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SITTING DAYS—2003

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- BRISBANE 936 AM
- MELBOURNE 1026 AM
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- PERTH 585 AM
- HOBART 729 AM
- DARWIN 102.5 FM
FORTIETH PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Governor-General
His Excellency Major-General Michael Jeffery, Companion in the Order of Australia, Commander of the Royal Victorian Order, Military Cross

House of Representatives Officeholders
Speaker—The Hon. John Neil Andrew MP
Deputy Speaker—The Hon. Ian Raymond Causley MP
Second Deputy Speaker—Mr Harry Alfred Jenkins MP
Members of the Speaker’s Panel—Mr David Peter Maxwell Hawker, Mr Philip Anthony Barresi, Ms Teresa Gambaro, Mr Peter John Lindsay, Hon. Bruce Craig Scott, Hon. Dick Godfrey Harry Adams, Mr Frank William Mossfield AM, Hon. Leo Roger Spurway Price, Mr Kimberley William Wilkie, Ms Ann Kathleen Corcoran

Leader of the House—The Hon. Anthony John Abbott MP
Deputy Leader of the House—The Hon. Peter John McGauran MP
Manager of Opposition Business—Mr Mark Latham MP
Deputy Manager of Opposition Business—Ms Julia Gillard MP

Party Leaders and Whips
Liberal Party of Australia
Leader—The Hon. John Winston Howard MP
Deputy Leader—The Hon. Peter Howard Costello MP
Chief Government Whip—Mr James Eric Lloyd MP
Government Whips—Mrs Joanna Gash MP and Mr Fergus Stewart McArthur MP

National Party of Australia
Leader—The Hon. John Duncan Anderson MP
Deputy Leader—The Hon. Mark Anthony James Vaile MP
Whip—Mr John Alexander Forrest MP
Assistant Whip—Mr Paul Christopher Neville MP

Australian Labor Party
Leader—The Hon. Simon Findlay Crean MP
Deputy Leader—Jennifer Louise Macklin MP
Chief Opposition Whip—The Hon. Janice Ann Crosio MBE MP
Opposition Whips—Mr Michael Danby MP and Mr Harry Vernon Quick MP

Printed by authority of the House of Representatives
### Members of the House of Representatives

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<tr>
<td>Williams, Hon. Daryl Robert, AM, QC</td>
<td>Tangney, WA</td>
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<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind.</td>
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<tr>
<td>Worth, Hon. Patricia Mary</td>
<td>Adelaide, SA</td>
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<tr>
<td>Zahra, Christian John</td>
<td>McMillan, Vic</td>
<td>ALP</td>
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PARTY ABBREVIATIONS
ALP—Australian Labor Party; LP—Liberal Party of Australia; NPA—National Party of Australia; Ind.—Independent; CLP—Country Liberal Party; AG—Australian Greens

Heads of Parliamentary Departments
Clerk of the Senate—H. Evans
Clerk of the House of Representatives—I.C. Harris
Departmental Secretary, Parliamentary Library—J.W. Templeton
Departmental Secretary, Parliamentary Reporting Staff—J.W. Templeton
Departmental Secretary, Joint House Department—M.W. Bolton
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<tr>
<td>Prime Minister</td>
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<td>Minister for Transport and Regional Services and Deputy Prime Minister</td>
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<tr>
<td>Treasurer</td>
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<tr>
<td>Minister for Trade</td>
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<tr>
<td>Minister for Defence and Leader of the Government in the Senate</td>
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<tr>
<td>Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate</td>
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<tr>
<td>Minister for Foreign Affairs</td>
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<tr>
<td>Minister for Employment and Workplace Relations, Minister Assisting the Prime Minister for the Public Service and Leader of the House</td>
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<tr>
<td>Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation</td>
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<tr>
<td>Minister for the Environment and Heritage and Vice-President of the Executive Council</td>
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<tr>
<td>Attorney-General</td>
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<tr>
<td>Minister for Finance and Administration</td>
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<td>Minister for Agriculture, Fisheries and Forestry</td>
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<td>Minister for Family and Community Services and Minister Assisting the Prime Minister for the Status of Women</td>
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<td>Minister for Education, Science and Training</td>
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<td>Minister for Health and Ageing</td>
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<td>Minister for Industry, Tourism and Resources</td>
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<tr>
<td>The Hon. John Winston Howard MP</td>
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<tr>
<td>The Hon. John Duncan Anderson MP</td>
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<td>The Hon. Peter Howard Costello MP</td>
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<td>The Hon. Mark Anthony James Vaile MP</td>
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<td>Senator the Hon. Robert Murray Hill</td>
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<td>Senator the Hon. Richard Kenneth Robert Alston</td>
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<td>The Hon. Alexander John Gosse Downer MP</td>
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<td>The Hon. Anthony John Abbott MP</td>
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<td>The Hon. Philip Maxwell Ruddock MP</td>
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<td>The Hon. Dr David Alistair Kemp MP</td>
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<td>The Hon. Daryl Robert Williams AM, QC, MP</td>
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<td>Senator the Hon. Nicholas Hugh Minchin</td>
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<td>The Hon. Warren Errol Truss MP</td>
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<td>Senator the Hon. Amanda Eloise Vanstone</td>
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<tr>
<td>The Hon. Dr Brendan John Nelson MP</td>
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<td>Senator the Hon. Kay Christine Lesley Patterson</td>
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<tr>
<td>The Hon. Ian Elgin Macfarlane MP</td>
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(The above ministers constitute the cabinet)
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Minister for Justice and Customs
Senator the Hon. Christopher Martin Ellison

Minister for Fisheries, Forestry and Conservation
Senator the Hon. Ian Douglas Macdonald

Minister for the Arts and Sport
Senator the Hon. Charles Roderick Kemp

Minister for Small Business and Tourism
The Hon. Joseph Benedict Hockey MP

Minister for Science and Deputy Leader of the House
The Hon. Peter John McGauran MP

Minister for Regional Services, Territories and Local Government
The Hon. Charles Wilson Tuckey MP

Minister for Children and Youth Affairs
The Hon. Lawrence James Anthony MP

Minister for Employment Services
The Hon. Malcolm Thomas Brough MP

Special Minister of State
Senator the Hon. Eric Abetz

Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
The Hon. Danna Sue Vale MP

Minister for Revenue and Assistant Treasurer
Senator the Hon. Helen Coonan

Minister for Ageing
The Hon. Kevin James Andrews MP

Minister for Citizenship and Multicultural Affairs
The Hon. Gary Douglas Hardgrave MP

Parliamentary Secretary to the Prime Minister
The Hon. Jacqueline Marie Kelly MP

Parliamentary Secretary to the Minister for Transport and Regional Services
Senator the Hon. Ronald Leslie Doyle Boswell

Parliamentary Secretary to the Treasurer and Manager of Government Business in the Senate
Senator the Hon. Ian Gordon Campbell

Parliamentary Secretary to the Minister for Foreign Affairs
The Hon. Christine Ann Gallus MP

Parliamentary Secretary to the Minister for Defence
The Hon. Frances Esther Bailey MP

Parliamentary Secretary to the Minister for the Environment and Heritage
The Hon. Dr Sharman Nancy Stone MP

Parliamentary Secretary to the Minister for Finance and Administration
The Hon. Peter Neil Slipper MP

Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
Senator the Hon. Judith Mary Troeth

Parliamentary Secretary to the Minister for Family and Community Services
The Hon. Ross Alexander Cameron MP

Parliamentary Secretary to the Minister for Health and Ageing
The Hon. Patricia Mary Worth MP

Parliamentary Secretary to the Minister for Industry, Tourism and Resources
The Hon. Warren George Entsch MP
# SHADOW MINISTRY

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<thead>
<tr>
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<tbody>
<tr>
<td>Leader of the Opposition</td>
<td>The Hon. Simon Findlay Crean MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Employment,</td>
<td>Jenny Macklin MP</td>
</tr>
<tr>
<td>Education and Training</td>
<td></td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate, Shadow Special Minister of State</td>
<td>Senator the Hon. John Philip Faulkner</td>
</tr>
<tr>
<td>and Shadow Minister for Home Affairs</td>
<td></td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Minister for</td>
<td>Senator Stephen Conroy</td>
</tr>
<tr>
<td>Trade, Corporate Governance, Financial Services and Small Business</td>
<td></td>
</tr>
<tr>
<td>Shadow Minister for Employment Services and Training</td>
<td>Anthony Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Veterans’ Affairs and Shadow Minister for Customs</td>
<td>Senator Mark Bishop</td>
</tr>
<tr>
<td>Shadow Minister for Children and Youth</td>
<td>Senator Jacinda Collins</td>
</tr>
<tr>
<td>Shadow Minister for Industry, Innovation, Science and Research and</td>
<td>Senator Kim Carr</td>
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<tr>
<td>Shadow Minister for the Public Service</td>
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<tr>
<td>Shadow Assistant Treasurer</td>
<td>David Cox MP</td>
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<tr>
<td>Shadow Minister for Ageing and Seniors and Assisting the Shadow</td>
<td>Annette Ellis MP</td>
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<tr>
<td>Minister for Disabilities</td>
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<tr>
<td>Shadow Minister for Workplace Relations</td>
<td>Craig Emerson MP</td>
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<tr>
<td>Shadow Minister for Defence</td>
<td>Senator Chris Evans</td>
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<tr>
<td>Shadow Minister for Citizenship and Multicultural Affairs</td>
<td>Laurie Ferguson MP</td>
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<tr>
<td>Shadow Minister for Urban and Regional Development and Shadow Minister</td>
<td>Martin Ferguson MP</td>
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<tr>
<td>for Transport and Infrastructure</td>
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<tr>
<td>Shadow Minister for Resources and Shadow Minister for Tourism</td>
<td>Joel Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Minister for Health and Deputy Manager of Opposition Business</td>
<td>Julia Gillard MP</td>
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<tr>
<td>Shadow Minister for Consumer Protection and Consumer Health</td>
<td>Alan Griffin MP</td>
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<tr>
<td>Shadow Treasurer and Manager of Opposition Business</td>
<td>Mark Latham MP</td>
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<tr>
<td>Shadow Minister for Information Technology, Shadow Minister for Sport</td>
<td>Senator Kate Lundy</td>
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<tr>
<td>and Shadow Minister for the Arts</td>
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<tr>
<td>Shadow Attorney-General and Shadow Minister for Justice and Community</td>
<td>Robert McClelland MP</td>
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<td>Security</td>
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<th>MP</th>
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<tbody>
<tr>
<td>Shadow Minister for Cabinet and Finance and Shadow Minister for Reconciliation and Indigenous Affairs</td>
<td>Bob McMullan MP</td>
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<tr>
<td>Shadow Minister for Heritage and Territories</td>
<td>Daryl Melham MP</td>
</tr>
<tr>
<td>Shadow Minister for Primary Industries</td>
<td>Senator Kerry O’Brien</td>
</tr>
<tr>
<td>Shadow Minister for Regional Services, Shadow Minister for Local Government and Shadow Minister for Housing</td>
<td>Gavan O’Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Population and Immigration and Assisting the Leader on the Status of Women</td>
<td>Nicola Roxon MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs</td>
<td>Kevin Rudd MP</td>
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<tr>
<td>Shadow Minister for Retirement Incomes and Savings</td>
<td>Senator the Hon. Nick Sherry</td>
</tr>
<tr>
<td>Shadow Minister for Family and Community Services</td>
<td>Wayne Swan MP</td>
</tr>
<tr>
<td>Shadow Minister for Communications</td>
<td>Lindsay Tanner MP</td>
</tr>
<tr>
<td>Shadow Minister for Sustainability and the Environment</td>
<td>Kelvin Thomson MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Leader of the Opposition)</td>
<td>John Murphy MP</td>
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<tr>
<td>Parliamentary Secretary (Manufacturing Industries)</td>
<td>Senator George Campbell</td>
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<tr>
<td>Parliamentary Secretary (Defence)</td>
<td>The Hon. Graham Edwards MP</td>
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<tr>
<td>Parliamentary Secretary (Northern Australia and the Territories) and Parliamentary Secretary (Reconciliation)</td>
<td>The Hon. Warren Snowdon MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Regional Development, Transport, Infrastructure and Tourism)</td>
<td>Christian Zahra MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Attorney-General) and Manager of Opposition Business in the Senate</td>
<td>Senator Joseph Ludwig</td>
</tr>
<tr>
<td>Parliamentary Secretary (Primary Industries)</td>
<td>Sid Sidebottom MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Family and Community Services)</td>
<td>Senator Michael Forshaw</td>
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<tr>
<td>Parliamentary Secretary (Communications)</td>
<td>Michelle O’Byrne MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Sustainability and the Environment) and Parliamentary Secretary (Heritage)</td>
<td>Kirsten Livermore MP</td>
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<tr>
<th>Position</th>
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<tbody>
<tr>
<td>Parliamentary Secretary (Leader of the Opposition)</td>
<td>John Murphy MP</td>
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<tr>
<td>Parliamentary Secretary (Manufacturing Industry)</td>
<td>Senator George Campbell</td>
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<tr>
<td>Parliamentary Secretary (Defence)</td>
<td>The Hon. Graham Edwards MP</td>
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<td>Parliamentary Secretary (Northern Australia and the Territories)</td>
<td>The Hon. Warren Snowdon MP</td>
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<tr>
<td>Parliamentary Secretary (Attorney-General) and Manager of Opposition Business in the Senate</td>
<td>Senator Joseph Ludwig</td>
</tr>
<tr>
<td>Parliamentary Secretary (Arts) and Parliamentary Secretary (Primary Industries and Resources)</td>
<td>Sid Sidebottom MP</td>
</tr>
<tr>
<td>Parliamentary Secretary (Health and Ageing)</td>
<td>John Murphy MP</td>
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<tr>
<td>Parliamentary Secretary (Family and Community Services)</td>
<td>Senator Michael Forshaw</td>
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<td>Christian Zahra MP</td>
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<tr>
<td>Parliamentary Secretary (Communications)</td>
<td>Michelle O’Byrne MP</td>
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<tr>
<td>Parliamentary Secretary (Sustainability and the Environment)</td>
<td>Kirsten Livermore MP</td>
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The SPEAKER (Mr Neil Andrew) took the chair at 12.30 p.m., and read prayers.

COMMITTEES

Foreign Affairs, Defence and Trade Committee

Report

Mr BAIRD (Cook) (12.31 p.m.)—On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I present the committee’s report entitled Expanding Australia’s trade and investment relationship with the countries of central Europe, together with evidence received by the committee.

Ordered that the report be printed.

Mr BAIRD—The report is the product of an inquiry conducted by the Trade Subcommittee through 2002 and 2003. The terms of reference for the inquiry were referred to the committee on 12 August 2002. The inquiry represents the first effort by the parliament to critically analyse trade and investment opportunities for Australia in the countries of central Europe. Not much more than a decade ago, these nations were part of the Eastern bloc of nations, with seemingly immutable economic and political ties to the USSR. The collapse of the Soviet Union and the subsequent demise of the Eastern bloc dramatically and irreversibly changed the trajectory of the countries of central Europe. Where once there were authoritarian political structures and centrally planned economies, there are now flourishing democracies and prosperous market economies. Where once there was a grey uniformity of life and industry was tied to a paternal master, there is now plurality and vibrancy and a striving to join the European Union. Central Europe has clearly changed forever.

Cognisant of the dramatic changes taking place and the opportunities such changes inevitably yield, the committee felt it was an opportune time to re-evaluate Australia’s trade and investment relations with these nations. In undertaking the inquiry, it was hoped that information about specific and general opportunities for trade and investment would emerge. This belief was borne out. This report attempts to document these opportunities and make recommendations on how the Australian government can assist Australian investors and industry to capitalise on those opportunities.

The key finding of the inquiry is that there is an information failure between Australia and central Europe. Australia’s economic strengths place it well to assist central Europe with its transition to a modern liberal democracy. Our strengths match central Europe’s needs, and its transition trajectory promises major opportunities. The synergies and the potential are there, yet substantial trade and investment between Australia and the region has failed to emerge. The main ingredient missing from this potentially fruitful economic equation is knowledge of each other’s markets and each other’s needs. The committee believes that, if this information failure were remedied, existing opportunities would drive much greater trade and investment, to the advantage of both Australia and central Europe. This conclusion is the foundation of the report.

Accordingly, the report recommends a range of measures to increase mutual awareness and mutual understanding of trade and investment opportunities. The suggested measures can be grouped into three categories. The first involves several awareness-raising activities, including: sending a senior trade mission to the region, led by the Minister for Trade; sending a senior e-commerce and e-government focused trade mission to the region, led by the Minister for Commu-
The committee’s abiding impression from the inquiry is of the dynamism and resultant opportunities in the countries of central Europe. The committee hopes that this report will focus the minds of the relevant Australian policy makers on the key issues in trade and investment relations with central Europe and provide some insights into how to enhance them.

I would like to acknowledge the assistance of the Department of Foreign Affairs and Trade and the support of Austrade during the inquiry and visit. In particular I would like to thank Alex Brooking from the Department of Foreign Affairs and Trade for his outstanding assistance, and John Price and Peter Kane from Austrade. All three did an outstanding job. The officers from the Department of Foreign Affairs and Trade both within Australia and overseas were outstanding. The hospitality provided by ambassadors and trade commissioners was excellent. Also the arrangements made in terms of coordinating the business appointments with various chambers of commerce and industry groups were particularly outstanding. We were very well served by DFAT in terms of this visit.

I would also like to acknowledge the Trade Subcommittee secretariat, Adam Cunningham and Pierre Huetter, in the conduct of the inquiry and their preparation of the report, which was not easy, especially as neither of them actually accompanied us on the visit. But we worked through that, and I was particularly grateful for the final result in terms of the report that was achieved.

Finally I think it is appropriate that I should commend my colleagues in terms of this report. Those include Senator Alan Ferguson who led the committee—when we broke into two groups—in Romania and Bulgaria. He was accompanied by Mr
Hawker on that visit, and, as with the rest of the visit, Mr Jull, Mr Prosser and Mr Thompson also accompanied us on those visits. They were particularly conscientious in their approaches to the visit, approaching it in a very workmanlike way. Senator Eggleston was involved in the program as well and contributed significantly.

We are very pleased with the outcome of the report. We approached the report initially on the basis that it would not represent particularly new opportunities but we would look at it nevertheless. What we found were new market economies that had turned their backs on the old Eastern bloc and were looking to the West in terms of opportunities, particularly in relation to e-business, land titling, hospital services and tourism services. We believe that this area of the world represents significant opportunities for Australia. In many ways, their economies are like Australia’s in the fifties and sixties and therefore they are best able to take advantage of the opportunities represented by Australia’s experience, particularly as it relates to e-commerce. That is why we made the recommendation in relation to trade missions led by the Minister for Trade and also a particular e-government mission, to be led by the minister for communications. We also looked at some of the establishment that we have and the need for an embassy to be established in Prague. This was part of our overall recommendations. I commend the report to the House.

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.

Industry and Resources Committee
Report

Mr PROSSER (Forrest) (12.40 p.m.)—On behalf of the Standing Committee on Industry and Resources, I present the committee’s report entitled Exploring: Australia’s future—impediments to increasing investment in minerals and petroleum exploration in Australia, together with the minutes of proceedings.

Ordered that the report be printed.

Mr PROSSER—On behalf of the House of Representatives Standing Committee on Industry and Resources, I have great pleasure in presenting the committee’s report, Exploring: Australia’s future—impediments to increasing investment in minerals and petroleum exploration in Australia. This inquiry arose from a reference from the Minister for Industry, Tourism and Resources received by the committee in May 2002. The minister requested that the committee inquire into and report on any impediments to increasing investment in minerals and petroleum exploration in Australia. The committee commenced its inquiry by examining the current status of resources exploration in Australia. It noted that the money spent on resource exploration had declined by over 40 per cent since the recent peak in the mid-1990s. At the same time, the known reserves of petroleum and of a number of key minerals are declining. The committee took evidence on a number of issues that may be responsible for the decline in exploration activity.

Globalisation has had a huge impact on resource exploration in Australia. The most visible indication of globalisation is the
merging of almost all the major Australian exploration and production companies with foreign companies to form global entities. As a result many management decisions impacting on Australian projects are being made by non-Australians in head offices in foreign capitals. This has meant that Australian exploration projects have to compete head-to-head for financing against resources exploration opportunities in other parts of the world.

