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The SPEAKER (Mr Neil Andrew) took the chair at 12.30 p.m., and read prayers.

COMMITTEES

Procedure Committee

Paper

Mr PRICE (Chifley) (12.31 p.m.)—On behalf of the Standing Committee on Procedure I present a discussion paper prepared by the committee entitled Proposed revised standing orders. I have great pleasure in presenting this discussion paper proposing redrafted standing orders for the House. I do so because our Chair, the honourable member for McPherson, cannot be with us today.

Standing orders govern the operation of the House and its members. The proposed standing orders do not represent any change to the operation of standing orders. Rather, the principal feature of the redrafted standing orders is that they are presented in a user-friendly form, which makes accessible the procedural rules by which this House operates to everyone who has an interest in the subject. The redraft encompasses the regrouping of the orders into more logical divisions, the use of clear and simple language, and the deletion of archaic forms of English. The proposed standing orders represent the most far-reaching reorganisation of the rules of the House since 1963. To understand why such a far-reaching reorganisation of the standing orders has been attempted, it is necessary to look at the history of our orders.

Our first standing orders were adopted on a temporary basis, changed from time to time and adopted as permanent standing orders in 1950. These original standing orders were compiled from the orders of various colonial legislatures, in many cases evolving from the standing orders of the United Kingdom House of Commons. In 1963 there was a major revision and reordering of the standing orders. Since then there have been numerous amendments, additions and deletions—many of them following recommendations of the Procedure Committee or its predecessor, the Standing Orders Committee. The evolution of our standing orders has resulted in inconsistencies and ambiguities in some standing orders: the style of language is inconsistent, with a mixture of modern and obsolete forms; the structure and order is not always logical; ambiguous phrasing has led to changing interpretations over the years.

In addition to the redraft of the standing orders, the discussion paper provides a context for the new standing orders. It has an introduction which outlines the values applied in the redraft as well as translation tables, which allow the reader to compare the existing standing orders with the redraft. While the object of the exercise has been to reflect faithfully the meaning and intent of the existing standing orders in a more user-friendly form, the opportunity has been taken to remove some obsolete provisions such as the remaining provisions relating to the former committee of the whole. Standing order numbers which no longer have any content are also removed. Where the redraft goes beyond regrouping and modernising language, an explanation of the changes is provided. The most important issue was to accurately redraft the standing orders to be clear, concise and user-friendly. Archaic expressions are avoided. You will not find words
such as ‘affix’, ‘forthwith’, ‘furnish’ or ‘obeisance’ in the redraft. At the same time, the unique parliamentary terms such as ‘reading’ of bills or the ‘naming’ of members have been retained. They are a part of the House’s heritage and character and are symbolic of its unique place among our national institutions.

The layout and design features of the redrafted standing orders support the speedy identification of the text being sought. The typeface is easy to read and there is judicious use of headings. Diagrams and figures are used where appropriate. Each chapter begins with a chapter outline. The members and clerks of this House who use the standing orders on a daily basis will be most interested in the redraft. Beyond this group are students of parliamentary practice and the community at large who now have access via television and the Internet to the House’s proceedings and can hear the Speaker and members referring to the standing orders.

The committee presents this discussion paper, unaltered, to the House and invites and welcomes comments on it from members and others. With the benefit of that feedback, and through its own deliberations on the discussion paper, the committee will present a final report to the House for its consideration. I urge all honourable members to comment on the discussion paper.

The SPEAKER—I thank the member for Chifley for his acknowledgment of my interest and recognise his longstanding passion for reforms of the House. I recognise the member for Mackellar and am aware of her interest as well.

MRS BRONWYN BISHOP (Mackellar) (12.37 p.m.)—Thank you, Mr Speaker. I rise to speak on the presentation of the discussion paper on the proposed standing orders to encourage people to in fact read them rather more closely than they perhaps ordinarily would read a document like this and to make constructive criticisms of, and suggestions on, the way the draft may be improved. I do not say that in any way to be critical of the drafting of them, because I think the drafting and putting together of the subject matter in a more cohesive way have been done very well.

I draw the attention of the House to the section dealing with disorderly conduct. The drafting there does concern me somewhat. There seems to have been a shift away from the language in the current orders, in which we were talking about the conduct of a member being disorderly. That has gone in the discussion paper draft to talking about disorderly members or a grossly disorderly member. I think that puts a wrong connotation on the way that the standing orders are meant to work. They are there to take action against somebody who acts in a disorderly or grossly disorderly way, not to make a general statement that the person is a disorderly person or grossly disorderly person—presumably—all the time or some of the time. It is perhaps what you might call a subtle difference but I think it is nonetheless an important one.

As people work their way through the standing orders I think they might find that there are areas where they can make improvements. As this is only the first redraft of the standing orders since 1963—and even then it was a gathering together of existing standing orders which we have amended over time—I do think that we should take the opportunity to make sure that we get it right.

I did note in the speech by the member for Chifley—speaking in the place of the chairman—that he stated that the members of the committee have identified changes that they do not support, and indeed I am speaking to one of those things. He also stated quite accurately that the current committee has not had a chance to have input into the redraft because a new committee has been formed, although there are some people who were on the previous committee. I am not one of those. So it is being put forward without the endorsement of the committee but certainly with a definite encouragement to make sure that people do read it and do pay attention to the way words are used and the way in which it is put together so that it does become a more user-friendly document.

I note also that we say that we are using plain English and moving away from traditional words like ‘affixed’, ‘forthwith’ and ‘furnish’, which quite frankly I do not consider to be archaic words, as termed by the
member for Chifley. I think they are words in quite common parlance and I think they still have a place in our standing orders. I reflect fairly often on the trend that we have followed in wanting to draft our legislation utilising plain English. Quite frankly, I think it sometimes gets us into more trouble than it is worth. I would perhaps comment on the Corporations Law. We still do not know what large parts of it might mean because it has been drafted using language that was different from terms which have had meaning conferred upon them either by decisions of the court or by usage. So sometimes when we think we are being very contemporary and moving in the right direction we get rid of terminologies which have solid and known definitions simply by the way they have been used or have been judged upon.

In speaking in support of the discussion paper being put out into the community, obviously it is of more interest to people who are intimately involved—not only members of the House but also those who report on the House. It will be of great interest to them. I am simply suggesting that, rather than just accept it and think that because it has been drafted by people of great skill it is fine—and I acknowledge the skill that they have and have used—individual members can always find improvements. I encourage people to read it with an eye for good solid criticism and helpful discussion about ways in which it can still be improved.

Mr MARTIN FERGUSON (Batman) (12.43 p.m.)—I firstly say at the outset thank you to all the wonderful staff of the department, to the Clerk and to the Deputy Clerk for a job well done. Obviously, the paper is there for the input of members of the House for the purpose of improving what I regard as an impressive draft. In doing so, I remind the House that the report or discussion paper arose from the work of the Procedure Committee in the previous parliament, when we basically sought, as a recommendation for improving the operation of the House, to make the procedures more easily understood and useable, and also, with the redrafting, to make them more understandable in the broader community.

Having said that, while I regard this as a step forward, I do not consider that the redrafting of the procedures will actually make any contribution to cleaning up the House. The real challenge to the House is for it to take the work of the Procedure Committee more seriously and for the government to actually encourage the Procedure Committee to bring forward practical ideas about how we can actually clean up the House.

It is all very well to put on the table a discussion paper which goes to redrafting the standing orders as precise rules that are as clear as possible so that they can be read and used quickly and more effectively. The bigger challenge to the House goes to how we modernise the Australian parliament in terms of the operation of the House. I therefore suggest to the House today that, because of the failure of the government to accept the need to modernise the House, the Standing Committee on Procedure should be encouraged to start looking at some more fundamental issues. Firstly, I believe we should seriously consider the potential for introducing a truly independent Speaker in association with a truly independent Deputy Speaker. I raise this not out of disrespect to you, Mr Speaker, but in the context of issues previously raised by the Leader of the Opposition after the last election, in the course of which he extended Labor Party support for your re-election.

I believe that we should not just be redrafting standing orders but that we should be considering, for instance, whether or not questions without notice ought to be limited to one minute and answers to four minutes, with supplementary questions allowed. This would change the nature of question time, make people accountable in question time and make question time more attractive to the general community. I believe the Speaker should also be given the power to require ministers to fully answer questions and make sure that their answers are relevant to the questions asked. Questions on notice should be answered within 30 days. Members often ask questions with specific reference to their own constituency.

Finally, I think we should allow the debate on matters of public importance to be sub-
Mr KING (Wentworth) (12.47 p.m.)—Mr Speaker, I seek leave to extend my remarks beyond the three minutes allocated.

The SPEAKER—I am not sure that such leave is possible given the Selection Committee’s determination. Let us see what happens at the end of the three minutes.

Mr KING—I am not suggesting that I will necessarily go beyond that time but I am advised that that is the appropriate approach.

Mr KING—Thank you. The practices and usages of this place, as all of us in this House acknowledge, are an important part of the cultural heritage of the nation. The report which was the progenitor of the current debate was handed down in 1999 by the then Procedure Committee. In October 2000 the government response was in favour of the recommendation being considered, subject to financial impact and other practical considerations. The report that has now been prepared by the committee and circulated is an important document, and I join with the previous speakers in commending those who have been involved in its preparation, including those in your office, Mr Speaker, who have assisted in the preparation of a detailed document, including the translation tables.

The first point that I wish to make is simply this: the document that has been circulated is an important draft, and nothing more than an important draft. It is a document that I, as a new member of parliament, would encourage my colleagues to examine carefully. This is not about debunking the heritage of the House or turning over what might be described as important language that has substantive meaning. Rather, it is about clarifying what is obscure, making clear what is unclear and making contemporary the language of this place to ensure that those who we represent understand completely what is being dealt with and how it is being dealt with in this House. For that purpose, Mr Speaker, it is very appropriate that your office should have had some input into the draft that is to be circulated to members: your responsibility—amongst others—which, if I may say so, is discharged admirably, is to ensure that the people of Australia have the benefit of the clearest debate and the most constructive discussion in relation to the issues before this House. There are a couple of areas where the report deals with issues—

The SPEAKER—Order! I have to indicate to the member for Wentworth not only that I have allowed his time to expire, which happened some 20 seconds ago, but also that the time allotted for statements on the paper has also expired. Does the member for Chifley wish to move a motion in connection with the paper to ensure that it be debated on future occasions?

Mr PRICE (Chifley) (12.50 p.m.)—I do, Mr Speaker. I move:

That the House take note of the paper.

And it is a very good discussion paper. I seek leave to continue my remarks.

Leave granted.

The SPEAKER—in accordance with standing order 102B, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting and the member will have leave to continue speaking when the debate is resumed, as of course will the member for Wentworth.

TOBACCO EXCISE WINDFALL RECOVERY (ASSESSMENT) BILL 2002
First Reading

Bill presented by Mr Stephen Smith.

Mr STEPHEN SMITH (Perth) (12.50 p.m.)—On 23 July this year, I called on the Howard government to act to recover up to $250 million in unpaid excise from tobacco wholesalers to fund preventative health care measures which included a focus on improving Australians’ health through better eating and a more active lifestyle. On 20 August this year, in response to a question from the Leader of the Opposition, the Prime Minister made a commitment during question time to investigate this issue and report back to parliament. While this was an en-
encouraging development, we have heard nothing further from the Prime Minister. Today I am taking the next step: the introduction of the Tobacco Excise Windfall Recovery (Assessment) Bill 2002, which will assess the amount of the windfall which tobacco wholesalers should be required to pay to the Commonwealth to fund a new preventative health campaign.

First let me set out the circumstances in which the windfall has arisen. On 5 August 1997, the High Court ruled that state tobacco franchise fees were unconstitutional. The Commonwealth subsequently passed retrospective legislation to increase Commonwealth excise fees on tobacco from 5 August 1997 and pay the equivalent of the old state franchise fees to the states. Relying on a legal loophole in the Commonwealth legislation, the tobacco wholesalers did not pay excise collected during the period 1 July 1997 to 5 August 1997 to the states or to the Commonwealth. They have kept the money and the amount of the windfall has been estimated to be up to $250 million.

On 6 December 2001, the High Court was required to decide in the case of Roxborough v. Rothmans whether tobacco wholesalers or tobacco retailers had a better claim to the windfall. The High Court was unable to rule that the windfall should be paid to the Commonwealth. However, the court highlighted the strong arguments for the federal parliament to make provision for resolving the problem. As the court was able to make a ruling only between the parties to the court action, the court ruled that the five retailers who brought the action were each entitled to recover amounts for tobacco excise paid to tobacco wholesalers. This represented only a small proportion of the total windfall of up to $250 million. New legal actions have subsequently been launched to obtain repayment of the windfall. Rather than relying on the uncertain outcome of ongoing legal action, it is appropriate for the Commonwealth to act to ensure the windfall is recovered for the benefit of the public at large.

The purpose of this bill is to assist in the recovery of the windfall to fund preventative health care measures. This bill assesses the windfall amounts involved. Other legislation is required to give full effect to this bill. Because of restraints imposed by the Constitution, a private member is unable to introduce the further legislation. I call on the Prime Minister to let the parliament know one way or the other whether the government will pursue this matter and introduce the necessary legislation. Nevertheless, this bill can stand alone. If passed, the persons, companies and amounts involved will be identified by the Commissioner of Taxation, ready for further action by the parliament. The total amount of the tobacco excise windfall will be ascertained and tabled in the parliament under section 10 of the act. Once these windfall amounts have been identified, they can be recovered from the tobacco wholesalers. This money should be used by the Commonwealth to fund new preventative health measures.

Recent reports on the state of health in Australia by the Australian Institute of Health and Welfare have highlighted several areas in which a new focus on preventative health would reap long-term health benefits for the nation. An emerging problem, and one which has potentially serious long-term consequences, is the level of obesity in the population. Despite Australia’s reputation as a nation of sports lovers, and despite having a climate that allows most people to be comfortable and active outdoors for most of the year, the prevalence of overweight conditions and obesity continue to worsen among Australian adults as well as among Australian children. Around 65 per cent of men and 45 per cent of women are overweight or obese. Latest estimates indicate that the rate of overweight conditions and obesity amongst children has been increasing in recent years and is now 18 per cent for boys and 22 per cent for girls between birth and 14 years of age. Children and adolescents who are overweight are at greater risk of becoming overweight or obese adults. In adults, around 65 per cent of men and 45 per cent of women are overweight or obese. Chronic health problems associated with overweight conditions and obesity include increased risk of high blood pressure, heart disease, osteoarthritis, type 2 diabetes and some types of cancers.
Meanwhile, smoking continues to cause the greatest number of preventable deaths each year. Each year, smoking kills almost 20,000 Australians—more than road accidents, homicide, HIV, illicit drugs, alcohol and diabetes combined. Smoking is estimated to result in $12.7 billion in health and social costs each year. Labor’s proposal is to dedicate the amount of the tobacco excise windfall that is recovered through retrospective legislation to fund new preventative health care public campaigns which discourage the uptake of smoking, especially by young people, and to focus on improving population health by encouraging healthy choices, including better nutrition and a more active lifestyle. These two problems, obesity and smoking, are two examples of areas in which a renewed focus on preventative health could realise substantial improvements to health over the longer term.

The Howard government currently budgets only $22.8 million each year to tackle a range of preventative health measures. The recovery of $250 million in windfall excises gives the Commonwealth a unique opportunity to dedicate itself to improving long-term health outcomes by launching a new push for healthy eating and a more active lifestyle. I commend the bill to the House and present a signed copy of the explanatory memorandum.

Bill read a first time.

The SPEAKER—In accordance with standing order 104A, the second reading will be made an order of the day for the next sitting.

PRIVATE MEMBERS BUSINESS
Australian Defence Force: Personnel
Mr HAWKER (Wannon) (12.57 p.m.)—I move:

That this House:

(1) recognises the significant contribution Australia’s Defence servicemen and women are making overseas in places including East Timor, the Persian Gulf and Afghanistan;

(2) praises the skills, dedication and professionalism of these fine young Australians;

(3) draws these matters to the attention of Parliament and all Australians; and

(4) acknowledges the success of the Armed Forces Parliamentary Program in giving Members of Parliament a greater understanding and better appreciation of the commitment of our Defence Force personnel.

Mr HAWKER—I welcome the opportunity for this debate. I not only draw to the attention of all honourable members the importance of this motion as I see it—and I know that many others will see it too—but also am delighted to see the level of interest that has been shown in this debate. Three of my colleagues and I are very fortunate to have just returned from the Persian Gulf, where we spent six days and six nights on two frigates: the HMAS Melbourne and the HMAS Arunta. My colleagues the members for Bendigo, Farrer and Moncrieff and I all came away with a great impression of what our young service men and women are doing on behalf of this country.

On the HMAS Melbourne we had the opportunity to spend time with Captain Steve McDowell and his crew of over 200. The captain left us in no doubt that he is intensely proud of his crew and has no hesitation in saying that he believes they are equal to the best in the world. It was a great experience for us. A crew from 60 Minutes had been filming there the week before we arrived, so we went through the same sorts of experiences as the public saw on that program.

The overwhelming message that came through to me was the very impressive level of training of these young Australians, men and women, the very great commitment they are making through their involvement in the Australian Navy and, equally importantly, the focus they are giving to the work they are doing over there. It is not easy work. They are working 24 hours a day, and I believe they are acquitting themselves extremely well.

I was fortunate enough to be involved in the introduction of this program to this parliament. It was first raised in this chamber in February last year. Following my experiences of looking at the United Kingdom
armed forces parliamentary program, which has now been going for 12 years, I was able to bring the motion to this House with the support of government and opposition members. With that bipartisan support, it then went to the then Minister for Defence, Mr Moore, and subsequently to Mr Reith, who took over as Minister for Defence, and it had their very strong backing as well. The then parliamentary secretary and now Minister for Education, Science and Training, Brendan Nelson, the member for Bradfield, also gave it very good support. And the current parliamentary secretary to the Minister for Defence, the member for McEwen, is equally enthusiastic about this program. The then parliamentary secretary and now Minister for Education, Science and Training, Brendan Nelson, the member for Bradfield, also gave it very good support. And the current parliamentary secretary to the Minister for Defence, the member for McEwen, is equally enthusiastic about this program. The then parliamentary secretary and now Minister for Education, Science and Training, Brendan Nelson, the member for Bradfield, also gave it very good support. And the current parliamentary secretary to the Minister for Defence, the member for McEwen, is equally enthusiastic about this program. The real test of how successful this program is is the level of support it is getting from members of both this chamber and the other one.

One of the reasons this program is so important is that 40 years ago half the members of parliament had military experience and today less than 10 per cent have had that experience. Given the very great importance of our Defence Force, I believe that getting that experience—albeit fairly briefly—does give us, as members of parliament, a tremendous opportunity to understand the pressures that our Defence Force personnel are under these days, the level of skill and training involved and the level of commitment they are making to this very important role they play. It is also important to note the great growth in the support of this program, evidenced by the fact that this year 22 members of the Senate and the House of Representatives will have some form of experience through the Australian Defence Force Parliamentary Program. The response from members, senators and Defence Force personnel has been very positive all the way.

I would like to especially pay tribute to retired Air Commodore Ray Perry, Gary Woolbrook and Lieutenant Commander Samantha Jackman for the work they have done to help us, and I pay tribute to all the other Defence Force personnel who have been so supportive. In conclusion, it is my fervent hope that the Australian Defence Force Parliamentary Program will not only result in more members and senators having this experience but also, most importantly, allow us to translate that experience into a better understanding for all Australians of the very great job our Defence Force men and women are doing on behalf of all of us.

Mr GIBBONS (Bendigo) (1.03 p.m.)—It is with great pleasure that I support this motion moved by the member for Wannon. I was lucky enough to participate in the Australian Defence Force Parliamentary Program this year. That assignment involved a tour of duty on HMAS Melbourne and HMAS Arunta in the Persian Gulf. The member for Moncrieff and I were lucky enough to serve four days and four nights on Melbourne and then two or three nights on Arunta. HMAS Melbourne is an Adelaide class frigate and HMAS Arunta is an Anzac class frigate. Both vessels were in the Persian Gulf as part of the United Nations Security Council resolution to prohibit the import and export of illegal cargoes into Iraq, as a result of the Gulf War. Only illegal cargoes are seized and turned back; humanitarian cargoes such as food, clothing and medical supplies are allowed through. The Australian Navy has been directing operations in that part of the world since January this year, and in April this year it took over full command of the whole of the coalition forces in the Persian Gulf. The coalition forces consist of vessels from America, Britain, Canada, France and Italy.

It was a great privilege not only to see first-hand the work of the Australians on board these warships but also to participate with them on most of the ships’ activities. Our introduction to Melbourne on the first day was an exercise involving a simulated explosion in the forward section of the vessel. This exercise took some three hours to complete and involved all of the ship’s company. We were able to participate fully in that task, culminating in the member for Farrer and I going into the said explosion area and measuring the oxygen levels under simulated conditions. I might sound a bit blase, but people need to remember that this took place in temperatures of around 50 degrees Celsius. It was extremely hard work and the ship’s company did the job very well. You could not help but be impressed by the
sheer dedication, professionalism and hard work undertaken by the ships’ companies.

I had intended to name for special consideration the participants in the galley in HMAS Melbourne, but the Navy preferred that we do not do that. On Melbourne, being an older vessel, the galley is cooled by drawing air in from outside. So, if it is in excess of 50 degrees, which it was on most days, together with the heat generated by the cooking facilities, you can imagine the conditions that they work under. They produce something like 240 quality meals four times a day, and I think they are entitled to special consideration. But all members of the ships’ companies on both vessels acquit themselves very well. They are thoroughly trained and they do a great job.

My first introduction to naval jargon was a little bit unnerving. I remember standing at the basin very early on the first morning, about 5 a.m., having a shave. I was in my normal shaving attire—and it is not a pretty sight—and there was a knock on the door. I turned around and opened the door—

Mr Edwards—Hear, hear!

Mr Gibbons—I hear what the member for Cowan says. I opened the door, and there was a very young female sailor with a clipboard under her arm. She said, ‘Excuse me, sir, I’ve just got to do a couple of shakes.’ I was in all-male sleeping accommodation and I was not sure of the jargon—and it is not a pretty sight—and there was a knock on the door. I turned around and opened the door—

Mr Edwards—Hear, hear!

Mr Ciobo (Moncrieff) (1.07 p.m.)—At a time when Australia is engaging in international affairs, possibly to the greatest extent that we have in a very long time, it gives me great pleasure to rise in support of this motion moved by the member for Wannon in relation to the armed forces parliamentary program. I recently had the opportunity to take part in this program, and I received a posting to travel to the Middle East and to sail in the Persian Gulf aboard two vessels: the HMAS Melbourne and the HMAS Arunta—which both the member for Wannon and the member for Bendigo have already alluded to. When I initially approached it, I thought it would be a fantastic program to play a part in and would provide me with some insight that I have not had into the armed forces—aside from a couple of years as an air cadet, which, although I boast proudly about it, is fairly limited exposure to the tremendous challenges and the great job that our fine service men and women do on a daily basis.

I thought I would paint a bit of a picture, for those who have not had the opportunity to find out more about the program, of what those of us who participated in the armed forces parliamentary program did. I should say right from the very first word that it was not red-carpet treatment. It started with our flight over on the Russian-built Ilyushin IL76. I can attest to the fact that, with about four inches between my seat and the seat in front, it is amazing that our soldiers can even walk once they hit the ground over in the Middle East. But it was an enjoyable flight, and we were certainly well taken care of by the crew.

Mr Edwards—Enjoyable?

Mr Ciobo—Others had more luxurious surrounds, but not those of us at the back of the plane. When we landed in Fujairah it was about 48 degrees, from memory, and it was just after midnight. For me, when that door of the plane was opened, as I got slapped across the face by the sheer humidity and
heat of the Middle East, I quickly gained an appreciation of what it was going to be like for the next 10 or 11 days and what it must be like on a continual basis for the fine men and women that take part in the armed services operations in the Middle East. In Fujairah we were met by Sheldon—and I will omit his surname because I have been requested to—who was a most gracious and patient liaison person for the four of us who were taking part in the program on board the Melbourne and the Arunta.

I should highlight that the sailors, the whole time they are over there, are in a state of full war readiness. We arrived in Dubai and went to the port to board the Melbourne, and it was surrounded by a perimeter fence of cargo containers designed to prevent or at least minimise the risk of any likely attack from something such as a car bomb. In addition, under the bottom of the ship—in the water, actually, in the port—there is lighting that highlights all the ocean underneath the ship to minimise the risk of any bombs being planted by divers. The whole time the sailors are in the Middle East there is an ever-present need to be aware of their surroundings and to be aware of the fact that we have enemies in that part of the world—people who do not share the views that we share and who do not support the sanctions we are enforcing that were passed by the United Nations.

On board the Melbourne—and it is a fine ship, crewed by fine men and women and capitained by Captain Steve McDowell—I had the opportunity to get a first-hand look at all the various aspects of life that go with being a sailor. And what an incredible day-to-day task it is. The purpose of the armed forces parliamentary program is to provide us with some insight into what it is actually like to be a sailor. I can honestly say that now, having had that insight, I believe I will be far more knowledgeable when it comes to making a decision about whether or not the pointy end of the armed forces should be engaged in Iraq.

I would like to pay my respects and express my gratitude to those involved in the program—in particular the member for Wannon, who introduced it, but also Ray Perry, Garry Walbrook and Samantha Jackman for their involvement in the parliamentary program. Without them, it would not be possible. Without them, all of us as parliamentarians would not have the unique insight that we got through being involved in the program and the unique understanding that we now have of the daily challenges faced by our fine young service men and women over there in the Middle East.

Mr WILKIE (Swan) (1.12 p.m.)—It is with great pleasure that I rise to support the member for Wannon in his motion currently before the House. The purpose of the Australian Defence Force Parliamentary Program is of course to provide members of parliament with an opportunity to gain real-time experience in an operational environment, whether it be the Navy, the Army, the Air Force or even within the administration of the Australian Defence Force. I would like to start by speaking of the professionalism which I found in the project, particularly the project staff, Mr Garry Walbrook and Lieutenant Commander Sam Jackman. I would also pass on those commendations to Rear Admiral Moffit, who I believe was in the House today getting an overview of what took place during some of the deployments.

I had the pleasure of being involved in HMAS Ipswich, which is a Fremantle class patrol boat, on a patrol from Cairns to Darwin. I have spoken previously about the professionalism of the crew and the exceptional way with which they undertook all their duties. But to give you an example again, Sublieutenant Hibbard, who was the navigator, had the task of steering the patrol boat up through the Great Barrier Reef in the middle of the night at 20 knots. It was the first time he had been in charge of a vessel as navigator, and he did a tremendous job. When you think that this was just a couple of
weeks after our British friends had a slight accident with one of their vessels in the Great Barrier Reef, you can really tell that our people are exceptionally professional and do a tremendous job.

A number of issues were raised while I was on the vessel. Firstly, there is the issue of the age of the patrol boats; they were commissioned in 1982. They have thinning hulls, their technology is very old and they are very expensive to run. To put that into perspective, while we were going up the inside of the Barrier Reef at 20 knots, we were using something like 750 litres of fuel an hour, and at top speed the vessel uses about one tonne—or about 1,000 litres—of fuel an hour. So you can see that they are very expensive to operate. It is good to see that the Navy is currently looking at replacing those vessels with something far more suitable.

You can imagine that, in a small vessel, it is particularly difficult for the crew in rough weather. It is also good to see that the three shortlisted tenderers for the new vessels have been finalised—ADI, Tenix and Austal. As deputy chair of the ALP’s national security committee, I have had the pleasure of visiting those facilities, and I am sure that any one of those three tenderers could provide an excellent boat.

Issues for the crew include, obviously, the long periods away from home. Traditionally they might be away for eight-week periods, and that would place enormous strain on their families. I believe we need to look at special benefits that we can provide not just to the crews of the vessels, because they are quite happy with their lot in life, but also for their families. I would urge Defence to look at what we can do there.

One issue that was continually raised by people to whom I spoke on the boat was the perception the public had of the Navy itself. I was very surprised by this, but in hindsight I suppose I should not have been. They were very concerned at the image that the Navy had after the children overboard affair. What came home to me was that all members of the Australian Defence Force are part of a very tight-knit unit. And, although it was clear that the hierarchy of the Navy were under a lot of pressure and had come in for a lot of criticism for the way they had dealt with the children overboard affair, it was felt right down at the bottom end of the scale by the crews of the ships, because they felt that anything that affected the hierarchy also affected them. I was hoping to reassure them by saying that they were professional, they were superb—they were brilliant in everything that they had done—and that they should not be held accountable for what their superiors had been doing. That was very important.

The program is very worthwhile; I believe it needs to be expanded. In fact, I would like to see far more members and senators avail themselves of the opportunity to be part of this particular program. What was brought home to me is that these young Australians are absolutely professional and they are dedicated to our country. We have an obligation to ensure that their commitment is echoed in our commitment to them. These young Australians will undertake whatever duty they are called upon to perform—that is their sworn duty. As we face the prospect of assisting our allies, we must ensure that we consider our options very carefully. As we who have participated in the program know, the discussions had by this parliament this week can have a dramatic impact on our Defence Force personnel. When you are part of the program and you are working with these young people, you realise just how important that is. (Time expired)

Mr HAASE (Kalgoorlie) (1.17 p.m.)—I commend the member for Wannon for bringing forward this motion in relation to the armed forces parliamentary program. We have collectively engaged ourselves in a very beneficial experience, I believe, and the opportunity to speak of that experience and the good work being done by Defence Force personnel is an opportunity that I enjoy.

The Armed Forces Parliamentary Program generally allows MPs concerned with budget allocations in the Defence portfolio a first-hand opportunity to see where the defence dollars are spent. The first thing I recognised from the experience was that the program is a huge boon for the defence forces because it is creating a very powerful advocacy on their behalf amongst backbenchers in the House
and in the Senate. The influence of those backbenchers, of course, goes right through to cabinet level.

I was pleased to take part in the program. I was based on the Dampier Peninsula in the north-west of my electorate at the communities of Lombadina and Beagle Bay. My specific experience gave me the opportunity to see what the 21st Construction Squadron and the ATSIC Army Community Assistance Program is all about. AACAP is a very powerful process about providing good for Aboriginal communities and at the same time enjoying the benefits of a very practical experience in getting first-hand training and testing of strategies devised, testing machinery and testing supply lines—testing all of the strategies that would normally be put to test in a theatre of war. The fact that this is done under the AACAP program and provides so much good for communities—good in the form of health facilities, often sewerage and water supplies, the building of roads, the building of wharf facilities—leaves a permanent store of good back in those Aboriginal communities. An Aboriginal budget is always pressed to extend the benefit of its budget dollar, and it is a great credit to ATSIC and to defence personnel, especially Army, that this program has been developed and has been maintained—and I trust it will be maintained into the future—to make such a difference on the ground.

But, just as the first-hand experience allowed me to find out if the defence budget increases should be supported, the same insight allowed me to comprehend some inadequacies of funding and gave me first-hand knowledge of any disenchantment being endured by personnel. An example of this, sadly, was an anomaly in the payment of RAAF general hands deployed to work alongside Construction Squadron 21. The anomaly I mention is the fact that RAAF general hands are paid at pay level 1 and the members of the AACAP Army team Squadron 21 are paid at pay level 3. That is creating some angst. I am told that there will be a review of RAAF pay rates some time in the future. I only hope that that future is sooner rather than later. I am speaking here of highly skilled employees in the RAAF, some with 11 years of experience in driving graders and levelling equipment generally, working alongside personnel with the same skills who are being paid at a greater rate of pay.

I am told that there are further disincentives being experienced by personnel in No. 21 Squadron, who are often on back-to-back deployments for extended periods of up to four months at a time. This time away from home, combined with additional periods away from home for promotional and other necessary courses, can often result in serving personnel with Construction 21 being away for greater periods of time than those stationed in East Timor. Of course, those in East Timor enjoy approximately $120 per day tax free, whereas those with AACAP are getting an additional $40 approximately, which is taxed. I commend the skilful personnel in Construction 21 for their work. I am grateful for the experience of joining them for a week as part of the armed forces parliamentary program. I encourage members from both sides of the House and the Senate to take the opportunity to experience the program in the future. (Time expired)

Ms GRIERSON (Newcastle) (1.23 p.m.)—I also rise to support the member for Wannon’s motion in support of the armed forces parliamentary program, recognising the contribution, the professionalism, the dedication and the skills of our Defence Force personnel. I was very fortunate to participate in the program and spent five days on HMAS Warrnambool, off the coast of Darwin. I did so with the express purpose of finding out more about the defence forces. I went off in a patrol boat, which was a wonderful opportunity for me. My electorate of Newcastle understood that perhaps I would find out more about shipbuilding as well; as the previous member mentioned, we are on the short list to build the patrol boats and we recently completed the minehunter project at ADI. We are still the hosts to HMS Nottingham, in our harbour, and we are also hosting at the moment, for repairs at Forgacs, HMAS Manoora. So it certainly was very relevant to my electorate, and that is another reason why I was happy to take up that opportunity. As the previous speaker mentioned, we spend
almost 50 per cent of our budget on defence and we do have a responsibility to know that that is being well spent and that we are supporting the defence forces in the correct way. Defence are a major employer in our country, and they are also at this stage perhaps the biggest incubator of skills for industry in this country, so their contribution is outstanding.

I was very fortunate to be on HMAS Warrnambool, a patrol boat. It has an atmosphere conducive to learning and to sharing. Lieutenant Commander Mark Sorby, a Fijian-Australian with considerable experience in the Pacific region, was a wonderful host and made every effort to ensure I had the access and the information to better inform myself about defence programs. I pay tribute to his crew, from the junior sailors to the senior. The junior sailors were a little disappointed that I was not that ‘young chick from the Senate’. But, once they got over that, they were very warm and friendly and shared with me their personal experiences. I also pay tribute to Lieutenant Michael Jagger, Executive Officer, and the two navigators, Lieutenant Anita Sellack, a Novocastrian from my electorate, and Lieutenant Danny Hughes.

I think the greatest experience for me was watching them in their operations and talking about their experiences with them. I am particularly grateful that they were willing to share very honestly with me, a politician, many of their experiences. That was complemented by the hosting at Northern Command, to see our coastal surveillance work in its whole sector. That information linked very well for me in understanding the role of my local regional Air Force base at Williamtown. Inspections of the shipyard at FIMA in Darwin rounded that out too. I praise the program for enabling us to not just have a five-day work experience with the Navy but see it in its total context in terms of Australia’s commitment to defence.

I was very fortunate, too, to do a boat exchange to the frigate HMAS Sydney, where I was able to see a very different living situation, speaking to the female sailors particularly, and also to see their operation and what happens when they are actually in manoeuvres together. Eight hours of manoeuvres with Sydney saw the crew of HMAS Warrnambool absolutely stretched to their utmost, because, unlike on Sydney where I could see each shift go and have a rest, on Warrnambool, with such a small crew, everyone was committed for those eight hours—there was no rest. People were multiskilled and sharing tasks, and I was extremely impressed.

Another thing that was outstanding was that everyone, from junior sailor to senior officer, believed in their commitment to their country. ‘Service to their country’ does roll off the tongue, not as ideology and not as cant but as an absolutely professional commitment. The other thing that was particularly important was their need for skills and training. I saw that they were committed to always wanting to improve their skills so that they could serve better.

In concluding, I would praise Gary Wardbrook, Ray Perry and Lieutenant Commander—recently promoted—Samantha Jackman for their support of the program and their professional help to me and to everybody else. They were great advocates for the Australian defence forces. I particularly enjoyed speaking with Ray Perry, who has served previously at Williamtown. So I would hope that the program continues and I certainly encourage my colleagues to participate. (Time expired)
in a Black Hawk helicopter. I was with the Prime Minister. We got out of the Black Hawk and walked up the beach to meet Colonel Mick Slater and his team of the 2nd Battalion. The pilot of the Black Hawk turned the machine off, came up behind me and tapped me on the shoulder. He said, ‘G’day, Pete, how are you?’ I looked around. It was Captain David Burke. He lives three streets from me in Annandale, Townsville.

The point of the story is that Captain David Burke was also one of the pilots of the two Black Hawks that crashed at High Range in Townsville—the two Black Hawks that came down with the unfortunate loss of 18 lives. Captain David Burke was horribly injured in that crash. It was with extraordinary courage and extraordinary skill that he brought down his helicopter and saved a number of men. Although he was horribly injured, he recovered, and there he was—back flying Black Hawk helicopters and supporting Australia’s commitment to East Timor. What a wonderful person he is. He is an example of the dedicated men and women of the Australian Defence Force.

I observe, Mr Deputy Speaker Causley, that you and I have recently returned from an ASEAN general assembly in Vietnam, where we were able to meet many people from ASEAN countries. When the subject of Australia’s Defence Force was raised, to a person, everyone from those Asian nations had nothing but praise for the role of the Australian Defence Force. I was very pleased to be able to go as an Australian and see how well regarded the Australian Defence Force is within the ASEAN nations and the very close personal and professional links that exist not only in Australia’s interests but in the interests of the world.

I would also like to pause for a moment and remember the families of Defence Force personnel. Defence Force personnel are often required to work extraordinarily hard. They work long and odd hours, and they are often required to be away from their families for long periods. The families who support the men and women of our Defence Force need to be congratulated on their understanding of the commitment and service that those men and women provide for this country.

I indicate that, as a member of the ADF Parliamentary Program, I went to RAAF Edinburgh. I thank Air Commodore Phil Byrne and his team for the organisation they put into my visit; it was an extraordinary visit. I have today fed back to Air Marshal Angus Houston, Chief of Air Force, my feelings and thoughts on ways we can help to improve the Air Force. I felt very privileged to be part of that particular program. I do hope, Minister, that we are able to do this again next year. I found the results of the time I expended very valuable indeed. In participating in a parliamentary program next year, I would like to go to another service and look at another side of Australia’s magnificent Defence Force.

Mr BEAZLEY (Brand) (1.33 p.m.)—I want to associate myself with the motion moved by the member for Wannon and with the remarks he and others have made in relation to those of our serving personnel who are in East Timor and have come to the attention of members of the program that is mentioned in part (4) of the motion. But I do not want to talk about that; I just associate myself with those remarks.

I want to use these five minutes for an expression of gratitude on the part of myself and, I am sure, others. I notice that at least one other person who will be speaking in this debate was a member of the delegation I am about to refer to, and that is the member for Cowan. Several of us on the Joint Committee for Foreign Affairs, Defence and Trade were privileged, during the winter break this year, to go to see the operations of our serving personnel overseas in headquarters in Kuwait; in Kyrgyzstan, at the Air Base at Bishkek; in Afghanistan, at the base at Bagrum, from which the SAS operates; and then in the Gulf itself, including a period of time out to sea—and, in my case, that was aboard HMAS Arunta.

Some of the people we went to see have since come home. I believe that the inflight refuelling operation operating out of Manus air base in Bishkek has or is about to come to a conclusion. I want to congratulate the young service men and women engaged in that process. We were quite highly embedded in the organisation of it, and we also pro-
provided enormous materiel assistance with our two B707 tankers. During the peak of our participation, in that part of the response to the war on terror, we were refuelling some one-third of the aircraft operating out of that base. That base flies combat air patrols throughout Afghanistan; in particular, marines and French pilots fly from that air base, and our B707 tankers were particularly useful in refuelling them. It meant long hours in the air and great strain on the crews to keep serviceability. They maintained those aircraft in that environment magnificently.

We moved to Bagrum, where we saw the SAS in operation. They do not like us to talk much about what they do, but I will say this: all 130 men in that particular squadron—they have since been replaced by the final squadron of SAS personnel, and so by now all our SAS personnel will have participated in the enforcement of the antiterrorist side in the Afghanistan conflict—covered themselves with glory. They found a niche in the operations of the counterterrorist forces: long-range patrolling, something they have done so well for so many years. There is no-one else amongst the allied armed services serving there who can do it with the same degree of professionalism. Of course, it is high risk. They are very difficult circumstances in which they operate; it is often beautiful territory, but it is always tough. To be able to do so while so far away from their home base of operations speaks enormously well of their professionalism and skill. The hospitality they provided to us and what they were prepared to share with us about their achievements and the things they have been doing were truly outstanding and truly extraordinary.

Finally, in the Persian Gulf, our Navy has been operating a classic naval blockade for the best part of a year. They have been there for 10 years but for the last year they have been operating that blockade. That very difficult naval exercise requires a very high level of professionalism and once again the RAN has brought that level of professionalism to the task. They cover themselves in glory wherever they go. They have done so again in this particular operation. Smuggling has virtually been choked off from operations in the Persian Gulf. That is in no small measure due to the command arrangements led by the Australian Defence Force and the Australian forces themselves. I express gratitude to all those who were our hosts. It was a wonderful opportunity to see the professionalism of the Australian armed forces at their very best. Our thoughts are with their families and they have our good wishes—those serving there now, those who were there when we were there and those who are yet to replace them as this long-term ongoing commitment continues.

Mr TICEHURST (Dobell) (1.38 p.m.)—I support the motion moved by the member for Wannon. Having spent a week at the RAAF Richmond base with the Air Lift Group, I can commend the ADF Parliamentary Program. The member for Macquarie, Kerry Bartlett, also made the six-day visit with me. The Air Lift Group operates aircraft on six bases, with the headquarters at Richmond in New South Wales. The primary role of the Air Lift Group is to provide air transport support. Wherever in the world the ADF operates, the Air Lift Group will be present. It may be military for transport of personnel, civilian rescue or humanitarian relief.

In East Timor, the Hercules aircraft of 36 Squadron and 37 Squadron provided transport for personnel, materials and fuel to support the Australian initiative. In the war against terrorism in Afghanistan, the Boeing 707 aircraft of 33 Squadron performed the vital role as aerial tankers for fighter aircraft. It is usual for the frontline aircraft, such as the F86 Hornets and the F111s, to gain public recognition as the face of the RAAF. However, without the support of the Air Lift Group, they cannot function at all.

During the visit, we were able to gauge the dedication and professionalism of the service personnel in many activities on the base. The program at RAAF Richmond was exceptionally well prepared to give us a comprehensive understanding of the role and responsibility of the Air Lift Group. In this process, we were able to take part in activities ranging from operations planning for daily and simulated disaster scenarios, logistics function, equipment maintenance, routine tasks of the fire section, the fuel farm,
the control tower and also the security provided by their dog squad. The highlights of the activities were the category 5 flight simulator for the latest C130J Hercules and the tactical night flying exercise. The simulator provides an ‘as real as it gets’ feel of flying the Hercules. Motion and controls are added by realistic graphics and a cockpit view of about 270 degrees.

Prior to the flying experience, we assisted with the preparation and rigging of loads for airdrop. On the following day we assisted with the recovery of loads dropped from a Hercules, including a Land Rover on a pallet which was then driven off ready for work. The tactical flying exercise was a test and indeed a demonstration of the skill of the crew as well as the ground support staff. A problem had developed with the aircraft prior to the flight, but the thoroughness of the procedures to restore airworthiness was very reassuring. Once in the air the real test began. The pilot, copilot, Kerry and I wore night vision goggles. Following the navigation via a number of defined way points, the aircraft made a ‘lights out’ touch and go landing on Nowra naval airstrip. This was followed by five ‘lights out’ touch and go landings on Jervis Bay naval airstrip. To add to the challenge, a very tight flight path had to be observed. The pilot was operating under the instructions of the navigator and could see the runway only after a very tight counterclockwise turn at about 100 feet altitude. This was a most impressive demonstration of skill and teamwork.

On the return to Richmond, we assisted with two load drops to a field at Londonderry. Again, this was a demonstration of teamwork and skill to drop the loads close to a predetermined spot on the ground. We were most impressed with the dedication and professionalism of all the personnel on the base. I thoroughly recommend this parliamentary program to all members and senators for the future.

Mr EDWARDS (Cowan) (1.42 p.m.)—In the minutes that remain in this debate, I want to associate myself with the very positive comments and remarks that have been made in a very genuine way by members who have spoken. I compliment the member for Wannon for this motion and for the work he has done on this program. If I had more time, I would have canvassed the same issues that were canvassed by the member for Brand, and I certainly associate myself with his remarks. The member for Moncrieff made mention of the Russian Ilushin plane in which we flew to Kuwait. It was a very uncomfortable trip but I know that we earned more respect from the ADF personnel because of the way that we chose to go up there. Unlike the member for Moncrieff, however, I had absolutely no complaint about the leg room.

The member for Wannon made a very important point when he mentioned that there are very few members with military service in this parliament, in contrast with years ago. It is important that members who take part in this program get an opportunity to see how ADF personnel work and, hopefully, better reflect some of their needs in the debates that occur from time to time in this parliament. I know that later this year or perhaps in the new year we will be debating a new military compensation scheme for our ADF personnel. I hope when that debate takes place that members who have spoken here and those who have gone on this program will contribute to that debate with a better understanding of the nature of ADF service and how its compensation scheme must differ from the scheme for those in civilian employment. That is an important point because members of our ADF put themselves in a position where they are away from home, undergo rigorous training and end up in circumstances where people are trying to kill them. That is a very important and sobering thing that we will need to consider in due course. I know time is out but, in conclusion, I also pay tribute to the members of the Army Reserve, who do a tremendous job in supporting our full-time ADF personnel. I am very proud of our young men and women. They serve this nation proud and they do a great job.

The SPEAKER—Order! It being 1.45 p.m., the debate is interrupted in accordance with standing order 106A. The debate is adjourned and the resumption of the debate will
be made an order of the day for the next sitting.

STATEMENTS BY MEMBERS

Telstra: Telecommunications Failure

Ms CORCORAN (Isaacs) (1.45 p.m.)—I rise to draw attention to a telecommunications failure that recently placed at risk some 10,000 elderly people in Melbourne’s south-east and in country Victoria. In late July this year, a contractor working for Telstra inadvertently cut a major cable near the Mount Eliza Aged Care Centre. Mount Eliza is the centre for personal emergency alarm systems worn by many elderly people in case they need emergency assistance. Once the cable was cut, these people were off the air and their safety was at risk. The contractor concerned reconnected the cable and mistakenly cross-connected a number of private lines to the emergency service. This contractor is taking part in a trial being conducted in Melbourne’s south whereby Telstra is replacing some network infrastructure staff with contractors.

My concern is about who is overseeing and verifying the qualifications and training of contractors employed in this way. It appears that this function is not being handled by Telstra but is itself being contracted out. I am worried that, if contractors are not properly trained or not adequately briefed on their tasks, we will end up with more incidents like this one. I also wonder why Telstra itself is not undertaking this core work. It is quite unacceptable that the personal emergency alarms of some 10,000 elderly people were off the air. I have written to the minister and to Telstra to seek assurances that steps are in place to ensure that incidents like this one do not happen again.

Blackburn Football Club

Mr BARRESI (Deakin) (1.46 p.m.)—I rise to congratulate the Blackburn Football Club on its premiership victory in the Eastern Football League. The club is an icon in the eastern suburbs of Melbourne and is celebrating its 100th birthday this year. The Blackburn Panthers have both a senior and a junior club, with over 170 children playing in the junior club. As one of the founding clubs in the Eastern Football League, Blackburn have struggled to compete with the might of some premier clubs for players and coaches over a number of years. However, I am pleased to say that, on 6 September, in front of approximately 6,000 fans, they rejoined division 1 after a grand final victory over the Knox Falcons. The game was fought out, as all grand finals are, with much spirit and commitment. Blackburn supporters—a group I declare I belong to—had to wait 10 minutes before they kicked their first goal. After leading at every break, the Blackburn Panthers went on to record a 24-point victory and to claim the second division seniors premiership. It added to the triumph of the reserves earlier in the day in securing the division 2 reserves premiership.

The club now have the task of preparing for season 2003 and will, I am sure, continue to excel with the calibre of the people they have off the field. They are led by the president, Peter Jago, and senior coach, Paul Breen. The effect that sporting clubs can have on communities is proven by the off-field success of the Blackburn Panthers. My electorate is fortunate to have such a wonderful example of community based, family-oriented football clubs. Another such club is the first division’s East Ringwood, which last Saturday won the premiership in division 1. (Time expired)

Ipswich Jets Football Club

Mr RIPOLL (Oxley) (1.48 p.m.)—It is with pleasure I put on the public record the very great victory of the Ipswich Jets football club over the weekend. The win by our boys in Ipswich means that, for the first time, the Ipswich city Jets will be in a grand final in the state wide Queensland rugby league competition. This great win against Norths was no easy task, with the Jets being down at half-time 26 to 10. But they fought hard and won the match, giving them a place in the finals against arch rivals Redcliffe. The Jets have lost the last three games against the Dolphins but, with the spirit they showed in Saturday’s game against Norths, I know they have the courage and spirit to win the grand final for Ipswich. Players such as Brian McCarthy, who made two late tries, and the whole team need to be congratulated for their
efforts and for the wonderful show they gave the spectators and the fans.

The Jets football club have come a long way in the last few years, thanks to people such as the CEO, Craig Teevan, the major sponsor, Nev Byers from Mixwell, and the board of Sandy Savige, Barry Bennett and Brett McKenzie. With many local sponsors and more people supporting the Jets, things are looking very good for the future of Ipswich rugby league. No matter what happens in the grand final next Saturday, the Jets have already reached an important milestone in Ipswich history. All I can say to them is: good luck, boys, and bring home the cup.

The SPEAKER—Is the honourable member for Cook seeking to make a statement about his favourite New South Wales team?

Mr Baird—No, but I am happy to support the Sharks in terms of a grand final win.

Transport: Sutherland Shire

Mr BAIRD (Cook) (1.49 p.m.)—The announcement of New South Wales transport minister, Carl Scully, on 6 September that he was completely abandoning the M6 Brighton bypass is a major disappointment for residents of the Sutherland Shire. For too long, due to a lack of viable public transport alternatives, shire residents have had to put up with Sydney’s worst area of traffic congestion on the Grand Parade, Brighton-Le-Sands, as they drive to and from work each day. Average speeds along this stretch in the morning peak hours have been known to be as low as eight kilometres an hour. Mr Scully’s announcement completely cuts off an option that could have been an important one for the shire’s transport in the future. It is short-sighted and nothing but an expensive election stunt.

His promise to examine a number of options, including light rail, is simply aimed at the next election rather than at any real future directions. Light rail will not provide an adequate solution to the shire’s transport issues. It simply does not offer the capacity required and is not fast enough to get people out of their cars. Heavy rail would be a more serious option. The Carr government should get serious about improving heavy rail access in the southern suburbs of Sydney through line duplication express services to the city. Sutherland Shire residents who are forced to drive into work each day do not welcome a further delay to the Brighton bypass, which has been on the drawing board since 1951. This road would slash congestion north of the Georges River. By shutting off this option through his proposed study, Mr Scully is once again shunting the shire’s needs. (Time expired)

Iraq

Mr MURPHY (Lowe) (1.51 p.m.)—Last week, my friends Rodney and Dawn Linklater sent me a copy of a letter they had forwarded to the Prime Minister. It reads:

Dear Prime Minister
As Australian citizens, we write to commend your desire to see the United Nations endorse any military strike against Iraq. However we demand that Australia take no action in support of the United States in Iraq without such United Nations endorsement.

