded by wiping out the government’s cervical cancer initiative. The Labor Party proposes taking $72 million out of the GP based cervical cancer initiative and putting it—

Ms Macklin—Lie! Rubbish!
Mr Crean—That’s rubbish! It’s a lie.
Mr SPEAKER—The member for Jagajaga and the Deputy Leader of the Opposition will exercise more restraint. If the minister were allowed to interject as frequently as the member for Jagajaga believes she may, she would expect me to intervene. The member for Jagajaga will show courtesy to the minister.

Dr WOOLDRIDGE—I will say it again, Mr Speaker; thank you. The Labor Party is funding its cancer initiative by abolishing an initiative we had in the budget to spend $72 million over the next four years on encouraging general practitioners to screen women with cervical cancer. The Labor Party is instead proposing to set up a bureaucratic system of centres where people will go, but it will not have a GP based system of cervical cancer care. Ninety-one per cent of women in the target group for cervical cancer go to the GP every year. Ninety-seven per cent of women in the target group for cervical cancer go to the GP every two years. There is no better mechanism to try to address this very serious problem.

Labor have said they will rip that money out. They will take it away from cervical cancer. The direct result of that is that people will unnecessarily die, and you will set up some crummy little system of clinics around Australia, a new bureaucracy. Mr Speaker, I do get passionate about this because this is incompetence. I will say it quite clearly in this House: if Labor are ever allowed to implement their plan for two and sixpence for everybody with cancer, women will continue to die unnecessarily because of incompetence from the Labor Party.

Honourable members interjecting—

Mr SPEAKER—I do not believe it is necessary for me to intervene in order to ask either the Leader of the Opposition or the frontbench on my right to exercise courtesy to each other.

Mr McMullan—I ask the minister to table the document from which he so comprehensively quoted.

Mr SPEAKER—Was the minister quoting from a confidential document?

Dr Wooldridge—I took a document up with me; I did not actually quote from it at all. I have got that off the top of my head. Unlike the member for Fraser, I know what I am talking about.

Science and Innovation: Funding

Mr HARDGRAVE (2.21 p.m.)—My question is addressed to the Prime Minister. Would the Prime Minister advise the House about the government’s announcement today to again boost science and innovation in Australia?
Mr HOWARD—I thank the member for Moreton. It gives me an opportunity to inform the House of an announcement made by the Minister for Industry, Science and Resources of the commitment of $155 million over five years to finance the enhancement of existing, and the establishment of new, major national research facilities.

There were 15 successful projects announced today, and they are projects that are to be found in all states and territories of Australia. They include, for example, the provision of $23½ million to the Gemini and the SKA astronomy projects. The Gemini project will allow Australia to expand its international partnership with other countries in frontier research on the origins of the universe. The SKA facility will assist Australia to attract part of the multibillion dollar global business in astronomical technology to Australia, including the Square Kilometre Array to rural Australia. It also includes $18 million to the national neurosciences facility. This facility will establish a globally competitive national neuroscience cluster recognised as one of the top five world wide and is a preferred location for discovery and clinical product development—and I invite all members of the House to listen very closely to this—by leading pharmaceutical companies, including new drug discoveries in Alzheimer’s disease, dementia, Parkinson’s disease, schizophrenia and brain damage resulting from trauma and strokes. The funding of this facility will, in particular, give to Australia a world-class capacity to be in the forefront of developments in research, both public and private, in relation to those disabling diseases and diseases which confront just about every Australian family at some stage during their life.

It is a very long and impressive list. It represents yet another down payment on the $2.9 billion Backing Australia’s Ability program that I announced in January this year. I take the opportunity of observing that this government is acting in relation to science and technology; those opposite are merely waffling. We have in fact put down a $2.9 billion program. It is fully costed. It is completely coordinated. It is comprehensive. It has been widely acclaimed by the scientific community. The important thing is that it is happening—we are making announcements, money is being invested, new research is being encouraged and in every field covered by Backing Australia’s Ability there is a new enthusiasm because they know they have a government that has a very strong and ongoing commitment to these very important areas of science and technology. Increasingly, the scientific community is seeing that this government is prepared to invest the money, take the action, give the leadership and encourage the best and the brightest to stay in Australia and to make their contribution to keeping Australia punching well above her weight in areas of science, medical research and technology.

Hospitals: Funding

Mr BEAZLEY (2.26 p.m.)—My question is addressed to the Prime Minister. Prime Minister, do you recall yesterday releasing figures that showed the Commonwealth’s share of total hospital funding in 2001 will amount to just 43 per cent of total public hospital spending? Doesn’t this chart, based on official Australian Institute of Health and Welfare figures, show the proportion of total public hospital expenditure met by the Commonwealth has been declining under you? Doesn’t this show that, if you had continued to match the states in funding 45 per cent of public hospital spending—the percentage as at 1996—our public hospitals would have received another $200 million a year? Prime Minister, what positive solution will you be proposing to meet your obligations to match the states’ spending on public hospitals, or are you just saying to the Australians queuing for treatment in our public hospitals, ‘Just get used to it’?

Mr HOWARD—I am absolutely flattened and devastated by the rhetorical flourish of the peroration in the question, but I will have a look at his chart. If it is anything like the earlier chart you produced, it will take a long time for me to work it out, and I think it will take a long time for most people to work it out. If it is anything like noodle nation, we will be here until after Christmas trying to work it out. But I have got a simpler chart for you. This is really a chart, and anybody can understand it. It starts here;
there is you and there is me and I am bigger than you.

Goods and Services Tax: Roll-Back

Mr Somilyay (2.28 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the effect of narrowing the indirect tax base? Are there plans to follow such a policy, and what are the consequences?

Mr Costello—I thank the honourable member for Fairfax for his question. I can inform him that in 2001-02 GST revenues to the state of New South Wales will be $8,317 million, GST revenues to the state of Victoria will be $5,813 million and GST revenues to the state of Queensland will be $5,198 million. The moneys that the GST will raise for the state governments will pay for their education systems, will pay for police and will enable those states to run decent health services.

But all of that would be at risk if you narrowed the indirect tax base, because narrowing the indirect tax base would mean less money for education, less money for health and less money for law and order. Of course, the one policy that the Labor Party have been defending in this parliament for the last 3½ years is the policy of roll-back. It is very hard to get them to say the word these days, so let us say it for them: roll-back; you policy for the last 3½ years. It is a policy which now dares not speak its name. Do you remember that, when Della Bosca said that they should give away roll-back, Della Bosca had his head chopped off? He walks headless through the streets of Sydney today as a testament to Labor’s commitment to roll-back.

Then, after Della Bosca got beheaded 13 months ago for saying, ‘Give up roll-back,’ we had the shadow minister for Aboriginal affairs, if you please, sent out to deliver the same message last week. Then, after he delivered the message that roll-back was not important, the member for Hotham went out and said, ‘Oh, yes, it is; it’s very important again.’ Then we come into this parliament, and we have gone back the other way: we are off roll-back and now we are on health.

The member for Dawson was moved to describe the Labor Party as ‘a cattle dog running around in the back of a ute’—run across to one side and yap, yap, yap; run across to the other side and yap, yap, yap. On this side it is ‘roll-back, roll-back, yap, yap, yap’; and on that side it is ‘health, health, yap, yap, yap’.

Mr O’Connor—which dog are you talking about?

Mr Costello—This is the old cattle dog of the Labor Party: to one side, then the next side, back and forward, round in circles and up and down.

The other very interesting development in all of this is that, having now sort of changed tack again, we find that the person who has been absolutely debarked in this process is the member for Hotham. As we read in today’s Financial Review, one of the Labor frontbenchers expressed concern that the leadership team, particularly opposition leader Mr Kim Beazley and shadow Treasurer Mr Simon Crean, had focused their attention on running a negative agenda against the coalition:

‘The less you see of Simon [Crean] whining about economics, the better,’ one ALP frontbencher said.

I say that there is one side of politics that loves to see Simon whining about economics—and this side of parliament stands four-square behind the Deputy Leader of the Opposition. We do not want to see him sent off to Wimbledon, as he was during the Aston by-election. We want him out there, yap, yap, yapping in the back of the ute, because that is the way we love him.

Government members interjecting—

Mr Speaker—I will deal very sternly with anyone on my right who enters into that chorusing arrangement.

Hospitals: Funding

Mr Beazley (2.35 p.m.)—My question is addressed to the Prime Minister. Prime Minister, do you recall claiming that Commonwealth funding of public hospitals had grown in real terms by 28 per cent over the last five years? Isn’t it a fact that, after allowing for the ABS’s measure of inflation over those five years of 15 per cent and population growth and increase in demand totalling another 15 per cent, there has been
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an effective actual reduction in Commonwealth funding? Isn’t this why the independent arbiter for the Australian health care agreements, Ian Castles, concluded that you have been shortchanging the states and underfunding public hospitals by more than $615 million over this five-year period?

Mr HOWARD—The first claim made in the Leader of the Opposition’s question is wrong. The claim that I have made is that the Australian health care agreements, which run until the year 2003, contain a real increase of 28 per cent. The Leader of the Opposition has quite deliberately misquoted what I said, as the Labor Party so frequently does. The reality is as set out in the chart that I tabled yesterday, and I will quote from the simple bar chart that I referred to in the previous answer. That chart discloses that in 1995-96, which for practical purposes was the last financial year of the Keating government, the Commonwealth Department of Health and Aged Care’s total expenditure was $18 billion; in this current financial year, it is projected to be $29 billion—and that implies a significant increase.

I make another more general point: the whole construct of what the Leader of the Opposition has been on about over the last two days, and what undoubtedly the Labor Party will be on about in the months ahead, is to try and create a sense of crisis in Australia’s public hospital system.

Mr Beazley interjecting—

Mr HOWARD—There is. I thank the Leader of the Opposition. The problem when you run around falsely alleging that a crisis exists is that sometimes you have not whipped all your troops into line to say the same thing. I have in front of me the transcript of an interview of a leading Australian political figure who in recent months has been fairly successful—the Premier of Queensland. In the current affairs program Insight of Thursday, 16 August 2001, which is not all that long ago—we might be accused of living in the past in relation to—

Honourable members interjecting—

Mr HOWARD—It is 16 August—yes, that is living in the past! I would encourage those who sit opposite to listen to this. I am sure that my colleagues will listen to it. Here are the authentic words of a Labor Premier in office saying something about the respective responsibilities of state and federal governments. He was talking about two subjects, health and education, and he said:

You’ve got to remember the states run schools. The federal government has an education department, but it doesn’t run schools, we do. When it comes to hospitals, I heard what Meg said, but the states run hospitals. We have the best public hospital system in Australia. We run it and we do a good job at running it. Sure, things can be improved like they can in any other area, but we run it.

The reality is that out of the words—

Mr Beazley interjecting—

Mr HOWARD—He’s got me again! He said, ‘Thank you.’ I’m in grave danger again. He’s got me again; I acknowledge that. The Premier of Queensland was saying two very important things. He was saying that states are responsible for state schools and state hospitals, as they are. We provide very generous additional funding, and I have demonstrated very clearly over the last two days that the rate of increase of our funding for their responsibilities has been much greater than theirs. The Treasurer demonstrated that by what he said a moment ago about the goods and services tax: if you roll back the GST, you will roll back the capacity of the states to fund their own hospitals. That is what the Labor party is arguing for. We will take every opportunity of reminding the Australian public over the weeks ahead that it is the Labor Party that wants to take an axe to the funding base the states have for their hospitals and their schools. It is the Australian Labor Party that wants to take a broad-axe to the funding base. The GST, for the first time since a generation ago, has given the states of Australia access to a growth tax, which means that over the years they will have more money to spend on public hospitals, more money to spend on government schools, more money to spend on police, and more money to spend on other services that are needed by the Australian population.

The other thing that Mr Beattie was doing inferentially was saying that the quality of public hospitals in Australia, particularly in
the state of Queensland, was not too bad. Of course there can always be improvements in every area of government provision. Nobody in my position or in any other position of responsibility would ever assert otherwise. But if you look at the record, ours is that of a government that has steadily increased public expenditure in these areas. We have provided for further increases. We have watched the Australian state governments thieves money out of hospitals and schools over the years and devote it to their own political priorities and fantasies. On top of that, we have provided them with a growth tax, and the only party in this parliament that wants to cut that growth tax and thereby imperil the capacity of the states to fund those services is the Australian Labor Party through its policy of roll-back.

Health: Policy

Mr BARRESI (2.42 p.m.)—My question is addressed to the Minister for Health and Aged Care. Will the minister outline to the House how all Australians are benefiting from the Howard government’s investment in our health care system? Is the minister aware of any recent comments concerning who has prime responsibility for managing health in Australia?

Dr WOOLDRIDGE—I thank the honourable member for Deakin for his question. The Private Health Insurance Administrative Council today released the figures for the private health sector for the June quarter. That is one very tangible way that our investment in health care has been helping the Australian health care system, and I would like to inform honourable members of it, as I will then inform of our contribution to the public health care sector as well, because we are committed to both.

The PHIAC figures have some good news: the level of private health insurance has stabilised at around 8.7 million people. There is a very small drop that PHIAC attributes predominantly to population increase, if you are looking at percentage numbers, but if you are looking at global numbers we appear to have stabilised at around 8.7 million. Secondly, there are figures on gap cover, which is something on which we have worked enormously hard in the last couple of years. As at the June quarter, 71 per cent of all in-hospital episodes were covered by a gap cover scheme; that is, basically at no gap to the patient. When we came to government 5½ years ago, the figure was zero per cent; those schemes did not exist. Today, there is capacity for people to shop around and there is capacity for people not to have hidden, unknown expenses.

The other thing that the PHIAC figures looked at was hospital separations; that is, private hospital admissions. For the June quarter 2001, the figure was up 17 per cent on the figure for the June 2000 quarter. That is at a time when there is fairly static public hospital separation, so clearly that is taking some pressure off the public hospital system, which was always one of our intentions but not the sole intention.

The honourable member also asked about responsibility for the health care system. The Prime Minister has just very eloquently pointed out that the Queensland Premier has said that this is his area of responsibility, which it is, but of course we help. I note that the Leader of the Opposition is holding up a graph. I can say categorically that he is wrong with that graph. I have not seen it, but the first thing I would say is that the figures of the Australian Institute of Health and Welfare are invariably about two years late. It always releases its figures behind time. I am happily prepared to release figures from my department which are accurate and up to date as of this financial year.

The simple fact is that if you are looking at the proportion of hospitals covered by the Commonwealth and by the states—

Mr Beazley interjecting—

Mr SPEAKER—Order! The Leader of the Opposition does not have the call.

Dr WOOLDRIDGE—For all states in 1997-98—and we use that year as the base year because that was the year immediately before the health care agreements and you should use it as the base because we could not have much influence over what was locked in in the previous five-year agreement under the Labor Party—if you look at all spending, excluding WA because we do not have their 2001-02 figures, which I think are
to be released this week when the budget comes, the percentage of hospital costs met by the Commonwealth in 1997-98 was 40 per cent under the health care agreements. The percentage measured by the states was 60 per cent. Three years later, our share has gone from 40 per cent to 43 per cent—

Ms Macklin interjecting—

Mr SPEAKER—The member for Jagajaga!

Dr WOOLDRIDGE—The states have gone from 60 per cent to 57 per cent.

Mr Beazley interjecting—

Mr SPEAKER—Order! The Leader of the Opposition does not have the call!

Dr WOOLDRIDGE—Not only does he not have the call, he does not know what he is talking about and it is a very simple thing—

Mr SPEAKER—Order! The minister will come back to the question.

Dr WOOLDRIDGE—I did do it through you, Mr Speaker. These figures that the Leader of the Opposition is quoting are selective and they are not something that anyone could have any confidence in. However, from a look at the figures, some states have done well. I have to admit that some states have done better than the Commonwealth and I am afraid that there are some states that have done worse than the Commonwealth. I have only just seen these figures—they are dated today—and, from the figures, the state that is doing quite well is South Australia. I will have to apologise to my friend Dean Brown for all the criticism I have given him over the years. In terms of the state share in South Australia, South Australia has been working hard on this and its own source funding has gone up from 59 per cent to 65 per cent. However, one state has done abysmally poorly. In 1997, that state was meeting 61 per cent of hospital costs; today it is meeting only 49 per cent of hospital costs and, at the same time, the Commonwealth’s contribution to that state has gone from 39 per cent of costs to 51 per cent of costs. What state would that be? It is the Labor state of New South Wales. In fact, if you look at the last 12 months, not one single Labor state has matched the increase by the Commonwealth. The only state that has matched or increased it has been South Australia, and clearly it will benefit from that effort. The Labor Party try to pretend that there is some crisis here or some problem for the federal government, but, honestly, Australians are not going to fall for it. I table this document.

Australian Defence Force: Reserve

Mr LAURIE FERGUSON (2.48 p.m.)—My question is to the Minister Assisting the Minister for Defence. Can the minister confirm that it is official Defence policy to provide emergency medical and dental treatment to reservists where the emergency occurs on duty? Why then is Defence directing reservists to bill Medicare for emergency medical care, even in the case of accidents incurred while on duty? Will the minister direct Defence to cease this cost shifting and to honour its obligation to provide appropriate medical treatment to reservists?

Mr Pyne interjecting—

Mr SPEAKER—The member for Sturt!

Mr Pyne interjecting—

Mr SPEAKER—The member for Sturt, for the second time!

Honourable members interjecting—

Mr Pyne interjecting—

Mr SPEAKER—The member for Sturt is warned!

Mr BRUCE SCOTT—Like all allegations from the other side of the House, I will check what the opposition spokesman has alleged here in the House. I assure the House that reservists are covered for medical treatment while they are on reserve duty; that is a longstanding policy. If he is really interested in the issue and in the welfare of our reservists, he will bring that issue directly to me. I would be happy to look at it. I am certainly disturbed at what he said has been going on. It will be corrected.

Education: Literacy and Numeracy

Mr ANDREWS (2.50 p.m.)—My question is addressed to the Minister for Education, Training and Youth Affairs. Would the minister inform the House of the current status of national literacy and numeracy benchmark testing? How is the National Lit-
eracy and Numeracy Plan raising standards? Is he aware of any alternative proposals?

Dr KEMP—I thank the honourable member for Menzies for his question. I have seen reports that the Queensland Teachers Union has backed down—

Mr Martin Ferguson interjecting—

Mr SPEAKER—The member for Batman! The minister has the call.

Dr KEMP—The Labor Party recognises the name of its friend. The Queensland Teachers Union has just backed down—

Mr Sawford interjecting—

Mr SPEAKER—The member for Port Adelaide! The minister has the call.

Dr KEMP—It has backed down on its threats to ban literacy and numeracy testing in that state. This is a win for parents in Queensland. It is a win for all of those who want to ensure that Australian children have the basic literacy and numeracy skills they need.

This literacy testing is part of the National Literacy and Numeracy Plan and a direct result of the initiatives of this government. Our aim under the national goals of schooling is that every child should be numerate and be able to read, write, spell and communicate by the time they leave primary school.

It is important that we move on from the national standards and the national testing to the next step, which would seem very simple, I would think, to most members on this side of the House: to actually tell parents whether their children can read and write at the national standard level. The only state where this is currently done is Western Australia, and that was introduced by the previous Liberal government in that state. Every Labor state government has opposed the provision of this information to parents. Indeed, here is a very interesting quote that one well-known Victorian parent made recently:

Well, we certainly know that there are 13.8 per cent of year 5 students not reading at the national benchmark level for literacy in Victoria. Now, as a parent if my child was below that benchmark I would be asking my school, my teachers, how we work together to improve that.

That is a very reasonable position from a concerned parent. The concerned parent in this case, however, was the Labor state education minister, Mary Delahunty, on ABC radio. The problem is that no parent in Victoria could do this because Mary Delahunty will not allow the schools to tell the parents whether their children are reading and writing at national standards.

This is the utter hypocrisy of the Labor Party. It is a culture of secrecy that they have delivered to the Australian education system over the years. All the Labor state ministers deeply resent the efforts of this government to give parents the information that they need to do the right thing by their children. At the recent ministers’ conference, the Labor ministers were urging the Commonwealth to back down on its insistence that in return for the Commonwealth money the Commonwealth requires every state to commit itself to teach every child to read and write properly. Make no mistake: a Beazley Labor government would cave in to this pressure.

There was no commitment in ‘noodle nation’ to national literacy standards; no commitment whatever to telling parents whether their children could read and write at the national standard level. All that we get from the Leader of the Opposition is this mealy-mouthed set of weasel words, that he supports basic skills tests. He ought to know—he does not know but he ought to know—that basic skills tests have never informed parents whether their children’s level of literacy and numeracy is satisfactory and only the national standards introduced by the Howard government do this. And yet this is the only commitment we have from the Leader of the Opposition, the man who when he was education minister left 30 per cent of young Australians unable to read and write properly.

If he were ever to return to government, we would see the opportunities for young Australians once again devastated because he does not have the ticker to stand up to the unions who are pressing him never to release this information and to keep it secret from parents. In doing so, he is quite prepared to disadvantage and sacrifice the educational future of young Australians.
Mr Hatton interjecting—

Mr SPEAKER—The member for Blaxland is warned!

Imports: Apple Juice

Mr ANDREN (2.56 p.m.)—My question is to the Minister for Agriculture, Fisheries and Forestry. Yesterday, you held talks with representatives of the apple industry, including Appledale Processors from Orange, who requested the government to order an inquiry into the alleged dumping—mainly from China—of apple juice concentrate, which is causing real economic harm to apple producers in Calare and other apple growing areas. Minister, given that the recent The Australian Apple Industry Squeeze report, prepared for your department, indicated that apple juice concentrate is being dumped into the Australian market, will you recommend an inquiry to the relevant minister?

Mr TRUSS—In response to the honourable member for Calare, I can confirm that, yes, I did meet representatives of the apple industry yesterday and have of course met them on a number of occasions over recent months to discuss issues of concern to that industry.

Some months ago, the government commissioned a report on the industry: not just on the apple juice industry, I might add, but fundamentally on the future prospects for apple production in Australia. The report contains quite a lot of interesting information. I hope that the honourable member may read it in full, because his summary is not really an accurate reflection of everything that is contained in the report. It commends the industry for some of the advances that have been made over recent times but does also point out that there is still a lot more work to be done to make sure that the Australian apple industry is able to be competitive with other parts of the world.

The report deals with the question of imports of apple juice from China and indeed a range of other countries—in fact, apple juice comes into this country from perhaps 10 or maybe even 20 countries, but imports from China certainly dominate those imports. The Americans have recently imposed anti-dumping duties on Chinese imports coming into that country, and that implies that at least into the USA there is a prima facie case that dumping has occurred from China. It does not necessarily follow, of course, that there are similar circumstances in Australia but there is obviously some evidence to support that view.

I received the report a week or two ago. I have provided a copy of the report to my colleague the Minister for Justice and Customs, Senator Ellison, and asked him to examine the issues. Normally, it is a matter for an industry to lodge an antidumping case and that is the way in which virtually all antidumping cases are conducted in this country, and indeed others. The problem that the apple industry has is that the industry directly affected by the dumping is in fact the processing sector, and most of the processing sector in Australia are not interested in pursuing an antidumping case because they are using the imported product. It is difficult, therefore, to find a body or a group that is competent to make that application. That is the issue I have raised with my colleague Senator Ellison to see whether he may choose to use the powers that are available to him as customs minister to launch an inquiry in that regard. I will continue to have discussions with him on those matters.

Regional Development: Road and Rail Infrastructure

Mr FORREST (3.00 p.m.)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the minister outline the progress the government is making in the delivery of realistic regional development, particularly in road and rail infrastructure? Minister, what are the benefits to local communities from these developments, and are you aware of any alternative policies in this area?

Mr ANDERSON—I thank the honourable member for his question. There is no doubt that we are delivering on regional development and we are doing it in the most effective way possible, and that is by working in partnership with regions. We are not imposing solutions from on top. I was delighted to be in the member for Mallee’s electorate just last week. Certainly there is
some infrastructure we have managed to put in place there with local communities: $26 million for local roads, $15 million for the Wimmera-Mallee stock and domestic water supply system and $17 million for the Robinvale bridge. It is a pity, of course, that New South Wales will not come to the party and do their bit. They even want to knock a gift horse in the mouth. It is a very generous offer, and it is high time that Labor in New South Wales showed just a bit of commitment to the people who live west of the divide.

The best way to illustrate what we are able to do, of course, is to refer to concrete examples. While I was in that part of the world I was able to sign a memorandum of understanding with the Victorian government, the Wodonga Rural City Council and Uncle Ben’s of Australia—something that the member for Farrer and the member for Indi have worked very hard towards, in consultation with their local communities—for a $57 million Wodonga rail bypass. That will lead to a $45 million expansion by Uncle Ben’s and another 60 jobs in that city. That is regional development happening. It will improve the amenities of the city as well: it will remove 11 level crossings from the Wodonga city area and it will free up quite an area in the city precinct for local development.

At the same time, we signed a binding declaration that the Commonwealth funded external road bypass of Albury will become part of the national highway. That is a $330 million contribution in its own right towards the staging of a four-lane external, which is what the people of that community clearly want: certainty, a resolution, the heavy trucks out of the main part of the city. At the same time, we have put $70 million towards the upgrading of the internal relief route and the second river crossing. We have had Victoria join with us in partnership. We are still waiting for the Labor government in New South Wales—no interest in anyone west of the divide.

But it is not just physical infrastructure that regional development is about; it is about the delivery of services as well. I would like to touch on regional health. We have got people here opposite who have become instant experts on delivering perfect health systems. But it is worth remembering that a third of Australians are regional Australians; they live outside the urban centres in this country. I think it is worth asking the question as to who it was that left that one-third of Australians, those seven million Australians, with an absolutely chronic shortage of doctors, specialists and nurses. Who was it who left a third of Australians with a chronic shortage of specialists, doctors and nurses? It was the Labor Party. And who is it who is fixing it? Who is it who has put in place the long-term planning to resolve the problem? Who was it who ran down the training of country kids in medicine and in medical disciplines to the point where there simply was not the supply over a very long period of time? Who was it? It was the Labor Party. The mess it left behind—and I choose this word carefully—was shambolic.

Mr Costello—Shambolic?

Mr ANDERSON—Shambolic. That is what it was. In fact, we got to the point where a town that I know well—it happens to be my own, and I do not think that is any reason why I should not use it—had a 2½-month waiting list to see a GP.

Opposition members interjecting—

Mr ANDERSON—That is what you left us. More Doctors Better Services, which the Prime Minister has referred to, is a $700 million investment in delivering doctors, nurses, allied health workers, rural health service centres—a whole range of initiatives. Under that program, the Greater Murray area, which includes Albury-Wodonga—

Mr Leo McLeay interjecting—

Mr SPEAKER—The Chief Opposition Whip!

Mr ANDERSON—This is important. You ought to get this out, Mr Speaker.

Mr Leo McLeay interjecting—

Mr SPEAKER—Chief Opposition Whip!

Mr ANDERSON—Albury-Wodonga has played host to almost 200 medical students and become home for eight new doctors, including three new specialists. That is the outcome of good policy, of good regional
development. It is a direct result of the Liberal and National Party government establishing Australia's first totally rural clinical school in the area, the Greater Murray Clinical School, which has students in Wagga, Albury, Wodonga and Griffith. This is all on the ground, real and practical regional development.

What do we hear from Labor? Very little. We do not know what the opposition spokesman thinks about the rail program in Wodonga, because he has not said anything about it. In a very rare policy prescription, we do know what he thinks about the bypass of Albury. He thinks that, after 20 years of not being able to make a decision, we ought to have another review — when we have finally made a decision we ought to have another review. That is all the Labor Party have got. We know that their whole policy in relation to infrastructure so far amounts to just one commitment: we will sit down and we will talk about it. That is as far as they have got.

Nursing Homes: Bed Shortage

Mr BEAZLEY (3.06 p.m.)—My question is to the Prime Minister. Prime Minister, given your claim that enough federal money is being spent on aged care, what are you going to do to assist the more than 2,000 Australians waiting in public hospitals for a nursing home bed, including 550 people in Melbourne hospitals, 811 in New South Wales hospitals, 152 in Adelaide hospitals, 400 in Western Australian hospitals, 114 in Tasmanian hospitals and 24 in the Northern Territory's hospitals? Prime Minister, what positive solution will you be proposing to cut the waiting list for our older Australians waiting in hospitals for a nursing home bed, an issue solely in the federal government's responsibility?

Mrs BRONWYN BISHOP—There are 2,056 Australians in public hospitals who have been identified as having had an ACAT assessment. That means that they have been assessed as being eligible to go into an aged care home some time in the next 12 months. That does not mean that those people should be automatically removed from the hospital and put into an aged care home forthwith; it means that they do require rehabilitation to bring them back to their optimum level of health to enable them either to go home or into the correct level of care. Under the health care agreements, which the Prime Minister has spoken about today, state public hospitals are funded to give rehabilitation to all patients and to have proper discharge policies within their hospitals. This is not happening. Indeed, I believe this money ought to be tied so that it does occur in future agreements. Despite the fact that there are 2,056 people — whom the Labor Party calls 'bed blockers', which is a most disgraceful term that should be got rid of — those same state hospitals have 170,000 people waiting for elective surgery.

Nursing Homes: Bed Shortage

Mrs BRONWYN BISHOP—To try to blame people who have had an ACAT assessment and are awaiting proper restorative care is just a nonsense. I went to the AHMAC meeting of state health ministers only 10 days ago, and I put on the table an offer of 500 aged care places — that is, beds — worth $10 million, to be used by state governments if they put in matching funds for rehabilitation to allow these people to go into aged care homes or other settings and receive the rehabilitation that the state hospitals are already funded for under the health care agreements.

Mr SPEAKER—The member for Prospect is warned!

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home or into the correct level of care. The South Australian government and the ACT government have agreed to accept part of this package. South Australia took 50 beds and is putting in $1½ million, and the ACT took 11 beds and is putting in matching funds. The Labor Party health ministers just wanted to play politics. But I am an even-handed person: I will leave the offer on the table. Already, I might say, officials from their departments are in discussion with my officials. This package of 500 beds has the capacity to deal with 2,000 people a year, which is about the number of people who have been identified as having had an ACAT assessment. The simple thing to understand in this issue is that older Australians are just as entitled to go to hospital as anybody else. They are entitled to be treated with respect, which is a word the Labor Party do not understand.

Trade: Export Performance

Mr HAWKER (3.13 p.m.)—My question is to the Minister for Trade. Minister, will you advise the House of Australia’s trade performance, including auto and agricultural products, over the last five years? How has this government’s policies helped our trade effort? Is the minister aware of any alternative policies endangering Australia’s export performance?

Mr VAILE—I thank the honourable member for Wannon for his question. Some of the agricultural commodities that are doing extremely well at the moment come from the electorate of Wannon. I am sure that his constituents are very pleased to see the end of the wool stockpile as a result of the policies of our government in recent years.

It is important to note that in the last five years our exports grew by 52 per cent, from $93 billion to $142 billion last year. In the last financial year, they rose to $153 billion. Our agricultural industries and the automobile manufacturing industry in Australia have seen phenomenal growth in all sectors. The automotive industry this year has produced $4.65 billion worth of exports.

This outstanding export performance has not happened just by chance. It is due to a lot of hard work by Australia’s 22,000 exporting companies that do battle in the world marketplace, and they have been ably assisted by the good economic management provided by our government over that period of time. It has not been just by chance that our government has had the guts to implement the reform agenda and put our exporters in a much more competitive position globally. We have taken up the cudgels of reform and have delivered a merchandise trade surplus in 2000-01 of $1.3 billion—something we never saw under the Labor Party.

During the time our exporters have been out in the marketplace creating new markets and we have been providing new opportunities in the marketplace, our government has developed a very sound economic environment in Australia. The OECD, in its latest economic survey on Australia, stated that during this time ‘Australian growth performance was remarkable’. And it has been driven by Australia’s exports. Australia’s exports have grown because of the policies our government has put in place over the last five or six years: fiscal consolidation, a focus on budget surpluses not budget deficits, a focus on taxation reform that has removed $3½ billion from the back of Australia’s exporters, labour market reform—something the Labor Party never had the backbone to take on—and overall sound economic management. Those are the economic structures that have made our exporters far more competitive in the international marketplace, and the Australian Labor Party opposed every one of those reforms every step of the way.