There certainly has been a falling away of expenditure by majors because of the market’s preference for low-risk exploration. The dilemma now is that junior companies with smaller exploration budgets have been left by the risk averse majors to do the bulk of the high-risk greenfields exploration. Accordingly, the committee has recommended the introduction of a flow-through share scheme to make investment in exploration companies more attractive; adjustments to petroleum resource rent tax rates and offshore petroleum title conditions, particularly for deepwater exploration; and a liquids identification bounty scheme to encourage onshore petroleum liquids discovery. The exploration industry too can play its part by improving the quality of its initial public offerings to accommodate the market’s preference for risk-managed projects.

The committee also sees the need for Australian governments to stimulate the search for the next generation of world-class resource deposits. Public geological data is already available to explorers. The committee recommends that the database be expanded by, among other things, an airborne gravity gradiometry survey of the Australian landmass. Similarly, the committee recommends that the CSIRO’s Australia’s Exploration Future initiative receive funding.

Certainly one of the controversial issues before the committee has been the extent to which native title considerations have restricted exploration. Successful exploration companies now accept that native title is here to stay and must be worked with. However, the resource industry is critical of the time-consuming and costly processes that can be involved in resolving land access issues. Accordingly, the committee has recommended that the costs associated with native title negotiations be fully deductible for tax purposes, that greater resources be provided to native title representative bodies to speed up the negotiation processes and that expedited procedures for low-impact exploration be employed more widely.

The committee believes that greater accountability must complement its recommendation to increase resourcing to native title representative bodies. It also sees that resolution of compensation matters needs to be based on more realistic expectations. To its credit, the resources industry continues to match statutory and self-imposed environmental standards. However, explorers say they are impeded by environmental processes. In this regard, the committee recommends that better environmental guidelines be developed for explorers. Further, environmental approvals processes, particularly for petroleum applicants and cultural heritage regulatory regimes, should be harmonised.

The committee also recommends that there be greater harmonisation across all states for mining title application requirements, approvals and attaching conditions. Australia is fortunate to possess a large resources base and stable economic and political systems. The country also has an excellent pool of exploration and research geoscientists and successful explorers. These provide an excellent basis for what is essentially a sound industry. The committee’s recommendations seek to build on these strengths. I wish to thank the committee and the secretariat staff for their assistance.
Mr ADAMS (Lyons) (12.45 p.m.)—This report of the Standing Committee on Industry and Resources looks at impediments to increasing investment in minerals and petroleum exploration in Australia. The inquiry commenced in May 2002 with the referral of eight terms of reference by the Minister for Industry, Tourism and Resources. It is well known that the resources industry overall is a very important contributor to the national economy, but it is noteworthy that the industry’s exploration phase has a relatively low profile, even though in 2001 and 2002 over $1.5 billion was spent by all explorers—mineral and petroleum—in Australia. The industry, however, has expressed concern that this total investment expenditure on resources exploration has fallen significantly since the mid-1990s, when annual expenditures topped the $2 billion mark.

In establishing the scope of its inquiry, the committee committed to maintaining its focus on exploration issues. It did not digress unduly into investigation of production issues or their impacts, except where the production issues had a significant influence on the exploration strategies that companies pursued. For clarity, the committee adopted the following definitions: ‘resources industry’ is composed of a minerals sector and a petroleum sector; when referring to resources product or output, the term ‘production’ was used rather than the term ‘mining’ in recognition that the inquiry covered both the minerals and the petroleum sectors; and the distinction between ‘greenfields’—high risk, remote—and ‘brownfields’—lower risk, near the mine—exploration projects was noted for possible future policy implications.

There were 120 submissions and 59 exhibits received and accepted by the committee, representing a pleasing spread of interest from major companies and junior companies from both the minerals sector and the petroleum sector, peak bodies and professional associations, government agencies, research organisations, environmental groups, land councils and individuals. There were 10 public hearings held across the continent—in Darwin, Brisbane, Kalgoorlie, Perth and Adelaide and five in Canberra. Two industry inspections were arranged for the Kalgoorlie region—a greenfields nickel project and a brownfields gold project.

In summary, the committee concluded that the exploration industry’s prospects for recovery and growth were being hampered principally by a lack of investment funding, nationally inconsistent resources titles and cultural heritage management standards and processes, land access negotiation delays, and less than optimal efficiency in the acquisition and storage of geoscientific data. It was felt that, after discussions with Indigenous leaders and the mining companies, both sides were maturing in their viewpoints and were much more aware of the need to work together transparently on land rights issues so that all could benefit. However, some relationships are better than others, and additional resources should be provided to native title representative bodies that would facilitate negotiation procedures.

The committee itself identified possible actions by government agencies, the industry itself, researchers and educators, and land claimants. It believes that certain policy measures for implementation at both Commonwealth and state government levels may facilitate the recovery of the resources exploration activity and lead to new minerals and petroleum discoveries. The committee recognises that the fundamental challenge for Australian explorers is to ‘see through’ the unconsolidated settlements covering much of the continent of Australia and explore deepwater, offshore frontier basins. Hence, in
order for Australia to maintain its global geo-
scientific leadership and especially overcome
the ‘cover’ problem, it needs to foster a first- 
class intellectual culture that can drive supe-
rior conceptual thinking and cause geosci-
fific breakthroughs. Further, there needs to 
be a significant boost to geoscience data ac-
quision by the public sector.

Key recommendations by the committee
included increased funding for airborne geo-
physical surveys and ground truthing drill 
programs—that was for Geoscience Aus-
tralia—and conceptual research involving the 
nation’s leading R&D agencies, especially 
the CSIRO. Tax based incentives were rec-
ommended, including the introduction of 
flow-through share schemes to encourage 
investment in resource stock, particularly 
juniors, which would allow smaller compa-
nies to invest and take part in exploration; 
and amendments to the petroleum resource 
rent taxation provisions to encourage in-
vestment in offshore petroleum exploration 
plays. The committee is of the view that the 
additional geoscience data required would 
also be of benefit to researchers seeking so-
lutions to other natural resource problems 
that face the nation, especially dryland salin-
ity. I thank my colleagues on this committee 
and the secretariat staff. I recommend the 
report to the House. (Time expired)

Mr TOLLNER (Solomon) (12.50 
p.m.)—In speaking on this report of the 
Standing Committee on Industry and Re-
sources, I would first like to thank the mem-
bers of the committee, particularly the 
chairman, the member for Forrest, the deputy 
chairman, the member for Lyons, and the 
secretary. I especially thank those who have 
[lent me their support, advice and experience 
over the past month and those who have 
given submissions to the committee.

I believe the committee has come up with 
a report that confirms the widely held and 
long-held view that there are very real im-
pediments to mining and petroleum explora-
tion in Australia, and the report identifies 
those impediments and suggests means to 
overcome them. Because my time is limited 
and because my constituency is in the North-
ern Territory, I wish to concentrate my re-
marks on a particular area of the committee’s 
work, and that is in relation to the Aboriginal 
The difficulties for the mining industry in 
dealing with native title land, or what may be 
native title land, are addressed at length in 
the report, and that is as it should be. 

However, the impediments concerning ac-
cess, negotiation and resolution in relation to 
native title are compounded many times 
when the mining industry confronts the 
processes required under the land rights act 
in the Northern Territory. I therefore draw 
members’ attention to recommendation 21, 
which calls upon the responsible minister to: 
… implement a simplified and accelerated proc-
ess for granting exploration licences on land 
granted under the Aboriginal Land Rights (North-
ern Territory) Act 1976 with a view to reducing 
the economic transaction costs emanating from 
the existing provisions of the … Act. 

There was a clear conflict of views arising in 
the committee’s hearings into this aspect of 
impediments into mining investment. On the 
one hand we had mining company represen-
tatives tell us, albeit in cautious language, 
that the costs of and delays in negotiations 
created by the act were a considerable disin-
centive—and one could say an insurmount-
able barrier—to exploration expenditure. On 
the other hand we had representatives of the 
Northern Territory’s major land councils in-
sist that the act’s provisions were appropriate 
and necessary to properly protect landowners 
and argue that the act did not require 
amendment.

Almost coincidental with this report is a 
joint submission to the Indigenous affairs
minister from the Northern Territory government and the land councils which, in a limited way—and reliant on goodwill rather than legislative amendment—recognises the need for a simplified and accelerated process. But let me get to the nub of the matter, and that is that experience has shown that the 1987 amendment to the act which removed the double veto has not been effective in overcoming the main difficulty that the mining industry faces in negotiations. That difficulty is that, as long as one negotiating party has the right to veto a proposal altogether, it has the whip hand in enforcing its demands, even unreasonable or questionable demands, at the negotiating table. While the situation may or may not be exploited as leverage at the negotiating stage, what is certain is that the possibility creates uncertainty for the mining industry. That uncertainty could be said to be the major reason, not forgetting either the internationalisation of the industry or the decline in commodity prices, for the lack of investment in exploration of the most prospective land in Australia. At the same time the mining industry, through its representative bodies, reluctantly accepts that the veto is an essential element of Aboriginal land rights.

The committee has therefore handed the responsible minister a conundrum that many reviews of the act and the 1987 amendments have not resolved. I do not presume to present solutions, but as a representative of my constituency I point out that the arguments surrounding this issue are not confined to the continuing power of the mainland Territory land councils as the champions of the rights of Aboriginal landowners; rather, the issue is central to ending the current disadvantage and poverty amongst Aboriginal Territorians, the continued growth of the regional economy of the Northern Territory and, to a proportionate extent, the creation of national prosperity for all Australians. With those priorities in mind, I commend the committee’s report to the House.

Mr FITZGIBBON (Hunter) (12.55 p.m.)—It was a pleasure to be a part of this important inquiry into the dramatic and alarming fall in minerals exploration in this resource rich nation. The impact of a 50 per cent reduction in exploration expenditure in the past decade should be of concern not only to the resources sector but to all Australians. I pay tribute to the member for Forrest and all members of the committee, who worked solidly on a number of complex issues in a largely bipartisan manner.

The committee has made 28 recommendations, and I am pleased no minority or dissenting report was necessary. I believe all the recommendations are worthy of support. Any criticisms of the report will inevitably be centred not on what it says but on what it does not say. Some will seek a greater call on the hard-earned taxpayer dollar; others will say that more could have been done, for example, in the area of native title rights. This is possibly so, but the committee was mindful of striking a balance between various competing interests and spending priorities.

Without selling short the importance and significance of other recommendations, I want to zero in on two which are close to my heart. The first is recommendation 2. I am disappointed that the committee did not see fit to go beyond recommending that the government merely investigate the implementation of a flow-through share scheme. The overwhelming majority of submissions to the inquiry advocated a flow-through share scheme as an effective means of addressing the fall off in exploration expenditure. It is important to know that ABARE also supports the proposal.

There exists no time for mere investigation. Labor are committed to the implementation of a flow-through share scheme and
will ensure that it is appropriately targeted at small and independent exploration companies and that it is not open to abuse. We will do so by restricting the scheme to independent companies with a market capitalisation below a given figure. We will do so in consultation with the industry and other stakeholders. Given that the evidence received indicated that 70 per cent of all exploration companies have a market cap of $10 million or less, this seems an appropriate place from which to begin our consideration. Labor will also consider restricting the maximum amount of share capital that can be defined, as flow-through is 50 per cent of total share capital up to a maximum of, say, $2 million. But, again, we will have to consult more closely with the industry and stakeholders in that regard. Further, I propose that any capital losses on flow-through shares cannot be used by the initial or any other future shareholder. Further again, Labor are determined that funds raised from flow-through shares must be expended on exploration activities within a four-year period from the date of subscription. Labor will further guarantee the integrity of the scheme by initially giving it a four-year period of operation.

The second recommendation I want to quickly address is recommendation 4, which needs to be considered in conjunction with recommendation 3. Recommendation 4 deals with the assignment of property rights in offshore oil and gas reserves. Recommendation 3 proposes greater tax concessions for the upstream sector. Labor is happy to look at a more generous RRT regime where it can be justified on good public policy grounds. It will not consider it in isolation but in the context of a national energy policy. Title assigned under the submerged lands act brings both rights and responsibilities. Labor will not tolerate the warehousing of community owned, finite natural resources. An exploration lease and an initial retention lease should not become a licence to sit on a reserve forever. There should be more transparency in the manner in which retention lease renewal approval is granted, and greater accountability must be forthcoming. Under the current regulatory regime, it is too easy for a leaseholder to sit on a resource in deference to its global interests elsewhere. Labor has no intention of working against the industry. To do so would jeopardise important investment issues. Rather, Labor is interested in working on proposals which produce win-win situations for both the companies and the national interest.

The SPEAKER—Order! The time allotted for statements on the report has expired. Does the member for Forrest wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mr PROSSER (Forrest) (1.00 p.m.)—I move:

That the House take note of the report.

I seek leave to continue my remarks later.

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.

DELEGATION REPORTS

Australian Parliamentary Delegation to Cambodian National Assembly Elections 2003

Mr JOHNSON (Ryan) (1.01 p.m.)—I am pleased to present in the parliament today the report of the Australian parliamentary observers delegation to the 2003 Cambodian National Assembly elections, which were held in July. I had the honour of leading this delegation to Cambodia, from 24 to 29 July 2003, at the invitation of the Australian Minister for Foreign Affairs, the Hon. Alexander
Downer, whose personal initiative ensured that Australia would be part of the broader international community’s election observation team.

On 27 July 2003, the people of Cambodia went to the polls for the third time since the Paris peace accords. In so doing, they demonstrated a remarkable enthusiasm for their right to vote and for the opportunity to take part in the political process of their country. Against the background of the 1993 and 1998 elections—and 10 years after the UN-supervised elections of May 1993—Cambodia’s march towards political pluralism and a freer democratic culture continued in July 2003 with an infectious enthusiasm by its people that deserves the international community’s full admiration. The Australian delegation—which consisted of Senator Mark Bishop, Senator Natasha Stott-Despoja and my coalition colleague in the House the member for Cowper—join the consensus of the international community and the domestic election observers that the 2003 election environment represented a marked improvement, in all respects, over Cambodia’s two earlier elections.

The political atmosphere in the days preceding the poll appeared conducive to ensuring that Cambodians felt confident in airing divergent political views. Campaigns were boisterous, spirited and appeared to proceed unhindered through Phnom Penh on the final day of campaigning. Standing in the middle of a major Phnom Penh city road with convoys of trucks—overloaded with cheering party supporters—driving by was, for me, a truly remarkable experience. The improvement in the election environment appeared to reflect the growing sophistication of the electorate, in both its awareness of electoral processes and a growing confidence in the freedom to support the party of choice. Urban voters were significantly more advanced in this regard than rural voters. It must be said, however, that this confidence was tempered in some cases by a general lack of faith in evolving electoral and government institutions. Indeed, some Cambodian voters expressed concern about a return to political instability in the wake of the election. Underlying this concern was Cambodia’s recent history of election violence and the widespread climate of impunity which has sprung from the lack of an effective legal and judicial system.

While Senator Mark Bishop and Senator Natasha Stott Despoja observed the various polling stations in the Phnom Penh municipality and rural and semi-rural areas across Kandal Province, my colleague the member for Cowper and I observed the voting around Kampong Cham Province, which is notable for its rubber plantation work force and for being a trigger for several incidents of serious violence and intimidation against opposition and FUNCINPEC party candidates and activists in the past. We noted that election day processes were generally smooth and were managed well by polling station and election committee officials. The electorate appeared aware of voting procedures, and all those we questioned believed in the secrecy of the ballot. When asked, voters universally responded that the election was a marked improvement on the previous two polls in 1993 and 1998.

We observed small but noticeable numbers of Cambodians being turned away from polling stations by officials on the basis that their names did not appear on the electoral roll. It was unclear from subsequent discussions with voters whether this resulted from a failure on the part of the persons to follow correct registration procedures or whether deficiencies in the list existed. There was, at certain points, a degree of confusion regarding the correct registration requirements, although people were usually aware of their right to lodge formal complaints.
Cambodia’s 2003 National Assembly election represents an important step in Cambodia’s transition towards a form of representative democracy. With this greater political openness, there can be only better prospects for economic growth as the international business community looks for new markets and new consumers.

In conclusion, I take this opportunity to acknowledge my parliamentary colleagues on the delegation and to thank them for their support. I also thank especially the professional and enthusiastic staff of our embassy in Phnom Penh. Their cooperation and skills ensured that our visit went smoothly and successfully. I also express our gratitude to the royal government of Cambodia for extending the invitation to observe the election process. Having met the Prime Minister of Cambodia, Hun Sen, in Bangkok, Thailand last year, I take this opportunity to wish him the very best as he leads his government and the people of Cambodia to greater prosperity and greater freedom in the interests of all the people of Cambodia.

Mr HARTSUYKER (Cowper) (1.05 p.m.)—I rise to speak on the observation report of the Australian parliamentary delegation to the Cambodian National Assembly elections. As a nation, I think Australia can be proud of the role that it has played in supporting democracy in Cambodia. By way of outcome, we can see that the trend for democracy is certainly improving. The electoral process is, I believe, becoming a very fair process. It has improved through a range of measures in which Australia has played a part. Australia has had a significant role to play in supporting the democratic process—a process which we in this country take for granted but which is a relatively new commodity for the Cambodians. Australia has been there, assisting in areas such as voter education, voter registration procedures and media.

In this country we are very much used to the process of the media inquiring in great detail about the policies and plans of the various political parties. But in Cambodia, certainly in the past, there has been a much more regulated approach to reporting in the media; previously there has not been the question and answer type of interview arrangements, which we are very used to seeing in Australia. The Australian government has played a part in sponsoring a program on Cambodian television which enabled the Cambodian people to see, for the first time, their future political representatives answering questions put forward by interviewers. I think that the question and answer style of interviewing, which we are used to seeing in Australia, has been a great step forward.

I would also like to commend our embassy staff, who did a great job in facilitating the visit by the observation team. Our embassy does a great job in representing the interests of Australia in Cambodia. I was very impressed with the great work that AusAID are doing in Cambodia. We can, through various niche projects, provide very much needed aid that targets specific areas of need. For instance, our delegation was able to visit the Friends project, a very important project in Phnom Pen, run by a Frenchman called Sebastian Marot. It has a mandate to look after young children and to give them education and work skills to enable them to provide for themselves. Unfortunately, because of adverse impacts such as AIDS, a great number of young children are required to fend for themselves. The Friends organisation does a great job in providing them with the training and education that will, hopefully, enable them to become self-sufficient in the future. That is just one particular project in which AusAID has been involved. The projects that we saw were very well targeted, getting right down to providing services on the ground—and that is important.
I also would like to comment on the degree of enthusiasm—the member for Ryan commented on this earlier—with which as a general rule the Cambodian people embraced the right to vote and being able to participate in the future of their country. As to our methods as an observation team, we called in at quite a number of polling stations and inspected the procedures, both before and during polling; we also observed the closing of the polls. But in addition to that we wanted to look at what the average Cambodian person in the street thought of the process. We went doorknocking, which is quite a novel approach for politicians overseas. We doorknocked a range of businesses and private houses in the Kampong Cham province and we were pleased to note that, when we called at random at a particular house or business, the spirit of that house or business was very positive regarding the process. People were keen to participate. They did not feel intimidated and they felt that their vote counted. (Time expired)

PRIVATE MEMBERS’ BUSINESS
Trade: Free Trade Agreements with China and Japan

Mr HUNT (Flinders) (1.10 p.m.)—I move:

That this House:

(1) supports the development of bilateral free trade agreements with both China and Japan;

(2) acknowledges the close partnership that Australia has developed with both Japan and China;

(3) notes the importance of trade with Japan, Australia’s principal trading partner;

(4) notes the importance of rapidly growing trade with China which has a real annual growth rate of 7 per cent;

(5) acknowledges the massive economic and social benefits of a genuine free trade agreement with both China and Japan to all parties;

(6) realises that the ASEAN Free Trade Area, the proposed China-ASEAN FTA and Japan’s proposal for a comprehensive regional economic partnership reflect the fact that China and Japan recognise that free and open trade is the best guarantee of economic prosperity and growth;

(7) commits to an international free trade agenda understanding that bilateral free trade agreements can complement and encourage wider free trade objectives in APEC and the WTO;

(8) forcefully supports an international free trade agenda as a driver for global economic prosperity, improved living standards and greater opportunities for the developing world; and

(9) commends the efforts of Japan and China to enhance global free trade, in particular, China’s efforts to reduce average tariff rates from 40 per cent a decade ago to 11.5 per cent today.

The concept of free trade with Japan and with China is about two very simple things. Firstly, it is about jobs—jobs for companies such as Braemar Manufacturing in Koo Wee Rup; Sealite navigation beacons in Somerville; BHP Steel in Hastings, the largest employer in the electorate of Flinders; and Enviro-Mulch in Rosebud—and, secondly, it is about better living standards for families in Cowes, Lang Lang, Dromana, Rye and Mount Martha.