Australia should not take action to so weaken the United Nations but should act as a citizen country of the world where peace is the prime objective and negotiation with understanding of each country’s needs and the method for achieving continuation of civilised behaviour.

Yours sincerely ...

It is obvious that the heightened rhetoric emanating from Washington about Iraq is all about oil. Why doesn’t America tell the truth? Why isn’t America being honest with the world? Like Dawn and Rod Linklater, many people within my electorate of Lowe have expressed their horror at the thought that our sons and daughters might have to put their lives on the line for America. America must prove to the world that Iraq has nuclear, biological and chemical weapons and the capacity to use them. My friends and my constituents have told me to tell America that, unless the United Nations endorses a strike on Iraq, we do not want another Vietnam and that, if America ignores the United Nations, she puts the security of the world—of all of us—at very great risk.

Smith, Mr Greg

Mr KING (Wentworth) (1.52 p.m.)—If rugby is the game they play in heaven, then Greg Smith—former Australian Wallabies
coach and lover of the game—would be one of the archangels. To his credit, Greg never assumed airs or titles. To him, rugby was the exciting, tough and earthy game played at his wonderful club, Easts—and elsewhere only when required by itineraries and administrators.

I attended the funeral service for Greg last Monday at St Jude’s Anglican Church, in Randwick in my electorate. The church was filled to overflowing, which was testimony to the love and respect he had won amongst so many people from different walks of life—including opponents—who came into contact with him as a friend, a schoolteacher or a coach. There were many moving eulogies delivered, including one from the great John Howard. To Greg’s loving wife and family, including the wider family, I say: thank you and well done. The occasion was especially poignant because Greg died at the young age of 52, following a lengthy and debilitating illness.

Greg’s coaching career began in earnest in 1984, when he took the first grade side at Easts. As a lower grades coach and later as president of the Sydney university football club throughout the 1980s, I had the opportunity to see his coaching prowess first hand, and it did not surprise me that he took his club to first grade grand final appearances in 1990 and 1991. But it was as Australian coach in 1996 and 1997 that Greg’s career had its apotheosis. He did a great job for Australia. I wish the family well.

Stem Cell Research

Ms BURKE (Chisholm) (1.53 p.m.)—I rise today to clarify the record about my comments with respect to stem cell research. If people have the impression that my family tried to sway my views in any way, it is a total misconception. My dilemma was of my own making. I respect and admire my brothers, sisters and parents very much, and I value their support and opinions. My decision seemed all the harder because I perceived that they would be at odds with how I intended to vote. They have never pressured me about my voting intentions; they have at all times realised that I am exercising my own conscience and they have respected that. My sister was upset, but she is now speaking to me. As she pointed out, she is my sister first and always.

Evans, Ms Joy

Mr McARTHUR (Corangamite) (1.54 p.m.)—Joy Evans runs an excellent 12-unit holiday farm called Johanna Seaside Farm Cottages in the foothills of the Otways along the Great Ocean Road. She is an outstanding tourism operator but, even with all her years of experience, she could not overcome an outrageous insurance claim of $4,900—just under the $5,000 limit at which insurance insiders consider that it is not worth pursuing a claim.

Two guests and their large dog arrived at the holiday farm for a happy week at Joy Evans’ establishment. The dog dug out a snake from under a tree in a sand dune and was duly bitten. Ironically, the dog had received a snake bite nine months previously in Adelaide. The dog recovered and, following intense veterinary care, the guests and dog returned to Adelaide. However, Joy Evans was amazed to receive a claim from a plaintiff lawyer for $4,900, which claimed that she lacked a duty of care by not warning that snakes were in the area. Whilst Joy Evans was adamantly against payment of the claim, the company took the least line of resistance and paid the claim forthwith. This example clearly demonstrates the stupidity of the current public liability insurance situation.

Fowler Electorate: Moon Festival

Mrs IRWIN (Fowler) (1.55 p.m.)—Yesterday was the 15th day of the eighth month of the Chinese calendar, and that is the day to celebrate the Moon Festival. Yesterday in Cabramatta in my electorate of Fowler, the streets were filled with thousands of people celebrating this important festival. It was a great day in Cabramatta—but it is great to be in Cabramatta any day of the year. There is no place anywhere in Australia quite like Cabramatta. It is definitely a unique place to live and work.

There was one note of sadness in our Moon Festival celebration. Traditionally it is a time to think of family and loved ones, particularly those far away. However, with Australia’s restrictive visitor visa policies,
relatives find it hard to visit their family in Australia. Their one consolation is that they can at least gaze at the same moon—but that is a poor substitute for having family members here with them to celebrate the Moon Festival.

**Dunkley Electorate: Manufacturing Sector**

Mr BILLSON (Dunkley) (1.56 p.m.)—I rise in support of the manufacturing sector in the south-east of Melbourne. Although the manufacturing sector is not the largest area of the economy—the largest in our part of the world is the retail sector—it is the largest employer, with about 22 per cent of all people in the south-east of Melbourne employed in the manufacturing sector. We also have a very young population in south-east Melbourne, with one-third of the population under the age of 24.

South East Development and its good officers, including Anita Buczkowsky, see a connection between the youth of the population and the vitality in the manufacturing sector. I was pleased to be able to launch Emtec, a project to promote manufacturing to young people. A lot of young people are put off going into manufacturing because of old, outdated images of what it means to be employed in the manufacturing sector. There are many exciting, viable and well-paid careers in manufacturing, and we were able to launch this initiative at Bosch, just outside Dandenong. Bosch is an example of how to be world class and competitive in the manufacturing sector and how to take your product out to the world.

I would like to extend my congratulations to Pat Tucker and to the other representatives who were present at Bosch for the launch, to Bianca Collier and Sue Carter, and also to South East Development for this encouraging initiative which says to young people: check out the career opportunities that are available in manufacturing, they are very rewarding, and it is a very exciting and vibrant work environment. There are plenty of opportunities in the south-east region for a bright career built on the back of opportunities in the manufacturing sector.

**New South Wales: Education Week**

Mr LLOYD (Robertson) (1.58 p.m.)—As honourable members would know, last week was Education Week in New South Wales. It was an opportunity to highlight some of the wonderful things happening in public education in New South Wales. I attended a number of events at schools throughout my electorate. Among them were the events at Cheriey School at Springfield, where I attended the unveiling of their new mural, and also a presentation ceremony at Terrigal High School, where almost 200 volunteers—some are teachers, most are from the P&C, and some are students—received certificates of appreciation for the work they do in supporting their local schools. It is very important to honour those volunteers when there is the opportunity. I am very pleased that I have been able to highlight what volunteers are doing in our public schools.

At the ceremony at Terrigal High School, I was presented with a badge by Mrs Sharryn Brownlee, the President of the Federation of Parents and Citizens. The badge says ‘Support Public Education’ and I am very proud to wear it in the chamber today. The Commonwealth government supports government schools—at the highest level ever. The funding has been increased every year since 1996 and, over the next four years, the Commonwealth government will provide to government schools more than $9 billion in funding. Commonwealth spending on government schools will rise by 24 per cent over the next four years. In 2002 the federal government is spending $669 million more on government schools than it did in 1996.

The SPEAKER—Order! It being 2.00 p.m., the debate is interrupted in accordance with standing order 106A. The time for members’ statements has concluded.

**Cunningham Electorate: Issue of Writ**

The SPEAKER (2.00 p.m.)—I inform the House that today I issued the writ in connection with the by-election for the division of Cunningham and that the dates fixed were those announced to the House on 27 August 2002.
MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—Mr Speaker, I inform the House that the Minister for Foreign Affairs will be absent from question time today. The minister is currently returning from the 57th session of the United Nations General Assembly in New York. The Minister for Trade will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Foreign Affairs: Iraq

Mr CREAN (2.01 p.m.)—My question is to the Prime Minister. Does the Prime Minister support Labor’s policy that the United Nations Security Council should adopt a fresh resolution stipulating a timetable for Iraq’s readmission of weapons inspectors from UNMOVIC? Does the government also support Labor’s policy position that, if Iraq fails to readmit weapons inspectors within the stipulated time frame, the Security Council should adopt a further resolution outlining the necessary action to be taken against Iraq under chapter VII of the United Nations charter?

Mr HOWARD—I thank the Leader of the Opposition for his question. I can inform him that the government do support very strongly the United Nations taking action. We believe the appropriate vehicle at this stage is the Security Council of the United Nations. I do not—for reasons I hope the Leader of the Opposition will understand—want to be totally prescriptive about the exact wording of a resolution or resolutions at this stage. You could have either one or two resolutions; one resolution calling on Iraq within a specified period of time to readmit people, followed by a resolution in another form in the event, which we all hope does not materialise, of Iraq not complying with the first resolution. I believe that the President of the United States correctly put upon the United Nations an obligation to look to Iraq’s consistent failure to comply with previous resolutions.

The central issue in front of the world community now is Iraq’s failure to comply. That is the issue; that is the matter that should be of concern not only to this parliament but to parliaments around the world. The ways and means of ensuring that Iraq does comply with not only past but also future obligations established by the Security Council should be the preoccupation of the world. It is fair to say that has been the theme that has emerged from the statements of many over the past week. I certainly found in the speeches made to the General Assembly by both President Bush and the Secretary-General of the United Nations a remarkable congruence. Some interpreted Kofi Annan’s speech differently from the interpretation I put on it, but I think both of them were talking of the responsibility of the Security Council and both of them were talking of the need for the Security Council to match the requirements and the need of the hour.

As the Leader of the Opposition will know, in order to successfully pilot a resolution through the Security Council of the United Nations you need two things: you need to muster a majority of the members and you also need to avoid the imposition of a veto. It is rather like reforming the Australian Constitution; you sort of need a double majority. The important and reassuring thing to me is that a great deal of effort has been expended by the United States and others, including Australia. I can indicate to the House that amongst other messages conveyed to the US administration 10 days ago when our ambassador, at my request, spoke to senior people in the administration was not only the view of the Australian government that the United Nations should be involved but also the willingness of the Australian government to assist in an active, diplomatic way to encourage support for resolutions of the type referred to by the Leader of the Opposition.

I do not intend at this stage, for the most obvious of reasons, to be more prescriptive than that. I believe the direction in which this debate is now heading is a very positive one. The onus is now being put on the United Nations to act. The country that is in the dock is Iraq. It is the failure of Iraq to comply with previous resolutions of the United Nations which is the issue, as it should be, because that is the cause of the problem. It is not the behaviour of the United States, it is not the behaviour of other countries around the world; it is the failure of Iraq to comply
which is the problem. If Iraq had complied, we would not be considering in a properly serious fashion the issues that we are.

**Foreign Affairs: Iraq**

**Mr BAIRD** 2.07 p.m.—My question is addressed to the Prime Minister. Will the Prime Minister inform the House of the outcomes of discussions between the Australian Minister for Foreign Affairs and others in New York recently, in particular his discussions with the Iraqi foreign minister?

**Mr HOWARD**—As honourable members know, the foreign minister has been in New York for the past week and amongst other engagements was an address to the General Assembly, at which he presented very clearly and very cogently on behalf of this country our position regarding Iraq’s failure to comply with previous resolutions of the Security Council. He has had the opportunity while in New York of meeting the United States Secretary of State, Colin Powell; the National Security Adviser, Dr Condoleezza Rice; the Russian Foreign Minister; the foreign ministers of a number of Arab countries; the British Foreign Secretary, Jack Straw; the Secretary-General of the United Nations; and, most recently and immediately before his boarding a plane to return to Australia, Dr Sabri, the Iraqi Minister of Foreign Affairs.

The purpose of that meeting, not surprisingly, was to discuss the current impasse between Iraq and the United Nations. I understand that the focus of the meeting was discussions relating to the return of weapons inspectors. The foreign minister reiterated public statements that Australia’s position, along with that of many other countries, was that Iraq must immediately comply with the requirements of the UN Security Council. The foreign minister further explained that the best way to avoid any escalation in the situation was to allow the immediate, unconditional and unfettered return of weapons inspectors. Mr Downer, the foreign minister, also noted that if Iraq had no weapons of mass destruction then Iraq had absolutely nothing to fear from the return of weapons inspectors—and I must say that is a remark that I have heard in many parts of Australia over the last two weeks. However, if Iraq flouted UN Security Council resolutions then that would inevitably build an international consensus against Iraq.

I inform the House that trade issues were only mentioned between the two foreign ministers in the context of Australia’s broad bilateral relationship with Iraq. No mention, I am told, was made of wheat or other specific trade between Iraq and Australia.

I had a telephone conversation with the foreign minister shortly before he left New York and he indicated during that discussion that he had not seen any substantial change in Iraq’s position on the central issue of weapons inspections based on the discussions that he had with the foreign minister of Iraq.

I repeat what I hope would be seen as the obvious: this government, and I presume to say this country, has no quarrel with the people of Iraq. We have a great quarrel with the government of that country. We have a great quarrel with that government not only because of the dictatorial character of the regime but because, even more importantly and more seriously, of the possession by that country—a possession, incidentally, which is not seriously disputed by any serious contributor to this debate over the past few weeks—of weapons of mass destruction. Given the lessons that the world has learned from the terrorist attacks on the United States last year, that dimension alone has implications for the way in which the world behaves.

Tomorrow the foreign minister will deliver a statement to the parliament which, among other things, will outline in detail Iraq’s failure to comply with United Nations Security Council resolutions. He will also report in more detail on his discussions in New York and the opportunity he has had through those discussions to become completely up-to-date with the attitude and the thinking of other countries.

Given that the issue now before the world is noncompliance, it is entirely appropriate at this stage that the parliament should have a statement from the foreign minister on that issue. It will afford to members an opportunity to contribute on that and, if they choose,
on other aspects of this issue. But at this stage the issue is noncompliance. We are not talking about anything else and it is therefore appropriate that the foreign minister should deliver a statement in the terms I have outlined.

Foreign Affairs: Iraq

Mr CREAN (2.12 p.m.)—My question is to the Prime Minister and it follows the answer he has just given. Prime Minister, given that President Bush has now released his dossier on Iraq, given that Prime Minister Blair has stated that he will now be putting his case to the British Parliament one week from today and given that it will be you who will make the final decision on whether or not this country goes to war, why won’t you agree to address the Australian parliament now and present your government’s formal case on Iraq?

Mr HOWARD—The reason is that we are not, and I am not, asking this country to go to war against Iraq. The issue now is Iraq’s noncompliance with the United Nations Security Council.

Mr Crean—Would you make your case?

Mr HOWARD—No. The Leader of the Opposition asked a question based on an implication that what the government is about to do is to be involved in military conflict with Iraq. That is not the case. I have said before, and let me repeat it here again today, that if this country goes to war, why won’t you agree to address the Australian parliament now and present your government’s formal case on Iraq?

Mr Crean—Bush and Blair will front. Why won’t you?

The SPEAKER—The Leader of the Opposition! The Prime Minister has the call.

Mr HOWARD—I remind the Leader of the Opposition that in 1991, when the former Prime Minister, Mr Hawke, came before this parliament seeking parliamentary confirmation of a decision taken by his government to commit Australian forces to military conflict is properly a function, under our Constitution, of the executive government.

I have no quarrel with that proposition, and I would not have thought anybody in the Labor Party would have any quarrel with that proposition—or, incidentally, do I have any quarrel with the proposition that, if the situation deteriorates and Iraq fails to comply with what I believe—and I think everybody believes or hopes—will be a resolution of the Security Council regarding weapons inspectors, there will obviously be a need for further debate.

I give this assurance to the House: if this government were ever to take a decision to commit military forces, I would present a motion to this parliament—to this House—seeking support for that decision. I would not want in any way to deny any member of this parliament the opportunity to express their views on the issue. I would accept, above any other member of the government, the responsibility to explain and advocate that decision to the Australian people. But that is not the issue now—I hope it never does become the issue—and I would have thought that we all hope that it is not the issue. I would have thought it was the issue that, above everything else, we wanted to avoid.

Mr Crean—Bush and Blair will do it. Why won’t you?

Mr HOWARD—The question of how another country, be it the United States or the United Kingdom, handles its debate is entirely a matter for that country and for that leader. I think the procedure that we are following is right. That procedure is for the foreign minister to report on his meetings in New York to detail Iraq’s failure to comply. I fear that this may not be the last debate the House has on the issue. I would like to believe it might be, but I regret to express the view that it probably will not be and that there will be plenty of opportunities for the Leader of the Opposition and others to put their views.

Economy: Performance

Mr McARTHUR (2.17 p.m.)—My question is addressed to the Treasurer. Would the Treasurer advise the House of the results of
the June quarter national accounts? What does data released since the national accounts indicate about the underlying strength of the Australian economy?

Mr COSTELLO—I thank the honourable member for Corangamite. I can tell him that, since the House last sat, the national accounts were released for the June quarter, which showed that the Australian economy grew by 0.6 per cent, and by 3.8 per cent through the year to June 2002. Whilst residential construction activity grew solidly, the government expects that it has now peaked. But business investment for the quarter grew by a very strong 8.1 per cent and is 15.8 per cent higher than a year earlier.

The Australian economy continues to grow more strongly than the other developed economies of the world. Of the G7, only Canada is growing at above three per cent, with major Euro economies recording a little growth and Japan actually contracting. Most forecasters expect Australia will continue to lead the developed world through the course of 2002.

Since the national accounts, we have also had the August labour force figures. I have consistently said that these do jump around from month to month, but they showed in August an unusually strong growth of 88,500 new jobs. We would expect that to recover a bit to trend over the forthcoming months. But it was interesting from this point of view: with the August labour force figures, the number of jobs created since this government came to office in March 1996 has now exceeded one million new jobs. I think all Australians will welcome the fact that one million new jobs have been created since the coalition was elected, unemployment is down to 6.2 per cent and 10 million Australians are now in the labour force.

Nevertheless, we need to remain vigilant about the outlook. Obviously the drought is beginning to worsen in ways we would have hoped would not occur. ABARE has released its crop report, forecasting crop production to be only 22.2 million tonnes, which is considerably lower than last year. The world economy continues to look fragile. This was a topic of discussion at the APEC finance ministers meeting last weekend. The US authority is confident that the American economy will grow in 2002 but there are considerable risks in relation to stock market volatility and the very large United States current account deficit. It is important that we keep the Australian economy strong. That means good prospects for Australia, strength in our economy and more jobs for young Australians—one million jobs—but the government needs to keep its reform going in order to create more jobs for future Australians and to give them better opportunities in life.

Foreign Affairs: Iraq

Mr RUDD (2.21 p.m.)—My question is addressed to the Prime Minister. Prime Minister, do you recall the statement by your defence minister on 4 December that there was new evidence on Iraq’s weapons of mass destruction and that this would be made public? Prime Minister, do you recall your own statement of 12 September, in which you said:

I would always be prepared to share additional information with the Australian public consistent obviously with the need to protect intelligence sources.

Prime Minister, why won’t you today share with the Australian parliament and the Australian people that additional evidence that both you and the defence minister have referred to?

Mr HOWARD—As to the first part of the question, I would have to check exactly what the defence minister said in December of last year. I do not presume an encyclopedic knowledge of these things. Whether it was September of this year or December of last year, I intend to check it. As to the statement that I made, I certainly do recall that and I want to say something about evidence. I would have thought that the proposition that
Iraq possesses weapons of mass destruction is beyond argument. I watched a television program yesterday in which the member for Griffith participated. I heard the former UNSCOM officer, Richard Butler, assert in the most unambiguous terms that Iraq did possess weapons of mass destruction. That was not dissented from by anybody in that program—and it covered a fair spectrum—except the charge d’affaires of the Iraqi embassy, who denied that there were any weapons of mass destruction. Most particularly, the member for Griffith, by his silence and I think by some of the things he said, agreed that Iraq does possess weapons of mass destruction.

So I do not think there can be any argument amongst those who have followed this debate closely and amongst the community generally about the fact that Iraq does possess weapons of mass destruction. The extent to which they have developed and what has happened to them since 1998 cannot, except in a fairly fragmentary way, be asserted, because there have been no inspections since 1998. The most compelling piece of evidence to me that Iraq has weapons of mass destruction and retains her nuclear aspiration is that Iraq will not let inspectors in.

Mr Crean—You said you had new evidence.

Mr HOWARD—Because the Leader of the Opposition has interjected on questions of evidence and because the member for Griffith has talked about evidence, may I take a moment of the House’s time to go through the chain of events?

The SPEAKER—Proceed.

Mr HOWARD—Central to this whole issue is Iraq’s noncompliance with the Gulf War cease-fire resolution 687 of 1991 which required Iraq to eliminate its weapons of mass destruction. This is a mandatory obligation on Iraq under the UN charter. In response to Iraq’s lack of cooperation with WMD disarmament processes supervised by the UN, the Security Council between 1991 and 1999 adopted a series of resolutions reaffirming the need for Iraqi compliance. In the period before Iraq expelled United Nations inspectors in 1998, they uncovered considerable evidence that Iraq’s declarations to the UN of the elements of its WMD program were incomplete in many areas.

The final 1999 report of the UN special commission highlighted serious gaps in Iraqi declarations and concluded UNSCOM had not been able to verify Iraq’s claims that all chemical and biological weapons had been destroyed. In the absence of UN inspection processes, the picture of Iraqi WMD activity since 1998 is more fragmentary but nonetheless very disturbing. There is a need, as I am sure the member for Griffith understands, to protect intelligence sources, and this limits the extent of detail that can be publicly released, but the accumulation of evidence from human and technical sources points to Saddam Hussein having continued or increased his WMD programs.

Australian intelligence agencies advise that Iraq has continued attempts to procure equipment, material and technologies that could assist its weapons of mass destruction program. This material, of course, has been made available in the normal way to both the Leader of the Opposition and the member for Griffith. Iraq has also rebuilt facilities at some former known WMD sites. UNSCOM determined that it could not account for thousands of unfilled munitions, as well as hundreds of tons of precursor chemicals. These components together could provide a substantial chemical weapons arsenal. Iraq sought particularly to conceal from UNSCOM its program to produce and weaponise VX, the most lethal chemical weapon nerve agent. Since 1998, Iraq has rebuilt chemical production facilities at Fallujah, a known site in its chemical weapons program. Iraq has made covert attempts to procure precursor chemicals and production equipment useful for chemical weapons.

On biological weapons, Iraq denied in 1991 that it had an offensive biological weapons program. Iraq only admitted such a program in 1995 after a senior Iraqi defector helped guide UNSCOM to a chicken farm where records of the biological weapons program were hidden. Iraq then admitted that it had produced thousands of litres of anthrax, botulinum toxin and aflatoxin for delivery as weapons in missile warheads,
bombs and aerial spraying. But UNSCOM concluded in 1999 that Iraq had produced two to four times the volume of biological weapon agent finally declared to UNSCOM, much of it still unaccounted for.

Mr Rudd—I rise on a point of order, and it relates to standing order 145. My question related to additional evidence not in the public domain. Every aspect of the Prime Minister’s answer is in the public domain.

The SPEAKER—The member for Griffith will resume his seat.

Mrs Crosio interjecting—

The SPEAKER—I remind members, particularly the Chief Opposition Whip, that this has been a highly unusual approach to question time, adopted because an interjection from the Leader of the Opposition was picked up by the Prime Minister, who sought approval to make some comments on that interjection. The question was about weapons of mass destruction and statements made by Senator Hill and the Prime Minister. The Prime Minister is in order and I call him.

Mr Rudd—Mr Speaker, I rise on a point of order.

The SPEAKER—I will hear the member for Griffith, but if his point of order is on relevance he will be out of order.

Mr Rudd—Mr Speaker, you just said that my question was about weapons of mass destruction. In fact, that is not correct; my question was about new and additional information, not—

The SPEAKER—The member for Griffith will resume his seat. The Prime Minister has the call.

Mr HOWARD—In 2001, Iraq commenced a program to renovate without UN approval a suspect biological weapons production facility, the al-Dawrah Foot and Mouth Disease Vaccine Facility. An Iraqi defector closely involved in Iraq’s weapons of mass destruction program reported in 2001 further development of biological weapons capability using mobile and hospital facilities. Iraq has continued to develop possible aerial biological weapon delivery systems.

On nuclear weapons, Iraq had a major program to develop nuclear weapons at the time of the Gulf War. A crash program was also initiated after the invasion of Kuwait in 1990 to divert highly enriched uranium from research reactors for use in a nuclear weapon. The International Atomic Energy Agency, under resolution 687, was able to remove all known nuclear weapon usable material from Iraq and ensure the destruction of known uranium enrichment facilities. But Iraq has never provided complete information to the IAEA on its nuclear weapons program. Iraq has maintained the expertise and knowledge base to reconstitute its nuclear weapons program. Australian intelligence agencies believe recent Iraqi procurement activities are consistent with efforts to reassemble a uranium enrichment program.

There can be no doubt that Iraq has pursued WMD programs and has been prepared to use such weapons. There is no doubt that Iraq since 1991 has sought to deceive the international community about the extent of its WMD programs and to preserve key elements of these programs from the disarmament programs mandated by the United Nations Security Council. There is worrying evidence that since Iraq expelled United Nations inspectors in 1998 it has taken steps that indicate renewal of the WMD programs. The Australian intelligence community judges that Saddam Hussein’s WMD ambitions have in no way diminished; that Iraq’s nuclear aspiration remains; and that, if Iraq could obtain access to fissile material from overseas, that nuclear ambition could be achieved in a period of time measured by months rather than years—although a longer time frame would be involved if that material could not be obtained from overseas.

Much of this debate has turned upon the question of evidence of the possession of weapons of mass destruction. It passes my understanding—and I think the understanding of all members on this side of the House—that anybody could seriously raise the issue of the existence of evidence. The strongest possible argument is the failure of Iraq to openly admit weapons inspectors. If Iraq has nothing to hide, why won’t it let new weapons inspections take place? If Iraq
has nothing to hide, why is it in breach of the United Nations resolutions? Nobody on the frontbench of the Labor Party seriously argues the proposition that Iraq has weapons of mass destruction. In light of that, I can only regard the posturing of the member for Griffith as political point scoring and nothing else.

Mr Rudd—Mr Speaker, I ask that the Prime Minister table the document from which he has extensively read.

The SPEAKER—Was the Prime Minister reading from a document?

Mr Howard—I was reading from a—

The SPEAKER—The Prime Minister may not be aware, but my question was: was he reading from a document? If the answer is—

Mr Howard—I am sorry; I didn’t hear that. I am perfectly happy to table it.

The SPEAKER—If the answer is yes, then I am required to ask the Prime Minister whether the document was confidential. If the document was not confidential, he may table it.

Mr McMullan interjecting—

The SPEAKER—I hope the member for Fraser will report to the member for Brand.

Employment: Policies

Mr PROSSER (2.35 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations. Minister, is it a fact that there are now one million more jobs than in March 1996? How has the government created more jobs, higher pay and fewer strikes?

Mr ABBOTT—I thank the member for Forrest for his question, and I note that he is personally responsible for the creation of many, many jobs in his electorate. I can confirm to the House that the ABS figures released last week indicate that there are one million more jobs today than there were in March 1996. That is one million new jobs created under the policies of the Howard government. The Howard government has meant new jobs for one million Australians, and that in turn has meant new hope for those Australians who are still without work. This creation of one million new jobs under this government stands in contrast to the creation of one million unemployed under its predecessor. Not only are there more workers under this government, but they are significantly better paid. The basic award earnings are up by some eight per cent in real terms since March 1996. That contrasts with the experience under the former government when basic award earnings actually decreased by five per cent in 13 years. Average weekly full-time earnings are up by 12 per cent under this government. They rose by only four per cent over the 13 years of the former government. Strikes, I am pleased to say, are at their lowest level since records were first kept in 1913. That means that it is more important than ever to tackle those remaining bastions of mindless militancy—such as the construction industry, which has a strike rate five times the national average, and the metal industry, which has a strike rate of six times the national average.

This government has been able to achieve these outstanding results because it can govern in the national interest. No-one owns the parties that constitute this government. This government can govern for all Australians because no outside forces are pulling the strings. I fully accept that members opposite did their best when they were in power, to the extent that the outside influences that controlled them allowed them to. Now they think that reform means commissioning one ex-ACTU president to hand a report to another ex-ACTU president while the current ACTU president stands by and monitors the whole process. This government is not like that. This government has created jobs because it governs in the interests of all Australians. We have done well and we are determined to do better in the future. We are not going to rest on our laurels. This parliament could create tens of thousands of new jobs if it were prepared to take the unfair dismissal monkey off the back of small business. I call on members opposite to support that piece of legislation when it is reintroduced into the House this week.

Foreign Affairs: Iraq

Mr CREAN (2.38 p.m.)—My question is to the Prime Minister, and it follows the
lengthy answer he gave to the question before the last one. Prime Minister, you have just read a lengthy report to parliament of matters already in the public domain for more than 12 months. Yet you and your defence minister have both recently and publicly claimed to have additional evidence against Iraq. Prime Minister, why won’t you share that additional evidence with the Australian public?

Mr Howard—The Leader of the Opposition seems to have the view that because evidence has been around for a few months it is no longer evidence. The issue here is whether or not there is evidence of Iraqi noncompliance with UN Security Council resolutions.

Ms Macklin—You have no new evidence.

Mr Howard—That is the issue, and the Leader of the Opposition and his deputy can interject as—

Mr Crean—Mr Speaker, I rise on a point of order. My point of order goes to relevance. The Prime Minister has publicly said that he has got additional evidence. Why won’t he bring it here?

The Speaker—the Leader of the Opposition will resume his seat. There is no point of order. The Prime Minister is responding to the question.

Mr Howard—I would repeat that the issue before the—

Mr Crean—One thing outside; another thing inside.

The Speaker—the Prime Minister will resume his seat. The Leader of the Opposition understands the obligations he has under the standing orders, and I expect him to comply with them.

Mr Howard—The issue before the world community is whether or not Iraq has complied with the UN. There is overwhelming evidence of that. Some people on your front bench and your back bench may not like that, but it is true; there is overwhelming evidence of that. As to what I said in relation to the issue about a week ago, I have every intention of meeting that commitment.

Agriculture: Sugar Industry

Mrs De-Anne Kelly (2.41 p.m.)—My question is addressed to the Minister for Agriculture, Fisheries and Forestry. Would the minister outline to the House details of the federal government’s sugar assistance package? Is the minister aware of any other views in regard to this matter?

Mr Martin Ferguson—What benefit is it to her farm?

Mr Truss—I thank the honourable member for Dawson for her question and the shadow minister opposite for his interjection, because I am delighted to tell the member for Dawson something about the benefits to her sugar farmers—

Mr Martin Ferguson interjecting—

The Speaker—the minister will resume his seat. The member for Batman also understands the obligations he has under the standing orders. The minister has the call.

Mr Truss—The Australian sugar industry has been facing very serious difficulties over recent times. The impact of very low world prices in a corrupt international trading environment and, indeed, of forecasts that world prices are likely to remain poor for some considerable time have certainly cast a pall over the whole of the industry. There have been genuine concerns about its capacity to be competitive in such an environment, and there is a need for it to be able to take advantage of new opportunities which might well be available to cane farmers to enable them to ensure their viability for the future. The government has been concerned about these matters, and it commissioned the Hildebrand review to look at what options there might be for the industry. Now I think it is appropriate for us to respond to the issues raised by the Hildebrand review and the concerns of the industry as a whole.

Ms Burke—Why make an exception?

The Speaker—the member for Chisholm does not have an exemption from the standing orders. The minister has the call.

Mr Truss—Last week federal cabinet made a decision to support the sugar industry by providing a significant adjustment assistance package. In association with the state governments, this package is potentially worth up to $150 million. The centrepiece of the package will be a $60 million regional
adjustment program, which will assist the industry to diversify and enable individual producers to most effectively meet the challenges of the years ahead. This will be done very much on a regional basis, following the successful model of the Sustainable Regions program, where local communities identify solutions for their concerns and then set about achieving those solutions with some government support. There will also be an interest subsidy scheme to support the replanting of this year’s crop and some short-term welfare assistance. For those farmers who want to make the decision to leave, there will be some financial support to enable them to leave with a degree of grace.

Mr Sidebottom—How?

Mr Fitzgibbon—It makes Cornflakes expensive.

Mr TRUSS—I have noticed the interjections opposite, which demonstrate quite clearly that Labor in Canberra has absolutely no concern whatsoever for the sugar industry; it has no plan, no vision and no ideas at all for it to retain its viability. Fortunately, Premier Beattie and the Queensland government have been a little bit more positive. Indeed, it has been interesting to note the positive approach of the Queensland Premier compared with the negative response of the Leader of the Opposition here in Canberra. The Queensland government have requested a memorandum of understanding with the Commonwealth to outline the commitment of both governments to an efficient and viable sugar industry in the years ahead. The Queensland government have argued for the need for industry reform, and we agree with them. They have argued for the need to remove any impediments in the sugar industry legislation, including their own act, and we agree with them. We want to work with the Queensland government to endeavour to achieve the very best possible outcome. I particularly compliment Tom Barton, the Queensland Minister for State Development, who has adopted a very positive approach towards this whole issue and has been willing to cooperate with the federal government to secure the future of this important industry. It is sad that he does not receive the support that he ought to from the federal members of the Labor Party here in Canberra.

This package will look at alternative products and alternative options for the industry. It will give local communities the opportunity to help plan and build a progressive future for themselves and for the cane industry, which is so important to so many parts of Queensland. The package will be funded substantially by a levy, and that particular levy will give Australian consumers the opportunity to contribute towards ensuring we have a viable industry into the future. Australian consumers have benefited from some of the cheapest—probably, the cheapest—sugar in the world. This package will help ensure that we have a viable industry, a versatile and progressive industry, that continues to provide benefits to the whole Australian network.

Foreign Affairs: Iraq

Mr RUDD (2.46 p.m.)—My question is to the Prime Minister. Prime Minister, do you recall the foreign minister’s statement of 14 August 2002 when he cited intelligence information that had been shared with him about Iraq’s chemical and biological weapons capability? Prime Minister, do you recall your own statement of 11 September when you cited intelligence reports as confirmation for your own views on Iraq’s WMD capabilities? Prime Minister, if it is okay for you and the foreign minister to freely cite Australian intelligence reports on Iraq, why don’t you take the Australian people into your confidence now by putting the evidence you have cited before the parliament? Prime Minister, given your willingness to read directly from an Australian intelligence report to the National Press Club on 8 November last year to support your argument that certain asylum seekers had thrown their children overboard and applying the same standard, will you now also read to this parliament all relevant extracts from Australian intelligence reports on Iraq?

Mr HOWARD—The member for Griffith cannot really be serious in saying that I should, in relation to a matter as—

Mr Rudd—Relevant extracts, Prime Minister.
Mr Howard—No, no, you did not say that at all.

Opposition members interjecting—

The Speaker—The House will come to order! The Prime Minister has the call.

Mr Howard—The member for Griffith is aware, as I am sure the Leader of the Opposition is aware—particularly as they have been given, in accordance with longstanding practice, access to intelligence material—that it does compromise the efficient conduct of the intelligence services if material is used in the public domain that ought not to be used in the public domain. There is nothing inconsistent in observing that longstanding convention, and what I have done in relation to this matter is to quote the authority of intelligence sources. I have done that. I do not intend to compromise those intelligence sources, and I am amazed that the member for Griffith would want me to do that.

Mr Sidebottom—No polls on this one.

The Speaker—The member for Brad-don.

Trade: Middle East

Mr Causley (2.49 p.m.)—My question is addressed to the Minister for Trade. Would the minister inform the House how Australia’s trade and investment relationship with the Middle East is contributing to the domestic economy and, in particular, to job creation in rural and regional Australia?

Mr vaile—I thank the honourable member for his question and indicate to him that, of course, our growing and expanding trade contributes significantly to job opportunities in Australia. Certainly since 1996, exports have grown by over 50 per cent—from $99 billion to $154 billion—and have contributed significantly to the one million new jobs that have been created in the Australian economy over that period. The statistics indicate that one in five jobs across the entire Australian economy rely on exports; in regional Australia, which is of particular interest to the member who asked the question, it is one in four jobs. That is how significant exporting is.

The markets that we have developed over a number of years in the Middle East cer-tainly play a significant role in the overall export effort. The Middle East has become Australia’s fastest growing regional market. In 2001-02, exports into that region grew by 13.8 per cent, significantly higher than the average growth across the overall export ef-fort. The Middle East market is now worth $7.7 billion each year to the Australian economy. Middle East exports have been growing, on average, by 22.7 per cent per year over the last four years, at a time when our total exports have grown at about 8.4 per cent per year. Exported to that region are products and manufactured goods including wheat, milk, meat, live animals, automobiles and automotive parts, and services such as education, medical and certainly tourism. While in the Middle East recently, I signed an air services agreement with the United Arab Emirates which increased their capacity into Australia.

Mr Hockey—Hear, hear!

Mr vaile—That is certainly going to help tourism, particularly into Western Aus-tralia. There are now direct flights out of Perth to Dubai and has been an increase in the number of flights out of Sydney from four a week to seven a week—and I know the minister for tourism welcomes that.

I recently led a trade delegation to Iran with more than 50 representatives from 34 Australian businesses to participate in the annual JMC—the joint ministerial council—between Australia and Iran. The delegation included companies like BHP, Woodside, International Wireless, the Newman Group of companies and Toyota as well as Curtin University and CSIRO in the services sector. In fact, CSIRO signed a deal while they were there. Of course, the delegation also included AWB Ltd, Australia’s exporter of wheat. It is interesting to note that Iran is one of Australia’s top three export markets for wheat, and while there, Iranian authorities confirmed a 530,000-tonne wheat order with AWB Ltd, bringing total wheat sales to Iran to around 1.9 million tonnes this year with the potential of more to come.

As far as Australia’s wheat farmers are concerned, at a time when they are gripped by drought, this is undeniably good news, and it follows on from recent orders of
50,000 tonnes each from Jordan and Libya, both also within that general region. Our trade relationship with the Middle East is growing. The bilateral relationship with Iran is going well; we agreed to begin negotiations on an investment promotion and protection agreement. It is important to note that we are maintaining a stable and good relationship with the markets of the region and that trade within the Middle East is significantly contributing to the jobs that have been generated throughout the Australian economy.

Foreign Affairs: Iraq

Mr CREAN (2.53 p.m.)—My question is to the Prime Minister. Will the Prime Minister inform the House of the government’s assessment of any change to the terrorist threat to Australia which would occur as a result of Australia providing military support for a US unilateral action against Iraq? Is it the government’s assessment that the terrorist threat to Australia would increase or decrease as a result of Australia providing military support for US unilateral action against Iraq?

Mr HOWARD—That is of course, as the Leader of the Opposition knows, an entirely hypothetical question, and I do not intend to speculate. The Leader of the Opposition asked me to give a security assessment based upon a hypothesis that all of us hope and pray does not arise, and that is military action against another country. I have no intention of doing that, and I think it is absurdly irresponsible of the Leader of the Opposition to ask me to do so.

Small Business: Growth

Mrs DRAPER (2.54 p.m.)—My question is addressed to the Minister for Small Business and Tourism. Minister, would you inform the House of the importance of the small business sector to Australia’s continuing economic and jobs growth? How important is it that small business be involved in and consulted on policy development; and are there any alternative views on this issue?

Mr HOCKEY—I would like to thank the member for Makin for her ongoing interest. She is a great member and always a strong advocate for small business. There are around 1.2 million small businesses in Australia, and they employ 3.3 million Australians, which is almost half the entire private sector employment in Australia. It is important that small business have a voice in the formulation of policy. That is why this government established a number of advisory groups including the Small Business Consultative Committee, which meets quarterly to provide policy advice to the government, and the National Small Business Forum, which is a biannual summit for small business representative groups—and that is meeting in Canberra later this week. In addition, relevant cabinet submissions must take into account the impact on small business of new government policy. So we believe, on this side of the House, that when it comes to policy formulation, it is very important that small business have a voice; otherwise, you can end up with bad policy, as happened under the Keating government when they introduced the unfair dismissal laws for small business.

I was asked about people’s involvement. We now all regret on this side of the House the retirement of Senator Barney Cooney. We miss Barney. Senator Cooney was the last friend of small business in the Senate from the Labor Party. However, I have some good news. There is a new friend of small business in the Labor Party: the member for Hunter. The member for Hunter last weekend was ‘howled down’ at a Labor Party conference when he moved a motion to end mandatory union affiliation for Labor Party members. We agree. We are supporting Joel on this; we are Joel’s friends, when it comes to this. He said that the rules must be more flexible to allow small business people to join the Labor Party. We say, ‘Hear, hear!’ That assumes, of course, that small business people want to join the Labor Party! We cannot make that bold assumption. Unfortunately, the member for Hunter was ‘hissed and booed’ and, in his own words, the motion was ‘very soundly defeated’. You would think that the Leader of the Opposition would have been standing right beside the member for Hunter, cheering.
him on, saying that the Labor Party should encourage small business people to join it. Unfortunately, the Leader of the Opposition was not there. He said—

Opposition members interjecting—

Mr HOCKEY—He was there. The Leader of the Opposition said, ‘They are always attacking us for being former unionists.’ It is not ‘they’, old son; it is your own person over there.

The SPEAKER—The minister will address his remarks through the chair.

Mr HOCKEY—The Leader of the Opposition said, ‘Well, I’m proud to be a unionist.’ We have confused signals coming from the Labor Party. On the one hand, you have the member for Hunter and Senator Barney Cooney standing up for small business; on the other hand, you have the Leader of the Opposition saying, ‘No, we’re proud to be unionists. We’re not prepared to kowtow to small business or others in the community.’ The confused signals are not just limited to the role of small business in the Labor Party; they are also related to the Labor Party’s own position in relation to its leadership. The media alert to the 2002 Country Labor Party conference notes Bob Carr as the leader of the Labor Party and Simon Crean as his deputy. I will table that.

Health Insurance: Premiums

Mr STEPHEN SMITH (2.59 p.m.)—My question is directed to the Prime Minister. Can the Prime Minister confirm that private health insurance funds will no longer require his government’s approval for automatic annual CPI premium increases? Does the Prime Minister recall saying on 29 August 1996:

What I can give is an absolute guarantee that any change in future will be as a result of a decision taken at a political level in a way and in circumstances where we are satisfied that the rise is completely justified.

Prime Minister, does that mean that your so-called ‘absolute guarantee’ was a non-core promise or a promise that was rotten to the core?

The SPEAKER—The Prime Minister will ignore the latter part of the member for Perth’s question, which was entirely out of order. The Prime Minister will respond to the question.

Mr HOWARD—I will check what I said.

An opposition member—No, you won’t.

Mr HOWARD—Yes, I will. And it always pays to check what is quoted—as you will find out in a few moments in relation to something else. I say to the member for Perth that I will check it, because it always does pay to check it. But, even if on this occasion—rare though it might be—I was being correctly quoted by a member of the opposition, it would not necessarily be inconsistent with what has happened.

Health and Ageing: Residential Aged Care Review

Mr NEVILLE (3.01 p.m.)—My question is addressed to the Minister for Ageing. Can the minister inform the House of this morning’s announcement of the appointment of a head to the federal government’s review of pricing arrangements for residential aged care? Can the minister outline to the House the nature of the government’s commitment to a flexible and sustainable aged care industry likely to provide quality aged care for Australia’s ageing population, both now and into the future?

Mr ANDREWS—I thank the member for Hinkler for his question, and I thank him for the opportunity recently of being able to conduct a forum for aged care providers at Bundaberg in his electorate. Prior to the last election, this government made a number of commitments in relation to the aged care sector, the first of which was to promise an additional $200 million in recurrent funding over a period of four years. The first $51 million of that started to flow from 1 July this year, in the largest increase for recurrent funding—4.5 per cent—to the aged care sector.

Secondly, prior to the election we committed to conduct a pricing review of residential aged care in Australia. As the member for Hinkler alluded to in his question, I can inform the House that I announced this morning that that review will be conducted by Professor Warren Hogan, the Emeritus Professor of Economics from University of Technology Sydney. Professor Hogan has
spent 30 years as Professor of Economics at Sydney University; he was Director of Westpac for a period of 15 years and also Director of AMP and AGC. He will carry out this important review on behalf of the government.

The final terms of reference have also been provided to the aged care sector this morning—draft terms having been provided to them some weeks ago. I acknowledge and appreciate the comments on those terms of reference which the aged care sector provided. This review will be conducted over the period of the next 12 months or so; the review is asked to report by the end of the year 2003. This is an example of the government remaining committed to aged care in Australia to ensure that the long-term financing options for the aged care sector are put in place and remain in place to take account of the improved outcomes that are required of providers and also the underlying cost pressures faced by the sector. It is an example of a commitment to an efficient and viable aged care sector in Australia.

Health Insurance: Premiums

Mr STEPHEN SMITH (3.04 p.m.)—My question is again directed to the Prime Minister and follows on from my earlier question to him. Can the Prime Minister confirm that the government’s announcement that private health insurance funds would no longer require government approval for automatic annual CPI premium increases was made late in the afternoon of Wednesday, 11 September? Prime Minister, did the government also decide to hide it in the shadow of September 11 in the hope of avoiding public scrutiny?

Mr HOWARD—No.

Trade

Mr HARTSUYKER (3.05 p.m.)—My question is directed to the Minister for Trade. Would the minister inform the House of how Australia’s—

Honourable members interjecting—

The SPEAKER—The member for Cowper has the call and he will start his question again.

Mr Sidebottom—What are you going to do about mobile phone reception in your area?

Mr HARTSUYKER—Would the minister inform the House of how Australia’s decision over the weekend to sign a closer economic partnership with New Zealand and the 10 ASEAN countries will benefit the businesses in my electorate of Cowper?

Mr VAILE—I thank the—

An opposition member—It’s the member for Cowper.

Mr VAILE—honourable member for Cowper—I know what his seat is; he is next door to me on the mid-north coast of New South Wales—for his question and his interest in the jobs that are generated in his electorate from our export effort across the world. On Saturday, Australia, New Zealand and 10 South-East Asian countries signed a historic declaration to establish a more effective approach to increasing trade and investment and to facilitating economic integration among the nations within our region. Of Australia’s total exports, 12.6 per cent go to South-East Asian countries—about $15.4 billion each year. To ensure an ambitious, results-oriented commitment, the 12 countries also agreed to Australia’s recommendation to adopt a target to double the trade and investment within the region by 2010. That would see two-way trade increase from $32 billion to $65 billion, and two-way investment flows increase from $49 billion to $99 billion.

This is a significant move forward in the relationship between Australia, New Zealand and our South-East Asian trading partners. This is the first agreement of this kind the ASEAN countries have signed with anybody. We are aware of negotiations that are taking place with the North Asian economies of China, Japan and Korea. It was interesting that Minister Rafidah Aziz from Malaysia in the press conference recognised the significance of this agreement, this accord. She said that the CEP, the closer economic partnership, would put Australia and New Zealand ahead of China and Japan in negotiating
market opening measures with ASEAN countries.

This is a significant document. It will provide the opportunity to harmonise regulations, to work much more closely together and to integrate the economies of the CER countries, Australia and New Zealand, and the South-East Asian trading partners. As far as the member for Cowper is concerned, there is someone in your electorate who is currently exporting to the North Asian countries. Keith Dowling Engineering have developed a particular bit of equipment and I am sure that, as a result of signing this agreement and this announcement on the weekend, they will be able to export into South-East Asian countries as well.

In an article in the Age on 12 September, a visiting fellow at the Asia Pacific School of Economics and Management at the ANU commented that Australia’s pursuit of an FTA with the United States would damage Australia’s ties with our major East Asian trading partners. The signing of a $25 billion LNG contract with China along with the signing of this declaration over the weekend illustrate that this is certainly not the case; that it is not a zero sum game. We can continue to increase our engagement and our trade and investment relationship within the South-East Asian region and the entire East Asian region and, at the same time, draw ourselves closer to and integrate with the US economy.

Budget: Family and Community Services

Agriculture: Sugar Industry

Mr KATTER (3.09 p.m.)—My question without notice is addressed to the Minister for Children and Youth Affairs as the Minister representing the Minister for Family and Community Services. Could the minister advise the House whether his department monitors industries whose imminent collapse could cause budgetary blow-out for his department? And if so, would the minister accept sugar industry representations to push a strategy of an adequate interim sugar levy to hold the industry until mandated ethanol—the no taxpayer cost, no consumer cost solution—comes on stream?

Mr ANTHONY—I would like to thank the member for Kennedy. I know he has a very keen interest in the sugar industry along with members in the coalition, including me. We have a large sugar industry. There are many issues and I certainly welcome the sugar package and the impact that it is going to have, and of course the restructuring package. A lot of these issues really are not within my portfolio jurisdiction. I appreciate the consideration that you have given me, member for Kennedy. We have had many good discussions on these issues before. As far as the role that Family and Community Services has, I know Centrelink in the past have played a very crucial role, particularly in the delivery of a lot of the programs in the previous sugar package. I acknowledge the work that they have done. Specifically regarding FACS, we do not have a team going into particular industries. We are normally asked to do that by other portfolios within the government. Without question, we stand ready to assist particularly with the sugar roll-out package. I am very glad that certainly the Minister for Agriculture, Fisheries and Forestry, the Deputy Prime Minister and the Prime Minister have been more than willing to listen to the concerns of constituents in Queensland, New South Wales and the small industry up in Western Australia when it comes to the welfare of those families in the sugar belt.

Employment: Work for the Dole

Mr LLOYD (3.11 p.m.)—My question without notice is to the Minister for Employment Services. I refer to the government’s highly successful Work for the Dole scheme and the Prime Minister’s Work for the Dole awards which have been presented across the country in recent weeks. Can the minister inform the House how the Prime Minister’s awards have been received and is there any further evidence of growing widespread support for Work for the Dole?

An opposition member—Tell us the number of jobs.

Mr Costello—A million new jobs.

Mr BROUGH—To answer the interjection, yes there have been a million new jobs. You may have missed that a little earlier on. I
thank the member for Robertson for his question and his ongoing interest in Work for the Dole and local programs and community organisations that have benefited from it. I particularly thank him for assisting with the Prime Minister’s award to the Kariong community preschool relocation project, one of the 53 awards on top of the 11 that were presented here by the Prime Minister before the winter recess. At that time, people from around Australia were recognised for their valuable contribution as participants, sponsors and coordinators of Work for the Dole.

Local members and senators from all parties have been out and about providing these awards to Work for the Dole community organisations and participants over the last few weeks and, in doing so, giving ample recognition to people who are contributing to their community.