Apart from that, we have been actively pursuing an agenda and a policy setting of opening up markets across the world, both in our bilateral trade policy agenda and our multilateral trade policy agenda. We are actively negotiating a better circumstance in our bilateral relationships, and we are actively pursuing a multilateral agenda, particularly within the WTO. Just recently, we heard the Australian Labor Party in all its forms lecturing the government and Australia’s exporters about the multilateral agenda, saying we should be doing more within the WTO and we should be putting more energy into ensuring that we launch a round of trade negotiations later this year. We are actively
engaged in that. We have been actively engaged in a series of meetings and dialogues with my counterpart ministers within the WTO.

As recently as last week, numerous spokespersons from the Labor Party have been talking about what we should and should not be doing. We had the opposition spokesman, Senator Cook, talking about what we should be doing; and we had the great scribe, the member for Griffith, also talking about what we should and should not be doing—and the messages were not exactly the same message the Leader of the Opposition has been espousing on trade policy. There is a message from Senator Cook and from the member for Griffith, but the real challenge for the Leader of the Opposition is the message coming from the engine room of the Labor Party—and that is the union movement. The message about trade policy coming from the union movement is totally different from what we heard from the member for Hotham, from Senator Cook, and from the member for Griffith last week. They are all lecturing us about what we should be doing in the WTO.

There is a web site called ‘November 13, Fair trade not free trade’, and it is opposing exactly what the Labor Party are telling us we should be doing. Who are the sponsors of this organisation that is going to mount major protests this November when we are in Doha? If you have a look at the November 13 web site, you will see that it is sponsored by the ACTU, the CEPU, the AWU—and here he is: Dougie Cameron and the AMWU. There is a whole list from the union movement who are opposed to the free trade and market liberalisation that have provided all the market opportunities for our exporters to take advantage of. They are opposed to it. The challenge for the opposition is going to be to reconcile the views of the union movement that is bankrolling the Labor Party in the upcoming campaign—providing funding for the member for Paterson’s campaign and for the candidates in Cowper, Page and Richmond. It is all coming from Doug Cameron’s union. Which side of this argument is the Leader of the Opposition going to come down on? Is he going to come down on the side of Australia’s exporters, who have fought hard to get where they are today and to get Australia’s economy where it is today, or is he going to come down on the side of the union masters of the ALP?

Hospitals: Funding

Mr BEAZLEY (3.21 p.m.)—My question is to the Prime Minister. I refer to the statistics tabled in question time today by the health minister concerning federal expenditure on public hospitals. Don’t these statistics show that in 2001-02 the federal government funded just 43 per cent of total hospital spending, after funding just 42 per cent in 2000-01? Haven’t you now admitted, by your own statistics, that if you had continued to match the states in funding 45 per cent, as was the case in 1996, our public hospitals would have received another $200 million a year? Prime Minister, when are you going to tell Australians who are queuing for treatment in our public hospitals precisely what you will do in the future to speed up their treatment?

Dr WOOLDRIDGE—I say to the Leader of the Opposition that he is comparing apples and oranges—I absolutely guarantee it. This figure of 45 per cent in 1996-97 is completely fictitious.

Opposition members interjecting—

Dr WOOLDRIDGE—You are just comparing apples and oranges. Even a first year statistics student knows that, but the opposition cannot seem to get it into their heads.

I am very happy for this government’s health record at any time to be compared with that of the opposition’s. I am very happy to have this five-year health care agreement compared with the previous five-year health care agreement. I am very happy for the Australian public to know that, under Kim Beazley as finance minister, there was a 17 per cent real increase over five years and that, under John Howard as Prime Minister, there has been a 28 per cent increase over five years. I am also happy for the Australian population to know that under Kim Beazley there was a fiddle where the extra money came off the financial assistance grants and the states were no better off; whereas, under John Howard, it was new additional funding,
not something coming off the financial assistance grants. I am happy to have our record on health at any time compared.

Labor talks about a crisis in health care. I will tell you what is a crisis. A crisis in health care is when you have 53 per cent of our kids properly immunised. A crisis in health care is when you are having epidemics of measles in the western suburbs of Sydney, as happened in 1993 and 1994. A crisis in health care is when you have 24 per cent of the population smoking, a figure which stuck for a decade, as you did under Labor, not 20.8 per cent, the lowest in the Western world, as you have with this government’s four-year effort. A crisis in health care is when you have indigenous Australians not getting adequate services. We have not fixed it yet but, gee, we are trying, and the resources have more than doubled. A crisis in health care is when you have private health insurance in free fall and a government not prepared to do anything about it, as happened under Labor. Labor introduced Medicare and then rested on dewy-eyed self-congratulations for the next 13 years. The public will not fall for you again.

**Economy: OECD Report**

Mr PROSSER (3.25 p.m.)—My question is to the Minister for Employment, Workplace Relations and Small Business. Would the minister inform the House of a recently released OECD economic survey of Australia?

Mr SPEAKER—The member for Forrest will resume his seat. If members on the front bench and the member for Brisbane want to confer, I am sure Aussies coffee shop will be happy to accommodate them. The member for Forrest is entitled to be heard in silence. He will begin his question again.

Mr PROSSER—Thank you, Mr Speaker. Would the minister inform the House of a recently released OECD economic survey of Australia? What does this survey reveal about the government’s workplace relations policies? How have these policies made Australian working families better off? Are there any alternative policies in this area?

Mr ABBOTT—I thank the member for Forrest for his question, which certainly did bear repeating. This government’s policy is jobs, jobs, jobs. This week we had a ringing endorsement of our policy from the most respected and authoritative independent judge. The OECD’s economic survey of Australia said that the government’s workplace relations reforms have produced ‘rising real wages, good productivity growth and rising profits.’ In part thanks to the government’s workplace reforms, Australia’s structural rate of unemployment has dropped from about eight per cent to about six per cent in the past five years—and this matters because jobs are not just about money; jobs are about providing ordinary Australians with a sense of meaning and purpose in their lives.

The OECD also said that we could do even better with further workplace relations reform. Unfortunately, one prospect is not for more reform but for a trip down memory lane under comrade Kim and his policy of full-scale industrial relations roll-back.

Mr SPEAKER—The minister will address his remarks through the chair and refer to members by their office.

Mr ABBOTT—Labor’s policy is to abolish Australian workplace agreements, even though they have meant higher pay for better work. Labor’s policy is to abolish the Employment Advocate, even though the Employment Advocate is the protector of freedom of association and stands between Australian workers and the union heavies. The worst thing of all is that Labor’s policy means a return to industry wide strikes of the type that once made Australia’s industrial relations an international laughing stock. Just today, one of Australia’s most respected and successful international businessmen passed his verdict on Labor’s roll-back. Leigh Clifford, the boss of Rio Tinto, said:

*Opposition members interjecting—*

Mr SPEAKER—Order! Under standing order 55, the minister is entitled to be heard in silence.

Mr ABBOTT—Leigh Clifford’s company employs thousands and thousands of Australians and contributes billions of dollars to Australia’s GDP and hundred of millions of dollars to Australia’s exports, and his
views deserve to be listened to with respect by members opposite. He said:

What we have got to do is look at what employee relations is about in the 21st century. It is not about what I would call cloth-cap socialism. The world has moved on.

The world has moved on. The only people who have not moved on are the Jurassic Park dinosaurs who constitute the Australian Labor Party. The opposition is suffering from a bad case of industrial nostalgia. It is yearning for the good old days of the 1970s—the days of petrol queues, the days when there were public transport strikes every other week and the days of electricity blackouts because the union heavies were running amok. They are the days that would return if Kim Beazley were ever to become Prime Minister, because he is too weak to stand up to the union leaders who run the Labor Party. Let it be very clear: Labor means strikes and strikes cost jobs.

Mr Horne interjecting—

Mr Pyne interjecting—

The minister will resume his seat. If, as I am constantly being asked by the Manager of Opposition Business, I am to be even-handed in the way I deal with this House, I must warn the member for Paterson, for his behaviour has been equally outrageous as that of the member for Sturt.

Mr Abbott—It is worth remembering that after the next election every living ACTU president will be on the front bench of the federal Labor Party except for Bob Hawke, and I am sure Kim Beazley would like to find a job for him too.

Mr Howard—Mr Speaker, I ask that further questions be placed on the Notice Paper.

PERSONAL EXPLANATIONS

Mr Beazley (Brand—Leader of the Opposition) (3.31 p.m.)—Mr Speaker, I wish to make a personal explanation.

Mr Speaker—Does the Leader of the Opposition claim to have been misrepresented?

Mr Beazley—I do indeed.
Aboriginal and Torres Strait Islander Commission Urapunga Land Claim No. 159—Report

Opposition members—Like your shirt!

Mr REITH—At least I don’t get my hair dyed, like some of you.

Mr Kerr interjecting—

Mr SPEAKER—The member for Denison is warned!

Opposition members interjecting—

Mrs Crosio interjecting—

Mr SPEAKER—I name the member for Prospect.

Motion (by Mr Reith) proposed:

That the member for Prospect be suspended from the service of the House.

Mr McMullan—Can I just ask you to reconsider. There was a lot of good-natured banter going on in which the Leader of the House was involved. We just think he might reconsider. Mr Speaker, we understand your responsibility to uphold the standards here, but just this once we hope you might give reconsideration to this matter before you proceed with this motion.

Mr REITH—Mr Speaker, if it may be of any assistance to you, whilst I moved the motion in support of you, as is the usual and proper practice of the Leader of the House, if you reconsidered the matter then of course I would duly oblige and be happy to withdraw the motion. But I would leave the matter, of course, to you.

Mr SPEAKER—I took this dramatic action because the member for Prospect is such a frequent interjector and my actions in asking her to excuse herself from the House seem to have no impact at all. Furthermore, behaviour of the House in the last five minutes—I think it was a constructive question time—has frankly been beyond the pale. I accept that much of the interjection was good natured, though I thought it was rather frivolous. I thank the Manager of Opposition Business and the Leader of the House for their advice on this matter and the bipartisan way in which they are dealing with it. I will simply require the member for Prospect to excuse herself from the House.

The member for Prospect then left the chamber.

Debate (on motion by Mr McMullan) adjourned.

MATTERS OF PUBLIC IMPORTANCE

Health and Aged Care

Mr SPEAKER—I have received a letter from the honourable member for Jagajaga proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The failure of the Government to put forward positive future solutions to address the problems in Australia’s health and aged care systems.

I call upon those members who approve of the proposed discussion to rise in their places.

More than the number of members required by the standing orders having risen in their places—

Ms MACKLIN (Jagajaga) (3.38 p.m.)—What has become clear in this House over the last two days is that the Howard government has no third-term agenda for health. That is now clear for all Australians to see. The government, the Prime Minister and the Minister for Health and Aged Care say that they have done enough in health. In question after question today and yesterday, the Prime Minister turned his back on problem after problem—serious problems like the radiotherapy that so many cancer victims are waiting for in Australia. The government has turned its back on two areas of federal government responsibility that are of fundamental importance to all Australians: health and aged care. The only response we get from this government, of course, is to blame the states—blame somebody else. Repeatedly over the last week, and again this week in the parliament, we have heard the Prime Minister say that he has done enough both for health and for education and that his sole priority will be his mysterious on-again off-again income tax cuts, unfunded and, of course, unbelievable—income tax cuts that we have heard about before and nobody believes. Last week, Mr Howard said:

I mean our position is clear, we’ve already invested very heavily in things like health and education. If there is an available surplus then the priority should be to give income tax cuts.
The Prime Minister is not interested in providing extra funding for health—we heard that again and again today. He thinks that the job is done; he thinks that it is all over.

The health minister, as well, has run out of ideas. Last week we heard him on the Radio National Breakfast Program. In addition to hurling abuse, which, of course, we are rather familiar with, Dr Wooldridge was asked again and again whether he could outline some health policies for the coming election. He could not outline one single health policy for the coming election. So we know that this Prime Minister and this health minister have no plans for health and no third-term agenda. The message to Australians is clear: whatever the shortcomings, whether in radiotherapy or elsewhere in our health system, the government has no intention of doing anything about them. The Prime Minister says—and we have heard it again and again—’Just get used to it.’ He certainly is the most out of touch Prime Minister that this country has ever seen. Clearly, he does not talk to people who have cancer and who are waiting for radiation therapy. When Australia’s top radiation oncologists declare a drastic shortage of radiotherapy machines and a shortage of staff and produce a report that warns that 20,000 patients could miss out on radiotherapy if nothing is done—we are talking about the future—by 2005, and when 10,000 Australians with cancer died prematurely, suffered inadequate pain and symptom control or had a reduced quality of life last year while this government was in office, the Prime Minister says to those people, ‘Just get used to it. We have done enough in health.’ The health minister did acknowledge in the Australian today that there is a deficit in funding for radiotherapy. But what we know is that the government are not intending to do anything about it. They will not take any plans to the next election to address the problems for cancer sufferers. They have turned their back on public hospitals and on cancer patients.

By contrast, Labor has a national plan to fight cancer. Instead of spending millions of dollars on wasteful advertising—the ads we have to put up with night after night on the television—Labor will spend that much-needed money, $90 million, on cancer services. Our opposition leader has committed an extra $90 million over our first three years to a comprehensive strategy to improve the prevention, detection and treatment of cancer, money that we will take from this government’s wasteful advertising. We plan to reduce the number of people who develop cancer and to increase the survival rate of those who have it. What a contrast in priorities! The Howard government wants to spend it on advertising; a Beazley government would spend it on cancer treatment. That is the difference in priorities. The opposition leader announced our plan three months ago and it has been endorsed by key leaders in the fight against cancer. On Labor’s fight against cancer the radiation oncologists said:

The Faculty of Radiation Oncology wishes to convey ... its sincere support for Labor’s Cancer Plan. The Faculty members applaud you for highlighting the importance and magnitude of the burden that cancer imposes on our community. In particular, we are supportive of your decision to address the management of the cancer problem at all stages from prevention through to palliative care.

But what does this government want to do? Nothing. It has no plans for the future to deal with the capacity of our public hospitals to deliver the highest quality of care to cancer patients. Labor will not only direct more resources into prevention, research and treatment; it will also build much better links between each of those essential areas. These initiatives aim to increase radiotherapy treatments, and we will do that through our Medicare alliance.

What is very clear indeed is that Australians have a very real choice at the coming election. They can choose between a Prime Minister who thinks he has done enough in health, who thinks the job is all over, and an opposition leader who has a national plan to fight cancer and who is going to take money out of wasteful advertising and put it where it is really needed. We also saw yesterday that the Prime Minister has no regard for what ordinary Australians have to pay when they go to see the doctor. He clearly is not talking to anyone, not to the mums or dads who have to pay $10 out of their own pock-
ets every time they go to see the doctor when their child is sick, nor to Mrs Staer from my own electorate, who had a burst eardrum. She went to the doctor and was told that she would not be treated until she paid $40 up-front. She had to wait for treatment until her husband found a credit card. This is the real picture of the Americanisation of our health system that has taken place under this government; the real picture of the Americanisation of our health system where the credit card has to be found before treatment is delivered.

These stories, of course, are backed up by the recent Medicare statistics which show that three million fewer services a year are being bulk-billed, as compared to when this government was first elected. That is what the official statistics say. But when we asked yesterday whether the government intend to do anything about this, once again there was no response, because they have absolutely no intention of doing anything about it. The response to those Australian families is, ‘Just get used to it. You’ll be taking more money out of your own pocket every time you need to go to see the doctor.’ We know that the average patient cost has gone up by 35 per cent under this government. That is what the Medicare stats show.

Yesterday we had another example of how much people are having to pay out of pocket—this time for specialist services for a woman who needed an operation on her knee. She was required by the orthopaedic surgeon to pay $950 up-front before he would operate on her knee. Did we get any positive solutions from this government, from the Prime Minister? No. He said, ‘Ring Craig Knowles.’ I do not know what Craig Knowles has to do with the payment of private specialists—absolutely nothing. Of course, this is the government’s stock-in-trade: just blame the state government, don’t take any responsibility yourself. Once again, they have no plans for the future. All we get from this government is more and more money being wasted on government advertising—government advertising that we know is, in part, being spent on that shocking umbrella ad; and the woman with the $950 up-front payment knows full well that her gap certainly has not been filled.

We know that it is the same when it comes to aged care. Once again, this Prime Minister certainly could not be talking to anybody in one of Australia’s nursing homes, nor to one of the elderly people waiting in one of our public hospitals for a nursing home bed. Once again, we have seen the government ignore the plight of so many people who are waiting in hospital beds, waiting to find a home. That is what they are waiting for: waiting to get out of an acute public hospital and into a place where they can create a home. But, once again, do the government have any intention of doing anything about the huge number of phantom beds that we know exist in this government’s forward planning for aged care? They have absolutely no intention.

The issue that really gets me, I have to say, is dental health. It really does take the cake for the government to not be aware of the plight of people who are waiting years and years and years to get their teeth fixed. Obviously, this minister and this Prime Minister have not met people who have had to have all of their teeth pulled out because they cannot afford to get them filled. That is the direct result of this government’s abolition of the Commonwealth Dental Health Program in 1996. Yesterday we used the figures from Queensland, and the reason we chose Queensland is that the Queensland Labor government have in fact put considerably more into dental health. They have really tried to take the place of the Commonwealth when that government abolished the Commonwealth Dental Health Program. But we find that in fact there are 100,000 people waiting in Queensland, and 50,000 people have been waiting for two years or more and, once again, what did we hear from the Prime Minister yesterday? It is nothing to do with him. It is all the responsibility of the states, and he has absolutely no intention of doing anything to help people who are desperately hurting because they cannot afford to get their teeth fixed.

Over and over again, what we heard from the Prime Minister yesterday and today is that this Prime Minister intends, if he gets
the chance, to palm off all the responsibility for health care onto the states. He does not have any positive solution, and so he is just going to blame the states for everything. We know we will not get better health care from this Prime Minister; we will just get more and more buck-passing, more and more blame-shifting. One thing is for sure: Australians are absolutely sick to death of that. They are sick of the federal government and the state governments fighting. They just want solutions and things fixed up. They do not want finger-pointing. That is why, 12 months ago almost to the day, all of Australia’s Labor leaders signed our Medicare alliance. We signed our Medicare alliance to end this blame-shifting. We signed the Medicare alliance with both sides—the Commonwealth Labor leader and the state Labor leaders committed themselves to 10 years of real growth, to a partnership, to cooperation to fix our problems in public hospitals. We are not satisfied with blame-shifting. We are not satisfied with finger-pointing. We know that, together with the states, we are responsible for what goes on in our public hospitals; and by contrast with this government, we want to fix it and to do it in a cooperative way.

Yesterday and again today, we saw the Commonwealth release figures trying to show where they were up to on total hospital spending. I will have a look at those figures and use the later ones that we have just received from the health minister in question time. They show that the states are doing far more than their share by contributing 57 per cent of total costs of public hospitals, as compared with 43 per cent from the Commonwealth. If the Commonwealth had kept up their share of 45 per cent, which is what it was in 1996 when they came into government, then our public hospitals would have received $200 million a year more—and think of the good that could have been done with that money. Think of the extra patients that could have been treated. Think of the extra cancer patients who could have got radiotherapy. Think of the things that could have been done. But, of course, that is not what we get from this health minister or this Prime Minister; we just get blame-shifting and finger-pointing because they have no policies for the future and they have no intention of doing anything to improve our public hospitals. Only Labor will. (Time expired)

Dr WOOLDRIDGE (Casey—Minister for Health and Aged Care) (3.53 p.m.)—I am delighted to have the chance to debate health care in this House, particularly as it is pretty hard to get asked a question on it by the opposition. It is interesting to be accused of having no third-term health agenda by an opposition that does not have a first-term health agenda. The opposition’s first-term health agenda, as far as I can see, consists of three things: firstly, getting rid of our $72 million initiative into cervical cancer, something that will reach 97 per cent of Australian women; secondly, getting rid of the 30 per cent rebate—and in spite of it now being nearly 11 months since Labor surreptitiously supposedly changed their view on the 30 per cent rebate, they are yet to issue one positive press release about it, yet to rule out taking it off extras, yet to rule out grandfathering it, yet to rule out applying it to the base only premium and yet to rule out fiddling at the rate for higher income earners; and thirdly, the Medicare alliance.

The Medicare alliance is the centrepiece of Labor’s policy. It is such a stunning policy, it is doing so well, that not one single state Labor leader has yet mentioned it. Not one single state Labor leader has yet campaigned on it. Not one single state Labor leader has yet put an extra dollar in the forward estimates because of it. Every single state Labor leader has in fact consigned this to the dustbin, which is where it deserves to go.

I am very happy to talk about a third-term agenda. First, though, I am actually going to talk about our record, because if you compare our record in government with Labor’s record in government, there is a very stark contrast. The last election the Labor Party won was the 1993 election, and it is illustrative to have a look at what Labor carried through from their 1993 election policy. Let me read their 1993 election policies and tell you how they went on implementing them over the next three years: private sector initiatives, quietly buried in the 1995-96
budget; private hospitals included in regional health services planning under the Medicare agreement, never done; rural health centres, did not happen; Medicare rebates for bone densiometry, only happened for two basic clinical applications; the establishment of a national health promotion authority, never happened; legislative changes to the National Health Act ensuring commitment to health promotion, never happened; provision of language services in public hospitals, never even attempted; establishment of a national advisory council on ethnic health, never happened; a national environmental health strategy, never happened. These are the things that Labor promised in 1993. These are the things that Labor in most cases never even attempted to do. That is the last record of the Labor Party in government, and Labor can be judged by it.

In contrast, if one cared to look at what we have promised in a very limited way in 1996 and 1998, I would contend that we have in fact overdelivered on our commitments. In 1996 we were talking about rural health before it was ever popular to talk about rural issues. We were talking about prevention. We were talking about improving health outcomes. These are probably the proudest achievements the Howard government can make. Let me run through the record.

Funding for the Department of Health and Family Services, as it was in 1996, if you compare the same functions that that department has had the whole way through, has gone from $18 billion to $29 billion—hardly a cut in money. Medicare is evolving to incorporate prevention. Labor’s fundamental problem with administering health care is that they saw Medicare as a system of health financing—and it did that quite efficiently—but Medicare was never seen as a system to deliver improved health outcomes. Medicare had our smoking rate stuck at 24 per cent, as it had been for the best part of a decade. Medicare was not meeting the needs of people who had mental health problems. Medicare did not address the challenges of dealing with the management of a complex health problem like diabetes, something very close to my heart. Medicare did not have anything to do with medical research. So Medicare as a system of health financing was fine, but Labor took their eyes off the health outcomes.

What have we achieved in these areas since coming to government? Immunisation rates today for 12- to 18-month-old children are approaching 93 per cent. In September 1999 there was not a single case of measles reported anywhere in New South Wales—the first time since 1788 that has happened. Smoking rates in November last year—that is, adults over 18 years of age who smoke once a week or more—were 20.8 per cent, the lowest in the Western world. Today I suspect the figure is substantially lower with the introduction of Zyban on the PBS and the decline rate of 0.85 per cent a year, which only started with the National Tobacco Strategy in 1997.

Today with diabetes management, people can access a greater range of services, and those in rural Australia are now beginning to access allied health services under Medicare. The simple, most cost effective thing you might be able to do for someone with diabetes is provide them with adequate foot care, something that Medicare has never been able to do but through the evolution that we are having, and particularly with our rural strategy, we are finding that access to more allied health services is very popular in country Australia. Medicare now can better help people with mental illness because we are recognising for the first time that counselling and treatment options should not just be chemical; people should have access to cognitive behavioural therapy and we have
changed Medicare for the first time to incorporate that.

That is what we are directly responsible for. It is not perfect, and our record is not perfect—I do not suggest that it is. But I am happy to hold that up and ask where in any other five-year period in the last 100 years there has been such a significant amount of positive reform in public health. I do not think there has been another such five-year period.

Then there is medical research. I remember very clearly that Labor went to the election in 1993 with Paul Keating, saying, ‘We’ll increase money for biomedical research; we’ll spend two per cent of health expenditure on biomedical research.’ After the election, what did he do? He redid the figures and said, ‘Oh gee, we’ve just discovered we’re actually spending it already when you add private sector contribution in, and so we don’t have to do anything to meet our promise.’

There was a small amount of extra money put into medical research in 1993-94, and it was short-term money. It was a complete con. The National Health and Medical Research Council funds largely on the basis of five-year funding. The budget papers for 1993-94 actually said that the money was ongoing. But the finance department at the time, under the finance minister Kim Beazley, had that short-term money that was not ongoing; it was not base funding money. So, looking at where our base funding is for biomedical research now compared with when we came to government, when our two-year expansion has finished we will have tripled the amount of money going to biomedical research—something that has the capacity to define this country’s future, just as the information technology revolution has defined the future of parts of the United States.

General practice, Mr Deputy Speaker, is an area that has had real difficulties and real challenges, and it has been under pressure. But, if you want to fix a problem, you have to understand why you have the problem in the first place. The problem with general practice in the first place was very simple and twofold. The first thing is that general practice was the dumping ground for the rest of the profession, and there was no capacity to direct doctors to areas of need. That is something that we achieved through our provider number legislation, which is something that the Labor Party opposed in 1996. It is one of the single biggest most successful initiatives we have had, and probably nothing else we have done has helped rural Australia more.

The second thing that put the squeeze on general practice was that Medicare rebates were only indexed by 50 per cent from 1993, I think. Labor was in government in 1993. Labor gave an absolute commitment to general practice that it would not fund the general practice strategy by reducing the rebates, yet it went ahead and did it and cut GP rebate indexation in half. It was that single factor under the Labor Party that more than anything else put the pressure on general practice. It is that single thing that I have had more difficulty undoing than anything else—but I have done it. For the first time ever, I was able to negotiate an agreement with three out of the four major general practice groups; we call it the memorandum of understanding. It is delivering real benefits for general practitioners and their patients—because, in the end, it is the patients in whom I am interested. Also, it is delivering more money for doctors—and, quite frankly, a hardworking general practitioner deserves it. But after years of neglect, after years of having its rebates squeezed, the Labor Party then bleats about bulk-billing when in fact it created the problem itself.

The most remarkable thing, though, I have to say, is what I am hearing the Leader of the Opposition say. Today, ABC Online says of Mr Beazley:

He says as he travels around he finds people believe Labor when it says it will fix these areas and are not particularly interested in wanting to know the fine details.

Mr Deputy Speaker, people do want to know the details, because they know that when Labor were in office they basked in self-congratulation. As I have outlined, in the 1993 election campaign they made promises that they never delivered on. They took their eye off the ball in public health: in immuni-
Let me turn to two specific issues. One is bulk-billing. If we compare the last full year of Labor, 1994-95, with the last full year under us, 2000-01, there were 130 million Medicare services bulk-billed in 1994-95, and 152 million services bulk-billed last year. In my maths, that is a 16.7 per cent increase. What Labor attempts to do is take one small part of the statistics and pretend to extrapolate right across the area that that is what is happening with bulk-billing. In fact, bulk-billing is higher today than it was when we came to office—in gross numbers and in a percentage of all medical services. If we look at specialist services, in 1994-95 there were 53.5 million services bulk-billed; last year there were 74.6 million services bulk-billed—that is more than a 40 per cent increase. If we look at general practice services—the area where there is the biggest stress on the whole system—in the last full year of Labor, 77.3 million services were bulk-billed; in our last full year, 78.1 million services were bulk-billed. So this is a completely fatuous argument. I do accept that general practice is under pressure, and I do say that it is because of the treachery in 1993 of turning rebates only into 50 per cent.

I must comment on the cancer initiative. Labor have made it quite clear that they will not go ahead with our proposal to fund cervical cancer under general practice. This will be a disaster. No number of stand-alone, independent centres will ever get to women right across Australia. Ninety-seven per cent of women in our target group see their GPs at least once every two years; 91 per cent of all women in our target group see them every year. There is no way that we can better get to world’s best practice in cervical cancer. So to not go ahead with this will be a serious blow in this area of cancer control. No number of new, stand-alone clinics will possibly address this.

Our third-term agenda is very simple: we will continue to increase money for biomedical research; we will continue to work hard to deliver real benefits to rural Australia; we will continue to work hard to work with the states to address chronic long-term problems; and we will continue to work very hard to get simple public health outcomes in the areas I have mentioned, because they will make a real difference to the lives of individual Australians. I am very happy to keep that debate going. I am very happy to argue the case, I am proud of our record in health, and I look forward to the next term in government.

Ms SHORT (Ryan) (4.08 p.m.)—In my electorate of Ryan there are over 10 nursing homes and hostels. Some are small nursing homes and a couple are very large aged care complexes comprising retirement village, nursing home, hostel, dementia, respite and day care facilities. The staff in those facilities are very well trained, dedicated and hard-working. However, the managers cannot attract sufficient registered nurses to fill their vacancies. That is not because there are not enough nurses living in Ryan; it is because some nurses simply do not want to work in aged care facilities. They prefer to work outside their area of expertise in a variety of occupations than to work as nurses. That is a damning situation for managers, nurses, patients and their families. The compounding effect is that current nursing staff are under increased pressure; they are being asked to work harder, for longer and for less money. We talk about minimum class sizes in schools and universities, but no-one ever mentions minimum staffing levels in aged care facilities. Most relatives and voters in Ryan would be appalled if they ever found out what the figure actually is.

Nurses are also feeling a loss of purpose and focus. Instead of clinically assessing and caring for patients, they are being asked to complete endless pieces of paperwork, crossing every ‘t’ and dotting every ‘i’. Moreover, if the nurse does not complete the paperwork comprehensively, her clinical assessment skills could be challenged by a validation team, and then the nursing home could be penalised with retrospective reassessment and loss of funding. Recently, one nursing home in Ryan lost half a million dollars in an afternoon through reassessment. With such a penalising system, everyone
loses. Nurses are demoralised because their clinical judgment is overturned and patient care is compromised further. Interestingly, if a resident is reassessed by the validation team at a higher level of acuteness, increased payments are not calculated retrospectively.

Nurses’ salaries are not commensurate to the skills and care we require of them. The interim aged care award entitles nurses to less money than their sisters who work in public hospitals receive. Overtime payments are only $6.80 per hour, but many nurses do unpaid overtime on every shift. There are no bonuses at Christmas time and there are no incentives for a job well done. Assistants in aged care facilities who hold a certificate III qualification are paid $12 to $13 per hour. For that salary, they could be washing dishes or waiting on tables in restaurants.

At the same time, consumer expectations and demands are continuing to rise. Residents are expecting five-star care at a three-star price. The current system is also pitting resident against resident, where some self-funded retirees are demanding places in aged care facilities in front of pensioners. Because of the adverse publicity surrounding some of the worst nursing homes in Australia, some relatives are becoming very suspicious of staff in those facilities. Understandably, residents and relatives all want the best possible care, but placing nursing staff under unprecedented close and constant scrutiny undermines the trusting relationship that nursing care is built upon.

In Ryan, we have a chronic shortage of nursing home beds, respite beds, interim care beds, beds for people suffering dementia and beds for older men. Some of the buildings in the aged care facilities in Ryan were built just after World War II. They are getting older. Some need replacing and others need refurbishing. Where is the money going to come from? Most of all, managers, nurses and residents all cite lack of funding as the major problem facing aged care facilities in Ryan. Voters in Ryan are looking for answers to the problems facing aged care facilities in Ryan. Managers, staff and residents are under pressure—they are hurting. The Prime Minister has no plan and no agenda for the future. His government has failed to put forward positive solutions to address those problems in the aged care sector. We are heading towards the Americanisation of our aged care sector, where money will be the only entry criterion. That I do not want to see.

There are other similar problems inherent within Australia’s health care system. The Prime Minister has repeatedly ruled out any increases in spending. In my question to him on Wednesday, 8 August re access to dental services, he made it clear that it was solely up to the states and territories to provide dental care to eligible children and adults in Australia. In my mind, that is a complete cop-out, for two reasons. First, section 51 of our Constitution permits the Commonwealth to fund and provide dental services. Let us make it perfectly clear: Mr Howard can but he chooses not to provide dental services to health care card holders in urban, rural, regional and remote areas of our nation. Secondly, when federal budget decisions impact on states and territories, the states and territories should be assisted and supported financially.