In addressing this motion, I wish to proceed in three stages. Firstly, I want to answer these questions: what are the benefits of free trade; what are the reasons we pursue free trade; and why is it in Australia’s interests? Secondly, I want to look at how exactly Australia is pursuing those interests and making Australia a more open society and part of a more open international trading economy. Thirdly, I want to address the specific question of the benefits that would flow to Australia—and to China and Japan—from free trade agreements with each of those two countries.
Let us turn first to the question of the benefits of free trade. The theory is very simple. The theory is about comparative advantage and that is about two things: firstly, that nations and regions are able to specialise in those things in which they are most capable; and, secondly, that we expand our market from being a nation with a trading range of 19 million to 20 million people to being a nation with a trading range of hundreds of millions of people. That is commonsense. In that context, the notion of paying out subsidies to our own businesses is counterproductive. It takes away the standards which ordinary Australians aspire to by taking money out of their pockets to subsidise businesses which are ultimately unproductive. In my maiden speech I made the point that I was for moving towards zero tariffs in Australia; nineteen months later I reaffirm that commitment.

But why does it matter? It is very simple. One in five Australian jobs relies on exports. A 10 per cent increase in exports would lead to an increase of 70,000 new jobs for Australians—real jobs, which would have an impact on people. And not just any jobs. The average job in a firm which is involved in export pays approximately $17,500 per annum more than the average non export related job in Australia—and that matters. In addition, trade gives ordinary families access to a wider range of products at lower prices. Those are real benefits for real families—and they matter.

In rural and regional Australia—in areas such as Lang Lang, Kooweeup, Cowes and San Remo in the electorate of Flinders—one in four jobs comes from exporting. If we can expand our opportunities for export and the range of possible destinations then we will provide all Australians with an opportunity for an improved living standard. A very simple example is that in 2002 Australian goods and services that were exported were valued at $151 billion—and $151 billion is an extraordinary part of the gross domestic product of Australia. It represents income which would not otherwise be available to Australian families, Australian workers and Australian producers—income as a real result of our trade.

In my own electorate of Flinders, I note that Australia has rapidly become the fourth largest exporter of wine after France, Italy and Spain, and that those exports topped $2 billion in 2002. Again, this leads to jobs and to rising living standards and has an impact on people’s lives. In that context, Australia is pursuing a three-tiered approach to trade: at the multilateral level through the World Trade Organisation—and we see from Cancun that this is a difficult and slow road; at the regional level through APEC and through closer economic partnership with ASEAN; and bilaterally through free trade negotiations with Singapore, Thailand and the United States. It is estimated that annually the value of a free trade agreement with the United States is $4 billion to Australia, or over $200 to every Australian man, woman and child—and that matters; that makes a real difference to people’s lives.

I raise the question of trade with Japan and China, as they are two enormous markets with extraordinary potential for Australia. They will have a significant impact on the way we will be able to produce, create jobs and provide opportunities. Australia is already giving high priority to negotiations with Japan. In 2002 the Prime Minister, in discussions with the Japanese Prime Minister, Mr Koizumi, established the basis for a trade and economic framework agreement with Japan. Japan is the destination for over $25 billion worth of our goods and service exports and it is our single biggest export market. Opportunities exist for our exporters—whether it be our rice producers or our steelmakers such as BHP Steel in Hastings,
which employs over 1,400 workers—to export their products to Japan. These exports are, at the moment, less than they should otherwise be. Increasing exports is a good thing; it creates jobs and provides opportunities.

Whilst the framework agreement is not in itself a free trade agreement, it does lay the foundation, the way forward. This, in turn, gives a direct and immediate benefit to Australia and a new standard for the process of multilateral trade negotiation. Multilateral trade negotiation is a very difficult process. The risk that we frequently face is that we will follow the path of the lowest common denominator, because there are multiple countries with multiple interests and to find agreement can be very difficult. Japan has recently established a free trade agreement with Singapore and is in the process of establishing agreements with other countries within the ASEAN region. China is also doing the same thing. China has, not surprisingly, recently concluded a free trade agreement with Hong Kong and, importantly, is negotiating a free trade agreement with ASEAN. If we do not participate in this bilateral approach to free trade agreements, companies such as Braemar in Koo Wee Rup or Sealite in Somerville risk being excluded. In participating in this bilateral approach to free trade agreements, there is a positive benefit for Australia; there is a positive benefit for international markets in creating an international environment for freer trade, and there is also a defensive role—that is, to ensure that we are part of a process which is occurring in any event.

We cannot hide from the process of globalisation and we cannot hide from the fact that there is an increasingly open international trading environment. The effect of this is good, but not just for Australia. Oxfam recently prepared a paper which showed that the single greatest impact on the quality of life and living standards in the developing world is not aid—although that plays an important role—but the promulgation of genuinely open markets. Europe and the United States have, to a certain extent, played a role in closing off those markets. If we can open up that environment and those markets, we will be doing something to help deal with issues of underprivilege, underdevelopment and poverty within that part of the world which cannot yet claim to be fully developed. That is a very important humanitarian step as well as sound economics.

The Prime Minister, in his recent meeting with the former Chinese Premier Zhu Rongji in May 2002, developed the basis for a free trade agreement by moving towards a framework agreement, and this was played through in his most recent meeting with Hu Jintao, the Chinese leader. They have set themselves on a long-term path for an agreement between the two countries. I welcome our progress with Japan and China. I make this point: these free trade agreements will bring benefits and jobs for Australian families and improve the living standards of families throughout Flinders. (Time expired)

The DEPUTY SPEAKER (Hon. I.R. Causley)—Is the motion seconded?

Mr Johnson—I second the motion and reserve my right to speak.

Mr ADAMS (Lyons) (1.20 p.m.)—I have some major concerns about the extent and rate of these free trade arrangements. We have important relationships with Japan and China; we also have relationships with many other countries in South-East Asia. However, I cannot condone using free trade as an argument for going into developing countries and opening up trade when the only people who benefit are the financial institutions of developed countries. I think we really have to come to some break and start working out how to measure the success of the so-called
global economy and the accompanying free trade to find out who is actually benefiting. The front page of the Australian today shows there is conflict. The headline says: ’Trade talks teeter on rich-poor divide’. Roy Eccleston points out in his article that much of the discontent about the extent of agricultural trade reform is based on the dispute between rich and poor countries. Poor countries are claiming that it would give them little new access to the rich world’s agricultural markets, while demanding they open up their markets to subsidised competition.

When the World Bank and the IMF were born in 1944 and established in December 1945, it was to provide resources to rebuild after the Second World War—to fund post-war reconstruction and development projects and to lend hard currency to nations with temporary balance of payments difficulties. In the 1980s things changed: Third World nations sought help from those two bodies after the price of oil skyrocketed and there were huge interest rate rises. But instead of dollars they received structural assistance plans, with 114 conditions in return for loans. While the details varied from nation to nation, in every case the rollover of debts was conditional on countries removing trade barriers, selling national assets to foreign investors, slashing social spending and making labour flexible—for example, by bringing down wage rates to almost starvation level. I thank author and journalist Greg Palast for simplifying that useful base argument.

When we talk of free trade, we talk of the interests of bodies such as the World Bank, the International Monetary Fund and the World Trade Organisation, groups of unelected people who decide which countries get aid, who make the trading conditions in those developing countries that are desperate for assistance and who wish to ensure the flow of capital around the world through these free market mechanisms. Where is the level playing field that we all talk about when referring to free trade? From my reading, there seems to be only one playing field and it is tipped to ensure all funds run one way—into the coffers of Western financial institutions.

Japan and China, who are big and quite powerful in different ways, want a piece of that action. What are we actually seeking from them in the way of an agreement? This motion does not specify. It uses motherhood terms, without any measurement whatsoever. Where, for example, are the ’massive economic and social benefits ... to all parties’ of genuine free trade with both China and Japan? Where is the evidence of this? The honourable member for Flinders quoted many figures—$4 billion et cetera—that we hear in this debate but no measurable situations. Who has set this ‘international free trade agenda understanding that bilateral free trade agreements can complement and encourage wider free trade objectives in APEC and the WTO’? There is nothing in this motion that backs up that statement. If I had more time, I could give heaps of examples of where free trade does anything but push for global economic prosperity, improve living standards and provide greater opportunities for the developing world. It almost works, or has worked, in reverse in some countries.

It is vital for Australia to build relationships with countries in our region, including China and Japan. Labor went to China last year and proposed a closer economic relationships agreement. Simon Crean did that long before the Prime Minister went there. This government has certainly taken its eyes off the ball. When you look at what is occurring in Mexico, you see it missed the opportunity. Its obsession with negotiating a bilateral trade deal with the United States has diverted its focus away from realising that there were a lot of other things going on. It
should have been focused on India and the poor countries. It has lost its opportunity to be a part of that developing world group. 

**Mr JOHNSON** (Ryan) (1.26 p.m.)—I am delighted to second this very important and timely motion put to the House by my friend and colleague the member for Flinders. I thank him for giving me the opportunity to speak on a topic of tremendous importance to this country’s future economic prosperity—namely, free trade, particularly in the context of the broader Australia-China bilateral relationship. It is important because, as my colleague and friend the member for Flinders said, free trade—and freer trade—is all about jobs. It is all about Australian jobs and an increased standard of living for Australians, because trade is good for this country. Since the election of the Howard government in 1996 the Australian government has pursued an ambitious and wide-ranging trade agenda.

**Mr Sidebottom interjecting—**

**The DEPUTY SPEAKER**—The member for Braddon!

**Mr JOHNSON**—Indeed, the very dedicated and committed trade minister, the Hon. Mark Vaile, recently described it as ‘the most ambitious ... in Australia’s history’. The record of achievement already speaks for itself. Australia has the runs on the board. Australia has already entered into negotiations for free trade agreements with the US and Thailand and has already signed an agreement with Singapore.

One of the key objectives has been to achieve a more targeted approach to bilateral trade relations, a strategy which is delivering very positive results with some of Australia’s most significant trading partners. Australia’s efforts in these countries have been characterised by very direct involvement from the Prime Minister. In the case of China, when they met in May 2002 the Prime Minister and former Chinese Premier Zhu Rongji agreed to begin working towards a trade and economic framework agreement. It is remarkable to think that two-way trade between Australian and China has doubled between 1998 and 2002, and the potential to expand even these figures is certainly there for an entrepreneurial and innovative country like Australia.

For our part, Australia enjoys a very health bilateral relationship with China. In recent weeks, Prime Minister Howard was in Beijing to meet China’s new leader, President Hu Jintao, who will be making a visit to Australia in October. The Chinese President has travelled sparingly since assuming his office, and therefore his forthcoming visit speaks volumes of his attitude towards the Australia-China relationship. Indeed, President Hu’s visit will provide an important opportunity to advance even stronger bilateral trade relations between Australia and China and highlight that this country continues to punch very strongly above its weight in the corridors of power abroad.

Australia makes no secret that it would like to see a joint study for a free trade agreement as one element of the new bilateral agreement. There is no question that a free trade agreement would deliver enormous dividends to both Australia and China. I find it remarkable that those opposite and the speaker preceding me, the member for Lyons, would dare to think differently. I say: ask the Chinese, the Japanese and those in Asia whether they would like a free trade agreement.

**Mr Sidebottom interjecting—**

**The DEPUTY SPEAKER**—The member for Braddon!

**Mr JOHNSON**—I can say that they would all be in favour of a free trade agreement. It will also provide jobs for them and
increase their living standards. It is no wonder that those opposite will continue to sit opposite, because they just simply do not get it. They do not get that free trade is all about jobs. My goodness, isn’t that what Australians want? They want jobs.

China is already the second biggest economy in the world, and its bullocking growth means that it will have a major influence on our trading environment in the decades to come. China’s economy continues to grow rapidly—its growth rate is now at seven per cent. China has undergone a massive opening of its market in recent times, culminating in its accession to the World Trade Organisation in 2001. Not only is this good for China, but it is also good for the region. It is good for Australia and it is good for the broader international community. An included and engaged China, playing its rightful part in the economic architecture of the world, is critical for international stability and international security.

In conclusion, one of the single greatest achievements by any Australian government in the 100-plus years of Federation is without doubt the Howard government’s success in securing the $25 billion contract for Australia to supply LNG to Guangdong Province. I say to those opposite: support the government on free trade related issues. If they care to ask the Chinese President when he comes here whether he wants free trade for his country, they might be very surprised at his answer—a big yes, yes, yes.

Let us get into free trade, let us give jobs to Australians, and let us give jobs to those in China as well. This is good for the Australia-China relationship. It is good for the region. It will enhance the prospect for greater opportunities between our two countries. (Time expired)

Mr BRENDAN O’CONNOR (Burke) (1.31 p.m.)—Of all Australian political parties, Labor has had a unique relationship with China for over 30 years. In July 1971, the then opposition leader, Gough Whitlam, made a historic visit to China, advancing the argument that Australia should establish diplomatic relations with China. Instead of being applauded by the then Liberal-Country Party government, Whitlam was heavily criticised by them for making friends with Communist China. This criticism was, of course, quelled very shortly after, when President Nixon made the same journey in February 1972. But the McMahon government still made no moves to establish diplomatic ties. It took 16 days after the election of the Whitlam government in 1972 for Australia to formally establish diplomatic ties with China.

Given the limited time I have on this matter this afternoon, I will devote my attention to our developing relationship with China and the importance of multilateral agreements, as well as bilateral agreements. In April last year the Labor leader, speaking in Beijing, laid down five principles that we believe could be used to assist our relationship with China: to form the foundation of a possible future Australia-China treaty; to enhance economic complementarities to assist development priorities and to assist Australian exports in areas such as information technology, tourism and financial services; to develop the bilateral relationship as a building block to a new regional partnership, consistent with the objectives of APEC and the World Trade Organisation; to be established through a leadership dialogue; and to provide a vehicle for closer government-to-government and business-to-business relations. More than ever before China is the key to two of the biggest issues confronting the Asia-Pacific region: the future of regional economic integration and the future of strategic stability.
I had the great privilege recently of being part of a delegation of senators and members—all members of the Australia-China Friendship Group—to visit China earlier this year. Building upon the diplomatic ties and the growing development in trade of 30 or more years, our visit added another strand to these ties that bind. In the areas of trade, Australia is now among the top 10 sources of imports into China, and we are the 13th largest country in exports from China. Although most of our trade exports to China come from agricultural and mining industries, there is a growing interest in other areas, which I referred to earlier. As the Labor leader has already indicated, there are three general areas where our relations with China should be enhanced through the signing of an Australia-China treaty—in bilateral, regional and multilateral forms of closer cooperation. These areas are not mutually exclusive but complementary. It is a pity, however, that the government and its members who have moved the motion before us this afternoon have focused only upon bilateral agreements and have shown little interest in realising the valuable multilateral trade access through the World Trade Organisation Doha Round.

Mr Johnson interjecting—

Mr BRENDAN O’CONNOR—The member for Flinders is now attempting to interrupt. Obviously he wants to advance his arguments. Effectively, he said the multilateral agreements are too difficult and too complex—for this government anyway—to establish. The fact remains that we need multilateral arrangements and regional cooperation to ensure that we have successful trade relations and other forms of relationships with countries in our region. A case in point is the collapse of the World Trade Organisation trade talks in Cancun. This is very bad news for our farmers and underlines the influence of Australia as leader of the Cairns Group of trading nations.

It would appear Australia was caught napping when developing nations—angered by what they saw as the hypocrisy of the developed nations that insist upon open market access but refuse to dismantle costly and trade distorting domestic producer support—established a G21 group. Bilateral agreements are important, but right now Australia needs a government that will focus on building a coalition of developing countries and efficient food producers. Senator O’Brien, currently in Mexico for the trade talks, is right when he says that the opportunity was missed by the Howard government. This motion is right: bilateral agreements are important; but, in the end, multilateral arrangements and regional cooperation are so much more important.

Mr FORREST (Mallee) (1.36 p.m.)—I am pleased to support the motion put forward by the members for Flinders and Ryan. I congratulate them on bringing this to the parliament’s attention. There is little doubt that, when we regard the economies of both China and Japan, they are the two biggest economies in East Asia—China is the third largest, and fastest growing, export destination for Australia; Japan is our largest export market. Japan’s GNP is at $US4.5 trillion, and China’s is the sixth largest at $US1.1 trillion. These two economies cannot be ignored.

In response to the member for Lyons, my primary producers are very much interested in what the government is doing on the multilateral front and particularly with regard to these two bilateral negotiations. I will talk a little bit more on the multilateral issue shortly. I was disappointed the member for Lyons focused so much on the negatives. He talked a lot about free trade; let us talk more consistently about fair trade. That is what my farmers are asking for—market access. They are ever more efficient in what they do—the most efficient primary producers in the
world, in fact—but are doing it tough with no subsidies at all. They are demanding fair trade, so let us focus on that in their interests and put the interests of other nations behind our own. From my perspective it is about accessing those markets that, before this, have been restricted to us because of distortions in the world markets. We want those constraints removed.

What is wrong in determining our destiny in the best interests of ourselves? What is wrong with that, particularly with regard to primary producers who have a record, in the history of the nation, of carrying the nation? So I am a little disappointed by the contribution from the member for Lyons. I know he is a good bloke, but he should be more focused on the benefits for his constituency—which has some of the elements of primary production in which I have primary interest. His veiled criticism of the outcome at Cancun was not missed by me. Anybody who thinks that the outcome in Mexico was somehow a surprise does not know much about the difficulties of negotiating such large multilateral arrangements. What I heard from the last speaker, the member for Burke, reflects the mistakes that were made in the past—too much of a focus on the multilaterals.

I came to this parliament in 1993 because of the inappropriate decisions that had been made in pursuit of those large, multilateral arrangements—wholesale reductions in Australia’s tariffs for imports that saw primary industries thrown to the wolves, particularly the citrus industry. Their tariff was reduced overnight from 30 per cent to five per cent. They were forced to go cold turkey in adjustments, with no help from this parliament and the government of the day. That is not an approach that is in the best interests of the wealth creators of the nation, so let us be done with the suggestion that we have to be entirely dependent on negotiating multilaterals. This government has focused very determinedly on both approaches, and the outcome of Mexico highlights the importance, particularly for these two countries—China and Japan—of negotiating bilateral agreements. We have a fallback; it is like not putting all our eggs in one multinational basket. My constituency, particularly those large primary producers of commodities like wheat and citrus, were brought to the fore by the Minister for Agriculture, Fisheries and Forestry a fortnight ago when he was in China. He was specifically negotiating much better arrangements for those commodities that are important to my constituency.

I am about the best interests of Australians, especially farmers. I note the member for Flinders’ interest in the tertiary sector, and good on him. Those benefits will all be there, but let us focus more on having a balanced approach to creating access to those important markets. This will put the economy of this nation on a sure footing, supported by primary producers who have objectives and can set targets with confidence.

The wine industry, which has been mentioned by both of the coalition speakers, is a good example of a primary industry that set its targets with some confidence that the markets will be opened up to it. It is fast approaching a $2 billion industry making an important contribution to this nation’s economy. (Time expired)

Mr JENKINS (Scullin) (1.41 p.m.)—I welcome the opportunity this motion gives to discuss international trade and its importance in improving living standards in trading countries. Perhaps there is not enough opportunity in this place to discuss the myriad of issues that surround those statements. I was very interested in the honourable member for Mallee’s contribution because I have constantly stated on the record, in this place, my firm belief that free trade must also be fair trade. The honourable member for Mallee...
and I perhaps see fair trade as being different beasts, but the importance of this debate is that it is that statement that must be paramount when we look at any of these free trade agreements.

The honourable member for Flinders stated the importance of bilateral agreements in the context of other regional agreements and the most important of multilateral agreements. But what we must really look at, as we go through reductions in tariffs and a move towards a pure definition of free trade, is the way in which it is fair to both sides in a bilateral agreement. I could find cases of companies in my electorate that certainly, in the way in which national trade is developing, have had success but overwhelmingly, and regretfully, there have been greater job losses in my region because of this move to tariff reduction. As a nation we must look at the way in which we share the glory—if there is, in fact, any to be had—from this type of move towards free trade throughout the whole of Australia’s regions. That is very important and has been missing from the national debate.

Australian companies must be able to trade fairly with countries and compete fairly against countries. Trade must be fair not only for each of the trading countries but also for the workers that produce the goods because, as we look at developing countries and the way in which we trade with them, labour standards are certainly an issue that we cannot ignore in the context of this developing trade environment. Trade is not an end in itself; trade is a means to an end. We need to use trade to assist in the progress of trading nations instead of viewing trading issues in isolation from all other areas of public policy. I have talked about labour standards and we can also talk about the impact on the environment and the social environment of these countries.