In our last sitting, I indicated to the House that Work for the Dole had surpassed 10,000 projects nationally. The department has come back and informed me that that was not quite correct. In fact, this month that 10,000th project will be racked up. There have been some more positive comments from different groups about Work for the Dole activity Riverkeep 2 project—

one of the Prime Minister’s award recipients—

said:

This is a bit unusual but, politics aside, we could not have achieved this without the Federal Government’s Work for the Dole Scheme, Mr Lynch said. My Lynch said that it—

the Work for the Dole activity Riverkeep 2 project—

had been a rewarding experience for young trainees on the scheme, learning such diverse skills as handling a power boat or learning first aid. And he said working to clean up the Derwent was something people of all political persuasions would agree was worthwhile.

I am sure everyone on this side of the House and people like the member for Werriwa would agree with that. It is interesting that Mr Lynch is not only the Director of the Tasmanian Conservation Trust but also a former policy development staffer for Greens Senator Bob Brown, a former Green Independent candidate down there and coordinator of the office of the Green Independents. His is just another voice in the Australian community saying how positive Work for the Dole is for the community, for conservation, for individuals and for the economy as a whole. Everyone on this side of the House—the National Party and the Liberal Party members—understands the worthwhile nature of this project. Obviously, those who support the Green movement—the far Left—understand, and 89 per cent of participants agree with most Australians. All that is left to understand how worthwhile it is is that little pointy edge, the one that sits in front of us. I ask the Leader of the Opposition to join with the far Left, the Right, liberals and the centre of the Australian community in understanding the worthwhile nature of Work for the Dole and to get behind the rest of Australia and support it.

Ansett Australia: Employee Entitlements

Mr BRENDAN O’CONNOR (3.16 p.m.)—My question is to the Prime Minister. Is the Prime Minister aware of recent reports that Ansett and Air New Zealand executives received nearly $25 million in payouts, despite their role in the collapse of Ansett? Is the Prime Minister also aware that 16,000 Ansett employees are still waiting for some $400 million in entitlements, which is an average of $25,000 per employee? Prime Minister, is it fair that executives can award themselves such blatant payouts when Ansett’s most loyal workers are still waiting for the money that is owed to them?

Mr HOWARD—The short answer to the question is no, it is not. Can I say, in elaboration on that, a couple of things.

Mr McMullan—You promised to do something about it.

The SPEAKER—The member for Fraser, the Prime Minister is responding to the question and interjections are out of order.
Mr HOWARD—I am glad the honourable member asked me the question, because I have made the point on numerous occasions in the past few months that one of the things that I find sticks in the craw of the average Australian is that people who have been at the helm of the affairs of companies that subsequently go down the drain end up walking away from those companies with very large emoluments.

Mr Kelvin Thomson interjecting—

The SPEAKER—The member for Wills is warned!

Mr HOWARD—As a consequence of that, there are a number of proposals—both legislative and regulatory. The legislative proposals are under preparation and, in the case of the regulatory proposals generally, as a consequence of a number of things that I and other members of the government have said on this subject over the past few weeks, we have seen some quite meritorious examples of people who have been willing to abandon future remuneration increases—as occurred in relation to the Executive Chairman of Westfield, Mr Frank Lowy. I compliment Mr Lowy for the public-spirited decision he made. It is typical of the man who has made an enormous contribution to this country and who is, in my view, one of this country’s foremost business figures. I would also draw attention to the example set by Mr John Ralph, Chairman of the Commonwealth Bank and a director of Telstra, and to the comments and commitment made by Mr David Murray of the Commonwealth Bank in relation to certain forms of directors’ share options. I think some of those, to use a colloquialism, have been ‘a bit rich’, and I think the Australian public is entitled to feel that there is not sufficient restraint. I am glad to see that corporate Australia itself is beginning to do something about that.

In relation to the Ansett employees, I would remind the parliament that, when Ansett collapsed a little over a year ago, on behalf of the government I made a commitment to guarantee the basic entitlements—that is, the holiday pay, the long service leave et cetera and redundancies—up to a period of eight weeks. That guarantee has been honoured in full. Left unpaid to the workers, as I understand it, are the redundancies over and above the eight-week period. Eight weeks was chosen by the government because it was the community average. Also, in the course of answering this question, I make the point to the honourable member that, when your party was last in power, it did not have a package anywhere near as generous as the one we introduced. You had 13 years to do something about this and worker after worker lost his or her job and lost his or her entitlements, and there was absolutely nothing done about it.

In answer to the honourable member, I do not think it is fair, no; I do not. I can understand people seeing an imbalance in that; I really can. I make no observation on the particular conduct but the fact is that, when a company, through palpable mismanagement, goes into liquidation or administration, I can understand people who miss out on what they regard as their full entitlements feeling that it is not fair that former directors who were well remunerated get payments over and above their annual salaries. We have done more about that inequity than Labor did in 13 years. We have introduced a guarantee and, through the measures that I have outlined, we have begun to bring about a change in the attitude of corporate Australia. I thank those corporate leaders who have responded. I encourage others to take a leaf out of the books of Frank Lowy, John Ralph and David Murray. I think they have set an excellent example and I think, in all of those cases, we will have a fairer and better community as a result.

Education: Higher Education Review

Mr ANTHONY SMITH (3.22 p.m.)—My question is to the Minister for Education, Science and Training. Can the minister advise the House of progress of the government’s review of the higher education sector? Is the minister aware of any statements or policies in this area?

Dr NELSON—I thank the member for Casey for his question. He is a very strong advocate for education, whether it is supporting young people at risk with KYM in the Shire of Yarra Ranges or whether it is at the Lilydale Campus of Swinburne Univer-
The things that will most inform and change our future are not necessarily the things we know but the things that we do not know. That is why Australia’s higher education sector is critically important to the future of Australia. This government is undertaking a widespread review of Australian universities. It is thinking not so much of the state of universities today—or, indeed, next year—but of a world-class economy and society 20 years from now and the role that universities will play in them.

Mr Swan interjecting—
The SPEAKER—I warn the Manager of Opposition Business!
Mr Swan—What for?
The SPEAKER—The minister has the call. The House will come to order.
Dr NELSON—I have initiated a review of the financing and administration of Australia’s 38 publicly funded universities, and we have released seven discussion papers to inform a mature and dispassionate debate. I have established a specialist unit within my department and have brought the Business Council and industrial relations expertise into that process to inform the debate. We have had 57,000 hits on the education department website for the review. We have also had 438 submissions to this review—four of them from state Labor governments. We have also had the National Tertiary Education Union and the National Union of Students involved. We have conducted 49 focus groups with 800 people covering 200 hours of consultations. Next month I will be meeting with state and territory education ministers to put on the table a number of issues for which they have responsibility in relation to Australian universities, and I will also be conducting a two-day symposium here in Canberra to finally put together our thoughts in relation to Australian universities.

It needs to be recognised that, whatever our circumstances, wherever we live and whatever our politics, ‘one size fits all’ funding arrangements for Australian universities is a prescription for long-term mediocrity for the country. Last week, the President of the Australian Vice-Chancellors Committee spoke to the national financing conference here in Canberra at the Australian National University, which we supported. He said:

Put simply, there is widespread consensus within the higher education system, government and the broader community that the current funding and regulatory framework for universities is unsustainable … It is inhibiting institutional growth and diversification and it is beginning to threaten the quality of education that our universities are able to offer.

The fact is that, whether it is in outer eastern Melbourne, in the Peel region north of Perth or in south-east Queensland, we will not be able to deliver university education where it is most needed if we continue with the status quo. The only thing that the Labor Party is able to say in relation to this is what the member for Jagajaga said last week to the financing conference, and that is, ‘We are thinking about higher education policy.’ In other words, there are no policies. The Labor Party has a ‘one size fits all’ solution to every single problem, and that is public money—somebody else’s money.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Foreign Affairs: Iraq

Mr HOWARD (Bennelong—Prime Minister) (3.28 p.m.)—Mr Speaker, I seek the indulgence of the chair to add to an answer.
The SPEAKER—The Prime Minister may proceed.

Mr HOWARD—Earlier in question time, the member for Griffith asked me a question based on statements allegedly made by the Minister for Defence and by me. I said that I would have to check the Minister for Defence’s statement. In the question asked by the member for Griffith, he asserted that the Minister for Defence had stated that there was new evidence on Iraq’s weapons of mass destruction and that this would be made public. That statement by the member for Griffith was wrong. I have checked the transcript, and this is what it says:
Well that’s a different question: What is the evidence. There is considerable evidence that the weapons of mass destruction program, chemical, biological, and an earlier state nuclear is progressing. It wasn’t totally destroyed at the time of the Gulf War and the evidence that we have, and no doubt more of that evidence—‘that evidence’ being the evidence that we have—will be declassified and put before the broader community, is that the program is continuing.

What the defence minister was saying then was that, as a result of the normal declassification processes—

Mr Rudd interjecting—

The SPEAKER—The member for Griffith.

Mr Rudd interjecting—

The SPEAKER—I warn the member for Griffith!

Mr HOWARD—that go on with intelligence material, as more was declassified, existing evidence would be made available. He was not asserting the arrival of new evidence—and you, uniquely, on the opposition side ought to have known that. The member for Griffith also asked me, ‘Prime Minister, do you recall your own statement of 12 September, in which you said, “I would always be prepared to share additional information with the Australian public consistent obviously with the need to protect intelligence sources”?’ I did not contest that proposition. The member went on to ask, ‘Why won’t you today share that additional evidence?’ Once again, I was not talking about new evidence; I was talking about being able to make existing evidence available as a result of a declassification process that fully protected intelligence sources.

This pathetic attempt by the member for Griffith to assert that we had promised the disclosure of new evidence is, on further checking, another example of someone in the opposition getting up in this place and asking, ‘Do you remember such and such a statement?’ My advice to all of my ministers is: never accept anything they say on face value. It is almost invariably wrong.

Mr CREAN (Hotham—Leader of the Opposition) (3.29 p.m.)—Mr Speaker, I seek leave to table the transcript from the interview with the Minister for Defence, Senator Robert Hill, on 4 September. It quotes a different section not referred to by the Prime Minister—

The SPEAKER—The Leader of the Opposition is seeking leave. Is leave granted?

Leave granted.

Mr CREAN—I seek further leave to table an extract in relation to the Prime Minister, in which it says that he would share additional evidence about Iraq with the Australian public, so long as intelligence sources were protected.

Leave granted.

PERSONAL EXPLANATIONS

Mr MOSSFIELD (Greenway) (3.30 p.m.)—Mr Speaker, I wish to make a personal explanation.

The SPEAKER—Does the honourable member claim to have been misrepresented?

Mr MOSSFIELD—Most grievously.

The SPEAKER—Please proceed.

Mr MOSSFIELD—Members of this House will know that when I spoke on the Research Involving Embryos and Prohibition of Human Cloning Bill 2002 on 21 August, I indicated my strong opposition to research on human embryos. Without consulting me personally, the Catholic Weekly in Sydney listed my name as a member who would support this legislation in two separate articles on 1 September and 8 September. Although this paper has since printed extracts of members’ speeches, the fact that I had indicated to many of my constituents what my position was on this bill meant I found the error contained in the Catholic Weekly on 1 and 8 September both distressing and unprofessional.

PETITIONS

The Clerk—Petitions have been lodged for presentation as follows and copies will be referred to the appropriate ministers.

Health: Pharmaceutical Benefits Scheme

To the Honourable Speaker and Members of the House of Representatives assembled in Parliament:
The petition of certain citizens of Australia draws to the attention of the House:
That increases to the Pharmaceutical Benefits Scheme in the 2002 budget will hit those that can least afford it, families and pensioners.
That this Government should remember the commitments made before the 2001 election in regard to the cost of prescription drugs.
We therefore pray that the House oppose the Howard-Costello plan to increase the cost of prescription drugs for Australians.

by Mr Martin Ferguson (from 537 citizens),
by Ms George (from 106 citizens) and
by Ms Jackson (from 190 citizens).

Immigration: Asylum Seekers
To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:
Whereas the 1998 Synod of the Anglican Diocese of Melbourne carried without dissent the following Motion:
That this Synod regrets the Government’s adoption of procedures for certain people seeking political asylum in Australia which exclude them from all public income support while withholding permission to work, thereby creating a group of beggars dependent on the Churches and charities for food and the necessities of life;
and calls upon the Federal government to review such procedures immediately and remove all practices which are manifestly inhumane and in some cases in contravention of our national obligations as a signatory of the UN Covenant on Civil and Political Rights.
We, therefore, the individual, undersigned Attendees at St Augustine’s Anglican Church, Moorabbin, Victoria 3158, petition the House of Representatives in support of the abovementioned Motion.
And we, as in duty bound will ever pray.

by Mr Kelvin Thomson (from seven citizens).

Human Rights: Falun Dafa
To the Honourable the Speaker and members of the House of Representatives assembled in Parliament:
The petition of certain citizens and residents of Australia draws to the attention of the House the persecution of Falun Dafa in China.
Falun Dafa is a peaceful spiritual practice with over 100 million adherents in over 40 countries. In July 1999 Chinese Central Government launched a propaganda campaign against Falun Dafa and declared the movement be illegal. Tens of thousands of practitioners have been imprisoned without trial, while 140 have been tortured to death.
The crackdown is a breach of basic human rights and the fundamental rights to assembly and free expression. Your petitioners therefore pray the House to act on behalf of the petitioners to urge China’s leadership to immediately:
1) Lift the ban on Falun Dafa and restore its legal status.
2) Withdraw the warrant of arrest for Mr Li Hongzhi (the founder of Falun Dafa).
3) Cease the torture of all detained Falun Dafa practitioners and release them forthwith.
4) Rectify all false propaganda used to defame Falun Dafa.

by Mr Albanese (from 41,274 citizens).

Social Welfare: Age Pensions
To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:
As a resident in the electorate of Chisholm, Victoria, I am against the current Income and Assets test on the Age Pension from Centrelink, in re-
spect of existing ‘allowable assets limits’. I bring to the attention of the House the fact that I am ineligible for an aged pension due to the deeming threshold and the tests applicable to the cut-off levels, yet some aged pensioners can be paid indefinitely whilst living outside Australia. I refer to aged pensioners who after two years from the date of return to Australia from overseas, after previously living and working overseas up to 10 years, are eligible for aged pension payments. I do not want my taxes supporting Australian citizens/pensioners, whom I know, who again return overseas, and who do not contribute to the Australian economy, whose assets and investments are over and above the cut-off levels of us Australians.

I, Michael Gatsas, the initiator of this petition, of 1442 Centre Road, Clayton, Victoria 3168, along with the undersigned, now call on the Federal Government to instigate changes in support of the above mentioned motion.

And, as in duty bound will ever pray that the House take action to investigate and bring to justice those ineligible recipients of the aged pension.

by Ms Burke (from six citizens).

Health: Outer Metropolitan Doctors Scheme

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

We, the undersigned, call on the Federal Government to extend its plan to encourage doctors to outer metropolitan areas including the Central Coast.

There is a chronic shortage of doctors in the area and people told are waiting between seven and 14 days to get an appointment with their doctor.

Doctors are overworked and people’s lives are being put at risk by the chronic shortage of doctors in the area.

The average doctor patient ratio throughout Australia is one doctor to 1,000 people; in the northern part of Wyong Shire the ratio is one doctor to 2,500 people.

Your petitioners therefore respectfully request that the House encourage doctors to outer metropolitan areas including the Central Coast.

by Ms Hall (from 20 citizens).

Nuclear Armed and Powered Vessels in Australian Ports

To the House of Representatives in the Australian Federal Parliament:

We, the undersigned residents of Australia, ask that the House of Representatives consider the health and welfare of the present and future residents of this country and the environmental impacts of possible negative impacts relating to the visits of nuclear powered and armed vessels into Australian ports.

Nuclear navies are not welcome here whatever the colour of their flags.

The recent spate of accidents involving nuclear-powered submarines should be enough to convince all governments that the risk to the environment of these floating Chernobyls is a risk we don’t have to take.

Accordingly, we respectfully request that the Parliament legislate to prevent all visits of nuclear armed/powered vessels to Australian ports and waters.

And your petitioners as in duty bound, will ever humbly pray.

by Dr Lawrence (from 97 citizens).

Environment: Jabiluka Uranium Mine

To the Honourable the Speaker and Members of the House of Representatives in Parliament assembled:

The Petition of the undersigned citizens of Australia points out to the House:

That we, the undersigned, object to the mining of uranium at Jabiluka, in World Heritage listed Kakadu National Park. Uranium mining and nuclear energy are damaging to the environment for hundreds of thousands of years, and we believe that these industries are unethical and not in the national interest, nor in the interest of the global community.

The Jabiluka site is being developed against the wishes of the Mirrar people, the traditional owners of the land. We support them in their opposition to the Jabiluka Mine.

Our petitioners therefore request the House of Representatives to call on the Federal Government to:


by Dr Lawrence (from 118 citizens).

China: Bear Farming

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain residents of Australia draws to the attention of the House that approxi-
mately 8,000 bears are being kept in cages in China for the purpose of extracting bile for medical purposes and that the cages are so small the bears cannot move, which results in some of them going mad. It is further brought to the attention of the House that the Chinese plan to increase the number of bears, for these purposes, to 40,000. Your petitioners therefore respectfully ask the House of Representatives to object most strongly to this horrendous and tragic practice and ask that steps be taken to stop it immediately.

by Ms Jann McFarlane (from 10,322 citizens).

Immigration: Asylum Seekers

To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:

On the occasion of Refugee Sunday 2002, we, the undersigned, ask the House to consider favourably a statement from the Australian Catholic Bishops’ Conference on ‘Refugees and Asylum Seekers’ and to support its recommendations including:

- Raising the Humanitarian Program quota from 12,000 to 20,000
- Providing more humane treatment of asylum seekers in Australia
- Limiting the time asylum seekers are kept in detention to the minimum time necessary to carry out security and health checks, identity checks and the lodgement of applications for Protection Visas.

by Mr McMullan (from 163 citizens).

Telecommunications: Mobile Phone Towers

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

This petition of certain citizens of Australia draws to the attention of the House the threat to the public interest and public health from the failure of the Telecommunications Code of Practice 1997 to include a requirement for all telecommunications carriers to properly notify nearby residents and small businesses of the installation of a low impact telecommunications facility.

by Mr Murphy (from 138 citizens).

Communications: Media Ownership

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

This petition of certain citizens of Australia draws to the attention of the House the threat to the public interest and Australia’s democracy by the Broadcasting Services Amendment (Media Ownership) Bill 2002. This bill will permit media proprietors to own and control newspapers, television stations and radio stations in the one licence area. We believe the Government should protect Australia’s current cross-media ownership laws and encourage diversity of media ownership, not change them to secure the economic imperatives of media proprietors.

Your petitioners therefore respectfully request that the House protect the public interest and Australia’s democracy by rejecting the Broadcasting Services Amendment (Media Ownership) Bill 2002 and oppose any bill that will permit media proprietors to own and control newspapers, television stations and radio stations in the one licence area.

by Mr Murphy (from 519 citizens).

Environment: Sea Cage Fish Farms

To the Honourable the Speaker and Members of the House of Representatives assembled in Parliament:

The petition of certain citizens of Australia draws to the attention of the House the impact of sea cage fish farms in Moreton Bay.

Sea cage fish farms will significantly increase level of nutrients into the bay derived from excess feed, faeces, dead fish, operational pollution and cage cleaning;

Increase the risk of algal blooms;

Contribute to lowering dissolved oxygen in the water which leads to the death of marine life;

Place at risk the wild populations of fish, bird and flora species through introduced diseases, genetically modified breeding stock and pollution plumes;

by Mr Murphy (from 138 citizens).
Require the use of tetracycline and formalin as medication in the feed and anti-fouling agents to clean cages, the long-term environmental effects of which are not known;

Create a blight on the visual amenity of Moreton Bay significantly affecting the tourist potential of Moreton Bay;

Compromise the millions of dollars that has been invested to date to remove nitrogen from Moreton Bay to protect the fragile ecosystem.

Your petitioners therefore request the House to immediately enact legislation that will prevent the establishment of sea cage fish farms in Moreton Bay.

do by Mr Sciacca (from 441 citizens).

Petitions received.

PRIVATE MEMBERS BUSINESS

Broadband Services

Mr MOSSFIELD (Greenway) (3.34 p.m.)—I move:

That this House:

(1) acknowledges that:

(a) quality access to the Internet and to information technology in general is becoming a necessity, rather than a luxury, in modern Australian society; and

(b) infrastructure is not keeping pace with technological advancements, particularly in new and developing suburbs on the outer metropolitan fringe of Australia’s capital cities;

(2) notes that:

(a) Telstra and Optus discontinued its cable roll-out before many of the new, outer metropolitan, suburbs existed;

(b) the existing location of Telstra exchanges means that ADSL is unavailable in many developing suburbs;

(c) there has been an increase in the use of “split pair gains” as a method of providing basic telephone services to developing suburbs which is also incompatible with ADSL; and

(d) satellite is the only broadband delivery system available to many Australians and this is the most expensive broadband service available; and

(3) calls on the Government to:

(a) investigate the true extent of this problem facing many Australians in developing communities;

(b) examine whether Telstra’s Community Service Obligation is adequate when dealing with broadband delivery services; and

(c) develop a comprehensive solution to the problem of lack of access to broadband services.

The sale of the remaining 51 per cent share of Telstra appears to be a foregone conclusion if a couple more National Party MPs consider that Telstra’s services have improved sufficiently in their own electorates. The cities and outer metropolitan areas are forgotten. The government appears to be prepared to sell out the rest of Australia, particularly the expanding outer areas of capital cities such as the new residential areas of the Greenway electorate. Residents complain to me that phone lines have been split for sharing between houses, reducing reliability, halving Internet speed and making ADSL unavailable. All they are told by Telstra is: ‘It appears you are not in a cabled area and cannot get high-speed Internet through Telstra BigPond broadband cable.’ Correspondence from a constituent to Telstra reads:

Every month I pay the bill on time without problem. That was until June this year (2002), when I had some difficulty in connecting with one or both of the PCs here at my home. After numerous phone calls and the stock standard reply from your techs that my computer must be playing up, they finally sent out a tech to investigate on the second of June 2002.

I was advised by him that the modem we had taken up two years before by Telstra was the cause of the bad connection because you have upgraded your equipment and I would need another new modem, provided by you, to fix the problem. Naturally, like most things, there was a catch. Sign another contract for 18 months and additionally wear a $180 reconnection fee. Talk about holding a gun at one’s head.

These are just two examples of dissatisfied Telstra customers in the area that I represent. There are many others, and complaints are being made to me on almost a daily basis from the residents in the growth area of my electorate. One email I received as recently as last Saturday states:

I am aware that you have called on the government to investigate the lack of Broadband in Glenwood. I would appreciate it greatly if you could let me know the progress of the investiga-
tion and whether you can personally make a complaint to Telstra on behalf of the people of Glenwood. I have made numerous complaints but to no avail.

I know of at least 50 Glenwood residents who are willing to get ADSL. I again appreciate your commitment to pursuing this issue for your members.

As we all know, however, this is not just in my electorate. The problem is much bigger and affects more people than just those in Greenway. Senator Kate Lundy has produced a briefing note in which she advises that Telstra has over one million customers—some nine per cent—connected to the PSTV via a pair gain. At least 250,000 live in rural and regional Australia. There is also a disturbingly high number—854,000—who live in outer metropolitan areas who are on RIM pair lines. Senator Lundy advised in her paper that, while a pair gain doubles the number of phone lines, it greatly reduces the Internet speed available on these lines.

When asked what the maximum bandwidth pair gain technology allowed, a Telstra representative advised a Senate estimates committee:

Typically, for many of them, it is around 26 kilobits per second. Others are provided at a lower rate ... A large number of them are around 26 to 28 kilobits per second.

The result is that a customer who has a second phone line connected to his or her home using a pair gain will experience a reduction in Internet speed of about half using either line. This will result in a doubling of download time.

Another constituent who has experienced difficulties with Internet speed is Mr Ravi of Glenwood, who is a manager of an infrastructure service for an IT company and is required to work from home. Mr Ravi’s daughter, who would now be in year 12, is also in need of Internet access for her studies. Because cable was not available to Mr Ravi the only two options available to him to provide a speedy Internet service were ISDN and satellite. Both these systems were prohibitively expensive.

ISDN, as members will know, stands for integrated services digital network and is a method of combining both data and voice in a digital format. ISDN provides an Internet speed of 65 kilobits per second. When you consider that the ordinary dial-up speed for most modems is 56 kilobits per second, you can see that there is not a lot of advantage in ISDN—certainly not for the costs that are involved. The government tell us consistently that they are fixing services in the bush. They even offer subsidies for satellite installation if you live in rural or remote Australia and cannot access ADSL or cable. The trouble is that many of my constituents cannot get ADSL or cable either, but they do not get a satellite subsidy.

To their credit, Telstra did contact my office after a story appeared in the local newspaper about this very problem. They informed me that they were working to fix the problem. This is part of the argument today. They are working on the problem; clearly, their job is not done. This motion is a reminder to the government that services are substandard in more places than just those in the bush. There is a particular problem in new residential suburbs—suburbs that are built after the cable roll-out ceased, suburbs that are built too far away from exchanges to allow for the ADSL and suburbs that are built too rapidly for Telstra to keep up with the basic infrastructure that everybody else in older suburbs has—namely, a full telephone line. There are major infrastructure issues, the sorts of uneconomical but necessary infrastructure issues that the nation must face from time to time.

Do you think that if left to the private sector the rail network of the city of Sydney or the city of Melbourne would exist? Of course not. The initial investment needed would be prohibitive, yet they are vital pieces of public infrastructure. If left to the private sector, would Sydney, Melbourne or Brisbane have a comprehensive sewerage system? The answer is no. The initial investment needed would have stopped private firms in their tracks. Just think of what a mess the system would have been with competing companies laying out pipes or rail tracks crisscrossing one another and creating confusion and extra cost to the customers. Yet that seems to be the policy advocated for telecommunications.

One only has to look at the cable roll-out debacle to realise that the policy was mis-
handled. Running past my home, for example, are two cables, Foxtel and Optus. Yet in Glenwood or Stanhope Gardens there is no cable whatsoever. There is double the infrastructure that is needed in some suburbs and none whatsoever elsewhere and, as a result, the consumer suffers.

We are in the middle of the technological revolution. That is a statement I have made in this place on a number of occasions. We need to be laying the foundations for the future. We need to be putting in place the infrastructure that will allow our society to function effectively. In the past, this has meant roads, rail, sewerage, electricity and phone lines. Today and tomorrow that means the information superhighway. Since the days of ancient Rome these types of national building exercises, these huge infrastructure programs, have never—I stress the word ‘never’—been the province of the private sector; they have always been the province of the government.

Telstra should not be sold because their job has not been done. There is still nation building to do, quite apart from the fact that they made $3 billion last year and $4 billion the year before. Telstra should not be sold off because the job of the government, the purpose of government, is to provide the sort of service that the private sector will not. The private sector will not provide the telecommunications infrastructure that is needed to cope with a modern society. They will provide some services to some people who can afford to pay. That is the job of the private sector: to make money for its shareholders. Government is not a business; it is a service.

The government is focused on services in the bush, and everything seems to hinge on that. But what about services in the outer metropolitan areas of our major cities? Western Sydney has 1.8 million people and is rapidly getting bigger. Blacktown alone grew by over 26,000 people in the past five years and the infrastructure has simply not kept pace. It is true that everybody has access to broadbanding—but at a price. Someone in an older suburb utilising cable can pay $189 for the installation and $54.95 per month for a two-way satellite. You can see the disparity. (Time expired)

The DEPUTY SPEAKER (Mr Jenkins)—Is the motion seconded?

Mrs Irwin—I second the motion and reserve my right to speak.

Mr BILLSON (Dunkley) (3.45 p.m.)—I have some sympathy for the motion moved by the member for Greenway on broadband services and understand the circumstances he refers to. My outer metropolitan community is experiencing some of the concerns that he has outlined, but his solution—that we should therefore not sell Telstra—is a solution looking for a problem. The member says, ‘Don’t sell Telstra and all these issues will be fixed.’ I think we are mature enough in this place and in this nation to know that the ownership question and specific issues around service are not as directly related as some would like us to believe.

For those who have a philosophical objection to the sale of Telstra, any argument will do—any line of thought will do—to justify that basic premise. Let us go back to the PMG days. How responsive was that organisation under full government ownership? I think we are past the stage where ownership itself is the sole determinant of service. I would like to put on the record my view that the key to responding to some of the concerns that the member for Greenway outlined has already been road-tested by Telstra. It has already been embraced through Telstra’s CountryWide initiative. I am calling for Telstra to realise that ‘country’ includes the outer metropolitan area. TOMI, Telstra’s outer metropolitan initiative, is a distinct measure to deal with the kinds of issues the member for Greenway outlined and to put in place the kinds of solutions that have already been put in place quite successfully and quite profitably through Telstra’s CountryWide operations.

I pay tribute to Doug Campbell and those people in CountryWide. There are about 28 or 29 CountryWide centres, with area general managers having whole of business responsibility to develop and deliver telecommunications solutions for rural and regional Aus-
tralia. My question is this: can we have another Doug Campbell? Can we have an outer metropolitan version of Doug Campbell? Can he and a team that is equally committed and with whole of business responsibility focus on the demands of the outer metropolitan area? Tonight I am calling for TOMI—Telstra’s outer metropolitan initiative—because I believe the model developed under CountryWide has all the characteristics that will bring about the kinds of outcomes I, along with the member for Greenway, seek to achieve.

The government has the view that all Australians should be able to access a reliable and affordable telecommunications service. Quality Internet access is not a luxury any longer; it is a basic tool for families, for small businesses and for educational institutions. In my view, infrastructure does not cater particularly well for new and developing outer metropolitan neighbourhoods. The area of greater Frankston, and further down into the peninsula, is an example of that. I will come back to the specifics shortly.

In 1998 there were 1.6 million Internet subscribers. By 2001 this had grown to four million. Over 50 per cent of Australian households have a PC and in excess of 69 per cent of small businesses are Internet connected. The number of web sites has exploded, from 30,000 in 1997 to well over 200,000 in 2001. Broadband Internet connections allow users to download web pages and data many times faster than conventional or narrowband Internet services. The ACCC recently reported that the number of broadband subscribers had more than doubled in the past 12 months. Narrowband Internet access runs at around 56 kilobits per second. Broadband access can run at over 500 kilobits per second. That bandwidth—that pipeline of information, ideas, tools of commerce, education and communication between families and friends—is something we all seek to have within our reach. This motion recognises that in some outer metropolitan communities it is not within affordable reach and it is not within reach in a form that is responsive to the local service requirements.

The TOMI proposition I have put to you, Mr Deputy Speaker, will bring together some of the excellent work that is happening within the telecommunications industry and will deliver it in a manner that is affordable and accessible to outer metropolitan communities. The government has embraced the concept that improved telecommunications services can be achieved through competition, and we are seeing the results of that. The best way to improve telecommunications is to have a number of providers and a number of technologies trying to best respond to consumers’ needs. The regulatory safety net ensures that no-one will be left behind. There are minimum standards for services to the community, and there are a number of taxpayer funded programs to implement and support infrastructure development in areas of specific deficiency.

Over 80 carriers provide services around Australia to consumers and businesses under this framework. The ACCC continues to report declines in the price of a basket of telecommunications services. The broadband industry is still at the early stage of its development. There is still much uncertainty with regard to the speed of the infrastructure required to support basic applications and technologies, and new technologies are emerging as each year goes by. The government recognises that the ability to broadband services—and the availability of them—is an important key to the development of our economy and of our citizenship. During the year ending 30 June 2002, there was a 131 per cent growth in the number of broadband services connected across Australia—that is, to 285,000 subscribers—and a 299 per cent growth in the number of businesses using broadband technologies.

That is the broad picture across the country. What sits within it is a range of different stories. In some areas of the member for Greenway’s electorate, they have cable running across the front of their properties—it is coming out of their ears! But for many of the outer metropolitan communities, two things happened. Firstly, there was a cheer when the Howard government was elected in 1996, and so came to an end the reckless disregard of some of the telecommunications compa-
nies for their local communities, which provided cable under the free-for-all regime of the former Labor government. That, rightly, came to an end. It did not stop those companies from rolling out that technology; it just made them a little more responsible in the way they did it. In areas such as the one that I and the member for Flinders represent, overhead cables stop at Humphries Road, in my electorate. In some areas, the appalling deployment tactics used by the telecommunications companies ended at Humphries Road.

But there are new areas where cable technology has been included with the basic services when the land has been subdivided. There are options available to underground the cable or to co-locate—something that I was particularly vocal about, as the House may recall. Those options are still there, but we are finding that, through technology such as XDSL, we are able to get more out of the basic technology. That XDSL applied by Telstra in its brand, which is ADSL, is making normal twisted copper wire start to look like broadband cabling. But we know there are limits to that as well. We know that the reach from an exchange to access that technology is about 3 1/2 kilometres. We know that through compression technology and packaging we could make that reach further and we could enhance the speed even more, but we still want to talk over those telephone lines, and we would start to see deterioration in the quality of voice.

On the Mornington Peninsula and in the greater Frankston area, we have 31 exchanges, of which only 19 have been ADSL enabled. If you are not near one of those 19 exchanges—if you are not within that 3 1/2-kilometre radius—you cannot get a piece of that action. Having said that, we are also not benefiting from the CountryWide approach that Telstra has toward customers in rural and regional Australia, where it says, ‘Okay, that’s not for you but let’s work through this other suite of technologies that is available through our network and through our relationships with other providers, to make sure you have access to what you want’—that is, bandwidth at appropriate speeds.

An example that the member for Flinders and I have been canvassing relates to the Chisholm Institute of TAFE. Campuses in Berwick and Frankston, and also in Wonthaggi and Rosebud, simply want to network their campuses. Do you think they can get access to decently priced bandwidth? They have had link proposals at around $25,000 a year between Rosebud and Frankston. That is cost prohibitive. It need not be that way, and that is what we are working through with Telstra. But it took the local federal members—the member for Flinders and I—to burrow into the Telstra monolith and find a solution. If we had TOMI, Telstra’s outer metropolitan initiative, operating on the same model as CountryWide, they would have done the legwork. They would have said, ‘Yes, we understand your needs and we will try and find a solution for you.’ That is what Doug Campbell and his team at CountryWide have achieved, and that is what we should be achieving for the outer metropolitan area. There are service issues involved in these issues. There have been changes to the call rates, and the constituents of Dunkley can now ring the Melbourne CBD for the cost of a local call. I will continue to inform my constituents about these things and, even though Telstra does not do a very good job of it, let me say to all those constituents in my electorate, ‘You must request the wide area call option on the Homeline Plus or Home-line Complete pricing package.’ It is not that hard but you need to know what the answer is.

With an initiative like TOMI, we would get CountryWide performance, with Doug Campbell and his band of merry folk going out and saying, ‘What is your need? We will go through the range of technologies and we will find the solution.’ That is the focus that is required for the outer metropolitan community. That would be a beneficial outcome from the member for Greenway’s motion. This has nothing to do with ownership. Telstra is already kicking great goals through CountryWide in a profitable manner. Another day, I will talk more about telephone directories and a whole bunch of other things. (Time expired)
Mrs IRWIN (Fowler) (3.55 p.m.)—Firstly, I congratulate the member for Dunkley for his little advertisement for TOMI. Congratulations! If you grew up in Western Sydney a few decades ago, you probably took it for granted that you had to lag behind the more established suburbs when it came to basic services. I can remember the great occasion when our home in Guildford was finally connected to the sewer and that special day when we had the phone connected. In those days people just had to wait, sometimes for many years, before services became available. It was inconvenient and, if you remember the days before the sewer was connected, you will know that it was not just inconvenient; it was a health hazard as well. But in those days the world moved at a much slower pace than it does today. Back then the fastest way to get a message to someone was to use a telegram. These days, of course, there is no such thing as a telegram. You can send an email in a matter of seconds. Communications technology is light years ahead of what it was back then, but for many parts of Western Sydney the communications hardware we have today is not much better than it was all those years ago. We still rely on those copper wire connections and, as we place greater and greater loads on them, we find that in some cases our services are less reliable now than they were back then. In other parts of the world, this technology is rightly regarded as belonging back in those horse and buggy days when the only people in the local community with a telephone were doctors and—I am not sure if you remember this, Mr Deputy Speaker—SP bookies.

If it was just telephone communication that was at stake, it might not matter so much, but in the 21st century the demands of our society and economy require high-speed communication links. Businesses require broadband technology to keep in close contact with suppliers and customers. They need the latest technology and communication links if they are to compete in the global economy. Our educational institutions require broadband links if they are to keep in touch—and we have to keep in touch. But to be truly engaged in the modern world, we also need these high-speed links to local institutions, schools and even households. All this comes at a cost and the private suppliers of these links are seeking a return for their investment in broadband technology. In many cases they are limiting these services to what they predict to be high traffic areas. Like the bad old days, we are finding that many of the newer urban areas are not being connected to cable facilities to access broadband services.

The selective roll-out of this technology is creating its own ‘silicon valleys’—areas where broadband is available. But we are also left with the surrounding hills where only expensive satellite broadband is available. Not only do we lack access to affordable broadband; we also have to suffer the sight of ugly satellite dishes in backyards. While those in the high-tech corridors—the silicon valleys—enjoy the educational and employment benefits of broadband, the rest of us are left like 21st century hillbillies locked out of the world of modern high-speed communication.

If we are to remain a fair society with equal opportunity for all, we must have equal access to broadband communication. We must ensure that this technology is available throughout our cities and, as far as possible, in rural and regional areas. We cannot have a nation divided into have and have-nots when it comes to communication technology. Nothing would cause greater division in our society than to have large sections of the community denied access to broadband. We cannot allow ourselves to be divided into the information rich on the one hand, with access to employment and education, and the 21st century hillbillies on the other, with nothing more than an outdated telephone system. Governments must ensure that broadband technology is available to all Australians no matter where they live.

Mr HUNT (Flinders) (4.00 p.m.)—It gives me great pleasure to rise to support my colleague and neighbour the member for Dunkley in his proposal for an outer metropolitan initiative for Telstra. I do this knowing that in my particular area, the seat of Flinders, whether you look at Cranbourne, the Mornington Peninsula or Gippsland West, there is a very strong need not just for
additional digital services to overcome what might be called in some circles the ‘digital divide’ but also for a further improvement in basic telecommunications services.

There have been great improvements and great strides made, but there is a significant problem, which we have taken up with Telstra. That problem is the question of access to full inclusion in the metropolitan zone for both Cranbourne and the entire Mornington Peninsula. This is an issue of great importance both to my electorate and to me. I know that we have had many representations from people concerned to make sure that they have genuine access to the metropolitan system. In addition to that, there are many people who seek full access to Internet and digital services at broadband speeds. Within my own electorate, I am working with Telstra and with my colleague the member for Dunkley to seek stronger and better services at the very basic phone level—let alone at the digital level—for people in Cranbourne, West Gippsland and on the Mornington Peninsula. Let me state that very clearly.

Having said that, there have been great improvements so far. The government has initiated a number of steps to improve data speed. First, in 1999 the government initiated the digital data service obligation. The obligation is part of the telecommunications universal service obligation, which is that in time all Australians will be provided with connections of at least 64 kilobits per second via ISDN or satellite. We are working towards that end. Second, in 2001 the government and Telstra launched the Internet Assistance Program, which provides people with services designed to assist in achieving immediately an Internet dial up speed of at least 19.2 kilobits per second. Third, there is a national communications fund, which is a $50 million program supporting communications in the education and health sectors within rural and regional areas. It is a program which both the member for Dunkley and I believe should move to include the outer metropolitan areas, to build on the existing good work. Fourth, there is the Advanced Networks Program, which is a $40 million program supporting the development of advanced communications infrastructure.

That has been very important, and it is one of those areas which we wish to tap ourselves, in order to assist with the progress and advancement of higher education through the Chisholm Institutes which cover our areas. Fifth, there is the Networking the Nation Program, which provides over $250 million—beginning in 1997, over five years—for regional telecommunications infrastructure. Already, an additional $214 million was provided in 1999 from the sale of Telstra. Of this, $36 million went on an initiative to provide Internet access in regional and rural Australia. Sixth, the government has already established a broadband advisory group, designed to ensure that Australia derives the maximum economic and social benefit from broadband take-up.

With all those achievements, however, there is one thing which is strangling the further capacity to invest in infrastructure. It is exactly that proposal that the member for Greenway, seconded by the member for Fowler, supports. They are proposing an initiative which, by denying Telstra the capacity to raise capital, prevents Telstra from making further investments. The existing opposition proposal strips assets and, most importantly, by not allowing Telstra to raise additional equity, renders Telstra unable to raise the capital necessary to make investments.

Ms GEORGE (Throsby) (4.05 p.m.)—I move:
That this House:
(1) acknowledges the pain and suffering of Australians living with the disease—Adhesive Arachnoiditis;
(2) accepts that many current sufferers were at some time involved in a spinal x-ray procedure known as a myelogram;
(3) believes that an independent inquiry is necessary to investigate:
(a) the effects of exposure to the chemical Iophendylate (marketed under the name Pantopaque and Myodil);
(b) the basis on which Iophendylate was licensed, marketed and used in Australia; and
(c) the social and economic costs arising from the disease;
(4) acknowledges the important work undertaken by the support group—Chemically Induced Adhesive Arachnoiditis Sufferers of Australia and its founder Derek Morrison; and
(5) requests the Government to provide some resources and assistance to the Committee to enable it to carry on its worthwhile work which up until now has been done on a voluntary basis.

The conspiracy of silence about the incurable disease adhesive arachnoiditis and its association with the dye commonly known in Australia as Myodil has to be broken. I am indebted to the assistance provided by Derek Morrison, from the support group for people suffering from adhesive arachnoiditis, for the information I place before the parliament today. There are far too many Australians suffering from the consequences of an X-ray procedure using the drug Myodil, which was not properly evaluated before its widespread use. Nor does it appear that universal procedures were in place in Australia to ensure the aspiration of the drug, despite this drug having been banned in Sweden as far back as 1948 and despite its known association with arachnoiditis back in the 1960s. The essence of my proposal is for this government to support the establishment of an independent inquiry to get to the bottom of this very serious issue which is estimated to have caused incredible suffering to some 60,000 Australian citizens.

What is adhesive arachnoiditis? It is a degenerative disease caused by an inflammation of the web-like membrane around the spinal cord. In the words of Dr Sarah Smith from the UK’s National Organisation for Healthy Backs:

The scarring produced by the disease causes many symptoms, the most debilitating of which is pain, typically constant and of a burning nature, sometimes with intermittent sharp, stabbing pains (sometimes described as electric shock sensation). The pain is principally in the lower back and limbs, although it may be found higher up the spine and radiate down the arms. Other sensory symptoms—according to Dr Smith—include:
tingling or numbness
heightened skin sensation
normally painless stimuli may be painful
strange sensations e.g. water running down leg
burning in ankles or feet; sensation like walking on broken glass

Dr Smith goes on to say:
Movement (motor) functions may also be affected. Symptoms include:
weakness
muscle spasms
muscle cramps

Dr Smith points to the fact that:
Bladder and bowel problems may also occur.

It is very clear that adhesive arachnoiditis is a chronic, insidious and incurable condition that causes debilitating pain, often necessitating opiate treatments for relief. The impact of the disease on individuals is horrendous—and I have already had four constituents come to me to describe the kind of living hell that they contend with every day. One carer who recently wrote to me described the condition of his wife in the following terms:

My wife has a medication regime of 300mg of Kapanol daily—which is a slow release morphine—
together with Morphine in solution for break through pain, apart from Prothiaden, Valium, Panadeine Forte, Zoton, Motilium etc. Of concern is the potential harm to her renal system, from long term use of medication. Apart from loss of mobility, she suffers bowel and bladder incontinence. In essence she suffers chronic severe disabling pain, with marked loss of mobility, which is progressive.

And she is one of an estimated 60,000 or more Australians who are suffering from this incurable condition. Most annoying to the sufferers, the symptoms have all too often been dismissed as psychosomatic. The contemplation of suicide is all too frequent.
What is this drug known as Myodil and Pantopaque? The chemical term is Iophendylate. In 1995, in a report to the state minister for health by the New South Wales health department’s radiology advisory committee, this drug was described in the following terms: the committee ‘acknowledged that Myodil is a cause of arachnoiditis, a condition which may result in chronic, severe and debilitating pain’; the committee also noted that ‘arachnoiditis may be caused by injury, infection, bleeding, surgery and chronic disc or spinal compression’.

The dye was injected into the spine of patients when a myelogram, which is an X-ray of the spinal canal, was performed. It is amazing that we were not aware of the implications of this drug when it was banned in Sweden in 1948. I understand that it was introduced in Australia in about 1945 and widely used until it was withdrawn in 1987. An eminent American neurosurgeon had this to say:

It does not appear that any significant study or due diligence was undertaken in regard to Iophendylate at the time the product was introduced or over the almost half century of its international use.

There is also no information available to show that the producer monitored adverse effect or continuing safety and efficacy of the product.

Myelography with the use of Iophendylate as the contrast agent became commonplace in Australia. Professor Palmer, Director of Radiology at one of Sydney’s public hospitals, notes:

A causal relationship between Iophendylate and chronic arachnoiditis was well established in studies in the 1950s. Subsequent experimental studies confirmed the tendency of this agent (Myodil) to provoke meningeal inflammation, described the pathological changes and indicated the natural history of the disorder.

In October 1994, the then federal minister responsible for therapeutic goods in this country advised the New South Wales minister as follows:

Myodil was a contrast medium used mainly for myelography ... It had a number of adverse reactions; arachnoiditis being one of the more serious.

As it was in use before the Commonwealth began to evaluate drugs of this class, it was never evaluated by the Therapeutic Goods Administration for efficacy and safety.

That is quite amazing. What we do know, however, is that the company which imported and distributed Pantopaque/Myodil was advised by the therapeutic goods branch in June 1978 that it was involved in ‘unauthorised distribution’ which ‘has not been restricted to the “approved end users” but, apparently, has been supplied to all parts of the Commonwealth’. The therapeutic goods branch followed up with a letter in August 1978 that stated:

Although such happenings are viewed with profound concern by this Department, in view of the time for which the product has been marketed and apparent paucity of adverse reactions reported no further action is anticipated ... Approval to continue to supply those who have previously been supplied is granted.

So here we have a drug which was widely used in our community with no compulsory premarketing evaluation of its quality, safety and efficacy. How did it remain on the Australian market so long after 1970 without its safety and suitability for use being tested? Why was the company which imported Pantopaque allowed to breach the restrictions as to its supply? Why was no action taken against this company? As Professor Palmer states:

The medical literature included clear indication of the association of Iophendylate myelography and arachnoiditis by the 1960s.

If the lack of evaluation and regulation and the distribution breaches are not of sufficient concern in themselves to warrant an independent inquiry, one needs to consider also the actual medical procedures involved in the use of Myodil. There appears to have been wide variation in the techniques used in Australia up to 1980. It was clear that the removal of the contrast agent through aspiration was not universally practised in Australia. It was clear that the removal of the contrast agent through aspiration was not universally practised in Australia. This is confirmed again in the 1995 radiology advisory committee report to the New South Wales Minister for Health. It states:

It is true that Myodil was not always removed following myelography.

The conspiracy of silence on this issue must end. The sufferers and their families need to
know the truth. The supporters group and its convenor, Derek Morrison, need the support of this government to continue with their important work, to chronicle the impact on the many sufferers who undertook myelography using a chemical that was not properly evaluated and procedures that were not universally followed. In fact, I have seen X-rays where Myodil is still in situ in the spinal canal of some of the sufferers. I urge members of the government who are to speak on this motion that I bring before the House to support the creation of an independent inquiry. None has ever occurred in this country. It is a federal government responsibility and one whose time has surely come. The conspiracy of silence about these matters must end.

(End of time)

The DEPUTY SPEAKER (Mr Jenkins)—Is the motion seconded?

Ms Ellis—I second the motion and reserve my right to speak.

Dr WASHER (Moore) (4.15 p.m.)—I would like to address the motion put forward by the member for Throsby, Ms Jennie George, on 22 August 2002 concerning the myelographic dyes Myodil and Pantopaque. These dyes, Myodil and Pantopaque, were both oil based imaging dyes that were available in Australia from at least the early 1960s until the late 1980s. They contained an active ingredient called Iophendylate. These dyes were used in myelography to visualise the spinal cord, spinal nerve roots and surrounding membranes in patients with symptoms such as severe back pain. They helped diagnose patients with serious conditions such as tumours and herniated discs.

At the time these dyes were in use there were few options available to help diagnose serious spinal conditions. X-rays alone did not give the necessary detail that the use of dyes did, and no other form of dye was available for myelography until the late 1970s. The first alternative, a water based dye called Amphipaque or metrizamide, had major disadvantages in that it increased the risk of seizures. It was also known rarely to cause arachnoiditis. Its use was technically more difficult than the oil based dyes and posed a greater risk of contamination.

These days, the use of dye based techniques to visualise the spine has been largely superseded by the introduction of modern, non-invasive techniques such as magnetic resonance imaging, or MRI, and computerised tomography, or CT, scans. Because of this, Myodil and Pantopaque were removed from the market in the late 1980s by their sponsors—due to a lack of demand as the new diagnostic options became available. At the time of their introduction in the 1950s, such alternatives were not available and many patients did benefit from their use.

So what is adhesive arachnoiditis? The complaints about the dyes relate to the occurrence of ongoing symptoms, described in many cases as adhesive arachnoiditis. Adhesive arachnoiditis is an inflammation of the arachnoid, which is one of the three membranes surrounding the spinal cord. This condition is sometimes associated with narrowing of the subarachnoid space, which is filled with cerebrospinal fluid.

At the outset, let me say that I have great sympathy for people suffering from this condition. I had patients who did, and it is terrible. It is not known how many sufferers of this condition there are in Australia or what proportion of these are thought to be due to the use of oil based dyes, but estimates in published scientific papers suggest that the problem is uncommon or rare. For the record, the Parliamentary Secretary to the Minister for Health and Ageing, the Hon. Trish Worth, has not at any time said that there are only ‘a handful of sufferers of arachnoiditis’ or that this condition is ‘all in people’s heads’. These unsubstantiated claims about a statement from Ms Worth have been included in emails and letters to members of parliament on this issue. They are not true.