I would like to know how the Howard government proposes to deliver the Prime Minister’s promise to extend concessions, including free dental care, to the 8,760 people in Queensland—including voters in Ryan—to whom he has given eligibility for a Commonwealth seniors card. As was stated in question time yesterday, Queensland supplemented the Commonwealth dental health program in 1997, but it is still under pressure to employ more dental staff and to treat more patients. Even after a massive investment in the state’s oral health, it is still not enough. The waiting period at the Indooroopilly Dental Clinic in my electorate is now up to eight months. These people need assistance and support from a listening and caring federal government. These people include holders of health care cards, including the Commonwealth seniors card, and low income adults.

The Prime Minister has not offered a single extra dollar to deliver his promise of access to concessions for seniors. He has no plan and no agenda for the future of oral health in Australia. Voters in Ryan, and
elsewhere throughout Australia, are looking for answers to the problems facing people in need of regular dental care and maintenance. People with toothaches are hurting. The Prime Minister has no plan and no agenda for the future. His government has failed to put forward positive solutions for the future to address these dental health problems. Again, we are heading towards the Americanisation of our dental services sector, where money will be the only entry criterion. Again, that is not what I want to see. I do not want the Prime Minister to talk to me about tax cuts. I do not want him to continually blame the states and territories for his budget panics. I want him to talk to me about improving aged care and dental services for all Australians.

Mr CAUSLEY (Page) (4.17 p.m.)—If the temporary member for Ryan was speaking in the Queensland parliament in relation to the second part of her speech, it might have some relevance, but it certainly has no relevance here in the federal parliament. It seems to me that the Labor Party have lost any arguments or policies they might have had. They have rolled over. Roll-back has disappeared and we are now starting to talk about state issues. We have been talking about education and health. We are now talking about the dental scheme, which was a state dental scheme.

Let me go through some of the issues about the facts. If the member for Ryan had been in this House for a little bit longer, she would have known what this government was left by the previous Labor administration. The Auditor-General laid out very clearly in his report in 1996 that the previous government left 10,000 aged care places unfilled. If we have a look at what this government has done, we find that in the last two approval rounds and in the 2001 round, some 31,000 new places have been released to make up for the deficit and to account for growth. On top of that, as you would know in your electorate, Mr Deputy Speaker Jenkins, there are the aged care packages which are designed to try and keep people in their own homes. Instead of having nursing home beds available, the aged care packages allow people to remain in their own homes.

The Gregory report into nursing home problems clearly showed that 13 per cent of nursing homes failed the relevant fire authority standards; 11 per cent of nursing homes did not meet the relevant health authority standards; 70 per cent of nursing homes did not meet the relevant outcome standards; and 51 per cent of nursing home residents were living in rooms with three or more beds. The minister in this place has done something about that. She has deliberately set out to overcome those particular problems. She has put in place a standard whereby these nursing homes are accredited. If you were listening carefully to the speech just given by the member for Ryan, it would seem that in Labor Party policy there is going to be a diminution of the accreditation. The member for Ryan said that it was far too onerous and therefore there would be a diminution in the accreditation of nursing homes as far as the Labor Party is concerned.

It is interesting that members opposite get up and talk about the capital situation with nursing homes. I clearly remember the debate in this place about the proposal put forward by this government to address that particular problem. Who was it who went out there? It was the duchess of doom, the member for Jagajaga, who went all around the countryside scaring old people about the fact that they would lose their homes because of this government’s efforts to put something in place that would guarantee capital for nursing homes into the future. They went out there and opposed that proposal, even though former Labor ministers were out there saying, ‘This is the right way to go because this is what we did with hostels. This is the way to fund the capital in those particular areas.’ Of course, now they are saying, ‘Isn’t it terrible? We don’t have enough capital now to see new nursing homes built.’

I want to talk about this dental scheme, because the Labor Party really seems to believe in this Goebbels theory: if you say it often enough, the media are bound to believe you. I was in the New South Wales cabinet in 1993 and I clearly remember the election campaign. In the last desperate days of the campaign in the election that Paul Keating was never designed to win, he came up with
a grand scheme—a Commonwealth dental scheme. You can go back and find the speech if you want to; he clearly said that it was to top up the states’ scheme. It was for a set number of procedures, for a set amount of money, and for a set period of time. That was absolutely clear. This government honoured the commitment by the previous Labor government on the dental scheme. For the states to then start cost shifting, and for the Labor Party to pick it up and run with it as if all of a sudden this is a federal scheme, the deceit is just palpable.

We look at these arguments that are being put forward by the opposition on health and education and quite clearly the figures are wrong. In the New South Wales budget—the 1995 budget, from memory—in a total budget of something like $22 billion, $5.2 billion of that was health. Twenty-seven per cent of the total state budget was health, and $4.3 billion was education. So about 43 per cent of the total budget was health and education, yet it is supposed to be a Commonwealth government responsibility. Clearly, it is a state responsibility. Yes, the Commonwealth government tops up; yes, the Commonwealth government is responsible for Medicare; yes, there is no doubt that the Pharmaceutical Benefits Scheme is Commonwealth. But let us not try and muddy the waters here. Just because we desperately do not have a policy and we desperately cannot get an argument up, we start to talk on state issues. That is particularly what this is.

I am interested that the member for Jagajaga said, ‘We can overcome this problem and we won’t even have to spoil our surplus budget.’ This is the surplus budget that they are going to have. We have never seen a Labor surplus budget, but she is going to have a surplus budget. And she said, ‘We’ll pay for this. The $19 million for this is going to come out of the advertising campaign that the present government is running.’ I thought the member for Dobell had ready spent that. I thought he said he was going to fund some of his education programs out of this. Where is the medical budget coming from? Is that coming out of the advertising too? It seems to me that this advertising budget that they have suddenly lit on is being spent over and over again. We have about three or four programs now that are going to be funded from the advertising program.

Let us have a close look at the rural health situation. This minister has gone out into regional and rural Australia, he has seen the problems and he has attempted to do something about them. As he said, this year we have a record budget of some $117 million, I believe—in fact, it is $117.6 million that we have put into the budget this year. If you have a close look at where that is going to, you will see that it is addressing the issues that we have in rural Australia that are a very real problem—for example, GPs. The GP problem is palpable out in rural Australia and this minister is doing something about it. We have scholarships for rural students so that they can go and study but that ensure they go back into rural Australia. We have the John Flynn scholarships, which is a particularly famous name in rural Australia. We have medical rural bonded scholarships; we have financial incentives of $60,000 available for three years for registrars. We have the clinical schools that were announced in recent times. We have a medical school up in Lismore, a clinical school in Coffs Harbour and a clinical school in Townsville. It goes on and on. Wagga Wagga has a clinical school. We never saw any of this from the previous Labor administration.

Let me also talk about isolated rural areas. Isolated rural areas have problems not just with doctors but with nurses, associate medical people, health care and nursing care. We are extending the multipurpose services across rural and regional Australia. This is a very important part of rural health. The member for New England has now inherited one off me at Urbanville right up in the McPherson Range. I have another one at Bonalbo, I have one at Kyogle, and I am hopeful that the minister will even look at another one for that famous little town of Nimbin—we are looking at a multipurpose service there.

If you look at all these things and especially at what the minister said about the fact that the Labor Party are going to cut out funding for the cervical cancer research, there is no doubt that this particular—
Mr Lee—That is not true.

Mr CAUSLEY—Yes, that was clearly acknowledged by the opposition.

Dr Martin—Where are you going to put One Nation?

Mr CAUSLEY—I am going to put One Nation into Wollongong because that is the place for them. I think it is fairly clear that the opposition, on the speeches that came from them, do not have their heart in this. (Time expired)

Mr DEPUTY SPEAKER (Mr Jenkins)—Order! The discussion has concluded.

BILLS RETURNED FROM THE SENATE

The following bill was returned from the Senate without amendment or request:

Space Activities Amendment (Bilateral Agreement) Bill 2001

COMMITTEES

Selection Committee

Report

Mr NEHL (Cowper) (4.27 p.m.)—I present the report of the Selection Committee relating to the consideration of committee and delegation reports and private members’ business on Monday, 27 August 2001.

The report read as follows—

Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 27 August 2001

Pursuant to standing order 331, the Selection Committee has determined the order of precedence and times to be allotted for consideration of committee and delegation reports and private Members’ business on Monday, 27 August 2001. The order of precedence and the allotments of time determined by the Committee are as follows:

COMMITTEE AND DELEGATION REPORTS

Presentation and statements


The Committee determined that statements on the report may be made—all statements to conclude by 12.50 p.m.

Speech time limits—

Each Member—5 minutes.

[Proposed Members speaking = 4 x 5 mins]


The Committee determined that statements on the report may be made—all statements to conclude by 1.05 p.m.

Speech time limits—

Each Member—5 minutes.

[Proposed Members speaking = 3 x 5 mins]

3 Employment, Education and Workplace Relations—Standing COMMITTEE: New Zealand Committee exchange.

The Committee determined that statements on the report may be made—all statements to conclude by 1.15 p.m.

Speech time limits—

Each Member—5 minutes.

[Proposed Members speaking = 2 x 5 mins]

PRIVATE MEMBERS’ BUSINESS

Order of precedence

Notices

1 Dr Southcott: To move—That this House notes:

(1) 14 June 2001 marked the sixtieth anniversary of the start of the Soviet Union’s mass deportations of Estonians, Latvians and Lithuanians from their homes, to Siberia and other foreign destinations;

(2) during the night of 13 to 14 June 1941, thousands of Baltic residents of all ages were arrested by armed men, taken to railway stations, loaded into cattle-wagons and deported, and these mass deportations continued, on and off, until 1953;

(3) precise numbers of the Baltic deportees are difficult to determine, with conservative evidence showing that all together, over half a million local residents of all ethnic origins were deported from the three Baltic States by 1953;

(4) these innocent people had committed no offences, were arrested and imprisoned as “political prisoners” and as “enemies of the people” and less than half survived deportation;

(5) Baltic immigrants to Australia have contributed significantly to our country, its culture and its diversity; and
(6) the sad events that are solemnly commemorated on 14 June by Baltic people across Australia, and across the world, stand in stark contrast to the robust democracy that all Australians enjoy and that we commemorate in this, our Centenary of Federation Year. (Notice given 21 June 2001.)

Time allotted—remaining private Members’ business time prior to 1.45 p.m.

Speech time limits—
Mover of motion—10 minutes.
First Opposition Member speaking—10 minutes.
Other Members—5 minutes each.
[Proposed Members speaking = 2 x 10 mins, 2 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

2 Mr Mossfield: To move—that this House:
(1) notes that 24,311 Social Security recipients have their compensation preclusion period spanning the introduction of the GST;
(2) notes that the average length of preclusion periods is 291 weeks;
(3) notes that the income cut-out rate has increased by $115.23 per week to compensate for price rises caused by the GST;
(4) notes that if the post GST cut-out rate of $543.63 was applied to the post GST portion of the preclusion period it would result in a significant reduction in the preclusion period; and
(5) condemns the Government’s failure to introduce legislation to extend GST compensation to people whose compensation preclusion period spans the introduction of the GST. (Notice given 3 April 2001.)

Time allotted—30 minutes.

Speech time limits—
Mover of motion—10 minutes.
First Government Member speaking—10 minutes.
Other Members—5 minutes each.
[Proposed Members speaking = 2 x 10 mins, 2 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

3 Mr Baird: To move—that this House:
(1) commends the Australian Government on its moves to establish a whale sanctuary at the most recent meeting of the International Whaling Commission in London;
(2) records its regret that the motion was defeated after failing to receive the required 75 per cent backing from member states; and
(3) calls on those states who abstained or voted against the motion to review their positions in order to allow this important initiative to proceed. (Notice given 8 August 2001.)

Time allotted—remaining private Members’ business time.

Speech time limits—
Mover of motion—10 minutes.
First Opposition Member speaking—10 minutes.
Other Members—5 minutes each.
[Proposed Members speaking = 2 x 10 mins, 2 x 5 mins]

The Committee determined that consideration of this matter should continue on a future day.

MAIN COMMITTEE

Mr DEPUTY SPEAKER (Mr Jenkins)—I advise the House that the Deputy Speaker has fixed Wednesday, 22 August 2001, at 9.40 a.m., as the time for the next meeting of the Main Committee, unless an alternative day or hour is fixed.

MATTERS REFERRED TO MAIN COMMITTEE

Motion (by Mr Ronaldson)—by leave—agreed to:
That the following bills be referred to the Main Committee for consideration:
Reconciliation and Aboriginal and Torres Strait Islander Affairs Legislation Amendment (Application of Criminal Code) Bill 2001
Health and Aged Care Legislation Amendment (Application of Criminal Code) Bill 2001
Treasury Legislation Amendment (Application of Criminal Code) Bill (No. 2) 2001
Treasury Legislation Amendment (Application of Criminal Code) Bill (No. 3) 2001
Agriculture, Fisheries and Forestry Legislation Amendment (Application of Criminal Code) Bill 2001
Family Law Legislation Amendment (Superannuation) (Consequential Provisions) Bill 2001
Customs Tariff Amendment Bill (No. 5) 2001
COMMITTEES
Privileges Committee

Report

Mr SOMLYAY (Fairfax) (4.29 p.m.)—I present the report from the Committee of Privileges concerning an application from Ms Margaret Swieringa for the publication of a response to a reference made in the House of Representatives.

VETERANS’ AFFAIRS LEGISLATION AMENDMENT (FURTHER BUDGET 2000 AND OTHER MEASURES) BILL 2001

Second Reading

Debate resumed from 28 June, on motion by Mr Bruce Scott:

That the bill be now read a second time.

Dr MARTIN (Cunningham) (4.30 p.m.)—I understand that the Honourable member for Aston will be making his first speech in this place on this legislation, the Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001, following my contribution on behalf of the opposition. I extend to him our best wishes, and congratulations on his win in the Aston by-election. We look forward to his contribution during the course of the debate on this important piece of legislation. We wish both him and his family—who I understand will be joining him today—all the very best for what is always a memorable moment.

At the outset, I indicate on behalf of the opposition that the Labor Party fully supports this bill. My colleague the Shadow Minister for community services, the member for Lilley, indicated when a similar measure came in for the provision of benefits for people under the Family and Community Services Legislation (Simplification and Other Measures) Bill 2001 that the opposition does not always support the government in some of the bills which deal with older Australians. There have been widespread concerns, which we have brought into this chamber, on this as an issue. We have seen, for example, concern expressed by people in the community about promises of $1,000 compensation for the introduction of the GST not being delivered to older Australians. We have seen attempts being made to bribe certain sections of the older community with $300 in the last budget, but, again, only going to a certain element of the pensioner community and not looking after those who are on disability or carers benefits. We have seen other promises about access to health care, dental health care and so on all cut out. It is therefore a little unusual at this stage for us to be coming in and saying to the government on this piece of legislation, ‘We think you have got it right.’ But we are happy to do so because the measures that are outlined in this legislation are designed to mirror those changes I alluded to a moment ago that have occurred in the social security system.

This bill seeks to ensure that both the social security department and the Department of Veterans’ Affairs operate consistently. I know that from time to time people express concerns that, for one reason or another, governments are a little slow in aligning the benefits that apply within both Veterans’ Affairs and the department of social security. Again, this is one of those elements; and, for consistency, it is important that this legislation is passed.

I do, however, indicate on behalf of the opposition that we will be moving a second reading amendment in the Senate. That amendment is designed to remove the assets test from the Department of Veterans’ Affairs disability pensions when someone is applying for a social security pension. So that the government has some forewarning of this, I will read that amendment, which I again point out will be moved in the Senate and not in the House. My colleague the Shadow Minister for veterans’ affairs, Senator Schacht, will move that, at the end of the motion for the second reading, the following words be added:

But the Senate calls on the government to remove the anomaly whereby veterans’ disability pensions are assessed as income for social security purposes, by introducing an amendment to the first available bill.

But the Senate calls on the government to remove the anomaly whereby veterans’ disability pensions are assessed as income for social security purposes, by introducing an amendment to the first available bill.

That, to us, makes eminent sense and we are a little concerned that the government has not taken this opportunity to incorporate that particular change into the legislation that is before us today.
I am sure many of us moved around our veterans’ community last weekend to commemorate what was truly a significant event on behalf of Vietnam veterans. Vietnam Veterans Day, which was on Saturday, falls on the anniversary of the Battle of Long Tan. I am sure many of us took the opportunity on the weekend, as we attended various commemorative services in our electorates, to reflect on the sacrifices that many of those people have made for their country. In the case of our Vietnam veterans, at the Battle of Long Tan some 201 Australians lost their lives. They were overwhelmed by a force that was 10 times greater. It was a significant battle for the way in which people rallied to the Australian cause, as demonstrated by that commitment in the field in Vietnam. I sat and reflected, in my electorate in Wollongong, on that contribution at what was indeed a very moving ceremony. Regrettably, the weather in Wollongong on the weekend was not as good as it could have been—the gales were blowing through at the site of the Vietnam Veterans Commemorative Memorial on Flagstaff Point. But what delighted me was that there was a coming together of relatives of people whose names were on that commemorative wall, people who had served there and people who knew of people at the Battle of Long Tan. It was an opportunity to reflect on the commitments they had given on behalf of their country. I pay tribute to them, as I am sure everyone in this House does, has done, and did on Saturday in their various electorates. It is important that on such occasions we reflect on some of these issues.

I had the great pleasure in the last parliament to be the shadow minister for veterans’ affairs for a short period. In that capacity, I accompanied the Minister for Veterans’ Affairs, Bruce Scott, and 30 ex-diggers who had been in the Battle of Long Tan on their journey back to commemorate the 30th anniversary. It was an absolutely moving experience to go back with the people who had been there, and I have made comment on it in this place in the past when dealing with veterans’ affairs issues. I watched the mixed emotions that swept over them—most of them had never been back; they embraced a sense of reconciliation with what had happened. They came in contact with a number of people from what had been the North Vietnamese army, whom they had fought against. We had one meeting with the general who commanded the great mass of people that came up against the Australian group at Long Tan on that night. It was interesting to see them sitting around as old soldiers just talking about the issues. There was a collective sense of reconciliation at the time.

It is important and appropriate, when legislation that lends support to those members of the veterans’ community comes before the parliament, that there is bipartisanship and support for it. This bill is widely supported amongst the ex-services community. It has been a major priority both for the TPI pensioners and for the RSL. The amendment Labor will move in the Senate has widespread support in the veterans community, because the assets test by Centrelink usually affects veterans most in need of monetary support.

My friend and colleague the member for Cowan will also be speaking in this debate. He understands the issues associated with the veterans’ community and shows that in the contributions that he makes. I am sure he will be speaking to the amendment from his experience. The legislation is particularly important for us all as we travel around our electorates and meet with the various constituent bodies that make up the veterans’ community. They are looking to the legislators of this nation for remedies to perceived problems. This is one such measure. I commend the minister for bringing the legislation into the parliament.

I would say to the minister, though, in all seriousness and in the spirit of bipartisanship, that the amendment that Labor are proposing in respect of the assets test is the most significant priority both for TPI pensioners and the RSL. The relationship with Centrelink and social security is something that the government should look at, and I am sure they will. I commend the legislation to the parliament and wish it a speedy passage. The opposition will support the legislation, but we will be moving a second reading amendment in the Senate.
Motion (by Mr Ronaldson)—by leave—agreed to:

That standing order 81 be suspended for the duration of the first speech by the Member for Aston on the second reading debate on the Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001.

Mr DEPUTY SPEAKER (Mr Jenkins)—Before I call the honourable member for Aston, I remind the House that this is his first speech. I therefore ask that the usual courtesies be extended to him.

Mr PEARCE (Aston) (4.41 p.m.)—Thank you, Mr Deputy Speaker. I thank you and the House for your indulgence in allowing me to speak today in this my first speech. Indeed, it is a pleasure and an honour to stand here today to deliver my first speech as the member for Aston. I am very conscious of the achievements of my predecessor, Mr Peter Nugent. I want to pay tribute to him for the way in which he served the electorate, for his sheer hard work and for his wide range of interests. He was an engaging personality and an outstanding member. He will be truly missed by the parliament, by the people of Aston and by those involved in the many interests in which he was engaged.

I will be trying to match Peter’s efforts in working hard for the people of the electorate. As well as continuing Peter’s efforts in many areas, I also have my own interests and priorities and will look to develop these as part of my aim to be a strong and effective member of parliament and local representative. When the Aston by-election was called, there were many pundits who believed that the new member would be sitting on the other side of the parliament. They said that the Liberal Party could not survive the loss of Peter Nugent’s personal vote. They said that the host of smaller party and Independent candidates would deflect enough votes to deliver the seat to Labor. They pointed out that even the usual by-election swing would see the seat lost. But they were wrong. I am, of course, delighted that they were wrong and pleased to be here representing Aston as a member of the Liberal-National Party coalition government.

It is perhaps worth while to take just a moment to comment on the result of the by-election. There was a fall in the Liberal primary vote, part of which was undoubtedly due to the loss of the personal vote of Peter Nugent and part to the traditional by-election swing. This fall was sufficient to make the Liberal Party, and me as the new member, conscious that there are voters who believe that we can and should do better. It is a message that will be well heeded. However, while we will learn from that, there was little or no comfort for anybody else in the result. Despite the climate of a by-election, and the fact that their candidate was already in place and I was new, the Labor Party’s primary vote actually fell—a very interesting outcome. The Liberal Party outpolled the Labor Party on primaries by almost four per cent.

The Australian Democrats, traditionally a party that attracts the protest vote away from the major parties, especially in by-elections, picked up less than one per cent of the primary votes of those who had left the major parties. While some people are running scared of the One Nation group, it actually lost more than a third of its vote, to record well under two per cent. The Socialist Alliance also polled very poorly. This clearly indicates that the people of Aston, like most Australians, are not interested in extremists. It is also worth noting that the No GST Party won less than one per cent, which confirmed what I had picked up in my doorknocking: the greatest issue concerning small business in Aston is the potential threat of the GST roll-back by Labor and the ramifications of roll-back on their businesses.

The Liberal Party of Australia won Aston for a number of reasons. We won because, despite all the criticisms of the government by our opponents, the community understands what has and is being achieved by the Howard government. We won because this government has created a strong economy on which the fundamental strength of the entire nation is based and, most importantly, an economy that is growing. We won because of the constant personal involvement of Prime Minister John Howard and Treasurer Peter Costello, who both campaigned hard in the electorate. I thank them both very much for their contribution. I also thank the other people from this place who assisted in the cam-
We won because of the professional campaign managed by both the Victorian and federal secretariats of the Liberal Party, and I thank them for that.

We won because of the local Liberal team—from the electorate committee to the individual branch members who worked so hard. I would like to extend my special thanks to Mr Graeme McEwin and Mrs Maureen McEwin, who are present today in the gallery. Graeme, who is Chairman of the Aston Electorate Council, provided me with unwavering support and guidance throughout the campaign. I want to take this opportunity to thank all the people who played a part in achieving a victory which many said would never happen. I want to pay special tribute to my wife, who is also present today. I thank her and my family for everything that they have done. I could not have done it without them. The by-election was also won because we understand the nature of the electorate. Aston is in many ways a microcosm of Australia. It has a wide range of industrial and commercial enterprises, including many small businesses. It has many typical families with hopes and dreams and mortgages. As in most of Australia, these people are from every age group, every walk of life and a diverse range of ethnic backgrounds.

I make no pretence of being an expert in politics. I am new and I have much to learn. But in the end, politics is about people, and I do claim to know something about people—particularly the people of Aston. I have had the pleasure and privilege of working with the local community in a number of roles over many years, including involvement in several community groups, membership of my local church community, and as a councillor of the City of Knox. My contact through these activities with a diverse range of people in the community, reinforced by many conversations while doorknocking hundreds of homes during the by-election campaign, has confirmed my view about the priorities of most of my constituents.

The people of Aston understand the need for good economic policy. They of course appreciate the importance of issues such as defence, foreign policy and other such matters, but their main priorities are essentially local. The people of Aston want an environment which is safe and pleasant for them and their children. They want government policies that favour families and provide good community facilities. They want governments which will support them and meet their needs. They want reasonable levels of taxation which leave them to make their own choices about how to spend their hard-earned money.

Eighty-two per cent of people in Aston are home owner-occupiers—the highest proportion, I believe, of any federal electorate in Australia. They want a continuation of economic policies which ensure low interest rates, so that they can more easily afford their mortgage payments. The people of Aston are very conscious of the fact that the average monthly interest payment is approximately $300 per month less today than it was under Labor. In fact, the last time Labor held Aston, interest rates were 17 per cent. They are now under seven per cent, and it was clear throughout the campaign that interest rates matter a lot to the people of Aston.

Last, but by no means least, in my list of the things that matter to the people of Aston is this: they want, perhaps most of all, government which will not unnecessarily interfere with them. They want government which will allow them to lead their lives in the way they choose. In making those choices, they want to have options—options of private and public education, of private and public hospital care and so on. I will be doing my utmost, as their representative here in Canberra, to ensure that their wishes are represented and respected and their needs are given priority. They, the ordinary mums, dads and families, are the backbone of this country; and too often their views are forgotten in the cacophony from special interest groups that represent only a small number rather than mainstream Australia.

It will come as no surprise to the parliament that I am an enthusiastic servant of the Liberal Party. The principles which drove Sir Robert Menzies, and which have driven his successors, also inspire me. I believe in an open, competitive, free enterprise economy. I believe in the importance of the rights of the
individual. I oppose the restrictive, bureaucratic deadweight of socialism. I support the right of individuals to belong to trade unions, but I oppose compulsory union membership and compulsory contributions to political parties. I believe that the Labor Party will never mature and develop as a genuine alternative government while its links to the trade unions destroy its ability to make and implement industrial relations laws which are fair to all.

In my time in this place I do not expect to change the world. I am not some dewy-eyed idealist who expects instant personal influence. But, as a member of this government and of the new Howard government that will be elected later this year, I want to play my part in ensuring that we continue to deliver effective, responsible, responsive and, most of all, caring government to the people of Australia. At the core of my goals is the passion and drive to help develop government programs, initiatives and support for activities which nurture and develop community spirit. There is a concerning decline in participation in community activities such as churches, service clubs, sporting groups and, dare I say it, even political parties. The culture of community and a strong community spirit is, I believe, critically important to the fabric of our society. I offer no instant solution, but it is something about which all levels of government and the community should in a collaborative way work closely together, to ensure real, tangible and positive progress in our local communities. At the end of the day, the more active we are as individuals in our local community, the more progressive and dynamic our local community will be.

I want to play my part in formulating policies that are family friendly—policies that help ordinary families to live affordable and enjoyable lives. In an era when educational policy is directed at career achievement and when sport in schools is compulsory, I would like us not to forget or underestimate the cultural and artistic aspects of education, particularly in the area of music. We worry a lot about the incidence of depression in the community, particularly among young people. We are concerned about the incidence of youth suicide. Yet we pay less and less attention to ensuring our children learn to actively play and appreciate music—the greatest natural antidote to depression that I know. Much has been written about the value and benefits of the arts in educational and personal development. I would like to quote from two American academics, Lois Hetland and Ellen Winner, who wrote a remark in a recent policy review paper that I believe encapsulates and summarises my point. They say:

The arts are a fundamentally important part of culture and an education without them is an impoverished education leading to an impoverished society.

I believe that more actively learning, experiencing and appreciating music can make a difference in our society.

As a member I will be looking to develop and enhance community facilities and infrastructure. It will come as no surprise that I consider that the most important piece of community infrastructure needed in Aston is the Scoresby Freeway. As I stated so many times during the by-election campaign, the federal government has committed $220 million in its budget to ensure this project can commence. There will be time enough for the Victorian government to discuss the funding of the latter section of this vital transport route when they have proved their credentials by matching the Commonwealth contribution and getting on with building the sections from Ringwood to the Monash Freeway. At present, there is still no solid evidence of any Victorian government willingness to actually budget for the funds and start work. If the Victorian government would do that, then we could see both governments working together for the benefit of the community, and we would actually see something starting to happen.

Complementing the Scoresby Freeway, there needs to be adequate public transport in the Aston area. During the by-election, I committed to working for improved local public transport services, and I will work hard with the state government to achieve this. Despite the claims of some public transport activists, public transport by itself will never solve the major traffic problems of the area or the substantial transport needs of
Of course my priorities as the member for Aston will primarily be areas of federal responsibility. But I also believe that it is my responsibility to fight for the things my constituents want, particularly when these issues are so important to them. For example, I will continue to join my state colleagues in pressing the Bracks Labor government to build the proposed Knox Public Hospital. There is a clear need for this hospital. It is located in a growing area of outer eastern Melbourne. It can be located on an outstanding site with room for a substantial hospital as well as the necessary ancillary requirements such as car parking. It had been planned to be part of a comprehensive network of health services in the outer eastern suburbs of Melbourne. Unfortunately, it has been unceremoniously dumped by the state Labor government. As I move around Aston, I am constantly asked for my view as to why it was dumped. It was not dumped because there was no need. It was not dumped because it is not affordable. It was not dumped because there was a better alternative. In fact, I, together with the people of Aston, have no idea why it was dumped! This is a necessary project on an appropriate site. I hope that the Victorian government will reconsider their decision and give more thought to the health needs of the people of Aston and the outer east who are all forced to travel some distance to access health services that they should be receiving locally.

There are many other issues, both local and national, about which I could speak if time permitted. I want to conclude by again thanking the people of Aston for giving me the extraordinary honour of being their representative and expressing my appreciation of all who assisted in ensuring my election. It is indeed a privilege to play a small part in the wonderful tradition of parliamentary democracy in Australia. Whenever we are tempted to criticise our system of government or those who serve in the parliament, it is instructive to look around the world at the alternatives—there are many that are obviously inferior. Mr Speaker, thank you again for the discretion that you and the House have afforded me today. For all our faults, I believe this remains a magnificent country in which to live, and I am proud to represent those attractive and vibrant suburbs of Melbourne which make up the electorate of Aston. Thank you, Mr Speaker.

Honourable members—Hear, hear!

Mr EDWARDS (Cowan) (5.00 p.m.)—Before I speak on the Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001, I would like to congratulate the member for Aston who has just spoken on his election, compliment him on his maiden speech and wish him well during the time that he is the member for Aston.

The opposition has already indicated that it will be supporting this legislation but that we will be looking for a bit more. We will be looking for support from the government for an amendment which the opposition has already foreshadowed and which will be moved in another place by the shadow minister for veterans’ affairs, Chris Schacht. I will come back and talk about the amendment shortly.

Last Saturday, 18 August, was Vietnam Veterans Day, a day when Vietnam veterans all around Australia and in other parts of the world gathered to remember their mates and to celebrate their service in Vietnam. Of course, that day is also the anniversary of the Battle of Long Tan. Along with many other veterans, I attended a service in Perth. At the conclusion of that service I was very pleased to be made a life member of the Vietnam Veterans Association, along with Jim Dalton, a former deputy commissioner for veterans’ affairs in Perth. At the conclusion of that service I was very pleased to be made a life member of the Vietnam Veterans Association, along with Jim Dalton, a former deputy commissioner for veterans’ affairs in Perth. I particularly want to recognise Rob and Jo Cox. Rob is a past president of the Vietnam Veterans Association in WA and along with Jo has ably and efficiently dealt with the affairs of that association. Their recognition was well and truly deserved, and I compliment them on that.

I have received a copy of a submission which has been put to the Minister for Veterans’ Affairs. This is a revamped submission and follows on from a previous submission put to the minister by a group who call them-
selves the CT Group or the Counter Terrorist Group from the Australian Special Air Services Association. They have been talking to the minister for the past two years about some aspects of their submission. While I do not intend to read the submission, there are a couple of things that I want to refer to in the course of this debate, because I want to give support to these blokes. One of the things that they are asking for is eligibility for the service pension for fully qualified operational members of the Special Air Services Regiment or, alternatively, a provision in the social security legislation similar to that in the Veterans’ Entitlements Act to prevent their disability pension being considered under the income test. This indeed is the thrust of the foreshadowed amendment which will be moved in another place.

As part of the submission, Jim Dalton—the person who put this submission together on behalf of this group and who was made a life member of the Vietnam Veterans Association—has illustrated some anomalies which I feel should be addressed. He says this as part of the submission:

Central to the concerns of the former members of the SASR is the discriminatory outcomes that result from the complexities of the various legislative provisions.

Let’s take as an example two members of the SASR, troopers A and B. Further, let’s assume that they are both involved in an accident while on exercise, suffer similar injuries, are both eligible under the Veterans’ Entitlements Act (VEA) and are subsequently assessed for the Special Rate.