Australia’s role is to show leadership. We have in the past, we must do it now and we must continue to do so. We must ensure that any trade agreement includes enforceable core labour standards, sustainable environmental standards, better social protections and the elimination of the exploitation of child and forced labour. Any bilateral trade agreement with China or Japan must be complementary to the multilateral trading system. Australia must understand that any benefit gained from a bilateral agreement does not impact equally across a nation. Whilst regions may agitate because they think there is something of benefit, other regions may suffer. This is central to the point and it is why debates like the one we are having today are required. It is to make sure that this place is engaged in all of those issues and that we do not see them in isolation. The events in Cancun during the past week show that international trade debates will be robust. But there must be an effort made in those debates to act in Australia’s best interests. Australia must ensure that, in engaging in discussions with countries like China and Japan about bilateral agreements, this is our utmost goal.

The SPEAKER—Order! It being 1.45 p.m., the debate is interrupted in accordance with standing order 101. The debate may be resumed at a later hour and the member will have leave to continue speaking when the debate is resumed.

STATEMENTS BY MEMBERS

Australian Broadcasting Corporation: Funding

Mr EDWARDS (Cowan) (1.45 p.m.)—I have a number of letters and petitions regarding the axing of Behind the News. A petition from the Goollelal Primary School in Kingsley reads as follows:

On Monday 4th August we were informed through the media that the current affairs pro-
gram, BTN—Behind the News—would be axed due to the federal government’s budget cuts of $26 million to the ABC. We at Goollelal Primary School in Kingsley, Western Australia are very dismayed at this decision, as this program is viewed weekly by our year 6 and 7 students and is considered of high educational merit in providing up-to-date world news in a format that students can understand. In addition, many interesting and informative articles are presented which engage our students and increase their general knowledge. We the undersigned would like to petition for BTN to be retained by the ABC so that Australian students can continue to benefit from this excellent educational program.

It is signed by 200 students. A similar petition regarding Behind the News comes from Wanneroo Primary School and is signed by 122 students. They say simply:

We disapprove of you taking BTN off the air and we want you to change your decision.

I also have a letter from Halidon Primary School. I congratulate these students on taking this action. I am proud of the way that they have involved themselves in the democratic process. Because they are non-conforming petitions, I seek leave to have them tabled.

Leave granted.

Housing: Affordability

Mr HAWKER (Wannon) (1.46 p.m.)—Victorian country members will notice that the state Treasurer, Mr Brumby, has been making a lot of noise about housing for first home owners, the difficulties of the very high housing prices in the city and whether the Productivity Commission should be looking into this. I think you will find that he protests too much, because if you look at some of the facts you will find that the big problem facing first home buyers in Victoria is the massive rip-off in stamp duty. This year Victoria will earn over $2 billion in stamp duty, which is 130 per cent more than it earned in the days of the Kennett government. In other words, it has more than doubled.

When you look at the increase in the median house price over the last five years, you will see that the stamp duty alone has gone from $9,490 to $17,200—that is, not only has it gone up by this much; it is more than a first home owners grant. In other words, the state government is ripping people off for more than that amount. If you look at it, by any measure, stamp duty has now become one of the major state government sources of revenue, at 22½ per cent, which is twice the percentage it was five years ago. In fact, the Bracks government is now hugely dependent on stamp duty—and, of course, speeding fines. It is a pretty funny way to run a business or a state. It really comes back to my point about stamp duty. (Time expired)

Chisholm Electorate: Box Hill Hawks

Ms BURKE (Chisholm) (1.48 p.m.)—There was wonderful news on the weekend: the Box Hill Hawks won their way into the 2003 VFL grand final. We are very much looking forward to the Box Hill Hawks—hopefully—on Sunday winning their second flag in three seasons. It was a fantastic day. The match started in overcast and blustery conditions, with Box Hill kicking a three-goal wind advantage in the first quarter. It looked like it was not going to go our way at half-time but, thanks to the efforts of Box Hill coach Tony Liberatore and some fantastic players on the field—the best player for Box Hill being the hardworking midfielder Brad Sewell, who also won the best player award from the ABC TV commentators—it did. Sewell amassed over 30 possessions, kicking two goals, and made some important tackles. The game was well worth watching, and I want to send to the boys down at Box Hill a big cheerio. I hope that we will regain the flag next Sunday, because my other team,
Richmond, has well and truly let me down this year!

**Macquarie Electorate: Rural Fire Service**

Mr BARTLETT (Macquarie) (1.49 p.m.)—Over the last few weeks I have attended three medal presentation ceremonies for the Rural Fire Service—in Springwood, Blackheath and, yesterday, Windsor—with one to come in two weeks time at Faulconbridge. These presentations involve national medals for 15 years, with clasps for 25, 35 and 45 years of service, and long-service medals for 15, 25, 35 and 50 years of service. Between the recipients there were many hundreds of years service to our community. For each of those years there were often hundreds of hours of service in training and in response to emergencies, sometimes at great risk to their own lives.

These medal recipients are representative of the outstanding men and women of the fire brigades in the Blue Mountains and the Hawkesbury. The last two fire seasons have been horrific. Without the heroic efforts of these magnificent people the losses would have been far worse than they were. This year is not shaping up any better. In fact, during yesterday’s presentation at Windsor members of the Ebenezer brigade were called out to attend a fire. Again our community will depend on the men and women of our local fire brigades. We thank them all for their outstanding work in the past and we wish them well for the coming season.

**Franklin Electorate: Zoe Dee Hart**

Mr QUICK (Franklin) (1.50 p.m.)—Twelve months ago today, Zoe Dee Hart lost her life in a tragic accident. Zoe was 21 months old at the time of her death. She was strangled by a blind cord in her parents’ bedroom. Deanne and her friend Bronwyn have been working tirelessly through the media to alert parents to the danger of blind cord strangulation. I would like to thank the Australian blind manufacturers who have worked tirelessly to ensure that advice is given out with every new blind sold. National safety standards are now being implemented so that there are fewer chances for children to die. Finally, I would like to quote the lovely statement in today’s *Mercury*:

ZOEE DEE HART

It’s now been a year since our precious daughter was here. We miss you like crazy, not a day goes by when we don’t have a little cry. She was as good as she was fair, none on Earth above her, as pure in thought as angels are; to know her was to love her. If only we could see the little smile upon your face and hold you with warm embrace.

You are our wonderful daughter Zoe Dee, but we know this just can’t be. You are in our hearts and thoughts every day, we really wish you could be with us this day.

Miss you

Love Mum and Dad …

**Health: Parkinson’s Disease**

Ms GAMBARO (Petrie) (1.51 p.m.)—I wish to commend the Parkinson’s disease Queensland support group for a brilliant innovation in their continuing campaign to raise public awareness about Parkinson’s disease—that is, the Parkinson’s Daily Olympics board game, which is a colourful, novel and imaginative way of increasing understanding and of diagnosing and coping with the disease. Based on the classic easy-to-follow format of snakes and ladders, and designed for children, the game takes players through a series of steps designed to educate and explain the major symptoms and everyday challenges faced by sufferers of Parkinson’s disease, from completing simple tasks, such as dressing and walking, to dealing with other people.

The game explains in simple, light-hearted terms that Parkinson’s is not a fatal or contagious disease but that it is a disease without a
cure and one which traps its sufferers in a world that the rest of us find really hard to understand. This lack of recognition means that too often symptoms like tremor, shaking, rigidity or muscle stiffness and immobility are misinterpreted. How many non-sufferers know the most common symptoms of Parkinson’s—akinesia, a freezing of the muscles, and bradykinesia, a slowness of movement—experienced by sufferers? How often is postural instability, stooping, shuffling or the dragging of feet misinterpreted? I recommend this game, which comes with a fold-up poster, chips and dice, and I want to praise again the wonderful work being done by Parkinson’s Queensland. They are a non-profit group and they are distributing the game free of charge to schools and medical practices. I want to particularly congratulate them on their wonderful stand at the recent AMA Health Expo held at the Brisbane Convention Centre, and I wish them well in their work.

**Immigration: Refugees**

**Ms PLIBERSEK** (Sydney) (1.53 p.m.)—Last week, a number of members of parliament and senators were presented with petitions from refugee groups in Sydney, Canberra and other places. In total, there were 13,000 signatures on a number of petitions. One petition called for Iranians not to be forcibly deported, and a second petition, the one that I hold here, with 1,067 signatures, calls on the Speaker and the President of the Senate:

... as an Act of Grace from the Parliament to the people of Australia, to support all asylum seekers and refugees in Australia’s care. They are people who have committed no crime and deserve our compassion and help.

The signatories of this petition wanted that act of grace by Easter 2003. They want temporary protection visa holders to be granted permanent residence, unless they have not been law abiding, and they want the parliament to authorise the immediate release into the community of all asylum seekers who are not a health, identity or security concern. This petition shows a great deal of goodwill and compassion on behalf of the signatories and on behalf of the refugee advocates who collected the signatures for the petition. It would be wonderful to see some of that goodwill and compassion come from the government also.

**Palm Beach-Currumbin State High School Debutante Ball**

**Mrs MAY** (McPherson) (1.54 p.m.)—I recently had the privilege and honour of receiving 78 debutante couples at the 18th annual senior debutante ball for Palm Beach-Currumbin State High School year 11 students. The students of PBC certainly stepped out in style to make their debut into society and be presented to their proud parents and the local school community. The young debutantes looked stunning. The girls were beautiful in their white gowns and, in many cases, tiaras. The white gowns were complemented with bouquets of flowers and accessories. The young men were very stylish in their tuxedos and did a great job of escorting their young ladies across the stage for presentation to me.

The PBC debutante ball is an annual event; a tradition for the past 18 years. I believe the Principal, Mr Bill Bondfield, and the Deputy Principal, Mr Keith Money, are to be congratulated for keeping this tradition alive. The debutante coordinator, Ms Lynda McGuire, also deserves a special mention. Her young debutantes were a credit to her many weeks of coaching, and on the night they did not let her or themselves down. They presented faultlessly and they danced beautifully. It was a wonderful sight to see over 150 young people take to the dance floor. Debutante balls are not very common these days, but there is no doubt this was an
occasion to be remembered—young people being presented as young adults. It was very special and the evening was a credit to the parents, the young debutantes and, importantly, to Palm Beach-Currumbin State High School. I was honoured to be part of this very special occasion.

The SPEAKER—I reassure all members that the call is being driven not by any gender bias but by the chart in front of me.

Livingstone Shire Council and Capricorn Coast Learning Centre Small Communities IT Outreach Program

Ms LIVERMORE (Capricornia) (1.56 p.m.)—I would like to pay tribute today to a project in my electorate that is doing a fantastic job of building social capital by assisting individuals and communities to acquire new skills and unlock their potential. It is a project that has now received well-deserved national recognition for its achievements. I am speaking about the Livingstone Shire Council and Capricorn Coast Learning Centre Small Communities IT Outreach Program. It was recently named as the winner of the prestigious information services award in the 2003 National Awards for Local Government. As the winner of that category, the project partners from the Livingstone Shire Council and the Learning Network Queensland Capricorn Coast Learning Centre are now in line for a major award at the awards dinner here in Canberra on Wednesday night.

The project has two parts. First came the development of the Grant Finder web site in response to calls from across the Livingstone shire communities for such a resource linking community groups to available funding for their activities. The second stage involved training so that as many people as possible across the shire would have the ability to use the web site. The Capricorn Coast Learning Centre developed a program called Basic IT Enabling Skills for Older Workers and took it on the road to small communities throughout the shire such as Emu Park, Cawarral, Byfield, the Caves, Marlborough and Stanage Bay. The outcomes from this project have been fantastic: people turning on computers for the first time and using the Internet and email for personal and community development. (Time expired)

Sutherland Shire: Employment Rate

Mr BAIRD (Cook) (1.58 p.m.)—I am happy to advise the House that the Sutherland shire’s employment rate in the June quarter fell to 2.27 per cent. It is the second-lowest in NSW behind Kuringai, on 1.9 per cent, and is one of the strongest results in the nation. The figures are part of the small area labour market survey that is conducted quarterly by the Department of Employment and Workplace Relations and have revealed that the Sutherland shire is well below the state and national average. This is great news for the shire—low unemployment locally signals the absolute strength of the local economy, which is built on the back of small business and individual enterprise. It also points to the quality of job opportunities for our young and the formidable work ethic in the Sutherland shire.

The national figures released last week revealed the nation’s unemployment rate had again fallen—to 5.8 per cent, its lowest point in over a decade. Strong economic management by this government and a willingness to make the tough decisions has impacted locally. These results are incredible. Locally, the unemployment rate continues to fall, and the message I am getting from the business community is that they are having to advertise in the Illawarra to fill vacancies. A strong economy means more jobs for Australians and a high standard of living. Employment adds to an individual’s self-esteem and the strength of the community. Responsible economic management by the Howard govern-
ment has helped to reduce unemployment to 5.8 per cent nationally—the lowest figure since Labor’s peak of 10.9 per cent unemployment in December 1992—and to 2.27 per cent in my area. I am very pleased to commend these figures to the House.

Port Melbourne Bowling Club

Mr DANBY (Melbourne Ports) (1.59 p.m.)—I want to congratulate Darren Walls, the greenkeeper at the Port Melbourne Bowling Club, on the introduction of Tift Dwarf Murray River grass, which they said could not be grown in Victoria. I learnt this when I opened the bowling season last week. This has cut the amount of money President Allan Williams and Port Melbourne are spending on water from $2,000 to $900. It is an example of what bowling clubs can do for water conservation.

The SPEAKER—Order! It being 2.00 p.m., the time for members’ statements has concluded.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 p.m.)—I inform the House that the Treasurer will be absent from question time today and for the remainder of the week. He is travelling to Dubai to attend the International Monetary Fund and World Bank meetings. Prior to his meetings in Dubai, the Treasurer is holding discussions in Israel and with the Palestinian authorities. I will answer questions on his behalf. The Minister for Foreign Affairs will be absent from question time today. He is travelling to Perth to represent the government at the state funeral of the late Hon. Don Willesee. I will also answer questions on the foreign minister’s behalf. The Deputy Prime Minister and Minister for Transport and Regional Affairs will answer questions on behalf of the Minister for Trade, who, as advised last week, is in Mexico for World Trade Organisation talks. The Minister for Children and Youth Affairs will be absent from question time today due to family illness. The Minister for Employment Services will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Iraq

Mr CREAN (2.01 p.m.)—My question is to the Prime Minister. I ask him if he is aware of the British Joint Intelligence Committee assessment of 10 February this year that ‘there is no intelligence that Iraq had provided chemical and biological materials to al-Qaeda’ and, further, that the committee assessed that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists. Prime Minister, against that, why did you tell Australians precisely the opposite just two weeks later on 27 February, when you said:

... not only might they—
that is, Iraq—
use them—
that is, chemical and biological weapons—
against other countries but they might give them to terrorists, and that is the reason why I’m taking the stance I am.

Mr HOWARD—I thank the Leader of the Opposition for the question. Let me inform him that I have been informed that the Joint Intelligence Committee assessment on Iraq and terrorism was received by the relevant Australian agencies on 10 February 2003. I am further advised that the JIC reports are not normally passed to ministers, and I can confirm that this particular JIC report was not brought to my attention or, so I am told, that of my office or other ministers.

Opposition members interjecting—

Mr HOWARD—Hang on! Don’t get too excited about that at all. But even if it were, there is nothing new in the JIC report. The Australian intelligence community, as part of
the government’s prudent contingency planning, undertook various assessments of what could go wrong in the event of a conflict in Iraq, and in framing these assessments Australian agencies drew upon JIC reports as well as a range of other analysis and intelligence. It was the judgment of the government—and rightly so—that the longer term proliferation and terrorism risks of leaving Saddam’s weapons of mass destruction in place outweighed the shorter term risks addressed in the JIC report. That was the basis of the government’s decision. It is a decision that I stand by, and I stand by it unconditionally.

The government was open about these risks. For example, on 24 March, in response to a question from none other than the Leader of the Opposition, I noted that threat levels against Australian interests in a number of countries, especially in the Middle East, had been raised because of the war in Iraq—that is what I told the parliament. I said then, and I repeat now: the government has been open and transparent about threats to Australian interests through the DFAT travel advisories.

Also I make this very important observation to the parliament, which goes directly to what the Leader of the Opposition is trying to get at: all five of my major speeches on Iraq were checked for accuracy by the Office of National Assessments and any suggestions for changes from the Office of National Assessments were accepted by me. I am referring there to my statement to the House on 4 February, my statements on 18 March and 14 May, my National Press Club speech on 14 March and my address to the Australian people on 20 March.

The government stands by its judgment that removing Iraq’s weapons of mass destruction would reduce the threat posed by terrorists over the longer term by making it less likely that WMD would fall into the hands of terrorists. It was very much a judgment of the government about the medium and longer term risks of proliferation and terrorism. It is the responsibility of intelligence agencies to make assessments; it is the responsibility of governments to make decisions. And I would remind the Leader of the Opposition to understand the distinction between representations which are made by governments about the nature of intelligence assessments and judgments made by governments as to what to do consequent upon those assessments. We made an assessment. We stand by that assessment; we do not apologise for that judgment. We did not mislead the Australian people. It so happens that we made a different judgment from that of the Australian Labor Party, and apparently it remains the judgment of the Australian Labor Party that Saddam should have been left in authority. That is not the judgment of the Australian people, and it never will be.

Insurance: Medical Indemnity

Dr WASHER (2.06 p.m.)—My question is addressed to the Prime Minister. Would the Prime Minister advise the House on the steps taken by the government to respond to problems with the medical indemnity insurance industry and make medical indemnity insurance more affordable?

Mr HOWARD—I thank the member for Moore for his question. It allows me the opportunity, against the background of some criticism made by members of the medical professional over the weekend about the government’s responses on this issue, to put the matter into some better perspective. I start by saying that I recognise the great contribution of the medical profession to our country, I recognise the disabilities under which many specialities are operating at the present time because of increased insurance premiums, and I recognise the particular
challenges faced by many general practitioners within the Australian community. Over the last 18 months, the government has implemented a comprehensive package to make medical indemnity insurance more affordable, to put the industry on a more secure footing and to keep doctors in the work force.

The government had nothing to do with creating the recent medical indemnity insurance problem. The problem is a product of two things. It is a product of an unsustainable tort law regime, which is almost exclusively the responsibility of the states and territories in this country, and it is also a product of the bad management of the largest insurer, UMP. Notwithstanding the fact that it is a product of those two forces—neither of which the federal government were in any way responsible for—we have provided a very significant and generous taxpayer funded support package. It includes a financial commitment of more than $350 million over five years in the form of subsidies for specialists with relatively high medical premiums; a high-cost claims scheme for settlements over $2 million; the IBNR indemnity scheme—a scheme to meet 100 per cent of damages above $20 million; enhanced prudential supervision of medical defence organisations; and increased monitoring of premiums through the ACCC. We also continue to work with the states and territories to bring the laws of negligence back into balance with both public expectations and opinion.

In August we announced the details of the IBNR indemnity scheme to apply to UMP members only. I take this opportunity to say that it is misleading and inaccurate for any member of the medical profession to call this a tax. It is designed to shore up a situation caused in no way by decisions of the government and in no way by neglect of the government but by the operation of a tort law regime that is increasingly out of whack and also by the bad management of UMP. Without the IBNR indemnity scheme, UMP would probably have been placed into full liquidation, leaving doctors personally liable to meet claims.

In response to the concerns of doctors, we have exempted retired doctors aged over 65 and earning less than $5,000 in medical income per year. That is at a cost of $120 million over 10 years. Four out of five doctors paying the levy will pay less than $1,500 per annum, and this amount on top will be tax deductible. This package is designed to ensure that key private medical services are maintained throughout Australia and to improve the safety and affordability of insurance for doctors. By any measure, far-reaching reforms have been implemented and very generous taxpayer funded assistance provided.

I understand the challenges faced by the medical profession, but I ask them not to misunderstand and misrepresent to the Australian public the circumstances that led to the collapse of UMP. It was not the fault of the Commonwealth government; it was an accumulation of factors—the major ones being the mismanagement of the fund and also the faltering and increasingly out-of-date negligence laws. It is the responsibility of the Commonwealth to give leadership to the states and territories, which we have done through the Assistant Treasurer, to reform the tort law. By any measure, far-reaching reforms have been implemented and very generous taxpayer funded assistance provided. I look forward to working closely with the medical profession to implement the elements of this package.