Although adhesive arachnoiditis very rarely occurs if precautions are followed with the use of these dyes, it is known that the failure to observe basic precautions—for example, removing the dye at the end of the procedure and ensuring correct positioning of the patient—can increase the risk. There are many possible causes of adhesive arachnoiditis, including the use of imaging dyes. Early reports of adhesive arachnoiditis were commonly associated with infection. Spinal
surgery, spinal canal stenosis or narrowing, disc disease or trauma are also known to increase the risk of arachnoiditis, and several patients would have been exposed to many of these risk factors. Myelography was often used before surgery for lumbar disc disease and may have followed injury. It therefore may be difficult in individual cases to separate the effects of the original disease from those of the pre-operative myelography or the surgery to determine a single cause for the onset of adhesive arachnoiditis.

In terms of the Commonwealth’s role, Myodil was on the Australian market from at least 1959 and Pantopaque from at least 1961. Both agents were therefore available before the introduction of a therapeutic regulation program and requirements for premarketing evaluations in 1970. At the time of the introduction of the Commonwealth regulation, products that had been marketed prior to 1970 were permitted to remain on the market unless specific safety problems had arisen. There were relatively few adverse events reported for these dyes at that time, so they were permitted to remain on the market. In fact, between 1972 and the present, the Therapeutic Goods Administration has received less than 20 adverse drug reaction reports for Iophendylate.

There is also talk about the Commonwealth letting Pantopaque be imported into Australia in the 1970s. Pantopaque was withdrawn from the Australian market at some point around the late 1960s or early 1970s but there were supply shortages of Myodil in the early 1970s. As these dyes were important for the management of spinal lesions, individual doctors at hospitals sought to import Pantopaque from overseas, to allow them to diagnose their patients. Approval was given for the supply of the product, as an experimental therapy, to a limited number of named doctors, pending the submission of data to support its full approval, as it had become a non-approved product on withdrawal from the market.

Pantopaque sponsorship was transferred to another company and general marketing approval was granted in September 1970 after evaluation of data on its use. This general marketing approval for supply to doctors and hospitals for myelograms was given subject to the provision of appropriate warning statements about their use in the prescribing information for health professionals.

The prescribing information for health professionals for Myodil from the early seventies had set out the possibility of arachnoiditis and recommended that the product be removed after the procedure. The prescribing information also stated that, while these products were usually well tolerated, headache, back and neck ache could occur. Because myelography is performed with lumbar puncture, it was and is recognised that all the potential complications associated with that procedure—including headache, arachnoiditis, vomiting and sensitivity to light—could also occur with myelography. Information on the general care of patients included that the patient’s head should be kept elevated above the level of the spine to prevent upward dispersion of the dye, the dye should be removed after the procedure, and bed rest should be considered for up to 24 hours. Once it was formally approved in 1979, the prescribing information for Pantopaque contained similar information for prescribers. The warnings for both these products were reviewed and strengthened at various times during the 1980s.

I am aware that there have been court cases involving health providers and the companies supplying the products in Australia. Overseas, product liability proceedings in the UK in 1995 were settled by agreement and without an admission of liability by the product sponsor. Iophendylate products were discontinued in the US and UK in the late 1980s. Again, the market withdrawal coincided with the availability of alternative modern technologies such as MRI. Iophendylate is still included in the British Pharmacopoeia 2001 and the United States Pharmacopoeia 2002. These publications are regularly updated, so it may be assumed that Iophendylate products are still available in some countries, possibly where MRI and other imaging techniques are not available.

My response to calls for an inquiry into the availability and use of these dyes is that these dyes were available in Australia before the introduction of Commonwealth regula-
tion of medicines in 1970. There were few safety concerns with these dyes at that time, and there were no satisfactory alternatives for diagnosing potentially incapacitating and life-threatening conditions in patients, so they were permitted to remain on the market when regulation was introduced. The information provided to health professionals included warnings about the appropriate, safe use of these dyes and about avoiding the risk of adverse effects such as arachnoiditis. Medical practitioners are required to assess the risks and benefits of a particular treatment for a particular patient, and clinical decisions are made with the patient’s best interests in mind. Regulation of medical practice is not a Commonwealth responsibility but is in the power of the states and territories.

Whilst I acknowledge the pain and suffering that patients with adhesive arachnoiditis have experienced, given the known circumstances surrounding the availability of these dyes, an inquiry into the use of these products would not be warranted. People did benefit from the availability of these dyes, and there are mechanisms in place for individual patients who believe they have been treated negligently to seek redress.

Ms HALL (Shortland) (4.25 p.m.)—I rise to support the member for Throsby on this extremely important motion that addresses the issue of adhesive arachnoiditis. I would firstly like to acknowledge the work of Derek Morrison, who is a sufferer of adhesive arachnoiditis and who lives on the Central Coast of New South Wales. He has spent many hours researching and fighting for people who suffer from this disease. He has brought the matter to the attention of members of parliament and many people that are responsible for the approval of drugs and for looking at issues such as this. As I said, Derek lives on the Central Coast of New South Wales, and I think it is sad that I am the only Central Coast member speaking in this debate. Neither the member for Robertson, whose electorate Derek lives in, nor the member for Dobell, who spoke earlier about his experiences flying through the skies at night in RAAF planes, are here in the House to participate in this extremely important debate and to fight for Derek and other people on the Central Coast who suffer from this disease.

Prior to becoming a member of parliament, I worked as a rehabilitation counsellor. In that occupation I was a member of a back pain support and education team, and one of the things that always puzzled me was how, following myelograms—which were a standard investigation for people suffering from back pain—some of the people involved in these programs actually deteriorated. Their pain was exacerbated and their symptoms were a lot worse than they had previously been. As a member of parliament, I have been approached by many sufferers of this disease and have assisted in getting approval to have narcotics supplied at a stronger level to help them live with this exceptionally strong pain.

The previous speaker, the member for Moore, stated that the side effects were not known at the time and, therefore, people should not be accountable. Wasn’t that the case with thalidomide and other sorts of treatments in the past? I believe that we do have to look at this issue. It is a very important issue and one that the parliament needs to address, and I congratulate the member for Throsby on bringing this motion into the House for debate today.

A myelogram, as has already been pointed out, is a diagnostic tool used to investigate back pain. It is usually utilised following the failure of more conservative investigation—or it was, up until 1987. The more routine investigations did not show some of the problems that existed in a person’s spine. As a consequence, myelograms were utilised. Quite often, they were utilised too frequently and were not aspirated in the way they should have been. This has led to residual problems.

I have been reading about the problems experienced by sufferers of adhesive arachnoiditis. It is a progressive neurological disease. Sufferers have horrendous burning pains that attack the back, groin, knees, legs and feet. It causes paralysis of the lower limbs—many sufferers are wheelchair-bound—spasms and muscular seizures, which are absolutely horrendous, head pain...
and vision disturbance. It has totally changed the sufferers’ lives, and there are 60,000 people in Australia suffering from this debilitating disease.

I believe that the awareness of the toxicity of the drug and the veracity of the testing of the drug under the name Myodil and the other names under which it has been known was not as strong as it should have been. Some of the ingredients in Myodil were benzene, now regarded as one of the foremost carcinogens in the world, hydrochloric acid and sulfuric acid, to name just a few. What has resulted from inadequate procedures for the approval of medication and treatments such as this is people in the community being left with horrendous side effects. As a parliament we have to stand together and acknowledge the pain and suffering caused to Australians living with disease. We need an independent inquiry; it is absolutely necessary that this is investigated. And we need to acknowledge the work of those people who have been working in support groups.

Dr SOUTHCOTT (Boothby) (4.30 p.m.)—I would also like to address the motion put forward by the member for Throsby concerning the myelographic dyes Myodil and Pantopaque. As we have heard, these dyes containing Iophendylate were used in myelography to visualise the spine in patients with severe back symptoms. Their use assisted doctors to treat and manage many patients at a time when there were few other options available. These days, of course, doctors use other new technologies, such as non-invasive MRI and CT scans, to diagnose and manage patients and, appropriately, use of both of these dye products in myelography has been largely superseded. At the time these dyes were first marketed, alternative technologies were not available, and we must remember that many patients did benefit from their use.

Adhesive arachnoiditis is a potentially painful and disabling inflammation of the arachnoid membrane of the spine. It has a variety of causes, many of which may have also been relevant to patients being investigated for back problems, for example trauma and surgery to the spine. It is not known how many sufferers of this condition there are in Australia. Estimates we have from scientific papers are that the incidence of this condition following myelography is uncommon or rare. Although adhesive arachnoiditis very rarely occurs if precautions are followed with the use of these dyes, it is known that failure to observe basic precautions—for example, removing the dye at the end of the procedure and ensuring correct positioning of the patient—can increase the risk. There have been court cases in Australia in relation to this issue, and redress through the courts or medical practice complaints mechanisms operated by the states and territories is an appropriate way to deal with allegations of practice issues concerning myelography and these dyes.

We have also heard that both agents were available before the introduction of a regulatory program for therapeutic products in Australia. One product was removed from the market for a time and was subsequently required to be evaluated before formal re-entry to the market. When general marketing approval was granted, it was subject to the provision to doctors of appropriate warning statements about the use of these dyes. For the other product, warning information and guidance on use had been available to doctors since the early 1970s.

A complicating factor is that lumbar puncture is often done as part of myelography. When this is considered with other potentially confounding factors linked to the occurrence of arachnoiditis, it is clear that for some patients it is, and always will be, difficult to ascribe a cause to their symptoms. Let me be clear that I do sympatheise with the sufferers of this condition, but I must reiterate that there is no basis to conduct an inquiry into the availability and use of the dyes in Australia. These dyes were used to assist doctors to diagnose and manage serious conditions of the spine. There was no alternative at the time they were introduced to the market, nor for many years thereafter. Information was provided to doctors about the risk of these dyes and how to avoid adverse effects of such procedures, such as arachnoiditis. It is the role of the treating doctor to assess the risks and benefits of treatments for their pa-
tients and to make the best decision keeping their patients’ interests in mind. These dyes offered substantial benefits which must not be forgotten. I regret that their use as part of myelography procedures, and often in association with back surgery or back disorders, is claimed to be linked to recurring pain and disability in some individuals.

The DEPUTY SPEAKER (Hon. I.R. Causley)—Order! The time allotted for private members’ business has expired. The debate is interrupted in accordance with standing order 104A. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Foreign Affairs: Palestinian-Israeli Conflict

Mr ALBANESE (Grayndler) (4.35 p.m.)—Last week saw the first anniversary of the horrific terrorist attacks on New York, Washington and Pennsylvania. One of the lessons of September 11 is that military power is not enough in the modern world—security can only be achieved by a victory of humane, democratic values. The Palestinian-Israeli conflict unfortunately remains the best example of the virtues of this lesson. This conflict has been played out for over 50 years, and still we are no closer to a solution. Yet this is a problem that threatens to destabilise the Middle East and, if US foreign policy continues in its current vein, it poses a real obstacle to progressive relations between the Arab world and the West.

The creation of the state of Israel in 1948 and subsequent events have produced up to 3.8 million Palestinian refugees to date. The latest escalation of the conflict, the Al Aqsa intifada, began with Ariel Sharon’s provocative visit to the Haram al Sharif. Of course, Mr Sharon has form. An Israeli official inquiry, the Kahan commission, found that as Minister for Defence he had responsibility for the massacre of more than 2,000 men, women and children that occurred in Sabra and Shatila refugee camps in Lebanon in September 1982. Mr Sharon was advised against the visit to Haram al Sharif by both the US and the Palestinians—and many Israelis. Clinton’s envoy Dennis Ross famously told him, ‘I can think of a lot of bad ideas, but I can’t think of a worse one.’

The Israeli Information Centre for Human Rights in the Occupied Territories estimates that since the first intifada in 1997 almost 3,000 people have been killed—80 per cent of them Palestinians. Palestinian residents of the occupied territories are ‘protected persons’ under the Geneva Convention Relative to the Protection of Civilian Persons in Time of War. This means that they may not be wilfully killed, tortured, taken as hostages or suffer humiliating or degrading treatment. Between the outbreak of the most recent crisis in September 2000 and 7 May 2002—the date of the UN report on the events in Jenin—there have been more than 1,500 Palestinians killed and 441 Israelis killed. In addition, an estimated 2,500 Palestinians have been permanently disabled—500 of them children.

Suicide bombings are horrific but, as the UN Secretary-General has put it, self defence is not a blank cheque, and responding to terrorism does not in any way free Israel from its obligations under international law, nor does it justify creating a human rights and humanitarian crisis in Palestine. Although all of us would argue that the Palestinian authority has an absolute obligation to curb Palestinian suicide attacks, the UN Secretary-General, Kofi Annan, has noted that Israeli military retaliation for those terrorist attacks was often carried out against the Palestinian authority itself ‘seriously weakening the authority’s capacity to take effective action against militant groups’. It is unfortunate that it was Israel which first funded Hamas, the most militant of all the resistance groups in Palestine, in order to destabilise the power of the PLO in the 1970s. Operation Defensive Shield, which began with an incursion into Ramallah, did nothing to advance peace and merely exacerbated Palestinian hatred of their occupiers. The Israeli Defence Force, IDF, fired on mosques, schools, farms and homes. Forty-one schools have been closed, 275 schools have been disrupted, 30 schools were shelled, causing an estimated $400,000
worth of damage, and 42 students were killed on the way home from school.

The borders between the Palestinian and Israeli zones are repeatedly closed, which impinges on business and on the health and quality of life of Palestinians. There are over 230 fixed military checkpoints and many hundreds of mobile checkpoints. Living conditions inside the Palestinian autonomous zone are at crisis point. The Israeli per capita income is $US35,000 compared to a West Bank per capita income of $3,000 and in Gaza just $2,400. Unemployment in Gaza is 50 per cent, while in the West Bank it is 35 per cent. There are 1½ million Palestinians living below the poverty line on less than $US2.10 per day. The Palestinian authority’s income has dropped by more than 70 per cent. The closures result in disharmony and poor economic outcomes for both Israelis and Palestinians. There is nothing short of a humanitarian and health crisis in the occupied territories.

While many Israelis continue to demonise all Palestinians as terrorists, Palestinians experience Israelis as occupiers and employers of cheap labour, interrogators and jailers. Meanwhile, the government of Israel continues to allow fundamentalists to build illegal settlements on Palestinian land. Even the Israeli newspaper Haaretz can see the madness in this. Illegal Israeli settlers in the West Bank and Gaza now total 200,000 and are a leading target for Palestinian terrorists—although, as we have seen, the shocking and reprehensible killing of Israeli civilians occurs outside the occupied territories as well.

There were also extreme restrictions on movement during Operation Defensive Shield. It was not only Palestinians whose movement was restricted during Operation Defensive Shield; in many circumstances humanitarian workers were restricted and medical ambulances were attacked. People were not even able to bury their dead according to their religious law. The culmination of these horrendous policies was the incursion into Jenin in April of this year. These events have still to be sufficiently explained. The Israeli government, regrettably, did not allow the UN fact finding team to visit Jenin, despite the best efforts of the UN Secretary-General to clarify the terms of reference. The world is absolutely correct in demanding UN weapon inspectors be allowed into Iraq. It is a pity the US was not as vocal on the Jenin issue.

A number of witnesses stated the IDF warnings about imminent house destructions were not sufficient. It is clear that there was very widespread destruction of Palestinian property. The United Nations Relief and Works Agency, UNRWA, mounted a considerable operation to deliver food and medical supplies to people who had fled to the Jenin hospital, but they were not allowed to enter the camp. Before the incursion, the head of the Palestinian Red Crescent Society, PRCS, emergency medical service in Jenin, while travelling in a clearly marked ambulance, was killed by a shell fired from an Israeli tank. During the incursion things went from bad to worse for medical staff, as workers and ambulances were fired upon. The final UN report, released on 30 July, concluded that the humanitarian crisis was exacerbated by the fact that, on the first day of the offensive, electricity in both the city and the camp were cut by the IDF. It was not restored for some three weeks. Despite the IDF’s claims, the hospital was directly affected by this. Wounded civilians waited days for treatment and in some cases died during this wait.

This kind of response holds no real solution. Armed attacks that aim to curb unseen terrorists result in the loss of innocent lives and the potential destruction of the matrices that knit societies together. Coupled with this unjust situation, the Palestinian authority is now charged with rebuilding the shattered Palestinian economy, with significantly less help than that provided to Israel. Israel already receives about $3 billion in US assistance annually. On 4 September, President Bush requested another $200 million for Israel. Fifty million dollars was requested for Palestine, for humanitarian refugee and reconstruction assistance, but none of that is permitted to go to the Palestinian authority. Israel receives about 80 per cent of the total US and Near East aid budget. In addition, there are various indirect ways in which aid is given, in the form of defence weaponry and vehicles. The IDF routinely uses tanks,
Apache helicopter gunships and F16 fighter jets against a population that has no military whatsoever and none of the protective institutions of a modern state.

It is up to all of us to try to see both sides of this conflict and to apply pressure where we can to try to redress the repressive policies of the Israeli government and its military and to oppose the extremists of the Palestinian side who engage in terrorism. Security can only be achieved through negotiation. Israel must be allowed to exist within secure borders and an independent Palestinian state must be established. Terrorism, whether by individuals or states, must be opposed in a consistent manner by all those who support democratic humane values. In the battle for hearts and minds, there is no room for ambiguity when it comes to respect for human rights. If the world is to truly advance, all UN resolutions, including resolution 242, calling for the withdrawal from the occupied territories, passed on 22 November 1967—almost 35 years ago—must be implemented in order for all citizens to believe that they have a stake in the peaceful resolution of international conflict. Anything less risks alienating further the dispossessed and playing into the hands of fundamentalists, whether Islamic, Jewish or Christian, who in the modern world threaten the security of us all.

Environment: World Heritage Areas

Herbert Electorate: Palm Island

Mr LINDSAY (Herbert) (4.45 p.m.)—I would like to raise a number of issues in the parliament this afternoon, if I may. Earlier this year a Democrat senator in the Senate referred to me as the coalition’s resident greenie. I was rather chuffed to be referred to as such. I was not disappointed at all, because more than ever it is important that we all take care of our environment. To that end, I have been a strong supporter of green zones in the Great Barrier Reef Marine Park in the World Heritage area along the coast of Queensland. I hope that I have done my part in awakening community consciences and community attitudes to the need to lock up areas of the park—and I have said 25 per cent should be locked up—so that future generations can enjoy the environment. In locking up areas of the park, we are not saying that you cannot go there. By all means, people should be able—like in a national park on land—to go and enjoy, to look and touch, but simply not take and not destroy.

Similarly, I have been a strong advocate to make sure that the Queensland government addresses the land clearing that is going on in Queensland at the moment. Unfortunately, I have not been as successful as I have been in the marine park debate, and land clearing continues unabated. Of course there are some very serious consequences—not only for Queensland but for New South Wales, Victoria and South Australia—in relation to the watercourses that flow from my state down through those states and into the sea. Those serious consequences need quite some thought. Our community needs to have a conscience about the way we are currently destroying the foliage on our planet.

I have also been a strong supporter of the government’s greenhouse reduction policies—and they are working. I know that some in the environmental movement are concerned that we have not ratified the Kyoto protocol, but there are good reasons for that. Even though we have not ratified, we are going to meet the targets that we said we would. We are a responsible nation, and I am very pleased to be able to say that the government is strongly supportive of meeting those targets. From time to time, more often than not, we have quite vigorous debate with the conservation movement—the green groups and so on—and I welcome that. It is very healthy in our country, in our open and free society, that we can have that debate.

For the last two weeks I have been in Asia, and I have not seen blue sky. For the whole of the two weeks I did not see a blue sky. It was not because it was raining; it was because of the pollution. How can we, as a world society, tolerate a situation where you cannot see the sky anymore and where you cannot enjoy nature as it is meant to be enjoyed? How can we so pollute our planet that
there is constant pollution in the atmosphere? How is it that the green groups can be so active here in Australia yet seem to ignore or are powerless to influence what is happening in other parts of the world? How could that be? I have seen in the last two weeks the most appalling pollution, not only in relation to the atmosphere but in relation to the waterways of Asia.

Our consciences should be awoken. We should say, as members of the world community, that if we do not do something about this then that pollution is going to spread to Australia—we are going to see that haze that goes across Asia go across Australia. What is going to happen if that occurs? My first grievance today is in relation to the awful pollution that is continuing in the Asian region and the lack of action on it. I finish by saying that I was very privileged to go to another World Heritage area—not the Great Barrier Reef Marine Park but Ha Long Bay in Vietnam. It is a World Heritage area but the pollution in the atmosphere was just awful, covering the whole of the heritage area. We need to be very mindful of that.

Moving on, I would now like to go to a completely different subject: Ferdy’s Haven on Palm Island, off Townsville. Palm Island is an Aboriginal community of about 5,000 people—nobody really knows how many people there are. Palm Island suffers the problems of a community that has no real work and no self-respect. It drowns its sorrows in alcohol, in domestic violence and in substance abuse. It is awful. There are some really great people at a place called Ferdy’s Haven. Ferdy’s Haven is an alcohol and drug rehabilitation centre at Coconut Grove. It has, from memory, 18 beds. It is run in a Christian atmosphere and helps the people who go there. There are some statistics from Ferdy’s Haven which are very concerning. Ferdy’s Haven believes that one in five of the Palm Island community are chronic alcoholics. Imagine if your suburb had a situation where one in five of your neighbours were chronic alcoholics. You would want to do something about it, wouldn’t you? No, not on Palm Island. The government—and I will explain what I mean by ‘the government’ in a moment—does not want to help at all. Ferdy’s Haven also says that around 75 per cent of the Palm Island community are risking their health through the misuse of alcohol. That is 2,400 people who are effectively classified as harm-causing alcohol users.

Ferdy’s Haven applied to the Queensland government, which has the responsibility for providing detox centres throughout the state. I wrote to Wendy Edmond, the Queensland Minister for Health, in support of them. I received a letter back from the minister. She wrote:

I have recently received a request from Ferdy’s Haven for recurrent funding assistance for a nurse position for detoxification services in the expectation that the organisation would be successful in the grant application to the AERF.

The AERF is the Alcohol Education and Rehabilitation Foundation. The letter continued:

However, I could not make a commitment to this as funding available to support non-government alcohol and drug treatment services is fully committed to existing services across the state. There are no additional funds to consider recurrently funding new proposals at this stage.

In other words, it was a big no from the Queensland health department. How could the Queensland health minister be so insensitive as to not provide funding for a detox centre on Palm Island when the need is so graphically demonstrated? One in five residents on Palm Island is a chronic alcoholic. How could that happen? How could it be that the minister expects Palm Islanders to go to the mainland to one of the four medical beds that are available for detox at the Townsville hospital? Of course the answer is that nobody goes. We are dealing here with Indigenous people. It is not culturally acceptable to send them to a mainstream hospital. The service need is on Palm Island itself. The service need is here and now. The state government should meet its responsibilities. I call on the state government to recognise that it needs to support Ferdy’s Haven in their application for a detoxification unit immediately.

Insurance

Mr SIDEBOTTOM (Braddon) (4.55 p.m.)—To say that public liability, medical indemnity and accident compensation insurance in this country are in trouble is an understatement. They are a mess constitution-
ally, legally, financially, politically and, most especially, socially. Fundamentally the fabric of our society is being threatened by the inability of community organisations, small businesses and individuals to secure affordable, fair insurance. It is a national crisis and requires a national response—nothing more; nothing less. I can think of no other matter in Australia which touches nearly every family and community group—that is, the whole Australian community—than the matter of ensuring access to fair and affordable public liability insurance. Furthermore, if one is to believe the insurance industry, the problem was caused and/or exacerbated by a series of major domestic insurance-house collapses, world disasters, an ever-growing number of litigious insurance and compensation claims fanned by greedy lawyers and overgenerous legal judgments. Indeed, there was a unanimous gasp of amazement only the other week when a teenage intruder was awarded $50,000 in damages for breaking and entering and his mother granted some $18,000 for the pain of seeing her son in distress.

Of course, nothing is ever as it first appears. The Plaintiff Lawyers Association would argue that the insurance industry itself has been poorly managed over the years and that a comprehensive inquiry into its operations would clearly demonstrate that, in fact, it has failed to keep pace with changing trends and has prepared itself poorly for inevitable and future claims. Likewise, it is argued that the insurance industry has indulged in financial investments to the detriment of its policy shareholders and clients, only to be exposed by the collapse of HIH and the like both nationally and internationally. There are those who believe the issue is further exacerbated by the lax attitude of individuals and organisations towards protecting themselves and others from risk.

As the provision of compensation and support has diminished with the passing of family businesses and corporations and the world has become one of paying one’s way and taking responsibility for one’s welfare, so too there has arisen a trend to litigation and a belief that compensation judgments are generous enough to entertain even frivolous claims. Legislators, the legal industry and the insurance industry have not moved sufficiently quickly to regulate what many claim has been a self-evident trend for some time now. There has not been a sufficient balance struck between the right of the individual to be reasonably protected from harm and negligence and the safe provision of goods and services. Unless there is some commonsense injected into the matter before too long, I fear the Australian way of life as we understand and enjoy it will join Ned Kelly as part of Australian folklore rather than be a reality. If the public liability insurance issue were a health matter, the nation would be up in arms and the Commonwealth government would be steaming ahead to legislate for the nation as it did with the gun buyback scheme and the introduction of national gun laws.

The truth is that this matter is a serious national health issue for the social health of our communities, and it requires a whole of nation response, led by the federal government, rather than the piecemeal smorgasbord we have witnessed since the beginning of the year. The problem is that, for the past two decades, federal governments have adopted policies to divest themselves of direct responsibility for matters of public importance by hiving them off to private providers or reconstituted public corporations, or to the states and territories, which in turn hive them off to local governments, which in turn hive them off to private organisations and individuals. It is a pay-as-you-go, user-pays, cost recovery mentality.

The free market exists to dictate labour relations and conditions, to provide basic services and, of course, to allow trade and commerce. The trouble is that the free market dictates but does not necessarily protect or provide. The issue of public liability insurance and related matters is an example of where the free market has not worked and will not. What is a national community health issue needs to be dealt with at a national level in the name of the nation, in the same way as the physical health of our nation is dealt with by Medicare, our social security by national welfare legislation, community safety by national gun laws, and border protection and national security by national legislation and funding. In short, we
need a national public liability insurance scheme to deal with the national public liability insurance problem.

It is interesting to review the number of direct interventions by this government to assist, restructure and tide over organisations and industries. Levies have been struck to do this but, in effect, increased taxes or costs have been levied on consumers and/or taxpayers. We have a levy on milk to tackle restructuring of the dairy industry and market failures associated with the milk market sector. We have an airline ticket tax to assist employees of the collapsed Ansett airline, already under scrutiny by those who were supposedly to benefit from it. We have a recently announced plan to tax or levy sugar at the retail level—that is, a consumption levy—in order to assist the ailing sugar industry in Australia, to the detriment not only of consumers of domestic sugar but also of Australia’s highly competitive food processing industry. The point is that the federal government has not been averse to directly intervening on an industry level to tackle an immediate issue of market failure or in response to interest group pressure.

Laurie Oakes, in an article titled ‘High anxiety’ in the Bulletin of 17 September, commented on some of the political and social effects of September 11 and Tampa. He quotes researcher Mark Textor, who asserts: Because the world is so uncertain, there has generally been an increased desire for a kind of reinvestment in, or a refocus on, institutions.

Oakes points out that this is demonstrated in the desire for re-empowerment on the part of the community to somehow gain more control over things that affect their lives. People want more control, and an aspect of this is more regulation in the face of failure of market forces and imposition of external threats and challenges. I contend that the issue of public liability is one of these issues. That discontent has not subsided because of ongoing state and federal meanderings on the matter.

Just as the federal government is being asked to directly intervene in the matter of medical indemnity insurance, so too do I ask the federal government to establish a national public liability scheme to offer affordable insurance for community groups and not-for-profit organisations. This limited national public liability insurance scheme could be structured and implemented in part like the national accident compensation scheme which exists in New Zealand. This could provide cover for injuries, no matter who is at fault; eliminate using courts for each injury; reduce personal, physical and emotional suffering by providing timely care and rehabilitation; minimise personal financial loss by paying weekly earnings compensation to injured people who may be off work; and focus on reducing the causes of these problems—that is, the circumstances that lead to accidents related to events and participation in community affairs. In short, it would provide risk assessment and risk management strategies.

I suggest that the recommendations of the Queensland government’s Liability Insurance Taskforce February 2002 report provide a relevant framework for the federal government to act on the national level to establish a group-purchasing arrangement for the not-for-profit community sector. Why do we have the various states and territories going through individual assessment of and feasibility studies on this serious, immediate community crisis? It is an ongoing national crisis and requires a national response—a response, I would suggest, that would have great public support and is in line with what Mark Textor recognises as the national desire to re-invest in its institutions to protect the community from the failure of market forces.

Only the other day, I went to the small community of Ridgley in my electorate. That community now faces the serious issue of closing down its public hall because it cannot afford public liability insurance. The Motorcycle Riders Association of Tasmania is in a similar position because of the incredible increase in the premiums for its public liability insurance. They are just two examples, and I am sure that you, Mr Deputy Speaker Causley, and other members of this House hear many similar examples each week from community groups. It is a national issue. It requires a national response. I pay due respect to each of the states and territories for the work that they have done, but
this requires work by the federal government on behalf of the nation. I would ask it to consider this as a matter of urgency.

**Environment: Sustainable Development**

Mr BARRESI (Deakin) (5.05 p.m.)—
Over the past few weeks, we have had cause to stop and think about how the world has changed. We have had reason to question why our country, our way of life and our feeling of security have been changed and to question how to return to an environment of relative peace and certainty. Particularly throughout last week, we all at some stage would have considered the fragility of our existence as we remembered those killed in the USA for doing nothing more than going about their daily lives.

This week, we will be debating one of the great challenges confronting our nation: whether or not to support the US-led action in Iraq. But tonight, I want to briefly touch on what I believe to be one of the great challenges for all of us in Australia. It is partly an Australian problem, but similar pressures are evident elsewhere in the world. It is the issue of our national sustainable development. Recently, the Prime Minister spoke of the three great challenges confronting Australian life: salinity, declining fertility levels and the balance between family and work. Each of these warrants a thorough investigation in its own right. To my mind, the issues linking all three of these policy challenges are our ability to formulate a national sustainable development policy and the political will, across all three levels of government, to implement it.

A number of members of the opposition have, through their utterances, tried to confine this debate to one simply involving a national population target and the introduction of paid maternity leave. That is a superficial approach to a serious national challenge. Australia’s population has attracted much scrutiny over recent times. Tonight, we even have the All Party Parliamentary Group on Population and Development having a dinner meeting, with the guest speaker, Dr Robin Batterham, Australia’s Chief Scientist, addressing the topic: ‘Population and sustainability—a vexatious question’. I look forward to tonight’s meeting as an opportunity to have an intellectual exposé of the relevant issues. This will be in marked contrast to some of the other forums held around the nation in recent times, which have been used as an opportunity by social intellectuals to criticise the government’s approach to border control and our refugee intake.

One particular forum that I attended last year was run by the Premier of Victoria. It was hijacked by those with a political agenda to simply cane the federal government over its immigration policies rather than to seriously address the issues of water resources, fertility levels, regional development, economic potential and general environmental capacity. Too many had a fixation on setting population targets that were linked to major increases in immigration levels.

Historically, Australia has never adopted an official population policy. Too often commentators get confused between a population policy and a population target. I want to stress that it is not my intention tonight to call for a population target, as this has been proven to be rather futile. Demographers such as the esteemed Professor McDonald, among others, have all criticised the usefulness of a target, preferring instead to direct attention to our declining rates of fertility. To those who criticise the government’s immigration levels, setting a population target conveys to the rest of the world that we have no interest in taking in any more people once we reach that target. It introduces a discriminatory element to any future immigration levels, whereas today we have a bipartisan approach to a non-discriminatory immigration policy. I believe Australia needs a dedicated policy on sustainable development. In fact, I have even suggested the need for a special ministry on this very topic—a ministry for national sustainable development that incorporates those aspects of the immigration, environment, regional development, natural resources and employment portfolios and that can work towards developing this nation’s full capacity to grow its population and its regional economic base.

I am one of those Australians who strongly believes that Australia’s time as a world power is still to come. It will not be in
my lifetime or even perhaps in that of my children, but the potential for this country is immense. The only thing in our way is our myopic view of our place on the world stage. It is also contingent on us harnessing our environmental capacity rather than allowing the current environmental limitations to restrict the boundaries for our growth. Too many in the environmental movement talk about the inability of our environment to sustain greater development and population growth. This is short-term thinking which neatly fits into the arguments used by those who want to create a Fortress Australia to keep all others out. In my electorate of Deakin, there is a company working closely with a US based organisation to reverse one such environmental limitation: that imposed on us by rising salinity levels. I will come to that a bit later on.

In reference to the topical issue of population and fertility, we need go no further than to consider a few population policy parameters I found outlined in a recent Parliamentary Library paper. The parameters include aiming to avoid excessive ageing in the population, creating substantial momentum for population decline, excessively high or negative numbers of immigration, wide fluctuations in our age structure and substantial falls in working ages. Of course, there are a number of views on population that, if carried out, would have a negative effect on our sustainable development. These theories include zero net migration, which assumes certain fertility, migration and mortality rates. Some argue for a reduction in the fertility rate to around one child per woman. A move to such an extreme policy would result in the undercutting of the age structure, because the size of each successive generation would be approximately half of the preceding generation. The momentum created, if such a theory were adopted, would cause inevitable population decline as there would be a greater proportion of the population over the age of 65. This scenario fails on these broad policy parameters. At the other extreme, we have those who call for a fertility policy which is promoted through tax incentives. So these are the two extremes of the argument. What is important, though, is to prevent a ‘coffin effect’ from occurring, whereby population growth slows to the point of retraction.

In this context, as a starting point, environmental capacity needs to be examined from the agricultural and water resources point of view. A great advocate of national water resources has been the former Premier of Victoria, Jeff Kennett. In this chamber, we also well remember the contributions from the member for Kennedy, who laments the inability or unwillingness of governments to harness the immense water resources beneath his electorate. But is damming or the creation of more reservoirs the answer? Somehow I doubt it. Australia’s 19 million people have responsibility for 7.2 million square kilometres of land and around 16 million square kilometres of marine area. This equals a total resource area of approximately 23 million square kilometres that is available to us. Are we doing the best we can with those resources? As we know, not all of that 7.2 million square kilometres of land is necessarily ideal for human habitation. There is no country in the world where 100 per cent of its land mass is suitable for habitation and, given the nature of our climate and moreover the size of our country, resources have determined population centres.

It is no secret that the vast centres of Australia are underpopulated. However, there is considerable reason for this beyond the simplistic view of geographic location. As individuals, we are more than ever drawn to rural and regional centres and to certain metropolitan areas because of the lifestyles we choose and, of course, because of the essential staples of existence: food, water and shelter. Access to water is extremely important in the context of the call for a national policy on sustainable development. I welcome the House of Representatives Standing Committee on Agriculture, Fisheries and Forestry inquiring into this very issue, albeit in relation to rural industries and communities.

Between 1984 and 1996, Australia’s water usage rate increased by 25 per cent—from 16,000 to 20,000 gigalitres. However, due to the number of environmental phenomena that have played a part in the drought we are experiencing, the rate at which our water
resources are being replenished is insufficient to say the least. Water rationing has become commonplace each summer somewhere in Australia. The drought is not the only environmental concern that is often cited by the Fortress Australia proponents as playing a part in the growth of our population; much attention has been given to the issue of salinity and its impact on agriculture.

I am pleased to say that, in my electorate, a firm called Vitrotec Plant Laboratory is conducting tissue culture research into a plant variety that helps to reverse the salinity problem while at the same time providing economic benefits. The plant’s aggressive root structure helps to break up the soil and affect the water table. Livestock can feed off it, and it can be ground down and made into flour for pasta. Vitrotec is working with an American firm, NyPa, to develop a seed of this variety. Last week, Mike Rigby from Vitrotec mentioned that he estimates that between 65,000 and 75,000 plants will be ready for planting this January. The only thing that is holding us back from a truly inspired approach is government will itself.

(Time expired)

Family and Community Services: Child Care

Small Business

Mr JENKINS (Scullin) (5.15 p.m.)—In today’s debate I wish to air two grievances. The first is my concern about the adequacy of child care outside school hours, especially the need for more vacation care places to be allocated in the Scullin electorate. Next week is the start of school holidays in Victoria. Yet again, working parents face decisions in juggling their work and family commitments: whether they seek two weeks leave, whether they organise for their children to go into a vacation program or whether they have to seek help from family and friends. Regrettably, in some extreme cases, they face a decision to take the risk of leaving their children to look after themselves at home.

At the time of the last school holidays it was revealed that there was a shortfall of some 5,175 outside school care places in Victoria. There were stories of parents being turned away because of the lack of places, especially in vacation care. At that time the minister’s office blamed the shortfall in places on the shortage of child-care workers. The minister’s office did not go to the decision of the government, which was to ignore the advice of their own child-care planning committee and to not allocate a single extra place in this year’s budget. So I have had my electorate office survey child-care providers throughout the electorate to determine whether we would see during the September holidays a situation like that in the last school holidays, when parents were being turned away repeatedly. Those parents who have not made any arrangements for their children one week out from the start of school holidays will be in dire straits as all the providers are now fully booked out, with waiting lists growing by the day.

To assist the Minister for Children and Youth Affairs, who I note is at the table, I can tell him that in Scullin there are something like 16,000 kids between the ages of five and 12. I will go through the vacation care providers. At a service being provided in Epping by a private provider there are 90 places; they say that they do not have a waiting list but acknowledge that they have been turning people away. The YMCA run a service in Diamond Creek, which in part is servicing people living in the Scullin electorate. Here they have a 30-place service and they immediately need an extra 10 places. At Diamond Valley the YMCA conduct a service with 45 places. Again, they said that they did not keep a waiting list but they were turning people away. The YMCA at Mill Park operate a service in Epping by a private provider there are 90 places; they say that they do not have a waiting list but acknowledge that they have been turning people away. The YMCA at Mill Park operate a service at both the Mill Park Leisure Centre and the Riverside Community Centre in South Morang. At Riverside, there are 30 places; at the Mill Park centre, there are 105 places. They have developed a waiting list for these holidays of something in the order of 40 families. They indicate that, of those 40, 30 are what they classify as priority one—that is, single parents.

If we look at the number of single-parent families throughout Scullin with children under the age of 18, that figure is in the order of 9,555. So we can see that even the places
that are presently provided are only the tip of
the iceberg of the potential requirement for
vacation care places. But, as we can see from
the facts given to us by the centres in Scullin,
the reality is that there is an overwhelming
and immediate need for 218 places. If we
just take the places that were turned away by
the YMCA at their centres in Mill Park and
South Morang, we can immediately see that,
on the basis of the last school holidays, there
is a need, for that service alone, for 20
places. Diamond Creek have acknowledged
an extra 10.

It gets even worse, Mr Deputy Speaker,
because since the last school holidays the
YMCA have taken over the contract for the
Thomastown Recreation and Aquatic Centre
in Main Street, Thomastown. Thomastown
West, where this centre is located, and Lalor
West are probably the most disadvantaged
areas of the electorate of Scullin. Now that
the YMCA have that site, they wish to com-
mence a new holiday program. But of
course, because a cap has been placed on
additional places, they will not be receiving
any subsidised places. Without a new alloca-
tion of places, local parents will not be able
to afford to pay full fees. Whereas parents at
other centres pay in the order of $5 to $10,
the full cost without the subsidy is $26.50.
This makes the decision of the YMCA to go
ahead with their new program an invidious
one because they know that parents in the
Thomastown West area are probably not go-
ing to be able to pay the full fees. So, again,
we have a missed opportunity. Who knows
what number of places will be required in the
new service. But I would suggest that, given
the nature of the area, the need would be
similar to the requirement in the Mill Park
area and would be something like 80 to 100
places.

As can be seen, the shortfall is quite con-
siderable. This is something that the gov-
ernment have to acknowledge. They have to
acknowledge that, if we are looking at the
way we put together such policies as mater-
nity leave, then adequate child care in all its
forms is required in order to have an inte-
grated policy to assist families in raising
their children and in being able, if only for
economic reasons, to seek employment.

The second matter that I wish to grieve
about is that the government have quite often
talked about being the champions of small
business and they have said that they were
going to set out to reduce the amount of red
tape for small business. In fact, if we listen to
the debate and the concerns of small busi-
ness, this has simply not been the case since
the election of the Howard government. In
fact, there have been layers upon layers of
new red tape put in place. One only has to
review the submissions that have been made
to the present Senate inquiry into small busi-
ness employment to see the impact on small
business of the new tax system and the re-
quirement for compliance with the new tax
system. It has been clearly established that,
in relative terms, compliance is a greater
burden the smaller the business. That simply
has not been acknowledged; the time that is
being put in by small business to do the pa-
perwork required has not been acknowl-
edged.

In particular, I want to talk about the com-
pliance burden that relates to the Child Sup-
port Agency and small business employers. I
acknowledge that the child support system
we have put in place has been of great bene-
fit, especially to the children involved. But it
is not without its problems. The areas of
child support and family law have to be ad-
ministered with great sensitivity. I acknowl-
gedge that the changes resulting from the
transfer of the Child Support Agency from
the tax office to the Department of Family
and Community Services have been very
positive. I think that the way in which the
cases have been handled up to now has been
much better since that cultural change. I have
some concern that, because of the changes in
the case management regime of the agency,
this might lead to a detrimental effect on the
way the cases are managed. I hope that that
is not the case.

I want in particular to raise the case of a
small business in Scullin that has 30 employ-
ees and is engaged in the production and
distribution of frozen foods. It has put a
complaint about the way the agency has con-
stantly updated its advice about child support
payment wage deductions for two of its em-
ployees. I have been contacted by the em-
ployer, who is very irate about the amount of
time he has to spend processing the child
support payments deducted from his em-
ployees’ wages. The employer was informed
five times in the last three months that he
must amend the amount of child support de-
ducted from one particular employee’s wage.
On the most recent occasion, the request
from the CSA was to deduct an amount
which would lead to the employee getting
below the protected earning amount. It took
the employer over 10 hours of his own time
to do the calculations, discuss them with the
employee, contact the Child Support Agency
and finally get the appropriate advice that
what the CSA had asked him to do was in-
correct.

The employer has provided three months
training to the employee and expressed con-
cern that the constant changes to his child
support payments may force the employee to
quit. Even worse, the employer indicated an
attitudinal problem that really is of concern,
so he might have to be more cautious when
employing people by asking first whether
they are a client of the Child Support
Agency. That would be a very detrimental
effect and would not be something we would
wish to encourage. I think the government
should look at ensuring that the agency’s
advice to employers lessens the red tape bur-
den on small business. (Time expired)

Gambling

Mr BARTLETT (Macquarie) (5.25
p.m.)—There is increasing evidence that
gambling is out of control and wreaking
havoc on growing numbers of problem gam-
bler and their families. It is also evident that
it is well past the time something serious was
done about this. State governments know
that they have a problem, but they pretend to
be powerless. Worse, they have often exac-
cerated the very problem. For example, in
1997 the New South Wales Carr government
allowed the licensing of poker machines in
hotels. In New South Wales, $320 million
was made on revenue from pub pokies alone
in the last financial year. Perhaps this is one
of the reasons for the inaction of the state
government on this very problem. It has
taken a very short-sighted approach.

The gambling industry is an economically
flawed industry, and gambling revenues are
really ghost revenues. The truth is that reve-
 nue raised from gambling is a regressive
form of taxation; it is a tax on the poor. Fur-
ther, it is a ghost revenue in that it does not
eventuate in the long run. Studies have
shown, for instance, that every dollar of tax
revenue gained through gambling costs the
community $3 in social support structures,
crime and justice. As Professor Robert
Goodman says:

Instead of bringing new wealth to a community,
convenience gambling enterprises cannibalise the
local economy.

The facts on gambling are quite alarming.
There are more than 300,000 problem gam-
bler in Australia. For every problem gamb-
ler, there are an estimated 10 other indi-
viduals directly and adversely affected.
Problem gamblers have been shown to be a
factor in up to 20 per cent of cases of women
seeking crisis support for domestic violence,
and 66 per cent of wives of problem gam-
bler report having to borrow to pay for their
basic family needs. Numerous studies show
that it is the poor who carry the burden of
gambling losses. In Melbourne, for instance,
it was reported that 52 per cent of regular
casino goers are unemployed. Numerous
other studies have shown that between 25
and 60 per cent of problem gamblers commit
crimes to support their habit. Sadly, a large
number of gambling addicts attending lead-
ing counselling services have contemplated
or even attempted suicide. An article in the
Daily Telegraph of 26 March this year reads:

Up to 80 per cent of gambling “addicts” at-
tending a leading counselling service have con-
templated or attempted suicide.

Wesley Mission said yesterday depression and
suicide were “growing and disturbing problems”.

Demand for the mission’s gambling counsel-
sing service had tripled in five years and more
than 90 per cent of clients were addicted to poker
machines, manager the Rev Chester Carter said.

“Since April 1997 all counselling services re-
corded a significant increase in the number of
clients,” he said.

“The sad fact is that people get in over their
heads and feel there is no way out.
Once people are caught up in the cycle of problem gambling and chasing the funds they have lost, it is very hard for them to break free. Debts have risen beyond their reach, they have exhausted all financial resources ... marriage, family relationships and friendships start to destruct.”

The other sad thing is that increasingly young people are becoming addicted to gambling. In the same newspaper of the same day, a feature article called ‘Birth of the blue collar pub gambler’ reads:

A new breed of gambler has been created through the introduction of poker machines into hotels.

He is aged between 18 and 35, is a blue-collar worker—a tradesman, laborer, or factory employee whose local water hole has been transformed into a mini-gaming palace.

Now that routine often includes a bet on the poker machines.

“They go into the public bar, they see the machines and all of a sudden there’s $50 or $100 gone into the machines... That is $50 or $100 that they and their families can ill afford. Another Daily Telegraph article about teenage gambling, from 4 August this year, says:

Teenagers are developing serious gambling problems, running up debts of tens of thousands of dollars.

Of almost 1500 callers to the NSW gambling helpline G-line last year, one in 10 was younger than 24. Wesley Mission gambling services coordinator ... said about one in three people counselled in the past six months was under 29.

The federal government is so concerned about this that it has announced a research grant to do something about it. I will say more about that in a moment.

State government reforms have stumbled, are flawed or have been nonexistent. The captivity of state governments was demonstrated again recently when the New South Wales government backed out of some moderate poker machine reforms suggested by the Liquor Administration Board. All the reforms were proposing was to slow down poker machine addiction, ban machines from accepting $50 and $100 notes and restrict maximum bets, but even these minor reforms were too much—even though the New South Wales Premier, Mr Carr, admitted recently that his government’s reliance on gambling is a sickness. An indication of these losses is the fact that New South Wales is one of the biggest betting pools in the world. New South Wales is home to some 10 per cent of the world’s poker machines! That is a staggering figure—10 per cent of the world’s total number of poker machines are found in the state of New South Wales. Not satisfied with the revenue they provide—and the huge pool of punters—there are newspaper reports that, in a new, suggestive marketing technique that is likened to publicans pushing alcohol to drunks, punters are being urged by TAB staff to place bets. This is described as the moral equivalent of publicans spotting an alcoholic and keeping them drinking.

New South Wales is not the only problem state. At the same time in Victoria, where gamblers have lost more than $2.3 billion on poker machines alone in the last year—or $69 per second—the state government has managed to ban poker machines from accepting $100 notes but not $50 notes. It has limited bets to $10 and limited ATM withdrawals to a maximum of $200. But its excuse for not removing $50 notes was this: they said that banning the $50 note would compound the $20 note shortage in the community. What utter rubbish, when the Reserve Bank itself said this was a foolish excuse. The point is that state governments know that they are reaping massive revenue from the addiction to poker machines of working-class families and the unemployed. State governments simply do not want to let go. As the Reverend Tim Costello of the Interchurch Gambling Task Force said in the Age, the state remains addicted to gambling taxes that comprise 17.2 per cent of total revenue.

One of the factors that continually undermine efforts to get the gambling genie back into the bottle is that researchers, regulators and lobbyists do not have enough evidence. A recent New South Wales report said:

... there are many gaps in our knowledge surrounding factors that contribute to the develop-
ment of problem gambling at the individual, structural and social levels.

I am pleased that the federal government at least is trying to do something about this. The federal government has recently allocated $8.4 million over the next four years to a national public awareness campaign. It has allocated $300,000 per year for the next five years to a national gambling research program, and the federal Howard government has led the way in trying to protect Australian families by banning interactive gambling on the Internet.

It is time that state governments exercised their responsibility to do something about the addiction to gambling. Instead of window-dressing and empty platitudes, state governments must do something to prevent the growth of problem gambling and to reduce the access to gambling by young people and problem gamblers. As an editorial in the Daily Telegraph on 22 March this year, entitled ‘A cost the community cannot bear’, said:

The devastation caused by poker machines has been acknowledged by the State Government—the NSW state government—through its half-hearted attempts to put a ceiling on the number of machines in hotels and clubs and restrictions on gambling.

Having created the problem, the Government must now accept its responsibilities and resolve it. Its policy of channelling a percentage of poker machine profits to assist problem gamblers is akin to throwing a life buoy to a man after he has drowned.

The government has to do more to reduce the number of poker machine licences. Mr Carr has announced plans to reduce the number of machines in large licensed clubs; he must do the same with large hotel groups that monopolise hotel licenses for their gaming revenue.

If Mr Carr fails to take appropriate action, he will be failing the community as a whole.

All Party Parliamentary Group on Population and Development

Ms HOARE (Charlton) (5.35 p.m.)—Members would be aware of the All Party Parliamentary Group on Population and Development. This group has the aim and objective of providing a forum for discussion by MPs and senators on population, development and reproductive health issues. It does this by holding general meetings that are open to members and senators on issues of interest and by arranging meetings and seminars for parliamentarians and others to hear prominent experts on these issues. It facilitates study tours to developing countries to improve understanding of family planning and reproductive health programs and projects. The group encourages the establishment of contacts with similar parliamentary groups worldwide and holds consultations and briefings with relevant NGOs and AusAID. It participates in national, international and UN conferences on population, development, reproductive health and allied issues and provides briefings on population and family planning for group members. It promotes the implementation of all the aims of the program of action adopted by the United Nations International Conference on Population and Development in Cairo in 1994.

In recent years, the group has been involved in many activities, involving all these aims and objectives and the promotion or combating of these issues. The group currently has 77 members from state and federal parliaments. The all party parliamentary group is supported by the Australian Reproductive Health Alliance, which in turn is supported by the Hewlett-Packard Foundation. Earlier this year, I had the honour of being elected by the group to be the Australian representative to the Asian Forum of Parliamentarians on Population and Development. The goal of the AFPPD is to educate, motivate, involve and mobilise parliamentarians.