Trooper A has qualifying service from an earlier period of service—unconnected with the accident—and is eligible for Service Pension. He receives the maximum possible entitlement under the VEA (subject to the application of the income and assets test). Trooper B who does not have qualifying service and therefore is not eligible for a Service Pension, has to seek his income support assistance through Centrelink where his Special Rate pension is counted as income. It reduces his “Service Pension” equivalent pension to almost zero.

The result is that the two troopers, significantly and permanently disabled in the same accident, are treated in very different ways and receive substantially different outcomes. The difference in outcome is out of proportion to the nature of the disabilities and the role and service of the Troopers. The difference in outcome would be magnified if one of the troopers was not eligible for benefits under the VEA and was covered solely by the Military Compensation Scheme. The result is inequitable, discriminatory and unjust.

This is a very good submission and it has been well put together. What concerns me is that this government six years ago recognised that there was an anomaly in this area. I want to quote from the 1996 Liberal Party policy, interestingly enough titled ‘Lest we forget’. Under the heading ‘Disability pensions’ the coalition stated:

As at 30 June 1995 the total number of Disability Pensioners was 157,298, the median age of veterans receiving a disability pension was 73 years and 77 per cent of pensioners were aged 65 years or more.

Of these 18,935 were receiving the special rate, 950 the immediate rate and 3,842 extreme disability adjustment.

The Coalition will not tax the disability pension, nor will we include the disability pension as income or assets for the purposes of assessing services pension eligibility.

The Coalition whilst maintaining existing entitlements will also review the apparent anomaly existing where a Disability Pensioner has that benefit counted as income when receiving a pension from the Department of Social Security.

The Coalition believes the present disability pension structure is unnecessarily complicated. We will therefore continue with the streamlining process when in Government. However, simplification will only occur if it can be achieved without veterans being disadvantaged.

That was a very clear commitment that the coalition government gave to veterans prior to being elected. The government has not acted on that commitment. Indeed, I think it was late last year in the Senate, when the opposition moved an amendment to fix an anomaly, that the government said, ‘No, don’t do that. We won’t accept it. We will, however, have a look at it and we will ourselves rectify that anomaly.’ They chose not to.

I have a copy of a letter recently written by the minister to Mr John Ryan, the national president of the Australian Federation of TPI
As I said at our meeting, I see a case for carrying forward Proposal 1 of your submission to remove VEA Disability Pension from being counted as income for Social Security purposes. This is an issue I would take up on behalf of TPI veterans and other disability pension recipients. This proposal has wide support across the veteran community and will require new expenditure of $27 million per year.

That was well prior to the previous budget. It was a very clear and very strong reiteration of the original commitment given in 1995 and a strong reiteration of the commitment that was given in the Senate. When the budget was brought down, the veterans looked to see whereabouts in the budget the matter of the $27 million identified by the minister was put into effect and, of course, it was not there. The minister has had a lend of these TPIs. Is it any wonder they are now up in arms and that they have decided they have had enough and that they are going to march on the national parliament of the nation that they served so ably and so well?

If the minister had had the decency to front these veterans and say, ‘I’m sorry, we’ve made a blue here. We are not going to do this,’ they would have at least respected him for that. But he did not do that. On three separate occasions the coalition government has given a commitment to these veterans and on every occasion it has dudded them. Is it any wonder that we now see, in the dying days of this government, legislation coming forward that reflects the fact that this government is indeed out of puff? Is it any wonder that the community sees a government that has run out of puff?

I initiated correspondence with Minister Bishop during 1996 without success; she indicated that the South Vietnamese government did not award any decorations to Australians for Long Tan. We, who were involved, know the Commander of the Army of the Republic of Viet Nam General Thieu was to present gallantry awards and we had to accept ‘gifts’ instead of medals. We also know that there was to be a unit citation as well as individual gallantry awards to some 21 named soldiers and a posthumous award to Cpl Clements who died of wounds.

As the Platoon Sergeant of 11 Platoon D Company, the Sixth Battalion Royal Australian Regiment I continue to ‘wage war’ to obtain justice and an honourable conclusion to the acceptance and promulgation by this government gazetting the names of the 22 Australians who were to be honoured, and decorated, by General Thieu on 2 September 1966 for their actions during the Long Tan Battle 18 August 1966. I initiated correspondence with Minister Bishop during 1996 without success; she indicated that the South Vietnamese government did not award any decorations to Australians for Long Tan. We, who were involved, know the Commander of the Army of the Republic of Viet Nam General Thieu was to present gallantry awards and we had to accept ‘gifts’ instead of medals. We also know that there was to be a unit citation as well as individual gallantry awards to some 21 named soldiers and a posthumous award to Cpl Clements who died of wounds.

As the Platoon Sergeant of 11 Platoon I was told that acceptance authority would be forthcoming and that I was to order all recipients that we accept these gifts. The medals would come later. This never happened ...

What happened was that the troops were pretty well lined up to receive these Vietnamese awards when a direction came from the Australian government at the time that the troops were not to accept them, that there had been no approval sought from and no approval given by Her Majesty the Queen. I think it is unfortunate that this matter has dragged on for so long, for so many years. Those diggers who fought so bravely at Long Tan were forced to accept gifts like cigar
boxes and dolls in lieu of the Vietnamese decorations, the medals that General Thieu wanted to provide to them. There is evidence—strong evidence, conclusive evidence—that those awards were to be presented.

I want to quote from a letter which I have quoted before in this place, but I want to reiterate it. This letter was sent to Lieutenant Colonel Harry Smith, the battle commander, from Charles Tran Van Lam, former President of the then Vietnamese Senate, Ambassador to Australia and Minister for Foreign Affairs. The letter states:

Dear Colonel Smith.

I refer to your query regarding the Vietnam National Order awards. I would like to confirm that my former Government did intend to present Awards to some 21 Officers and Soldiers of the 1st Australian Task Force for their service and gallantry at the Battle Of Long Tan at a parade held at Nui Dat on the 2nd September 1966. However, the offer was rejected by the Australian Ambassador in Saigon at the last minute on the ground that the Queen had not given approval. Consequently, although embarrassed, our President went to Nui Dat but had to present gifts rather than the awards mooted for the officers and soldiers.

I understood the Australian Government of the day was to seek approval and make retrospective approval so that the soldiers could receive their awards as was the case in future years, and the desire of my Government.

My Government had also intended to present all the soldiers and officers of the Company with a Unit Citation in addition to the awards for selected commanders, officers, and soldiers.

I hope that you and the relevant officers and soldiers are successful in your claim to these awards as I truly believe you deserve them.

That is pretty clear to me, and I think it would be pretty clear to everyone. I just wonder why the minister, in the face of that conclusive evidence, still refuses to present these awards. Minister Scott put out a press release in December 1998 which said:

“Records show that several hundred Australians received South Vietnamese and Cambodian awards during the Vietnam War, but at the time Australians were not allowed to officially accept or wear such individual foreign awards,” the Minister said.

"Under the Government’s foreign awards policy, there is now a mechanism whereby honours and awards, issued by a former foreign government which has ceased to exist, may be formally recognised and approved for wearing.”

When the diggers from Long Tan heard that, they thought, ‘Beaut, this issue has been resolved. We will now be able to wear those awards that were to be presented to us.’ But when they applied, they were turned down.

I think it is unfortunate that this has occurred. As I said, this is a matter of equity, it is a matter of fairness and it is a matter of honesty as to how the government of the day is dealing with these diggers. I do not think a single person in Australia would deny these blokes the right to wear those decorations. The proof is there, it is conclusive, and I think the government ought to accept that proof and provide these diggers with the approval to wear these awards.

It is apparent that the Prime Minister, Minister Bishop—when she was written to originally—and Minister Scott are not prepared to allow that to happen, and I cannot understand why. I certainly will be encouraging the Labor government after the next election to grant approval for these people to wear these awards.

Having said that, we support the legislation. I certainly look forward to the government in a bipartisan spirit supporting the amendment that will be moved in another place, an amendment which will rectify that anomaly, which is causing so much financial hardship to a lot of people who deserve better.

Mrs GASH (Gilmore) (5.20 p.m.)—Before I address the Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001, I would just say to the member for Cowan that it is easy to be politically popular, but it is much harder to make those difficult decisions that affect all of Australia. It is easy to say what you will do in an election year. Why didn’t the Labor
government do it when they had 13 years to do it?

Mr Edwards—You have given three commitments to do it.

Mrs GASH—Member for Cowan, why are you now supporting this bill and then saying in the next breath that you will move an amendment? Typical Labor. I rise to speak on this bill because there are many veterans in my electorate of Gilmore who will be affected by its provisions. On speaking to several of their representatives—

Mr Edwards—You are out of puff. You can dish it out but you can’t take it!

Mr DEPUTY SPEAKER (Mr Andrews)—Order! The member for Cowan is not assisting the chair.

Mrs GASH—I listened to you very quietly. You can’t take it.

Mr Edwards interjecting—

Mr DEPUTY SPEAKER—Order! The member for Cowan will desist or leave the chamber.

Mr Edwards interjecting—

Mr DEPUTY SPEAKER—I warn the member for Cowan!

Mrs GASH—On speaking to several of their representatives, they tell me that what we are attempting to do is fair. If the veterans are telling us this, I believe them, because our veterans are right on the ball every time. They do not hold back, even if we get something wrong or there is an unintended consequence of just one clause. With this, we are simply trying to provide some consistency between the various acts that can affect our constituents and bring the criterion guidelines for like payments in line with one another.

For instance, many income support payments are income and asset tested. We need to ensure that there is a consistency between these guidelines to address equity in the treatment of various payees. Specifically, schedule 1 deals with the recovery of compensation. In Australia, for many years all governments have maintained that the income support safety net from the public is to be replaced by compensation payouts where necessary. That is, if a person is entitled to a compensation payout, either in lump sum or in periodic form, the recipient should not be able to double-dip by way of also receiving government income support to the extent of the compensation.

It often happens that it takes a while to sort out compensation, with people having to eat in the meantime, and so the government can provide income support during the waiting period. This payment is then reclaimed from the compensation payout. If it is a lump sum, that includes a payment for time off. However, if the compensation is paid in a periodic manner, such as each fortnight, then any government income support is reduced by a dollar for every dollar of compensation. This is fair, and it mirrors what already would apply if the recipient were on social security.

What we have changed is the formula for when the compensation payment is larger than the government income support payment. Currently, the balance is applied to any government income support received by the veteran’s partner, again on a dollar for dollar basis. If there were no compensation and that partner were merely out working and earning more than his own pension could be, then his partner would have their pension reduced on a tapering basis. This tapering formula means that people get more of the extra they earn or receive from other sources because their income support might only be reduced by 70c for every dollar gained from earnings or compensation. It is only fair that in a similar situation the partner of the person being compensated also should benefit from the tapering formula. After all, people do not get compensation payments without some cost, in that there has been or still is some loss suffered, and so why should they be made to pay more? The beneficiaries of these measures are people on invalidity service pensions, income support supplements or partner service pensions.

Schedule 2 deals with returns from unrealisable assets. You often hear the term ‘income poor, asset rich’ and probably think little about it. Imagine, though, having a farm of moderately good country that is suffering the effects of a drought at the moment. How easy do you think it would be to sell
this farm or even lease it? It may have an excellent history of income production but, when nobody is making money, few have the money to buy or lease such a property. If world commodity prices in your industry sector were down and demand was dropping, then the farm income could be quite low or, even worse, in the red. Why would anyone in the foreseeable future even be interested in it? The farm might have been valued at $1 million or more, but right now it is an unrealisable asset. You cannot sell it or lease it, and it is not making any money for you. Would it be fair in this situation for a government to say, ‘Hey, you’ve got a valuable asset there that can produce X amount of income, regardless of whether it is doing so or not, and so you are not eligible for income support’? Would it be fair for us to deem that you were getting an income of X because of the assigned but unrealisable value of that asset? Of course not, and that is the anomaly we are fixing here under the hardship provisions. These hardship provisions allow us to disregard certain unrealisable assets when determining assets and deemed incomes. Our amendments will allow claimants to provide the actual return on these assets rather than be lumbered with a deemed rate of return.

Schedule 3 has two parts. The first part deals with small superannuation accounts and is drafted to again mirror the provisions under the Social Security Act 1991. Under this provision, small superannuation accounts, deferred annuities and approved deposit funds will be defined and treated as superannuation type investments. They will therefore gain beneficial treatment, such as being exempt from being seen as an asset for veterans who are on income support and over 55 years of age but under the age pension age.

Part 2 of schedule 3 of this bill deals with the treatment of income streams. The income and asset testing of income stream products has had to change to reflect the increasing complexity of these products. Their burgeoning growth has highlighted the way in which people can use the current system in a manner that was not envisaged at the time of its introduction. Most investments are subject to income and assets tests but, with the complexity of some products now available, it can be difficult to identify and quantify income stream from assets. Of course it is in the best interests of all to ensure that our investments for our future last as long as possible. On that basis, we support the favourable treatment of superannuation and retirement income products. But, when these schemes are used to grow funds and then pass them on to others rather than retaining them for retirement, we need to ensure that it is not at the expense of the taxpayer.

There is also a new provision to allow for commutation for hardship but only within very narrow guidelines. We are not in the business of promoting the use of retirement income before retirement. The final schedule changes the guidelines for rounding off to bring them into line with those applied under the Social Security Act 1991. In the past, under the Veterans’ Entitlements Act 1986, income support payments have been rounded to the nearest multiple of 10c. In future, payments will be rounded off to the nearest cent. This will not affect payments over time, as recipients who may have ‘lost’ 5c one fortnight and ‘gained’ 5c the next will now ‘lose’ and ‘gain’ half a cent on alternating fortnights. In all, this bill merely adjusts arrangements to the way my veteran constituents are treated in their retirement. It makes the provisions more consistent with those concerning others on similar payments under other acts. It provides for a slightly more generous treatment of our veterans in respect of any compensation income, and it generally just provides a fairer and more consistent regime.

I, too, would like to acknowledge Long Tan Day. In 1995 I visited Vietnam, after reading Tim Bowden’s One crowded hour. After reading that book, I had to go to see where our guys fought—and it was absolutely awesome. To visit families and see photos of the families with our troops was also awesome. The respect for our soldiers made me feel very proud and yet very hum-ble. Also, it made me feel somewhat guilty when I considered how they were treated when they came home—and, for that, I am extremely sorry. I use this opportunity to say thank you to all our veterans. I understand
that there is a lot more we need to do. However, we must remember that what we have achieved under this government has been quite incredible.

Mr O’CONNOR (Corio) (5.29 p.m.)—I rise to support the Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001. This is a very important piece of legislation which relates particularly to the entitlements of our veterans community. This bill is a package of amendments to implement several measures designed to improve the delivery of income support benefits through the repatriation system to our veterans. A number of these measures reflect changes in the social security system. These proposed amendments to the Veterans’ Entitlements Act 1986 will provide for more generous treatment for income support recipients whose partners receive periodic compensation payments, such as those paid to them by insurance companies. For example, under current legislation, if a person currently receives a compensation affected payment, the couple’s combined pensions are reduced by one dollar for every one dollar of the periodic compensation received. Under the proposed new legislation, under the new measures, the dollar for dollar reduction will apply only to the pension of the person who receives the periodic compensation. If the amount of compensation received exceeds the amount of that person’s pension, then the excess will be treated as the ordinary income of their partner.

With the income-free area and the taper that applies to ordinary income, these new measures will result in an increase in the amount of income support payments to couples who have low levels of income from compensation payments. There is a range of other amendments that apply to the social security system, to simplify provisions relating to the recovery of compensation. These other amendments will provide for the direct recovery of compensation debts from compensation payers and insurers, in circumstances where there has been an overpayment of pension because of the treatment of periodic compensation as ordinary income.

This bill also amends the Veterans’ Entitlements Act 1986 in relation to the treatment of unrealisable financial assets, in the assessment of hardship provisions under the assets test. Under such hardship provisions, such unrealisable assets will not be regarded as a financial asset when applying deeming provisions under the income test, and the treatment of income streams will be amended to ensure that the conditions applied to income streams under the means test will be clear and unambiguous. Finally, this bill will change the payment of income support instalments, currently rounded off to the nearest 10c. In future, instalments will be paid to the nearest one cent. This will bring these Veterans’ Affairs arrangements in line with the calculations of pension instalments paid throughout the social security system.

Like other speakers in this debate, I take the opportunity in the context of this debate to say a few words of support for the Vietnam veterans community in my electorate of Corio. The Geelong Vietnam Veterans Association, which is ably led at the moment by its legendary president, Peter ‘Sully’ Sullivan, is one of the strongest branches of the association in Victoria. I first came across members of the association at the very first Anzac Day march I attended as the member for Corio. I was invited by the Vietnam veterans to attend their reunion at the drill hall in Myers Street at the conclusion of the march, and it was an invitation that I was very pleased to accept. Much to my amazement, I was the only politician to accept the invitation on the day. I was informed by the Vietnam vets who attended that particular gathering that it was not the habit of politicians or civic leaders to accept their invitation to turn up to the reunion.

It was my first acquaintance in a civic sense with the deep sense of hurt felt by Vietnam veterans at their treatment by the general community and with their feelings of isolation from others not only in the veterans community but in the wider community at large. Since that time, I have watched the local branch of the association grow in numbers and expand its role in meeting the welfare needs of Vietnam veterans not only in the Geelong region but in the Western Dis-
The association has grown enormously in credibility as the scope of its operations has widened. The Vietnam veterans now occupy an honoured place in the veterans community of Geelong—and now, I think, in the nation at large. I pay tribute to the local office-bearers of that association who down through the years have, with the enormous assistance of family and friends, built up the local branch to the point where it now performs a very important welfare and support role and provides improved services to World War II veterans and to other veterans as well as those in the Vietnam veterans community.

We on this side of the House are fortunate in that we have among our ranks Vietnam veterans, such as the member for Cowan, who is articulate and keeps before our caucus, and indeed this House, matters relating to the entitlements and welfare of Vietnam veterans. We have also been very fortunate in the past to have had in government Labor ministers, such as the member for Bowman, Con Sciacca: veterans even now speak in hallowed tones of his enormous contributions to their community and to other veterans communities throughout Australia. The Vietnam veterans of Geelong can be assured of the commitment of a future Labor government to consult with them on matters relating to the welfare of their members.

Only last weekend, I attended a dinner held by the Vietnam Veterans Association in my electorate. It was very well attended not only by members of Geelong’s wider veterans’ community but also by civic leaders. It was a source of some pride for me to hear the veterans’ stories of their experiences and what they are doing collectively to improve the welfare of less fortunate veterans in their communities. They have built a substantial and wonderful welfare network that operates out of the St John of God Hospital and the Geelong Private Hospital. As the minister is at the table, I will later say a few words about that service and about how the government might assist it to perform the very important functions that it is now being called upon to do.

I also attended last Sunday a memorial service at a Vietnam veterans’ memorial that is being constructed on the Geelong Road. I am particularly pleased that that memorial has been constructed not only from voluntary donations from a wide cross-section of the Geelong community but also by the former Labor government. I acknowledge once again the contribution of the member for Bowman in securing some funding for that memorial. It is in a very public place. When the service is held on a Sunday at about one o’clock, with the Vietnam veterans assembled, it seems that the Geelong community is well aware of the importance of the ceremony that is taking place. Cars slow down. The more youthful, exuberant drivers honk their horns in acknowledgment of the veterans and their friends, relatives and supporters who gather to honour the memory of their comrades who fell in that very contentious involvement so many years ago. The Geelong veterans’ community, as well as other Vietnam veterans throughout Australia, were left with some deep and permanent scars as a result of the trauma of that combat experience. It was a sobering ceremony. Afterwards, it was great to join members of that Vietnam veterans’ community at the North Geelong Football Club and to hear once again of the efforts that they are making to improve welfare services and to meet the real needs of their fellow veterans in Geelong and the surrounding regional community.

While the minister is at the table, I would like him to note the comments that I am about to make. In the next couple of weeks, I will forward to him a request for some modest funding for the association in Geelong. When I met with its representatives the other day, they explained to me how what started out as a very small voluntary service for Vietnam veterans has now widened into a very important service for members of the World War II veterans’ community. The centres at the St John of God Hospital and the Geelong Private Hospital are staffed by volunteers, and they are finding the increasing demands that are being put upon them quite an onerous burden to bear. When they conducted their discussions with the local Department of Veterans’ Affairs officers on the wider issue of the delivery of welfare serv-
ices for Vietnam veterans in the Geelong and Western District community, two welfare organisations were in existence. Much to the credit of the Geelong Vietnam veterans—and it was not an easy task—they have come together with one management committee that is very progressive, committed and dedicated to improving the services that are provided to Vietnam veterans in the electorate of Corio and in the electorates of Corangamite and Wannon as well. It is an important outreach service to veterans who hitherto have not had access to the advice and support that are now being provided by their welfare agency. The committee has done what any reasonable government could have asked it to do.

I ask the minister to give serious consideration to my letter when it comes across his desk. The Vietnam veterans in Geelong are asking for only a modest amount of money to provide some clerical and front-desk support so that they can better meet the needs not only of their own community but also of World War II veterans who now seem to be coming out of the woodwork, if you like, and fronting their organisation. The Vietnam veterans want to provide support to them as well, but they need basic clerical and administrative support. It is not a large amount of money, but I believe that they have been advised by departmental officers that, because they had not amalgamated the two welfare bodies before the current three-year funding round began, they now have to wait until the three years are up to be considered for support. That is how I understand it. There may be an avenue within the bowels of the funding arrangements in the department to provide that base level of clerical support. It is not a big ask—I believe that it is about $30,000 to $40,000—but it would provide permanent, consistent front-office support and support for volunteers who are giving up increasing amounts of time to counsel World War II veterans and other veteran communities. I know that the minister has the interests of the Vietnam veterans community at heart, and I applaud the measures that the government has taken on behalf of veterans. These issues can be approached in a bipartisan way in the interests of the veterans communities in our electorates whom we are elected to serve.

With those few remarks, let me say that we support this legislation. I commend the Vietnam veterans, their wives and their enormous network of supporters for their tremendous work in the Geelong community, not only on behalf of their own constituents, but also on behalf of the wider veterans community. In recent years, I have seen them grow in stature and confidence in the way that they approach the welfare task. I have seen their skills improve. They are committed to doing the right thing by the government of the day. They are simply requesting at this point, when increasing burdens are being placed on the voluntary effort, that governments recognise in a very small way the contribution that they are making. I am sure that when that letter comes across his desk, the minister will give it his thoughtful consideration, and we all hope for a positive outcome in terms of providing additional support that is urgently needed now in Geelong.

Mr BRUCE SCOTT (Maranoa—Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence) (5.47 p.m.)—in reply—I present the correction to the explanatory memorandum. The Veterans’ Affairs Legislation Amendment (Further Budget 2000 and Other Measures) Bill 2001 is a non-controversial, but very important, piece of legislation. For more than 80 years, the repatriation system has provided a comprehensive range of benefits to compensate veterans and their dependants for injury, disability or death resulting from their wartime service. A key component of these compensation benefits has been income support, recognising that the impact of wartime service can have far-reaching effects upon the ability of veterans to support themselves and their families. Almost 380,000 members of the veterans community receive some form of income support payment through my department. As a government, we are committed to ensuring that this group of Australians benefits from a sound and equitable income support system.

The amendments to this bill will further improve the delivery of income support benefits through the repatriation system. They also reflect legislative changes to the
social security system, ensuring that both systems continue to operate consistently as well as fairly. An important measure is a change to the treatment of couples in receipt of income support where one of the partners receives periodic compensation payments such as those paid by insurance companies. Currently, if a person receives a periodic compensation payment, the couple’s combined pensions are reduced by $1 for every dollar of periodic compensation received. The amendments in the bill will treat the partners more fairly. In future, the dollar for dollar reduction will apply to the pension of the compensation recipient. If the amount of compensation exceeds the amount of that person’s pension, the excess will be treated as the ordinary income of their partner. With the income-free area and the taper that applies to ordinary income, these amendments will result in an increase in the amount of income support payments to couples receiving a low level of income from periodic compensation payments.

Other amendments, again reflecting changes in social security, will simplify the recovery of compensation debts. These will provide for the direct recovery of debts from insurers in circumstances where there has been an overpayment of income support pension because of the treatment of periodic compensation as ordinary income. The bill will provide fairer treatment for income support recipients who have financial assets that are regarded as being unrealisable under the hardship provisions of the assets test. In these cases, such assets will also not be regarded as financial assets when applying the deeming provisions of the income test. This means that, in future, the actual return on an unrealisable asset will be counted as ordinary income rather than the deemed rate of return. The treatment of income streams will be amended to ensure that the conditions applied to income streams under the means test will be clear and unambiguous. Finally, the bill will change the payment of income support instalments, which are currently rounded to the nearest multiple of 10c. In future, instalments will be paid to the nearest cent, again ensuring that the repatriation income support system operates consistently with the social security system. During five years in office, this government has demonstrated a commitment to improving the repatriation system to ensure that it continues to meet the needs of those Australians who have served their country in times of war and conflict. I am happy to say that this bill represents another small step in that process, and that it also provides a more generous and equitable treatment for veterans.

In conclusion, I would like to thank members on both sides of the House for their contribution to this bill and their comments in relation to the bipartisan nature of their support for veterans’ entitlements. That is as it should be. I also noted that the speakers, and I am sure many members of both sides of the House, attended Vietnam veterans’ services on Saturday last, and I think that is great to see. Vietnam Veterans Day commemorates the battle of Long Tan but it is the day on which Vietnam veterans remember those who served, those who died and those who still suffer. It is the day that they come together with their mates. It does not diminish the importance of Anzac Day as the national day of commemoration, but it is the day on which Vietnam veterans focus collectively together. I spent the day in Brisbane and attended the memorial service in Anzac Square in Brisbane following the march.

Also, the day before, just by way of interest, I was on board HMAS Brisbane. It was on its final trip into Brisbane. HMAS Brisbane has a great historical link with the Vietnam War, being the only ship that remains in the fleet at this stage that was involved in the Vietnam War—it in fact fired the last shots in anger in the Vietnam War. It also had distinguished service in the Gulf War. I was able on that morning to announce, the day before Vietnam Veterans Day, importantly, that HMAS Brisbane is going to be gifted to the people of Queensland. There are a couple of issues yet to be worked through. I know there is a lot of support in the community for her to remain a memorial and museum and remain above water. The government certainly will be looking at all the propositions that are brought forward in relation to that. We want to make sure that it is sustainable in the long term. If that is not possible, HMAS
Brisbane would obviously be prepared as a dive wreck, and I notice the Premier of Queensland has already written to the defence minister indicating that he would like to see it rest off the Sunshine Coast. But we have a little way to go on that issue at this stage. Importantly from the point of view of the people of Queensland and the people of Brisbane, the government is prepared to gift HMAS Brisbane to Queensland. It is a most appropriate gift to the people of Queensland.

I will also make a couple of comments on the contribution made by the member for Corio in relation to his application for some funding for volunteers who provide support and service to Vietnam veterans in his electorate. Obviously, those processes are always determined initially by the department through the processes at state level and then on to the national office. But if he has written to me I want to make sure that he has encouraged them to put in an application through the due processes. I am always happy to receive representation from anyone from either side of the House, as I think I have demonstrated since being minister. My doors are always open to hear of any concerns or any ways we can help our veterans, and importantly in the member for Corio's case the volunteers, who I know do such a tremendous job, both in his electorate and of course all around Australia, in helping our veterans.

Finally, I want to make a couple of other comments on the comments by the member for Cowan in relation to medals for those members of 6RAR who were in the battle of Long Tan. He would be well aware of the fact that in fact 15 Commonwealth decorations were awarded as a result of action by members of 6th Battalion Royal Australian Regiment during the battle of Long Tan. These decorations ranged from Distinguished Service Order to Mentioned in Dispatches, and 6RAR was also awarded the United States Presidential Citation.

This government did complete the End of War List for Vietnam, and I am a little surprised at the member for Cowan's comments with regard to the South Vietnamese offer recognising the actions of 6RAR. Because there was no formal award or unit citation made, it is not possible to retrospectively recognise what may have been South Vietnamese intentions, given that the Republic of South Vietnam no longer exists. But I do say, as I have said before—I have said it in this House and I say to the member for Cowan and to anyone in this House on either side of the parliament—that if there is a veteran out there who believes they have received a formal foreign award or decoration in the form of an official citation in relation to the battle of Long Tan, I would encourage them to take the appropriate action, which is to make application to my office, and I will be happy to have the matter examined by Defence, as well as by foreign affairs. If there is information out there where a veteran believes they have received a foreign award and there is official documentation for that citation, I am certainly happy to take the matter up.

We on this side of the House, when we completed the End of War List Vietnam, examined that issue. It was also examined when the Labor Party were in government under the CIDA review in relation to honours and awards. It is an issue that was covered very comprehensively. I repeat my offer to the member for Cowan that if he has got information that would sustain the suggestion that there was an official recognition by the South Vietnamese government we would certainly be happy to have it examined completely. I remind him that it was this government which completed the End of War List Vietnam. I encourage him to bring any of those issues to my office if he or any veteran believes that there is documentation that can support them—and specifically the allegation in this case that these veterans have not been given their official or rightful entitlements in relation to these awards.

In conclusion, I thank all members who have spoken in this House and I thank the opposition for their support of this legislation, which is beneficial legislation. I thank the House.

Question resolved in the affirmative.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.
Third Reading

Leave granted for third reading to be moved forthwith.

Bill (on motion by Mr Bruce Scott) read a third time.

BILLS RETURNED FROM THE SENATE

The following bill was returned from the Senate without amendment or request:

Veterans' Affairs Legislation Amendment (2001 Budget Measures) Bill 2001

WORKPLACE RELATIONS (REGISTERED ORGANISATIONS) BILL 2001

Cognate bill:

WORKPLACE RELATIONS (REGISTERED ORGANISATIONS) (CONSEQUENTIAL PROVISIONS) BILL 2001

Second Reading

Debate resumed from 4 April, on motion by Mr Abbott:

That the bill be now read a second time.

Mr BEVIS (Brisbane) (6.01 p.m.)—The Workplace Relations (Registered Organisations) Bill 2001 is an extensive piece of legislation both in volume and in content. It comes to some 300-odd pages and is quite comprehensive. At the outset I acknowledge and thank the Minister for Employment, Workplace Relations and Small Business for making officers of his department available some time ago to provide some briefings for me and my staff. I would also like to thank my staff, particularly Moira Farrelly, for her work in deciphering much of that as we waded through it over recent weeks. This bill brings to some 1,300 the number of pages of bills on industrial relations that this government have introduced, all in the name of simplifying things and—if we would believe them at face value—removing unwanted third parties from the operations of industrial relations. That is 1,300 pages of simplification that drives every industrial relations practitioner mad.

This bill comes here today in a revised form. It has a rather chequered and interesting history. The government have long announced their desire to change the law governing the operation particularly of unions. When we talk about registered organisations—the subject matter of this bill—of course we deal with both employer and employee registered organisations. But, in the realpolitik of industrial relations, it is invariably the organisations of employees that these matters are most regularly applied to, in the sense of the way in which the community interact with the legislation. The government have made it clear for a long time that they want to make changes to the rules governing unions. The former minister made no secret of his desire to further tie the hands of the trade union movement and to change the rules to make it easier to attack unions, to have them deregistered and so on. Indeed, he was very keen on also restricting what they could do with their funds and resources during political campaigns and on trying to legislate to prevent unions from being able to participate in the public affairs of the nation and, in particular, to provide any resources or financial contribution to a political party—of course, the Labor Party.

The immediate history of this bill goes back to October 1999, when Minister Reith released a discussion paper titled ‘Accountability and democratic control of registered industrial organisations’ and invited public comment on it. He obviously did not need to get too much public comment, because two months later, in December that year, he released a very comprehensive draft exposure bill which, not surprisingly, mirrored the original intentions of this government and demonstrated conclusively that the public comment process was indeed a charade. So in December 1999 we had an exposure draft released for comment and, following that, there were some discussions with the employee and employer peak council groups.