Iraq

Mr CREAN (2.12 p.m.)—My question again is to the Prime Minister—and I again ask him in reference to the report of 10 February this year by the British Joint Intelli-
gence Committee which assessed that 'any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists'. Prime Minister, why did you tell the Australian parliament precisely the opposite to that on 25 March—six weeks after that report—when you argued that going to war with Iraq would disarm Iraq of its weapons of mass destruction and thereby deny Iraq its capacity to pass those weapons to terrorist groups? Prime Minister, on what intelligence or evidence did you rely to reject this assessment from the peak British intelligence agency?

**Mr Howard**—Mr Speaker, I have already indicated through you to the Leader of the Opposition that, although the particular JIC report was not, as is the normal custom, itself drawn to my attention, it clearly—

**Mr Crean**—Oh, come on!

**The Speaker**—Order! The Prime Minister has the call.

**Mr Howard**—The Leader of the Opposition—

**Mr Crean**—It never is.

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

**Mr Howard**—plainly misunderstands the way in which the transmission of these documents occurs. What happens is that a very large number of assessments are received from our intelligence partners, and those assessments are obviously watched and considered very closely by our intelligence agency. They clearly inform the advice that is ultimately given by our intelligence agencies to the government. But there is nothing inconsistent with that and my statement.

**Mr Crean interjecting**—

**Mr Howard**—The Leader of the Opposition can guffaw as much as he likes, but it does not alter that fact. It remains the case that, in all of these things, there are assessments made by the intelligence agencies. Of course there were short-term risks. That is why we issued a travel advisory warning of a heightened risk to Australian interests in certain Middle East areas.

On 24 March, I indicated that the threat levels had been raised. You do not raise threat levels unless there is, in the short term at least, an assessment that you ought to do so. But the Leader of the Opposition seems incapable of understanding the difference between a short-term assessment of a heightened risk because of the conflict and a longer term judgment you make about proliferation and the potential passing of weapons of mass destruction to terrorist organisations.

It was our judgment that it was in Australia’s interests to be associated with an effort to remove from Saddam Hussein the opportunity of passing weapons of mass destruction to terrorist organisations. That was our judgment. It was a judgment correctly based, and it was a judgment properly formed. As evidence that it was not contrary to the intelligence assessments made by the agencies, the major statements I made on this issue were in fact cleared by the Office of National Assessments. The five major statements I made were cleared by the Office of National Assessments.

I again invite the Leader of the Opposition to try and understand the difference between misrepresenting the nature of intelligence assessments and having a legitimate disagreement about what you should do in the light of those assessments. It so happens that we thought getting rid of Saddam was the right thing to do. You thought leaving him there was the right thing to do. That is the difference, and that will always be the difference in the eyes of Australian people.

*Honourable members interjecting*—
Mr BAIRD (2.17 p.m.)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister update the House on assistance provided to Ansett workers since the company’s collapse in 2001?

Mr ABBOTT—I thank the member for Cook for his question, and I appreciate his concern to help the former Ansett workers living in his electorate. I can assure the member for Cook and other members that this is the first government in Australia’s history to put in place a strong scheme of protection of worker entitlements. If workers lose their jobs and entitlements because of the insolvency of their employers, this government guarantees that workers will receive 100 per cent of unpaid wages, 100 per cent of any pay in lieu of notice, 100 per cent of annual leave, 100 per cent of long service leave and redundancy up to the community standard of eight weeks.

This government has paid $336 million to former Ansett workers. That is $336 million more than workers would have received under the policies of the former government. Nearly 13,000 former Ansett workers have received, on average, $26,000 each as a result of the government’s scheme. Nearly all of those workers were paid by the end of January 2002, and not one of those workers would have yet received a single cent had they been operating under the former government’s policy. I point out to the House that responsibility for paying redundancies for a period of over eight weeks is the sole business of the company and its administration, but I am advised that additional payments to Ansett workers are being held up because of a legal dispute between representatives of two groups of workers.

There have been claims that the government is double-dipping. I assure the House that there is no double-dipping, and I repeat the pledge which has been given again and again by ministers in this government—that any surplus from the ticket levy will be given to the tourism industry. There are few more stressful experiences than to lose your job and entitlements. This government understands the predicament that Ansett workers have found themselves in, and this government will continue to protect the workers of Australia in their time of need.

Iraq

Mr CREAN (2.20 p.m.)—My question is to the Prime Minister. Did the Prime Minister or his office receive reports from Australian officials which outlined the conclusions of the British Joint Intelligence Committee referred to earlier? Prime Minister, when did you or your office first receive such reports?

Mr HOWARD—I have already indicated that the chief assessment itself was not—and this is in accordance with normal practice—itself passed to my office or to me. I understand it was not passed to other ministers, but I would have to check to be absolutely certain about that. It was certainly not passed to me, because it is not normal practice for that to occur. But it is further my understanding—and I know this to be the case—that documents such as that would have gone into the mix and would clearly have informed the advice that we received. That is the position.

I repeat that it was the judgment of the government. Governments are elected to make judgments, and if they make the wrong judgments the people punish them. That is what democracy is all about. My obligation as Prime Minister was, on the basis of the information available to us but also on the basis of other assessments, to make a judg-
ment about what was in Australia’s national interest. I accept that the Labor Party reached a different conclusion. I accept that the Labor Party did not want us to join the coalition action against Saddam Hussein. I understand that. They never made any secret about it, and to this day they have not repudiated that position. I understand that, and in the great democracy that is Australia that is the right of the Australian Labor Party. I do not contest it for a moment.

I assert that it is not only my right but also my responsibility as the leader of the government to make a judgment about what is in the longer term interests of this country. And it was the judgment of the government—and rightly so—that the longer term proliferation and terrorism risks of leaving Saddam’s weapons in place outweighed the shorter term risks addressed in the JIC report. The JIC report added nothing particularly new to the total mix of things. The Leader of the Opposition can develop a lather as often as he likes, but it does not alter the fact that judgments were formed, assessments were made, and the JIC report obviously made a contribution to that. Can I remind the Leader of the Opposition that he asked me a question on 24 March this year—I have the full text of it. It was a question about travel advisories and, quite properly so, about appropriate warnings to the Australian people. In the course of that answer I had this to say:

... threat levels against Australian interests in a number of countries overseas—especially in the Middle East—have been raised because of the war in Iraq.

In other words I was saying on 24 March that, because of the war in Iraq, in the short term the threat levels had to be raised in relation to Australian interests. Is that disguising anything?

Mr Crean interjecting—

Mr HOWARD—He says, ‘What about here?’ I am glad you interjected with that—I thought you would—because I went on to say that the overall threat level in Australia has not changed.

Mr Crean—Yes!

Mr HOWARD—Well, what are you asking me questions for?

Mr Crean interjecting—

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

Mr HOWARD—The overall threat level has not changed since the beginning of the war in Iraq. That is why we did not raise the warning in Australia: because the security advice was that the threat level in Australia had not been lifted as a result in the war in Iraq but the short-term risk to Australian interests in the Middle East had. That is why we raised the travel advisories. That perhaps will help to inform the Leader of the Opposition on the difference between the short-term potential retaliatory consequences of military action and the longer term goal of preventing the proliferation of weapons and thereby reducing the possibility of a massive terrorist attack in Australia.

Let me repeat again what I said at the time of the debate. I said that our view was that, if a country like Iraq were not denied weapons of mass destruction, other countries would seek also to have those weapons. And the more rogue states that had those weapons, the greater would be the opportunity for those weapons to fall into the hands of terrorists. That is the judgment the government made. I stand by that judgment. I believe it was the right judgment, and I believe it was a judgment supported by the Australian people.

Drought: Assistance

Mr BRUCE SCOTT (2.25 p.m.)—My question is addressed to the Minister for Ag-
Mr TRUSS—I know the member for Maranoa knows that no government in history has done more to assist farmers during a drought than this coalition government has during this drought. It has been a magnificent effort to provide support to farmers at a time when they need it, and I am pleased to tell the House today that another 6,500 farms around Australia will benefit from the latest announcements of exceptional circumstances assistance. Three thousand farmers, graziers, horticulturalists and intensive livestock producers in the Burnett region will be able to claim EC support. This declaration will include cattle, dairy, pig and some perennial horticultural producers, as well as croppers who can demonstrate that they have had two failed crops, and it covers the Upper Brisbane Valley, the South Burnett and the Eastern Burnett subregions. In addition, pig producers in the south-east Queensland EC area are also eligible to receive full EC assistance. This means two years of income support and interest subsidies of up to $100,000 a year for two years. I am sure that the member for Blair, the member for Hinkler and other members in that area will be very pleased that this assistance is being provided to farmers in that region.

The farmers of the Darling Downs, in the electorates of the honourable member for Maranoa and the Minister for Industry, Tourism and Resources, have also been receiving exceptional circumstances support for the past two years. But their benefits have expired, and I am pleased to announce today that the government has accepted a recommendation from the National Rural Advisory Council that EC benefits should continue for a further 12 months in that region. There has clearly not been a full recovery in the region. Indeed, the dry weather of the last two or three weeks is adding to the concerns there. There are about 3,500 farmers in that region who will potentially benefit from these announcements.

I might also add that small businesses in EC declared areas are also eligible for assistance from this government and that interest rate relief will help small businesses through the drought, because we know that they are also adversely affected in times when incomes stop flowing into the farm sector. Over 23,000 applications for financial support under EC and the 9 December package have now been approved, and 6,700 applications for interest rate subsidies have also been approved. The federal government is currently paying out about $10 million a week in assistance to drought-stricken Australian farmers.

Of course, that contrasts very markedly with the efforts of the states. Today we are announcing support for another 6,500 Queensland farmers. What has the Queensland government provided to assist these farmers over the years? Precious little. The minister, Henry Palaszczuk, has boasted that they provided $7 million in assistance over five years. So Queensland has provided $7 million over five years—it only takes the Commonwealth four days to deliver to Australian farmers what Queensland has taken five years to produce. That is a clear demonstration of the states’ real lack of commitment to supporting their farmers.

Across the border I am sure the members for Parkes, Riverina and Farrer and the Deputy Prime Minister would be interested to know that another group of farmers in New South Wales have had their drought assistance stripped away by the state government. Farmers who live in the areas of the Broken
Hill, Brewarrina, Gloucester, Molong, Murray, Narrabri, Riverina and Wagga rural lands protection boards have all been told: ‘No more assistance from the state government. For you, the drought’s over. The paltry aid we were providing has been ended.’ It is very disappointing that the states should continue to place so little emphasis on ensuring that farmers are able to see their way through this difficult drought. The Commonwealth continues to stand by them, and today’s announcements demonstrate our deep and abiding commitment to ensuring that the rural sector is able to recover from these tough times and contribute once again to our national economy.

**Iraq**

Mr CREAN (2.30 p.m.)—My question is to the Prime Minister. It refers to his last answer, where he said that the information from the British Joint Intelligence Committee ‘went into the mix’. Prime Minister, when this information went into the mix, did you or your office ever receive any report or oral briefing which summarised the conclusions of the British Joint Intelligence Committee report on Iraq on terrorism, dated 10 February 2003?

Mr HOWARD—Without checking, what I can tell the Leader of the Opposition is that the Australian intelligence community, as part of the government’s prudent contingency planning, undertook various assessments of what could go wrong in the event of conflict in Iraq. In framing these assessments, the Australian agencies drew upon JIC reports—to put it another way, they were part of the mix—as well as a range of other analysis and intelligence. It was the judgment of the government, and rightly so, that the longer term proliferation and terrorism risks of leaving Saddam’s weapons in place outweighed the shorter term risks addressed in the JIC report. That was our judgment. The Labor Party can attack that judgment. They can say we should not have joined the Americans and the British, but it does not alter the judgment that I and the rest of my colleagues in the government made. It is a judgment that I am prepared to be assessed by the Australian people about. I have never run away from the commitment that our government made to the coalition to disarm Saddam Hussein.

Mr Crean—Mr Speaker, I raise a point of order on relevance. My question was very specific as to whether he or his office received the summary of the JIC report, and when. That is what we need to know. This parliament is sick of the Prime Minister’s obfuscation—

The SPEAKER—I wrote the question down. The Prime Minister’s obligation is to be relevant to the question. The question concerned the mix and whether oral or written material had been received by his office. The Prime Minister has the call.

Mr HOWARD—I resume what I was saying. I have never run away from the judgment that was made. It was a judgment that was difficult to make at the time but one that I believed was in the longer term interests of the Australian community. On that, I remind the Leader of the Opposition of something else I said, when he asked me a question on 24 March this year. I said this: I want to make one final point. Mr Speaker, that no self-respecting country can allow its policies to be dictated by the threat of terrorism. That is not something that I believe. I believe that Australians would not want their government to fashion or dictate policy according to the threat of terrorism. The issue of terrorism and the potential threats of terrorism remain an issue in the ongoing debate about the government’s decision to commit military forces to Iraq. It is the government’s very strong view that Australia’s involvement in Iraq is directed at reducing the threat of terrorism, and over the longer term it will do that.
That is what I said on 24 March. That was our judgment then and it remains my judgment. In reaching that judgment, of course the government had before it a variety of assessments from our intelligence agency. And those assessments, as I have already said, would have been informed by reports such as that of the Joint Intelligence Committee of the British intelligence system, which was received on 10 February.

Let me remind the Leader of the Opposition that it is the role of the government to receive assessment. It is our responsibility to make judgments based on those assessments. In the end, any government worth its salt will make its own assessment, based on what it believes to be the long-term interests of this nation. It was my view then that, in the medium to longer term, the action we took would reduce the threat of terrorism and reduce the potential for a massive attack on this country. It was my view then, it remains my view, and nothing—least of all anything that the Leader of the Opposition says—is going to shake that conviction.

Mr Kelvin Thomson—Pursuant to standing order 321, I request that the Prime Minister table the documents from which he was quoting.

The SPEAKER—Was the Prime Minister quoting from documents?

Mr HOWARD—I was quoting from two documents. One of them is marked ‘confidential’ and the other is an excerpt from *Hansard* with a couple of underlinings by me on it. I am perfectly happy to table that, although I would like a copy back as soon as possible because I might have to quote it again.

Mr Kelvin Thomson—You forgot to table the other one.

The SPEAKER—The member for Wills, the Prime Minister has responded to the question as the standing orders provide.

**Education and Training: Apprenticeships**

Mr ANTHONY SMITH (2.36 p.m.)—My question is addressed to the Minister for Education, Science and Training. Would the minister provide the House with the most recent figures on the government’s New Apprenticeships program and its success in providing opportunities for training and apprenticeships? Is the minister aware of other statements or policies which could impact on those opportunities?

Dr NELSON—I thank the member for Casey for his question and also for his very strong advocacy for automotive parts industries in Lilydale and Kilsyth in his electorate. This year the Howard government will invest $684 million specifically in support of apprentices and trainees, a 16 per cent increase on last year. It is obviously having an impact.

Last week the National Centre for Vocational Education Research released the latest figures for apprentices and trainees in Australia. There are now 396,000 Australians—more than half of them young people—in apprenticeships and traineeships throughout Australia, an 11 per cent increase to the end of 30 June in the last year alone. In addition to that, 268,000 Australians commenced an apprenticeship or traineeship last year. That represents an eight per cent increase over the last year. Importantly, completions—those who finished their apprenticeship—reached 121,000, which is a 14 per cent increase. Perhaps one of the most pleasing figures is that six per cent of those who started an apprenticeship last year did so in a traditional trade. Especially important for a school system that has been obsessed with sending young people to universities, five per cent of those who begin an apprenticeship now do so in a school.

I was asked about alternative policies. It has been a week since I challenged the federal Australian Labor Party to raise any kind
of objection to or concern with measures announced in the New South Wales state Labor budget which will have a serious impact on the participation of young people, in particular, in apprenticeships. There has been a $47 million tax applied to employers trying to take on apprentices and trainees in New South Wales with the removal of a workers compensation exemption. Members of the Labor Party might appear to be uninterested, but I challenge any member to go and spend a little bit of time with a group training company trying to find an apprenticeship for a young person, a person with a disability, an Aboriginal person or a mature age worker. What the New South Wales government has done will impact on those looking for apprenticeships.

In addition to that, not a word has been said by the Australian Labor Party about the 300 per cent increase in up-front compulsory TAFE fees being levied by the New South Wales Labor government on young people trying to get support for their apprenticeships or traineeships. This government is absolutely determined to support, with both philosophy and policy, career and training and life-changing opportunities for young Australians. These figures should be celebrated, because behind them are training, career and life-changing opportunities for young Australians.

Agriculture: Food Supply

Mr ANDREN (2.39 p.m.)—My question is to the Minister for Agriculture, Fisheries and Forestry. Given that the Department of Agriculture, Fisheries and Forestry has commissioned a study of food price determination to investigate supply chain activities from farm to consumer and their effect on food prices, can the minister give his assurance that the report of this study will be made publicly available and, where the terms of reference of the study include the examination of ‘horticultural products’, that this will include alleged irregularities in the supply chain of fresh fruit and vegetables between orchard and farm and retailers and consumers?

Mr TRUSS—In answer to the honourable member for Calare, I can confirm that my department has commissioned consultants to do some work on the supply chain and, in particular, on the various elements between the farm gate and the supermarket shelf. This is routine work that will update some of the work that we have done in the past in those sorts of areas and also similar work that has been done by the ACCC and other industry and community organisations. The intention is to look specifically at where the costs are incurred in the supply chain and how the value adding leads to the increase between the cost at the farm gate and what is paid for by consumers.

Mr Fitzgibbon interjecting—

The SPEAKER—The member for Hunter is defying the chair!

Mr TRUSS—It is not intended that that examination will look at specific irregularities. If there are irregularities, that is a matter that should be pursued under the law or, alternatively, through the ACCC. This is an information-gathering exercise, not an attempt to seek to identify irregularities with a view to some kind of prosecution or action in that regard. If this study uncovers information that requires further action, we will obviously take that action. But it is not intended to be a forensic type look at the activities of individual companies or organisations.

Employment: Participation Rates

Mr CAMERON THOMPSON (2.42 p.m.)—My question is to the Minister for Employment and Workplace Relations. Would the minister advise the House of growing participation rates? What is the gov-
ernment doing to ensure that more Australians participate in the work force? Are there any alternative policies?

Mr ABBOTT—I thank the member for Blair for his question. I can assure him that the Howard government has helped to bring unemployment down to 5.8 per cent, which is a 13-year low. Also, its policies are helping to encourage record numbers of Australians to join the work force. This government believes that the best form of welfare is work and the most effective way to tackle poverty is to encourage more people into sustainable jobs.

Last week, the Australian Bureau of Statistics released new figures showing that 74.2 per cent of all Australians aged between 15 and 69 had worked at some point in the 12 months to February 2003. This is the highest percentage of people in the work force ever recorded. Notwithstanding this success, there are still too many people of working age who rely on social security for the majority of their income. In particular, there are far too many people on the disability support pension with little likelihood of ever re-entering the work force. In any one year, just two per cent of disability support pensioners find full-time employment. When he was on the backbench, fixing the disability support pension was one of the member for Werriwa’s big crusades.

Mr Latham—It still is.

Mr ABBOTT—He said then:

Something ... needs to be done about the outrageous growth in the Disability Support Pension ... which is now paid to more than 550,000 Australians. It is being used as a way of shifting people off the dole and artificially lowering the unemployment rate.

Mr Latham—It is still true.

Mr ABBOTT—He still thinks it is true. He went on to say—and I presume he still thinks this is true:

I think blind Freddy out there in Australia can see that we don’t have one out of eight Australian men in their fifties disabled, totally incapable of work ... Everyone knows that the system is being abused ... The whole emphasis of welfare policy should be much more on capacity than incapacity. That is what the member for Werriwa said, and he is quite right. Like the member for Werriwa, this government wants to emphasise what people can do, not what they cannot do. Incredibly, given the views of the member for Werriwa, modest changes to the disability support pension arrangements from the budget before last are still blocked in the Senate. The member for Werriwa has a serious credibility problem here—you cannot campaign for something on the back bench and then ignore it when you are on the front bench. The member for Werriwa lacks either integrity or authority. Either he did not believe what he said then or he lacks the capacity to persuade his colleagues to do what he wants. The member for Werriwa says that he wants the Labor Party to be the party of economic responsibility. There is a simple test for the member for Werriwa: persuade the Labor Party to change its views on the disability support pension. If the member for Werriwa cannot persuade his colleagues on this point, he lacks the capacity to be an effective shadow Treasurer—and he will have proven that he is much better at muscling up to Sydney taxidrivers than he is at taking on his own colleagues.