At this point, I would like to pay tribute to my predecessor and good friend Colin Hollis, the former member for Throsby. It was Colin’s tireless work for, and commitment to, the health of developing countries which led to the formation of Australia’s All Party Parliamentary Group on Population and Development. Colin was a strong advocate, both in this parliament and in our community, of population and development issues such as reproductive health, the education of girls and empowerment of women,
access to clean water and sanitation, and sustainable agricultural activities. At the time of the last election, Colin also held the distinguished position of Secretary-General of AFPPD. I know Colin continues to pursue these issues. I pay tribute to him and I thank him for his friendship, support and guidance in my new role, in which I can only attempt to emulate his commitment, his hard work and his achievements.

Earlier this year, I attended the International Forum on Population and Development as well as the 18th Asian Parliamentarians Meeting on Population and Development in Japan. The theme of the international forum was consideration of population issues, the conditions for human survival and the future of our society. Various presentations were made, including presentations on geosphere and population issues, biosphere and population issues, environment and population issues, reproduction and population issues, social structure and population issues, bioethics and population issues, food production and population issues, and population and health. The international forum focused on the need to achieve balance between the human population, the local environment, the available water and the atmosphere.

The following two-day meeting focused on water, sanitation, regional development and population. Presentations included: global society and water in the 21st century, water and health, waterborne infectious disease and irrigation, and water in rural areas and cities. In his opening statement, the Chairman of the Asian Population and Development Association, Dr Tara Nakayama MP, said:

The population issues we are addressing together are the basis of our survival on this earth. If the population problem is not resolved, human beings simply cannot continue to live on the planet.

As elected representatives of our people, we must recognise the overwhelming importance of this issue and seriously consider the relationship we humans have with the earth, and what kind of world we wish to bequeath our children and grandchildren. We should then formulate necessary policies and make representations to national government for their implementation.

We are part of history, and are contributing to the making of history. The future is ours to build. And that makes our efforts all the more meaningful.

We know there is no magic formula that will rapidly change everything. But we do know that if each of us changes and does our part in changing what needs to be changed, then we can make the future happier, richer and more peaceful.

The global facts are that there are 1.1 billion people with no access to safe drinking water and 2.4 billion people with no access to basic sanitation. These are the poorest people in the world and the unhealthiest people in the world. The World Health Organisation says that diarrhoeal diseases remain a leading cause of illness and death in the developing world. Each year 2.2 million people die from diarrhoea and 90 per cent of those are children, mostly in developing countries. It is children who are the most vulnerable to diseases that result from both lack of water and dirty water. In developing countries, each child has an average of 10 attacks of diarrhoea before the age of five and one in 10 children die of diarrhoea and dehydration.

Although Australia is falling behind embarrassingly on the list of ODA donor countries, there are many partnerships being formed and much cooperation taking place between countries. One is the South-South collaboration, supported by Partners in Population and Development and 2050. The Partners and 2050 organised a high level policy makers symposium on South-South collaboration and multisector approaches to population and development, which I was invited to attend at UN House in Tokyo last week. The issues discussed at this symposium were poverty, the environment and empowerment—mainstreaming women; HIV-AIDS and other infectious diseases—the biggest threat to humanity; and resources, commodities and capacity building—sustainable cooperation. The symposium concluded with a session on new dimensions and new approaches. Running parallel to this symposium was another attended by vibrant, energetic young people with a positive vision.

I focus my final comments on the issue of the empowerment of women, for which there is an urgent need. Women, the elderly and
children are disproportionate in the numbers of those who are adversely affected by water and health issues. Women have a crucial role in development and progress. Women in developing nations must be supported, in line with the recommendations of the 1994 ICPD program of action. That support will enhance women’s choices about their reproduction, their reproductive health, their education and the education of their children, their economic participation and their management of resources.

Women make up half the world’s agricultural work force. Women must have legal and social support for land ownership, tenure and inheritance. Women must have access to credit and to basic social, environmental and economic services. In this area, there have been some recent positive gains made. In India the average woman has three children, compared with five just two decades ago. In Bangladesh today women choose to have half as many children as 20 years ago. In Indonesia the average family size has fallen from more than four children in 1980 to between two and three children today. On average, globally, close to 60 per cent of married women in developing countries are using modern methods of family planning, compared with 10 per cent 40 years ago. Women are the key to sustainable development, and we must continue to invest in their continued enhanced choices.

Another organisation working hard on these issues is the United Nations Family Planning Association, UNFPA. UNFPA is working with more than 140 developing countries to help them meet their population and sustainable development goals. Earlier this year, the Australian All Party Parliamentary Group on Population and Development wrote to President George Bush to urge him to release the funding agreed by the United States Congress for UNFPA. A decision to withhold funding from UNFPA has repercussions around the world. Projects to combat HIV-AIDS will close, and clinics providing antenatal and postnatal care are already shutting, endangering the lives of women and children, through the contraction of HIV-AIDS.

UNFPA is an organisation which is a leader in ensuring that women, men and young people in developing countries have access to information and services that we in Australia and in most developed countries take for granted. Providing reproductive health information and services is a vital component of basic social development. All countries of the world, including the United States, recognised this when they pledged to make reproductive health services universally available by 2015. To date, President Bush has ignored the concerns of the Australian All Party Parliamentary Group on Population and Development, as well as those of other parliamentary groups from around the world, including the Inter-European Parliamentary Forum on Population and Development and the Parliamentarians for Global Action, and he has not provided the $34 million in funding that the United States Congress has appropriated for UNFPA. I urge the Prime Minister of Australia to come on board in this campaign and urgently make representations to President Bush to release this funding. We all know that the root causes of terrorism include poverty and disenfranchisement. By withholding this funding, George Bush is perpetuating and exacerbating the growth of the terror he is supposedly seeking to combat.

Point Nepean

Mr HUNT (Flinders) (5.45 p.m.)—I rise to raise an issue of concern to many people within my electorate. It is the question of the future of Point Nepean, which is an extraordinary area of great natural coastal beauty within my electorate. I have been approached by numerous people—not just from the Mornington Peninsula but from throughout Victoria—who say that they see Point Nepean as an asset for all the people of Victoria and as an area of land which will be of great value not just to our generation but to future generations, including generations 200 years from now. This land, they say—and I support them fully—should be maintained for use as an open public area.

In particular I maintain the view, as do the constituents with whom I have spoken, that there should be no private housing on Point Nepean. I repeat for the record: there should
be no private housing on Point Nepean. This is restating the position I took in this House on behalf of my electorate on 18 February and 15 May. The problem comes about because on 20 March 2001 the Victorian Premier, Steve Bracks, rejected a very generous offer from the then defence minister, Peter Reith, to transfer 260 hectares of land at Point Nepean to the Victorian government for free. That offer was rejected by the Victorian Premier. I repeat—for the members of my constituency of Flinders and for the residents of the Mornington Peninsula—that the Victorian Premier, Steve Bracks, on 20 March 2001, in correspondence to the then defence minister, Peter Reith, rejected the offer of the free transfer of 260 hectares of land at Point Nepean. In that letter he said:

I write in relation to the Commonwealth’s offer to transfer the site of Point Nepean to the Victorian government. The Victorian government has been investigating potential future uses of the site. A number of issues associated with the site have been identified, including: legal and financial implications for the state; management and maintenance of on-site heritage buildings; current and future infrastructure costs both within and external to the site; and liability for unexploded ordnances. These issues have to be weighed against the acquisition of a historically significant site. It has been estimated that, if the Victorian government accepts Point Nepean on the terms currently offered—and those terms, for the record, were that it was for free—by the Commonwealth, the cost to the state would be significant. Given this, the Victorian government is unable to accept the transfer of Point Nepean on the terms currently offered.

In other words, an offer to transfer the land for free was rejected outright.

In that situation, we need to look at what exists within the land. There are currently 500 hectares of beautiful land at Point Nepean. Of that land, 200 hectares were transferred from the Commonwealth Department of Defence to the Victorian government in the early 1990s, to become part of the Mornington Peninsula National Park. In addition, that land contains 300 hectares of ex-Defence property. It is that property that the Commonwealth government has now sought to do the same thing with; the Commonwealth has sought to give that land to the state government, but the state government has rejected it. As a consequence, 300 hectares of land remain to be transferred. These 300 hectares include beautiful bushland, an extraordinary coastline, beautiful beaches and magnificent cliffs. It is an area of great natural significance and great environmental beauty. In addition, there is an area of extraordinary heritage significance, the Norris Barracks and the quarantine station, contained within that existing Commonwealth Defence land, and a $4 million Commonwealth program to refurbish those buildings is currently being completed. As well as the bushland and the historic buildings, there is the Policeman’s Point area, one of the great areas of open, cleared land atop a cliff within Australia. There is no doubt that that area is one of the natural beauties in the crown of Victoria.

So what process has come about as a result of the Victorian government’s decision to refuse the generous Commonwealth offer? Firstly, I would like to praise the Parliamentary Secretary to the Minister for Defence, Ms Fran Bailey, the member for McEwen. She has set out to create a truly open and transparent process for considering what the best use for this land might be in the long term. There has been a full consultation process involving federal, state, local and community representation. There has been a planning reference group, including representatives from all those layers, and a community reference group, including over two dozen local community representatives from all the different areas—whether historical, environmental, cultural or residential. Together, these groups have been involved in a long consultation process to develop a master plan to look at what the ideal outcome for this site should be.

It is my view that the ideal outcome would be that the vast bulk of the land should become part of the Mornington Peninsula National Park. In addition, the Policeman’s Point area with its extraordinary views looking north over Port Phillip Bay should become, ideally, part of an open public park, possibly managed by the Mornington Peninsula Shire Council. Also, we should turn
those existing dead buildings—the Norris Barracks and the quarantine station—into live buildings. That is the view of the community and that is my own view. If we do that, we will provide the opportunity for an outcome which will have an educational use, a conference use and, in order to meet the necessary costs of maintaining them in the long term, a tourism and accommodation use for the buildings. In addition, we will have heritage use for the buildings, by having a museum in them. All those opportunities exist, and I believe that the master planning process, with my support and that of the community, the council and my colleague the state member for Dromana, Martin Dixon, will move us all towards the notion of a comprehensive master plan which will exclude housing and preserve the vast bulk of the land, making sensible use of the existing dead buildings in the area.

On that front, both my state colleague Martin Dixon and I have been working with the Mornington Peninsula Shire Council, and each of us has written to the chief executive officer of the council, Dr Michael Kennedy, urging the council to undertake four steps. Firstly, we urged the council to express its disapproval of the notion of any housing and the fact that it would be inappropriate to have housing in such a sensitive environmental area. Secondly, we urged the council to accept that it might be the appropriate body to manage this extraordinary area of Policeman’s Point. Policeman’s Point is potentially one of the great, open parks with walking tracks and facilities for picnics that could exist in Victoria. Thirdly, we urged the council to consider a capital contribution to the acquisition of that land. And, fourthly, Martin Dixon and I would like to prepare and submit a joint submission with the council to the Commonwealth on the future and intended use of that land.

The next step is that we have also been involved in working with the Victorian opposition—given that the Victorian government has expressly and flatly refused to accept the offer by the Commonwealth of the free transfer of 260 hectares of that land which forms Point Nepean to the Victorian government—to achieve a very good outcome where they would also voice their opinion that it would be inappropriate to have housing in that area, and call on the Premier, Steve Bracks, to reverse his short-term position, which rejects the Commonwealth’s generous offer.

The land at Point Nepean is an area of unique beauty in Victoria. We have before us, thanks to the thoughtfulness of the Parliamentary Secretary to the Minister for Defence, Fran Bailey, a very clear and open process to allow a very good master planning outcome. I urge all members of the Mornington Peninsula to participate in that outcome. I am delighted to be working with community members to support the notion that there should be no housing at Point Nepean in the long term—because once it is gone, it is gone forever—and to encourage members of the Mornington Peninsula to work to achieve a situation where we save that land, not just for us, not just for our children, but for a generation 200 years from now.

Master of Business Administration

Mr FITZGIBBON (Hunter) (5.55 p.m.)—On Tuesday, 3 September, the Sydney Morning Herald ran a front page story suggesting that I had received assistance in completing a university assignment associated with my Master of Business Administration course work. The allegations were untrue and politically motivated, and I am very pleased to report that today an internal university committee cleared my name by dismissing all allegations. The allegations were made by my former staffer, Mr Brendan Lalor. On 18 June I found it necessary to end the employment relationship between Mr Lalor and me. At the time I believed Mr Lalor had accepted the situation but, of course, I have since learned that he is very bitter about the termination. The university inquiry was an extensive one, which included an assessment of all my course work by an internationally renowned language expert, who concluded that ‘the evidence strongly suggests that one person is the author of all the documents examined’.

I want to thank the University of Newcastle for undertaking such a thorough investigation, which has ensured that there can be
no doubt whatsoever that the charges were without substance and politically motivated. While I have in my possession irrefutable evidence of the political motives behind the charge, I have decided at this stage at least not to pursue the issue any further. I have taken that decision because of my desire to protect the university from exposure to further controversy and in order to further consider my legal options. My overarching concern throughout this drama has been for the university, which plays a critical role in the Hunter region in both economic and social terms.

The SPEAKER—Order! The time for the grievance debate has expired. The debate is interrupted and I put the question:

That grievances be noted.

Question agreed to.

ASSENT

Messages from the Governor-General reported informing the House of assent to the following bills:

- Family Law Amendment (Child Protection Convention) Bill 2002
- Jurisdiction of Courts Legislation Amendment Bill 2002
- Health Insurance Commission Amendment Bill 2002

WORKPLACE RELATIONS

AMENDMENT (PROHIBITION OF COMPULSORY UNION FEES) BILL 2002

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered at the next sitting.

TARIFF PROPOSALS

Mr SLIPPER (Fisher—Parliamentary Secretary to the Minister for Finance and Administration) (5.58 p.m.)—I move:

Excise Tariff Proposal No. 4 (2002); and

Customs Tariff Proposal No. 3 (2002)

The excise and customs tariff proposals that I have just tabled contain alterations to the Excise Tariff Act 1921 and the Customs Tariff Act 1995.

The Prime Minister, the Hon. John Howard, announced these changes on 12 September 2002 in his media release ‘Government Promotes Renewable Energy’. They form part of the government’s strategy to encourage the use of biofuels in transport.

The proposals formally place before parliament changes to the respective acts to remove the current fuel tax exemption on ethanol and impose excise and equivalent customs duty on ethanol for use as a fuel in internal combustion engines. The duty imposed will be equal to that currently applying to petrol, that is, 38.143c per litre. At the same time the government will provide a production subsidy of 38.143c per litre for Australian producers of ethanol for use as a biofuel. This short-term production subsidy will provide a targeted means of maintaining the use of biofuels in transport in Australia while longer term arrangements regarding the future of the emerging renewable energy industry are being considered by the government. As the biofuels industry depends on Australian agricultural production for its feedstock, the introduction of this subsidy will also further develop expertise in the production of biofuels in Australia’s agricultural industries.

The Department of Industry, Tourism and Resources will administer this subsidy scheme, with the scheme and the excise and customs changes taking effect on and from Wednesday, 18 September 2002. A summary of the alterations contained in these proposals has been prepared and is being circulated. I commend the proposals to the chamber.

Debate (on motion by Mr Kelvin Thomson) adjourned.

RESEARCH INVOLVING EMBRYOS BILL 2002

Debate resumed from 29 August.

Second Reading

The SPEAKER—Pursuant to the resolution of 29 August 2002, I put the question:

That this bill be now read a second time.

A division having been called and the bells being rung—
The SPEAKER—Given the sensitivity of the issue, can I indicate to members that this is the second reading on the Research Involving Embryos Bill as agreed to on 29 August. Those who are in support of the second reading are, of course, choosing to move to my right and those who are opposed to the second reading will be on my left. If the bill passes, there will be opportunity for debate on the consideration in detail stage following this division.

The House divided. [6.05 p.m.]
(The Speaker—Mr Neil Andrew)

Ayes........... 103
Noes........... 36
Majority........ 67

AYES
Adams, D.G.H. Albanese, A.N.
Anthony, L.J. Bailey, F.E.
Baird, B.G. Barresi, P.A.
Beazley, K.C. Bevis, A.R.
Billson, B.F. Bishop, B.K.
Bishop, J.J. Brough, M.T.
Burke, A.E. Causley, I.R.
Charles, R.E. Ciobo, S.M.
Cobb, J.K. Corcoran, A.K.
Costello, P.H. Cox, D.A.
Creen, S.F. Crosio, J.A. *
Dutton, P.C. Edwards, G.J.
Ellis, A.L. Elson, K.S.
Emerson, C.A. Entsch, W.G.
Evans, M.J. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Gallus, C.A. Gash, J.
George, J. Georgiou, P.
Gibbons, S.W. Gillard, J.E.
Grierson, S.J. Griffin, A.P.
Haase, B.W. Hall, J.G.
Hardgrave, G.D. Hartsuyker, L.
Hatton, M.J. Hoare, K.J.
Hockey, J.B. Howard, J.W.
Hull, K.E. Hunt, G.A.
Irwin, J. Jackson, S.M.
Jenkins, H.A. Johnson, M.A.
Kemp, D.A. Kerr, D.J.C.
King, C.F. King, P.E.
Lawrence, C.M. Ley, S.P.
Lindsay, P.J. Livermore, K.F.
Macfarlane, I.E. Macklin, J.L.
McArthur, S. * McClelland, R.B.
McFarlane, J.S. McLay, L.B.
McMullan, R.F. Melham, D.
Nairn, G. R. O’Connor, B.P.
Nelson, B.J. Plibersek, T.
Pearce, C.J. Ripoll, B.F.
Prosser, G.D. Rudd, K.M.
Roxon, N.L. Sawford, R.W.
Ruddock, P.M. Sidebottom, P.S.
Sercombe, R.C.G. Smith, S.F.
Smith, A.D.H. Somlyay, A.M.
Snowdon, W.E. Stone, S.N.
Southcott, A.J. Tanner, L.
Swan, W.M. Thomson, K.J.
Thompson, C.P. Truss, W.E.
Tollner, D.W. Vanvakinou, M.
Tuckey, C.W. Washer, M.J.
Wakelin, B.H. Williams, D.R.
Wilkie, K. Zahra, C.J.

NOES
Abbott, A.J. Anderson, J.D.
Andren, P.J. Andrews, K.J.
Baldwin, R.C. Cadman, A.G. *
Byrne, A.M. Draper, P.
Cameron, R.A. Forrest, J.A.
Farmer, P.F. Jull, D.F.
Hawker, D.P.M. Kelly, D.M.
Katter, R.C. Lloyd, J.E.
Kelly, J.M. Moxfield, F.W.
McGauran, P.J. Neville, P.C. *
Murphy, J. P. Panopoulos, S.
O’Connor, G.M. Payne, C.
Price, L.R.S. Randall, D.J.
Quick, H.V. Sciacca, C.A.
Schultz, A. Slipper, P.N.
Secker, P.D. Vaile, M.A.J.
Ticehurst, K.V. Windsor, A.H.C.
Vale, D.S. * denotes teller

Question agreed to.
Bill read a second time.

Mr ABBOTT (Warringah—Leader of the House) (6.25 p.m.)—In view of the hour and the fact that we have a dinner that cannot be interrupted, I move:

That further consideration be made an order of the day for a later hour this day.

Question agreed to.

Sitting suspended from 6.25 p.m. to 8.00 p.m.
Debate resumed from 21 March, on motion by Mr Abbott:

That this bill be now read a second time.

Mr McCLELLAND (Barton) (8.00 p.m.)—The opposition support both the Workplace Relations (Registration and Accountability of Organisations) Bill 2002 and the Workplace Relations (Registration and Accountability of Organisations) (Consequential Provisions) Bill 2002. Ultimately, there will be some amendments moved by the government and the opposition in the committee stage, but the opposition support this package. By way of background, Australian trade unions are among the most heavily regulated in the world. Much of that regulation results from our history—that is, our system of industrial relations which was premised on encouraging the establishment of registered organisations to coalesce one source of potential industrial disputation on the employee side of the equation. I must also say that this legislation, insofar as it applies to registered organisations, will equally apply to those that represent employer interests.

The landscape has changed since 1996. It is fair to say that the government no longer has as a priority the encouragement of trade unionism and has a prime policy objective of breaking down the influence of trade unionism. Nevertheless, the trade union movement itself and the opposition still recognise that there is a role for regulation of the internal affairs of trade unions, as we have advocated consistently in respect of the regulation of the affairs and issues of internal governance of corporations. Insofar as trade unions perceive themselves, if they can be, and not just be seen to be, democratic organisations, it is going to be to their benefit from the point of view of encouraging existing members to be more committed to their organisations and also encouraging potential members to feel confident that, in joining a trade union, they will have an effective say in the affairs of the trade union.

This legislation has the support of the opposition and, it must be acknowledged, the support of the trade union movement. It is only appropriate that I acknowledge the tremendous amount of work that has been done on both sides of the political equation. From the opposition side, my predecessor Arch Bevis and his staff did a tremendous amount of work. While the government may speak of the influence of the ACTU, I think ‘influence’ is the wrong word. There has been constructive input from the ACTU in the development of this legislation. In that respect, I acknowledge in particular the role of Linda Rubinstein, who has brought her knowledge and experience to bear on this area.

Trade unions nowadays are highly professional organisations. They are administered as professional outfits. There is not a significant trade union that does not have permanently employed accounting staff, bookkeepers and support and administrative staff. That is a significant price that trade unions have to pay in terms of the resources to properly administer their organisations, but clearly that is a price they are prepared to pay to have accountability in their organisations. It is also fair to say that trade unions are becoming sophisticated in their means of communication with their members, increasingly using the resources of modern technology, for instance, to communicate and to obtain the views of their members.

In terms of the opposition’s philosophy for supporting this legislation, we view trade unions very much as associations that empower ordinary Australian workers to have a voice against—the use of the word ‘against’ is perhaps inappropriate, but a voice in the context of dealing with—their economically more powerful employers. I think the Minister for Employment and Workplace Relations, who has courteously come in to sit at the table, has used it on occasions. Unions
have played a constructive role in terms of civilising capital. I do not think that can be disputed in the context of the standard of living and the workplace environment generally that Australians enjoy today. We see the role for Australian trade unions very much in terms of the nature of the employment relationship. Businesses are run for efficiency; they are not run for the democratic involvement of their employees. Indeed, employers will most likely require instant obedience to their demands. The concepts of freedom of speech, freedom of dissent and freedom of expression are contrary to the notion of getting the job done. The whole objective of the production process is to achieve productivity, not necessarily individual development and fulfillment.

These are issues that existed before the Conciliation and Arbitration Act came into force in 1904, that exist in 2002 and that will continue to exist. That is the environment in which trade unions can continue to play a very constructive role. In terms of that role and the significance of having members involved in the decision making process of trade unions, I was attracted to a statement made by a well-known American industrial commentator from the 1950s, Clyde Summers. In a paper in 1951 he expressed the situation in these terms:

The organised worker seeks a place at the conference table ... where decisions are made which affect the amount of food he and his family shall consume, the education his children shall have, the clothes they may wear. At the root of unionism is the demand that the autocratic powers of management be leavened by a measure of industrial democracy. This demand can be fulfilled only if unions that sit at the bargaining table are themselves democratic.

I think that is a strong point of view. The reverse side of the same point was put equally as powerfully by William Howard, an Australian commentator, who argued:

The collective strength of Labor can provide a countervail in power against the employer’s economic strength, thereby reducing their autocratic powers. If unionists can be relieved of the employer’s autocracy only by the interposition of a second autocratic body, it must be argued that he has gained little.

They are two very sound statements. If, in empowering workers, trade unions themselves are not democratic and are not seen to be democratic bodies, then workers are entitled to say, ‘What have I gained by joining a trade union?’ In other words, it is imperative from the point of view of the ongoing relevance of trade unions which, I submit, is as valid today as it was a hundred years ago. This concept of democratic involvement in the decision making process within trade unions is of vital importance.

What I also want to emphasise in this debate is that trade unions are impressively democratic bodies and, if our corporations operated with the same level of democratic involvement by shareholders, I think we would not have seen so many of the corporate excesses that we have seen in recent times. In terms of that concept of electoral democracy or of democracy generally, there are two aspects from the point of view of trade unions: there is not only electoral democracy, which of course is the basis of the election of members of the House of Representatives—I will leave my judgment in terms of the Senate—but also participatory democracy. From the point of view of electoral democracy, the Workplace Relations Act and its predecessors have provided that all officers of trade unions have to be democratically elected by the membership. Indeed, the term of office that they can hold is restricted in the act. Further to the democratic control of organisations that exists, for instance, with respect to the House of Representatives, participatory democracy is mandated by the act. It requires the rules of an organisation to provide for the control of committees of management by the members of organisations. So, again, we can contrast that not only with the House of Representatives but also with the governance of corporations.

A very significant historical development was the set of amendments moved by Clyde Cameron in 1973. I will say for the record—and I will send him my speech in due course—that Clyde Cameron had a tremendous impact on the development of industrial relations in Australia. In 1973, he introduced an object into the act that was:
... to encourage the democratic control of organisations ... and the full participation of members ... in the affairs of the organisation.

Although varied since that date, essentially the crux of the principles has been retained in the act and those principles have permeated literally all decisions of the courts in applying the law relating to the regulation of trade unions. That has been significant indeed. For instance, members not only have those democratic rights to elect officials and to control committees of management but they also have the right to challenge the very rules of the organisation if they believe the rules are harsh, oppressive or otherwise unreasonable, unjust or contrary to law.

I might briefly list some of the more significant principles that have emerged from cases that have considered the rules of trade unions and whether they are consistent with those principles of fairness and justice. The court, in that context, has struck down rules that provide unreasonable qualifying periods before a member can vote or nominate for office. I think it has been said that any qualifying period in excess of 12 months would face difficulty in withstanding challenge. The courts have also struck down rules that seek to impose corporate unity by requiring candidates for office to sign a pledge of loyalty to the incumbent executive—in other words, those rules are inconsistent with the principles of freedom of speech and debate. The courts have also struck down rules that have enabled an executive to subjectively vet the suitability of candidates for office. Political parties of course do that, but basically the courts have said that, when it comes to trade unions, if anyone thinks they are good enough for office and have satisfied the qualifying period in excess of 12 months would face difficulty in withstanding challenge. The courts have also struck down rules that seek to impose corporate unity by requiring candidates for office to sign a pledge of loyalty to the incumbent executive—in other words, those rules are inconsistent with the principles of freedom of speech and debate. The courts have also struck down rules that have enabled an executive to subjectively vet the suitability of candidates for office. Political parties of course do that, but basically the courts have said that, when it comes to trade unions, if anyone thinks they are good enough for office and have satisfied the qualifications, they are entitled to stand. The courts have also struck down restrictions on the ability of a member to canvass other members in seeking office—again, obviously consistent with that principle of freedom of communication of issues and debate regarding the direction in which the member wants to take the trade union. Courts have further struck down rules which permitted the disciplining of members and officers in circumstances where offences were expressed in unreasonably broad language or without reference to objective standards—in other words, leaving it open to autocratic control being applied.

The courts have also struck down rules which impede legitimate political debate within organisations, as I have mentioned. Indeed, dare I say it, they have struck down rules which forbid a person opposing a political party. I do not have to prod the minister at the table to note that that political party referred to was indeed the Australian Labor Party. Not only that, but the courts have required the rules of trade unions, from the point of view of the apportioning of delegations, to reflect in percentage terms the number of members in a particular locality. So, under these principles, the courts would strike down our Senate because the smaller states—in population numbers—have an equal number of senators to the states with greater populations—South Australia as compared to New South Wales and Victoria, for instance. The courts have said, in the context of trade unions, that that is undemocratic because the representational power should reflect the numbers of members in a particular branch or locality. So on all of these issues the courts have been careful to balance the rights of members and also the principles of freedom of association. I might say that most commentators in this area have said that our courts—the industrial courts in their several styles and the current Federal Court—have performed an admirable role in developing principles in this area.

The other significant area—perhaps the most significant from the point of view of this legislation—is the right that members of trade unions have to require that officers perform and observe the rules of organisations. While the courts have not been prepared to imply rules in organisations, they have developed a concept of implicit obligations. That is significant because part 2 of chapter 9 of the bill we are debating sets out in greater detail the general duties of officers of industrial organisations. But significantly— and I think it is worth pointing this out—section 283 qualifies the standards imposed in
the bill to standards that apply to a ‘reasonable person’ who occupies office within an industrial organisation. Clearly, the standards of reasonable corporate conduct would not be applicable to trade unions. For instance, to represent the interests of a trade unionist—a member of a trade union—in a court case may be tremendously expensive; and you would ask in the case of a corporate executive, ‘Why have you incurred these legal expenses when it is simply a drain on the resources of the organisation?’ Clearly, trade unions are service entities and, in providing a service, they engage expenses. The concept of a ‘reasonable person’ who occupies an office within a trade union is an appropriate test.

It is fair to say for the record that the legislation is based on some very important principles that have been enunciated in some of the more significant cases in this area. One of the most important principles is the implicit obligation of this concept of fiduciary duty that officers of trade unions owe to the organisation and to members of the organisation. Most of the current references take that principle back to the statement of the full court of the then Federal Court of Australia in the case of Allen v. Townsend, where Justices Evatt and Northrop said in their majority decision:

In our opinion, members of the committee of management of an organisation ... owe a fiduciary duty to members of the organisation ... Members of committees of management are to be compared with directors of incorporated bodies being companies incorporated under legislation such as the companies acts of the States of Australia.

I mention these points not merely as a matter of interest but from the point of view of how future courts are likely to construe this legislation. In saying what the concept of fiduciary duty was the court said, in that case, that the powers of trade union officials were ‘not arbitrary and unlimited but must be exercised bona fide’. The judges also said that the powers ‘cannot be exercised in order to obtain some private advantage’ or ‘some ulterior or illegitimate object’. The judges also said that officials have an implicit duty ‘to act fairly’ towards different groups of members of an organisation. These principles are contained in the bill and, again, that is a reason the opposition supports this legislation.

Much of the reasoning with respect to this concept of fiduciary duty has been around the circumstances in which the resources of an organisation have been misused—for instance, to promote the candidature of a particular group, faction or individual—and the courts have said, ‘That is inappropriate. You are governing for the membership as a whole, not for some limited number of incumbent officials.’ One of the more significant cases in this area involved the shadow minister for communications, Lindsay Tanner, who I think may be speaking later in this debate. This was the case of Tanner v. Maynes in 1995 where, again, Justices Evatt and Northrop, who were powerful in this area, set out a number of principles as to what constituted appropriate and necessary communication with members as opposed to electioneering for the benefit of those incumbent officials. If we look at the legislation we can see those principles reflected in it. Indeed, in section 179 we see a specific statement that an organisation cannot assist an individual or individual group in an election. Again, we say that is appropriate and consistent with these principles that we have spoken of.

There is a range of other areas where the concept of fiduciary duty is being developed but, again, for the purposes of the record and perhaps for when people reflect on how this legislation should be construed, this concept of reasonableness which is being specifically referred to in the legislation, as I have noted, continually reappears in the decision making process of the court. For instance, in Tanner’s case, Justice Gray said:

That onus—
in that case on the applicant—may be satisfied by evidence as to the terms in which the power was exercised, or the circumstance of its exercise, which may disclose that no reasonable decision-making body could have believed honestly that it was exercising the power for a legitimate purpose.

Again, there is the concept of reasonableness. Equally, the courts have said that the bona fide opinion of the officers is significant and that the courts will respect their judgment as to matters of management.
One deficit, which I will refer to more in the committee stage—and the government will be moving an amendment on this—is that the current legislation is limited in terms of the power of the courts to direct officers to perform and observe the rules in circumstances where a person may no longer be an officer or where the act the applicant is seeking to restrain has already occurred, such as the misuse of resources. As a result of discussions, the government will be moving amendments and we will be moving a supplementary amendment to tighten up that issue.

I note that another significant aspect of the bill is that it enables the minister to develop model rules by way of guidance with respect to the conduct of elections. I served on the Joint Standing Committee on Electoral Matters when we made that recommendation. I note that, at the time, the recommendation was supported by a submission of the ACTU. Importantly—and again consistent with the principles of freedom of association—those rules will be by way of guidelines. They will not be mandatory, and we note that that is appropriate. The Queensland legislation contains such model rules, which were developed following a similar recommendation of the Cooke inquiry almost 10 years ago.

In terms of what should be contained within the rules of trade unions with respect to the conduct of elections, there is a great body of case law regarding the conduct of election inquiries. One significant decision that may be referred to by the department and the minister in developing the guidelines is that of Justice Lee in an inquiry into the Western Australian branch of the Transport Workers Union. That was a 1989 decision of the Federal Court of Australia. Basically he said, ‘Look, you can’t hope to cover in the rules of a trade union every potential scenario that may occur in the course of an election,’ but he set out some sensible principles as to what basic provisions should be contained in the rules.

Another significant provision in the rules will be consistent, as I recall, with the recommendations of the Joint Standing Committee on Electoral Matters and will give greater powers to the Australian Electoral Commission. Nowadays, the AEC essentially acts as the returning officer in the conduct of trade union elections. If it believes an irregularity has occurred, rather than sitting mute and waiting for someone to challenge it—with tremendous expense incurred by all concerned—it will have the ability to make application to the court and, in turn, the court will have the power to make interim orders under proposed section 204 to restrain a part of the ballot or to make directions which will rectify the invalidity. We say that is an important advance given that, because of the significance of trade union elections, both sides of politics have seen it as appropriate to support public funding for the elections within trade unions. Clearly, it is in no-one’s interest for an election to take its course only to be set aside. We say, again consistent with the unanimous recommendations of the Joint Standing Committee on Electoral Matters, that that is appropriate.

I draw attention to one area of the law I experienced with respect to the continuing incompatibility in many areas of the governance of federally registered organisations and state registered organisations. Indeed, it is the case in most trade unions that a member will be a member of at least two bodies—possibly three bodies. One is the federally registered organisation, which, by virtue of its registration, has a separate and distinct corporate status. Equally, by virtue of its membership, the state registered organisation would in all likelihood under state legislation—although not in Victoria—have separate corporate status.

It is far more than an academic argument; it is one that can cause real problems. For instance, this bill very much focuses on the duties of trade unionists or officers of trade unions, which are consistent with the principle of fiduciary duty, to act in the interests of the organisation and the members of the organisation. But you automatically have to ask when trade unions are divided into these dual personalities: which organisation is the officer representing? There can often be, for instance, issues that frequently arise with respect to the receipt of membership dues and questions regarding the ownership of
property—for example, what hat was the official wearing when they signed the contract to purchase a particular property? Indeed, dare I say it, in terms of the enforcement of injunctions of the court regarding industrial action or otherwise, there is often a question as to whether the conduct was engaged in as a result of decisions made by officers of a federal body or a state body, which can introduce all kinds of complexities into that area. This issue of dual registrations is one area where not only the federal government—and it would be unfair of me to suggest that it is at the foot only of the federal government—but also state governments could come on board by looking at the recommendations of the Sweeney report, following that famous decision in Moore v. Doyle.

In conclusion, the Labor Party are passionately committed to enhancing and continuing to develop the concept of democratic participation in trade unions and registered organisations. We believe that the role of trade unions in this day and age is essentially to empower workers to have a greater say in what can otherwise be—still, in 2002—quite an oppressive work environment. The legislation is not simply a continuation of the historical roles of trade unions; we believe, and the trade union movement itself believes, that it will assist in its development and continuing relevance to Australian workers.

Mr RANDALL (Canning) (8.30 p.m.)—The purpose of the Workplace Relations (Registration and Accountability of Organisations) Bill 2002 and the Workplace Relations (Registration and Accountability of Organisations) (Consequential Provisions) Bill 2002, being debated concurrently this evening, is to create honesty and transparency for all registered organisations under Commonwealth law, whether they be employer organisations such as the Master Builders Association and like organisations or unions such as the CFMEU, which are under the jurisdiction of the Commonwealth. I welcome the bipartisan approach being taken by the Australian Labor Party on these matters as this legislation will set out very clearly the rules and obligations of registered organisations so that their members will clearly see how their funds are managed and how the organisations to which they belong are being administered. This legislation has come about as a result of recommendations of the 39th parliament’s committee on workplace relations. It proposed that legislation such as the bill before us be placed before the parliament. Once again, bipartisan agreement was reached. However, the proroguing of the parliament in 2001 ensured that this proposed legislation did not proceed; hence the presentation of a similar bill this evening.

As industry and work forces modernise and change, the rules governing them need to reflect contemporary change. It is also important to cut out the rorts of the past. This is a genuine attempt to bring industrial organisations into line with modern accounting and auditing practices currently applied to companies and to bring their directors in line with Corporations Law as it applies in Australia today. For employer organisations and unions, registration under the Workplace Relations Act 1996 not only delivers rights and privileges but also requires significant responsibilities once they are registered. Therefore, the legislation before us this evening brings transparency and accountability to those registered organisations and goes a long way towards exposing and stamping out modern-day malpractice.

A good illustration of how this legislation will address misbehaviour and deception is the case of the CFMEU, a federally registered union, and its branch in Western Australia, which, as has been outlined during recent hearings in Perth of the Cole royal commission into the building industry, is out of control. Most members of the CFMEU in Western Australia would be appalled to learn from the evidence presented at the royal commission that secret payments have been made to the union for the establishment of a construction skills training centre in the Perth suburb of Welshpool. As was reported in the Sunday Times newspaper in Perth on 28 July:

Underhand payments to this union’s not-for-profit construction skills training centre are attracting not only the attention of the Cole royal commission but that of the organisations who monitor
and examine the fiduciary responsibility of those who are directly and indirectly responsible for this facility's operation and governance.

I recall the member for Barton, who has just spoken on this bill, speaking at some length on fiduciary duty. As a coincidence, in relation to the construction skills training centre, Kevin Reynolds is the chairman of the skills and management training centre management committee. He is also the head of the CFMEU in Western Australia. It is interesting to note that George Gear, the former member for Canning and Assistant Treasurer in the Keating government, is a member of the management committee also. Kim Young, who is the CFMEU assistant secretary in Western Australia and the former ALP candidate for Moore in the 2001 federal election, is the centre’s managing director.

In addition to coerced donations from the building industry, this centre received a $1 million grant from the Australian National Training Authority, a federal government agency. There are hundreds of thousands of dollars which flow from other sources. For example, it is reported that close to $1 million goes into this centre each year from the CFMEU’s training levy. This levy is a $15 per man per week charge against employers who have signed an enterprise bargaining agreement with the union. You may understand why workplace agreements are a better proposal and fairer for workers and their employers. CFMEU assistant secretary in Western Australia, Joe McDonald, has confirmed that he has extracted such levies from subcontractors not party to the EBAs on such sites. This is the sort of extortion one might expect from some sort of Sicilian mafia. Further still, this centre receives funding from the Western Australian state government’s Building and Construction Industry Training Fund, which collects a levy of 0.187 per cent on all construction projects worth more than $20,000. To top all of this, the Sunday Times article by John Flint reported that little or no training is done at the CFMEU’s construction skills training centre in Welshpool.

So the question must be asked, not only by the rank and file members of this branch of the CFMEU but by the public in general: where has the money gone? I might add that this facility was opened by the then Leader of the Opposition, the member for Brand, Kim Beazley, and it was attended by the current state Premier, Geoff Gallop. This so-called not-for-profit incorporated company, which as a result of its status gets tax concessions, might also be asked the same question—where has the money gone?—by organisations such as ASIC, the Australian Taxation Office and the Department of Consumer Protection in Western Australia.

The reason for this sordid tale is to outline why responsible members of the opposition and the government have agreed to the accountability measures in these cognate bills this evening. It is only proper and responsible that registered organisations be made accountable to their members and to the public at large. Under the agreed provisions of these bills, any breaches will incur civil penalties enforced by the Federal Court. I will outline the sorts of penalties that the Federal Court can impose for breaches. The offence under clause 185 of the bill exacts $3,300 for an individual and five times that amount for a body corporate—in other words, $16,500—and, as I said, the Federal Court would administer those penalties. These measures, and many others, are a step towards democratic control of organisations, proper representation by election and an accounting and reporting framework for financial management of organisations.

I find some of the points brought up by the opposition spokesman on workplace relations, the member for Barton, rather interesting. It is true that unions today are working towards becoming professional bodies. However, where there are out of control or rogue unions—such as, in this case, the CFMEU in Western Australia—this sort of legislation is needed to pull them into gear so that they protect the entitlements and the conditions of the people they represent rather than lining their own pockets. The member for Barton went on to outline at great length the virtues of the union movement. As somebody who has been a union member and a union representative, I agree with him—as long as a union’s intention is to represent its members in a collective bargaining
situation rather than to become a political wing of any particular party. One of the reasons I pulled out of my membership with the Western Australian teachers union was that I was not going to have my union dues used by them against me in electoral campaigns. This legislation looks at those sorts of provisions. It looks at where union members’ funds are being directed—for example, involving themselves in internecine warfare. Again, the member for Barton mentioned fiduciary duty at great length, and fiduciary duty does not include support of political candidates or candidates within factional wars within unions. So I am pleased to see that the opposition is supporting these measures.

The member for Barton spoke about proper representation by election. It is only proper that, under these provisions, members of a union are asked to involve themselves in a proper electoral process conducted by the Australian Electoral Commission. This legislation adds weight to those provisions in that, after the election results, it asks the Australian Electoral Commission to report on such matters as the integrity of the membership base of that particular organisation—whether it be an employer organisation or a union. For example, one of the provisions is that, if addresses are more than two years out of date, organisations are asked to address that immediately—and so they should. There should be total integrity of the electoral roll, whether it be in the electorate at large where we are required to face the electorate or in union elections. So I am pleased to see that is to be addressed.

You have just seen the nice face of the union movement in the member for Barton, because he and others on the other side do genuinely look towards reforms and greater democracy in the union movement. I hope they show the same tenacity when it comes to addressing the improper behaviour and the rorts that have been outlined on other occasions. The celebrated case that the member for Barton alluded to was the warfare in the Western Australian branch of the 'Transport Workers Union. Not only did it become quite physical and threatening, but a lot of the members’ money was used to prop up one of the officials’ own favourite candidates. I mention this rather than going into other areas, because this is one area that the member for Barton alluded to. So, yes, we are very pleased that the electoral integrity of union elections is being addressed in this legislation and that it is being supported by the other side. It will be interesting to see what such luminaries as Joe McDonald and Kevin Reynolds in Western Australia think when they have to actually provide proper and transparent membership records for future elections.

In summing up, I would like to outline very clearly the purpose of this legislation. It will modernise existing regulations surrounding the registration, reporting and accountability of industrial organisations. It will provide a stronger focus on disclosure to members of industrial organisations, in ways consistent with modern accounting and auditing practices. It will enhance transparency and accountability in a manner broadly consistent and expected by business under the Corporations Law. It will also establish fiduciary duties for officers and employees of organisations, modelled on duties applicable to company directors, also under the Corporations Law. Such provisions will provide members of organisations with increased protection against financial mismanagement. This is appropriate, given that the officials of registered organisations are entrusted with substantial funds on behalf of their members. I again recall what the CFMEU has done with their so-called training levies in Western Australia. A union like that needs to be addressed under this legislation. In fact, my hope and my belief is that that branch of the Construction, Forestry, Mining and Energy Union will be deregistered as a result of the Cole royal commission. That would be only proper, after the way they have conducted themselves.

This legislation makes significant changes to the enforcement arrangements for financial, accounting, auditing and reporting obligations. Under the Workplace Relations Act, breach of most financial requirements is a criminal offence. This legislation will replace many of those offences with enforceable civil penalties and allow the Industrial Reg-
istrar to apply to the Federal Court—and I have outlined the penalties involved there. It does separate the bulk of the existing regulatory provisions relating to registered organisations into a separate schedule of the act, making the Workplace Relations Act a more user friendly and relevant document. On that basis, I commend these bills to the House, and I also commend the fact that they have broad support in this House, particularly from the other side.

Mr Tanner (Melbourne) (8.45 p.m.)—The Workplace Relations (Registration and Accountability of Organisations) Bill 2002 and Workplace Relations (Registration and Accountability of Organisations) (Consequential Provisions) Bill 2002 before the House tonight deal with the accountability of registered organisations and relate to a variety of matters, including genuine independence of enterprise based unions; the amalgamation and disamalgamation of unions; the information required with respect to union ballots; ballot requirements and certain offences regarding various matters, including such offences as bribery; rules regarding non-discrimination; model rules for union elections; allowing the Federal Court to rectify past breaches of rules, if these breaches were committed unreasonably—that is consequent upon amendment moved by the opposition; purging non-financial members from union election rolls; ensuring organisations do not use resources to help candidates from within the union in union elections; providing the returning officer with a correct voters roll; maintenance of accounts records; and strengthening members’ rights of access to financial records.

I have a particular interest in this legislation because the background to one part of it involved a case in which I was actually the plaintiff back in 1985-86. It related to matters within the Federated Clerks Union—of which I was then a rank and file member. In particular it related to matters within the 1985 Central and Southern Queensland branch elections of the union, where the Victorian branch—which at that time was led by people who were strongly opposed to the then new leadership of the Central and Southern Queensland branch—used approximately $8,000 of the Victorian branch members’ funds to pay the cost of printing and distributing a leaflet to all 18,000 or so members of the Queensland branch urging them to vote out their branch leadership. As a member of the Victorian branch, I took legal proceedings in the Federal Court, seeking that the officials who had made this decision in the Victorian branch be required to repay that money, on the basis that that decision had been made outside their powers. In the first instance hearing, I was successful before Mr Justice Gray, who ruled that the officials did have to pay that money back and that they had acted outside their powers. On appeal, the full bench overturned the second part of Mr Justice Gray’s judgment and determined that, although he was correct in finding that the decision to spend that money in the Queensland branch elections was outside the powers of the Victorian branch officials, nonetheless the union rules did not allow the judge to order the officials who had made that decision to pay the money back.

Fortunately by that stage they had already paid the money back and they did not have the gall to take it back from the union again, so ultimately in that instance it was academic. Nonetheless it did give rise to a very serious issue—that is, the question of ensuring that, where there is a breach of union rules by the union’s own officials, there is the potential for genuine enforcement. In this case the enforcement ultimately happened, but it was fortuitous that, in spite of the weakness in the situation of the union rules, the money was ultimately paid back.

I do know a certain amount about misuse of power within unions. It has happened from time to time. In my own union where I fought against the leadership for such a long period of time there were a number of serious misuses of the power of being elected union officials. I have mentioned just one. Another one was the use of union money to pay for the rent of a building which was essentially being used as the headquarters for a political organisation that happened to be the political organisation that was dominated by the officials of the union but ultimately had nothing to do with the actual interests of the union members or indeed the activities of the
union as such. So these issues are important and as a former union official I support proper laws and regulations to ensure that union members are protected and that, where there are breaches of union rules by officials who seek to act outside their powers, there is the capacity for those breaches to be corrected. Therefore I believe the various provisions in this legislation are to be welcomed because ultimately the people they empower are rank and file members of unions.

It is important that we have rigorous protection for rank and file members of trade unions, because trade unions are ultimately democratic, in spite of the posturing of the Minister for Employment and Workplace Relations. Trade unions in this country are ultimately democratic but in any democratic institution, be it in the local, the state or even the federal sphere, there will from time to time be people who break the rules or who seek to pursue for their own advantage particular decisions which are not in the interests of the people they represent and not in accordance with the rules they are obliged to comply with. So it is important that we do have genuine legislative protection for members of unions and for people who seek to contest ballots in unions and that we do not have union leaderships misusing the positions that they have in order to tilt the playing field in their favour to ensure that they can effectively be re-elected in perpetuity even if that is not ultimately the genuine desire of their own membership.

In spite of these matters it has to be emphasised yet again that trade unions overwhelmingly in this country are both democratic and well run and are representative of their members. This is something that the government refuses to acknowledge; it refuses to accept that there are almost two million people in this country who are members of trade unions. That means that the trade union movement is the largest single non-government organisation in this country. It is the largest single representative body within this country outside the formal political process. By and large, the unions within it function democratically, they reflect their members’ wishes and, when they make decisions about taking industrial action—contrary to the fantasies that tend to permeate the coalition parties—those decisions reflect the desires and the wishes of their members, who are seeking to advance their interests and to ensure that they get reasonable terms and conditions of employment and job security.

On the question of accountability of businesses, I have an issue in my own electorate at the moment which illustrates both the need for trade unionism and the need for people to adhere to the law—the need for people not just in unions but in businesses and in other walks of life to adhere to strong rules, strong laws and strong umpires. The clothing manufacturer Coogee, which used to be a great champion of the exporting sector, has been run into the ground by very erratic owner Jacky Taranto over recent times. In January this year, out of the blue, there were stand-downs of workers and the company stopped paying superannuation instalments and union dues instalments. By April of this year, the union involved discovered that Coogee had done a Chris Corrigan: it had separated its workers into a different company with no consultation—a company that had virtually no assets—and had put itself in the position where workers entitlements were in jeopardy by creating artificial corporate structures to ensure that the assets in the company were separate from its liabilities to its workers. By July of this year, administrators Ferrier Hodgson had been appointed. They re-trenched 100 workers without any payment of long service leave, annual leave, notice pay or severance pay owing.

There are still proceedings occurring in the Federal Court on these issues. The administrators are trying to sell the business. Investigations have revealed not only that Jacky Taranto undertook numerous and highly dubious intercompany loans and transactions to other entities that he controlled but also that on 19 April of this year almost $2½ million from the TCF Strategic Investment Program subsidy was paid to the company and appears to have not been used correctly in accordance with the requirements to which it was supposed to have been used. It is also possible that the company was, for a period of time, trading while insolvent. ASIC is now investigating it. Re-
recently, the Federal Court ordered that the effective restructuring of the company by separating the assets from the workers be reversed and that the workers be put back in the company which had the assets, because Mr Taranto had treated them like serfs. This is yet another example of corporate misbehaviour, of government inaction, of workers coping the brunt through no fault of their own and with a $2½ million subsidy paid by the government into their coffers for good measure. This is yet another example of a government that is for the rich.

Recently, we have seen the re-emergence of one of the great advocates of the rich Malcolm Turnbull into the government’s ranks, illustrating yet again who it represents. Since rejoining the Liberal faithful, he has been on a crusade to lower taxes for the rich. Turnbull has returned to his true passion: making wealthy people wealthier, which is the mission of his latest business, Centrestone Wealth Management. The true colour of Turnbull’s patriotism was exposed when he attacked Labor’s plan to encourage expatriate scientists to return to Australia by claiming that they would be taxed too highly. The primary driver of Malcolm Turnbull’s republic is lower taxes for the rich. Following the republic’s defeat, he made up with John Howard—the man he said had broken the nation’s heart. The republican values that are espoused by Malcolm Turnbull are very different from those which have driven the republican cause around the world over many centuries.