This bill was introduced into the parliament on 4 April this year and makes substantial alterations to the draft exposure bill. It should be noted that this bill has taken out some of the clearly partisan and political aspects of the former bill. For example, those provisions to which I referred in relation to the activities of unions in the wider society and political events of our nation have been excised from the draft exposure bill and are...
not in the bill before the parliament. Notwithstanding that, the bill continues to include a range of matters that are clearly designed to undermine the operations of trade unions in the workplace and in our society and thereby to reduce their effectiveness. Even in areas of electoral probity, where one might have thought a straight bat could have been played, the government have selectively chosen bits and pieces of the recommendations of the Joint Standing Committee on Electoral Matters in an effort to be able in the future, if not in the present, to paint unions in a poor light. I would have thought the government could at least adhere to the recommendations of a joint standing committee of this parliament, which they control, rather than be as selective as they have. Those provisions will be the subject of amendments that I will move at a later point in this debate.

I want to refer at the outset to a threshold question for Labor in relation to this. It is the decision the government have taken to establish a separate act. There are two levels at which this bill should be dealt with. One is the conceptual decision to remove these things from the existing legislation and put them in a separate act. The second tier is the detail: how they have gone about writing the detail of the bill, how they have gone about trying to change the provisions that presently exist.

We do not support the establishment of a second act to deal with these matters. The second reading amendment which I will be moving makes it clear that this bill should be withdrawn and redrafted so that whatever amendments the government believes are necessary to the administration of registered organisations are done within the Workplace Relations Act.

This is more than a symbolic issue. In the same way that the government was keen to change the name from industrial relations to workplace relations, in the same way that the government is keen to talk about removing third parties from the industrial relations or workplace environment, this too is part of that agenda. This is the government’s effort to remove any reference to unions—any reference to registered organisations—from the industrial relations laws of this land. They will be taken out of that legislation and dropped into a discrete bill. This has not been done for the convenience of those practitioners who would rather carry around a 200-page document than a 400-page document. This has not been done for those reasons. Governments do not take the time of the parliament and legislate for those sorts of considerations. This has been done as part of that global plan.

The global plan was made abundantly clear by the former minister on many occasions and has been adhered to by the current minister. Last year, the then minister, Peter Reith, decided to get a bit colourful in his presentation of these things. He said that the third-party impediments had to be clear-felled. I think he had been sitting next to the Minister for Forestry and Conservation, Wilson Tuckey, a bit too long. He wanted to get the chainsaw out to the IR community and clear-fell all these impediments. What are these impediments? These impediments are the Industrial Relations Commission and the Federal Court, which will not do what the government wants. That is why the government has tried to put IR matters into new magistrates courts or to send them off to state courts or somewhere else. Who else does the government want to clear-fell? Of course, it wants to clear-fell unions. It does not want workers to be able to collectively organise and to have a trade union—a union of employees, a registered organisation—negotiate employment conditions with their employer on their behalf. These are the people the government wants to clear-fell. This is why the government wants to remove these provisions from the legislation that otherwise deals with industrial relations matters. Labor will not support that; it is, for us, a threshold issue.

I should make the point at the outset of the second reading debate that the government’s view of clear-felling is quite selective. The government want to clear-fell those groups and organisations that, from time to time, do not agree with them. They are quite happy for third parties to get involved when it suits them. One example where it did not suit them was the Hunter Valley No. 1 dispute. Rio Tinto got a mention today. It should not
be surprising that the government quoted the views of Rio Tinto against us today in question time. Rio Tinto had a dispute in the Hunter Valley No. 1 coalmine which ran for about 2½ years. It was a disgraceful example of how to conduct industrial relations.

The government boasted that that dispute ran for so long because its laws stopped anyone coming in to try to fix it. What an absurd position for a government to take. But that is exactly what it said. Let me quote Minister Reith, who I am sure did not realise his words of wisdom to the H.R. Nicholls Society would be spread so widely. I guess he thought he was talking to the converted right-wing extremists of our land and that they would appreciate his words. Of course, they did appreciate his words and told the rest of the world what he had had to say. He proudly boasted to them that the inability of the courts to fix up the problem in Hunter Valley No. 1 was only possible because of his laws. He said:

That did not happen by accident. That happened because of the nature and tenets of the Workplace Relations Act.

This government thinks it is fine for a large multinational to take that attitude and for the government to then prevent the courts or anyone else stepping in to resolve it. That is an example of where it does not want third-party intervention.

Fast forward to the construction industry in Victoria not that long ago when there was a dispute where the unions had the upper hand. The government and their supporters were screaming from the rafters after about two weeks of the union campaign—not two years, like Rio Tinto. They wanted the courts in there to stop the unions. So the simple fact is that the government do not play the honest broker in these matters. If you wanted a clear example of that, you could not look past the Tristar dispute just weeks ago. Workers who were taking industrial action in accordance with this government’s laws—the laws of the land—were told by the minister that they were traitors. To compound the felony, the minister decided to tell the company the next day that it should not negotiate, ‘Don’t compromise; don’t negotiate.’ This is the way that the government have approached industrial relations. It is little wonder therefore that, when bills like this come before the parliament, we take a pretty cynical view of them. We look at the matters before us with a careful eye, knowing that this government will seek to interpret those words in the most aggressive manner possible. What is more, they will berate employers in Australia and ask them to pick up their view of industrial relations and to behave as this government behave.

Another example worth citing is that of G & K O’Connor. The member for McMillan, Christian Zahra, is not in the chamber at the moment, but he has been a champion of the workers at G & K O’Connor. The company decided to lock out its workers for nine months—the longest lockout since the Great Depression. There was not one word of criticism. To this day neither the minister nor any of his predecessors nor any member of the cabinet has criticised the fact that those workers had the door shut in their faces for nine months because the company wanted to cut their wages by 17½ per cent, and the workers were not too keen on taking a wage cut. There was not one word of criticism. A month or two ago, Channel 9’s Sunday program showed that the same company paid thugs to intimidate workers in the workplace because some of the workers still were not toeing the company line. What an amazing set of circumstances. We all know what this government would have done if there had been a strike for a couple of days. We saw it with Tristar. They got branded as traitors. But you can hire thugs and that is all right. You can lock people out for nine months. Not only is that all right, but the minister, Peter Reith, went on the record and actually applauded the tactics. He said he endorsed the tactics adopted by G & K O’Connor. That is a disgrace. The government does not come to this debate with clean hands. We will therefore be taking a very straight ruler over this bill.

There are aspects of the bill which we support. We will be moving a number of amendments during the consideration in detail stage to replace the government’s proposals with the existing provisions. We have to remember that this is the government’s
existing legislation. They are not changing the old Labor laws 5½ years into their term; this is the Peter Reith-John Howard industrial relations regime that they are now seeking to change. We will be moving amendments to replace their further endeavours with the provisions of the existing act. We recognise there is room for improvement in a number of areas, and we are willing to support a number of provisions in the bill. The details will become clear when our amendments are distributed, and I believe that is happening during this second reading debate.

It is important to record that there are at the moment extensive laws governing the operation, accountability and transparency of unions—the way they conduct themselves in industrial matters, the way they govern themselves, and the way they account for their moneys. These things are already heavily regulated. There is not some vacuum or misbehaviour that requires intervention; that is not the case. But there are provisions in this bill which we cannot bring ourselves to support, and it is no accident that they focus on a few areas.

This bill tries to make it easier to deregister unions. It tries to make it easier to disamalgamate unions—to break up unions. It tries to make it easier to create new unions where none existed before. It tries to make it easier for people to get legal assistance. The government will pay the legal bills for people who want to be involved in internal fights in unions; that is, it wants to promote those internal divisions. In fact, if the government were concerned about promoting legal aid for internal divisions that are important to society, I suggest it has a look at improving the access to legal aid for those people who want to take legal action in Queensland against Liberal Party members. That would be a good place to start.

Something jumped out at me when I looked at what this is all about. Regrettably for some people on the other side, I actually have a long memory when it comes to industrial relations matters. I was thinking about who benefits from helping to deregister unions, disamalgamate, get legal aid, create new unions, and I thought, ‘Hang on, there is a fellow who is very close to the Prime Minister of Australia who has been trying to create merry hell in the postal industry for some time.’ The Minister for Employment, Workplace Relations and Small Business, Mr Abbott, who is at the table, may or may not know him: Quentin Cook. This is no passing acquaintance of the Prime Minister’s. The Prime Minister actually put out a circular, with taxpayers’ money, supporting Quentin Cook in one of his election campaigns. I have a copy of it; I do like keeping these things. It is headed ‘The Liberal team’, and it has the Prime Minister’s youthful photo there, when he was shadow minister for industrial relations. It says, ‘This time a Liberal team is presenting itself with the full backing of the Liberal Party of Australia.’ This was an actual focused Liberal Party activity. The Prime Minister finished by saying, ‘I strongly urge you to support the Liberal Party team for the election of federal officers in a communication workers union.’ The people they were backing were the secretary, Quentin Cook; a vice-president, Simon Bridge; and another vice-president, Peter Watt. He used taxpayers’ money to send that letter out—to campaign on behalf of that Liberal team. I wonder what the minister at the table would say if a Labor member or senator were to use taxpayers’ funds to campaign in a union election. I think they would probably say something pretty critical about it. But no less a person than the Prime

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Minister did that, and he thought that was good.

Who is this Quentin Cook whom the Prime Minister endorsed so fervently? The simple fact is that so many of the characteristics of his situation fit with the extremes of this bill, and you start to wonder whether the bill is designed to help out their mate Quentin. Quentin Cook headed the ticket, running for the position of national secretary. He also contested the position of the New South Wales branch organiser. Of course, the then shadow minister, the now Prime Minister, supported those tickets. The Liberal Party logo actually appears on the material. Not only is it endorsed by the then shadow minister; it has the Liberal Party logo—so there is no doubt about where they were coming from. This was the subject of an inquiry before Justice Moore of the Australian Industrial Relations Commission, which found that there were serious irregularities and that a new election should be held.

On 3 February 1998, Cook applied to have the PDOU registered—now we are getting to this legislation. So he ran in the election with Liberal Party money, with the now Prime Minister publicly backing him—and lost. He did not like that, so he thought he would set up his own union. So in 1998 he tried to set up his own union. In January 1998, articles appeared in the Age stating that Cook was a friend of the Prime Minister’s and that he had met with Peter Reith concerning the setting up of a rival union to the CEPU. The CEPU and others objected to the registration of that new union, with hearings held over 22 days, between May of 1998 and February of last year. So now we get to recent history.

Vice-President McIntyre rejected that registration. The decision was personally critical of the Prime Minister’s friend Cook. An allegation of witness intimidation was referred by the CEPU to the Attorney-General, but the union is yet to receive a reply. So if the government wants to start funding legal cases, it might start funding a legal case to look at the intimidation and brutality exercised by its Liberal team in post office workplaces in Sydney and Penrith. But I will come to that—Vice-President McIntyre did not miss that point either. Apparently, federal legal aid was granted to Quentin Cook and his breakaway union, the PDOU, to fight the case. So the government was willing to put money in to stoke up their mate Quentin Cook but it was not willing to take on board the concerns of fellow workers about the intimidation that they had been subjected to. I should say that all of this occurred at a time when the legal aid budget had been gutted by this government.

There have been allegations of harassment and violence at the Springwood Delivery Centre, which is where Quentin Cook works, towards staff, particularly female staff who have opposed his union, the PDOU. These allegations include tampering with Australia Post motorcycles, the display of pornography and, most disturbingly, a case where one of Cook’s supporters held a penknife to the throat of a female worker. I suggest, Minister, that you might like to get your royal commission looking at intimidation in the workplace to look up Quentin Cook—because, I tell you what, we’ll be doing it. He is not going to be missed, let me tell you. So if you want to look at intimidation in the workplace, start there. This is not an unfounded allegation; this is material before the AIRC. In fact, Vice-President McIntyre agreed with the objectors’ submissions. He said:

... the attacks on Messrs Driscoll and Bowen are ‘appalling’, ‘spiteful’ and ‘vindictive’. Such attacks on fellow employees in the PADN— which was the Penrith Area Delivery Network— lead me to the view that the registration of the PDOU would not further the principal object of the Act (‘cooperative workplace relations’).

Even Vice-President McIntyre recognised that the PDOU had some sort of special relationship with this Liberal government. He said:

That the PDOU has been able to achieve such things as the inquiry by Mr Ellicott QC may indicate that it has some political clout with the present Federal Government.

I did not go through the detail of the Ellicott inquiry. That was another little episode in all of this where friends looked after friends. If the government want to use this bill to make it easier to deregister unions, to disamalg-
mate and to set up new unions and the like and to make it easier for the likes of Quentin Cook to come into the workplace and behave the way he has, we will have no part of it.

If the government want to have a look at intimidation in the workplace and be fair dinkum, instead of playing politics and games as they have done since May when this minister fumbled the release of the OEA’s report on the issue, let me see them put Quentin Cook in the witness stand the first week that that inquiry opens. The terms of reference allow it. The terms of reference are very broad. With respect to terms of reference (1) and (2), the only restriction is on what the commissioner can report on. So let us have terms (1) and (2) activated and let us look at Quentin Cook and G & K O’Connor, and we might all have a bit of fun. The way in which this government have conducted themselves in these matters is reprehensible. Frankly, I regard this bill as being designed in part to accommodate Quentin Cook, a close friend of this government, who has a direct line of communication with the Prime Minister of this nation and is someone whom the Prime Minister is on the record as having supported and endorsed and urged people to vote for. That is what a big part of this bill is about.

During the consideration in detail stage, I plan to go through a number of the specifics of the legislation about which we have a disagreement with the government. In the few minutes remaining, I might make a couple of comments about some of those areas. In introducing this bill, the minister referred to a change in the objects. Amongst other things, he said:

The addition of the objective of facilitating the registration of a diverse range of organisations is consistent with the government’s broader policy agenda with respect to industrial organisations.

If that is not the best piece of Sir Humphrey speak I have seen in a while, I am not sure what is. I am sure it was in the text given to you by the department, Minister, but you should have a look at that and ask, ‘What does all that mean?’

Mr Abbott—Diversity is the spice of life.

Mr BEVIS—‘Diversity is the spice of life,’ interjects the minister. So it is now government policy not only to have unions but also for a thousand to flower—may a thousand unions flower in the year ahead. What nonsense! This is a government whose approach to trade unions is: if you cannot actually destroy them, if you cannot take them out of the game altogether, then at least have so many of the damn things running around the place that they will be arguing amongst themselves and be too small to have an effect on anything anyway. That is what that objective is about. I have to say that that actually turns on its head some 97 years of Australian industrial relations laws. For 97 years, since we first had an act in 1904, one of the principal tenets of our industrial relations system has been to facilitate people to join, to encourage them to participate in the democratic operations of the organisations, but to have some restrictions on how these organisations are set up so that you do not have a plethora of these things bobbing up—you know, let a thousand flowers bloom. What total nonsense!

The government say that they are doing this because it is consistent with their broader policy agenda with respect to industrial organisations. That is actually true, although they do not say why it is true. It is true because their attitude with respect to industrial organisations is to minimise their role as much as humanly possible. That is what this bill is designed to do. If you have a proliferation of these enterprise unions, together with the other provisions about disamalgamation and the like, you can foresee the chaos. In his second reading speech, the minister also said about this matter:

This addition to the objects underlines the emphasis in the bill on protecting the rights of employees.

When I read that I immediately had a flashback to his predecessor, who had the audacity to name his second wave industrial laws as ‘more jobs, better pay’. This is a government that have no shame at all. They set out to do one thing and, in order to camouflage it, put a label on it that makes you think they are heading in the opposite direction. So, when it comes to reducing the effective operational opportunities for a union, when it comes to reducing the role of unions, so that
you disintegrate them and split them up into small organisations, the government say that they are doing that because they want to uphold the rights of employees.

I do not think there is a person in Australia who believes that, besides maybe those on the government benches. If I sat down with most employers—with the possible exception of the minister’s friends in Rio Tinto whom he quoted today—I doubt very much that there would be too many Australian citizens who would actually believe that. The government are keen to voice their concern for workers’ rights, but we have seen what happens when workers actually exercise their rights, like they did at Tristar. There is no amount of spin doctoring that will change that. This government and this minister are branded with that. They will continue to be branded with that for the rest of this debate and, I suspect, at least until the next federal election. They have no way out of that noose. They put their heads in the noose—it was of their own doing. I will be moving a series of detailed amendments during the consideration in detail stage, but there is a second reading amendment which I would now like to move. I move:

That all words after “That” be omitted with a view to substituting the following words:
“the House:
(1) condemns the Government for further entrenching unfairness and bias in the industrial relations system;
(2) condemns the Government for excising provisions of the Workplace Relations Act 1996 and placing them into a separate Act; and
(3) calls upon the Government to withdraw the Bill and redraft it to provide for:
(a) the retention of provisions concerning registered organisations in the one Act together with all other industrial relations matters and including necessary improvements; and
(b) improvements to be reflected in amendments to be moved by the Member for Brisbane during the consideration of the Bill in detail”.

Mr DEPUTY SPEAKER (Mr Mossfield)—Is the amendment seconded?
Ms Gillard—I second the amendment and reserve my right to speak at a later time.

Sitting suspended from 6.31 p.m. to 8.00 p.m.

Mr HAASE (Kalgoorlie) (8.00 p.m.)—I am reminded that the member for Brisbane has made much of the fact that he had to search long and hard to find something in his magpie collection that gave evidence to his comments about skulduggery to be found elsewhere implicating others. I would like to remind him that I have personal experience and have no need to look deep. I was a member of the BLF in the early eighties, and I know full well about the skulduggery of unions and unionism in this country. The people of Western Australia know full well about the thuggery and skulduggery that is going on on building sites in Western Australia now. Within a week of the state election there and the movement of the Labor Party into government in Western Australia, the harmony that we had experienced and enjoyed in Western Australia had been destroyed almost overnight. There is no doubt that one does not have to look very far to find ample evidence of justification for change.

I rise before the House tonight to support the Workplace Relations (Registered Organisations) Bill 2001 and the Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001. Australians have always fought for their rights in the workplace. Any suggestion of erosion of these rights draws immediate fire from hardworking Australians who believe strongly in battling until the end to ensure rights and benefits won previously are retained. Many of these workers depend on registered industrial organisations—that is, trade unions—to represent their interests, as do employers who rely on registered employer associations.

The coalition’s 1998 workplace relations election policy, More Jobs Better Pay, committed this government to introducing legislation that would amend the Workplace Relations Act 1996 to increase the accountability of unions to their members. The Workplace Relations (Registered Organisations) Bill 2001 will, when passed, fulfill this commitment by increasing the accountability of unions in financial and other matters and by
fostering the creation of greater democratic control of union decision making. It has gone a step further however and included not only trade unions within the scope of the legislation but also employer associations, and will transfer the registered organisations provisions of the Workplace Relations Act into a separate stand-alone act.

I believe that greater democracy can only be a good thing and that increased accountability can only have a very desirable outcome. Trade unions and employer associations are justifiable only if they represent the best interests of their members. Any move towards greater transparency of the actions of these groups should be supported by the House and Senate, and welcomed by the members of these registered organisations.

The coalition does not seek to impede the proper activities of trade unions and employer organisations, and this bill will not affect the ability of registered organisations to participate in workplace bargaining, award making or industrial matters under the Workplace Relations Act. But it will impede practices by officials who also have positions as directors of investment companies that attract compulsory superannuation funds from members. Disclosure of these acute conflicts of interests will be required under the new act to ensure full accountability to members, in particular when members may be acting on advice from the official. A union official should not be influencing decisions by members which would result in direct or indirect benefits to that official. The bill is not something we have taken lightly; it is the result of extensive consultation over a two-year period with a wide variety of employer and employee organisations. A consultancy report was commissioned during our first term, a discussion paper was released in November 1999, the exposure draft bill was released in December 1999, further submissions were assessed in 2000, and there was consultation with the ACTU, the ACCI and other organisations during 2000-01. The bill has the general support of employer associations. The ACTU, whilst conceding some value in aspects of the bill, argue that it is largely unnecessary.

Some of the most contentious policy issues that were raised in the exposure draft and earlier discussion paper have not been included in this bill. It is intended that these issues—that is, disclosure of and accountability by organisations to their members for political donations, partial contribution by organisations to the public funding of their union elections, and registration criteria of enterprise unions—be the subject of subsequent single issue bills.

The bills now before the House are consistent with the government’s commitment to provide greater choice and flexibility to registered organisations and their members. Our vision for registered employee organisations in the future is that they will attract members as a result of intelligent, appropriate and efficient service delivery—organisations whose officials are elected as a result of a transparent democratic process on the basis of quality of service and representation.

Mr Beazley’s vision—God help Australia should he ever have the opportunity to implement it—is to take us back to the past, to the days I remember well. Twenty years in the Pilbara taught me exactly how damning the standover thuggery of power crazy unions could be: companies held to ransom under threat of union walkouts and outlandish demands made and agreed to just to meet shipping deadlines. I am reminded of the notorious Cliffes Robe River incident when, having gone on strike for more flavours of ice cream, workers threatened strike action again when one flavour was missing. It was a case of no ticket, no start—and no ticket full stop—unless one was prepared to kowtow to lead-swinging union bosses, whose only claim to fame was election to office by a process flawed by manipulation and threat. Weeks were spent on the grass, regularly attending shonky meetings where lies and ignorance kept men out of the gate and poor. Labor want the unions to be wielding the authority on industrial sites throughout Australia. They want those holding office to have the ultimate power over the membership.

This proposed legislation complements that introduced by Western Australia’s previous Court government and effectively put in place throughout the state. It has been par-
particularly successful in the Pilbara, where there are extensive mining operations which traditionally had been union dominated. There, workers were given a choice between the traditional union dictated award agreements or opting instead for workplace agreements. Most have chosen workplace agreements which have allowed the workplace and the industry a large degree of stability and, in the main, strike-free operations. An exception would be the BHP situation in Port Hedland, where great strife and upheaval have been caused by immense union power.

I believe a more transparent union structure married to mandatory disclosure will serve its membership more effectively and, also, create greater industrial harmony for the benefit of employees and companies alike. The filling of export orders on time and the maintenance of our reputation to do so are paramount for continued improvement in sales. The success of our mining operations and associated companies is vital to the economy and, subsequently, to all Australians.

There is no intention to water down the current provisions of the Workplace Relations Act governing registrations of industrial organisations and rights and responsibilities in association with registration. The intention of the bill is to largely maintain these current provisions and to move them to the separate act which will incorporate all legislative provisions relating to the registration, deregistration, amalgamation and disamalgamation of registered organisations. It will regulate the rules of these organisations and the conduct of officers and employees of registered organisations. It will provide for improved democratic control of organisations by regulating the conduct of elections for positions in organisations and by providing criteria for disqualification from office in an organisation. It will improve the accountability of trade unions and employer associations by modernising the requirements for record-keeping, financial reporting, and access to financial records.

Penalties will be introduced for giving false or misleading information concerning registration. Civil penalties will be introduced for breaches of procedural requirements in relation to elections, and offence provisions will be brought into line with other Commonwealth legislation. Measures will also be introduced to modernise the enforcement regime in the act, removing many of the existing and rarely used criminal offences and converting them into civil penalties, ensuring that applicable civil penalties are consistent with the standards in other legislation. There are a number of measures to be introduced that will encourage transparency of these organisations and prohibit discriminatory conduct against those persons involved in the formation or registration of a new employee association.

The bill will generally protect the integrity of the workplace relations system by ensuring that registered organisations are required to act in a manner that complies with requirements and orders made under the act. The bill will also prohibit organisations from discriminating against their members, or potential members, based on similar grounds to those that bind employers with employees.

The Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001 is a legislative requirement to ensure a smooth transition from the Workplace Relations Act 1996 to the proposed Workplace Relations (Registered Organisations) Act. This includes measures to ensure the ongoing effect of orders, injunctions, declarations or decisions made under the current act and to maintain the ongoing status of existing registered organisations, their rules and the conduct of their elections. Again, any measures that encourage transparency and accountability should be encouraged and commended. We are well past the age where registered industrial organisations, in particular trade unions, are deemed to be above the law.

Again, it must be stressed that the role of these organisations is to act in the best interests of their members without resorting to bullying tactics or misleading advice. Members of an organisation must be secure in the knowledge that their officials cannot hide their ulterior motives and must disclose all relevant information to those to whom their obligations lie. Any registered industrial or-
ganisation or political party opposing these measures should be asked what they have to hide. It is with these matters in mind that I commend these bills to the House.

Mr McCLELLAND (Barton) (8.13 p.m.)—The first point that we have to make in respect of the Workplace Relations (Registered Organisations) Bill 2001 and the Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001 is that Australian trade unions—and, I think, desirably so—are probably among the most heavily regulated, if not the most heavily regulated, trade unions anywhere in the Western world. Over the last century a very sophisticated regime of laws has developed regarding the democratic control of trade unions and their governance. Indeed, in using the phrase ‘trade unions’ I have been too narrow; I should say ‘industrial organisations’, because it has certainly applied also to industrial organisations of employers. That is the first point to make and that cannot be ignored.

The second point to make is that I think there are substantial questions, at the very least, regarding the constitutional validity of this legislation. I say that because the constitutional underpinning of those parts of the current Workplace Relations Act that deal with the registration of organisations has been held by the High Court since the 1908 Jumbunna Coal Mine case to be predicated upon those organisations functioning as industrial organisations for the purposes of the then Conciliation and Arbitration Act—bearing in mind that the constitutional head of power to legislate in respect of industrial relations at a federal level is that constitutional head of power contained in section 51(xxxv) that deals with the prevention or settlement of interstate industrial disputes. The High Court held in the Jumbunna case that providing for the registration of trade unions is necessarily incidental to their participation in that system as representing bodies of people involved in industry.

I raise this case because this bill seeks to remove from the Workplace Relations Act those provisions that deal with the registration and regulation of industrial organisations. This bill does not express as a precondition or an anticipation of registration that the body so registered will participate in the industrial relations system as set out in the Workplace Relations Act. Indeed, one of the new objects proposed in the bill is an object to facilitate ‘the registration of a diverse range of organisations’. These are not necessarily the classic trade unions or employer organisations that are registered around Australia with various branches set up in the states to function within those states.

This bill also deals with the establishment of enterprise unions—that is, those which are necessarily confined to an enterprise within a particular state. It is clearly not envisaged that they will necessarily have the capacity to participate in an interstate industrial dispute, and this legislation does not, as I say, specify as a precondition to the registration the intention to so participate in that industrial framework set out in the Workplace Relations Act. For instance, the most often referred to judgment in the Jumbunna Coal Mine case is the judgment of Chief Justice Griffith. In respect of this concept of the registration of trade unions, and the associated incorporation of them after they are so registered, he said:

But beyond such limits it seems to me that they could not go in this respect. The parliament has no independent power to create corporations.

Indeed, in the 1990 Corporations case, New South Wales v. the Commonwealth, the High Court said that the Commonwealth did not have the constitutional power to provide for the registration of commercial corporations. As we know with the recent cases of Re Wakim and R v. Hughes, that area has caused great consternation because registration of corporations has to be done at state level and, after they are so registered, Commonwealth laws such as the Trade Practices Act can apply to them.

But we are looking at a situation here where there is no constitutional head of power, as Chief Justice Griffith said, to create corporations, as this bill purports to do. The only possible head of constitutional power to do it is for the purpose of participation in the Workplace Relations Act in so far as that participation is part of a regime of the prevention or settlement of interstate indus-
trial disputes as set out in the Constitution. So I would like to know what advice has been sought in respect of this very significant constitutional issue. I must say that it stands out and slaps you straight in the face when you see that this aspect of the incorporation of trade unions, which was questioned in so many cases last century, just does not seem to have been addressed in the legislation.

The third point I want to make is the dramatic hypocrisy of this government. This government is seeking to impose conditions on trade union officials, which I might say already exist in the great majority, if not all, of the instances prescribed by this legislation in respect of the conduct of trade union officials. For instance, clause 188 of the bill makes it an offence for trade union officials to expend union resources in their own re-election. There has been a history of cases since Short v. Wellings in 1951 that have determined that it is quite improper and unlawful for trade union officials to expend the resources of the union on the re-election of those officials spending the money. The quote from the industrial court in Short v. Wellings is very relevant. The rationale for making it unlawful for officials to so expend the resources of the union on the re-election of themselves was that it:

... could result in a complete tyranny and a permanent denial of the democratic nature of the organisation which the Act and regulations are calculated to ensure ...

So the court looked at the concept of the democratic principles of incumbents of a body politic expending the resources of that body politic on their own re-election and the distortion that it would have on the democratic process.

Let us take that logic—which has to be sound and morally correct, according to our participation in and understanding of democratic principles—to look at this government spending $20 million a month of the resources of the body politic, of the resources of the Australian people, on their own re-election. What hypocrisy it is for the government to grandstand about trade union officials who already have, as a result of case law, these obligations imposed on them—to grandstand, as they are doing by bringing this legislation on now, in circumstances where they are spending $20 million a month on their own re-election. The rank hypocrisy is stark.

I dare say that media organisations probably will not pick up that topic, because it is very convenient that they are the beneficiaries of such a massive amount of expenditure. Those organisations entrusted to raise these democratic principles—to be the guardians, if you like, looking out for abuse of resources—are naturally, one would think, from the point of view of business profitability, quite pleased to receive $20 million worth of taxpayer funded government advertising to support the incumbents of this government. Nevertheless, I hope the media organisations will point out the gross hypocrisy of what this government is doing in trying to dramatise about trade union officials by bringing on this legislation to seek to impose obligations that, as I have indicated, substantially or in total already exist as a result of case law.

I also note that, for instance, clause 274 of the bill confirms that trade union officials cannot use their office for personal gain. Again, that has been confirmed in case law. Allen v. Townsend, Mills v. Mills and, more recently, Ward v. Williams in 1988 have confirmed that trade union officials owe a fiduciary obligation, a duty of good faith to their members, to act bona fide in the interest of their members and, in pursuance of that obligation, cannot expend the resources of the union on, or exercise their office for, their own personal gain.

Again, contrast that with the government spending $20 million of taxpayers’ money for its personal gain. The Treasurer frequently stands up and mocks members of the House who are children of ministers of former governments and he refers to them being raised, or even created, in the backs of Comcars. These coalition ministers seem to be quite content with—indeed, quite enticed by—this atmosphere of Comcars, to the point that they are prepared to expend the resources of the Australian people to try to create a situation where they get the opportunity to exercise the perks of office—for example, the issue of the Prime Minister and
his extensive wine collection that we have discussed in the House—and to have access to those for another period of three years following the next election. Again, the rank hypocrisy of the government is quite dramatic.

Section 286 of the bill would also enable the Federal Court to order trade union officials to financially compensate their organisation if they have contravened the act. Well, the Federal Court have in fact traced down moneys that have been misappropriated by trade union officials—one that I am familiar with involved the Australian Workers Union, where they traced moneys that had been misappropriated through various bodies set up in Western Australia. That in principle is sound. Quite clearly, trade union officials, if they have misappropriated or misapplied moneys, should be required to repay those to their organisation, again as is required by case law. But where is the government when the Labor Party, and specifically the Leader of the Opposition, bring forward legislation for fairness and accountability in respect of advertising? If advertising has been misapplied, commissioned or obtained, it requires the minister responsible for that misuse of taxpayers' money to repay the taxpayers for that misuse. Again, the hypocrisy of the government stands out.

Other provisions of the bill are quite concerning, in the sense of the disruption that they will cause to the conduct of industrial relations in Australia. The government is under the impression that all registered organisations, all trade unions—to use the vernacular—are in some way sinister, evil and plotting against the interests of Australia's economic development. I can assure you from my experience—and I think, in fairness to the minister, that he would probably concede this in his private moments—that that is not the case. I think we have seen in the last decade and a half, in particular, that many trade unions have actually driven productivity improvements and the restructuring of both the workplace and awards. Indeed, what is conveniently forgotten by this government is that, for the whole decade preceding its coming into power, for any trade union to secure a wage rise on behalf of its members, it had to sweat blood before the Australian Industrial Relations Commission in order to establish the various points set out in national wage increases. Those points related to a series of waves, firstly, in respect of productivity improvements and then award restructuring and workplace restructuring and the like.

I was personally involved in many cases where the benefits put forward jointly by the unions and the employers for approval by the commission were knocked back, and the commission said, ‘Those improvements aren’t good enough. Go back to the drawing board. They do not equate with the extent of the pay rise.’ We had this for a decade. For anyone to disregard what was really a decade and a half of constructive work by trade unions with employers in achieving significant productivity gains is really quite ignorant, because of the benefits that that can bring when they are supervised by a competent, impartial body. The point I started off making was about the constructive role played by most trade unions in that process.