Iraq

Mr CREAN (2.46 p.m.)—My question is to the Prime Minister. Prime Minister, when did you first become aware of the conclusions of the British Joint Intelligence Committee, dated 10 February?

Mr HOWARD—In answer to the Leader of the Opposition, let me just repeat what I have previously said. I am indebted to the Leader of the Opposition for asking me to answer the question, which I will resume.
I am advised that on 10 February the JIC assessment on Iraq and terrorism was received by the relevant Australian agencies. I am further advised that JIC reports are not normally passed to ministers, and I can confirm that this particular JIC report was not brought to my attention or that of my office. I repeat, even if it were—I ask the Leader of the Opposition to actually listen carefully to the answer and he will realise that I am fully addressing the issue that he has raised—there is nothing new in the JIC report. The Australian intelligence community, as part of the government’s prudent contingency planning, undertook various assessments of what could go wrong in the event of conflict in Iraq. In framing these assessments—and this is the bit I ask the Leader of the Opposition to listen to carefully—Australian agencies drew upon JIC reports as well as a range of other analysis and intelligence.

It was the judgment of the government, and rightly so, that the longer term proliferation and terrorism risks of leaving Saddam’s weapons of mass destruction in place outweighed the shorter term risks addressed in the JIC report. In other words, of course the JIC report was part of a whole paraphernalia of material that informed the assessments that we received. Those assessments canvassed risks. Indeed, one of the reasons we lifted the level of alert in the travel advisory after the war had started in Iraq was those short-term risks. We did not disguise that. I told the parliament on 24 March in answer to a question from the selfsame Leader of the Opposition.

I ask the Leader of the Opposition to remember again that, in the end, it is governments that make decisions and make judgments. We make those judgments on the basis of all the assessments we receive, and inevitably in difficult situations such as Iraq there are conflicting assessments. Nothing is 100 per cent one way and nought per cent the other way. Of course there were risks assessed on both sides. We made a judgment that in the medium to longer term the cause of limiting or preventing proliferation and the cause of reducing the risk of weapons of mass destruction falling into the hands of terrorists would be aided by our joining the coalition led by the United States. That was the judgment we made then. I remain steadfast in my view that it was the right judgment in the Australian national interest.

Small Business: Growth

Mrs DRAPER (2.50 p.m.)—My question is addressed to the Minister for Small Business and Tourism. Would the minister update the House on the government’s ongoing commitment to improve the environment in which small business can grow and create jobs? What is the progress of government legislation aimed at assisting small business to do this?

Mr HOCKEY—I thank the member for Makin for her important question. She is a great advocate for small business in the Adelaide region. It is not often that I give a wrap to a member of the opposition. It is not a habit that we want to create. We recognise that Barney Cooney was a one-off. But I think I might have found another one and I want to give the member for Hunter a bit of a wrap. Not only is he a pretty handy half-back for the parliamentary rugby team; importantly, he occasionally calls it as he sees it. We on this side of the House will be forever grateful for this observation by the member for Hunter on The Small Business Show when he recounted a conversation he had with a small business woman.

Mr Latham—Mr Speaker, I rise on a point of order. The question very clearly was about the progress of government legislation relating to small business and not a very dated conversation that the minister is re-
peating to the House. This answer is clearly not relevant. In the couple of minutes that the minister has been speaking, he has not mentioned legislation once and has not mentioned provisions for small business once.

The SPEAKER—Let me reassure the House that I was much more concerned about the relevance of the member for Hunter’s capacity as a football player than I was about anything that has been said so far. The minister has the call.

Mr HOCKEY—The member for Hunter recounted a conversation he had with a small business woman. He said:

... she could afford to put on one person or would like to put on one more person, but is fearful of unfair dismissals, she is fearful of going through the barrier to another level of red tape and regulation.

We recognise that the member for Hunter was telling the truth. He was being honest. He was saying that he had met a small business woman who said that, if not for the unfair dismissal provisions that exist at the moment, she would employ another person. In part in response to that, the coalition said, ‘We want to introduce an exemption from unfair dismissal legislation for small business.’ We have put that legislation to the parliament on 18 occasions, and on a total of 36 occasions—in both the House of Representatives and the Senate—the Labor Party have voted against it.

If we can exempt Australia’s 1.1 million small businesses from the unfair dismissal legislation, it will, on some of the most conservative estimates, create an additional 50,000 jobs. And we believe in job creation on this side of the House. We want lower unemployment rates, we want more people in jobs and we want small business to thrive. Just as that small business woman said to the member for Hunter, it is important that we give small business the opportunity to grow.

So we do not understand why the Labor Party continue to pretend to be the friend of small business. They have had the opportunity to vote in favour of small business in the Senate. When it comes to unfair dismissal legislation, on 18 separate occasions they have rejected the initiative. Labor can have all the inquiries they want in the Senate into a range of different matters, from the Trade Practices Act to late payments for small business, but when push comes to shove the only parties prepared to put the interests of small business ahead of the interests of the unions are the Liberal and National parties.

National Security: Terrorism

Mr CREAN (2.54 p.m.)—My question is to the Prime Minister and it follows his earlier answers. Prime Minister, given that you have now admitted that there was an increased terrorist threat to Australia, at least in the short term, as a result of your actions in support of Iraq, at what point did you advise the Australian public at large of this increased threat, apart from just upping the travel advisories?

Mr HOWARD—What I said was that the threat to Australia as such had not increased.

Mr Crean—Right!

The SPEAKER—Order! The Prime Minister has the call.

Mr HOWARD—that is what I said, and I have not admitted anything to the contrary.

Mr Crean interjecting—

Mr HOWARD—You are misrepresenting that I have admitted something to the contrary.

Dr Emerson interjecting—

The SPEAKER—The member for Rankin!

Mr HOWARD—What I said—and I am reading from my answer to the Leader of the Opposition—was:

CHAMBER
... threat levels against Australian interests in a number of countries overseas—especially in the Middle East—have been raised because of the war in Iraq. The government has been totally open and transparent about this through ... travel advisories.

The Leader of the Opposition asked me how I informed the Australian people of this.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition will hear the Prime Minister in silence.

Mr Howard—I would have thought that informing the Australian people is represented by the Prime Minister answering a question in the House of Representatives from the Leader of the Opposition. The Leader of the Opposition asked me a question on 24 March, and I said that threat levels against Australian interests had been raised because of the war in Iraq. You could not be more black and white, more transparent, than that. In the same answer I made it perfectly clear that we had no intelligence suggesting that the general threat level in relation to Australia needed to be raised. I ask the Leader of the Opposition to understand the difference between heightened threats to Australian interests in Middle Eastern countries because of the war in Iraq and the lack of intelligence suggesting a heightened security risk to Australia as a whole. I made that very clear.

The Leader of the Opposition asked me to say how I informed the Australian people. I informed the Australian people as I am informing the Australian people now—through the national parliament. I do not know how else I can do it. Does the Leader of the Opposition suggest that somehow or other this is not a way to inform the Australian people? The reality is that the Leader of the Opposition formed a different judgment about what ought to be done about Saddam Hussein from the judgment I formed. I accept that—that was his right—and the Australian people will in due course form their judgment about the respective assessments that have been made. I remain of the view that the judgment made by the Australian government back in March was right, and nothing that I have seen or heard since alters that conviction.

Health and Ageing: Aged Care

Mr Lindsay (2.58 p.m.)—My question is to the Minister for Ageing, representing the Minister for Health and Ageing. Would the minister inform the House on what the government is doing to ensure that elderly Australians receive the assistance and care they need after hospitalisation?

Mr Andrews—I thank the honourable member for Herbert for his question. I was delighted, not so long ago, to visit his electorate to meet with aged and community care providers and also visit the medical school at James Cook University. In response to the honourable member’s question, the government is committed to ensuring that older Australians receive the services they need in the important transition to home after a stay in hospital. Indeed, I was pleased to announce recently that the Townsville Innovative Care Rehabilitation Service pilot in the honourable member for Herbert’s electorate will provide 24 additional flexible care places over two years, worth some $1.3 million in Australian government funding.

Earlier this year the Prime Minister announced the new $253 million Pathways Home program, which will help older people leaving hospital to return home. This program provides one-off funding of over a quarter of a billion dollars over a five-year period to assist the states and territories in upgrading their infrastructure for rehabilitation and step-down care. This will assist older people to return home after hospital. New South Wales is receiving $86 million;
Victoria, $63 million; Queensland, $45 million; Western Australia, $23 million. There is, of course, funding to the other states as well.

In addition to these programs, the government is also meeting the needs of older Australians through the Innovative Care Rehabilitation Service pilots. This is in partnership with other stakeholders, including state and territory governments and approved age care providers. I recently announced an additional 483 flexible care places, which have been allocated to 19 pilot projects through the innovative pool for 2002-03. This is additional funding of $31 million for these projects. There are now 30 such pilots in operation throughout Australia, with 865 flexible age care places.

With an ageing population, we would expect that a greater number of older patients will require acute and subacute hospital care. In contrast to these improvements in conditions and the provision of extra places and beds, the Labor state governments around Australia are closing hospital beds. The Beattie government in Queensland, where the honourable member’s electorate is found, has closed 522 beds since it came to government. Premier Gallop in Western Australia has closed 115 hospital beds. Premier Bracks in Victoria has closed 92 acute care beds. Taking the cake, Premier Carr in New South Wales has closed 5,330 beds.

National Security: Terrorism

Mr CREAN (3.02 p.m.)—My question is to the Prime Minister. It refers to the report of 10 February this year of the British Joint Intelligence Committee and to a further conclusion from that report. Is the Prime Minister aware that that report:

... assessed that al-Qaida and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that threat would be heightened by military action against Iraq.

Prime Minister, do you also recall telling the Australian people in your address to the nation on 20 March:

We believe that so far from our action in Iraq increasing the terrorist threat it will, by stopping the spread of chemical and biological weapons, make it less likely that a devastating terrorist attack will be carried out against Australia.

Prime Minister, why were you telling the Australian people the exact opposite to what the British intelligence agencies had told you a month before?

Mr HOWARD—I can only repeat what I have said earlier. Clearly, in the advice that we received from our intelligence agencies, there were assessments based on that analysis of shorter-term risks. We had to take them into account in making a judgment about the medium to longer-term prevention of the spread and the proliferation of weapons of mass destruction. I do not resile in any way from the judgment that I formed and that I communicated to the Australian people in that address to the nation. In the end, as the Leader of the Opposition will recall from the time that he had in government, governments receive varieties of advice from different sources.

There are judgments, particularly in intelligence matters, that can be interpreted in a different fashion, depending upon the particular judgment that you make. I can only say to this House that at no stage did the government misrepresent the intelligence assessments we received. I accept it is a fact that the judgment we formed, based on those assessments, was different from what would have been the judgment of the Labor Party had it been the government. The Labor Party's view was that it should not absent another resolution from the United Nations. The House ought to be reminded that the Labor Party’s view was, and remains, that absent a further resolution from the United Nations authorising action—although that
was legally not necessary—no action should have been taken to remove Saddam Hussein. I think we can all conclude that, if the action taken by the coalition had not been taken, alternative action to remove Saddam would not have eventuated and that, as I speak, six months later—

Mrs Irwin interjecting—

Mr HOWARD—Saddam would still have been in charge of Iraq, with all of the horrors of that regime. I can only say again to the Leader of the Opposition and to this parliament that we made a judgment. That judgment was the correct judgment. It was in the long-term interests of this country. I have no doubt that the action we took has over the medium to longer term made a contribution to the prevention of proliferation of weapons of mass destruction and thereby diminished over that time period the potential for those weapons to fall into the hands of terrorists.

Before concluding my answer—

Mrs Irwin interjecting—

The SPEAKER—I warn the member for Fowler!

Mr HOWARD—I will tell the House that, contrary to what I said before, the Joint Intelligence Committee report was dated 10 February 2003, and it was received by our agencies on 18 February 2003.

The SPEAKER—I remind members of their obligation to address questions, in this instance particularly, through the chair and to avoid the use of the words ‘you’ and ‘your’.

Employment: Work for the Dole

Ms GAMBARO (3.06 p.m.)—My question is addressed to the Minister for Employment Services. Would the minister inform the House of the government’s plans to recognise the exceptional achievements of people involved in the Work for the Dole program?

Mr BROUGH—I thank the member for Petrie for her question. As I recall, last year there was a participant in her electorate, a Mr Cameron Sharp, who was commended for his building of a web site at the Humpybong primary school. I am sure that there will be many other fine achievements out of that electorate in this coming round.

Mrs Crosio—Mr Speaker—

The SPEAKER—Does the member for Prospect have a particular concern that she wishes to raise?

Mrs Crosio—Thank you, Mr Speaker. Now that I have been given the opportunity: the minister before this parliament just named a person, which we on this side of the House—

The SPEAKER—The member for Prospect will resume her seat.

Mrs Crosio interjecting—

The SPEAKER—If the member for Prospect cares to check the Hansard for the five years that I have occupied this chair and, I would confidently say, for the 20 years I have been in this parliament, she will find that the standing orders have not changed and that standing order 144—Rules for questions—refers specifically to the naming of persons in questions. There is no such restraint on answers.

Mr BROUGH—Mr Speaker, if it will help the member for Prospect the gentleman appears in this publication, Work for the Dole achievement awards 2002. He was recognised publicly not only in here but also by the Prime Minister and by his local member. He is a fine individual and we commend him for what he is doing, as does the gentleman who sits in front of the member for Prospect, the member for Franklin, who understands the importance of recognising the work that is being done by those people who are helping in the community.
The Work for the Dole awards open today. I would say to the member for Prospect: get in there, have a look around your electorate, go and visit some of those Work for the Dole projects. I am sure the Speaker has visited, and I can confidently say that every member on this side of the House has visited, Work for the Dole projects and has complimented those individuals involved and the community on the work they are doing. I know there are a few closet Work for the Dole devotees on that side. I encourage them to come out of the closet, to put their names forward and to recommend the community groups.

Ms King interjecting—

Mr BROUGH—The member for Ballarat will no doubt tell you about the fine work done by the local Work for the Dole project that built a house and then donated $100,000 to charity as a result of that fantastic work.

The Prime Minister’s Work for the Dole awards are about acknowledging individuals and communities, and they have been launched today. We are encouraging anyone in the community—you do not have to be a member of parliament; you can be a member of the gallery or anyone anywhere in this country—that if you see a fine piece of work done as a Work for the Dole project, get onto www.workplace.gov.au, have a look and recommend someone. Show them that you are interested and you are positive about what they are doing. Last year the member for Solomon had a Work for the Dole project in Darwin—learning all about the aspects of child care, and giving participants a worthwhile experience—as did the member for McPherson. Hopefully the member for McPherson is here at the moment. Her Work for the Dole project is helping people with disabilities. All of these local members understand the significance of Work for the Dole and the role it has played in the life of 250,000 Australians as they have participated in more than 14,000 wonderful community activities right around this country.

Iraq

Mr CREAN (3.10 p.m.)—My question is to the Prime Minister. Does the Prime Minister recall his 4 February address to parliament on Iraq when he drew extensively on what he described as British Joint Intelligence Committee assessments of Iraqi weapons of mass destruction capabilities to advance his case for a war in Iraq? Isn’t it a fact that the Prime Minister received, read, used and quoted extensively British Joint Intelligence Committee material when it suited his argument for going to war, but he expects Australians to believe that he did not receive or read it when it did not suit his arguments for going to war? How do you expect Australians to put up with this sort of double standard, Prime Minister?

Mr Ross Cameron—Mr Speaker, I rise on a point of order. I just ask that the argument in the last clause of the question be withdrawn.

The SPEAKER—The member for Parramatta has drawn my attention to a matter that I had already intended to raise. The imputation in the latter part of the Leader of the Opposition’s question is inappropriate and it will be ignored.

Mr HOWARD—Mr Speaker, in answer to the Leader of the Opposition, it is true that in my speech on 4 February I made reference to the Joint Intelligence Committee. It does not automatically follow from that—

Mr Bevis—Your shoulders are twitching, John!

The SPEAKER—The member for Brisbane is warned! The Prime Minister will be heard in silence.

Mr HOWARD—It does not follow from that that I had read and seen all of that report. It is perfectly possible that I had been ad-
vised by my intelligence agencies, the Australian ones, that the British had made certain conclusions. That was included in the speech of 4 February on that basis and certified as accurate by the Office of National Assessments, so the whole basis of the Leader of the Opposition’s question, as usual, is insubstantial.

Mr Crean—I seek leave to move a motion of censure of the Prime Minister.

Leave not granted.

PRIME MINISTER

Censure Motion

Mr CREAN (Hotham—Leader of the Opposition) (3.13 p.m.)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition moving forthwith:

That this House censure the Prime Minister for:

(1) not telling the Australian Parliament and people the truth about the heightened threat of terrorism caused by the Government’s decision to engage in military action in Iraq;

(2) not telling the Australian Parliament and people the truth about the increased risk of chemical and biological weapons falling into the hands of terrorists caused by the Government’s decision to engage in military action in Iraq; and

(3) failing to take all the necessary steps to protect Australians from the threat of terrorism.

The findings of the British Joint Intelligence Committee demonstrate beyond doubt that the Prime Minister sent this country to war based on a lie. The Prime Minister did not tell the Australian people the truth when he committed us to war and, by his actions, the Prime Minister increased the threat of terrorism to the Australian people. He made us less safe and, worst of all, he failed to protect us. Six months after the Prime Minister committed this country to war, not a single weapon of mass destruction has been found. Yet in the process Iraq has become a new haven for international terrorists. In other words, what the Prime Minister has succeeded in achieving is the exact opposite of what he promised the Australian people. What is unravelling here yet again is the continuing pattern of deceit by this Prime Minister. Remember them? We all remember them. The children were thrown overboard. Was he telling the truth then?

Opposition members—No.

Mr CREAN—Then there was the further assertion that predeployment did not mean our troops were committed to a war. Was he telling the truth then?

Opposition members—No.

Mr CREAN—And Iraq’s weapons of mass destruction program were an imminent threat to Australia. Was he telling the truth then?

Opposition members—No.

The SPEAKER—The Leader of the Opposition knows that that is not normally permitted.

Mr CREAN—He said that this war would reduce the threat of terrorism. Was he telling the truth then?

Opposition members—No.

Mr CREAN—Of course he was not. Let us look at the most recent example. Here is what the Prime Minister said on 20 March:

We believe that so far from our action in Iraq increasing the terrorist threat it will, by stopping the spread of chemical and biological weapons, make it less likely that a devastating terrorist attack will be carried out against Australia.

That is what the Prime Minister said on 20 March. In other words our action in Iraq, rather than increasing the terrorist threat, would make it less likely. That is what the Prime Minister said. But what did the British
Joint Intelligence Committee say? Its assessment was:

... that al-Qaeda and associated groups continued to represent by far the greatest terrorist threat to Western interests, and that threat would be heightened by military action against Iraq.

That is what the Joint Intelligence Committee in Britain found—that the threat would be heightened. The Prime Minister said an attack would be less likely, yet he had intelligence reports saying the threat would be heightened. He did not tell the Australian people that. He continued to tell them that Australians and Australian interests would be less likely to be the subject of a terrorist attack. He also said, on 27 February:

... not only might they—

... that is, Iraq—

use them—

that is, chemical and biological weapons—against other countries but they might give them to terrorists, and that is the reason why I’m taking the stance I am.

In other words, that was his other justification for going to a war in Iraq—that they might give these weapons of mass destruction to terrorists. But what, Mr Speaker, did the British Joint Intelligence Committee say about this? They said there was no intelligence—no intelligence—that Iraq had provided chemical and biological materials to al-Qaeda and assessed:

... that any collapse of the Iraqi regime would increase the risk of chemical and biological warfare technology or agents finding their way into the hands of terrorists ...

The Prime Minister said that if we did not go in they would give their weapons to the terrorists; the Joint Intelligence Committee found exactly the opposite. In just one paragraph of this report, paragraph 126, the British parliament has destroyed the Australian Prime Minister’s entire case for going to war in Iraq. The Prime Minister continues to assert that he relied on intelligence that contradicts this. Where is it, Prime Minister? This report is now not just before our parliament but also in the public domain. You were asked consistently in question time today, Prime Minister, where this other intelligence was, and you failed to give us any evidence. The Prime Minister had compelling information coming to him, based on this report. The Prime Minister cannot hide from this. The simple fact is that the British parliament itself in this report says that the allies, including Australia, were represented—

Mr Abbott—This is a censure of Tony Blair!

The SPEAKER—The Leader of the House!