Yet again we are seeing the gathering of the clans for the Liberal Party: the people of capital. Malcolm Turnbull—worth well over $100 million according to reports, placing him amongst the wealthiest 200 Australians—has rejoined the Liberal Party in order to pursue his crusade of lower taxes on the rich. Meanwhile, this government allows the workers at places like Coogee—mostly migrant workers on pretty low wages—to be hung out to dry by a corporate cowboy who has run the company into the ground with a whole range of dubious transactions and has placed the company in a position whereby it had to retrench 100 workers, its future is now totally in jeopardy and it was unable to pay the accumulated entitlements of those workers.

Yet again we have seen the government asleep at the wheel, failing to honour its obligation to ordinary workers and failing to ensure that in our society we have strong rules and fair umpires, that people have to abide by the law, and that the rich, the famous, the well-off and the highly skilled do not have loopholes that they can use to wriggle out of their obligations. Ultimately, what the ordinary people of Australia demand from this government is a set of rules that ensure that, whether you are Malcolm Turnbull, Jacky Taranto or an ordinary worker working for Coogee on a basic rate of pay, you know that those rules apply to you, that you cannot wriggle out from under your responsibilities, that however wealthy you may be you have to comply with the law, honour your obligations and ensure that you fulfil those obligations to the letter.

All too often in our country, we have seen circumstances where people who are wealthy enough find paying tax optional and where people who have enough financial clout can get around industrial relations laws or can exhaust people in the process. I have heard reports recently of Telstra—which I have portfolio responsibility for—ensuring that where they deal with an unfair dismissal case, as they do with access cases, they will fight the case to the limit, all the way through the process, and seek to exhaust the complainant by sheer weight of their muscle and of their financial resources. In our society we need strong rules and strong and fair umpires to ensure that everybody gets a fair go. We need to ensure that people who are no more than ordinary citizens cannot be overpowered by the weight of financial or institutional muscle. That is why I support strong rules for unions. That is why I believe it is important that those who have power within trade unions are subject to strong rules, like the matters that are dealt with in this legislation, so that they cannot abuse their power at the expense of the ordinary citizens who belong as members to their unions. But this government is selective.

This government are in favour of strong rules for people who do not support them
and in favour of letting others off the hook who happen to support them. When it comes to unions, they are all in favour of strong rules, very restrictive rules and in many cases highly illogical rules, which really bear no relationship to reality. But when it comes to corporate cowboys like Jacky Taranto, when it comes to people who run companies into the ground, shift the money elsewhere and then leave the workers out to dry, when it comes to people such as those who did that in the case of Ansett and many of the other corporate collapses that have now become legendary in recent times, they are nowhere to be seen. When it comes to cracking down on using family trusts as a vehicle for tax avoidance—after making a big song and dance about how they were going to deal with this issue—they are nowhere to be seen. When it comes to protecting ordinary citizens—making sure that the rules are strong, that they get treated fairly and that the rich and powerful are not able to take advantage of their status in our society—this government are always found wanting.

I am pleased to see that this legislation has been the subject of agreement, and I commend the shadow minister for industrial relations, the member for Barton, for his very constructive work on this legislation and also his very extensive knowledge on some of the detailed issues that are involved, because there is no question that these are important issues for our society. In many respects they are quite arcane but they are important issues for our society. Having been involved as a trade union member and as a trade union official in some of the issues that are dealt with in this legislation, I believe that they are extremely important matters that we need to ensure are properly legislated.

When you are in a position of being a member of a union that is seeking to change the union leadership through the democratic processes of the union, it is an extremely difficult task. You face the weight of incumbency, which is of far greater strength than incumbency in the political arena because it gives access to members and gives access to information which no ordinary member of a union is likely to be able to match. Therefore, if you are to have genuine democracy and genuine choice and the pressure of possible electoral defeat on officials acting as a spur to both proper behaviour and hard work for their members, it is critical that we have decent rules that ensure that, if members seek to nominate for election and to contest the elections against the existing leadership, they have some realistic prospect—if they have support, if they have a reasonable case, if there have been deficiencies within the existing leadership—of success.

That can only occur if the union rules are required to ensure that the union resources cannot be misused to favour the incumbents. For example, one of the provisions that is mentioned in this legislation is to ensure that the union leadership is unable to spend union money to advance the candidacy of particular candidates. That is precisely what occurred in the case that I was involved in in the Federal Court which was part of the genesis of this legislation. That is precisely what occurred there with the Victorian branch leadership, which was opposed to the Queensland branch, with both branches being part of a national battle within the union over union direction and control. The Victorian branch used Victorian branch members’ money to intervene directly in the electoral process in the Queensland branch to advocate a vote for the opponents of the Queensland branch leadership. It is to be commended that this kind of behaviour is directly prohibited by this legislation and it ensures that the already relatively limited potential for abuse is being further restricted.

What I would like to see, and what I think many Australians would like to see, is a government which is even-handed in its approach to these issues. If this government took half the time and half the effort to deal with corporate misbehaviour that it does to tackle matters associated with trade unions, we would have a much stronger economy and a much fairer and stronger society. We would have much better corporate behaviour and there would be fewer workers being sacked without getting their full entitlements. There would be a much better overall position in our society. Much as I am supportive of this legislation, I strongly urge the government to reconsider its approach with re-
spect to corporate misbehaviour and the rules governing how companies are run. It has a very one-sided perspective on these issues. It is all about trying to tackle trade unions and when it comes to dealing with corporate cowboys like Mr Taranto involved in the Coogee matter, it is nowhere to be seen.

Ms PANOPoulos (Indi) (9.04 p.m.)—I rise to support the Workplace Relations (Registration and Accountability of Organisations) Bill 2002. I begin by commenting on the rhetoric of the member for Melbourne. He spoke of union membership as if they were exclusively in the hold of the Labor Party. He quoted the figure of two million Australian workers being members of trade unions. Let us put aside the fact that in the non-government sector this represents only 19 per cent of the workforce. Let us also remember that many union members voted for this government not just at the recent 2001 election but at the 1998 election and the 1996 election, and I am sure many of them will vote for the coalition government to be returned at the next election. Why is that? That is because it was the Labor Party who did nothing, who claim to stand on the moral high horse that they govern for and represent disadvantaged groups, that they are not the government for the rich. But what happened to real wages of ordinary Australian workers under 13 years of Labor? They fell.

What has happened under this government? Real wages have increased. Ordinary Australian families can now afford to buy their own homes because of low interest rates. Under this government ordinary Australian families from disadvantaged socio-economic backgrounds whose children have problems reading can send them to schools which have funded literacy programs which give them the basic skills to take on life. That is why Australian workers, whether they be members of a union or not, will continue to vote for us as long as we continue to address their concerns and deliver, as we have in the past.

The workplace relations and industrial relations system has experienced profound and exciting reforms in Australia in recent times under the coalition government. As a proud member of a government that is committed to continuing this reform process, I commend the Minister for Employment and Workplace Relations for introducing before the 40th Parliament this raft of legislation which continues the pace of change. In this bill, the government brings the operating processes of registered organisations into the 21st century. Modernisation of laws relating to the accountability and financial transparency of registered organisations is needed, and this legislation seeks to address the issue which has in some parts remained untouched for some time.

The bill coincides with the government’s long held responsibility of offering greater choice to registered organisations and the members they represent. The 1996 Workplace Relations Act provides the foundation for these current legislative changes and transfers the legislative requirements into this new act. Changes are needed in relation to the rights and responsibilities of registered organisations and the services they offer their members. Put simply, this bill updates existing legislation, some of which has remained untouched, and singularly codifies the changes into one legislative tool. It increases the accountability and financial transparency of registered organisations and their members with regard to administration, record keeping practices and financial control. It also brings auditing and financial practices relevant to registered organisations into accordance with the Corporations Law.

The Conciliation and Arbitration Act 1904 first dealt with the issue of the registration of organisations within the federal system. Obviously, the structure has become too outdated, as the duties and responsibilities of registered organisations have sharply increased since that period in an increasingly complex economic environment. Indeed, the powerful social and economic changes that Australia has witnessed in recent times have translated to changes in how the modern workforce operates. Australians are living longer, are better educated and are increasingly mobile. These socioeconomic trends clearly show that, in Australia’s workplace and industrial relations culture, the pace of reform needs to be continued.
This legislation is the product of an exhaustive consultation process, and the Minister for Employment and Workplace Relations and his immediate predecessor are to be congratulated for their openness and willingness to listen to the important stakeholders in the lead-up to this legislation being presented and in listening to all participants in the parliamentary process. Ultimately, there needs to be legislation in place that reflects the more individualistic culture of Australian workplaces. This bill, as the minister has noted, is quite technical in nature, though this does not mask the importance of its passage. Both unions and employer groups have to confront the climate of change as a result of workplace relations reform, and this bill goes some way to achieving that. Members of registered organisations have every right to know how their organisation operates and works, how they are represented within it, where their subscription money goes and what benefits, if any, can flow to membership through their allegiance. Whilst workplaces and workplace systems have changed dramatically over time, the regulatory requirements involving registered organisations have not mirrored this change or modernised to reflect it. This bill and its accompanying measure, the Workplace Relations (Registration and Accountability of Organisations) (Consequential Provisions) Bill 2002, seek to address the anomalies of the current system.

I welcome chapter 1 of the bill, which contains the main provisions of the bill; namely, to ensure the representation of members and the accountability of such a process with employee and employer organisations. This chapter also dictates the importance of encouraging members to play an active role in the operations of the organisations they join. Accountability of organisations in their management and operations assumes an important priority, as does ensuring a transparent and democratic operation of the registered organisation. Legislation regarding the accountability of registered organisations is necessary to align the current workplace practices with modern-day attitudes and expectations. This bill will be an effective legislative tool that will apply contemporary standards to the existing archaic rules regarding organisational registration. Similarly, I welcome the fact that this bill carries on the work of the successful Workplace Relations Act by codifying parts IX and X of the Workplace Relations Act into a similar legislative tool relevant to the entire workforce.

The bill continues to recognise the pivotal role that both employer and employee groups play within the industrial and workplace relations systems. While the strengths of the Workplace Relations Act are maintained, this current bill facilitates a simpler implementation of the present regulations and provisions in relation to organisational registration and the rights of both organisations and individual members. There are other important changes foreshadowed in this bill, including the provision of proper conduct in organisation elections; a general nondiscriminatory policy for registered organisations in their membership arrangements; the scope for regular reviews of organisations' current membership and the option of removing members who have proven to be unfinancial; total transparency in the process of employers being paid money from membership fee payroll deductions; and fiduciary responsibility being placed on union officials. These changes complement the other provisions of the bill and together they form sensible reforms in the area of organisational accountability within the workplace relations system.

As mentioned previously, this bill is not an attempt to control the role played by industrial organisations within the workplace relations system. Rather, this bill will strengthen the processes and mechanisms through which industrial organisations operate. As the workplace relations system adapts to a changing workplace culture, so must the technical provisions affecting registered industrial organisations. The bill effectively modernises the reporting methods and the official registration of organisations and imposes proper financial accountability standards on organisations within the current workplace relations system. Indeed, the Labor Party agreed with the government on this, and I refer to comments of the opposition's workplace relations spokesman, who
at least since May this year has agreed with the government that accountability and democratic control are important for organised labour. The current bill converts to civil penalties many of the existing criminal offences that are currently in the Workplace Relations Act, and through this allows for an increase in civil penalties to bring them into line with existing Commonwealth legislation.

Union membership within the private sector workforce, as I mentioned earlier, is down to 19 per cent, which reflects a continuing downward spiral in union affiliation. This steady decline in traditional union affiliation highlights the need for modern workplace practices to be reflected in Australian legislation. This is what this bill does: it brings the operating rules of registered organisations into the 21st century to better reflect the contemporary practices and attitudes of the modern workforce. Whether these changes will actually cause an increase in union membership remains to be seen.

Registered organisations such as unions and employer organisations must confront a rapidly changing workforce to ensure that they remain relevant. This bill gives increased rights to organisation members and provides for more open and transparent operation of registered organisations. Trade unions should embrace the changes embodied in this bill. The changes might give them an opportunity for a new lease of life—a more democratic lease of life—and give them an opportunity to actually work on behalf of their members in a more democratic way rather than focusing on factional fights and supporting particular political parties and the agenda that they have. The bill also imposes important obligations on registered organisations in requiring them to recognise the rights of members. These rights have for too long been ignored and abused—such as the right to understand how that organisation operates and the right to know where a member’s membership fees are ultimately funnelled.

The accompanying measure to this bill, the Workplace Relations (Registration and Accountability of Organisations) (Consequential Provisions) Bill 2002, is a necessary act to provide for a swift transition for registered organisations to adapt the technical and administrative changes that the principal bill imposes. Australians have had to wait until the end of the 20th century for parliament to even contemplate serious workplace reform. Perhaps the deregulatory measures still have not gone far enough. But this bill is a welcome and important addition to the government’s already proud record of workplace and industrial relations reform. Industrial organisations need to be more transparent and accountable in their operations. This fact is borne out of the considerable importance which our industrial and workplace system affords them. Both the members and the organisations are benefactors of this legislation, which properly takes the administrative and financial operations of registered organisations into the 21st century. I commend the bill to the House.

Debate (on motion by Ms Livermore) adjourned.

RESEARCH INVOLVING EMBRYOS BILL 2002

Consideration in Detail

Mr WILLIAMS (Tangney—Attorney-General) (9.17 p.m.)—On indulgence, since the circumstances in which we come upon this debate are slightly unusual, it might assist the House if I explain what has happened in relation to the approval of the splitting of the original bill, the Research Involving Embryos and Prohibition of Human Cloning Bill 2002. The bill we are about to debate, the Research Involving Embryos Bill 2002, is part of the original. The two bills—the one that was passed in the last sittings together with the one for which the second reading was approved this evening—will together provide the same outcome as a single bill. To ensure consistency with the single bill, the review, monitoring and enforcement clauses have either been replicated in the split bills or amended slightly to give the same effect as the single bill.

The review clause has been replicated in both bills. Both acts will be reviewed within three years, consistent with the COAG agreement and under its terms. The reviews of both acts would be undertaken concur-
rently and by the same people. If the second bill is passed, the monitoring and enforcement provisions would remain consistent with the original consolidated bill. The NHMRC licensing committee would have responsibility for this. If the Research Involving Embryos Bill 2002 is not passed, then by default the Australian Federal Police would be responsible for monitoring and enforcing prohibited practices. The alternative—establishing a nine-member licensing committee for the sole purpose of monitoring prohibited practices—would appear to be overly bureaucratic. I trust that may assist the House in the debate.

The DEPUTY SPEAKER (Mr Hawker)—The House will now consider the bill in detail. In accordance with standing order 226, the House will consider the clauses of the bill in numerical order, followed by any schedule, any postponed questions and, finally, the title.

Clauses 1 to 24—by leave—taken together, and agreed to.

Clause 25.

Mr CADMAN (Mitchell) (9.20 p.m.)—by leave—I move the amendments to clause 25 of the Research Involving Embryos Bill 2002 which have been circulated in my name:

(1) Clause 25, page 9 (line 6), omit paragraph (1)(a), substitute the following paragraph:

(a) the use is for the extraction of embryonic stem cells and is authorised by a licence; or

(2) Clause 25, page 9 (after line 6), after paragraph (1)(a) insert:

(ab) the use does not damage or destroy the excess ART embryo and is authorised by a licence; or

The purpose of the amendments is to ensure that there can be no doubt about the purposes for which embryonic cells are used. Embryos in this legislation are being considered as items for research. I am proposing two changes. The first change is to ensure that the use of embryos is confined to the extraction of stem cells and authorised by a licensing process. You will note, Mr Deputy Speaker—because I know that you are careful to observe these things—that the legislation uses a broader term. The term used in the legislation is that ‘the use by the person is authorised by a licence’. I am seeking to make sure, in amendment (1), not only that the person is authorised but also that the use is for the extraction of embryonic stem cells. The purpose of the legislation is made clear in this amendment. It is not clear to the extent that I would wish it to be in the original proposal.

I have also inserted a second part which I trust the House will agree to, because I do not seek in any way to do more than clarify the situation of the original legislation. It is not my intention to try to play tricks on the House; rather, I want to clarify the situation. The second part of my amendment seeks to insert another limitation which is expressed in the terms that the process of the use of an assisted reproductive technology embryo does not damage or destroy the excess embryo and is authorised by licence. So the two new parts seek to make sure that the embryo is used for the extraction of stem cells and not for other purposes and that the use does not damage or destroy embryos. Section 25(1)(b) of the bill remains in place. It says:

(b) the use by the person is an exempt use within the meaning of subsection (2).

So all it does is seek to clarify the process. It does not seek to change the intention of the legislation. It endeavours to address some of the concerns that have arisen in the last few weeks and which I believe were created by Professor Trounson. It ensures that there is greater certainty: that the community is assured that there is not some sort of scientific activity going on which they do not understand. I do not think it is unnecessarily restrictive of the processes of research which this legislation seeks to cover, but that it in fact more carefully defines the exact intentions of the House and the COAG agreement.

There has been deep concern in some sections of the community because of statements made by a number of proponents of stem cell research that they are seeking to do one thing or another and that embryonic stem cell research will create extraordinary results in a very short time. We have had our second reading debate and people have expressed
their views about the significance of this research, whether they agree with it or disagree with it, and about whether or not it offers potential. Rather than seeking to have that debate over again, it is my intention in these amendments—and I know it is the intention of my colleague the member for Sturt—to make sure that we clearly define the intention originally set out by the COAG agreement. (Time expired)

Mr MURPHY (Lowe) (9.25 p.m.)—I stand again tonight to oppose the provisions of the Research Involving Embryos Bill 2002 and support the amendments put to the House by the member for Mitchell. I am compelled to raise the ferocity with which this bill has once again been brought before this House. It seems that the proponents of the bill are hell-bent on forcing this issue through and not only preventing members digesting this critical bill of conscience but also preventing them digesting the three amendments before the House tonight, which also need to be considered individually and with conscience as they may accord with the individual voting tendencies of each member. I will repeat what I said in this House on 22 August, as the content of the contentious parts of this bill remains the same.

There are two flaws in the bill before the House tonight. Firstly, it has been proven beyond doubt that the proposed research involving assisted reproductive technology embryos will destroy the embryos. Secondly, if the National Health and Medical Research Council were permitted unfettered discretion to conduct an independent review of the operation of the act as soon as possible after the second anniversary of the day on which the act receives royal assent it would surely deny true public accountability. I agree with the amendments before the House to clauses 60 and 61 regulating the review of the operation of the act. In particular, I support the amendments that remove the authority for review of this act from the NHMRC and give that authority to a parliamentary joint committee of 18 members, of whom six must be senators appointed by the Senate and 12 must be members of the House of Representatives appointed by that House. Moreover, I endorse the tacit recognition in the member's amendment to clause 25 that ensures that the use of a human embryo does not result in the destruction of that embryo. This amendment recognises that a human embryo is a human being and has its own dignity and exclusive destiny. Embryos should not be used for commercial purposes or experimentation. In my view, there is no demonstrated scientific need to use human embryos. As I have said before, my conscience tells me that any use of a human embryo that would destroy the embryo is wrong. This bill, in my view, would reduce a human being to a commodity, and places no logical limit on how far such reasoning can go in the name of medical science.

I brought these issues to the attention of the House on 22 August and I must raise them again here tonight. If this bill is passed by the parliament, what are the logical limits? Where do we draw the line between what constitutes licit and illicit destruction of human beings in the name of medical science? If this exception is permitted through this bill, where will it end? In my view as someone who was a member of the human cloning inquiry in the last parliament, an inquiry which for two years considered all the available material, this House has been utterly deceived by the proponents of human embryonic stem cell research. I believe that the House has been duped into believing that only through both human embryonic stem cell research and human adult stem cell research can material gains for miracle cures be obtained by medical research. This is so even in light of the dearth of any evidence of scientific gains from human embryonic stem cell research. I previously referred to this in this House on 22 August. In summary, I support the member for Mitchell’s amendments, for the same compelling scientific reasons, against the now discredited and fallacious benefits originally put to deceive this House. The amendments are compelling ethically; they are compelling practically. I therefore urge members of this House to reject the bill and support the member for Mitchell’s amendments. (Time expired)

Mr WILLIAMS (Tangney—Attorney-General) (9.30 p.m.)—I am going to address
the member for Mitchell’s amendments to the Research Involving Embryos Bill 2002 directly, and I am not going to engage in any further second reading debate. The amendments address clause 25. Clause 25, in its present form, provides:

(1) A person commits an offence if the person intentionally uses an excess ART embryo, unless:

   (a) the use by the person is authorised by a licence; or

   (b) the use by the person is an exempt use …

What is sought to be amended is, effectively, paragraph (a)—the provision that relates to the use by a person under a licence. Then there is a further ground upon which there is an exception to the prohibition. In the first place, paragraph (a) is proposed to be amended so:

   (a) the use is for the extraction of embryonic stem cells and is authorised by a licence …

In other words, the prohibition is relieved only to the extent that the use is for the extraction of embryonic stem cells. Then there is proposed to be added an additional paragraph under the exceptions. This would provide:

   (ab) the use does not damage or destroy the excess ART embryo and is authorised by a licence …

That means that there could be no use in which the embryo is damaged or destroyed.

The effect of the two amendments that are proposed by the member for Mitchell would be that a licence could be issued only for the extraction of embryonic stem cells or for research which does not damage or destroy the embryo. I am advised that, if those amendments were passed, we would see existing IVF practices stopped. I am advised that this would effectively result in a ban on research into ART techniques, on the training of ART technicians and on research into embryology where the use damages or destroys the embryo. I intend to oppose the amendments, and I am authorised to say that the Prime Minister does too.

Mr STEPHEN SMITH (Perth) (9.33 p.m.)—On the range of amendments that are before the House, I advise the House that the position of the opposition is to oppose all the amendments. As is the case with members on the other side of the chamber, that is subject to a conscience vote on the part of members on this side of the chamber. Individual members on this side will exercise their own conscience, but the formal position of the Labor Party is to oppose this series of amendments. At each opportunity, I will indicate briefly the reasons why. On the first one, my analysis and my advice is precisely the same as the Attorney-General’s: the passage of this amendment not only would adversely impact upon stem cell research on spare, excess embryos—which was comprehensively and overwhelmingly passed by the House earlier today—but also would have adverse implications for current IVF or artificial reproductive technology procedures currently in place. Adverse implications for IVF or ART are not something which we on this side of the House support. So, for reasons similar to the Attorney-General’s, the opposition oppose the amendments but, as in respect of all matters on the Research Involving Embryos Bill 2002, that is subject to a conscience vote on our side.

Mr PYNE (Sturt) (9.35 p.m.)—I rise to support the member for Mitchell’s first amendment with respect to the Research Involving Embryos Bill 2002 for the reasons that he has outlined in his introductory remarks to the amendment. I would like to deal with a couple of the issues that have been raised by some of my colleagues. I note that the member for Lowe in his five-minute speech commented on clauses 60 and 61. I might point out to him, in order to try to be helpful, that when we get to clauses 60 and 61 and to the other amendments being moved tonight, you will also have the opportunity to speak on each one of those for five minutes. So, if you have remarks about those later on, you can return to them; you do not have to give just one five-minute speech. But I also associate myself with the remarks of the member for Lowe in his opening speech tonight.

I will make a couple of remarks with respect to the Attorney-General. The member for Mitchell’s amendments are designed precisely to protect ART programs and IVF programs. There is no intention in these amendments to limit or make more difficult
ART procedures or the program. In fact, that is why it very clearly says in the second amendment:

(ab) the use does not damage or destroy the excess ART embryo and is authorised by a licence ...

My understanding of the IVF program, having spoken to the people in South Australia about the IVF program, is that the procedures and operations that they apply to embryos for the purposes of training and for the purposes of reimplanting in women for the purpose of birth do not destroy the ART embryo and are not required to destroy the ART embryo. That is why the second amendment protects ART programs, so long as they do not destroy the embryo. It was specifically designed that way after research was done by the member for Mitchell and others to ensure that IVF programs are not inhibited. Speaking for myself, amongst those people who would seek to amend this bill to make it a better bill—even though, overall, it is still an offensive bill to me—there is no intention at all to hurt the IVF program, because, as I said in my speech in the second reading debate, the IVF programs are bringing life into the world, unlike embryonic stem cell research programs, which are destroying life under the guise of helping other human beings.

I believe that the destruction of one human being because of the so-called benefits to the rest of humankind is too high a price to pay for the purpose of bringing in new medical protections and help for people who are sick, especially when you know, as we all do, that adult stem cell research is bringing benefits to people as we speak. There have been many examples of people walking around today, having benefited from adult stem cell research and adult stem cell lines, so it is unnecessary to pay the price of killing other human beings for the purpose of bringing scientific things into the world.

The reason for these amendments was to make sure that some ART procedures that might otherwise have been disallowed by the first amendment would not be disallowed. The whole purpose of these amendments—and I will speak again because we have only a short period of time—is to clarify what this bill is about. The way the bill is currently drafted leaves open the possibility of human embryos being used for a myriad of purposes other than embryonic stem cell research. I go back to the debates about IVF in the 1980s and 1990s. Many of the things that would now not be protected because of this bill were attempted to be written into legislation 20 years ago. The parliament decided then that it did not wish to do so. Now, in this bill, we also have open-ended definitions of what would be allowed or not allowed. The member for Mitchell’s amendments make the bill do what it claims it wants to do—that is, to allow embryonic stem cell research. If the bill is really about embryonic stem cell research and not anything else, then these amendments would be supported. (Time expired)

Mr MURPHY (Lowe) (9.40 p.m.)—Mr Deputy Speaker, as I said a moment ago, I spent two years of my time on the human cloning inquiry, where great emphasis was placed on the so-called benefits of embryonic stem cell research. The member for Mitchell, who is here tonight and who has moved these very important amendments to the Research Involving Embryos Bill 2002, together with the chairman of the House of Representatives Standing Committee on Legal and Constitutional Affairs, the Minister for Ageing, who is also in the chamber tonight, and I spent two years listening to the evidence from the so-called experts on the benefits of embryonic stem cell research and what it could do for people who are severely debilitated and who suffer terrible diseases. Both Kevin Andrews and Alan Cadman could tell the parliament that Professor Alan Trounson, who has been discredited over his crippled rat video, told us during that inquiry that he would not need—Australia would not need—any more embryonic stem cell lines, that they had sufficient. We know he obtained them from Singapore in the name of medical science—in the name of making money and offering hope to people who are severely debilitated and who suffer terrible diseases.

I think it is cruel that people like Professor Trounson can allow someone like the Premier of New South Wales, for example, to
say, ‘One day Christopher Reeve might leap out of his wheelchair because of the benefits of embryonic stem cell research.’ Every reputable scientist who appeared before the human cloning inquiry and who made a written submission to that inquiry said to us, ‘Christopher Reeve will never get out of his wheelchair.’ I think it is cruel to say to the many people not only in Australia but throughout the world who look at someone like Christopher Reeve that he would benefit from embryonic stem cell research. It is a fact that, with embryonic stem cell research, the great probability is that those cells will turn cancerous and be detrimental to the people who are suffering most. I have got a heart; we have all got hearts, and we all feel compassion for people who are severely debilitated, whether they are in a wheelchair or whether they are suffering advanced Alzheimer’s disease, diabetes or Parkinson’s disease. We want to see those people have some hope of a cure from a very serious disease. The overwhelming evidence is that adult stem cell research offers most hope, not embryonic stem cell research.

We were all shocked some five years ago by the cloning of Dolly the sheep. A lot of people are not aware that it took 277 goes for Dolly to be successfully cloned. And Dolly is in a very poor state of health tonight, as I speak. So what are the scientists behind this promotion of embryonic stem cell research doing? I will tell you what they are doing: they are driven by the economic imperatives. Professor Alan Trounson and others want to trade in embryos and they want to trade in embryonic stem cells. Who knows where it will finish? Overwhelmingly people tell me, as my conscience tells me, that this is wrong, wrong, wrong. Adult stem cell research offers hope, and the amendments that have been moved here tonight by the member for Mitchell must be supported by the federal parliament, because what Professor Trounson and others, in the so-called name of medical science, are visiting on this House is wrong. I support the member for Mitchell’s amendments and I encourage all members of this House to think again. (Time expired)

Mr CADMAN (Mitchell) (9.45 p.m.)—I rise to contest some of the views that have been put about the purpose of these amendments. Point No. 1 is that this is a bill to deal with embryonic stem cell research, and that is clearly stated in the first amendment: that embryos used under this legislation should be used by a licensed person and they should be used for the purposes of stem cell research. No. 2 is that embryos should not be damaged or destroyed in this process. That means that you do not open up a Pandora’s box of opportunity for scientists to do whatever they like with embryos. If they are going to use embryos, they will use them under licence in limited numbers, as determined by the National Health and Medical Research Council and the specially established ethics committee. Scientists will have the opportunity of doing research and they will have every opportunity of exploring this area of science, but they will not have opportunities to explore other areas not proposed or considered by the House. Therefore, to limit the process is a very sensible thing, especially in light of some of the comments that have been made.

I refer the House to evidence that was given to the Andrews committee. Robert Klupacs, the Managing Director of ES Cell International, a colleague of Professor Trounson, told the committee:

... if we own the intellectual property over the genes that can turn an embryonic stem cell, or even an adult stem cell, from that phenotype into something else, and I can licence that ... that is fantastic. Maybe I keep it for myself and then I have got a monopoly that I could say is worth X amount in value. That is the real driver for me ... drug development ... [which] is relatively routine but expensive and risky. But if you own the intellectual property at least you trade that and that will have a value.

I do not disagree with those comments. But the motive here has to be what is in the legislation, and particularly the way in which people have conducted themselves during this debate. This House is not about giving carte blanche to people to play with human embryos. This House has the intention, clearly stated by the Prime Minister and others, that it is about stem cell research with the prospect of healing properties.

The Attorney-General has made remarks about interference with the IVF program.
Nothing is further from the intentions of me or anybody who has spoken thus far in the debate, because the retention of that program depends on live, undamaged embryos, not on destroying or damaging embryos. That is not the intention of this legislation, nor does it go anywhere near the IVF program. That is an absolute furphy and an emotional argument that seeks to draw attention away from the real intent of the legislation.

The House should be aware that my second amendment draws in the processes that apply to offences and it does specify those who are exempt. Those who are exempt are basically those who are involved in the IVF program, who are involved in the storage of excess ART embryos or the removal of excess ART embryos from storage and their transport, or where the use consists only of observation of the ART embryos, and the exempt purposes are specified. The Attorney-General must be aware of that. That is the second part of this section—division 2 of the proposed legislation. The second part of the legislation deals with the way in which IVF embryos can be dealt with and does not impinge upon the stem cell research in any way. Therefore I strongly urge the House to place the limitations on research that need to be on it. How can you trust somebody who will mislead parliamentarians and call them simple-minded politicians and then talk about the financial gains that he is seeking? How can you trust them to observe precisely the spirit of the legislation?

Mr Stephen Smith—Dennis is on the drip!

Mr MURPHY—If he is on the drip, that is probably a good thing, because Australia is being informed of what the cabinet are discussing. It is not too often that Dennis Shanahan is not right on the money—whether it is about what is being discussed by the government or what is being discussed by the opposition. I have to give him great credit in this House for exposing the hypocrisy, the double standards and the agenda of Professor Alan Trounson. As I said earlier in my five-minute contribution, the Minister for Ageing, the member for Mitchell and I spent two years digesting very carefully the evidence put before the human cloning inquiry, and we were conned by Professor Alan Trounson. I think, as I have said earlier, the people who have some expectation that they will be cured of their diabetes, their Alzheimer's disease or their Parkinson's disease or that they will leap out of their wheelchairs because of the potential of embryonic stem cells are sadly mistaken. Professor Alan Trounson has to examine his conscience, as we have all examined our consciences in this debate. In the four years since I was elected to this House, this is one of the best debates that I have participated in, because you can speak from your heart and your mind. I think the people of Australia expect us to do that. We are not always able to do that. Nevertheless, we are all in the main elected—on both sides of this House—on a party ticket and we have to support our parties, as I know we all do. Very rarely do people cross the floor.
As I have said previously in this debate, embryos are about creating human life. An embryo is a human being. There are many childless couples around Australia tonight who would greatly benefit from the donation of a human embryo that might be sitting in the Monash institute ready to be torn apart by Professor Trounson in the name of medical science. An embryo offers a couple who otherwise could not have children the chance to have a child. I think this is particularly relevant when we have negative population growth in Australia. Couples today are having only 1.3 children. (Time expired)

Mr ABBOTT (Warringah—Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service) (9.55 p.m.)—I do not wish to detain the House for long on these amendments, but I do wish to support them very strongly, to congratulate the member for Mitchell for his work on this and to thank all members who have participated in this debate so far, particularly the member for Lowe, who I think has shown considerable courage ever since this debate about stem cells began. The importance of the member for Mitchell’s amendments is that they are designed to ensure the integrity of this bill, such as it is, by ensuring that embryonic stem cells are used only for the purpose contemplated by this legislation and are not misused by scientists in their eagerness to prove a point, to pursue a commercial venture or to exploit other opportunities for things that are quite outside the contemplation of this parliament.

One of the amazing things about the debate as it has unfolded in this place over the last few weeks is that we who are professional sceptics—we who are, by nature, sceptical and doubtful of everyone and everything—have suddenly shown ourselves to be extraordinarily and touchingly faithful.

Mr Pyne—Trustingly.

Mr ABBOTT—We have touching faith and trust in scientists—in no-one else but scientists. In science we place our trust; in science we trust. That seems to be the motto of so many of the contributors to this debate. I have a lot of time for Australian science. I think that some of our finest citizens over the years have been scientists. But I do not believe that we should give to them the full responsibility for regulating science, just as we do not give to lawyers or doctors the full responsibility for regulating the law or medicine.

The point has been made in the course of this committee debate that, if these amendments are passed, there could be some threat to the IVF program. As far as the supporters of these amendments are concerned, there is a complete difference between the IVF program and what is proposed by this bill. The distinction is that the IVF program is a good end pursued by good means, yet what is contemplated by this bill is a worthy end pursued by wrong and unworthy means. That is the fundamental point that the supporters of these amendments would seek to make.

We all know that there are many commercial interests out there. There are many who have a very strong commercial motive for wanting to use human material for purposes far beyond those ever contemplated by this parliament and far beyond those contemplated by the proponents of this bill. Can we be sure that, without these amendments, the bill that this parliament has already supported will not be held to justify using human material for experiments in toxicology? How can we be sure, without these amendments, that corporations and scientists will not use human material—will not use embryos—for the kind of experimentation which has traditionally been reserved for animals? As much as I trust the scientists of this country, I do not believe that we should give them that opportunity; I do not believe that we should allow them to be tempted in this way, and that is precisely what will happen if these amendments are not passed.

I heard it said earlier in this debate that the Prime Minister thought that these amendments should be opposed. I very much respect the views of the Prime Minister, but I think that our responsibility in this debate is not to follow the premiers and not even to follow the Prime Minister; it is to follow our own consciences. This debate is far from over, and it is by far the most
important debate taking place in this country right now.

Mr MURPHY (Lowe) (10.00 p.m.)—I want to support the comments of the Minister for Employment and Workplace Relations. The debate we are having here in the parliament is a vital one. As I said in my contribution earlier, I am most concerned about the ferocity with which the Research Involving Embryos Bill 2002 has been brought back to the House—and I am pleased that the Prime Minister is coming into the chamber. I have to ask: why is it so urgent that this bill be brought back to the House and be passed by this parliament? We know that the proponents of the bill are being driven by economic imperatives. I do not honestly believe that there is any other reason. Professor Trounson and others have sunk a lot of money into this issue and, as I have said previously, embryonic stem cell research is purely speculative. No demonstrable evidence shows that embryonic stem cell research is going to help Christopher Reeve or cure anyone with advanced Alzheimer's disease, Parkinson's disease or diabetes. I am concerned that high profile members of governments—the Premier of New South Wales, for example—offer to people like Christopher Reeve the hope that, with the benefits of embryonic stem cell research, they will get out of their wheelchairs. I cannot understand why this legislation is being forced through the parliament so rapidly.

The member for Mitchell, Alan Cadman, the member for Menzies and I spent two long years listening to all the evidence in this debate. We were convinced by Professor Trounson and others that they did not need any more embryonic stem cell lines. Whilst some people who appeared before the House of Representatives Standing Committee on Legal and Constitutional Affairs cloning inquiry said that embryonic stem cell research is going to help Christopher Reeve or cure anyone with advanced Alzheimer's disease, Parkinson's disease or diabetes. I am concerned that high profile members of governments—the Premier of New South Wales, for example—offer to people like Christopher Reeve the hope that, with the benefits of embryonic stem cell research, they will get out of their wheelchairs. I cannot understand why this legislation is being forced through the parliament so rapidly.

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Mr PYNE (Sturt) (10.05 p.m.)—To continue the remarks I started earlier, these amendments moved by the member for Mitchell are actually about helping the Research Involving Embryos Bill 2002 to achieve the outcomes that COAG claim it was about. They are not in any way an attempt to change the bill to limit embryonic stem cell research. In fact, they are about making it clear that that is what the bill is all about, because there are other things that embryos can be used for in various programs and procedures. The explanatory memorandum of the bill says that the embryos can be used for: the derivation of stem cells, examining the effectiveness of new culture media used in assisted reproductive technology practice, better understanding embryonic development and fertilisation, training clini-
cians in microsurgical ART techniques, examining gene expression patterns of developing embryos, and improving ART techniques. They are the categories identified in the explanatory memorandum for the use of excess ART embryos.

The Southern Cross Bioethics Institute has put together an excellent booklet by Dr John Fleming, Dr Greg Pike and Selena Ewing. That booklet makes it clear that toxicology studies on live human embryos and the testing of new drugs on humans rather than animals could be added to that list. The booklet says:

Therefore, even within the context of the bill it is recognised that human embryos will be used for purposes other than ES cell extraction, even though these uses have been largely ignored in this debate.

It went on to say:

In May 2001, Professor Trounson gave a good description of the range of research interests he sees as important. These include infertility research into fertilisation; intracytoplasmic sperm transfer and embryo development, as well as research on chromosomal abnormalities; gene expression; artificial eggs and sperm; gene development; cancer, including testing cytotoxic drugs; energy metabolism; and therapeutic cloning.

So we can see that, if the member for Mitchell’s amendments are not passed, science is already considering to what uses ART excess embryos could be put beyond simply the creation of embryonic stem cell lines. The member for Mitchell has given the parliament the opportunity to make it very clear that this bill is about embryonic stem cell research—about licensing those programs and about protecting the IVF operations that occur in this country. It is not about all the other practices to which embryos could be put, which many of us in this House would find repugnant. The amendments seek to make it easier for the parliament to pass a bill that actually fulfils the requirements that were set out for it.

While I do not want to quote scientists ad nauseam, there was a very revealing exchange between Senator Harradine and Professor Short some years ago in a Senate committee inquiring into this area of science. The transcript reads:

Senator Harradine: You go on, on page 3 to say: There are many scientific experiments that need to be undertaken on human pre-embryos. There is no appropriate laboratory animal or sub-human primate for many of these experiments, so great are the differences between species.

Could I ask you a direct question: How often has IVF been undertaken on non-human higher primates?

Professor Short: It has not been undertaken on gorillas because gorillas are endangered species. It has not been undertaken on chimpanzees because chimpanzees are endangered species. It has not been undertaken on orang-utans because orang-utans are endangered species.

Senator Harradine: So you are able to do it on humans.

Professor Short: We are not endangered.

Professor Short was revealing that scientists were using embryos for experiments because embryos are not endangered—treating us like any other kind of species on the planet, like a commodity to be used. If the parliament passes the member for Mitchell’s amendments, we will have a piece of legislation that we know will say to the scientists that excess ART embryos can only be used for embryonic stem cell research. That is what we have been told this bill is all about, that is what the member for Mitchell is offering us the opportunity to do and that is why we should support his amendments.

Mr Murphy (Lowe) (10.10 p.m.)—I again rise to support the amendments moved by the member for Mitchell. One of my concerns—which I have not discussed previously in my contribution in this consideration in detail stage—is the amount of taxpayers’ money that has been given to Professor Trounson, the tens of millions of dollars. I notice that the member for Dawson has come into the chamber and is nodding her approval of this research. We know that Professor Trounson has come into the chamber and is nodding her approval of this research. We know that Professor Trounson’s reputation in respect of what embryonic stem cell research might offer to people who are severely disabled is in tatters here tonight. I am most concerned that people like Professor Trounson and the advocates of embryonic stem cell research are not pulling into line those prominent political leaders who are saying that this sort of research might give some help to people who are severely disabled.
You would have read in the last few days that Christopher Reeve has a little bit of movement in one of his limbs and there is some improvement, albeit extremely marginal, in his state of health. Can I record for the benefit of those who are in the House tonight or who might be listening to this broadcast that that is in no way related whatsoever to embryonic stem cell research. I have been told by many reputable scientists that, tragically, Christopher Reeve is never going to get out of his wheelchair. That is terribly sad, not only for Christopher Reeve but for all the people in Australia tonight who are chair fast or bed fast and who will never walk. What I have been told is that other research that is being undertaken on spinal columns, particularly in America, might offer some hope for people like Christopher Reeve. I think it is outrageous that prominent people in the community can give some false expectation that people who are crippled might somehow be cured through this research.

When the member for Mitchell, the member for Menzies and I visited the Monash institute, we were pretty impressed with what Professor Trounson had to tell us. But it was against a background, as I have said earlier, that there was no expectation that he or any other scientist in Australia would want to derive further embryonic stem cells from any other source, that he had sufficient stem cell lines. He said that. He made that quite clear. It was unambiguous. He said, ‘We don’t need any more.’

Mr Cadman—Exactly right.

Mr Murphy—Absolutely, as the member for Mitchell knows and as Professor Trounson knows. Tonight, he should be carefully examining his conscience, as we have all examined our consciences in relation to this debate, to satisfy himself that what he said to us was the truth, the whole truth and nothing but the truth. Professor Trounson should be asking himself that question because, plainly, that was not his agenda. In playing up to the member for Mitchell, the member for Menzies, the member for Hughes and me, he was after a minority report—which he got—that said, ‘You can have those embryonic stem cells but you won’t be getting access to other embryos in the name of medical science.’ As I said earlier in my contribution, the damage had already been done: the embryo, the human being, had been destroyed. He did not need any more embryonic stem cells. Professor Trounson was dishonest. For two years he was dishonest to those of us on that inquiry. We carefully considered all the issues. I wonder how Professor Trounson is feeling tonight. I know that the Deputy Prime Minister, who has also come into the chamber tonight, knows exactly what he has said. (Time expired)

Mr Anderson (Gwydir—Minister for Transport and Regional Services) (10.15 p.m.)—I certainly support the amendments to the Research Involving Embryos Bill 2002. We have seen a great raising of hope by the advocates of embryonic stem cell research. People everywhere are expecting to see the paralysed walking and Parkinson’s disease sufferers relieved—objectives which of course everyone in this House would support and would like to see happen. We have been told endlessly as part of this exercise that the key might very well be found in embryonic stem cell research and that that is why we should support this bill. We have been told that access to the 60,000 or 70,000 embryos in storage in this country is necessary because in there we might find the solutions to degenerative diseases—which again I stress every one of us would like to see addressed. We would like to find those miracle cures.

We have had it emphasised time and time again that we should support this bill because embryonic stem cell research may very well, as a result, provide those solutions. Yet I now find daily—and I mean literally as late as tonight—more reputable scientists telling me, and telling others in this place and those who will listen, that there are enough stem cell lines in existence right now for research into cures for degenerative diseases if your position is that that is appropriate in moral terms and if your position is that there is a realistic chance of finding those answers. As the previous speaker noted, and as others may have noted, that was precisely Professor Alan Trounson’s original position. The reason I became interested in this debate was
that I saw him shifting so much. I have to be frank: I became suspicious that there was more to this than met the eye. That is why I got involved in this debate in the first instance.

Furthermore, we are not only told now that there are not enough stem cells in place for the basic research and that you do not need the 70,000 for the basic research; we are also told that the 60,000 to 70,000 will not be fresh enough to be used for therapies. They are not needed for the basic research and they will not be used, we are told, because they are not fresh enough for any therapies that might result from that basic research. Trounson shifted: he shifted to the position that the 60,000 to 70,000 would be needed. I do not know how directly he made the linkage, but we were clearly led to believe that we needed access to those to help the research and possibly to develop therapies. That was a clear shift. We ought to note that the evidence keeps mounting that they are not needed for the research and that they will not be useable anyway for the therapies. It ought to be noted that one of the things that I and many others have raised is that, should research produce therapies, the application will involve overcoming—and I have had this confirmed by very reputable scientists as recently as tonight—and I have had this confirmed by very reputable scientists as recently as tonight—massive problems of rejection, leading to calls either for cloning or for the development of massive tissue banks, which will mean an almost insatiable demand for human eggs. As I have indicated in this place before, that really troubles me very deeply because I believe it will open the way for great pressure for the exploitation of women.

I assert that in fact embryo research will continue regardless of this legislation, because it is already happening with the lines that are in existence. No evidence that I have seen that is in any way convincing has been presented that more are needed for embryonic stem cell research in Australia today. There is no evidence to that end. This bill simply serves to make available a huge domestic resource of embryos. That is what it actually does in net terms. So why, under the guise of extravagant claims of cures, backed up with sideshows of home videos and inappropriate claims about other people’s research work, are we being urged to allow open slather on those embryos so that human tissue can perhaps be grown? It is not as if it is hard these days: you can get access to animals to test these things on. Is it perhaps so that human tissue can be grown for commercial reasons—to test a new face cream? And how happy would we in this place really be if that were the real objective? Again I ask the question: if they are not needed for research because there are enough already and if you cannot use them in therapy, what other reasons are there for wanting them? What is the role of the commercial sector in this? What is the role of the pharmaceutical companies? (Time expired)

Mr MURPHY (Lowe) (10.20 p.m.)—I support the Deputy Prime Minister’s contribution of the last five minutes. The Deputy Prime Minister, along with the member for Warringah, the member for Menzies and I, very recently were guests of Dr Gordon Moyes of the Wesley Mission when we had a very serious debate in relation to the Research Involving Embryos Bill 2002, which is before the House tonight. One of the issues raised during that debate was the fact that Australia has 70,000 embryos in storage.

Tonight I ask the parliament and the people of Australia: how ethical is it of the scientists who developed, created, 70,000 human beings—70,000 embryos—for the purposes of IVF? It is blatantly obvious to us—particularly those of us who were on the human cloning inquiry over the last two years of the last parliament—that the scientists who created those embryos did that for reasons of economic imperatives relating to themselves. Why have they stored 70,000 human beings in the name of medical science? Some 70,000 human embryos are stored in Australia alone. Professor Hurlbut, who visited us and who is an expert ethicist and adviser to George Bush, told us when he spoke at the Wesley Mission that there are over one million embryos—one million human beings—in storage in the United States of America.

I stand here in the House tonight and ask: why do we allow the destruction of 70,000 human beings—70,000 embryos—when it is
known that there are one million embryos in the United States of America? Professor Trounson said to us during the inquiry, ‘Boys and girls, if you do not give this research support, you will find that scientists like me will be forced to go overseas.’ I say to Professor Trounson, ‘Go overseas. Why do you have to stay here and destroy 70,000 human beings, 70,000 embryos? There are one million embryos in the United States of America.’ How many embryos do scientists have to destroy in the name of medical science to give people like Christopher Reeve—the example that is always trotted out—the ability to leap out of his wheelchair? I have said time and again in this House that Christopher Reeve is never going to get out of his wheelchair; it is a false expectation. The only reason the scientists are doing this is that they want support from this House. They want the legislation to go through the parliament so that they can continue to do what they have been doing for many years: creating surplus embryos in the name of medical science so that they can make a lot of money. That is the true agenda of the scientists promoting this. The secondary consideration is that they might find some cures.

I have said time and again in this House that my conscience tells me that this legislation is wrong. Those who are in the chamber and those who might be listening, who will ultimately have a vote on this legislation, ought to think very carefully again. There are one million embryos—one million human beings—in America alone. We do not need to destroy the 70,000 embryos—70,000 human beings—that are housed in Australia. How many childless couples would like to have a child, to be given the opportunity of giving life to one of those embryos? An embryo is a human life. An embryo is for the creation of a human being, not to help science. (Time expired)

Mr ANDERSON (Gwydir—Deputy Prime Minister) (10.25 p.m.)—I wish to make some closing remarks on the Research Involving Embryos Bill 2002. I would like to again pose the question in relation to the real motivation for this bill. I have to do that because I am convinced—I am quite clear in my own mind—that there are enough reputable scientists telling me that we do not need any more embryos for embryonic stem cell research to take place in this country and that, in the application of therapies, the frozen embryos will not be pure, fresh enough or whatever to use and I, therefore, have to look for other motivations. I again raise the question, I raise the charge—deny it if you will; if it is not true, I would be relieved to hear it—that the motivation for much of this is not about embryonic stem cell research. That has been a vehicle for engaging us emotionally and for raising all of the arguments that you lack humanitarian concern for those who are suffering—

Mr Pyne—Or compassion.

Mr ANDERSON—that you lack compassion, if you are opposed to it. It comes back to the charge that needs to be answered: what are the real motivations? What are the desires on the part of those who want access to the embryos that are not going to be used for embryonic stem cell research? Is it for things like testing face creams, because it is getting hard now to get animal tissue to do it with? The other related question is: just what role do the pharmaceutical companies—and which pharmaceutical companies—play in all of this?

I think it needs to be clearly understood that these amendments keep the stated objective of the bill intact. They are an enhancement of the integrity of the bill that is being promoted so rigorously to this parliament. There ought to be nobody against it. Those who have told us that we have to have access to embryos for embryonic stem cell research, because there may be breakthroughs there, should be only too keen to support this. We concede that the parliament decided in the earlier vote that embryonic stem cell research ought to be advanced. We have had a conscience vote; we accept the numbers. That is the way people want to go. Now let us really pin it down. Let us make certain that through these amendments the bill does exactly what we have been told it is going to do and that we really are only interested in trying to find miracle cures. We would all like to see these cures, but I am not convinced they will best result from embryonic stem cell research. I think they would be
best found from adult stem cell research. I am one of those who count the cost as too high if it involves drawing human life outside of the circle of humanity. I do not know how you can describe embryonic human life as other than human life. I am sorry, but I do not know how you can do it without endangering a whole set of others who cannot speak for themselves and insist that they be drawn inside and mapped inside the circle of humanity.