On the other hand, this legislation is designed to encourage the establishment of dissident bodies—breakaway bodies, if you like—from trade unions in trying to put pressure on the commission to approve the registration of such bodies in terms of prohibiting trade unions from obtaining demarcation orders against newly registered bodies and in terms of providing legal aid for those dissident bodies both to apply for registration and to permit dissident elements within trade unions to disamalgamate or break away from existing trade unions. The point I want to make is that, in so many cases, these dissident bodies are run by people who are entirely opportunistic. One such person comes to mind, a fellow by the name of Stephen Roach, who sought to establish a shearing and rural workers union. He went around the country undermining those enterprise agreements that the legitimate organisation, the Australian Workers Union, had achieved in very productive circumstances with major and minor employers alike. He went around the country playing on discontent, telling workers that they had been in some way sold out because the AWU had agreed to so many
productivity enhancements in restructuring and improving general productivity arrangements.

Those sorts of organisations are just so destructive to the proper conduct of industrial relations in society. But essentially what the government is doing in this legislation is facilitating their establishment and their ability to undermine the regular, rational and productive participation of industrial relations that has marked the better part of the last century. Things get tight and there is much waxing and waning over who has the upper hand in negotiations, but to have fair dinkum trade unions not drawn apart by internal dissidents means that there will be a far more productive, workable and fair industrial relations system. So, with respect to the government, it is entirely naive as to what a destructive force such dissident organisations can be. (Time expired)

Mr McARTHUR (Corangamite) (8.33 p.m.)—I am delighted to participate in this debate on the Workplace Relations (Registered Organisations) Bill 2001 and associated legislation. Also, I acknowledge Minister Abbott at the table, observing the important contributions coming from both sides. Shadow Minister McClelland has indicated the position of the opposition by spending a fair amount of his time talking about a $20 million advertising campaign, which has nothing to do with the legislation currently before the parliament. Also, I note that in paragraph 1 of the second reading amendment that has been put forward, the House ‘condemns the government for further entrenching unfairness and bias in the industrial relations system’. What does the opposition mean by that when, in the current system and the current legislation we are debating before the parliament, the government is trying to enhance the fairness, trying to enhance the clarity of understanding of where industrial organisations stand, and trying to improve the industrial relations system?

I note that the member for Barton mentioned Stephen Roach, the renegade member of the AWU. I would have to agree with the honourable member that the AWU suffered somewhat by Stephen Roach’s tactics in rural Australia, trying to undermine some of those productivity gains by the shearing industry and the employers in their encouragement of work on the weekends when wet weather was a problem. So the member opposite has acknowledged the renegade aspects of the trade union movement; we have it on the record. That is an interesting aspect, and this legislation is hoping to improve those types of things.

I note also that the fundamental position is that the trade union movement represents approximately 25 per cent of the work force. I notice that the member for Melbourne is here now. He is a longstanding member of the trade union movement; he represents a section of the work force—he represents a section of the work force. But, in totality, as I have said, only 25 per cent of the work force is represented by trade unions—and I think members of this House ought to be aware of that fact.

In question time, the minister at the table alluded to the OECD economic survey of Australia, and there are a couple of interesting aspects of that report to which I would like to draw the attention of the House. They relate to the key developments in the federal industrial relations system. As a member of this parliament who devoted a considerable amount of time in the latter part of the 1980s to trying to bring about a change to the industrial relations scene, it is interesting to see that the Hawke and Keating Labor governments did adopt a number of the changes advocated by John Howard, as the then industrial relations spokesman and Leader of the Opposition, and Peter Reith as the spokesman at that time. If we look through that survey we can see, according to the OECD, some of the changes that were brought in even by a Labor government to bring about more flexibility.

In 1987 there was a two-tiered wage system, greater flexibility in the working hours, removal of some of the restrictive work practices, and greater casual employment. That was in 1987, which is going back a fair way, when entrenched award systems were part of the industrial system. In 1988 the Industrial Relations Commission’s structural efficiency principle provided increases on award restructuring relating to multiskilling
and flexible forms of personal utilisation. This is an independent assessment of what was happening. In 1989 and 1992 we had certified agreements. That was following the advocacy and the forceful pressure of the opposition at that time to bring about a change in industrial relations.

I well remember the Industrial Relations Act 1994, which brought in EFAs. Of course, the Keating government ensured that the trade union movement was the dominant feature. It took until 1996, with the workplace relations and other legislation, to bring about a fundamental change—Australian workplace agreements, whereby there were arrangements between the employer and the employee. We still have problems with award simplification and secret ballots before strikes. That independent report goes on to assess the industrial relations scene in Australia. Again, it is an independent report, not like the member for Barton and the shadow minister opposite, who will give us their usual trade union historical perspective and their biased position. It is an independent assessment of the current position.

Mr Gibbons—There we have the squatters’ perspective.

Mr McARTHUR—Fancy the member for Bendigo being in the House! He is a trade union man from way back. He would have no view of any newer horizon on industrial relations. The OECD says that the reform process since the Workplace Relations Act 1996 ‘has gone a long way towards a largely decentralised and highly flexible industrial relations system’. The OECD report notes, unfortunately, that only 12 per cent of workplace agreements are covered under the new arrangements. However, it goes on to state:

... to speed up the move towards comprehensive enterprise agreements, the regulatory requirements for collective agreements and for Australian Workplace Agreements should be eased further.

Substantial progress has been made since 1997 in making the award system less complex and prescriptive, and in reducing its role to a safety net of minimum wages and work conditions. It goes on to talk about the 20 allowable matters. That is moving away from a very prescriptive award system to 20 basic allow-

able matters and allowing the workplace to set conditions as between employer and employee so that the safety net can relate much more to the workplace rather than a multitude of award prescriptive conditions. The OECD goes on to talk about the harmonisation of federal and state legislation. The Howard government manage, particularly in the case of Victoria, to have the federal legislation cover all workplaces. Unfortunately, the Bracks government are trying to undo that legislation to bring about more complexity, whether you are under a federal or state award. Anyone with an ounce of commonsense would suggest that the way to go is to have one set of conditions under a federal arrangement.

The OECD goes on to talk about current unfair dismissal regulations. The member for Bendigo and the member for Melbourne would fully understand in their heart of hearts that the unfair dismissal provisions are outrageous and are stopping people getting jobs. They voted against it on eight occasions. The minister at the table has fought a very strong battle on behalf of small business in Australia to remove those unfair dismissal provisions, which any sensible person would agree are very foolish. The OECD goes on to say:

Overall, the process so far of reforming Australia’s complex industrial relations system has had profound effects on many industries ... By enhancing the incentives for more efficient work and management, it has helped firms to move closer to best practice. Industrial relations reform has helped in achieving the observed pick-up in productivity growth in the 1990s. Enterprise agreements often take the form of ‘productivity agreements’ whereby productivity-enhancing changes in work practices are paid for with higher wages. It has contributed to keeping wages increases broadly in line with productivity growth during the economic recovery of the 1990s, allowing a virtuous circle of low inflation, rising real wages, good productivity growth and rising profits.

So much for the OECD; it has given an independent assessment. The member for Bendigo would understand that, even though he comes from the background of long experience in the liquor trades. The minister will understand that the member for Bendigo has that experience. I think he has been quite
reasonable in some of his assessments, but he has that background in the liquor trades, and some of the newer propositions from the Howard government are quite alien to his understanding.

The legislation deals with the registration and the internal administration of unions such as the liquor trades and the clerks unions. Those organisations are sometimes well run and sometimes not so well run. The bill improves the cancellation, registration and amalgamation processes of those unions. Of course, the Workplace Relations Act 1996 confers substantial rights, privileges and responsibilities that are granted under registration. That takes us back in industrial relations history to 1904. We remember the Hancock committee in 1984-85. The member for Lalor might even remember the Hancock committee, which said that the status quo of the award system as set up in 1904 was okay. It brought about some changes to the internal workings of registered organisations, but it did not bring about any fundamental change.

The bill, whilst it is technical in nature, and the minister has acknowledged that, will improve the current legislative structure around the industrial relations system. The bill says that the liquor trades and the clerks union need to get their act into gear; that they need to make sure that they run their organisations according to best practice; that they run their accounting and electoral procedures in the right manner; that they have disclosure to the membership of their moneys in and moneys out, and that there will be no hidden amounts of money in those two unions and other unions such as the MUA and the AWU, with Stephen Roach, who has been mentioned in dispatches here tonight; and that the election of union officials will be under the supervision of the Electoral Commission.

There has been extensive consultation with the trade union movement, employer organisations, accounting professionals and other parties interested in these matters. Some members opposite have said that this has been put forward by the minister without consultation. I understand that the minister has been genuinely consulting with other parties and the trade union movement because everyone involved is keen—

Mr Gibbons—Even the Prime Minister?

Mr McARTHUR—The member for Bendigo would be quite keen to bring about some fundamental changes even to his own group to ensure that, when the vote took place, the member for Bendigo was being elected in a proper and correct manner, and that the ballot papers were okay, were counted and genuinely cast.

The bill is tidying up these arrangements so that those trade union groups and employer organisations can be registered under the bill. I make the point that not only will the trade union movement be party to, and subject to, the registration procedures, but the same will apply to employer organisations. They must also elect their officials with the Electoral Commission, as the trade union movement does. I concede there has been a lot of public comment about the way in which trade union officials are elected, and about ballot boxes being carried on motorbikes. A well-known member of this parliament carried the ballot box on the back of a motorbike and made some changes, and that has been well recorded here in parliament. Hopefully, the employer organisations will also meet the requirements. They will have to conduct the election of their officials and office bearers under the same set of rules and regulations under the act. The shadow minister at the table, the member for Melbourne, would have to agree with that. He has been around these sorts of processes. I am sure that the clerks union would always obey the rules and be absolutely above the law. I am sure that there were no lost ballot boxes in the case of the clerks union.

We go back to the position in the pre-Howard days where compulsory arbitration was the order of the day, and where an organisation had to be registered. The Howard government now has a view that the industrial relations scene has changed. The OECD understands that these arrangements are between the employer and the employee. Gradually, we are moving on. It was always difficult for people to get registration under the Workplace Relations Act because of the long-held view of the need to ‘more conveniently belong’ to an industry to be part of the representation.
Those opposite who have been around the trade union movement, and the member for Lalor and others, understand the importance of the conveniently belong test. It meant that you had to be in the union and you had to be part of the industrial relations club to be in the act. We are now tidying it up and the conveniently belong test will no longer be part of that coercive set of arrangements whereby you had to be part of a union, you had to be signed up, to be part of the whole discussion. Employees can now talk to employers about terms and conditions, rates of pay, the casual hourly rate and all those important things which previously were not part of the discussions because the Industrial Relations Commission was the third party in these negotiations.

At last, we have got rid of this very coercive practice of conveniently belong, which meant that employer groups were assured of a position in the sun and, more importantly, that the union movement, the AWU or Stephen Roach, who were competing for the ability to be in the conveniently belong position, which was referred to by the member for Barton. The member for Barton admitted that there was a rogue union and that Mr Stephen Roach was outside the conveniently belong arrangements.

Mr Gibbons interjecting—

Mr McARTHUR—Stephen Roach might be a friend of the member for Bendigo. I imagine he would be a good friend of his in Northern Victoria. The legislation will ensure that things are improved.

When hardworking Australian employees pay their dues to the union movement, the bill ensures that there will be some accountability as to whether the dues will be used for political purposes—whether they be used for the Labor Party, and it is most likely that they will be used for the Labor Party and all that ACTU presence on the opposition front bench—as they move funds from hardworking Australian employees who might not support the Labor Party, but who are forced to do that by the process of their union dues going to the union and then being channelled into the Labor Party. At least this will be up front. Even the member for Bendigo will understand that it will be up front. Some of his members in the liquor trades union might want to vote for the Liberal Party—surprise, surprise—but they have no say because their funds would be directed towards the support of Labor candidates, whether members of the union like it or not.

This fairly technical piece of legislation is the result of very careful work by the minister at the table, the Minister for Employment, Workplace Relations and Small Business, and careful consultation with those involved. It tidies up the Workplace Relations Act by creating two sections so that all parties fully understand where they stand in the scheme of things. The member for Bendigo and his trade union friends will know that they have now got to account for the moneys, that there are no slush funds in the liquor trades, the clerks union or the MUA and that they are devoted to looking after their members’ interests, and that there is a crystal clear set of arrangements.

I commend the minister at the table for his assiduous work in developing the act. I commend him for his assiduous and vigorous defence of a more flexible industrial relations system against some of the more unfair remarks from those opposite, who think they have greater knowledge of industrial relations than the minister. The minister is continuing the long tradition on this side of the House of bringing about a change, and a more flexible system of industrial relations like I see in my electorate of Corangamite, where Alcoa has introduced a modern approach to industrial relations where employees are treated as part of the plant and the productive process, and where account is taken of their contribution to the profits of the business. It has been that fundamental change, which some parts of the union movement agreed to, which has ensured that that Alcoa plant at Point Henry remains a viable and profitable plant, even though it was built in the 1960s.

The member for Bendigo and others opposite can understand that we need to make change, we need to become more flexible, we need to become more profitable and, in the context of the industrial relations legislation, we need this legislation for accountability and clarity in understanding where the
Ms GILLARD (Lalor) (8.53 p.m.)—The member who spoke before me, the member for Corangamite, managed to get one thing right: this Workplace Relations (Registered Organisations) Bill 2001 is a very technical piece of legislation. Unfortunately, as he showed from the contents of his speech, he does not understand any part of it. I see that the member for Bendigo is now going to assist him to understand the technical aspects of this bill, and I would expect the member for Corangamite to defer to the member for Bendigo’s superior knowledge, intellect and application, all of which are being brought to bear on this question. I am sure the member for Corangamite is going to learn a great deal from the discussion which is now going to ensue. We agree with the member for Corangamite that employers and employees should talk; of course they should talk. The difference that we have is we do not think that employees should do that on bended knee, and that is the way in which the industrial relations system under this government is going.

This bill is the culmination of a very long process of development. In May 1999, Minister Reith released an implementation discussion paper entitled ‘The continuing reform of workplace relations: implementation of More Jobs, Better Pay’. We recall that piece of legislation from the Ministry of Truth: More Jobs, Better Pay. In that discussion paper dealing with that legislation, the minister—Minister Reith at that time—foreshadowed the stand-alone legislation for dealing with registered organisations. In October 1999, Minister Reith released a discussion paper entitled ‘Accountability and democratic control of registered organisations’, and in that paper the minister detailed his response to a report prepared at the government’s request by Blake Dawson Wadron, which is a firm of solicitors which practises employer industrial relations. The government also detailed its response to the October 1997 report of the Joint Standing Committee on Electoral Matters entitled Report of the inquiry into the role of the Australian Electoral Commission (AEC) in conducting industrial elections.

Following all of those steps, Minister Reith released a Registered Organisation Bill 2000 exposure draft for comment. That draft contained provisions which were little more than a politically motivated attack on the ability of trade unions to exercise their rights to participate in our democracy, including by providing financial and other support to political candidates. One would have hoped that, given that the bill before this House has removed some of the worst of those provisions, this bill heralds a rethink by this government about the appropriateness of such provisions. Unfortunately, waiting for industrial relations sense from this government is a bit like waiting for Godot: it never comes.

What we find when we look at the forward legislative program is that the government has not resiled from any of the most undemocratic parts of that exposure draft; it has simply postponed dealing with them. This House will later be asked to deal with them in the form of the Workplace Relations Registered Organisation Amendment (Regulation of Political Donations) Bill. Indeed, we find two more piece of legislation aimed at attacking unions, namely the Workplace Relations Registered Organisations Amendment (Cost of Elections) Bill and the Workplace Relations Registered Organisations Amendment (Registration) Bill all on the floor with the legislative program. There has been no question of the government resiling from any of the attacks it had planned on the trade union movement in the exposure draft for comment that Minister Reith released.

What we find when we look at that package of legislation, the exposure draft and the bill that is before the House now is that there is a contradictory philosophy that drives the government in relation to these legislative proposals. It is perhaps most clearly illustrated by the foreshadowed proposal to deal with political donations. On the surface, the proposals would seem to apply both to employers and to trade unions, but in practice the bill will have a very different effect on
employers and trade unions. To understand this, it is necessary to understand that as a general rule employers do not register as organisations under industrial legislation. Employer organisations do. Consequently, employers, who tend to be corporate entities, are regulated by the Corporations Law rather than the industrial relations law.

Unions do not have this option. Their corporate identity derives from being registered under the industrial relations law. As a result, we find the government, when it advocates that industrial relations law should tightly circumscribe situations in which a registered entity can make political donations, is really advocating a scheme of legislation which will only apply to trade unions. Employers who donate to political parties and who do that directly will be untouched by that industrial relations legislation. So we have this manifest unfairness. This government wants trade unions caught up in an industrial relations scheme which would make it almost impossible for them to donate to political parties, but employers who are under the Corporations Law will be free to donate to political parties, most particularly the Liberal Party, whenever they choose to. Where is the fairness in that?

If, as the government would contend, it is inappropriate for trade unions to make political donations without a ballot of members, then to be consistent this government must argue that such a ballot should also be conducted amongst shareholders when a company determines to donate to a political party. If the government opposes balloting shareholders when companies want to donate to political parties, it must oppose requiring trade unions to have such ballots. It cannot have a bit each way, which is exactly what this government is trying to do.

Indeed, given that the average stake a trade union member has in his or her trade union is confined on an annual basis to an average membership figure of around $300—and for that they actually receive industrial services—I would put the proposition that the average trade union member has got a lesser stake in their trade union than the average shareholder has in a company. If that is right, the system of regulation which governs the relationship between shareholders and boards of directors ought to be a tighter system of regulation than the system of regulation that governs the relationship between trade union members and trade union elected officials. But this government puts completely the reverse proposition.

This, it seems to me, is just an absolute exercise in mental gymnastics. But it is the same sort of mental gymnastics that we see regularly in this House. It is the same sort of mental gymnastics that enable this government to characterise raising in this House the fact that aged care providers are Liberal donors as an outrageous slur while believing it is appropriate to describe the opposition, day after day, as a wholly owned subsidiary of the trade union movement. Once again, you cannot have it both ways. As I have said, given the role that trade unions play, and the comparison with companies, if we are to have a system of regulation going to political donations—and the minister at the table has foreshadowed that we should in relation to trade unions—then the onus lies on the government to provide a comparable system in relation to the donations by companies of company money; that is, companies should be required to ballot shareholders. I think we could be waiting a long time—indeed, we could be waiting for the proverbial Godot—if we wait for this minister to produce that bill.

As well as being riddled with this differential approach in relation to political donations, the bill before the House is riddled with a differential approach to trade unions as opposed to employers. A very clear example of that is in relation to the question of financial assistance for legal costs. The Workplace Relations Act currently provides for the Attorney-General to grant financial assistance for legal costs incurred when members of unions litigate matters involving the unions’ rules or leadership. This provision, it should be noted, survives from the days when its predecessor provision was introduced into our industrial relations system by the Fraser government. This bill seeks to build on that scheme by enabling such funds—that is, funds to support legal actions—to be paid for a person who seeks to
bring a matter to the court about certain conduct in relation to the formation or registration of employee associations, or giving such funds to enable a person supporting a disamalgamation ballot to take court action and, indeed, supporting a person to participate before the court in an inquiry into a disamalgamation ballot.

Put simply, this bill seeks to extend eligibility for legal aid to those who are seeking to splinter the union movement into smaller and less effective parts. And let us remember that it has been a main part of this government’s industrial relations agenda to create small, weak, enterprise unions and to fracture the current union movement. But, whilst it might be a main part of this government’s industrial relations agenda, it has been a spectacularly unsuccessful part, with only five applications to register enterprise unions almost three years after the relevant amendments were made. But the government is still in there swinging for that agenda and it is trying to advance that agenda through the provision in this bill of legal aid funding to those sorts of court actions.

One would think that if there is a special pool of legal aid funds available for union members to litigate matters relating to union rules, then, as a matter of fairness, there should be a special pool of legal aid funds available for shareholders, particularly minority shareholders who believe they are being oppressed by the conduct of the board of directors or the majority of shareholders, to litigate as well. I put it that that would simply be a matter of fairness. But is that true? Well, of course not; there is no such fund—once again, a situation where the nature of this government’s special discrimination against trade unions stands exposed. I suggest to members in this House that this exercise in relation to increasing the eligibility for legal aid assistance to litigate matters within a union is particularly galling when we all know that there are hundreds, if not thousands, of ordinary Australians who have critical legal matters involving family breakdown, criminal law and personal injury where no legal aid funding is available to them. So we see that the government’s ideological prosecution of trade unions is worth dollars, but an ordinary Australian’s legal problem, no matter how critical it might be to their lives, does not seem to be worth dollars. Where is the fairness in that?

On this theme, I note that this bill expands—though not as fully as the Joint Standing Committee on Electoral Matters would like—the role of the Australian Electoral Commission in running union elections. I support the Australian Electoral Commission running union elections and I support the implementation of the joint standing committee’s recommendations regarding declaration envelopes and the register of union members. I have seconded the amendment to the second reading motion, moved by our shadow minister, which deals with some of these matters. But I ask again: where is the fairness in the Australian Electoral Commission being required to run the ballots of trade unions when there is no requirement for the elections within companies for boards of directors to be run by the AEC? So it is possible that a major public company in Australia, with millions of dollars invested by ordinary, so-called ‘mum and dad’ shareholders, can have their elections untouched by any government regulation that the AEC should be involved, but a trade union must have the AEC involved. I support the AEC being involved in trade union ballots. But I suggest that, if this government were looking at a balanced picture, it would also say that the AEC should be involved in the election of boards of directors. Again, I do not expect a Howard government rush to ensure that that occurs. I see that the minister might be getting some clarification on that matter right now, but I am quite confident about what advice he is going to receive.

Apart from the matters I have outlined to date, this bill deals with a number of matters that are not really controversial. There is the application of some different accounting standards, there is the application of various provisions on registered organisations in relation to access and inspection of records and there is application of various new obligations to officers of trade unions, many of which mirror provisions that have been inserted into the Corporations Law, through the

I do not have, and Labor does not have as a package, any objection to that sort of provision, given that there is a balance between what trade unions and companies are expected to do. I draw the attention of the House to one significant exception, which once again points to the unfairness with which these matters get dealt with in relation to trade unions, and that is that the provision in relation to accounting declarations for trade unions will require trade unions to declare the amount spent on payroll deduction arrangements with employers and amounts spent in legal fees. We do not go out of our way under the Corporations Law to ask what a company has spent in a financial year on legal fees. If there is an industrial dispute where the employer and the trade union have both engaged lawyers or are involved in some sort of court proceeding that is occasioning legal fees—and it would not stretch the imagination of this House to remember some of those disputes; indeed, some of those disputes were referred to earlier in the House today, Rio Tinto having been involved in one of the most celebrated—why should the trade union be required to declare what it is spending on legal fees when the employing company is not? It is simply a matter of fairness—not too hard, I would have thought, for this government to understand. But once again we see the differential effect on trade unions—that this government sees that it is important to catch them in a web of very tight regulation but does not apply such regulation to employers.

Having moved from those provisions, some of which are acceptable, this bill does contain some provisions that are very unacceptable. They are the provisions that are designed to facilitate the deregistration of unions, the disamalgamation of unions and the creation of small unions. Of course, this goes back to the agenda that I referred to before: this government wants to fragment the trade union movement as we currently know it into all sorts of minor parts, many of which will be industrially weak and powerless. When they are in the field, unable to protect members, then under this government’s industrial relations plan the members would be left to the employer’s mercy, under Australian workplace agreements or akin structures.

In relation to that, the bill facilitates disamalgamation. There is a grand irony in all of this. The grand irony is that employers were one of the entities that advocated for union amalgamations. For years and years we heard the catchcry, ‘There are too many trade unions in Australia. Coverage and demarcation issues are too wasteful. We want bigger union structures, more effective and more professional union structures and, in relation to any specific work site, we want fewer unions.’ That was the catchcry of employers. To that catchcry, the Hawke-Keating Labor government responded with various industrial relations changes that facilitated the amalgamation of trade unions. The trade union movement itself responded by going through what was at times a very painful amalgamation process to create bigger union entities with bigger coverage rules.

Now the debate seems to have gone full circle. Apparently there is nothing wrong now in the eyes of this government—which would, of course, claim to represent employers; whether it does is another question—with hundreds of thousands of unions. That would be all right! You could have a workforce of a couple of thousand employees and have 100 unions. Under the provisions in this bill, that is the industrial relations future. I would find it hard to believe—given that for well over a decade in my personal recollection, employers in this country advocated for bigger and fewer unions on efficiency grounds—that that is an industrial relations future that is going to be more efficient and more productive. It is just an industrial relations future that suits a particular ideological perspective. This bill facilitates disamalgamation. That is fair! If you have amalgamated, then this government wants to give you some armoury to try to break up that amalgamation. The bill specifically introduces as an object the facilitation of the creation of small unions. I am sure that agenda will be bolstered when we see—as we are advised by the forward legislative program—the upcoming Workplace Rela-
tions (Registered Organisations) Amendment (Registration) Bill.

The Workplace Relations (Registered Organisations) Bill 2001 contains exclusive coverage orders—orders made under section 118A of the current act—whereby a newly created enterprise union could poach union coverage from areas of current exclusive coverage. That sort of demarcation war for a newly created union is being authorised by this bill. Overall, we see a picture where the government is really prepared to do anything—it does not matter how productive or unproductive it is for our workforce—that would disintegrate the power of the current trade union movement. I will conclude by referring to a recent speech that the minister made on industrial relations. He said:

We have compulsion to “fix” or “arrange” because sprawl and untidiness is a sign of real life. We understand that the best is often the enemy of the good and suspect that the law of unintended consequences makes many cures worse than the disease.

This bill is a recipe for that. (Time expired)

Mrs DE-ANNE KELLY (Dawson) (9.13 p.m.)—I rise to speak on the Workplace Relations (Registered Organisations) Bill 2001. This bill will take those parts of the Workplace Relations Act 1996 that deal with the registration and internal administration of registered organisations and transpose them into separate legislation. Secondly, it will make minor, largely technical, but nonetheless important amendments to these provisions, particularly in relation to financial accountability, disclosure and democratic control.

The National-Liberal government continues to support the registration and operation of industrial organisations, be they organisations of employers or employees. This bill has been introduced to modernise the regulations, reporting and accountability to reflect today’s standards of governance. Regardless of one’s views about the role of trade unions and employer organisations in the industrial relations system, no-one can really argue about the merits of this bill, although some have tried. If it is considered on its merits, it should be positively received by all registered organisations.

Over the past 20 years or so, the membership of registered industrial organisations has fallen, as has the membership of other established community organisations. The community are now far better informed, better educated and more demanding of their organisations and the services they provide. They are also demanding financial accountability and democratic control. It is these areas that these bills address.

This legislation has been carefully developed over a long period, and the minister has made a genuine effort to consult with interested parties to minimise areas of difference. An article in the Financial Review on 12 March 2001, under the headline ‘Abbott seeks ACTU help on bill’, stated that the minister had met with the opposition and the ACTU in what he described as a ‘genuine attempt to try and bring the package forward’. The article further said that the minister described the legislation as “addressing “housekeeping” issues, not “ideological” proposals such as secret ballots, political donations, or enterprise unions’. An exposure draft of the legislation was publicly released in December 1999. Submissions on the discussion paper and exposure draft have been overseen with interested parties over the past 12 months. There has been consultation with the Committee on Industrial Legislation, a tripartite committee of the National Labour Consultative Council. Given that level of consultation, the legislation should have bipartisan support.

I note from the previous speaker’s comments that the opposition would have no qualms about supporting legislation which was directed solely at employer organisations. However, if one treads on the hallowed ground of union organisation, up go the protective shields. This legislation has been the subject of almost unprecedented consultation, and I hope that, notwithstanding their obligatory sniping at the government’s industrial relations policy generally, the opposition will support the bills.

The minister has shown flexibility in his approach to this legislation, and he deserves commendation for it. He has excised the more contentious policy issues such as the changes to the eligibility criteria and the dis-
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Ms HOARE (Charlton) (9.19 p.m.)—I am pleased to be able to participate in this debate tonight on the Workplace Relations (Registered Organisations) Bill 2001 and the Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001. The minister, in his second reading speech on 4 April this year, said: The bill proposes to achieve two broad policy objectives. First, it would transpose into a separate piece of legislation those provisions of the Workplace Relations Act 1996 which concern the registration and internal administration of registered organisations. Second, it would make minor and technical, but nonetheless important, amendments to these provisions in a manner that modernises them for the first time in years—particularly in relation to financial accountability, disclosure and democratic control. Labor supports a large part of this legislation, particularly those provisions which seek to improve the transparency of operations of registered organisations. However, it should be emphasised at the outset that registered organisations are currently required to meet detailed and complex laws about their financial, electoral and administrative affairs. There are many new provisions in this legislation which do not address modernising or improving democratic control of registered organisations but rather continue this government’s campaign to undermine unions and their role in Australian society.

Over the past five years, we have seen this government—under the leadership of Howard, Reith and now Abbott—create a workplace environment which rewards only the strong and the aggressive. The conservative parties, always of a ‘divide and conquer’ mentality, have cultivated personal insecurity, distrust and alienation. Over the past five years, workers have witnessed the abolition of hard-won award conditions; the breakdown of the workers’ ability to collectively bargain; the promotion of individual workplace agreements, where workers are forced to compete ruthlessly against each other for jobs and money; a systematic attack on and wearing down of the Industrial Relations Commission; and the promotion of methods which seek to prevent unions from protecting the interests of their members. All Australians know in their hearts and in their minds that there is a better and fairer way of conducting industrial relations. Australians are working longer and harder. Many are working unpaid overtime and most are feeling much less secure. Whether or not they are in a union, most workers support the role of unions in our society, more strongly now than just a few years ago. There is no denying the fact that, over the past 20 years, union membership has declined. In the 1980s about 45 per cent of the working population were union members. Today that figure is about 24 per cent. There has been much

closure of political donations made by industrial organisations. Notwithstanding this, he has preserved the integrity of the bills, which will, at the end of the day, enhance the democratic governance of registered organisations and modernise the provisions which regulate financial disclosure and reporting. More importantly, these provisions will have a stronger emphasis on letting members know what is going on within the organisation. Protection against financial mismanagement will be significantly enhanced. Some offences for breaching the accounting, auditing and reporting obligations will become civil offences rather than criminal acts, as they are now. This will allow the industrial registrar to apply to the Federal Court for penalties. Naturally, serious misconduct will remain a criminal offence and will be dealt with by the Director of Public Prosecutions.

The minister is to be commended for his pragmatic approach to this portfolio responsibility. Furthermore, he has finally secured the passage of the unfair dismissals legislation through the Senate, albeit with some amendments. The passage of this particular legislation has been widely supported in my electorate, particularly by small business, which simply cannot afford to maintain non-producers on their payroll or to be caught in the trap of being unable to employ younger people. Naturally, this was opposed by the opposition to the bitter end.

I commend the minister on this legislation and, most importantly, on the unfair dismissals legislation that has finally gone through both houses. I commend these bills to the House.
analysis of the reasons for the decline, and it is fair to say that the major contributing factors have been the casualisation of the workforce, workplace changes, industry trends and, of course, the government’s Workplace Relations Act which all but outlawed union membership.

But the future is not all doom and gloom. In the past 12 months an extra 25,000 workers joined a union and over 50 per cent of respondents to a recent survey agreed that they would rather be in a union. Significantly, recent Australian Bureau of Statistics figures show that, on average, union members earn $109 a week more than unrepresented workers. This means that wages of union members outstripped their non-union colleagues by 7.9 per cent. The gap in the part-time work force was particularly wide, with union members earning on average 41 per cent, or $117, more than non-union part-timers, and casual and female earners earning just under a quarter more than their non-union colleagues.

But again today in question time we heard the Minister for Employment, Workplace Relations and Small Business denigrating Labor’s policy to abolish Australian workplace agreements. He said AWAs have meant higher pay for better work. He is wrong. Madam Deputy Speaker Crosio, you would be aware that about the only times that I am warned in this parliament during question time is when Minister Abbott is answering a question. That is because he deliberately flouts the truth and deliberately attacks workers, unions and those people who seek to represent workers in our community. The challenges are still ahead of us. If more workers are joining unions and unionists earn more money, the challenge for the labour movement is to translate those people who believe in the role of trade unions into membership. The initial industrial relations policy statements by the Labor Party will help in a productive and positive way.