Mr CREAN—Read the report. The minister interjects. This is the minister who came into this parliament and said that Australia was at increased risk of terrorism because it went to the war in Iraq. He told the truth probably for the first time in this parliament. But what information did the Leader of the House have, Mr Speaker, that led him to the conclusion—back in the debate on war—that we were at increased risk of terrorist attack?

We now know that the British Joint Intelligence Committee came to that conclusion and we now know that the Prime Minister and his government received this report at least by 18 February. We know that Australian representatives took part in that committee. We have the circumstances in which the Prime Minister has consistently relied—when it suited him—on the conclusions of the same British Joint Intelligence Committee. Remember the claims about uranium and Niger? Remember when the Prime Minister was in this parliament, flourishing the very details of all of that information that came from the same Joint Intelligence Committee? Don’t tell us, Prime Minister, that when you received that and it suited your argument you
could not help yourself getting out there. But you expect the Australian people to believe that when you received information contradicting a report you ignored it—that you had some additional information that contradicted it. Well, table it, Prime Minister. That is the charge to you. You will not take the censure, Prime Minister, but under the suspension of standing orders you will have the opportunity to defend yourself.

We have before the parliament now conclusive information that the basis upon which the Prime Minister justified taking this country to war was a lie. There can be no more reprehensible position for a Prime Minister to take than sending young Australian men and women to war based on a lie, and that is what he has done. That is what he has done, and that is what this evidence now demonstrates. Apart from the fact that we still have not found the weapons of mass destruction, his justification was that we would reduce the threat of terrorism and that we would take away the capacity for Saddam Hussein to be feeding his weapons of mass destruction—chemical and biological—to others. That is not borne out by any of the evidence that has now come before us. He did not tell the Australian people the truth on this; it is the continuing pattern of deceit. I say this: you do not have to lie to defend the country in terms of its national security.

The SPEAKER—Leader of the Opposition! That is not an accusation you can make.

Mr CREAN—I will never hesitate to do what is necessary to defend this country. I love it, I believe in it and I will do everything possible to defend it, but I will never send our young men and women to war based on a lie. I will tell them the truth.

More importantly, once having made the decision to start the conflict, you do everything possible to protect the Australian people. Last week, we saw a litany of circumstances in which the government has failed to protect the Australian people. All the Prime Minister did, knowing that he had increased the threat to Australia and Australians, was increase the travel warning—no steps here, no heightened threat security; the Prime Minister stands condemned. (Time expired)

Mr Rudd—I second the motion and reserve my right to speak.

Mr HOWARD (Bennelong—Prime Minister) (3.24 p.m.)—The government reject this motion. We reject this motion for several very simple reasons. The first and most important reason that we reject this motion is the mistaken belief on the part of the Leader of the Opposition that the publication of this material represents—

Mr Martin Ferguson interjecting—

The SPEAKER—I ensured that the Leader of the Opposition was heard in silence. The same courtesy will be extended to the Prime Minister.

Mr HOWARD—the injection into this debate of some blinding new revelation. At no stage has this government set out to mislead the Australian people on this issue. At no stage have we sought to commit the young men and women of this country to military conflict based on a lie.

Dr Emerson interjecting—

The SPEAKER—I warn the member for Rankin!

Mr HOWARD—the reality is that the opposition, from the very beginning, could not summon the courage to support the government’s decision to join our allies in disarming Saddam Hussein of his weapons of mass destruction. No matter what the opposition leader does, no matter how much he flourishes a report of the British Joint Intelligence Committee, nothing can alter the fact that if the world had listened to the Austra-
lian Labor Party Saddam would still be in Baghdad.

Ms Jackson interjecting—

The SPEAKER—I warn the member for Hasluck!

Mr HOWARD—If the world had listened to the Australian Labor Party, the tyrannical regime that was removed by the coalition of the willing—

Mr Sidebottom interjecting—

The SPEAKER—I warn the member for Braddon!

Mr HOWARD—would still be terrorising the people of Iraq. If the world had listened to the Australian Labor Party—if the world had waited for the United Nations to move at the pace of the slowest of the permanent members; namely, France and Russia—action would not have been taken to remove Saddam Hussein. Let us understand at the very beginning of this debate that if we had listened to the Australian Labor Party Saddam would still be running Iraq. That, of course, is a fundamental reality and a fundamental difference.

Mr Crean interjecting—

The SPEAKER—The Leader of the Opposition! The Leader of the Opposition was heard in silence.

Mr HOWARD—Let me go to the issues that have been raised by the Leader of the Opposition. Let me go very directly to the issue of this British Joint Intelligence Committee report. Let me repeat for the benefit of the Leader of the Opposition: in terms of the report itself, reports of that kind are not routinely passed to ministers. They are provided to our intelligence agencies. If he bothered to talk to the member for Brand or if he bothered to talk to Senator Ray or if he bothered to talk to the member for Griffith they would inform him that that is the normal procedure. I made it perfectly clear in question time that, in providing the various assessments that Australian intelligence agencies provided to the government before the commencement of military operations against Iraq, those Australian agencies would have drawn on information contained in the Joint Intelligence Committee report. There is nothing remarkable about that, and I counsel the Leader of the Opposition not to get excited about that and not to suggest that there is some kind of giant cover-up.

The reality is that it is absolutely impossible in the day-to-day life of a minister or Prime Minister to read in full all of those individual reports. That is why you have assessment agencies, and just as the Leader of the Opposition was wrong about the CIA material in relation to uranium from Niger he has been wrong about the chain of events in relation to this Joint Intelligence Committee report. If he had bothered, in between his fervent interjections in question time, to actually listen to what I said, he would have heard me say that it was the judgment of the government, and rightly so, that the longer term proliferation and terrorism risks of leaving Saddam’s weapons of mass destruction in place outweighed the shorter term risks addressed in the JIC report. That is what I said in my answer but, of course, the Leader of the Opposition is so intent on making noise at question time rather than trying to inject a bit of understanding and intelligence into a debate that he does not even bother to listen to the answers to the questions that he has addressed to me.

It has always been the argument of the government that the action we took in Iraq to disarm Saddam of weapons of mass destruction was designed to prevent a situation arising whereby, if one rogue state such as Iraq were allowed to keep those weapons, it would encourage other rogue states to do the same, thereby increasing the possibility that those weapons of mass destruction would
fall into the hands of terrorists. That was the construct of the argument that I presented to the Australian people back in March of this year, and nothing that the Leader of the Opposition has presented today, nothing in the Joint Intelligence Committee report and nothing that has been presented by anybody else since March of this year has shaken or altered that fundamental construct.

So you have Iraq, a rogue state, possessing, on our intelligence assessment, weapons of mass destruction. Iraq is left undisturbed by the international community, which is what the Leader of the Opposition wanted to happen—that was the effective result of the stance taken by the Australian Labor Party. There is Iraq, a rogue state, keeping weapons of mass destruction. Other rogues states say, ‘We will do the same thing; we will also get hold of weapons of mass destruction.’ The more rogue states that have them, the greater the likelihood that they will fall into the hands of terrorists. If they fell into the hands of terrorists, the threat posed to Australia would be lethal and real. That was the construct of our argument. That was the fundamental justification of the decision that the Australian government took in March of this year—a decision which resulted in the removal of the tyrannical regime that on conservative estimates was responsible for the murder of probably a million people, a regime that posed a direct threat not only to the state of Israel but to other countries in the Middle East.

The Leader of the Opposition talks as though the possession of weapons of mass destruction is some kind of light matter. The possession of weapons of mass destruction represents a very serious threat to the stability of the world. No country has been more prominent, under both Labor and Liberal governments, in promoting a cause of action which is designed to prevent the spread and proliferation of weapons of mass destruction. As we speak, the Australian Navy is engaged in a training exercise titled the Proliferation Security Initiative, which is designed to equip the navies and the military forces of the countries participating to take effective action against the transportation of weapons of mass destruction.

I ask the Leader of the Opposition to remember the fundamental terms of the debate that occurred in this place six months ago. It was a debate where there was a government that was prepared to assert the courage of its own judgments. It was a debate where there was a government that was prepared to make its own independent judgment according to its assessment of Australia’s national interests. It was a government that was prepared, notwithstanding the unwillingness of certain permanent members of the United Nations Security Council, to make a judgment that the long-term national interests of this country lay in joining the United States and the United Kingdom in taking military action against Iraq.

By contrast, we heard from the Australian Labor Party a view of the world that simply went as follows: ‘No matter what the circumstances are, you don’t do anything without a further United Nations resolution.’ In other words, they were handing over the conduct of the foreign policy of this country to the governments of France and the Russian republic. They were not prepared to summon the courage to make a judgment in Australia’s national interest. We made the judgment that it was in Australia’s interest to join the United States and the United Kingdom. We believed that the action would reduce the likelihood of proliferation and of weapons of mass destruction falling into the hands of terrorists, thereby reducing the likelihood of a lethal threat to this country constituted by the possession of those weapons by terrorist groups. It was a judgment made courageously by this government in the me-
chamber to longer term interests of this country, and it is a judgment from which I will never resile.

The SPEAKER—The mover of this motion to suspend standing orders was heard without any interruption from the Prime Minister, and when the Leader of the House interrupted him I took action against the Leader of the House. There was a good deal of enthusiasm from his own side—that is to be understood. I have applied precisely the same law in recognising the Prime Minister, but the Leader of the Opposition has persistently interjected. I expect greater restraint.

Mr RUDD (Griffith) (3.35 p.m.)—The Prime Minister asked this question: is it reasonable to expect that he would read a document such as this provided by the British Joint Intelligence Committee? I say yes, Prime Minister, because you were on the verge of taking this country to war. The problem with this document is that it torpedoed amidships a large part of the rationale you would put to the parliament and the people for going to war, and you knew it. It is unique in this parliament for a Prime Minister not to take a censure motion on a question of national security. He goes fleeing from the chamber and he refuses to engage in this serious and substantive censure motion on national security and whether this government can be trusted on these matters.

We have seen today the classic John Howard reinterpretation of history. There were two reasons advanced by this government for going to war: firstly, it was necessary to reduce the threat of terrorism to Australia and, secondly, it was necessary to reduce the proliferation of weapons of mass destruction through terrorists. The import of this document for the people of Australia is that it blows apart both those arguments. This is a document that was delivered to Australian intelligence one month before this country committed itself to war. That is why it is important.

We have a Prime Minister with the gall to stand before the parliament and say that the reason for going to Iraq was to liberate an oppressed people. Talk about retrospective humanitarian justification! Did we hear that in advance? When they tabled this legal opinion justifying their case for going to war, was there any shred of documentation or discussion of that? No, there was not. It has been invented after the fact, and the reason why it has been invented after the fact is that this Prime Minister—man of steel, Howard of Zimbabwe, chair of the Commonwealth troika on Zimbabwe—knows that, if humanitarian intervention was the justification for Iraq, we would be on the gates of Harare today. So do not come at us with that codswallop; come to the actual core of the argument itself!

Did we notice the slow stripping away of the Prime Minister’s defence today? It began with him saying, ‘I don’t know what you’re talking about, Leader of the Opposition,’ and went from ‘There may have been a document produced by the JIC in London,’ through to—what happened then?—‘It could’ve gone into the mix.’ By the answer to the fourth question, it got down to: Australian intelligence contingency planning ‘drew upon’ the advice of the British Joint Intelligence Committee. By the end of question time, do you know what the Prime Minister was saying? He was saying that it was part of the paraphernalia which was available to his office and to his officials in shaping their decision to go to war!

It is like getting blood from a stone to try to get the truth from this Prime Minister. You have to extract it bit by bit. A simple yes and a simple no—to the vacant chair—would have been all that was required. At the end of it all, the key question asked by the Leader
of the Opposition remains unanswered—that is, what was the intelligence and evidence base upon which you chose to reject the considered advice of the supreme intelligence body of the United Kingdom in reaching your decision for going to war? The reason that you do not answer the question is that you do not have an answer.

And then we come to the core arguments the Prime Minister advances. He has talked at length about the fact that he has covered off this question of an increase in the terrorism threat arising from the war in Iraq, and he has tried to cover that off in terms of what was contained in a couple of travel advisories in relation to a couple of countries in the Middle East. Now that you have deigned to return to the chamber, Prime Minister, let me tell you that the increased terrorism threat has everything to do with what was happening in Iraq then and now—when we see al-Qaeda returning to the country, creating merry hell, possibly responsible for the death of Sergio de Mello, possibly responsible for the assassination of Ayatollah Hakim in Najaf the other day; Indonesia becoming a radicalising force as far as terrorism is concerned; and the organisation of terrorism activity against Australians. That is one element of it.

The second element, Prime Minister, you have no answer for at all. This document says that if you invade Iraq it will increase the risk of proliferating biological and chemical weapons to terrorists. Tell me this, Prime Minister: where in this parliament have you ever admitted that?

The SPEAKER—the member for Griffith will address his remarks through the chair!

Mr RUDD—Mr Speaker, having the Prime Minister in the chamber makes this a unique opportunity to pose the question—for the simple reason that he has never done so. You were told about the increased risk of proliferating biological and chemical weapons to terrorists—you were told about it in this document—and you did not tell the Australian people. That is the second core element. This is not an occasional utterance. We have the Howard government using this on 15 occasions. The Prime Minister himself used this on 30 different occasions in arguing his case for going to war, and his ministers have used the same argument. It is not an accidental argument. You lie censured for this because you have misled the Australian people yet again. (Time expired)

Question put:
That the motion (Mr Crean’s) be agreed to.

The House divided. [3.44 p.m.]

(The Speaker—Mr Neil Andrew)

Ayes............. 60
Noes............. 76
Majority......... 16

AYES
Adams, D.G.H. Albanese, A.N.
Bevis, A.R. Burke, A.E.
Byrne, A.M. Cox, D.A.
Crean, S.F. Crosio, J.A.
Danby, M. * Edwards, G.J.
Ellis, A.L. Emerson, C.A.
Evans, M.J. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
George, J. Gibbons, S.W.
Gillard, J.E. Grierson, S.J.
Griffin, A.P. Hall, J.G.
Hatton, M.J. Hoare, K.J.
Irwin, J. Jackson, S.M. *
Jenkins, H.A. Kerr, D.J.C.
King, C.F. Latham, M.W.
Lawrence, C.M. Livermore, K.F.
Mr Howard—Mr Speaker, I ask that further questions be placed on the Notice Paper.

QUESTIONS TO THE SPEAKER

Mr LATHAM (3.49 p.m.)—I have a question for you, Mr Speaker. However, before I ask it, could I, in a rare moment of bipartisanship, extend congratulations to the Leader of the House on completing the Sydney Marathon yesterday, running the 42 kilometres. I note in history that the original marathon runner, Pheidippides, ran from Marathon to Athens, screamed out, ‘We won,’ and fell down dead. I cannot for a moment imagine that any member on this side of the House could have had a similar thought about the member opposite. We congratulate him on the 42 kilometres and for making it back here to this House in one piece.

The SPEAKER—I think the sentiment expressed by the member for Werriwa would be echoed by most people. Leader of the House, well done.

Mr LATHAM—Mr Speaker, could you update the House on the controversy surrounding the 80-year-old silky oak table in the National Party caucus room? Now that the National Party has sold out its principles by supporting the full sale of Telstra, is it not appropriate to move the table to Old Parliament House as a museum piece and bring in overseas private contractors to find a replacement table? Now that Senator Boswell has said that if the table goes he goes, sitting on top of it as it is taken out of the building, will Senator Boswell and his supporters, the members for Dawson and Riverina, also become museum pieces in Old Parliament House? Finally, Mr Speaker, can you com-
ment on the past uses of this particular table by National Party MPs, particularly the suggestion circulating in Parliament House that it bears a striking similarity to John Brown’s desk?

The SPEAKER—The member for Werriwa has made a point that is now on the Hansard record. I think that is about as far as it needs to go.

PETITIONS

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

Medicare: Bulk-Billing
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:
The need to keep bulk billing for the young families and communities of South-West Sydney.
We therefore pray that the House opposes the introduction of an upfront fee for GP visits.

by Mrs Irwin (from 98 citizens)

Medicare: Bulk-Billing
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:
The need to keep bulk billing for the young families and communities of Western Sydney.
We therefore pray that the House opposes the introduction of an upfront fee for GP visits.

by Mr Mossfield (from 219 citizens)

Health and Ageing: Aged Care
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:

We the undersigned, concerned citizens of Australia, draw to the attention of the House the dire need to address current issues in Residential Aged Care resulting from insufficient funding and the lack of accountability for how that funding is distributed. Nurses fear that as a result of the above, they will not be able to continue to provide quality care to our frail aged in Aged Care facilities. Our senior citizens deserve to be cared for by appropriately qualified nurses.

Your petitioners therefore request the urgent attention of the House to review current funding arrangements to allow appropriate nursing hours that will ensure quality care to these residents, and will ensure parity of wages for nurses working in either the public or aged care sector.

by Mr Andren (from 72,860 citizens)

Youth: Services
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The humble Petition of the Residents of Sladen Park, Cranbourne Victoria
Draws to the attention of the House that Gordoncare desires to operate a Children’s Contact and Counselling Service at 25 Rimfire Crescent, Cranbourne.

Your petitioners therefore pray the House withdraw the authority of Gordoncare to proceed in this matter.

by Mr Byrne (from 129 citizens)

Medicare: Bulk-Billing
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:

- That under proposed changes to Medicare, families earning more than $32,300 a year will miss out on bulk billing, and doctors will increase their fees for visits that are no longer bulk billed;
- That the rate of bulk billing by GPs has plummeted by 11% under John Howard;
- That’s more than 10 million fewer GP visits were bulk billed this year compared to when John Howard came to office;
That the average out-of-pocket cost to see a GP who does not bulk bill has gone up by 55% since 1996 to $12.78 today;

That public hospitals are now under greater pressure because people are finding it harder to see bulk billing doctors.

We therefore pray that the House takes urgent steps to restore bulk billing by general practitioners and reject John Howard’s plan to end universal bulk billing so all Australians have access to the health care they need and deserve.

by Mrs Crosio (from 147 citizens)

Medicare: Office

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

The petition of certain electors in the State of Queensland draws to the attention of the House that a Medicare Office is not located in the western suburbs of Logan City.

In the main, these signatories are from residents of the suburbs of Logan, the northern suburbs of Beaudesert Shire and the southern suburbs of Brisbane.

This area has been consistently recognised in consecutive censuses as being amongst the highest population growth areas in the country.

This area contains a large percentage of young families who have indicated that a Medicare Office in the area is important to them. In addition, the residents of this region have indicated that the office should be located in the grand Plaza Shopping Centre which is a major regional centre and is the hub of retail community and social interaction for the western suburbs of Logan City Council, together with the residents and signatories to the petition, believes it to be an ideal location for the establishment of this desperately required service.

Your petitioners therefore, request the House and, in particular, the Federal Minister for Health and Ageing, Senator the Honourable Kay Patterson, to carefully consider establishing a Medicare Office in the western suburbs of Logan, preferably in the shopping centre precinct known as Grand Plaza.

by Dr Emerson (from 997 citizens)

Australian Broadcasting Corporation: Funding

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 the Howard Government’s decision to starve the ABC of funds.
- That lack of adequate funding has resulted in ABC programming budget cuts of over $26 million.
- That the ABC has been forced to axe the schools production unit, which produces Behind the News and other educational programs.
- Behind the News is a particularly important resource for schools and is watched by 1.3 million students each week.
- Behind the News has helped millions of school age children appreciate and comprehend current affairs and major world events for more than 34 years.
- Behind the News has been running as a highly successful, educative program since 1969.

We therefore ask the House to take urgent steps to return adequate funding for the ABC so that the production and televising of BTN is immediately restored.

by Ms Grierson (from 253 citizens)

Australian Defence Forces: Medal

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

The petition of citizens of Australia as signed hereunder requests that in light of increasing recognition of past and present members of the Australian Defence Forces the Australian Government institutes the striking of a suitable medal.

We therefore pray that the House support the issuing of the defence force service medal.