This brings us back to the point of enhancing the integrity of the bill and its objectives. Let me put it this way: let us test it. Let us do the obvious. Pass these amendments, because they mean that the bill will do exactly what we have been told all along that it purports to do—nothing more, nothing less. That is what it does. So let us put it on the spot and see where it comes out. I think we have been subjected to some quite unreasonable manipulation. I am not a scientist, but I have had a bit of interest in this lately. Good science is about academic discipline, rigour and peer reviews. I am sorry to say that I am deeply and genuinely concerned, as I said earlier, that we have been subjected to claims that are overplayed, that are not rigorous and that have not been peer reviewed.

Debate interrupted.

ADJOURNMENT

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

That the House do now adjourn.

Veterans’ Affairs: Hollywood Hospital

Mr EDWARDS (Cowan) (10.30 p.m.)—Before the House adjourns, I just want to deal with an issue that was raised a couple of weeks ago, on 26 August, relating to the Veterans’ Entitlements Act—

The SPEAKER—The member for Cowan will understand that normally when it is proposed that the House do now adjourn there is nothing but the adjournment debate that can be dealt with. I can extend to him a minute’s indulgence—

Mr EDWARDS—I thought I was talking on the adjournment debate, Mr Speaker.

The SPEAKER—I beg your pardon. When you said ‘before the House adjourns’ you gave me the impression you wanted to speak on indulgence. The member for Cowan’s time starts now.

Mr EDWARDS—Mr Speaker, I thank you for that indulgence. In speaking on the Veterans’ Entitlements Act on 26 August, I raised the concerns I had about Hollywood Hospital in Western Australia. Those concerns related to access by veterans seeking admittance to that hospital. I raised a couple of particular cases. In responding on 27 August, the Minister for Veterans’ Affairs indicated that her advice was that there was not a big problem at Hollywood, and she basically challenged me to come forward with names so that she could have those cases investigated and assess whether or not there was a problem. I have a number of names and a number of cases, and I would like to encourage the minister, now that she has challenged me to come forward with this information, to seriously look at the problem I have raised and to examine just what sort of a problem does exist there.

I do not intend to provide many names to the House, but I will speak about one case. That case relates to Mr Ken Freeman. I dealt with this case quite extensively in this parliament some time ago, but I want to raise it again tonight. Mr Freeman was taken from his home after suffering a psychotic breakdown. He was refused admittance to the Hollywood clinic because their admittance procedure could not be met. He was referred to Sir Charles Gairdner Hospital for treatment. Ken was finally admitted to the Hollywood clinic some 18 hours later. He died two days later in the clinic. I am advised that the admittance procedure for veterans after hours in an emergency has still not changed, despite Ken Freeman’s death. That unfortunate event occurred some two years ago, but my concern and the concern of the people who contacted me is that admittance procedures have not changed in relation to that. That is a problem I would really like the minister to have a look at.

I have another six cases that I would like the minister to examine. One of them relates to an aged war widow who was referred to Hollywood by her doctor. She was unable to gain access. I have already detailed her case.
I will, however, provide further information to the minister. I have a number of other issues where veterans have simply not been able to gain access to Hollywood Hospital because of lack of space. I have names, I have dates and I have letters that have been written to me. In one instance, I have an affidavit. I will not be tabling these in the parliament because there are some privacy issues here. I will, however, be forwarding this information and all the covering documentation to the minister, and I implore her to look at this situation.

As I said when I was speaking on those acts, I have no problem with the level and standard of medical treatment at Hollywood. I think it is excellent. That is not the problem. The problem is that many veterans are finding it difficult to access the hospital. If they cannot get into the hospital, they are being sent off to other public hospitals. They are not being told that, because they are gold card holders, they should be able to get access to other private hospitals. This has led to some veterans experiencing lengthy delays before being able to get their required treatment. The minister publicly challenged me. I am happy to provide the information she seeks. I in turn challenge her to make sure that she thoroughly investigates the issues I have raised and, hopefully, deals with something that seems to have been becoming more of a problem in recent times.

Robertson Electorate: Employer of the Year Award

Mr LLOYD (Robertson) (10.35 p.m.)—On Monday, 26 August this year I had the privilege of attending the Prime Minister’s Employer of the Year awards in quite a grand function in the Great Hall in this building. It was a special event. I have been privileged to attend this event for a number of years. For the last three years a company in my electorate called Grifco Precision Products, based at West Gosford, has won the New South Wales state award for the Prime Minister’s Employer of the Year award. I was very pleased to see that this year once again Grifco won the New South Wales state award.

Grifco employ 38 employees, seven of whom have a range of disabilities. I have visited the Grifco factory personally and have seen the work that they do producing a range of industrial roller door motors and other pieces of machinery. I have spoken personally to the employees on the factory floor, particularly those who do have some form of disability. It is a very happy workplace, and Grifco have recognised the advantages of employing people with disabilities.

These awards have been nominated by another company in my electorate, First Contact Human Resources from Gosford. This company, which I have had a close association with for the whole seven years that I have been the federal member, has for the past 11 years secured employment for more than 110 people with disabilities and has nominated the New South Wales state winner for five of the past six years—quite a magnificent effort.

As I said, these awards are very prestigious. In some ways, the event was tinged with sadness for us when the state awards were announced. We were very hopeful that Grifco might win the national award. After all, no other company has ever won the state award three years in a row. So when the national award was given to another very deserving company, all of us who were at the table were a little disappointed. But that soon changed because, towards the end of the Prime Minister’s Employer of the Year Award function, a special award was announced: the Inaugural Hall of Fame Prime Minister’s Employer of the Year Award. I am very pleased to announce to the House that Grifco Precision Products was the winner of this inaugural hall of fame award. I understand that this special award will not be an annual event. It will be kept for recognition of companies that have outstanding performance over a number of years in the employment of people with disabilities. To be the first recipient of this award was a fantastic honour and a great surprise to the directors and employees of Grifco Precision Products and the directors and people concerned with First Contact Human Resources from Gosford.

Many companies have recognised the many advantages of employing people with disabilities. These people are keen to work.
They are great employees. They are loyal. They are hardworking. There are many benefits associated with employing people with disabilities—advantages which people who have actually employed people with disabilities, the employers, have often said that they did not realise existed. There is a great interaction between the rest of the employees and those people who have some form of disability. As I said, they are great employees, they are keen, they are hardworking and they are loyal. I would urge any company that is looking to take on more staff to consider employing people with disabilities, because they are job ready, they are keen and they want to have a start in life or to extend their future or their careers just like anyone else in the work force.

Again, my congratulations to Grifco Precision Products and to First Contact Human Resources from Gosford. Both companies are doing a fantastic job in continuing to provide employment opportunities for those people on the Central Coast who have disabilities.

Environment: Greenhouse Gas Emissions

Ms BURKE (Chisholm) (10.40 p.m.)—Tonight I wish to raise an issue of great environmental importance: the reduction in greenhouse gas emissions. It would be easy to think that, given the government’s attitude to the Kyoto protocol, there was unanimous opposition to reducing greenhouse gases from Australian industry. But this is not the case. I want to bring to the attention of the House the steps already taken by the Ventura bus company. This company is the first in Australia to introduce buses that are solely fuelled by ethanol. Ventura buses introduced into its fleet three 100 per cent ethanol buses in 2000. And right at the start of the supply chain for this ethanol are cane growers in Queensland. These buses use 100 per cent Australian produced and Australian processed product. The Ventura bus web site gives the reasoning behind the introduction of these buses. It says:

1. To safeguard our air quality
2. Reducing use of fossil fuels—sugar cane is renewable unlike Diesel, CNG and LPG
3. Adding value to waste product—ethanol is fermenting material that is otherwise dumped.
4. Creating rural employment—through the growing of sugar cane.
5. Replacing imported fuel—purchasing an Australian made fuel.

I am pleased to sing the praises of a local business that is doing well—in this case a business that has continued to serve the local community since 1924 and a business that is looking forward and taking tangible steps to secure our environment.

But there is another reason for my raising Ventura buses and their efforts to use sustainable and greenhouse friendly fuels, and that is the limitations on the Alternative Fuel Conversion Program and the difficulty this is causing Ventura buses. One of the limitations is that ethanol has not been included as an alternative to diesel, enabling the operators of heavy commercial vehicles to access the Alternative Fuel Conversion Program. This is ridiculous when we consider that other hydrocarbon based fuels qualify for government funding as alternatives. Quoting from the Australian Greenhouse Office web site, the program was developed to:

... assist operators of heavy commercial vehicles and buses to convert their vehicles to operate on either Compressed Natural Gas (CNG) or Liquefied Petroleum Gas (LPG), or to purchase new vehicles operating on these fuels.

I can appreciate that not all sources of ethanol provide a demonstrated benefit to the environment in terms of greenhouse gas reduction. But ethanol produced from sugar cane does not fall into this category.

For the last few weeks we have seen the government taking an active interest in the cane industry, but at the same time it is refusing to assist transport businesses that wish to convert to ethanol as their fuel source. Ventura has three buses that use totally renewable fuel and it wishes to purchase 10 more. Yet Ventura can gain no certainty from the minister regarding its eligibility for funding under the conversion program. This just seems ludicrous. The government’s lack of attention to greenhouse issues and the minister’s attempt to fashion a one size fits all program are denying this bus line the opportunity to expand, with government support, its fleet of greenhouse friendly buses.
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I urge the government to revisit its approach to programs that encourage the use of ethanol. I hope the minister takes this concern seriously and addresses the conceptual problems with this program. I am sure the minister is aware of this program, as the buses currently operate extensively through his electorate. This is a problem that is stifling the attempts of a business to invest in environmentally sustainable transport solutions. At a time when the government is trying to support ethanol use in our community, it seems highly ludicrous that it will not give certainty to Ventura in its ability to access subsidies under the Alternative Fuel Conversion Program, when the company has already demonstrated beyond a doubt that the three buses it currently has in use are using totally renewable fuel and that the purchase of 10 more would add greatly to the environmental sustainability of our planet and to greenhouse gas issues.

Education: Gold Coast

Mr CIOBO (Moncrieff) (10.44 p.m.)—At this time of the evening, many Australians are winding down and their work pressures are being taken away from them. I was sitting recently in the member for Barker’s office discussing with him, the member for Dickson and the member for Fisher the need for the Gold Coast to have a medical school. I am delighted to see that the Minister for Ageing is in the chamber this evening, who as the member for Menzies also represents the Minister for Health, the minister of whose portfolio medical schools are a central component. I have had a number of discussions over the past seven or eight months with the Vice-Chancellor of Griffith University, Glynn Davis, and the Pro-Vice-Chancellor of Griffith University’s Gold Coast campus, Max Standage. I have gone out of my way to have a number of meetings with the business advisory board of Griffith University, as part of their quest to increase the number of tertiary places available to Griffith University but also as part of the campaign to try to snare, in the future, a medical school for the Gold Coast.

It is an issue that is very popular in the electorate. It is an issue that was resoundingly hammered home to me throughout the campaign. Gold Coast City is Australia’s sixth-largest city and Australia’s fastest growing city. It is a city with unique challenges and unique needs. In particular, the proposal to develop a medical school is one that all Gold Coasters feel is long overdue and certainly very well deserved. Griffith University, as the key university and the key regional university on the Gold Coast, has been pursuing the issue of a medical school for our local community for many years. I am aware that centres such as Newcastle, Canberra and Wollongong—centres much smaller than the Gold Coast—have medical schools, but the Gold Coast does not. It is part of the perception that the Gold Coast has to battle against. It is a perception that I have been keen to break down in the months—nearly a year now—that I have been in this chamber.

I have had the opportunity to have a number of discussions with the minister for health and the minister for education about the proposal to develop a Gold Coast medical school. I certainly believe the case is very solid. As I said, the Gold Coast, with its booming population, has a unique set of criteria that is now falling into place to justify very strongly the development of a medical school. Most recently, we had the release of the census data, which highlighted that, unlike virtually every other place in this country, the Gold Coast population is getting younger. Unlike virtually every other city and rural town in Australia, the Gold Coast population is also growing incredibly fast. In an average year, we have an additional 5,000 to 10,000 people moving into Gold Coast City. It is a unique challenge; it is a challenge that I believe has to be met. One way of meeting the growing demand that comes from having a population that, contrary to the rest of the country, is getting younger is through the implementation of something such as a Gold Coast medical school.

Too many students from the Gold Coast have had to make the decision to travel to or live in Brisbane to undertake their medical studies. Very few of them make the transition back to the Gold Coast. The development of a Gold Coast medical school would mean that those students could then stay on the
Gold Coast and benefit the local Gold Coast community. In addition, education represents for the Gold Coast a tremendous industry that we can continue to develop. Export of education is most certainly an industry of the future and is most certainly an industry that I am very keen to get behind. The establishment of a medical school on the Gold Coast is certainly one way that we can continue the strong advances that we are making in the export of education to not only interstate students but also foreign students.

It would be remiss of me if I did not speak about another proposed medical school on the Gold Coast, a model being put forward by Bond University, one of Australia’s most successful—if not the most successful—private universities today. Bond University has put forward a fully privately funded medical school proposal. I most certainly would be very willing—and I have been working closely with Bond as well—to try to facilitate the development of a medical school on its campus. Either way, I will continue my push to establish a medical school on the Gold Coast, whether it is a publicly funded or privately funded model. I know the state health minister, Wendy Edmund, has announced her support for such a proposal. I am not certain how much the state government can actually do. (Time expired)

Australian Republican Movement

Mr TANNER (Melbourne) (10.49 p.m.)—The time has come for the Australian Republican Movement to disband and for a new generation of republican advocates to emerge. The republican cause has been fatally damaged by its association with the celebrity driven ARM. It is a plaything of the rich and famous and is suffocating under a stampede of self-indulgent celebrities anxious to identify with a fashionable cause. The referendum campaign was built on a strategy which resembled celebrities marketing dog food. Ordinary Australians were alienated by the glitz and glamour republic, and unimpressed by naughty, chic slogans like ‘Give an Australian the head job’.

The ARM is most closely associated with born-again Liberal multimillionaire Malcolm Turnbull. His bucket loads of money have kept the ARM afloat for years. Turnbull is the man most responsible for the defeat of the republican referendum in November 1999. He championed the parliamentary appointment model emphatically rejected by the Australian public, ignoring calls by many people—including me—for a direct election option. He rammed this model through the Constitutional Convention, refusing to countenance other more inclusive approaches. He ran the campaign that the monarchists so easily targeted as the politicians’ republic. Just when that line was really starting to bite, the ARM brought out two former politicians, Gough Whitlam and Malcolm Fraser, for a campaign launch.

In spite of this willingness to be associated with politicians, the ARM went to great lengths to keep the ALP at arm’s length during the campaign, thereby depriving itself of enormous local campaigning expertise and experience and ensuring that the campaign was a decidedly amateurish affair. Following the republic’s defeat, Turnbull described John Howard as the man who broke the nation’s heart. Later, he made up with the PM over dinner, said his comments at that time were too acerbic and hopped back in the Liberal cart. The republican values espoused by Malcolm Turnbull are very different from those which have driven the republican cause around the world over many centuries.

Turnbull is a fabulously wealthy person with reported assets of over $100 million, which places him amongst the wealthiest 200 Australians. Since rejoining the Liberal faithful he has been on a crusade to lower taxes for the rich. Turnbull has returned to his true passion: making wealthy people wealthier. This is the mission of his latest business, Centrestone Wealth Management Group. The true colour of Turnbull’s patriotism was exposed when he attacked Labor’s plan to encourage expatriate scientists to return to Australia, claiming that they would be taxed too highly. The primary driver of Malcolm Turnbull’s republic is lower taxes for the rich. No wonder the ARM campaign did not exactly ignite the enthusiasm of lower income earners.

Since the referendum defeat the ARM has lost its way completely. A new executive full of the usual suspects has had minimal im-
pact, and a ridiculous attempt to get state premiers to introduce republican governors has fizzled completely. Predictably enough, direct election republicans who advocated a no vote—led by professional curmudgeon Phil Cleary—have disappeared. Their promises of a revitalised campaign for a 'real republic' have proved as hollow as their cheap, populist rhetoric. The republican push is going nowhere under the ARM. Whilst it was always going to be hard to reignite the republican flame after the November 1999 defeat, the flame is now all but extinguished. There is a need for a new group to emerge to push the republican cause. This group does not need celebrities and should not be the plaything of particular individuals. It should be a popularly based, democratic movement driven by people who are known primarily for their commitment to the republican cause, not because they are sports stars, politicians, church leaders, writers, media celebrities or fabulously wealthy. It should forcefully articulate the real reasons why Australia should be a republic. We want all our national symbols to be Australian and we want a system of government in which all positions are open to all citizens irrespective of birth, race or religion. If the republican cause continues to be led by the ARM in its present form, Australians will be waiting a long time for the cherished dream that so many of us hold dear of an Australian republic.

Agriculture: Sugar Industry

Mr CAUSLEY (Page) (10.54 p.m.)—It is always a pleasure to follow the child of National Party parents, the disillusioned member for Melbourne. I rise tonight to raise an issue that is of importance to my electorate and to most coastal seats in Australia, and that is the sugar industry. I would like to congratulate the government on their approach to this problem. The sugar industry has a problem with corrupted world markets. Brazil in particular has devalued its currency on several occasions and has labour for which, as I understand it, the current payment is about $A600 per month. This is a very difficult country to compete with. I daresay that the government’s approach to this is to try to help the industry in these very serious times.

I was interested today to see an article in the paper attributed to the Premier of New South Wales. As usual, the Premier was grandstanding, trying to get a headline. He usually does it on a Sunday, and this may have been done on Sunday given the fact that it was in today’s papers. He was saying that the federal government should not ignore the New South Wales sugar industry. He shows a complete lack of understanding of the Constitution because obviously the federal government cannot do anything to offend any particular state that has an industry such as the sugar industry. In fact, the federal government have to do equally as much for the Western Australian industry and the New South Wales industry as they do for the Queensland industry.

The thing that I found rather interesting was the fact that he offered no support from the New South Wales government. We are aware of the package that has been put forward by the federal government of some $150 million—if in fact the Queensland government contributes $20 million, which they have indicated they might do. If you take into account that the New South Wales industry is five per cent of the Australian industry, then it would be only fair that the New South Wales government contributed $1 million, which would be five per cent of the $20 million that has been asked of the Queensland industry. But it is my belief that we would be waiting futilely if we were asking the New South Wales Premier for $1 million. He is great on rhetoric, but when it comes to supporting industries in New South Wales he does not come forward with any support whatsoever. I think he will be judged in the coming elections by the fact that he makes a lot of noise and he says the things that people want to hear, but when it comes down to supporting these particular issues nothing is forthcoming.

I also noticed in an article in the same paper that the Premier of New South Wales said that he was disappointed with the federal government’s decision not to ratify the Kyoto protocol and that he was going to go it alone on this particular issue. Might I say that the person probably contributing most to the hot air and greenhouse gases at the pres-
ent time is the Premier of New South Wales, because anyone who understands the Constitution knows full well that the federal government do not control industry in New South Wales. Under our federation, the federal government are asking the state governments—whether it be for New South Wales, Victoria, Queensland or the other states—to contribute to the reduction of greenhouse gasses that we have committed ourselves to under Kyoto.

The Premier of New South Wales does not act in a responsible way when we talk about forests. Forests are one of the areas that we are arguing over with regard to the Kyoto protocol. Australia believes that plantations and forests, which are carbon sinks, should be part of the agreement. The Premier of New South Wales has been locking up forests in a rash way for a number of years and does not understand the principles of forestry whereby a native forest, carefully harvested, produces young trees which absorb the carbon dioxide in the atmosphere. It is all very well to talk about plantations, but there is limited land available for plantations, particularly on the North Coast of New South Wales, where forests grow very freely. The Premier of New South Wales ignores the great timber industry that existed on the North Coast of New South Wales for many years, but he is prepared to grandstand. (Time expired)

Mr Andrews—Mr Speaker, I require that the debate be extended.

The SPEAKER—We have not reached 11 p.m. and the Minister for Ageing could have had the call but, given that we have 10 seconds to go, I will not be churlish. The debate may continue until 11.10 p.m.

Ministerial Reply

Mr ANDREWS (Menzies—Minister for Ageing) (10.59 p.m.)—I rise because I was bemused by the remarks made in this adjournment debate by the member for Melbourne. Unlike the member for Melbourne, I was a delegate to the Constitutional Convention. Tonight, he took some umbrage at the attitude of the Australian Republican Movement. Let me place on the record quite clearly the position which I adopted at the Constitutional Convention as one of the 150 delegates to that two-week event in Old Parliament House in Canberra. I supported the republican position—the so-called minimalist position—which was advocated most strongly by and associated most strongly with the former governor of Victoria, the Hon. Richard McGarvie, who proposed that we replace the monarch in Australia with a council of former judges of the High Court and other courts in Australia to stand in the place of the monarch in terms of the appointment and, if necessary, the dismissal of the government so far as the head of state was concerned.

The member for Melbourne complained tonight that the failure of the constitutional convention to arrive at a republican model was solely at the feet of the Australian Republican Movement but, as I recall from the experience of participating in that convention, there were three strands of republicanism being espoused at that convention. One was indeed that which was associated with the Australian Republican Movement, which advocated a proposal which involved the parliament in the process of the determination of the head of state. There was, equally, very strong advocacy for a cause associated with the likes of Philip Cleary, a former member of this House for the electorate of Wills, for the direct election of the head of state of Australia. Then there was the proposition put forward which was associated with Richard McGarvie for the replacement of the monarch with a council of elders, if I can put it that way. For the member for Melbourne to come in here tonight and say that the failure of the republican convention was simply because of the position taken by the Australian Republican Movement is short-sighted at best and disingenuous at worst in relation to the two-week process involved.

Mr Laurie Ferguson—I don’t think you are attacking the member for Warringah, are you?

Mr ANDREWS—The honourable member opposite reminds me that there were members of the Constitutional Convention who were opposed to the republican cause. Throughout that fortnight’s debate, there were members who were quite clearly asso-
cated with defending the current constitutional arrangements in Australia and who believed that the monarchy is the head of state and that the current Queen, as the Queen of Australia, ought to be defended. They represented those views throughout the two weeks of debate. To suggest tonight, as the member for Melbourne has done, that there was only one party which was somehow responsible for the failure of the republican cause to gain a majority vote during that two-week convention is entirely disingenuous.

I also find it amusing—or bemusing, at least—that some of the leading members of the republican movement included the former Prime Minister of Australia, the Hon. Edward Gough Whitlam. One of the most active participants in that debate was the former Premier of New South Wales, Neville Wran, who was involved as a delegate and who, throughout the course of the two weeks in which we were at Old Parliament House in Canberra, was arguing the cause of the Australian Republican Movement. To attack one member of the ARM—with whom I disagreed as to the model of republic that we should have in Australia but who, nonetheless, I think was genuine in advocating that cause—namely Mr Turnbull, shows a very selective memory on the part of the member for Melbourne tonight. If the republican movement is going to get up in Australia, it will come through some unity of cause; it will not come from one strand of republicanism attacking another.

House adjourned at 11.05 p.m.

NOTICES

The following notices were given:

Mr Crean to present a bill for an Act to amend the Corporations Act 2001 to improve corporate governance, and for related purposes.

Mr McMullan to present a bill for an Act to amend the Trade Practices Act 1974 to give the Australian Competition and Consumer Commission power to deal with any price exploitation arising from changes in the regulation of credit card fees, and for related purposes.

Mr Griffin to present a bill for an Act to amend the Trade Practices Act 1974 to give the Australian Competition and Consumer Commission power to deal with any price exploitation arising from changes in the regulation of credit card fees, and for related purposes.

Mr Baird to move:
That this House:
(1) condemns the decision of a Shari’ah court in the Katsina province of Nigeria to sentence Amina Lawal to death by stoning, as she is alleged to have had a child out of wedlock;
(2) registers its strong opposition to all similar extremist sentences that discriminate against women; and
(3) calls on the Government of Nigeria to do everything within its power to protect the basic human rights of Amina Lawal and all its citizens.

Mrs Gash to move:
That this House:
(1) recognises the positive contribution of this Government in encouraging the tourism industry in Australia;
(2) notes the impact of external factors on the local industry;
(3) recognises the contribution of local and regional tourism to the national economy;
(4) acknowledges the important role of local and regional tourism in providing employment opportunities for young people; and
(5) recognises the need for more equitable dismissal laws for small business to ensure greater employment opportunities are made available by employers in the tourism industry.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Aviation: Sydney (Kingsford Smith) Airport

(Question No. 6)

Mr Murphy asked the Prime Minister, upon notice, on 13 February 2002:
(1) Was Ansett Australia a major tenant of the Federal Airports Corporation at Sydney Airport and hence a major contributor to that airport’s aeronautical and non-aeronautical cash flow.
(2) What impact will the collapse of Ansett Australia have on the sale of Sydney Airport.
(3) Will he postpone the sale of Sydney Airport until after the full impact of the collapse of Ansett Australia is assessed.
(4) In light of the collapse of Ansett Australia, can he provide reasons for the commercial justification of the timing of the sale of Sydney Airport at this time.
(5) What is the current status of the sale process for the sale of Sydney Airport and have the bids of prospective buyers of the airport lease for Sydney Airport accommodated the collapse of Ansett Australia; if so, what has been the impact on their price bids.

Mr Howard—The answer to the honourable member’s question is as follows:
(1) Ansett was a tenant of Sydney Airports Corporation Ltd (SACL) and made payments to SACL for aeronautical and non-aeronautical services.
(2)-(5) The Minister for Finance and Administration and the Minister for Transport and Regional Services announced the recommencement of the sale process for Sydney Airport on 11 March 2002. The Government’s 11 March announcement indicated that the specific timetable for the sale of Sydney Airport would be determined by the Government’s commitment to securing the best possible outcome for Australian taxpayers, who deserve, and received, a high return on this premier asset.

The sale of Sydney Airport for $5.588 billion to the Southern Cross Airports Corporation was announced on 25 June 2002 and completed on 30 June. It represents the biggest government trade sale in Australian history and the world’s largest trade sale of an airport. After repaying SACL debt, the proceeds of the sale will reduce Commonwealth debt by $4.233 billion. This will decrease public debt interest payments by around $250 million every year.

Budget: Outcomes

(Question No. 39)

Mr Murphy asked the Treasurer, upon notice, on 13 February 2002:
Without the benefit of bracket creep, will the 2001-2002 Federal Budget finish in deficit; if not, why not.

Mr Costello—The answer to the honourable member’s question is as follows:
The estimated budget outcome for 2001-2002 was announced in the Commonwealth Budget on 14 May 2002. The Final Budget Outcome will be released later in 2002.

First Home Owners Scheme

(Question No. 144)

Mr Latham asked the Treasurer, upon notice, on 18 February:
(1) What sum has the Government spent on the First Home Owners Scheme.
(2) What proportion of these grants has been received by households earning (a) less than $20,000 p.a., (b) more than $50,000 p.a. and (c) more than $100,000 p.a.
(3) For the most recent financial year in which statistics are available, what sum did the Government outlay on tax expenditures for (a) self-funded retirees, (b) superannuation concessions, (c) capital gains tax exemptions for economic purposes and (d) capital gains tax exemptions for individuals.
(4) In each case referred to in part (3), what proportion of the outlays was received by households earning (a) less than $20,000 p.a., (b) more than $50,000 p.a. and (c) more than $100,000 p.a.

Mr Costello—The answer to the honourable member’s question is as follows:
(1) As at 31 July 2002, the total sum of grants paid under the scheme was $2,889,389,516.

(2) The States and Territories administer the First Home Owners Scheme. This information is not provided to the Commonwealth.

(3) The following information on aggregate tax concessions is in the Tax Expenditures Statement, 2001 published by the Treasury in December 2001. Page references given below are to this document.

(a) The following tax expenditures for income tax exemptions are for retirees – information is not available on what proportion is for self-funded retirees.

- Senior Australians Tax Offset. Tax Expenditure A42 on p31, was estimated at $1340m for 2000-01;
- The higher Medicare levy thresholds for seniors and pensioners have been included in the Medicare Levy exemption tax expenditure, A28 on p30;
- Exemption of the one-off savings bonus, Tax Expenditure A47 on p31, was estimated at $430m for 2000-01;
- Exemption of the one-off payment to Senior Australians, Tax Expenditure A52 on p32, was estimated at $115m in 2000-01.

(b) The detail of superannuation tax concessions is shown in Table B1 on page 104 of the Tax Expenditures Statement 2001. The total concession was estimated at $9.065 billion in 2000-01.

(c) Capital gains tax concessions for economic purposes are shown at items D37 to D43 and D45 to D48 of the TES (pp41-42).

(d) The capital gains discount for individuals is shown at item D44, p41. It was estimated at $860m in 2000-01.

(4) Distributional information on tax expenditures is not available.

First Home Owners Scheme

(Question No. 170)

Ms Ellis asked the Treasurer, upon notice, on 21 February 2002:

(1) How many applications for the First Home Owners Scheme from the electoral division of Namadgi have been approved since the schemes inception until 31 December 2001.

(2) What proportion of these grants have been received by households earning (a) less than $20,000 p.a., (b) $20,001-$35,000 p.a., (c) $35,001-$50,000 p.a., (d) $50,000-$75,000 p.a., (e) $75,001-$100,000 p.a. and (f) more than $100,000 p.a.

(3) What proportion of homes purchased cost (a) less than $100,000, (b) $100,001-$125,000, (c) $125,001-$150,000, (d) $150,001-$200,000 and (e) more than $200,000.

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

(1) (2) and (3) The ACT government administers the First Home Owners Scheme in the ACT. This information is not provided to the Commonwealth.

Taxation: Mass Marketed Schemes

(Question No. 363)

Ms Jann McFarlane asked the Treasurer, upon notice, on 15 May 2002:

(1) Was the recent offer letter from the Australian Tax Office (ATO) to investors in Mass Marketed Tax Effective schemes entitled ‘Settlement opportunity including a remission of penalties and interest’ sent to all investors who had received an amended assessment due to an involvement in a mass marketed tax effective scheme.

(2) Was the letter a form letter with the only difference being the address and the name of the investment after the word INCOME TAX: in the title.

(3) Were investors provided with the details of their own specific situation prior to signing the Eligible Taxpayer Declaration, Settlement Schedule No. 1 and Cash Payment Settlement Schedule No. 2; if not, why not; if so, in what form did this information come.

(4) Should the ATO provide this offer when only one test case has been heard in the court.
(5) What is the expected revenue forecast by the ATO in relation to investors accepting this offer.  
(6) Will the Minister call upon the ATO to extend this offer past 29 May 2002 to allow investors involved in test cases natural justice.

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

(1) The letter referred to was sent to all mass marketed scheme investors in the schemes considered eligible for the Commissioner of Taxation’s settlement proposal. These schemes are listed on the Tax Office website, www.ato.gov.au/atp.
(2) The letter contained consistent information, however it was tailored to reflect the arrangements in different schemes.
(3) Investors have been provided with individual Fact Sheets for each scheme and a calculator which enables them to calculate the difference the settlement would make to their scheme debt. They have also been provided with a considerable amount of information through a series of individual letters. If investors need further assistance they have been provided with a Helpline 1800 177 006 which is staffed by officers who have specific knowledge of the scheme arrangements.
(4) The hearing of the test case was not relevant to the decision to make the settlement proposal. The Commissioner accepted three key recommendations of the Senate Economics References Committee Inquiry into Mass Marketed Schemes and Investor Protection concerning the settlement. Two cases have been decided by the Federal Court since the proposal was made. In both cases the Court found in favour of the Commissioner.
(5) The Commissioner’s Press Release of 14 February 2002 states ‘…this offer would have little material impact on the Government’s revenue forecasts, at least over the next few years.’
(6) The Commissioner announced on 27 May 2002 that he would extend the offer until 21 June 2002.

Insurers: United Medical Protection

Ms Burke asked the Treasurer, upon notice, on 16 May 2002:

(1) Does the Australian Securities and Investments Commission (ASIC) have any role in the investigation into the discharge of responsibilities of directors of companies in the insurance industry that enter into provisional liquidation: if so, what actions has ASIC taken to investigate the discharge of responsibilities of directors of United Medical Protection (UMP); if not, why not.
(2) Will he initiate an investigation into the directors of UMP.
(3) What penalties can apply to directors of companies that have been found to have traded while insolvent.

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

(1) ASIC is the independent statutory authority responsible for the administration and enforcement of the Corporations Act 2001. In relation to UMP, ASIC is awaiting completion of the provisional liquidator’s inquiries into the company.
(2) No, pending reports (if any) by the provisional liquidator and ASIC.
(3) The penalties for insolvent trading are outlined in Division 3 and section 588G of the Corporations Act 2001. These include a range of criminal and civil penalties.

Health: Fertility Rate

Mr Murphy asked the Minister representing the Minister for Finance and Administration, upon notice, on 27 May 2002:

(1) Further to the Minister’s Post-Budget breakfast address at the Westin Hotel on 15 May 2002 and statements with respect to the financial policy impact of current population policy, how does the Minister define what it means to stabilise Australia’s fertility rate.
(2) Do publicly funded abortions offer a direct economic incentive for procuring a pregnancy termination, thus directly contributing to Australia’s low fertility rate and impacting upon the Minister’s financial projections of Australia’s fertility rate and taxpayer pool.
(3) What financial decisions has the Government made in respect to increasing incentives for families to have more children, including improved conditions of maternity leave.

(4) Has the Minister’s attention been drawn to the definition by the Statistics Section, Business Branch of the Department of Immigration and Multicultural and Indigenous Affairs of replacement rate as being the rate of births required for a ‘1 for 1’ replacement of every death, and is calculated as 2.1 births for every death.

(5) Was Australia’s population growth rate from 1999 to 2000 1.2 per cent.

(6) Based on this data, does Australia’s fertility rate when compared to the replacement rate, mean the existing and future pool of taxpayers is economically sustainable; if not, what is the financial minimum replacement rate necessary for Australia’s taxpayer pool to be economically sustainable.

(7) Did the Minister state words to the effect that Australia cannot increase immigration; if not, what statement was made with respect to Australia’s current immigration intake policy.

(8) Has the Minister’s attention been drawn to an announcement on 7 May 2002, by the Minister for Immigration and Multicultural and Indigenous Affairs foreshadowing a significant increase in migration of skilled and family stream migration for 2002-2003 in recognition of Australia’s increasing migration dependency on filling Australia’s taxpayer pool; if so, are the Minister’s comments inconsistent with the Minister for Immigration’s declared policy of increased immigration; if not, why not.

(9) Has the Minister been briefed on the Minister for Immigration’s substantially increased allocation of business and family stream migration visas for 2002-2003; if not, why not.

(10) Did the Minister indicate that, without amendment to Australia’s current public revenue and expenditure projections, there will be a major financial crisis within 15 years; if so, what was his prediction; if not, will he clarify his statement with respect to the fifteen year projection.

(11) Is Australia’s fertility rate so low as to deny a minimum future Australian taxpayer pool required to sustain Australia’s future public revenue needs.

(12) Did the Minister comment during the breakfast meeting that a low fertility rate was a financial benefit to Australia because it reduced Australia’s social security burden on single mother benefits and other overheads to the Australian taxpayer; if not, will he clarify what he said with respect to this matter.

(13) Is the Australian fertility rate considered in Commonwealth financial planning as an essential factor affecting the economically sustainable maintenance of a taxpayer pool; if so, how is the fertility rate factored into Commonwealth financial planning and budgeting.

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable member’s question:

(1) The meaning of “stabilising the fertility rate” is to keep the fertility rate at a constant level.

(2) This question seeks an opinion.

(3) Government can do little to influence fertility rates. As the Minister for Family and Community Services said in a fact sheet in August,

There appears to be little association between the level of spending on families and fertility rates in OECD countries. In other words, spending more on families does not necessarily translate into higher fertility rates.

Rather, most Commonwealth financial assistance to families is provided primarily to assist with the cost of raising children. The $2 billion Family Tax Initiative was introduced in January 1997. From 1 July 2000 this assistance was doubled as part of The New Tax System. Payments for families include the Maternity Allowance, Family Tax Benefit, Child Care Benefit, and the new Baby Bonus. These payments are estimated at $13.4 billion in 2002-03.

(4) Yes.

(5) Based on the latest available data released in June 2002 by the Australian Bureau of Statistics, Australia’s population growth rate from 1999 to 2000 (years to 31 December) was 1.31 per cent. However, this estimate is subject to revision as final migration data are not yet available for the year ended 30 June 2001.
Fertility can be below the replacement rate for economic sustainability because other factors together can compensate, for example increased immigration, reductions in unemployment, increased productivity, increased working hours, higher labour force participation rates, and reduced child dependency which can raise private saving rates. The extent to which retirements are self funded is also important.

The Government’s Intergenerational Report assumes that the total fertility rate falls to 1.6 babies per woman by 2042. Over the longer term, productivity growth is the key driver of economic growth. The Intergenerational Report sees real Gross Domestic Product per person, a key indicator of economic sustainability, continuing to rise. Sensitivity analysis suggests that a lower fertility rate (1.5 babies per woman) might slow annual real growth in GDP per person slightly.

No. The Minister supports the Government migration policy.

Yes. No.

Yes.

The Minister spoke about the long term budgetary position detailed at Chart 4 of the 2002-03 Intergenerational Report

No.

The Minister reported on the changes in spending on payments to individuals forecast in the Intergenerational Report (see pp9-10; 41-45).

Refer Intergenerational Report, p.19 ff and pp 60-65.

### Banking: Services

**Ms Burke** asked the Treasurer, upon notice, on 28 May 2002:

1. Is he aware of local government authorities around Australia making a condition of tenders for banking services in the provision of face to face banking services for their communities.
2. Does the Government have a view on such conditions; if so, what is that view.
3. Has he considered or studied the implementation of similar policies for tenders relating to the provision of banking services to the Commonwealth Government, its instrumentalities and statutory authorities; if so, what has been the outcome of these studies or considerations; if not, why not.

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

1. I am aware that this practice is being advocated by the Financial Sector Union of Australia.
2. The Federal Government would consider such conditions to be a matter for local governments, in consultation with the communities they are working with, provided that such conditions were made within existing laws.
3. Agreements with banks about receipt, transmission etc. of public money are the responsibility of the Finance Minister under Part 3 of the Financial Management and Accountability Act 1997.

### Australian Taxation Office: Internal Audit

**Mr Latham** asked the Treasurer, upon notice, on 3 June 2002:

1. What is the progress of the investigation by the Internal Audit Branch of the Australian Taxation Office (ATO) into claims that an officer residing in Townsville was paid substantial sums in airfares and travelling allowance to commute from Townsville to work in Brisbane during 1999.
2. Is the investigation also examining claims that the officer who raised concerns about this arrangement was not re-employed on contract because that officer had raised these concerns with ATO management.

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

1. The investigation has been finalised.
2. Yes.

### Roads of National Importance

**Mr Gibbons** asked the Minister for Transport and Regional Services, upon notice, on 4 June 2002:
(1) What roads in which States and Territories have been declared by the Government to be Roads of National Importance (RONI).

(2) At the time of such declarations, (a) what was the estimated total cost of each RONI project, (b) what funds did the Commonwealth undertake to contribute to each project, (c) in what year was the first payment made by the Commonwealth, (d) which projects have been completed to date and (e) what sum has been contributed to date for each RONI project.

(3) For which RONI projects has the Commonwealth (a) agreed and (b) not agreed with a State or Territory Government on a completion date and what is the completion date in each case.

(4) On what grounds has the Commonwealth agreed or not agreed on a completion date.

(5) Where the Commonwealth has not agreed with a State or Territory Government on a completion date, what alternative completion date, if any, has the Commonwealth set.

(6) Has the Commonwealth originally agreed with a State or Territory Government on a completion date and later withdrawn its support; if so, (a) on what RONI projects, (b) in what year did the Commonwealth withdraw from the agreed completion date and (c) on what grounds.

(7) Other than RONI projects, is the Commonwealth Government assisting a State or Territory to fund large scale projects, including freeways and highways, within a State or Territory; if so, (a) what projects, (b) what is the estimated final cost of each project, (c) under which program has the Commonwealth agreed to provide the funding and (d) what is the completion date in each case.

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

(1) and (2) The following table lists the roads that have been declared Roads of National Importance, the cost of the works to be carried out, the Commonwealth contribution toward the cost, first year of payment by the Commonwealth, year of completion and payments made by the Commonwealth up to 30 June 2002.

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<th>Total Cost $m</th>
<th>Commonwealth contribution $m</th>
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<th>Year of completion</th>
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### National Highway Projects

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(3), (4), (5) and (6) The agreements between the Commonwealth and New South Wales and Queensland covering the Pacific Highway upgrading program provide for funding until 2005-06. However, the Commonwealth and the States do not have agreements on the completion dates of any RONI projects.

(7) The Commonwealth fully funds construction and maintenance works on the National Highway under the Australian Land Transport Development Act 1988. The National Highway consists of a 18,500 km network of interconnecting roads linking Australia’s capital cities, Brisbane with Cairns and Hobart and Burnie. The following table lists current and new projects, other than network maintenance, for which funding has been budgeted over the period 2002-03 to 2005-06, the estimated cost of each project and the expected year of completion of each project.

In addition to the projects funded under the National Highway and Roads of National Importance projects, the Commonwealth has budgeted $40m under the Federation Fund for the $220m Caboolture Motorway 6 laning project in Queensland.
### NEW SOUTH WALES

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### VICTORIA
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Ms Vamvakinou asked the Minister for Children and Youth Services, upon notice, on 4 June 2002:

1. How many community based child care centres are located in the electoral division of Calwell.
2. What are the names and addresses of community based child care centres in the electoral division of Calwell.
3. Who are the managing authorities for each centre.
5. Which Commonwealth funded child centres located in the electorate of Calwell have been overpaid and what sum will each child care centre be asked to repay.

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

1. There are 23 community based long day care centres in the electoral division of Calwell.
2. The names and addresses of each community based child care centre in the electoral division of Calwell are listed in the table below.

Calwell Electoral Division, Victoria
Active Services by Service Type, Sector and Sponsor Details

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<th>Address</th>
<th>Service Type</th>
<th>Sector</th>
<th>Sponsor Name</th>
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<td>COM</td>
<td>Isis Primary Care Inc</td>
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<td>COM</td>
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<td>COM</td>
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<td>COM</td>
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<td>$350</td>
<td>$2,145</td>
<td></td>
</tr>
</tbody>
</table>

(5) Commonwealth funded child care centres located in the electoral division of Calwell which have been overpaid are listed in the table below. Each child care centre will be asked to repay the whole amount of these overpayments, where not already repaid in full.
<table>
<thead>
<tr>
<th>Name of service</th>
<th>Child Care Benefit</th>
<th>Overpayment Childcare Assistance</th>
<th>Total</th>
</tr>
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<tr>
<td>St Francis de Sales BSC</td>
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<td>Hillside BSC (closed)</td>
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<tr>
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<td>$27770</td>
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<tr>
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<tr>
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<td></td>
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<tr>
<td>Keilor Downs Primary ASC</td>
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<td>Oak Park Combined OSHC</td>
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<tr>
<td>Gladstone Park VAC</td>
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<td>Sydenham Primary BSC</td>
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<tr>
<td>Overnewton BSC</td>
<td>$232</td>
<td></td>
<td>$232</td>
</tr>
</tbody>
</table>
Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 5 June 2002:

(1) Did he ask the Civil Aviation Safety Authority (CASA) to arrange the survey of Australians’ attitudes to air safety, the positive aspects of which were announced by CASA on 3 June 2002, if not, who requested the survey.

(2) What was the purpose and objective of the survey.

(3) What was the total payment to Roy Morgan Research for the survey and related expenses.

(4) Which program did CASA use to fund the work.

(5) What format was used to report the survey results to CASA and on what date were those findings presented to CASA.

(6) Were the findings presented to him; if so, on what date.

(7) What questions were asked of the survey participants.

(8) How were the surveyed participants selected.

(9) Did the sample include industry participants; if not, why not and have they been separately surveyed.

(10) Will he release the full findings of the survey; if not, why not.

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

(1) No.

(2) The Civil Aviation Safety Authority (CASA) has advised that the main purpose of the survey was to assess public confidence in aviation safety. The survey also assessed public opinion on how effectively CASA is undertaking its regulatory role. In addition, CASA took the opportunity provided by the survey to canvass the views of the public on increasing the safety standards for charter flights.

(3) and (4) The total cost of the survey was $39,049 and was funded from the operating budget for CASA’s Aviation Safety Promotion Division.

(5) The results were presented in three forms: provisional tabulations were provided on 6 May 2002; a database containing full results was made available during the week commencing 13 May 2002; and the written report from the consultants was received on 7 June 2002.

(6) CASA forwarded a copy of the survey questions and the provisional tabulations to the Minister’s office on 3 June 2002. A copy of the written report was provided to the Minister’s office in early July.

(7) A copy of the full questionnaire has been provided to Mr Ferguson.

(8) Respondents aged 18 years and over were randomly selected from all Australian states and territories. Only one respondent from each household was selected. The selection of the households was drawn from the latest edition of the Electronic White Pages. The sample was distributed across all states and territories in proportion to the population. Quotas were set for each state and territory by age and sex to ensure the representativeness of the sample.

(9) No. This survey was designed to provide information about public attitudes. CASA regularly conducts surveys of the aviation industry, the last being in August 2001. Another major industry survey is currently being planned.

(10) The written report provided to CASA by the consultants was published on CASA’s website on 19 June 2002.
Australian Citizenship  
(Question No. 485)

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 6 June 2002:

(1) For each of the last 5 years, how many applicants for Australian citizenship (a) applied for and (b) were granted a waiver from the usual residence requirements on compassionate grounds under subsection 13(9) of the Australian Citizenship Act.

(2) Of the waivers that were granted, how many were based on the applicant otherwise facing significant hardship or disadvantage in relation to (a) employment, (b) international travel, (c) representing Australia in a national representative team and (d) other grounds.

(3) Of the waivers that were granted, how many were to the (a) spouse and (b) widow or widower of an Australian citizen.

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

(1) to (3) Applications for the grant of Australian citizenship are processed using paper applications and the Integrated Client Service Environment (ICSE) client management system. The information on each application that Mr Ferguson has requested is kept on individual paper files, stored in the Department of Immigration and Multicultural and Indigenous Affairs’ (DIMIA’s) registry system and then archived at the appropriate time. Accordingly, the very detailed information sought in Mr Ferguson’s question is not readily available in consolidated form and it would be a major task to collect and assemble it. The practice of successive governments has been not to authorise the expenditure of time and money involved in assembling such information on a general basis.

Western Australia: Insolvencies  
(Question No. 486)

Ms Jann McFarlane asked the Treasurer, upon notice, on 6 June 2002:

(1) What were the annual number of insolvencies in Western Australia in (a) 1996, (b) 1997, (c) 1998, (d) 1999, (e) 2000 and (f) 2001.

(2) What share of those insolvencies were registered in the postcode areas of (a) 6018, (b) 6019, (c) 6020, (d) 6021, (e) 6022, (f) 6029, (g) 6060, (h) 6061 and (i) 6062.

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

(1) The Australian Securities and Investments Commission (ASIC) publishes monthly reports on levels of insolvencies, categorised both by State and by type of external administration. ASIC figures, including those for Western Australia, are published on the ASIC website, www.asic.gov.au.

(2) ASIC does not provide figures for insolvencies by postcode area.

Trade: Export Market Development Assistance  
(Question No. 487)

Ms Jann McFarlane asked the Minister for Trade, upon notice, on 6 June 2002:

Since 1996, what is the level of export market development assistance provided to private firms and companies registered in the postcode areas of (a) 6018, (b) 6019, (c) 6020, (d) 6021, (e) 6022, (f) 6029, (g) 6060, (h) 6061 and (i) 6062.

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

Since 1996 the level of export market development assistance provided to private firms and companies was:

(a) $1,344,069 provided within postcode 6018
(b) $433,273 provided within postcode 6019
(c) $65,627 provided within postcode 6020
(d) $2,943,872 provided within postcode 6021
(e) Nil provided within postcode 6022
(f) Nil provided within postcode 6029
(g) $108,606 provided within postcode 6060
(h) Nil provided within postcode 6061
(i) $1,518,278 provided within postcode 6062

Aviation: Sydney (Kingsford Smith) Airport
(Question No. 494)

Mr Murphy asked the Minister for Transport and Regional Services, upon notice, on 6 June 2002:
(1) How many air traffic movements to and from Sydney (Kingsford-Smith) Airport (KSA) are forecast for (a) 2002, (b) 2003, (c) 2004 and (d) 2005.
(2) What was the percentage annual growth rate of air traffic movements to and from KSA in August 2001.
(3) What is the current percentage annual growth rate of aircraft movements to and from KSA.

Mr Anderson—The answer to the honourable member’s question is as follows:
(1) The projected figures the Honourable Member is seeking are not currently available. However, figures relating to forecast air traffic will be made publicly available as part of the Master Planning process.
   The Master Plan is the airport owners’ strategic planning document. The master plan for Sydney Airport is to be completed by 31 December 2003.
(2) For the twelve month period August 2000 to August 2001, total aircraft movements to and from KSA grew by 9.2%.
(3) For the twelve month period March 2001 to March 2002, total aircraft movements to and from KSA decreased by 11.9%.

Motor Vehicles: Standards
(Question No. 501)

Mr Bevis asked the Minister for Transport and Regional Services, upon notice, on 17 June 2002:
(1) What criteria are used to determine whether an application for a vehicle imported under the transitional approvals of the Motor Vehicle Standards Amendment Act is included on List 1 rather than List 2.
(2) What procedures are there to shift from List 1 to List 2.
(3) What appeal mechanisms exist for an appeal to include a vehicle on List 2 rather than List 1.
(4) Is it possible for a vehicle to be entered on both List 1 and List 2; if so, what are the criteria that make it possible.

Mr Anderson—The answer to the honourable member’s question is as follows:
(1) All transitional approvals cover vehicle approvals issued before 1 April 2002. These approvals were tested against the eligibility criteria for entry of a vehicle on the Register of Specialist and Enthusiast Vehicles (the Register) as set out in regulation 24. Vehicle models not able to be added to the Register (not eligible) were entered on List 1 and vehicles on the Register (eligible) or able to be added to the Register were entered on List 2.
(2) None. Vehicle models that were mistakenly entered onto List 1 rather than List 2 are being approved for supply to the market on a vehicle-by-vehicle basis under the new section 16(2) of the Act until 7 May 2003.
(3) None.
(4) Yes. Some vehicle approvals have both eligible and not eligible vehicle variants. Therefore, the eligible variants entered on the Register are included on List 2 and the not eligible variants are included on List 1. For example, the turbo charged variant of the Mitsubishi GTO is eligible and therefore included on List 2 whereas the non-turbo charged variant is not eligible and was included on List 1.
Roads: Western Highway
(Question No. 509)

Mr Brendan O’Connor asked the Minister for Transport and Regional Services, upon notice, on 17 June 2002:

(1) What Commonwealth funding will be provided for the Western Highway between Deer Park and Ballarat during the term of this Government.