On Sunday, 5 August this year I hosted a forum on industrial relations with the theme ‘Our industrial relations future: working towards a fairer Australia’. The forum was held at ClubNova, Cardiff, in my electorate of Charlton. The Newcastle-Hunter region, as you would know, Madam Deputy Speaker, has a long and proud history in shaping Australia’s industrial relations system. I organised the forum with the aim of taking to the federal parliamentary Labor Party the concerns, issues, ideals and direction of our region’s unionists. A range of eminent and respected industrial relations experts generously agreed to participate as panellists at the forum. They were: Gary Kennedy, Secretary of the Newcastle Trades Hall Council; Gerry Mohan, representing the minister’s friend, Mr Doug Cameron, National Secretary of the AMWU; John Buchanan, Deputy Director of the Australian Centre for Industrial Relations Research and Training; and John Maitland, National Secretary of the CFMEU. The forum was attended by ALP members, trade unionists, retired people, state and federal members of parliament and former members of parliament. Bev Baker and Sharryn Brownlee, President and Treasurer respectively of the New South Wales Parents and Citizens Association travelled from Sydney to attend.

The outcomes of the forum can be summarised. The accord should not be revisited. It is seen as a process which took decision making about wages and conditions away from workers and placed it in the arena of big government and big business. Consideration should be given to regulating work, and if a person expends labour they should be treated fairly. We should move away from the notion of global economies and start talking about global communities. Australians need regulatory processes to ensure they are not ripped off in the global economy. The effect of globalisation on industrial relations is worth considering. The trade union movement is well placed to participate in this debate, as globalisation has consequences for workers and the future of work. Unions have a long-term commitment to and interest in the debate. Globalisation does not allow for standard wages and conditions around the world, yet structures are in place to encourage competition without regard to the borders of separate countries. Standards in Australia need to be enforced. Companies move offshore to access cheaper labour, resulting in a decline in employment for Australian workers. We need to address the
The Labor Party is fundamentally committed to improving the conditions of Australian workers. Since the election of the Howard government Australia has seen, and will again see with this legislation, an erosion of workers’ rights and conditions. The Labor Party was founded through the labour movement to give political support to the rights of the working men and women of Australia. This remains a key priority for the party. The industrial relations system has undergone major change in recent years. The Labor Party seeks to restore much of the system the Howard government has dismantled. Importantly, the powers taken from the Industrial Relations Commission will be restored to allow for an independent umpire to uphold fairness in the workplace, to act in the public interest and to keep the industrial peace. Enterprise bargaining is replacing arbitration as a means for determining employment and workplace conditions. Labor is committed to ensuring that the law requires all parties involved in this process to negotiate in good faith. Currently, employers are not compelled to negotiate with workers at all, and they are even encouraged by this minister not to negotiate with their workers.

Another important distinction between Labor and our opponents is that Labor policy recognises the rights of workers to act, organise and protect themselves collectively. This is a fundamental element of justice in the workplace. The introduction of Australian workplace agreements by the Howard government attempted to legitimise the standover tactics of unscrupulous employers and to limit the important role of trade unions in negotiating collectively. AWAs are shrouded in secrecy. They are an unreviewable form of agreement reached between the employer and individual employees. In many cases these agreements are unfair and less favourable in pay and conditions than collective agreements.

The direction the ALP is taking with respect to industrial relations policy is generally supported in the community. There is increasing concern that the entitlements accrued by workers should be protected by legislative means. Workers’ entitlements belong to the workers. However, many employers use the funds as a cash flow. In the event of employer insolvency, workers are often unable to access the funds they are entitled to. The government introduced an inadequate scheme that will cover workers’ entitlements up to a maximum of $20,000. The scheme is paid for exclusively with taxpayer funds. Labor proposes to introduce a scheme that is jointly funded by employers. Workers’ entitlements must be protected 100 per cent by legislation. Workers agree with and support the proposal that Labor has put forward.

With an ageing population, public resources in the future will be stretched to provide adequate social security for older Australians. Labor has proudly supported superannuation, and during its time in government introduced many positive measures. Fairness in superannuation policy for Australian workers is essential. Workers are concerned that the Howard government’s superannuation surcharge tax penalises many ordinary workers. The tax was intended to target people on higher incomes. However, shift and weekend penalty loadings inflate wages above the superannuation surcharge threshold for many Australian workers, extending their tax liability.

The trade union movement has been under attack by the Howard government since its election. Its real agenda was to destroy enterprise bargaining and abolish unions with the Workplace Relations Act 1996. Many workers were fooled into thinking that they can do better under individual bargaining, without the protection of union sponsored collective bargaining. Workers and the trade union movement would expect to receive fair treatment under a Beazley Labor government. The union movement would expect Labor to adhere to its commitments, including the abolition of Australian workplace agreements. Workers would expect to be allowed to hold industrial action outside bargaining periods and to see the abolition of the Employment Advocate, whose main purpose has been to undermine unions. Workers deserve a non-confrontational industrial relations system. Industrial action is only ever
taken as a last resort. Workers do not want to lose pay unless there is no alternative. Wages and conditions remain the major concern of unions.

The nature of work today and the direction it is taking into the future is much different from that of the past. Government, employers and the labour movement need to work together to foster a fairer and more equitable industrial relations system. We have to build on the best that we had and we have to modernise for current times.

The issue of having a separate act for the regulatory provisions to regulate the registered organisations, including the trade unions, and specifically aimed at trade unions, is just another example of the ideological obsession by the government to marginalise the role of organisations in the system. They view registered organisations as external to the industrial system, and by placing their regulation in a separate act this is seen to diminish their role within that system.

The government assertions that they have freed up the system and that there is less intervention are false. In truth, what they have done with this bill is to reduce the role of the umpire—that is, the Industrial Relations Commission—workers and trade unions. The shadow minister at the beginning of this debate spoke about the objects of this bill. The minister justified the proposed amendments to the objects by saying:

The addition of the objective of facilitating the registration of a diverse range of organisations is consistent with the government’s broader policy agenda with respect to industrial organisations. I have just outlined, I think fairly comprehensively, the government’s broader policy agenda in relation to trade unions. We have seen it with the attack on workers, and the insistence of the Minister for Employment, Workplace Relations and Small Business, who is at the table, that employers do not negotiate with the workers when disputes arise. We have seen it in relation to a government which refuses to legislate to protect workers’ entitlements 100 per cent, except in the case where a company which has gone belly up has as one of its directors a brother of the Prime Minister—in that case the workers did receive 100 per cent of their entitlements. Labor does not support the proliferation of enterprise agreements or promote easier access to disamalgamations, and we view the addition of this new object as damaging to the development of cooperative, effective and efficient collective bargaining and generally to industrial relations. We are opposed to the removal of this existing object.

We have another issue here: the further weakening of the role of the Industrial Relations Commission, with the insertion in this bill of the requirement that the Industrial Relations Commission deal with a registration application quickly. The department’s submission states:

This change is designed to ensure that such applications are given a high priority and dealt with as expeditiously as possible without affecting the rights of individuals or organisations to raise relevant issues and concerns and be heard in the process.

We see this as just another political stunt by the government to imply that the commission is not dealing with registration applications quickly enough. We believe that, rather than it being about the processes of the Industrial Relations Commission, it might really have something to do with the funding cuts that the commission has experienced over the past 5½ years.

Furthermore, we are opposed to the expansion of the deregistration provisions. The government is seeking to expand the number of grounds that justify deregistering a registered organisation, and we will be opposing that particular provision. The shadow minister will also be moving amendments to ensure, in relation to the declaration envelopes provision in this bill, that the envelope is prescribed by regulation. The provision is indicative of the government’s approach to the entire bill. It is slanted, selective and intended to undermine the role and standing of unions in our society. The government could not even bring itself to deal fairly with the recommendations of a parliamentary committee which it controls.

We oppose the disamalgamation provisions in this bill, the provisions about resigning from an organisation and, of course, the provisions to extend the powers of the
Office of the Employment Advocate. I have outlined the needs and the requirements of the trade union movement and the community’s respect for the trade union movement and for the rights of workers to collectively bargain and collectively negotiate to have their rights protected. (Time expired)

Mr MURPHY (Lowe) (9.39 p.m.)—I rise tonight to oppose and denounce this punitive and onerous legislation, the Workplace Relations (Registered Organisations) Bill 2001 and the Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001, as yet another tired attack, another stunt, directed at the trade union movement by a government well beyond its use-by date—and I will get to that later in the debate.

The stated purposes of this legislation are to deal with the financial and administrative accountability of officers of registered organisations; the registration of new organisations; the de-amalgamation of parts of a registered organisation and the registration of the fractured part; and the deregistration of organisations. In so doing, the legislation will create a new and separate act from the current Workplace Relations Act 1996. This legislation is just one of the planks in the raft of assaults on the trade union movement, generally known as the ‘second wave’, launched by the former minister for workplace relations in 1999 and now here tonight bequeathed to the new Minister for Employment, Workplace Relations and Small Business.

There are two areas of this legislation on which I would like to concentrate. They are: the imposition of the corporate board of director like accountabilities on union officers, and the de-amalgamation and deregistration provisions. Firstly, unions are not companies. Unions are voluntary organisations of members who may join and then discontinue their membership throughout the life of the union and/or throughout their own working life. A member of a union today may not be a member at some time in the future and yet they may return and continue their membership at a later date. Membership of a union can arise for a multitude of reasons. Too often members join because they need to be protected from an unreasonable employer. More generally, workers join unions because it gives them a sense of security. It allows them a say in their own lives, the feeling of control over their own circumstances and an opportunity to improve their working conditions. Some employees wander in and out of union membership throughout their working life. They sometimes join and remain a member during their entire working life. Others never feel the need to join.

That describes the position of voluntary organisations. In fact, it describes what happens with any voluntary organisation in Australia. Like with any other voluntary organisation, the members of a union elect people to take up the various offices required to ensure the effective running of that organisation. Voluntary organisations have rules by which office holders and members conduct the affairs of the organisation. These rules ensure that officials are accountable to the members for their conduct. All voluntary organisations survive through the strength of their membership and exist for some express purpose. More often they exist to provide some service to those members and/or an identified client.

Workers form unions to ensure their interests are properly articulated in negotiations with their employers. Those who do not want that service either do not join that particular organisation or they disassociate themselves from it in some way. The most important service a union provides, however—the union’s reason for being—is that of a representative and as an advocate. Whatever else it might do, or whatever other service it might provide, the union that provides effective representation not only holds its members but also attracts new ones.

One key feature of any voluntary organisation is the quality of the office holders. The work of office holders in voluntary organisations, whether they be full time, part time or voluntary, is essentially the same. First and foremost, they are responsible for providing the service required by the members of the organisation. The office holders are elected by the members and are accountable to them. The role of members is vital in the affairs of the organisation because it is their activism
that enhances the service the union provides. The strength of the collective action protects and increases the benefits workers gain for their labour.

A corporation, however, is a different creature altogether. A corporation is definitely not a body of members who have called it into life to provide a service for them. It is an organisation which is a private venture commenced by a number of people expressly for the purpose of a specific project. This may be long term or short term, but the constant is that they expect to derive financial profit.

That original group of people may invite others in various ways to participate or share in that intended profit by requiring them to buy a share in the venture, which then may or may not succeed. The corporation may be sold to others as a going concern or it may be liquidated. The shareholders have limited liability for the debts of the corporation. Nothing else is required of those shareholders. Whilst they may elect office bearers, called directors, to represent their share in the venture, they do not participate in the running of the corporation and they do not elect anyone to conduct the affairs of the corporation. If the venture fails, the shareholders do not prosper. Their ability to control the destiny of the corporation is limited at best—in fact it is practically nil.

Just witness the One.Tel and HIH debacles. What shareholder was in control of the affairs of those multimillion dollar organisations? Alarmingly, there is an argument that suggests that directors of those corporations were not in control of those organisations. Can these two types of organisations—union and corporation—be said to be the same? Can membership based organisations with democratically elected office holders which exist to provide a service for that membership be equated with corporations that exist for profit, do not have democratically elected executive officers and conduct their affairs without involvement of shareholders? They obviously cannot, but the government in this legislation believes that they are the same type of organisation. Of all the voluntary organisations in Australia, this ideologically driven government has singled out the unions and their membership for discriminatory treatment.

The reason this government believes these organisations are the same is that they see workers and their unions competing with their corporate mates. Unions and corporations are not in the world to do the same things. They are not comparable so should not be subject to the same regulatory notions and legislation. Unions are not businesses, and corporations are not voluntary organisations. Both are in the world for completely different purposes. They are not two sides of the one coin. No-one would think to equate the scouts or the guides with corporations that manufacture and sell camping equipment just because scouts and guides go camping. The fact that corporations employ people who are members of voluntary organisations does not mean the governance of the two should come from the same legislation and regulatory prescriptions. Only in the mind of the unreconstructed, ideological warriors of this government could all the differences between voluntary organisations—in this case, unions—and corporations be ignored. Unions have sufficient governance practices provided in existing legislation and in their rules. There is no evidence that the proper authorities are unable to deal with their responsibilities.

The legislation before the House tonight is designed solely to give vent to this government’s hatred of the trade union movement in Australia. With its undying love for the big end of town, the government would do better to spend its time on measures to bring integrity and accountability to its supporters in the corporate world, where lapses of corporate governance and accountability at HIH and One.Tel have already cost shareholders billions of dollars.

Mrs Roxon—Hear, hear!

Mr Murphy—I thank the member for Gellibrand. Trade unions are administered well and are operated for the demonstrated benefit of their members. It is their proficiency that so annoys this government that it directs hatred towards them. It cannot stand this type of voluntary organisation because they are dedicated to serving Australian workers.
This legislation is not needed for the governance of unions. This legislation is designed for those obsessed by anti-worker and anti-union ideology. It is designed for members of this government who have dedicated their careers to harming workers and their unions in the interests of their sponsors from the big end of town, what I would call the corporate elites, which this government has sold out to.

This minister has resisted every opportunity to assist workers to secure benefits they deserve or to protect their employment. This minister has done nothing but deny those workers their entitlements, whether it be the One.Tel workers, textile workers or any others. The minister's ideological hatred of workers and their unions prejudices his decisions whenever reasonable concerns are raised.

Mr Abbott—Who wrote this crap for you?

Mr MURPHY—This is not crap, Minister.

Madam DEPUTY SPEAKER (Hon. J.A. Crosio)—Order! The comments will go through the chair, please.

Mr MURPHY—There has hardly been any industrial benefit provided to working Australians by your government since it came to office in 1996, and the minister knows that—not in respect of wages, working hours, entitlements, job security or compensation and protection for loss of employment. HIH received a public handout, but only through the work and advocacy of the Finance Sector Union did the employees get any of the entitlements or redundancy pay due to them—and you know that, Minister. This government barely raised any effort to protect the benefits of the HIH employees, people who had lost their jobs through the wrongdoing of the board and the profligate behaviour of the senior management, who inevitably had been generous donors to the Liberal Party. It was only because of the pressure that we on this side of the House put that there was a royal commission into that HIH collapse.

The other areas that I want to address tonight are the deregistration and de-amalgamation provisions. This government never spares the rod when it comes to wanting to dismantle the trade union movement, as evidenced by the minister's interjection a moment ago. The government has been notorious for weakening the enforcement arms of corporate scrutiny in Australia in order to create an all but self-regulated corporate sector. However, when it comes to the unions of the employees of these companies, this government is not content with a mirror form of self-regulation. Instead, it wants to maximise the scope and depth of the third party regulation of unions whilst minimising any scrutiny of its corporate mates.

Another area where this government singles out unions for special and discriminatory treatment is that of deregistration and de-amalgamation—that is, for a union to be struck off as a representative of its members in their dealing with their employers. Who has the greatest interest in and seeks the greatest advantage from such an initiative? It is the employers with whom the union seeks to advocate its members' interests. This provision will be of greatest advantage to a corporation at the time of an enterprise bargain when it will be in the best interests of a corporation to ignore its employees by invoking deregistration proceedings against the union that is acting in the workers' best interests.

What an advantage for one party to a negotiation, to be able to effectively and legally destroy or disable—in fact paralyse—the other party so it can then proceed unhindered to control the outcome. If I had said this in respect of some Third World dictatorship, no-one here would be surprised. But it is ideology gone mad, and for its own sake, that drives the government to legislation like this before the House tonight. I guess this is the government's way of delivering for a legislative whip hand to any unscrupulous corporation.

What is worse, this legislation also offers employers the legal right to dismantle a voluntary employees organisation by sponsoring breakaways. If the ALP came into this place and proposed legislation by which dissident directors, senior executives or shareholders could break away or secede from a section of a corporation and then legislate for that...
breakaway section to be registered with ACIS as a corporation—or worse, go even further and legislate to grant that breakaway section all the rights of the parent corporation to the contracts of the parent corporation’s business—the parties opposite and their corporate sponsors would be beside themselves with justifiable outrage. Yet that is exactly what this legislation is doing to the unions tonight in the House of Representatives. It acts to sponsor breakaways, which then are granted not only all the rights of the parent union but also access to all the awards and enterprise bargains to which the parent union is a party. This is a recipe for employer sponsored employee associations to not only disrupt the work of a union but also plagiarise and ride on the back of the genuine workers union.

The trade union movement is a movement of employees who have elected to join voluntary organisations for the express purpose of having those organisations take up their interests with their employers. This government cannot abide that purpose and has set itself against the millions of Australians who either are members of unions or benefit from the representation and advocacy of unions. This government wants to also intervene in the relations between employers and unions by weighting the scales firmly against the union. This legislation tonight is just another attempt to add to that attack. The Australian people will not tolerate this. The government and its corporate sponsors are not interested in fairness or justice for Australian workers. The voters in Western Australia and Queensland, and now in the Northern Territory last weekend, are ringing the funeral bell on this government and on the many miserable failures that it has brought Australians, not only in industrial relations but also in education, health and aged care. This is a miserable government of mean and tricky ideologues, and the Australian people will be soon rid of it. I reckon that will happen on 17 November this year.

Just before I came to the chamber I was speaking to Western Australian Senator Ross Lightfoot, who is a member of the government. When I said to Ross, ‘I reckon the election will be held on 17 November and I reckon they’ll take a stick to your government,’ he did not accept that we would take a stick to the government but he said, ‘Yeah, I reckon you can put a Gold Coast unit on the fact that the election will be held on 17 November.’ I have been saying that in the chamber for some time. In fact, 12 months ago that erudite chief political reporter for the *Australian*, Dennis Shanahan, wrote definitively that the next federal election will be held on Saturday, 17 November 2001. Dennis Shanahan is right. There is no doubt about it because, whilst you might not always agree with what Dennis Shanahan writes when you read his columns, I will tell you one thing about Dennis Shanahan: his grapevine of intelligence grows right into the cabinet and, when Dennis Shanahan reports on what is discussed in the cabinet, you can put your money on it. Dennis Shanahan is right. The election will be held on 17 November; there is no doubt about that.

We have not got long to go. We have only three sitting weeks in this House after this week, and I have got absolutely no doubt from my experience in my electorate of Lowe that the people of Australia will take to this government. I know that the minister interjected a moment ago when I was making statements which he described as ‘crap’. I just happened to be sitting in the dress circle here in question time today, and you could see by the looks on the frontbench that this is a terminal government. The legislation that is before the House tonight is the sort of legislation that is going to lead to the Australian people voting the Howard government out on Saturday, 17 November this year. They have had a gutful of the government.

The Australian people have had a gutful of the government for very many reasons, and not only because of the policy in relation to industrial relations. You cannot keep doing to the Australian people what is done here every day in question time when we get a dorothy dix question from the member of the government and the minister who is sitting at the table tonight absolutely bags our side of the House and bags the trade union movement, who have done such a great job over 100 years to represent the interests of workers. Neil O’Keefe, who sits beside me, said
that he heard all this in 1995 when the government then used to rev up Paul Keating, who would come into the chamber and make the Labor government feel good that we were going to win the 1996 election, but by that time the people had switched off. Neil O’Keefe has said it to me many, many times—

Madam DEPUTY SPEAKER—I am sure you are referring to the member for Burke.

Mr MURPHY—I mean the member for Burke. When the Treasurer, the Minister for Industrial Relations and the other members of the frontbench start getting stuck into the opposition, the Australian people are not listening. I know it from my experience around my electorate of Lowe because, whether it is concern about the GST in all its manifestations or about public education or public health, the Australian people have stopped listening. I am so confident that they will vote for Kim Beazley at the next federal election because they have had enough of this government. I welcome the minister coming in here every question time and getting stuck into the unions and the ACTU and talking about all the former presidents, secretaries and anyone associated with the union movement: that means votes galore coming over to the opposition. We will win the election; I have no doubt about that. (Time expired)

Ms ROXON (Gellibrand) (9.59 p.m.)—Madam Deputy Speaker Crosio, as I take this opportunity tonight to speak on the Workplace Relations (Registered Organisations) Bill 2001 and associated legislation, I am pleased that you are in the chair, because I know that you share with me a great concern for Australian workers, particularly with regard to the issue of employee entitlements. I am fully confident that, if you or I were sitting at the table as the Minister for Industrial Relations, we would not be wasting 300 pages of legislation in dealing with what are, at best, minor issues of concern to people on either side of the industrial relations field, but would be dealing with some of the core issues facing workers in our community at the moment.

In relation to employee entitlements, this government promised that it would legislate for the absolutely paltry scheme that it has introduced. Not only has it introduced this paltry scheme; it has refused to legislate for it. At every opportunity it has found excuses for not legislating for it. At the moment, the only security any employee has is at the whim of the Minister for Employment, Workplace Relations and Small Business, who is sitting at the table now, and I do not think that many in this House or those in the community would like to be at this particular minister’s whim over anything, let alone over the security of their entitlements in the event that they were unfortunate enough to lose their jobs.

It seems to me that the starting point for this piece of legislation is 300 pages of wasted energy that could have gone into something that actually mattered to working people, let alone to businesses. I know that the government, particularly the minister, pretends that it stands for the workers of Australia—which is a claim that I think nobody believes. But, as a conservative party, it is also happy to align itself with businesses in this country—which is fair enough. I also have a very good and cooperative working relationship with many businesses in my electorate. I know that those who are concerned about the issues around industrial relations could not care less about the contents of this 300-page bill. The kinds of issues they would like to see sorted out are those that we in opposition have been talking about for years and have tried to deal with, and have dealt with in a number of ways, when we have been in government.

I will start by saying that it seems to me that the government has put a lot of energy into something of very little value. It symbolises what we have seen with the government in a whole lot of other areas: they have run out of ideas, they have run out of puff, they do not have anything constructive to do and they are just trying to fill in a couple of weeks of time in this parliament, debating pieces of legislation that they know will deliver no real benefit to the workers or the businesses that they seem so intent on providing some sort of support to.
This legislation is of concern to me in a number of areas, and I draw the House’s attention to a couple of issues that I think are particularly important. One issue that most surprised me in reading through the legislation before the House is the proposal to allow for speedy hearings and to request the Industrial Relations Commission to expedite registration processes as well as disamalgamation proceedings; that is my understanding from my reading of it, although I am happy to be corrected.

It seems odd to me that the government is so determined to allow there to be an expedited process for registration proceedings for a new registered organisation, when there is no such provision in circumstances that would seem much more worthy of a speedy hearing. We have seen examples of this when dealing with very significant disputes that could have a major impact on a particular industry in this country or on our exports. There are a number of circumstances where I think the community would be anxious for the Industrial Relations Commission to be able to deal with matters quickly, but in fact under this government’s legislation there are restrictions on how easily the Industrial Relations Commission can intervene in negotiated disputes or disputes over the negotiation of agreements. I do not understand why a government that says it wants to promote the interests of industry and the workers in industry would not be more interested in putting its time and energy into setting up a piece of legislation that would allow the Industrial Relations Commission to put its time and energy into the resolution of disputes rather than into the speedy registration of a multiple number of new registered organisations.

There are quite restrictive provisions in terms of trying to hear unfair dismissal matters quickly. I would have thought that, for the individuals concerned—and it is often a pet concern of ministers for small business—the most difficult issue to deal with when handling an unfair dismissal dispute is the fact that it is not resolved quickly. I can understand that it is in the interests of both the worker and the business involved that those matters would be given some priority.

Of course, the government do not need to actually change the legislation to do that. If they were actually prepared to fund the Industrial Relations Commission properly, there would be sufficient resources within the commission to be able to prioritise urgent matters. They would, however, with the issue in relation to disputes, need to consider changing the legislation. But you cannot have it both ways. This government are determined to say that they would like a deregulated industrial relations system, and that is why they introduced provisions that allowed employers and employees to enter into negotiations and take protected action, and that restricted the power of the Industrial Relations Commission to intervene at those times. The government have been active in saying, ‘We want to do that; we want to be hands off; we want the system to work according to the market.’ But, as soon as it is something that they think has a political agenda that suits them, they actually want to be the most interventionist that they possibly can. It seems to me that the government’s logic is completely flawed, and we have seen some terrible examples of disputes dragging on because of the legislation that this government have put in place.

I know that the shadow minister sitting at the table, the member for Reid, has had a little involvement with the terrible lockout dispute down in Pakenham, at the G & K O’Connor abattoirs where, under the legislation introduced by this government, we have had workers treated in the most appalling way, abused and treated in ways that most people would not fathom ever happening in this country. But the system allows the employer to take that action, because that is what the government says it wants. Instead of saying, ‘Look, we are appalled by this behaviour even if our legislation allows it,’ the government comes out and makes comments that are supportive of this sort of industrial thuggery at the hands of employers.

Why is it that the government wants to have a hands-off approach on those things but it wants to be incredibly interventionist and hands-on when it comes to the internal regulation of registered organisations? We do not have to scratch the surface too far to un-
understand why that is. Anyone who has had the misfortune of having to sit through question time when the minister for industrial relations is asked a dorothy dixer would know that the reason is that the minister is obsessed with the regulation of the trade union movement. I must say that there is good reason for all of us to want to ensure that there is a proper registration system for industrial organisations. There is already a lot of regulation of unions. For organisations that control a lot of members' money and that are basically democratic organisations, it is appropriate that there is some regulation of it. But the minister does not really seem to know where to stop on that: what is appropriate and what is not appropriate?

It surprises me that the minister is far more interested in the way you regulate the internal business of trade unions than in the way that you might regulate the internal business of companies, particularly large companies that intentionally set themselves up to avoid industrial regulation, their tax responsibilities and a whole range of issues. The government has spent zero time since I have been in this House—I was first elected at the previous election—dealing with corporate mismanagement issues, but it is prepared to deal at an obsessive level with the detail of the registration requirements for an industrial organisation. As I have said, there are certainly important reasons for wanting to ensure that elected officials within unions and within other registered organisations are responsible in the way money is handled and are accountable to their members. Many of those provisions already exist in the Workplace Relations Act—in fact they have existed since very early on in some of the earliest Conciliation and Arbitration Commission acts. There is nothing new in wanting some regulation. If you are a key player in the industrial field and you are given rights under the act, as unions and employer organisations are given, it is reasonable to expect that you should have some responsibilities as well. But this seems to be going just a step too far each time. Again, I go back to the basic point that I raised at the start: why, if you had the opportunity to introduce into this House 300 pages of legislation that was going to change something in the industrial relations system, would you choose to put all your energy into this bill?

The minister has been out to my electorate. The government must think that it is going to work away at the margin and perhaps win Gellibrand for the Liberals for the first time in the history of the seat, because the minister has been twice to my electorate. Most recently, he came to my electorate at a time that was very difficult for the Bradmill workers. It was at a time when 800 workers were unsure whether their jobs were going to be secure. The company had been put into administration and it was looking for a buyer to take over the business. I am pleased to tell the House that, although through no particular assistance of this government, a buyer has been found for the major parts of the business. We have been able to ensure that 500 workers will keep their jobs. Unfortunately, about 350 workers will lose their jobs—300 or so in my electorate and another 40 or 50 up in Ararat. It will be very difficult for those employees to find work, as it is for everybody at the moment.

The minister came out, at a request from the union, to address the workers who were concerned about their entitlements should they all lose their jobs. He had the cheek to say to them in a very provocative way, 'Are you trying to tell me that you won't be able to find a job if you lose your job here?' Minister, I know that you like to put on your flak jacket and walk into any fight that you can, but it seems to me that many of those people will be able to find jobs, and many of them will find it incredibly difficult. My electorate still has nearly double the national average of unemployment. A lot of businesses are closing as the nature of their work is changing. It seems to me to be a sign of how out of touch this government is getting on so many issues that the Minister for Employment, Workplace Relations and Small Business could say to workers, most of whom have spent 20 or 30 years of their lives working at one place and who live in the western suburbs of Melbourne, where the unemployment rate is still about 12 or 13 per cent, 'I don't really know why you're all worried about this; you're surely not telling me you can't get a job if you lose your jobs here.'
Minister, those sorts of comments reflect real contempt for those working people. They got that message loud and clear. I would be happy if you spent as much time as possible in my electorate during the election—it will assist my vote, so the more you do that the better. But if only you had spent the energy and time trying to deal with their legitimate concerns, trying to look at options for keeping that business afloat, and trying to look at appropriate options for securing their entitlements if the company were to go under, rather than putting all your energy into these 300 pages that deliver very little to anybody. If you had done that, we would be in a much better place. As I have said, if you really would like to spend your time distracted on these issues and if you would like to come and talk to some more of my constituents, I would be happy for you to do it. I would be confident that the Liberal candidate in the area would quickly suggest that you spend your time somewhere else.

I am concerned that, as its primary focus, the legislation separates out the conditions and provisions that relate to the regulation and internal regulation of registered organisations from those that deal with the regulation of industrial matters generally. The argument is that it will make it simpler, but again that shows the minister’s lack of understanding and grounding in the portfolio that he is responsible for. The shadow minister and I know that the issues are inextricably linked. The ways in which a registered organisation such as a trade union is given rights that relate to the conditions that are negotiated, to the way the arbitration system works, to the way awards are developed, to issues dealing with rights of access, rights to negotiate and a range of other things, are inextricably linked. Anyone who is going to practise in this area, whether as a lawyer, an industrial official or an adviser to an employer association, will only have to carry two pieces of legislation to every negotiation, every industrial relations hearing and every other matter. That will not make it any simpler. It does not alter the fact that these two pieces of legislation will have to rely on each other to be understood. For some reason, the government thinks that it is a noble aim to put so much energy and attention into separating out the pieces of legislation.

I am also concerned about another aspect of the legislation and that is the financial assistance that is going to be provided to persons wanting to bring disamalgamation cases. I am also a little perplexed about why the government thinks that this is of such interest. I know that the minister believes that big unions are powerful and therefore anything that works to break them up must be something that meets his objectives. It again shows his ignorance in this area.

Most applications made under the Workplace Relations Act—applications which have been made for time immemorial—to have one union cover a particular site come from employers because they would rather deal with one organisation. They do not want to go back to the days when they had to deal with five or six different organisations on one site. They were great supporters of union amalgamation for those reasons. It seems very odd that the minister is obsessed with trying to reverse that trend.

However, the point I started with is more worrying and that is the financial assistance that is going to be provided to people who might bring those cases, when the government is cutting legal aid massively in all sorts of other areas, such as in family law and in areas where people are facing serious criminal charges. More importantly, or more directly comparable, is the fact that no financial assistance is provided in other industrial matters. The minister probably does not know that award breach applications are such that you cannot get any financial assistance for bringing the claim, and you cannot even claim costs if you are successful in bringing a claim. A worker might be entitled under an award to $380 a week when perhaps an employer is paying $300 a week. That person would probably only be able to bring a claim if there was union assistance because it is too expensive for most people to bring a claim otherwise. If that claim is made, it has to be made in the Federal Court. If that person is successful in that claim, the person might want a year’s back pay at $80 a week. That is not very much money. Even if that person is successful and is not wrong in
any aspect or allegation made, that person cannot have any of the expenses covered for bringing that claim. The costs for filing the application in the court are not even covered.

Why would the government spend money supporting disamalgamation cases when they have no interest in upholding the current system? The only answer we can reach is that the government are prepared to finance people who want to be involved with internal union disputation, but they do not want to finance anyone at the bottom end of town who just has a claim about not being paid properly under the award. They will not pay for discrimination cases or for unfair dismissal cases. In fact, they have just introduced legislation to make that even more difficult. They will not deal with loss of other entitlements issues. It seems to me that the government’s priorities are the wrong way round and a lot more time and energy should be spent on the things that really matter to people.

I am appalled that, in the last couple of weeks of this government, they see fit to introduce such legislation. The minister has very little grasp of his portfolio and it will be interesting to hear his rebuttal on a number of the issues that the shadow minister and others have raised, because it seems to me that there is no possible justification for much of the energy that has gone into this piece of legislation.

Mr O’CONNOR (Corio) (10.19 p.m.)—
The Workplace Relations (Registered Organisations) (Consequential Provisions) Bill 2001 is basically divided into two parts: the primary bill, which relates to registered organisations, and the adjunct bill, which relates to the consequential provisions that the government is moving in this package of legislation. The primary bill relating to registered organisations was introduced into this parliament on 4 April 2001. According to the government, the purpose of the bill is to update and upgrade the existing provisions of the Workplace Relations Act 1996 concerning the regulation and internal administration of registered industrial organisations. The government claims that the bill will improve financial accountability and democratic control within registered industrial organisations. I find this notion of democratic control interesting because we all know that this is a government that introduced dogs and mercenaries to the Australian waterfront to resolve a particular dispute which it had a hand in engineering. We have to take with a grain of salt the government’s intention here in seeking to legislate for greater transparency and accountability through these provisions related to registered organisations.

The member for Corangamite is a hardliner along with the Prime Minister and, dare I say it, he is one of the Prime Minister’s lackeys in this parliament as far as industrial relations is concerned. We all know the attitude of Geelong workers to the honourable member. They know him very well and they know his support for legislation to strip them of their rights. They know very well his support for this sort of legislation, which is being promoted by the minister, which is aimed fairly and squarely at weakening the union movement and the capacity of workers in the Geelong region to organise and to collectively bargain for a better deal.

The honourable member for Corangamite is one of the squattocracy from the Western District. He has had everything handed to him on a plate. The honourable member claims to have worked an honest day in his life and I guess we have got to take him at his word but, let me tell you, there are people in the Geelong region who have had to work since the age of 15 and they have not had it handed to them on a platter; they have had nothing handed to them on a platter. They have not only had to bargain collectively in difficult circumstances for a decent level of wages for themselves and their families but, in the modern era, they have had to deal with a government which masquerades as a national government interested in resolving disputes, and which comes into this House claiming that it wants greater transparency and accountability in registered organisations, yet has a sordid and tawdry history of going to the corporate sector and conspiring with it to strip the union movement and workers of their rights.
Mr McArthur—It is a democracy. What about the democratic principle?

Mr O’CONNOR—The honourable member for Corangamite prattles on about democracy. He views the democratic principle through the cutouts of the balaclava. His eyes look at the democratic principle through the balaclava and with the yelping of the Dobermans in the background. That is the coalition’s legacy to industrial relations in this country. Might I say to the honourable member for Corangamite, who is obviously a supporter of this legislation: your day is coming. It cannot come quick enough for the workers in the seat of Corangamite in the Geelong region. It is going to give the workers all around this country great pleasure in retiring you and your government to where you belong: on this side of the House.

Mr DEPUTY SPEAKER (Mr Nehl)—The member for Corio will ignore the member for Corangamite and endeavour to address his remarks through the chair, and the member for Corangamite will be silent. It is a hard ask, I know.

Mr O’CONNOR—I will, Mr Deputy Speaker. There is extreme provocation from the member for Corangamite in this regard, but we all know his record on industrial relations. Indeed, he is a great supporter of the Prime Minister, the former minister and this minister. He seeks to weaken the union movement, but he comes into this House claiming that these provisions are necessary so that we can have greater transparency and accountability.

In the context of this legislation, I want to bring to the House’s attention a situation which arose in the wake of the recent Tristar dispute in New South Wales. The situation was brought to my attention by the secretary of the Geelong Region Trades and Labour Council, John Kranz, and the union representative in the vehicles division of the AMWU. It relates to a single mother with several children who works for a component supplier to Ford in my electorate in Geelong. She is a member of the AMWU and, as we know, the AMWU is an amalgamated union consisting of several divisions: it has automotive, food and metals and printing divisions, and it is governed by different state administrations of that union.

This particular person had no influence over the decision of the workers in Tristar to go on strike over the employee entitlements issue. When my constituent went to Centrelink seeking some financial support because of her family responsibilities, she was met by a resounding ‘no’ according to the provisions of the Social Security Act. The Social Security Act 1991 states, in section 598:

... a person is not qualify for a Newstart allowance in respect of a period unless the person satisfies the Secretary that the person’s unemployment during the period was not due to the person being, or having been, engaged in industrial action or in a series of industrial actions. Section 596 (2) states:

A person is not qualified for a Newstart allowance in respect of a period unless the Secretary is satisfied—

that the person’s unemployment during the period was due to other people being, or having been, engaged in industrial action or a series of industrial actions, and

the people, or some of the people, were members of a trade union which was involved in industrial action, and

the person was not a member of the trade union during the period.

This simply means that workers who belong to the union who are stood down by their employer because of the effects of a dispute elsewhere and who apply for Newstart allowance are deemed not to qualify because of their union membership, whereas an employee who is not a member of the union may be eligible for the allowance.

There were basically four unions involved in the dispute with Tristar, I understand: the Australian Workers Union, the AMWU, the National Union of Workers and the CEPU. The situation which was described to me involves a person who was denied Newstart due to the Centrelink guidelines and the interpretation of the act which was provided by the guidelines. This particular woman was not able to access a particular benefit which would have supported her during this industrial action even though she lived in another state, was a member of a division of the union that was quite separate and had no influ-
ence or control over the industrial action that was taking place in another state by members of the union. I bring it to the attention of the House because this is an area that needs further examination and one that can be pursued further. I will be doing that with the cooperation of the Geelong Region Trades and Labour Council and the union concerned.

We on this side of House intend, on assuming government later on this year, to restore some credibility to the industrial relations system. We are going to restore the independent umpire and its power to arbitrate and conciliate in industrial disputation. We are going to insist in legislation that employers bargain in good faith and I think this is very important for people to understand. We have gone through a period in Australia’s industrial relations history where we have had not only employers not bargaining in good faith but also the national government of the day not acting in good faith either—indeed, its ministers have been agent provocateurs in industrial disputes in this country. (Time expired)

ADJOURNMENT

Mr SPEAKER—Order! It being 10.30 p.m., I propose the question:

That the House do now adjourn.

Drake Personnel: Employment Contract

Mr HOLLIS (Throsby) (10.30 p.m.)—I rise this evening with a disturbing case involving Drake Personnel and a constituent of mine and his near loss of employment. My constituent was contracted through Drake Personnel to carry out surveying work on an electrification project. The contract had expired and my constituent applied for a job advertised by Rail Infrastructure Corporation. The hitch came when he was advised that, because of a clause in his contract with Drake Personnel, the same client could not employ him for a period of six months. If he were employed, then Rail Infrastructure Corporation would have to pay Drake Personnel 10 per cent of earnings as a placement fee.

Rail Infrastructure Corporation understandably baulked at this stipulation in the Drake contract. I will quote from an email from Rail Infrastructure Corporation, while maintaining my constituent’s confidentiality. The email said:

Basically, [name of my constituent] will not be offered employment with us as RIC will not be paying for any placement fee.

My constituent was suitably and understandably outraged that his employment prospects were being hampered by a clause in Drake Personnel’s contract. My constituent already had the job with Rail Infrastructure Corporation in the bag, but, because of this contract clause, he faced losing this opportunity and becoming unemployed. He came to my office on 7 August. As I was here, my staff met him and, without prejudging anything—as we do with all cases that walk through my door—determined to take up the issue.

Our first port of call was, as one would expect, Drake Personnel, to get the other side of the story. My staff contacted Drake Personnel to inquire about the contract and whether there could be any flexibility in terms of the contractual arrangement with my constituent. This contact was made on 8 August, and I understand the discussion my staff had with Drake Personnel was, at this stage, civil and professional. My staff explained that my constituent had been to my office seeking assistance in this particular matter. Drake Personnel became defensive about our inquiries. Drake Personnel wanted to know why an MP would become involved in a matter that was their preserve. Again it was explained that my constituent had called in to my office seeking assistance—no-one in my electorate is ever turned away when seeking assistance.

The woman who handled the initial discussion with my staff, after complaining that she could see no reason why my constituent came to me for assistance, said she would talk to her boss about the matter. Five or so minutes later, on 8 August, a rather curt, so-called manager of Drake Personnel contacted my office and accused my staff of slandering his organisation. This manager, Mr Warwick Lawrence, stated that my constituent had breached confidentiality when he brought his case to me for assistance. I know now why he was so petrified about maintaining confidentiality, because the particular contract
clauses at the heart of this controversy are an absolute disgrace. These are the obligations if one signs a Drake Personnel contract:

3.1 Once you commence an Assignment you are deemed to have accepted all the terms of that Assignment as advised by Drake, and where practicable, you sign an Assignment letter for each Assignment.

3.9 You agree not to work for a Client within six (6) months, or if such a period is held to be excessive by a Court of competent jurisdiction, then for a period of three (3) months of working for that client pursuant to an Assignment letter. You acknowledge that this restraint is in consideration of Drake’s obligations under this contract and is necessary to protect Drake’s commercial interests.

Drake’s obligations are stipulated at clause 2.2, which states:

Before placing you on an Assignment with a Client, or as soon as possible thereafter, Drake will provide you with an Assignment letter ... setting out the details of the labour services to be provided to the Client.

Interestingly, my client claims that Drake Personnel never met the terms stipulated in its obligations. The contract is a joke, particularly clause 3.9, which recognises that a court can deem the period of six months non-work for a client as excessive. I am not a lawyer, but I consider that this Drake Personnel contract is harsh and unconscionable. I am referring the matter to the Attorney-General for further consideration.

If the experience of my office is any indication, I know why Drake clients are knocking on the doors of their local MPs for help. Drake Personnel ought to look at the public performance of its manager in the Illawarra office. His rude, curt and arrogant behaviour in response to innocent questions in seeking to assist a constituent is nothing short of unacceptable. In the past whenever my office has taken up a case on behalf of a constituent with a private firm, they have bent over backwards to try to be helpful and resolve the problem to mutual satisfaction.

Obviously, Drake Personnel’s Illawarra manager has a different public relations technique. My office and I will continue to work without fear or favour for a resolution to any case that a constituent refers to us. That is what we are paid to do. Drake Personnel type firms ought to get used to it.

Small Business: Moreton Electorate

Mr HARDGRAVE (Moreton) (10.35 p.m.)—I am delighted to contribute to the adjournment debate tonight to report to the House on some of the views and concerns of small business in my electorate of Moreton. I have spent a lot of time over the past 5½ years working closely with small business, particularly through the mechanism of the Moreton Electorate Small Business Advisory Group, to bring small business operators and local peak bodies in the form of the Southside, the South-West and the Archerfield Airport chambers of commerce together on a regular basis, not just with me but also with ministers. I see in the chamber tonight Minister Abbott, who has been able to spend time over the years with small business in my area, as have Minister Macfarlane and other ministers, to help the Howard government perform in the strong and effective way it has.

It is very important for us to understand why working with small business is so important. As we all should know, and as everyone on this side of the chamber certainly understands, if you want to grow real jobs and give more Australians opportunities to be in the paid workforce, small business needs to be encouraged. Against that pro-jobs and pro small business background that this government has brought to the administration of this nation, the contrast of those opposite has to be constantly drawn out for further discussion. With the Howard government recently securing some great changes to the unfair dismissal laws, bringing them a lot closer to our original intention when we first came to office in 1996, more employers in my electorate are feeling a sense of liberation, a sense of being able to hire people and of not having to perhaps face the reality of never being able to get rid of a mistake.

Labor’s idea of enforcing onto small business a principle that, once employed, you must stay on the books has cost 70,000 jobs around Australia. We said it was 50,000 a few months ago, but one of the local Chamber of Commerce presidents in my electorate said that many more than 50,000 jobs are not being created in Australia because of the
Australian Labor Party’s determination to follow the union line, as usual, and not support small business in their desire to hire people.

Small business are very worried about further change. They are tired of change. I salute small business operators in my electorate and the effective way in which they have come to terms with the biggest change to the taxation system in the history of this country. They have come to terms with the paperwork, they have brought the systems into their business and they are getting on with the job. But over the past couple of years the Australian Labor Party has been talking about how it will repeal change—their word that has been missing from the lexicon of Labor in the last couple of weeks—which will nevertheless create more costs and more confusion for small business. These are not just my words. Rob Bastian from the Council of Small Business Organisations of Australia said that roll-back means complexity. If we roll back coverage of the GST, we will increase the complexity, and that will cause a lot of pain to small business.

Changes to the tax system have to be made against a background of proper and complete consultation. Changes to the way that businesses operate cannot be made willy-nilly. Changes cannot be made year in, year out. They have to be made in a gradual and purpose filled way. That is how this government has acted. The Australian Labor Party is saying to some audiences that it will change the taxation system—or make the complexity of tax more obvious to small business operators—yet to other groups Labor is saying something else.

The intentions of this side of the House are well understood by small business. The government’s motivation to help small business to survive and to grow, which means more jobs, is starting to produce results. I am delighted that small business operators in my electorate are urging me to very vigorously contest the upcoming election and to highlight the sorts of things I have highlighted tonight. They are very concerned about the Labor alternative. Any increase in cost to small business will mean they will have to drop staff. Costs to business brought about by complexity and changes to tax or brought about by complexity in changes to industrial relations, as proposed by the Australian Labor Party, will have an automatic detrimental effect on the employment prospects, at a time when we are starting to see a real lift in profits, in turnover and in jobs in my own electorate. Those opposite need to get out amongst the real people and not the union bosses. (Time expired)

Centrelink: Debt Recovery

Ms HALL (Shortland) (10.40 p.m.)—Unlike the previous speaker, the member for Moreton, the electors within my electorate are most concerned about the possibility of the Howard government being re-elected. When I touch on the stories of a couple of people who have contacted me, you will understand very well why this is the case. The rhetoric of the Howard government is that it is a family-friendly government. Week after week we sit in this parliament and listen to the Prime Minister and his ministers tell us and the Australian people how much better off we all are under this government. Prior to the GST being introduced, the government told the Australian people that no-one would be worse off under the GST and that families would be compensated for the GST through the family tax benefit scheme the government was introducing to make their lives that little bit better. Already we have heard how families who underestimated their income because they got a bit of overtime, or because of changed circumstances, have incurred debts to Centrelink. This government has waived debts of up to $1,000 for this year—but note that it is only for this year.

I recently heard about another problem, which has inflicted great pain and hardship on a number of families in the Shortland electorate. I will concentrate on two. These families have incurred debts because their children have found employment. When their children found employment, they received letters from Centrelink asking them to repay all of the family tax benefits they had received that year. In one case, a young person started work on 30 May. I will refer to letters I received from the mothers of these young people. One mother said that she is
extremely unhappy with the situation. It occurred through no fault of her own. She feels like a criminal. She understood that, if her child reached earnings of nearly $7,663, she should let Centrelink know. That is exactly what she did. Her child accepted a traineeship and that is when she let them know. Unfortunately, when she let Centrelink know, they said that she would have to repay the entire amount of family tax benefit that she had received that year. She had corresponded continually with Centrelink, and she notified them prior to her daughter starting this traineeship. Centrelink said, ‘Let us know. Give us more information. Advise us closer to the time that she starts; otherwise we will have to stop paying you.’ So, from the day her daughter started work, this mother put the money aside to ensure that she would have it there to repay if there was a discrepancy. She was absolutely devastated when she found out that she had incurred the debt. She felt that she had done the right thing all the way along. She takes great pride in doing the right thing and now she is suffering extreme financial hardship.

Another lady incurred a debt of $1,215.95. She received family tax payment between July and April. Her son obtained a job, and now she has been asked to repay this money. She says that she does not have the finances to repay this amount of money, and she feels that she should not have to pay it because she acted in good faith and did absolutely everything she felt she was required to do by law. She has four other children, and she is worried about the implications of this. She asks, ‘How are you supposed to pay back money you have spent on food, clothes and school expenses, et cetera?’

This government is mean and heartless, and it specialises in inflicting pain and hardship on families. It has no emotions but cares only about the bottom line, at the expense of ordinary Australian families. It is a heartless, uncaring government. I call on the government to act immediately to rectify this problem so that other families will not find themselves in the state that these two families have found themselves in. They are upstanding citizens who take great pride in always doing the right thing, but they have been made to feel like criminals. (Time expired)

Parkes Electorate: Community Events

Mr LAWLER (Parkes) (10.45 p.m.)—I want to share with the House this evening some information about a couple of events I was most fortunate in being able to attend in my electorate over the weekend. Both events highlight the way people in country communities pull together to achieve an end which will strengthen their community and benefit not just themselves but also people who are unrelated to them.

The first event, which was held on Friday night at Nyngan, was a celebration of the sporting legends of Nyngan. For those who do not know, Nyngan is a town of a few thousand people, about 120 kilometres west of Dubbo. Five sporting legends who were born and raised largely in Nyngan were invited, and 360 people attended this function. If you translated that number of people to a town of a larger size—Dubbo, for example—it would be about a tenth of the population, or about 4,000 people in Dubbo. I would hesitate to guess how many people it would be in a city the size of Canberra.

Many people may not know some of the sporting legends of Nyngan. There is Dennis O’Callahan, who played rugby union for Randwick and Australia; and Les Boyd, a famous rugby league player. Most people think that Les Boyd comes from Cootamundra, but he was actually born and raised in Nyngan. Phillip Dutton is a gold medal-winning equestrian from both the Atlanta and Sydney Olympics. Rodney Quinn is a jockey who has ridden in excess of 1,500 winners. This particular young gentleman left Nyngan at 4.30 on Saturday morning to get back to Sydney for the five rides that he had on Saturday, and he also had to ride on Sunday. I understand he survived the weekend on black coffee. Shane McLaughlan represented Australia in rowing about half a dozen times.

The beneficiaries of this night were the pony club, the rugby union club and the rugby league club. Everyone enjoyed the night. Some of those who were instrumental in getting such a successful night off the ground were: Vernette Gibson, Rodney
Robb, Grant Hallet, Alison Roche, Roslyn George, Peter and Mary Dutton, Annette Webster, Sharon Grimmond, Rod Avard, Trevor Waterhouse, Brad Lane, Mick Barlow and Belle Richardson—and many others who helped on the day. The night was a fantastic success, and credit must go to those people who put in a lot of work to prepare for it.

The second event was held in Dubbo on the following night, Saturday, and it was held to raise money for the Orana Early Childhood Intervention and Education Centre. This is a centre that assists parents with preschool kids who have disabilities. It services families from as far away as Cunnamulla. At the moment they have families from Trangie, Coonabarabran, Brewarrina, Walgett and, of course, Dubbo—all making a weekly trip so that their children can receive attention from educators, physiotherapists and occupational therapists. As a result of the successful night on Saturday, the centre is looking for funding to employ a speech therapist. There was a very well-known Sydney band in attendance, and Max Walker was the guest speaker. He waxed lyrical about things ranging from sport to life and general philosophy. The assistance that was provided to raise $35,000 net on Saturday night in Dubbo was from Astleys Tap and Spa Centre, WIN TV, Star FM, Dubbo Printing Works, Western Plains Travel, Sportscene and the Dubbo RSL Club. Anthony and Maree Barnes and Nola Honeysett almost single-handedly organised the evening, and they deserve wholehearted congratulations for the months and months of preparation that they put in to make this evening such a success.

It could be said that maybe the community should not be called upon to raise this amount of money to provide the services that they need for their disabled children. But those two events—there was also another one in Dubbo on the same weekend to raise money for Canteen, but I was unable to attend—highlight the preparedness of country people to put themselves out to raise money for worthwhile causes and to look after other people in the community.

**Banking: Branch Closures**

Mr MOSSFIELD (Greenway) (10.50 p.m.)—Another bank bites the dust. Another bank is closing another branch in my electorate. The Commonwealth Bank has announced that it is closing the branch at Quakers Court in Marayong, leaving customers to move their accounts elsewhere. This will leave no bank of any kind in the suburb of Marayong. This branch has been a very busy branch since the Commonwealth Bank shut the branch at Lalor Park. Many customers of the Lalor Park branch moved their accounts to Marayong. Now they will have to move again. There is a new housing development being built as we speak—right across the road from the bank. This housing development would, no doubt, have provided many more customers for this bank.

Next door to Quakers Court is the Brother Albert’s Home for the Aged, a nursing home catering for the very frail. I can tell the House that there is a great deal of anger in Brother Albert’s about the closure. The residents are not in a position to travel long distances to another branch. It was convenient for residents to walk a short distance to do their banking without any traffic hassles. Local businesses have told me that, if the branch closes, they will have to reduce staff. As people go to Quakers Court to do their banking, they do their shopping as well. Peter’s Meats, the local butcher, has told me that they started out with three staff and have managed to build their business up to where they now have a staff of seven. When the bank closes, they will be back to the beginning again, having to lay off the four staff they have hired, one of whom who has only just completed the Work for the Dole program.

When will banks learn that they have not only a duty to their shareholders but also a wider duty to the community? In just over an hour and a half last Saturday, I collected over 200 signatures on a petition which condemned the closure of the branch. I had people lining up, carrying their shopping bags in the most terrible windstorm, waiting for their turn to sign the petition. It was an indication of the level of community outrage at the closure of the branch. I also set up a special feedback form on my web site to allow residents to voice their concerns. The following are a couple of the typical responses. John
Nolan asked, ‘Is the bank going to reimburse me for petrol to drive to their other branches when I can walk to the Marayong branch?’ Unfortunately, I think the answer will be no. The extra cost to the customers in shifting branches is an enormous burden that the banks seem to have forgotten. Gail Donzow said, ‘I think it is a terrible thing they are doing in closing the bank. The closest Commonwealth Bank is at Westpoint. There are a lot of people who just cannot get into Blacktown. Marayong is a busy branch. I cannot understand why they do this.’ I cannot understand it either. It is very clear that the banks care nothing for their customers—the people who pay their salaries with the outrageous fees that they charge.

Since this government was elected in 1996, the Commonwealth Bank has closed 136 branches in New South Wales and the ACT. Over 54 per cent of these are in Labor electorates. Since the 1998 election, it has closed 70 branches, with over 60 per cent in Labor electorates. Funnily enough, there have been no closures in Bennelong since John Howard became Prime Minister and there have been no closures in Gwydir since John Anderson became the Deputy Prime Minister. There were also no closures in Farrer while Tim Fischer was the Deputy Prime Minister.

Banks are making record profits—obscene profits when you examine how they do it. They are doing it by ruining local communities and hiking up fees from the most disadvantaged in our community. You have only to look at account keeping fees to see the inequity in the Australian banking system. Account keeping fees are charged only if you do not have the money to pay for them. What is $7 per month to an account with $1,000 in it? What is it to an account of less than $500? It is the bank’s tax on being poor, and it is time it was stopped. Banks are an integral part of our community. The disappearance of the suburban branch has left people disillusioned and left businesses facing a fall in customer base and income. Banks have an obligation to the community, which they cannot deny, and their leaving suburban centres is leaving a gaping hole in our local communities. It is obvious that the banks will not implement a voluntary code of conduct, let alone stick to it. That is why there must be legislation regarding the bank’s community service obligations.

The banks are complaining about the fact that people will not save. The Commonwealth Bank survey found that 20 per cent of Australians aged 16 to 32 did not save at all. The reason that they are not able to save is that they are running out of banks to save in.

Shearing Industry

Mr McARTHUR (Corangamite) (10.55 p.m.)—I am provoked and encouraged by the member for Corio to defend the hardworking shearers in the shearing industry. The honourable member for Corio has never had a handpiece in his hand. I know he has picked up a few potatoes at Alvie in the Warrion Hills of Colac, but he has never really worked very hard from 7.30 in the morning to 5.30 in the afternoon like the Australian shearers throughout the shearing sheds in Queensland, New South Wales and Western Victoria.

I draw to the attention of the House the new flexibility in the shearing industry, where Saturday morning work is now understood to be the order of the day if there has been wet weather in the previous week. The Australian Workers Union and those doyens of the shearing industry, Tom Dougherty from Queensland, Clyde Cameron, a former member of this House, Charlie Oliver and all those strong leaders of the AWU fought long industrial battles for the shearers, who had a pretty tough time in the early part of the century.

My family have had an association with the shearing industry and have a unique connection on my mother’s side with the development of Waltzing Matilda. That Australian icon was developed at Dagworth Station in Queensland in about the 1890s. The tune was developed from the Warrnambool races at the turn of the century. That song has become known to everyone and depicts those early industrial struggles. In the 1890s, the great strike took place between the graziers and the shearers. The shearers had very tough conditions. They worked in the heat of the day and to travel from one shed to another was difficult because they had to travel
by bicycle or by horse. In my opinion, the graziers were very tough on the work force at that particular time.

The Tree of Knowledge in Winton in Queensland, as those opposite would be aware, was where the formation of the Labor Party and the AWU took place. That was the start of the industrial changes in Australia and the beginnings of the Labor Party. The struggle continued on to the great strike in 1917. People in the 1950s could remember the scabs in the 1917 strike and they could recall the actual individuals who scabbed on their so-called mates. Then there was a strike in 1956 over the new rate and the old rate. This was again a major struggle in Queensland between the graziers and the AWU. Then in the 1980s we had the wide comb dispute. This was a classic ideological struggle in the AWU, where one side wanted to retain the narrow combs and the more progressive shearers wanted the wide combs to enable increased productivity. Historically, we had the situation where it was 'no ticket, no start' in the shearing industry. After the wide comb dispute, shearers wanted to work. They wanted to have the money and they wanted to be more productive. So the wide comb generally became part of the shearing handpiece and the narrow comb went out, even though it had the remarkable and very strong support of the AWU. In my view, that was the demise of the AWU, because they were ideologically committed to having as much work as they could without relating that to productivity and more sheep per run.

The shearing industry now has a more cooperative spirit. There is not a 'no ticket, no start' attitude. The secret ballot of wet and dry sheep has been practised for 100 years. People in the shearing industry understood a secret ballot. You put your vote indicating 'wet' or 'dry' in a matchbox. That was a secret ballot undertaken in very primitive conditions, but it was an effective voting system in regard to wet or dry sheep for those people in the shed. So now we have a new cooperative spirit—something the member for Corio would not understand—between the wool growers and the shearers. Both have tried to earn an honest dollar in difficult circumstances over the last 10 years. It is a new spirit of cooperation between both parties and we have a new era of industrial relations in the shearing sheds of Australia.

Mr SPEAKER—Order! It being 11 p.m., the debate is interrupted.

House adjourned at 11.00 p.m.

NOTICES

The following notices were given:

Dr Kemp to present a Bill for an Act to amend the Higher Education Funding Act 1988, and for related purposes.

Ms Livermore to move—That this House:

(1) notes community concerns over the ABC’s review of current sports broadcasting;
(2) recognises the importance of its coverage of women’s sport in particular in providing positive role models for young women;
(3) recognises the value of broadcasting national sporting events in regional and rural Australia where distance prevents travel to games; and
(4) recognises the conflict between any proposal to cease broadcasting the Women’s National Basketball League and the national netball competition and the recommendations in the 1996 report “An Illusory Image, a Report on the Media Coverage and Portrayal of Women’s Sport in Australia”.

Mr St Clair to move—That this House:

(1) acknowledges the importance of continued government investment in Research and Development in domestic and export industries to future growth of the Australian economy;
(2) recognises the demonstrated strong commitment of the Howard/Anderson Federal Government to providing new opportunities for research and development in Australian industries;
(3) continues to support and invest in successful partnerships between industry and government in providing up-to-date and readily available research data to Australian industry through the Cooperative Research Centre and Major National Research Facility programs; and
(4) encourages further private investment in industry research and development by seeking further investigation of new options for Government-led R&D incentive programs.
The following answers to questions were circulated:

**Second Sydney Airport: Sydney West**

*(Question No. 2615)*

Mr Murphy asked the Minister for Transport and Regional Services, upon notice, on 4 June 2001:

1. Further to his answer to part (7) of question No. 2458 (*Hansard*, 24 May 2001, page 26025), is it a fact that the Long Term Operating Plan (LTOP) forecast of 17% movements to the north of Sydney Airport is not being met, with the aggregate movements at 27.3%.

2. Is the standard by which the success of the LTOP is to be adjudged dependent on (a) whether noise sharing is more or less successful when compared with noise generated by the airport immediately prior to the March 1996 election or (b) the LTOP forecasts as prescribed in this Government’s own gazetted LTOP plan.

3. Further to his answer to parts (12) and (16) of question No. 2458, has the Government waived any legal right contractually compelling the airport lessee of Sydney Airport to build an airport at Badgerys Creek.

4. Under his interpretation of section 18 of the Airports Act, does no statutory power now exist to compel the airport lessee of Sydney Airport to build the airport at Badgerys Creek.

5. In the scenario where Sydney Airport is to be leased to an airport lessee company with first right of refusal by the Commonwealth to the owner to build and operate any second major airport within 100 kilometres of the Sydney Central Business District, has the Government contracted out its ability to alleviate Sydney Airport aircraft noise affected residents, that is, by the construction of a second major airport for Sydney.

6. Does the decision to propose a lease to the prospective airport lessee now make it impossible to contractually bind the prospective airport lessee company for Sydney Airport to be contractually liable to construct and operate an airport at Badgerys Creek.

Mr Anderson—The answer to the honourable member’s question is as follows:

1 and 2. I refer the Honourable Member to my answer to part (1) of question No. 2600.

3 to 6. The Government concluded that it would be premature to build a second major airport for Sydney. The Government will further review Sydney’s airport needs in 2005. Arrangements compelling the future owner of Sydney Airport to develop a second major airport for Sydney are therefore not appropriate. The sale arrangements for Sydney Airport will not prevent the development of a second major airport for Sydney if a future Federal Government decided that such development should proceed.

**Natural Heritage Trust: Funding**

*(Question No. 2730)*

Mrs Crosio asked the Minister representing the Minister for the Environment and Heritage, upon notice, on 21 June 2001:

1. What is the total sum of Commonwealth funds allocated to the Natural Heritage Trust in the 2001-02 Budget.

2. How many project applications for funding in 1999-2000 and 2000-01 under the Natural Heritage Trust did the Minister receive.

3. How many applications were successful.

4. Will the Minister list the project applications for funding in 1999-2000 and 2000-2001, including proposals put forward by city councils or other interested organisations, from the electoral divisions of (a) Prospect, (b) Chifley, (c) Fowler, (d) Reid, (e) Blaxland, (f) Macarthur, (g) Werriwa, (h) Parramatta, (i) Lindsay, (j) Greenway, (k) Mitchell and (l) Macquarie, indicating which were successful and what sum was allocated in each case; if not, why not.

5. Did the Minister’s Department allocate funding for environmental projects for which it received no applications; if so (a) which projects; (b) what sum was allocated in each case and (c) how were they selected.
Mr Truss—The Minister for the Environment and Heritage has provided the following answer to the honourable member’s question:

1. The total sum of Commonwealth funds allocated to the Natural Heritage Trust in the 2001-02 Budget was $274.715 million.

2. There were 8014 new and continuing Natural Heritage Trust applications in 1999-2000 and 7084 new and continuing Natural Heritage Trust applications in 2000-2001.

3. There were 3915 successful Natural Heritage Trust applications in 1999-2000 and 3416 successful Natural Heritage Trust applications in 2000-2001.

4. Locational information does not constitute part of the core data used for assessing applications and is only recorded for successful applications. Electorate data is then generated from the locational information recorded. Electorate data is therefore not available for unsuccessful applications. A list of successful projects, with activities entirely within those electorates specified for the funding years 1999-2000 and 2000-2001 and the sum allocated in each case, has been provided to the honourable member. Further copies are available from the House of Representatives Table Office.

5. The Department of the Environment and Heritage did allocate funding for environmental projects, which were not driven by an application process such as that that occurs as part of the One-Stop-Shop process. The selection process is case specific. In many cases project proposals have been identified, developed and assessed against established priorities or eligibility criteria in close consultation with key stakeholders including industry, State and Territory representatives and area experts, before submission to the Minister for funding approval. In other cases, selection was by way of open tender. A list of details of the projects and funding allocations has been provided to the honourable member. Further copies are available from the House of Representatives Table Office.
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