(2) In particular, is the Government committed to the construction of the (a) Deer Park by-pass, (b) Rockbank flyover at Leakes Road and (c) upgrade of Anthonys Cutting: if so, when will construction commence; if not, why not.

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

(1) Recently the Hopkins Road Interchange was completed, at a cost of $11.2 million; widening and rehabilitation works are currently being undertaken between Kiata and Kaniva at a total cost of $41.2 million; $12.9 million has been committed for a rail overpass at Armstrong; $200,000 was committed for a planning study for an interchange at Leakes Road; and over $1 million has been spent to determine and finalise an alignment for a bypass of Deer Park.

(2) (a) Deer Park Bypass. The Federal Government has spent $1 million to determine and finalise the alignment for this important project. The Planning Scheme Amendment for the project is now complete. This $195 million project will involve construction of a new freeway connection into Melbourne, and, whilst it is considered a high priority by the Government, funding for its construction will not be possible for a number of years until other large projects in Victoria are completed.

(b) Leakes Road Interchange. The Federal Government is aware of safety issues associated with merging traffic at Leakes Road and that this section of the Western Highway will need to be upgraded. A total of $200,000 has been spent to date by the Government to complete all the necessary planning works for this project. The total estimated cost for this project is $40 million. The study is now completed however funding for the construction of the Leakes Road Interchange will be considered in the context of competing priorities for inclusion in subsequent budgets.

(c) Anthonys Cutting. The Government is also aware of some of the concerns regarding alignment and steep grades at Anthonys Cutting and Djerriwarrh Creek on the Highway between Melton and Bacchus Marsh. Funding for this project will be considered in the context of competing priorities for inclusion in subsequent budgets.

Immigration: Asylum Seekers
(Question No. 523)

Dr Lawrence asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 17 June 2002:

(1) Has his attention been drawn to the criminal trial of Mr HI.

(2) Why did he authorise the removal of an important witness in the trial, Mr SE, while the period for appeal against conviction had not run.

(3) Why did he not cease the removal when notified that an appeal had been lodged and Mr SE was definitely required as a witness, even though Mr SE remained in Australian waters at that time.

(4) What steps can be taken to ensure that Mr HI will receive a fair trial.

(5) Why did he not ensure the anonymity of Mr SE when Mr SE was called as a witness for the prosecution in the trial of another asylum seeker for people smuggling, Mr HI.

(6) Why did he not give Mr SE the opportunity to make an application under sections 48B and 417 on the grounds of his mental health and the possibility of a surplus claim based on the publicity surrounding the evidence he gave in the case of Mr HI, given that SE had done nothing of his own volition to generate the publicity.

(7) Why did he remove Mr SE by means of the Iran Mazandaran, the ship upon which he arrived two years ago, despite the fact that the ship is owned and operated by the Iranian Government and it is common knowledge that all such ships have intelligence officers on board.
(8) Did he specifically gain the consent of the Iranian Government and the Iranian national shipping company to repatriate Mr SE on the *Iran Mazandaran*: if so, what steps has he taken to ensure that Mr SE is not mistreated either on the *Iran Mazandaran* or upon arrival in Iran.

(9) Did Mr SE sign any papers consenting to be removed; if not, by what authority was he placed on the *Iran Mazandaran*.

(10) Has his attention been drawn to the information indicating that Mr SE was suicidal and had been on hunger strike for three days when the *Iran Mazandaran* docked in Esperance on 1 June 2002; if so, what steps did he take to ensure his mental and physical well-being before removing him and while in the *Iran Mazandaran*.

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

(1) I have been briefed on the criminal trial of Mr HI.

(2) The law does not require that removal be delayed simply because someone is wanted as a witness in legal proceedings.

(3) Immigration officers have an obligation to effect removal as soon as reasonably practicable and can only suspend removal action if there is a visa application on foot, an injunction or court order specifically preventing removal, or if the Attorney General issues a criminal justice stay certificate. None of these factors applied in this case.

(4) This is a matter for the Court.

(5) There was no request for suppression of Mr SE’s identity.

(6) Mr SE’s application for a protection visa was refused on 14 November 2000. He appealed to the Refugee Review Tribunal (RRT) on 16 November 2000. The RRT affirmed the delegate’s primary decision on 2 January 2001. The case was assessed under the Guidelines for stay in Australia on humanitarian grounds (section 417) on 22 January 2001. Mr SE’s case was found not to satisfy the requirements for consideration under section 417 or section 48B of the Migration Act.

On 22 January 2001 Mr SE lodged an appeal to the Federal Court, his appeal was dismissed on 4 July 2001.

On 13 May 2002 Ms Jaye Radisch MLA submitted a section 417 request on behalf of Mr SE. This was assessed and Ms Radisch was informed of the outcome of that assessment.

(7) The timing of the removal was a matter for the carrier company involved and on the basis that there was no criminal justice stay visa in place, Mr SE’s removal could not be delayed.

(8) Approval to return Mr SE to Iran was a matter left to the responsible agent, Inchcape Shipping Services. The Australian government did not discuss the matter with the owners of the vessel involved.

(9) Mr SE did not agree to depart Australia voluntarily. He was removed from Australia on 1 June 2002 in accordance with s198 of the *Migration Act 1958*. The removal was effected following the earlier serving of section 213 / 217 notices on the carrier company responsible for having brought Mr SE to Australia as a stowaway on the 7 September 2000.

(10) Mr SE was in good health in the Perth Immigration Detention Centre. ACM staff who were with him while he was in Esperance advised that he was taking fluids, eating a little and engaging in conversation.

An officer of the West Australia Police boarded the *Iran Mazandaran* shortly before its departure from Esperance to assess Mr SE’s condition following an allegation that he had been assaulted and advised my Department that Mr SE was in good health.

**Education: University of New South Wales**

(Question No. 524)

Ms King asked the Minister for Education, Science and Training, upon notice, on 17 June 2002:

(1) What funds were provided by the Commonwealth to the University of New South Wales (UNSW) in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000 and (e) 2000-2001.
Dr Nelson—The answer to the honourable member’s question is as follows:

(1) Funding is provided to institutions on a calendar year basis and not on a financial year basis. Commonwealth funding provided to the University of New South Wales (UNSW) under the Higher Education Funding Act 1988 since 1996 has been:

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</table>

(2) The UNSW has assured my Department in writing that no Commonwealth Government Grants were allocated directly or indirectly to the Educational Testing Centre (ETC).

(3) The UNSW has provided the following response:

Revenues earned by ETC and expended by ETC were audited annually by the Audit Office of NSW (AONSW) as part of the overall external financial audit of UNSW. Copies of the NSW Auditor General’s reports on the financial audit of UNSW form part of the NSW Auditor General’s Annual Report to the NSW Parliament. These can be found at: http://www.audit.nsw.gov.au/agsrep.htm. The AONSW performance report on ETC can be found at: http://www.audit.nsw.gov.au/perfaud-rep/Uni-ETC Nov01/Uni-NSW-Contents.html.

(4) I was made aware by my Department of the allegations that the ETC used teachers and students to courier money from China to Australia, and the allegations the Director of the ETC took money out of China in a suitcase. The UNSW has provided the following response, with respect to the accuracy of these allegations:

The former Director acknowledged that he did receive a small amount of cash on a previous occasion, but it was not tens of thousands of dollars.

With reference to the claim that ETC received funds in ‘brown paper envelopes’, the ETC’s agent in China is the National Foreign Language Teaching Research Association, a semi-government organisation. A delegation from the Association visited the ETC in August last year. The leader
of the delegation handed a cash payment, revenue due to the ETC for English skills tests conducted in China, to the ETC's manager. The only evidence available to the university is that the money was carried by the group leader. There is no evidence that it was carried by any of the children.

(5) The UNSW has provided the following response:
The NSW Audit Office has confirmed that the ETC committed no offence by accepting the cash as settlement of a business transaction. The cash received was within Australian law. There is no evidence that they were in conflict with Chinese law.

(6) The UNSW has provided the following response:
The funds were due to the ETC for English skills tests conducted in China.

(7) The UNSW has provided the following response:
The Auditors from the Auditor-General's Office were at the ETC when the money was received. The Senior Auditor from the Auditor General's office, Geoff Moran, confirmed via telephone to the Business Manager at ETC, that he had checked with AUSTRAC and the Reserve Bank and that ETC or ETC staff had committed no offence by accepting the cash as settlement of a business transaction. Mr Moran commented during the phone conversation that the delegation leader could have cashed a bank draft or converted another currency at the airport prior to arriving at ETC.

(8) I am aware of the NSW Ombudsman report into nepotism and mismanagement at the ETC and UNSW. The report found there was widespread nepotism, cronyism and maladministration at the ETC.

(9) This government takes the NSW Ombudsman’s findings very seriously and expects the UNSW to do so as well. I understand that the UNSW has taken steps to ensure the proper management of the ETC. I also understand that the University has fully implemented recommendations made by their own internal review, the NSW Auditor-General and the NSW Ombudsman.

(10) The UNSW has provided the following response:
The Educational Testing Centre was transferred to NewSouth Global on 1 July 2001 following a thorough due diligence process. The Vice-Chancellor, John Niland is also a Director on the NewSouth Global Board.

(11) The UNSW has provided the following response:
NewSouth Global Pty Limited is a wholly-owned subsidiary of the University of New South Wales. It was formed in July 1999 with a specific brief to further develop the non-degree education programs within UNSW and to facilitate the international educational activities of the University as a whole.

Professor John Niland is a Director on the NewSouth Global Board as Vice-Chancellor of UNSW. This role ceases on 5 July 2002 when his term of office as Vice-Chancellor ceases.

Australian Taxation Office

(Question No. 527)

Mr Murphy asked the Treasurer, upon notice, on 18 June 2002:

(1) What were the (a) budgeted and (b) actual expenditures of the Australian Taxation Office (ATO) in its border protection functions during the 38th and 39th Commonwealth Parliaments.

(2) Have cost cutting measures implemented during the 38th and 39th Parliaments impacted upon border protection activities of the ATO; if not, has it been able to maintain or enhance its pre-38th Parliament service levels and operational strength.

Mr Costello—The answer to the honourable member’s question is as follows:
The ATO has a Nil response to question (1) and (2) above.
Australian Citizenship
(Question No. 560)

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 20 June 2002:

(1) For each year since 1995-96, how many applicants for Australian citizenship (a) were assessed at interview as being able to speak and understand basic English, (b) did not need to be assessed as they possessed an Adult Migrant English Program (AMEP) Australian Citizenship English Record or (c) were assessed at interview as being unable to speak and understand basic English.

(2) What were the recorded first languages of those assessed as being unable to speak and understand basic English.

(3) Of those assessed as being unable to speak and understand basic English, how many (a) were granted a waiver on the basis that they were aged 50 years or over, (b) were granted a waiver on the basis that their ability was affected by a physical or intellectual impairment and (c) were refused Australian citizenship.

(4) What proportion of those citizenship applicants who were assessed as being unable to speak and understand basic English are estimated to be ineligible for AMEP English language tuition under current guidelines.

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

(1) to (4) Applications for the grant of Australian citizenship are processed using paper applications and the Integrated Client Service Environment (ICSE) client management system. The information on each application that Mr Ferguson has requested is kept on individual paper files, stored in the Department of Immigration and Multicultural and Indigenous Affairs’ (DIMIA’s) registry system and then archived at the appropriate time. Accordingly, the very detailed information sought in Mr Ferguson’s question is not readily available in consolidated form and it would be a major task to collect and assemble it. The practice of successive governments has been not to authorise the expenditure of time and money involved in assembling such information on a general basis.

Motor Racing: Mount Panorama Circuit
(Question No. 571)

Mr Andren asked the Minister for Transport and Regional Services, upon notice, on 24 June 2002:

(1) Did he (a) offer a guarantee to the National Party candidate for Calare in the November 2001 election that a re-elected Coalition Government would provide $10 million in funding for the upgrade of the Mount Panorama racing circuit and (b) subsequently qualify that guarantee that funding was never conditional on having a Government member.

(2) If so, does his offer of a guarantee mean he views Bathurst City Councils submission for the much needed upgrade of Mount Panorama as economically sound and will benefit the Central West, and is therefore deserving of the Governments support; if not why not.

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

I did not offer a guarantee to provide funding for the upgrade of the Mount Panorama racing circuit.

Community Development Employment Program
(Question No. 599)

Dr Lawrence asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 25 June 2002:

(1) Do any Commonwealth Departments or agencies have employees who are funded as Community Development Employment Program (CDEP) participants; if so, how many such cases are there.

(2) Are there any CDEP participants employed at the Centrelink offices; if so, how many CDEP participants are employed and where are they located.

Mr Ruddock—The answer to the honourable member’s question is as follows:
Question One:
ATSIC has advised me that there are less than twenty five CDEP participants in total, placed within Commonwealth Departments or agencies. Nineteen of these are with Centrelink and two are placed in the ATSIC Regional Office in Rockhampton.
Specific data on the remaining placements is not available without contacting every Commonwealth agency individually as this data is not currently required under ATSIC CDEP program administration requirements. However new CDEP data collection methods will provide this information for 2002/2003 onwards.

Question Two:
I have been advised by ATSIC that Centrelink has 19 CDEP participants placed in the following numbers and locations:
- Murray Bridge, SA 2
- Sunshine Coast 2 (paid work experience)
- Maroochydore 1 (funded 4 days by Centrelink and 1 day by CDEP)
- Caloundra 1 (funded 3 days by Centrelink and 2 days by CDEP)
- Alice Springs 3 (Innovative Service Delivery Pilot) – Centrelink provides additional funding to CDEP
- Maningrida 5 (Innovative Service Delivery Pilot) – Centrelink provides additional funding to CDEP
- Mount Gambier, SA 2 (Trainees)
- Gawler SA 1 (Trainee)
- Fraser Coast QLD 1 (Trainee) – CDEP funds 2 days and QLD State Government funds three days under training Scheme
- Kununurra WA 1 (Trainee)
Centrelink has made a commitment to working with local Indigenous communities to build their governance capacity. Centrelink is currently providing 11 CDEP Participants with part-time work experience and training on a voluntary basis. These placements are located in Queensland (Cherbourg, Fraser Coast and Rockhampton), Victoria (Ringwood), South Australia (Port Augusta) and the Northern Territory (Manningrida).
I have also been advised that Centrelink have a number of CDEP Participants employed by contracted host organisations as agents, delivering Centrelink services. In most cases the CDEP participant is selected by the contracted host organisation/community as the most appropriate person to act as the Centrelink Agent. As part of this arrangement, Centrelink provides appropriate training and support to the person specified by the contracted host organisation.

Australian Rail Track Corporation
(Question No. 602)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, upon notice, on 25 June 2002:
(1) Has he secured Cabinet approval to underwrite loans by the Australian Rail Track Corporation (ARTC) to undertake maintenance improvements to the track identified in the ARTC audit to the value of at least $507 million.
(2) Is Cabinet approval for these works dependent on the finalisation of access arrangements with the NSW Government.
(3) Is Cabinet approval of the loan underwriting dependent on a business case that includes the NSW Governments ownership transfer of the Hunter Valley coalfields rail tracks to the ARTC.
(4) Has agreement been reached with the NSW Government to transfer ownership of the Hunter Valley coalfields rail tracks and will the Cabinet approval stand if that agreement is not secured.

Mr Anderson—The answer to the honourable member’s question is as follows:
(1) The Federal Government and the Australian Rail Track Corporation (ARTC) have submitted a joint proposal to the NSW Government for a lease of the interstate rail network and the Hunter Valley rail network. The proposal includes substantial investment by ARTC in rail infrastructure and is currently under consideration by the NSW Government. It would be inappropriate to comment on the details of the proposal while negotiations are underway.
Aviation: Sydney (Kingsford Smith) Airport  
(Question No. 608)  
Mr Murphy asked the Minister for Transport and Regional Services, upon notice, on 26 June 2002:  
(1) Has his attention been drawn to an article titled Earthquake research to shake Australia out of complacency in the October/November 2001 edition of AusGEO News.  
(2) Is AusGEO News a Federal Government publication.  
(3) Has the information contained in the article been incorporated into the future airport and marine infrastructure planning for the Sydney region; if not, why not and when will this information be incorporated.  
Mr Anderson—The answer to the honourable member’s question is as follows:  
(1) Yes.  
(2) Yes, AusGEO News is a Federal Government publication.  
(3) Thank you for drawing attention to this matter however, I would suggest the question of seismic risk lies with the state authorities that construct and operate the infrastructure. Consequently, the article will be forwarded to relevant ports and other interested maritime agencies for their information.  
With respect to airports, the Building Approval process at Sydney Airport requires that all new buildings be certified to meet all relevant Australian design and structural engineering codes and standards, including those pertaining to earthquakes.

Roads: Black Spots Program  
(Question No. 616)  
Ms King asked the Minister for Transport and Regional Services, upon notice, on 26 June 2002:  
Did the government announce on 7 November 2001 in the Ballarat Courier funding of $250,000 under the Black Spots Program for a roundabout at the Learmonth/Sturt Street intersection in Ballarat; if so, when will the funding be made available.  
Mr Anderson—The answer to the honourable member’s question is as follows:  
I announced the Federal Government’s commitment to the Federal Road Safety Black Spot Programme within the Leadership and Certainty for Regional Australia policy statement released on 22 October 2001. The commitment has been fulfilled with the provision of a further $180 million to continue the Black Spot Programme through until 2006. No submission for funding of the Learmonth/Sturt Streets intersection in Ballarat has been received to date. The Government would be pleased to consider any such proposal that the local road authority – the Ballarat City Council – may care to make.

Roads to Recovery Program  
(Question No. 617)  
Ms King asked the Minister for Transport and Regional Services, upon notice, on 26 June 2002:  
(1) How many municipalities in the electoral division of Ballarat have spent and claimed the full Roads to Recovery funding to date.  
(2) How many of these municipalities have signed contracts which rely on Roads to Recovery program funding to be provided in 2002-2003 at the level promised at the announcement of the program.  
(3) Are any local road projects in the eight municipal areas that are covered by the electoral division of Ballarat likely to be delayed due to the re-phasing of the 2002-2003 Roads to Recovery allocation.
(4) Are any job losses likely to result in the eight municipal areas covered by the electoral division of Ballarat from the re-phasing of the Roads to Recovery 2000-2003 funding.

(5) Is he aware of the impact that the re-phasing of the funding available for the Roads to Recovery program will have on the Northern Grampians Shire Council.

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

(1) None.

(2) (3) and (4) The Roads to Recovery Programme is providing $1.2 billion to councils for roads resulting in substantial additional employment. Councils are not required to give details of contracts or employment generated by the Programme to the Federal Government, so I am unable to provide details of contractual or employment impacts flowing from the rephasing in the municipalities in the electorate of Ballarat.

(5) The Northern Grampians Shire Council will not be affected by the rephasing as it has sought and obtained an exemption under the hardship provisions.

**Aviation: Sydney (Kingsford Smith) Airport**

(Question No. 632)

Mr Murphy asked the Minister for Transport and Regional Services, upon notice, on 27 June 2002:

(1) Further to the answer to question No. 16 (Hansard, 14 May 2002, page 2038), is he aware of a letter from Airservices Australia, dated 16 April 1999, to Ms Janette Barros, in which the Manager, Sydney Operations, referred to exchange visits to the US; if so, did Airservices Australia personnel visit Minneapolis St Paul International Airport at least for the purposes of gaining hands on experience with the Precision Runway Monitor system.

(2) If so, (a) do his answers to parts (2) and (3) to question No. 16 require revision and (b) will he provide details of when these visits were undertaken and the precise nature of them; if not, why not.

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

(1) No, however, I have subsequently been advised that Airservices personnel visited FAA facilities in Minneapolis in November 1997 in relation to PRM implementation.

Airservices personnel again visited FAA facilities between 19 March and 6 April 1998 to follow up on work done by the PRM implementation group and to meet with FAA staff involved in the organisation for the 1996 Olympic Games in Atlanta.

(2) (a) No revision is required as the Honourable Member required details of all visits ever made and I reiterate that this information is not available.

(b) See response (1) above.

**Department of Immigration and Multicultural and Indigenous Affairs: Staff**

(Question No. 638)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

(1) Is it standard practice for State Directors of his Department to be rotated following one stint in the job.

(2) What are the details of recruitment growth or decline in the last 12-24 months in his Department.

(3) Have duties for a Senior Assistant Secretary recently been newly prescribed; if so, has someone been identified to perform those duties; if so, who.

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

(1) State Directors are selected for an initial 3-year term. Extensions are then routinely considered in the light of operational needs, the level of interest in State/Territory placements and the circumstances of the managers involved.

(2) Between July 2000 and June 2001, 712 people commenced employment in the Department as ongoing or non-ongoing staff under the Public Service Act 1999. Between July 2001 and June 2002, 858 people commenced employment in the Department as ongoing or non-ongoing staff under the Public Service Act 1999.
Notwithstanding this recruitment, after separations are taken into account there has been little overall change in staffing levels in the past 24 months. The following table details the number of people employed by the Department during the period in question.

<table>
<thead>
<tr>
<th>Year</th>
<th>Number of Employees</th>
</tr>
</thead>
<tbody>
<tr>
<td>As at 30 June 2000</td>
<td>3949</td>
</tr>
<tr>
<td>As at 30 June 2001</td>
<td>4270</td>
</tr>
<tr>
<td>As at 30 June 2002</td>
<td>4058</td>
</tr>
</tbody>
</table>

There was moderate growth in the staffing level in 2000-2001 and a decline in the staffing level in 2001-2002.

Senior Assistant Secretary is a title assigned to two Assistant Secretaries in recognition of their skills, experience and important role within their relevant Divisions as senior Branch Heads. The two individuals are Christine Sykes and Jennifer Bryant.

The duties of the positions occupied by the two individuals are those of a Senior Executive Band 1.

**Immigration: Asylum Seekers**

(Question No. 640)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

1. Does the Department of Finance and Administration (DOFA) have a purchase agreement in which it pays his Department for each unauthorised arrival; if not, is there any agreement between DOFA and his Department; if so, what are its terms.

2. If there is no agreement, how is his Department funded for unauthorised arrivals.

3. If a purchase agreement does exist, is it a fact that no more asylum seekers are coming to Australia but money has continued to be provided to his Department by DOFA; if so, for what is the money being used.

4. Has DOFA requested the money to be refunded, given the success of the Pacific solution and naval patrols in acting as a deterrent; if so, what has his Department’s response been.

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

1. My Department operates under a Purchasing Agreement with the Department of Finance and Administration. Under this Agreement, my Department receives funding for:
   - the reception and processing of unauthorised boat arrivals – funded on a per person basis;
   - the processing of Protection Visa applications – funded on a per person finalised basis;
   - the detention of unauthorised boat arrivals – funded on a per person per day basis, with the rate depending on the stage of the process the person is at; and
   - the removal from Australia of unauthorised boat arrivals – funded on a per person removed basis.

The Purchasing Agreement was developed during early 2001 and applies from July 2001. With the introduction of offshore processing from September 2001, my Department receives funding under Output 1.5, Offshore asylum seeker management, for expenses incurred implementing the offshore processing strategy. Details of funding for Output 1.5 are provided in the Department of Immigration and Multicultural and Indigenous Affairs’ (DIMIA) 2001-02 Portfolio Additional Estimates Statement and 2002-03 Portfolio Budget Statement.

2. Please refer to the answer to part (1).

3. Under the terms of the Purchasing Agreement, DIMIA is funded only for the reception, processing and detention of unauthorised boat arrivals to the extent of each of these activities. If there are no unauthorised arrivals during 2002-03, DIMIA will not receive any funding for reception or processing. However, funding is required in 2002-03 for the ongoing detention of those unauthorised arrivals whose applications for protection were unsuccessful and who were on the mainland prior
to the implementation of the offshore processing strategy, and pending their removal from Australia.

(4) Any funding provided to DIMIA in excess of its entitlement under the Purchasing Agreement is repaid to the Consolidated Revenue Fund (in effect, returned to the Department of Finance and Administration). The 2002-03 Budget funding is based on estimated arrival numbers and offshore processing capacity as at March 2002. At that time it was expected that no additional unauthorised arrivals seeking asylum would be processed on the mainland. Accordingly, there has been a reduction in funding requirements for my Department over 2002-03 and the forward years of $350m to reflect this. This measure is identified under the item “Onshore savings flowing from the offshore processing strategy” in Budget Paper No. 2, Budget Measures 2002-03 on page 137.

Christmas Island: Mining
(Question No. 645)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

(1) Has the Government been negotiating with Christmas Island Phosphates (CIP) over the land for the detention centre.

(2) Is it a fact that CIP holds the lease for the land where the centre is to be constructed and CIP wants massive compensation.

(3) Can the Government guarantee the construction of the detention centre at Christmas Island will be delivered on budget.

(4) Has the Government been advised that the budgeted $219 million is insufficient, if so, what are the causes of the cost overrun.

(5) Has an agreement between CIP and the Government been finalised, if so, what is its content.

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

(1) Yes.

(2) Christmas Island Phosphates did hold a mining lease over the land on which the detention centre is to be constructed. The land has been resumed in accordance with the provisions of the lease and arbitration proceedings have commenced to determine compensation.

(3) and (4) Costings are not available because there is not an approved design.

(5) No, arbitration proceedings are underway.

Immigration: Sponsored Employment
(Question No. 646)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

(1) What information is provided to sponsored employees about their rights and entitlements.

(2) Do sponsored employees automatically receive from his Department a copy of the contract between the sponsoring employer and his Department which stipulates the wages and entitlements of the employee.

(3) What does his Department do to ensure sponsored employees are immediately paid wages and other entitlements on learning of cases similar to that of Rados Stevanovic.

(4) Can he provide an update on the progress of the resolution of Mr Stevanovic’s case.

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

(1) Applicants for a Temporary Business (Long Stay) visa have access to the information booklet “Sponsoring a temporary overseas employee to Australia”. This booklet includes information about the sponsor’s undertaking to comply with relevant Australian industrial relations laws, Australian levels of remuneration and conditions of employment.

The visa application form also informs the visa applicant that the sponsor has agreed to undertakings relating to their employment. Visa applicants also receive from their sponsor a copy of the letter from the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) noti-
fying their sponsor of the approval of the nomination application. This letter includes details of the approved position and the agreed salary level.

(2) To be approved as a business sponsor, employers are required to sign an undertaking that they will comply with Australian industrial relations laws, levels of remuneration and conditions of employment. The undertaking also requires employers to meet obligations relating to taxation, superannuation and health cover. In nominating a position to be filled by an overseas worker, the sponsoring employer must include details of the salary to be paid to the nominated person, and the hours of work.

The sponsored employee receives copies of this material and must provide to DIMIA a copy of their employment contract or offer of employment, as evidence that they are aware of the salary which they are to be paid in Australia when they apply for the visa, when making their visa application. The details of the employment contract are, however, a matter between the sponsored employee and their employer.

(3) Monitoring of business sponsors approved under the Temporary Business (Long Stay) program includes written replies from sponsors to questions relating to their undertakings. Site visits of selected sponsors are also undertaken to check the accuracy of the written returns.

In cases such as that of Mr Stevanovic, where the Department becomes aware through normal monitoring activities of underpayment or a breach of other undertakings on the part of an approved sponsor, the matter is investigated. The sponsor is notified of the breach and invited to comment on the findings. Steps are taken to cancel the sponsorship if it is in effect, and the sponsor advised that the breach of their undertakings will be taken into account in future sponsorship applications. Where possible breaches of Australian law may have occurred, details are referred to other agencies, such as the Department of Employment and Workplace Relations, the relevant State Department of Industrial Relations, or the Australian Taxation Office, for further investigation and appropriate action.

While these actions are of assistance to sponsored employees, my Department is not involved in the recovery of any unpaid wages. This is a matter for the sponsored employee to pursue through appropriate legal and other channels. Sponsored employees have exactly the same avenues for recourse available to them as Australian workers.

(4) Mr Stevanovic was granted a permanent residence visa on 15 August 2002. He is now arranging for his family to join him in Australia.

A letter was sent to the sponsor on 1 August 2002 outlining the failure to abide by the sponsorship undertakings. The sponsor was advised that this breach will be taken into account should the sponsor seek to sponsor the entry of other employees in the future. The sponsor’s possible breaches of other laws have been referred to relevant authorities for them to follow up.

Immigration: Villawood Detention Centre
(Question No. 648)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:
Has the number of people processing visitors at Villawood Detention Centre been reduced from 2 to 1; if so, (a) did his Department authorise the cutback and (b) is the cutback due to Commonwealth cutbacks in any way.

Mr Ruddock—The answer to the honourable member’s question is as follows:
The number of people processing visitors in the two visit reception areas at Villawood Immigration Detention Centre has not been reduced.

Immigration: Zimbabwe
(Question No. 655)

Ms Gillard asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:
Is he aware of a recent report in Albury Wodonga’s The Border Mail outlining a scheme under which Zimbabwean farmers would come to Australia; if so, under which scheme would these farmers come to Australia.
Mr Ruddock—The answer to the honourable member’s question is as follows:
I am aware of the article referred to by the honourable member for Lalor.
There are no special immigration arrangements for applications from Zimbabwean farmers. A range of visa programs is available to skilled farmers or skilled farm workers who wish to apply to work in Australia temporarily or migrate to Australia.
The Business Skills program provides for the entry of people with strong business records who wish to establish a business in Australia.
The Employer Nomination Scheme (ENS) enables Australian employers to fill highly skilled vacancies with applicants from overseas, where the position cannot be filled from the Australian labour market.
The Regional Sponsored Migration Scheme (RSMS) enables employers in regional or low population areas of Australia to fill skilled vacancies that cannot be filled from the local labour market.
The Temporary Business (Long Stay) visa enables Australian employers to sponsor skilled workers from overseas for a temporary stay to meet skill shortages.
Any of these visa categories could be used by farmers from any part of the world.

Broadcasting Services Amendment (Media Ownership) Bill 2002
(Question No. 661)

Mr Murphy asked the Prime Minister, upon notice, on 19 August 2002:
(1) Further to his reply to parts (3) and (4) of question No. 476, will he request a senior officer from either his office or that of the Minister for Communications, Information Technology and the Arts to contact on his behalf, or that of the Minister, the former Deputy Leader of the Liberal Party and Minister for Communications, Mr Neil Brown QC, to discuss Mr Brown’s grave concerns with the Government’s Broadcasting Services Amendment (Media Ownership) Bill 2002; if not, why not.
(2) Will he act on the advice of Mr Brown; if not, why not.

Mr Howard—The answer to the honourable member’s question is as follows:
(1)-(2) Mr Brown’s views were made clear in the article published in ‘The Age’ on 29 May 2002. He is one of many people who have expressed an opinion in relation to the Broadcasting Services Amendment (Media Ownership) Bill 2002. In formulating its policy on media ownership the Government has taken into account a broad range of different opinions and the Broadcasting Services Amendment (Media Ownership) Bill 2002, and any further amendments brought forward by the Government represent the implementation of Government policy in this area.

Immigration: Unauthorised Arrivals
(Question No. 694)

Mr Martin Ferguson asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:
(1) Further to the answer to question No. 349 concerning the unlawful arrival of non-citizens to Australia by sea, what were the terms of reference of the internal review of immigration processes for persons arriving in Australia.
(2) When was the review commenced and completed.
(3) Who conducted the review and what did it cost.
(4) Were submissions sought from interested parties other than the Department of Transport and Regional Services, the Attorney-General’s Department and the Australian Customs Service.
(5) What action has been taken by his Department as a result of the review.
(6) Are crew members entering Australia by ship still covered under the Special Purpose Visa; if so, (a) what checks are carried out by his Department regarding character issues of any crew on ships and (b) are there any checks carried out against his Department’s movement alert list; if not, why is this the only visa category that is exempt.

Mr Ruddock—The answer to the honourable member’s question is as follows:
(1) As I indicated in my answer to question 349 (Hansard 19 August 2002 page 4890) the review was conducted internally. There were no formal terms of reference.
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(2) The review commenced in November 2000 and was completed in January 2002.

(3) Officers of my Department conducted the review and the costs were met internally.

(4) As I indicated in my answer to question 349, my Department sought comment from the Departments of Transport and Regional Services, the Attorney General and the Australian Customs Service. No other agencies were consulted.

(5) As a result of the review, amendments to s 33 of the Migration Act were included in the Migration Legislation Amendment Bill (No. 1) 2002. These changes related to the timing of the cessation of Special Purpose Visas where I have declared that it is undesirable for a person, such as a ships deserter, to remain in Australia. The legislation is still before Parliament. Other changes to the level of penalties that can be imposed for offences by ship Masters are under discussion.

(6) Yes, as indicated in response to question 348 of 14 May 2002, crew of non-military ships entering and departing Australia during the course of their voyage are taken to hold Special Purpose Visas. The Australian Customs Service (ACS) checks details of all crew and passengers on each ship entering Australia against ACS and the Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) alert lists and reports to DIMIA if there are any persons of concern on a ship. This includes a check against the DIMIA Movement Alert List.

Aviation: Electronic Passenger Movement Processing

(Question No. 695)

Mr Martin Ferguson asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

(1) What are the time lines set up by his Department for processing of passenger movements cards electronically and was the system due to be ready by the 2000 Olympics.

(2) What was the original Budget allocation for setting up the system and if the project is two years behind schedule, to what sum over Budget has the project blown out.

(3) Have any airlines produced their own versions of the cards due to the delay; if so, how has this impacted on providing a streamlined system.

(4) Has this lack of data impacted on the capacity of airlines to plan for future markets.

(5) Will the information still be relevant given the backlog of information.

(6) Has his Department contracted another organisation to carry out the work; if so what is the contractor’s experience in this area.

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

(1) The new processing system was not intended to be in place in time for the 2000 Olympics. Processing of arrivals and departures for that event was not dependent on this system. The contract for the electronic processing of passenger cards was signed in August 2000. However, the introduction of the new system was delayed by technical problems associated with the variety of passenger cards in use 2000-01 which did not consistently meet the specific formatting and colour specifications suitable for scanning. As a result, cards for 2000-01 are being manually processed and data is being provided to ABS as processing progresses. ABS now has the data from August 2000 to November 2000 with final data for the period December 2000 to end June 2001 expected to be provided by December 2002. Electronic processing of cards from July 2001 has proceeded ahead of that for 2000-01, as agreed with data users. The Australian Bureau of Statistics received data for the period July 2001 to December 2001 in March 2002 and data for the period January to June 2002 progressively as processing was completed with data for June 2002 provided in July 2002. Data for July 2002 was available to the ABS on 21st August 2002 and it is expected that data for a reference month will continue to be provided to ABS by the end of the following month.

(2) Funding of the new system was not undertaken as a Budget initiative and costs associated with its development, introduction and ongoing maintenance have been met from portfolio funds. The original estimate for the new system was around $15 million over five years. The need to accelerate data capture to recover backlogs created by the delays experienced and to incorporate variations to the process to improve outcomes, has added $3.27 million to the end of June 2002. The project is now operating to expectations and all backlogs should be resolved by the end of 2002.
(3) No airlines have produced their own passenger cards due to the delay. The Passenger Card processing system has no relationship to airline or border processing but some airlines do have passenger cards printed to carry their logos and these cards are produced to DIMIA specifications.

(4) I am not aware of any instances where there has been an impact on the ability of airlines to plan for future markets due to the delay in processing. Data generated from border clearance processes has been available before, during and after the development of the new passenger card processing system.

(5) I am advised that the Australian Bureau of Statistics, the Bureau of Tourism Resources and the Department of Transport and Regional Services regard the information as relevant.

(6) The manual processing of the 2000-01 passenger cards and the electronic processing of other passenger cards are being undertaken by the same contractor.

**Drugs: Programs**

(Question No. 726)

Ms Burke asked the Minister for Employment and Workplace Relations, upon notice, on 19 August 2002:

1. Does the Minister’s Department administer any programs relating to illicit drug use.
2. If so, what has been the level of expenditure on these programs in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002.
3. In relation to programs which have allowed organisations to apply for funding for the delivery of services or programs, (a) what is the name of each program and (b) what was the level of expenditure in each State in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002.
4. In relation to funding under these programs, (a) how many applications were received from within the electoral divisions of (i) Chisholm, (ii) Aston, (iii) Deakin, (iv) Latrobe and (v) Casey, (b) what is the name of each organisation that submitted an application, (c) what was the purpose of the funding being sought in each case, (d) what was the value of funding sought in each case and (e) if the application was successful, (i) what level of funding was granted and (ii) in which federal electoral division is the organisation located.
5. In relation to programs that do not provide for organisations to apply for funding, what was the level of expenditure for each program in the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002.

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

1. My department does not administer any programmes relating to illicit drug use.
2. Not Applicable.
3. Not Applicable.
5. Not Applicable.

**Drugs: Programs**

(Question No. 727)

Ms Burke asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 19 August 2002:

1. Does the Minister’s Department administer any programs relating to illicit drug use.
2. If so, what has been the level of expenditure on these programs in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002.
3. In relation to programs which have allowed organisations to apply for funding for the delivery of services or programs, (a) what is the name of each program and (b) what was the level of expenditure in each State in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002.
(4) In relation to funding under these programs, (a) how many applications were received from within the electoral divisions of (i) Chisholm, (ii) Aston, (iii) Deakin, (iv) Latrobe and (v) Casey, (b) what is the name of each organisation that submitted an application, (c) what was the purpose of the funding being sought in each case, (d) what was the value of funding sought in each case and (e) if the application was successful, (i) what level of funding was granted and (ii) in which federal electoral division is the organisation located.

(5) In relation to programs that do not provide for organisations to apply for funding, what was the level of expenditure for each program in the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002.

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

(1)-(5) The Department of Immigration and Multicultural and Indigenous Affairs does not administer any programs relating to illicit drug use.

**Drugs: Programs**

(Question No. 732)

Ms Burke asked the Minister for Industry, Tourism and Resources, upon notice, on 19 August 2002:

(1) Does the Minister’s Department administer any programs relating to illicit drug use.

(2) If so, what has been the level of expenditure on these programs in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002.

(3) In relation to programs which have allowed organisations to apply for funding for the delivery of services or programs, (a) what is the name of each program and (b) what was the level of expenditure in each State in (a) 1996-97, (b) 1997-98, (c) 1998-99, (d) 1999-2000, (e) 2000-2001 and (f) 2001-2002 on each program.

(4) In relation to funding under these programs, (a) how many applications were received from within the electoral divisions of (i) Chisholm, (ii) Aston, (iii) Deakin, (iv) Latrobe and (v) Casey, (b) what is the name of each organisation that submitted an application, (c) what was the purpose of the funding being sought in each case, (d) what was the value of funding sought in each case and (e) if the application was successful, (i) what level of funding was granted and (ii) in which federal electoral division is the organisation located.

(5) In relation to programs that do not provide for organisations to apply for funding, what was the level of expenditure for each program in the electoral divisions of (a) Chisholm, (b) Aston, (c) Deakin, (d) Latrobe and (e) Casey in (i) 1996-97, (ii) 1997-98, (iii) 1998-99, (iv) 1999-2000, (v) 2000-2001 and (vi) 2001-2002.

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

(1) No. The Department of Industry, Tourism and Resources does not administer any programs relating to illicit drug use.

The Australian Government Analytical Laboratories (AGAL) does provide a user pays service to the Australian Federal Police (AFP), the various state police services and to the Australian Customs Service for the identification and quantification of drug seizures. Similarly AGAL operates the Australian Sports Drug Testing Laboratory as a fee for service facility which provides drugs in sport testing to the Australian Sports Drug Agency (ASDA). This testing program is administered by ASDA which does not fall within the Industry, Tourism and Resources portfolio.

AGAL also takes part in the National Heroin Signature Program which attempts to define geographical sources of illicit drugs. This program is administered by the AFP.

(2)-(5) Not applicable.

**Throsby Electorate: Child Care**

(Question No. 780)

Ms George asked the Minister for Children and Youth Services, upon notice, on 19 August 2002:
(1) How many Commonwealth funded places for outside of school hours care, broken down into the three service types of (a) Before School Care, (b) After School Care and (c) Vacation Care, are there in the (i) electoral division of Throsby in total and (ii) post code areas of (A) 2502, (B) 2505, (C) 2506, (D) 2526, (E) 2527, (F) 2528, (G) 2529, (H) 2530 and (I) 2533.

(2) Which organisations in the electoral division of Throsby coordinate the provision of these services.

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

(1) (i) The following table shows the number of Commonwealth funded places for outside school hours care, broken down into the three service types of (a) Before School Care, (b) After School Care and (c) Vacation Care, in the electoral division of Throsby in total.

<table>
<thead>
<tr>
<th>Service Type</th>
<th>No. of places</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASC</td>
<td>340</td>
</tr>
<tr>
<td>BSC</td>
<td>125</td>
</tr>
<tr>
<td>VAC</td>
<td>340</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>805</strong></td>
</tr>
</tbody>
</table>

ASC - After School Hours Care, BSC - Before School Hours Care, VAC - Vacation Care

(ii) The following table shows the number of Commonwealth funded places for outside school hours care, broken down into the three service types of (a) Before School Care, (b) After School Care and (c) Vacation Care, in post code areas of (A) 2502, (B) 2505, (C) 2506, (D) 2526, (E) 2527, (F) 2528, (G) 2529, (H) 2530 and (I) 2533.

<table>
<thead>
<tr>
<th>Postcodes</th>
<th>Service Type</th>
<th>(A)</th>
<th>(B)</th>
<th>(C)</th>
<th>(D)</th>
<th>(E)</th>
<th>(F)</th>
<th>(G)</th>
<th>(H)</th>
<th>(I)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ASC</strong></td>
<td></td>
<td>0</td>
<td>5</td>
<td>15</td>
<td>60</td>
<td>5</td>
<td>45</td>
<td>5</td>
<td>51</td>
<td>1</td>
</tr>
<tr>
<td><strong>BSC</strong></td>
<td></td>
<td>0</td>
<td>5</td>
<td>0</td>
<td>5</td>
<td>45</td>
<td>30</td>
<td>30</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td><strong>VAC</strong></td>
<td></td>
<td>20</td>
<td>50</td>
<td>30</td>
<td>50</td>
<td>40</td>
<td>50</td>
<td>50</td>
<td>60</td>
<td>5</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>20</td>
<td>50</td>
<td>75</td>
<td>85</td>
<td>170</td>
<td>85</td>
<td>125</td>
<td>195</td>
<td>165</td>
</tr>
</tbody>
</table>

ASC - After School Hours Care, BSC - Before School Hours Care, VAC - Vacation Care

Note: Postcode boundaries do not exactly match Commonwealth Electoral Boundaries.

(2) The following table shows which organisations coordinate the provision of these services in the electoral division of Throsby.

<table>
<thead>
<tr>
<th>Organisation Sponsor</th>
<th>Service type</th>
<th>No. of services</th>
<th>No. of places</th>
</tr>
</thead>
<tbody>
<tr>
<td>Illawarra Childrens Services Ltd</td>
<td>ASC</td>
<td>4</td>
<td>195</td>
</tr>
<tr>
<td></td>
<td>BSC</td>
<td>2</td>
<td>80</td>
</tr>
<tr>
<td></td>
<td>VAC</td>
<td>5</td>
<td>190</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>11</strong></td>
<td><strong>465</strong></td>
</tr>
<tr>
<td>Barnardos Australia</td>
<td>ASC</td>
<td>1</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>BSC</td>
<td>1</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>VAC</td>
<td>3</td>
<td>100</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>5</strong></td>
<td><strong>145</strong></td>
</tr>
<tr>
<td>Koonawarra Area Residents Association</td>
<td>ASC</td>
<td>2</td>
<td>115</td>
</tr>
<tr>
<td></td>
<td>BSC</td>
<td>1</td>
<td>30</td>
</tr>
<tr>
<td></td>
<td>VAC</td>
<td>1</td>
<td>50</td>
</tr>
<tr>
<td></td>
<td><strong>Total</strong></td>
<td><strong>4</strong></td>
<td><strong>195</strong></td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td><strong>20</strong></td>
<td><strong>805</strong></td>
</tr>
</tbody>
</table>

ASC - After School Hours Care, BSC - Before School Hours Care, VAC - Vacation Care.
Employment: Working Hours
(Question No. 782)

Mr McClelland asked the Minister for Employment and Workplace Relations, upon notice, on 20 August 2002:

Has his Department conducted research in respect of the proportion of employees that are working unpaid overtime; if so, what does that research reveal about trends in unpaid overtime in the Australian workforce.

Mr Abbott—The answer to the honourable member’s question is as follows:
The Department has not conducted any research in respect of the proportion of employees that are working unpaid overtime. However, the Department did provide recent ABS data on the proportion of employees working unpaid overtime to the Reasonable Hours Test Case, which was contested before the Australian Industrial Relations Commission. The data shows that the proportion of all employees who regularly work unpaid overtime has fallen over the past five years. According to the ABS Working Arrangements Survey (Cat No.6342.0), 12 per cent of employees regularly worked unpaid overtime in 1995, compared to 11 per cent of employees in 2000.

Education: Higher Education Contribution Scheme
(Question No. 794)

Mr Martin Ferguson asked the Minister for Education, Science and Training, upon notice, on 20 August 2002:

Further to the answer to question No. 563 concerning discounted Higher Education Contribution Scheme fees, what does the information provided in his answer represent in revenue forgone for each of the past five academic years.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) There is no revenue foregone in the provision of the 25% discount for upfront payment of Higher Education Contribution Scheme (HECS) liabilities.

(2) The provision of the 25% discount for upfront payment of HECS represents an expense to the Commonwealth. The Commonwealth pays the amount of the 25% discount to universities for upfront HECS payments made by students. This expense is calculated on a financial year basis and in each of the past five financial years has amounted to the following sums:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Revenue</td>
<td>$75m</td>
<td>$87m</td>
<td>$88m</td>
<td>$89m</td>
<td>$93m</td>
</tr>
</tbody>
</table>

Immigration: Ireland
(Question No. 836)

Mrs Crosio asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 21 August 2002:

(1) Will the visa office at the Australian Embassy in Dublin close on 1 October 2002.

(2) Will visa applicants in the Republic of Ireland have to either apply through the Australian visa office in London, or through the internet to receive a visa for entry to Australia.

(3) Will Irish applicants who apply for Australian visas in the London office be able to pay for their visa in Euros.

(4) As at 19 August 2002, how many people are employed at the Australian embassy in Dublin, and of these, how many are (a) locally engaged and (b) Australian engaged staff, and by which Commonwealth Government departments are these staff employed.

(5) After the closure of the visa office in the Australian Embassy in Ireland, how many employees will be (a) locally engaged and (b) Australian engaged, and by which Commonwealth Government departments will each of these staff be employed.
(6) What is the total cost to the Commonwealth associated with closing the visa office in Dublin embassy, including (a) all staff redundancy payments and costs, (b) costs of re-locating and transporting staff and (c) all costs involved in the process of moving Australian visas services to London.

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

(1) The new arrangements will be introduced progressively, with existing visa services being fully transferred and the visa office closing by 1 October 2002.

(2) Residents of Ireland now have a range of new and more streamlined options available to access visa services, including applying through travel agents, over the internet and in limited circumstances directly to London or Australia.

For example:

- People wishing to travel to Australia can be granted a short-term tourist or business visa, called an Electronic Travel Authority (ETA), at their travel agent while booking an airline ticket. Most travel agents and international airlines in Ireland can provide ETA visas. Last year, of the approximately 30,000 visitor visas issued to Irish nationals, 93% or approximately 28,000 were accessed through travel agents or airlines.

- Individuals can also get tourist, student and working holiday maker visas, known as eVisas, over the internet. Over 85% of the current caseload at the Australian visa services in Dublin are working holiday maker applicants who can now apply for an eVisa over the internet.

- With the introduction of skilled migration processing in Adelaide and Business Skills visa processing in Perth, these applications are now lodged and processed in Australia.

- Clients who wish to lodge an application for Migration to Australia under the Family Migration Program will need to forward their application to the Migration Branch at the Australian High Commission in London.

Irish residents interested in travelling to Australia will still be able to get application forms and other visa information at the Embassy in Dublin or from the internet. The Department has also developed an information strategy, ensuring that our Irish clients are aware of the new arrangements.

(3) Payment of the visa application charge for applications sent to London need to be made in Pounds Sterling.

(4) (a)-(b) Locally-engaged employees have managed Dublin’s immigration operations since July 1997, with my Department employing 3 locally-engaged staff as at 19 August 2002. In relation to staffing levels for other agencies at the post, the Embassy has a small number of Australian-based officers, including the Ambassador, (all from the Department of Foreign Affairs and Trade) and locally-engaged staff. The Australian Trade Commission and the Australian Federal Police have non-resident accredited officers from the Australian High Commission in London. In relation to particular staffing levels for other agencies: this question should be directed to the agencies concerned.

(5) (a)-(b) After the closure of the visa office in the Australian Embassy in Ireland, The Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) staffing presence will be fully withdrawn. On the question of projected staffing levels for other agencies: your question should be directed to the relevant agency.

(6) (a)-(c) The projected total residual cost to the Commonwealth associated with closing the visa office and moving the visa services to London is AUD$4,084,250. This figure represents a $8,725,750 saving over the cost of continuing visa services for the period of the current Dublin lease (29 years). If any of the office space can be sublet or used by other Commonwealth agencies, this cost may be reduced. Staff redundancies amount to approximately AUD$300,000. No DIMIA staff in Dublin will be relocated after the visa section’s closure.

Immigration: Asylum Seekers

(Question No. 848)

Mr Beazley asked the Minister for Immigration and Multicultural and Indigenous Affairs, upon notice, on 22 August 2002:

(1) Further to his reply to question No. 576 (Hansard, 19 August 2002, page 5170), what were the countries of origin of the 252 unauthorised boat arrivals who made landfall in the Torres Strait since 1991.
(2) What were the countries of origin of those assisted to apply for protection visas and those removed from Australia.

(3) In which years did these unauthorised persons arrive.

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

(1) The countries of origin of the 252 unauthorised arrivals who made landfall in the Torres Strait since 1991 were Afghanistan (19), Algeria (1), Bangladesh (1), India (3), Indonesia (Irian Jaya) (51), Iran (3), Iraq (4), Morocco (1), Nigeria (1), People’s Republic of China (142), Poland (12), Romania (11), Somalia (1) and Sri Lanka (2).

(2) The countries of origin for the persons who were assisted to apply for a protection visa were Afghanistan, Algeria, Bangladesh, India, Iran, People’s Republic of China, Poland and Romania. The countries of origin for those persons who were removed from Australia, including those who had applied for a protection visa and were refused, were Bangladesh, Indonesia (Irian Jaya), Iran, Morocco, Nigeria, People’s Republic of China, Poland, Romania, Somalia and Sri Lanka.