The medal is to be awarded to past and present members of the Permanent and Reserve Forces of the Navy, Army and Air Force, for either 24
months service full time or part time or a combination of both since 1 January 1948.
A suggestion for the name of the Medal to be called the “Defence Force Service Medal”
by Mr Latham (from 733 citizens)

Environment: Marine Sanctuaries
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The petition of certain citizens of Australia and overseas visitors draws to the attention of the House the fact that the support the establishment of a comprehensive network of marine sanctuaries for the Great Barrier Reef World Heritage Area.
At the moment only 4.6% of the Great Barrier Reef Marine Park is zoned as a marine i.e. Marine Park Zone B - (green zone) or above. This is grossly inadequate, particularly given the threats of overfishing, seafloor trawling and coral bleaching caused by climate change and pollution run-off from the land.
The Great Barrier Reef is a stunning area of beauty and biological diversity and a $1.7 billion tourism industry (along with thousands of Australian jobs) relies on its wellbeing. Scientific evidence from around the globe proves that marine sanctuaries result in a greater abundance of marine life, making these areas more resilient to the threats they face. People benefit from marine sanctuaries too - the tourism and fishing industries depend on a healthy reefs and inshore areas.
Marine sanctuaries provide refuge for threatened turtles, dugong, rare dolphins and a huge variety of other plants and animals in the Marine Park. Inshore marine sanctuaries are vital too, since they can act as ‘re-stocking areas’, resulting in a greater number of juvenile fish that can migrate throughout the entire Marine Park.
Your petitioners therefore request the House to support the Representative Areas Program (RAP) currently being undertaken by GBRMPA as it provides a golden opportunity to establish a comprehensive network of marine sanctuaries for future generations. We ask that all the GBRMPA recommendations for new green are implemented and that sufficient funding is provided to monitor and enforce the new zoning. The vast majority of Australians and concerned citizens from around the world will thank you for it.
by Ms Livermore (from 79 citizens)

Environment: Murray-Darling Basin
To the Honourable the Speaker and Members of the House of Representatives assembled in parliament:
The following citizens of Australia remind the House that the Murray-Darling Basin faces an environmental crisis unless major changes to its management are introduced.
Your petitioners therefore request Parliament to support a referendum to delete Section 100 of the Constitution that gives the states “the reasonable use of the waters or rivers for conservation or irrigation.” In its place a new head of power should be inserted under Section 51 handing control of the basin to the Commonwealth.
by Mr Pyne (from 393 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;
• 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.

by Mr Sciacca (from 21 citizens)

Medicare: Bulk-Billing

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:

• That the biggest ever drop in GP bulk billing since the introduction of Medicare occurred in the last 12 months;
• That the rate of bulk billing by GPs has been in serious decline and has fallen by almost 10% since 1996;
• That the average cost to see a GP who does not bulk bill has gone up from $8.32 in 1996 to $12.89 today - an increase of 54.9%;
• That unless the rate of bulk billing by GPs is increased, a greater burden will fall on our public hospitals to treat Australians who cannot afford a visit to the doctor.

Your petitioners therefore request the House take steps to ensure that all Australians can access bulk billing.

by Mr Sciacca (from 35 citizens)

Australia Post: Services

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

The petition of residents of the State of Victoria draws to the attention of the House that the people of Mill Park Lakes, South Morang have had to endure the injustice of Australia Post to provide this most basic of needs.

Your petitioners therefore pray that the House immediately seek Australia Post to install, maintain and service a standard postal box in Mill Park Lakes, South Morang shopping centre so that we the long suffering residents of Mill Park Lakes, South Morang can too enjoy the convenience of sending postal articles and letters.

by Mr Tanner (from 467 citizens)

Education: Higher Education

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

We the undersigned oppose the Howard Government plan to:

• Allow universities to increase the cost of HECS fees by 30 per cent. Under this plan a basic Arts degree could cost $15,000, Science $21,000 and Law $41,000. Students who do Honours or combined degrees could pay even more.
• Double the number of full fee university places costing up to $100,000 or more.
• Introduce a loans scheme with a 6 per cent interest rate.
• Create a divided system where country and suburban universities struggle to compete with big city campuses who will charge the highest fees and attract the best teachers.

We call for our representatives to work for a fair system of higher education that allows any student from any background equal opportunity to study at university.

by Ms Vanvakinou (from 51 citizens)
report titled *The Burden of Brittle Bones* indicated that osteoporosis is a disease that is becoming increasingly prevalent in our communities;

(2) notes that this report further indicated that it should be recognised that osteoporosis is a preventable and treatable disease and with more research the current trend could be reversed;

(3) notes with concern the statistics in this report that indicate the projected increase in numbers of patients within the population diagnosed with osteoporosis—in 2001, 1.9 million Australians, 10% of the population, were diagnosed as suffering from osteoporosis and by 2021 this figure is expected to rise to 13.2%;

(4) recognises the enormous cost to the health services, the community, to individual sufferers and their carers; and

(5) calls on the Government to recognise osteoporosis as a national health priority.

The report commissioned by Osteoporosis Australia, titled *The burden of brittle bones: costing osteoporosis in Australia*, is an alarming document that has gone largely unnoticed in this House. It is alarming because it brings to the forefront this widespread, disabling and sometimes fatal disease. Far from the minor condition that many believe it is, osteoporosis is a leading cause of doctors’ visits, prescriptions and home nursing. This insidious and serious affliction is the major cause of disability and handicap in Australia. It is the primary cause of hip fractures and spinal vertebrae collapse. Moreover, these and other effects of the disease inhibit otherwise productive lives. In turn, this destroys the individual and their family.

Unbeknown to most, there were 1.9 million Australians with osteoporosis in 2001, with the majority of these being women. Put in terms of hospitalisation, this equals one person hospitalised every 8.1 minutes. This frightening statistic will worsen, with a 60 per cent increase expected over the next two decades. This increase will equate to an osteoporotic hospitalisation every 3.7 minutes by 2021. The pressure this will place on our health services and resources will be enormous, and it will be nothing short of a miracle for them to cope. This is not some type of scare tactic; this awful disease has a higher prevalence than allergies, deafness and diabetes, and is even more prevalent than the common cold.

Although the disease is so widespread and studies have shown that there is an awareness of it within the broader community, there is still a lack of understanding and a lack of knowledge of this disease. As a result, osteoporosis will cause bone fractures in about 25 per cent of women and 17 per cent of men. Of those that are unfortunate enough to suffer hip fractures, about 20 per cent, sadly, will die within 6 months of the fracture. Even more frightening is that the rate of hip fractures is rising at an incredible rate. By 2020, one-third of Australian hospital beds will be occupied by women with fractures. It truly is ‘the silent epidemic’.

Given the prevalence of the disease and the expense to treat it, the costs are enormous. In 2000-01 the total health cost of osteoporosis was close to $1.9 billion, with half of this being hospital costs. In the same period, this insidious disease resulted in over 110,000 fewer people in the work force and over 162,000 cases of absenteeism from work. These and other indirect costs came to a total of over $5½ billion—a staggering amount, by any stretch of the imagination.

Putting this back into a compassionate human perspective, more important than money and the financial cost is the cost that people pay through pain and suffering and, in over 1,000 cases per year, with their lives. Osteoporosis represents one per cent of the total burden of disease and injury in Austra-
nia, with over half of the disease burden being due to premature mortality—that is, over 13,000 premature deaths. This means that it is a greater burden in this country than HIV-AIDS, cervical cancer and rheumatoid arthritis.

Put in perspective, what do all these figures mean? Musculoskeletal disorders are the third leading cause of health system expenditure in Australia. Osteoporosis costs on their own are higher than those of diabetes and asthma. Given the demographic projections of population ageing coupled with the lack of immediate health intervention, osteoporotic conditions are set to increase to epidemic proportions. This is of grave concern to most—except, I gather, to those sitting on the other side of this chamber.

Considering the World Health Organisation has defined osteoporosis as a primary health issue since it is filling more hospital beds than any other disease, why is this dreadful disease not given greater importance and classified as a national health priority area? Why, unlike in the US and the EU, has there not been a concerted response from the government in any area concerning osteoporosis? The EU and the US are heeding the advice that, left unwatched and untreated, this disease will be the epidemic of the future if we fail to act now.

Of their own accord, Osteoporosis Australia have had to initiate education and awareness programs, especially towards fracture prevention. They have done this largely without assistance. All they have asked is that osteoporosis be adopted by the government as a national health priority and be provided corresponding funding, and that the national strategic plan detailed in their report is adopted by the government. These requests were made in this report two years ago, and what has been done so far by the government? Nothing. Keeping true to form, the government continues to be out of reach to these organisations that are trying to help others in need—the perfect application of that old Liberal favourite of, ‘If their vote won’t make a difference, let’s ignore them and they’ll go away.’ I congratulate Osteoporosis Australia on their excellent work to date and on commissioning this important report. I simultaneously condemn the Liberal government’s inaction in this vital area.

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

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

Dr WASHER (Moore) (3.59 p.m.)—I thank the member for Chisholm for bringing to the attention of the House the significance and increasing prevalence of osteoporosis. Osteoporosis is characterised by abnormal bone remodelling where bone resorption by osteoclasts exceeds formation by osteoblasts, resulting in a decreased bone mass, without defective mineralisation, leading to brittle bone, reduced tensile strength and significant susceptibility to fracture.

Normally, peak bone mass occurs in both sexes in the third decade of life, followed by a period of net bone loss of 0.3 to 0.5 per cent per year. At menopause, women can suffer an accelerated phase of as much as tenfold bone loss due to oestrogen deficiency. Primary or type 1 osteoporosis is a disease occurring in the sixth or later decades of life in oestrogen deficient menopausal females and hypo gonadal males. Cytokine levels are increased, resulting in increased osteoclast activity and increased trabecular bone resorption, leading to forearm and vertebral body fracture. Secondary or type 2 osteoporosis—associated with advanced ageing in both sexes and certain endocrine and systemic inflammatory diseases, certain drug therapy, particularly glucocorticoids, diabetes mellitus, obstructive airways disease and
alcoholism—is associated with a decline in osteoblasts, leading to cortical bone fractures in the femur, femoral neck and pelvis.

Important factors to reduce environmental risks of osteoporosis include exercise, particularly walking; maintaining a normal weight and muscle mass; and ensuring adequate calcium, phosphate and vitamin D intake, including sunlight. Bicarbonate intake to improve blood alkalisation retards bone loss. Avoiding excess alcohol and caffeine and long-acting benzodiazepines and ceasing cigarette smoking are advisable. Bone fracture with associated pain and deformity is often the first sign of the disease, sometimes with minimal trauma. Height loss from often silent vertebral fractures and resultant forward curvature or kyphosis of the thoracic spine—the dowager’s hump—is common. Once a patient fractures a hip, the risk of death within one year is significant. For early diagnosis, bone densitometry is the most sensitive test. In established osteoporosis, the goal is to prevent fracture. In the elderly, reducing the risk of falling is essential. So improving coordination and vision—as with cataract surgery—and reducing muscle weakness and confusion, which is sometimes drug induced, are critical. The use of hip pads by those who are at high risk of falling reduces hip fractures.

Pharmacological treatment can be classified in two groups. The first is medications that decrease osteoclast-induced bone resorption, including calcium, particularly calcium citrate; vitamin D3, including its active metabolite calcitriol; and HRT or oestrogen in post-menopausal women—unfortunately with the increased risk of breast and uterine cancer. Selective oestrogen receptor modulators or SERM, such as raloxifene, where bone and cardiovascular oestrogen receptors are targeted and breast and endometrial receptors are blocked and not activated, show real promise. Calcitonin, particularly by intranasal administration, and bisphosphonates inhibit osteoclasts and bone resorption. The second group of drugs comprise medications that stimulate osteoblast activity and new bone formation, including sodium fluoride, but there are concerns regarding the quality of bone formed—that is, is it still brittle? Parathyroid hormone, particularly combined with anti-resorptive therapy, is promising. Androgen therapy, mainly in hypo gonadal males, is useful.

My parliamentary colleagues will detail the national health priority of osteoporosis, the Access Economics report and Australian Institute of Health and Welfare figures. The government’s commitment for care for osteoporosis and related conditions includes an allocation of $11.5 million over four years in the 2002-03 federal budget. A sum of $1.5 million has been allocated for 27 practical projects to help provide a better quality of life for people with arthritis and osteoporosis right across Australia. The National Health and Research Council has provided funding of $5 million for osteoporosis and falls prevention-specific research in 2003. The Minister for Health and Ageing, Senator Kay Patterson, considers osteoporosis to be a very high priority.

Ms KING (Ballarat) (4.04 p.m.)—I rise to support the motion of the member for Chisholm. Osteoporosis has been described as the disease that we do not have to have. Osteoporosis is a disease that is easily identifiable and, if identified early enough, is manageable and treatable. Unfortunately, it is not a disease that is curable. Through targeted health intervention, the incidence of osteoporosis can be dramatically curbed. Osteoporosis means ‘porous bones’ and is a serious musculoskeletal disease which leads to deterioration of bone density and structural quality. This in turn leads to a greater risk of fractures and collapse of vertebrae.
Osteoporosis is caused by a number of factors: age, hormonal changes, diet, lifestyle and family history. But early diagnosis through bone densitometry or biochemical cross-link testing can lead to the delay or diminishment of the onset of osteoporosis. Community education and promotion need to be undertaken to ensure that people who need to be tested are tested. Osteoporosis treatment includes nutrition, adequate intake of vitamin D and calcium, exercise to increase muscle strength and to improve coordination and balance, lifestyle changes—avoiding smoking and excessive intake of alcohol and caffeine—and practising fall prevention strategies. Preventive medical treatment, regular screening of high-risk patients, avoidance of medications that might affect bone health or diminish bone density, use of hormonal and non-hormonal medications, education and counselling programs are all things that we can do to make the lives of people who either are about to get osteoporosis or have already been diagnosed much better.

Today osteoporosis is more prevalent in Australia than high cholesterol, allergies or even the common cold. It is estimated that, in 2001, 1.9 million Australians had osteoporosis, of which 75 per cent were women. It is also estimated that treating osteoporosis in 2001 cost $1.9 billion in direct financial costs. These include the costs to the health system—services reimbursed through Medicare and private health funds, pharmaceuticals, allied health services and research—and the indirect financial costs of early retirement, absenteeism, loss of tax revenue, the value of volunteer carers, modifications and devices, which are also substantial.

But it is the human cost that cannot be easily measured. It is the unnecessary pain, suffering, loss of mobility, loss of quality of life and deaths that result from osteoporosis that we cannot measure. The Access Economics’ report The burden of brittle bones: costing osteoporosis in Australia described it as the silent thief. The report dramatically demonstrates the effect of osteoporosis where it states:

Osteoporosis steals more than bone. It’s the primary cause of hip fracture, which can lead to permanent disability, loss of independence and sometimes even death. Collapsing spinal vertebrae can produce stooped posture and a “dowager’s hump”. Lives collapse too. The chronic pain and anxiety that accompany a frail frame make people curtail meaningful activities, because the simplest things can cause broken bones. Stepping off a curb. A sneeze. Bending to pick up something. A hug. “Don’t touch mom, she might break” is the sad joke in many families ... of women who have osteoporosis. Access Economics estimate that 25 per cent of Australian women and 17 per cent of Australian men will develop fractures related to osteoporosis. Of those Australians over 60 years of age, one in two women and one in three men will sustain an osteoporotic fracture. In 2001, it was estimated that a fracture occurs every 8.1 minutes in Australia. Once one bone is broken, the chance of another fracture within 12 months increases fourfold. The Royal Australian College of Physicians figures indicate that 50 per cent of people with hip fractures will require long-term nursing care. The real concern is that those figures show dramatically that 20 per cent of people who sustain a hip fracture will die within six months of sustaining that fracture—that is, one in five people suffering from osteoporosis who fracture a hip will die within six months. This person will be someone’s husband or wife, aunty or uncle, brother or sister, or friend—tragic, unnecessary losses from osteoporosis, the disease that we just do not have to have.

I support the member for Chisholm’s motion because I believe that we need to ensure that all Australians are educated about this disease and that it is given the attention that
Mr ANTHONY SMITH (Casey) (4.09 p.m.)—I commend the previous speaker, the member for Ballarat, on the detailed contribution she has made to the debate on osteoporosis. I was somewhat disappointed that the member for Chisholm—who took the time to move this motion and for the first three of four minutes of her contribution kept it on a high plane—could not resist cheapening her remarks and the motion by blaming the government for osteoporosis. As the member for Ballarat and previous speakers have said, this is a critical, long-term health issue, an issue that requires even thought and an even tempered approach.

It is not just a critical health issue on its own; it symbolises in many respects the great challenges and demands that will increasingly confront our health system and our society both today and for decades into the future. As medical science improves and as life expectancy increases, we will be able to do many things that were previously not possible and to treat diseases in a more sophisticated way. In this respect, you can compare osteoporosis with many other diseases—such as MS, cystic fibrosis, diabetes, cancer and the like—inasmuch as in 20 years we have made so many critical advances and we know so much more about these diseases. However, as previous speakers have said—quite rightly—osteoporosis is different in that it can be avoided; it can be prevented.

As the Access Economics report and many other detailed studies in recent years have highlighted, diet and lifestyle are key, as are genetic predisposition and many other factors. The tragedy is that more than 1.9 million Australians—particularly women—are affected by osteoporosis. Many do not know it and do not become aware of it until far too late into their lives, when the bulk of the damage has been done. The cost to those with the disease is enormous not only for their health, wellbeing and quality of life but also for their family and friends who care for them. The cost to the community is also very large. Access Economics estimates that the cost to the health budget directly is in the order of $2 billion, but it importantly points out that the size of indirect costs with things such as loss of earnings and the costs of carers is nearly three times that, at $5.6 billion to $5.7 billion annually.

As we know, the disease results in bone fractures. It incapacitates and effectively cripples those afflicted, requiring lengthy hospitalisation and/or care in a nursing home. With better education and better understanding, literally millions of people in the future will be in a position where they do not have to face this disease and at the same time our overburdened health system will be able to direct resources into other major areas of demand.

I am pleased that the federal Minister for Health and Ageing has gained the agreement of all of the states to declare this a national health priority area, which has been important in focusing attention on the problem. I am also pleased that there has been a commitment to this area in the last couple of budgets as well. However, while there is a tangible and important role for government, there is also a large role for the medical community as well as for individuals within society. Preventive care, not just in this area but also in many other areas, needs to have a greater focus so that we can prevent diseases before they occur rather than have to treat them further down the track. In this respect, the more doctors can do with every patient—no matter what their visit is for—to inform them of the risks of these sorts of diseases, the better.
Parents can play a greater role with children. More and more kids at a young age—and teenagers—are suffering from obesity and we know that that sort of problem, that sort of lifestyle, will lead very directly in the future to serious health problems such as osteoporosis and diabetes. With 10 per cent of our population affected and the number likely to increase, we as a community have to do more. We have to combine to try to massively reduce this affliction and we can now do something to address it.

Ms GEORGE (Throsby) (4.14 p.m.)—I commend the member for Chisholm for bringing this important issue to the attention of the parliament, and I commend the speakers who have preceded me in this debate. The issue of osteoporosis was raised with me when one of my constituents came in recently to talk about the high cost of preventative treatment. Following her discussion with me, I did a bit of background research on this issue and got in touch with the Pharmaceutical Benefits Advisory Committee. What struck me—and other speakers have referred to this—was the very high cost of the treatment of this disease to not just individuals and their families but the economy and society generally. The cost is going to become more substantial with an ageing population. Previous speakers have commented on the fact that one in two females over the age of 60 will suffer fractures due to osteoporosis primarily associated with the drop of oestrogen in postmenopausal women. As many as one in three men will be similarly afflicted by fractures associated with osteoporosis.

From what I could ascertain from my constituents, the loss of bone density is often very gradual and comes without warning signs until the disease is well advanced. Constituents asked me—and I had no answer—why we do not provide for free bone density scans on the same basis as we currently provide screening for breast cancer. I thought that was a reasonable question to pose to me. Further, looking at reports that estimated the direct and indirect cost of the disease, I found that direct costs were somewhere in the order of $2 billion—over half of that in hospital costs—with indirect costs estimated to be as high as $5.57 billion over the last couple of years.

If the costs are so high and the impact on sufferers is so great, I want to ask in the short time that I have available why it is that Fosamax, which is a well-known treatment for this disease, is not available on the PBS and subsidised as an acknowledged preventative treatment for osteoporosis. When I took this matter up, on behalf of Mrs Campbell, with the Pharmaceutical Benefits Advisory Committee, they told me:

The availability of Fosamax ... and Fosamax Once Weekly tablets on the PBS is restricted to the treatment of established osteoporosis in patients with fracture due to minimal trauma where the fracture has been proven radiologically. The requirement that fractures be demonstrated arises from the requirement that for PBS listing, cost-effectiveness be demonstrated for a particular use of a drug. The PBAC considered that Fosamax and the other similar drugs listed for osteoporosis were only cost-effective in patients with proven fracture.

They went on to say:

Unless further data is presented to the Committee demonstrating cost-effectiveness in patients with osteoporosis but without a radiologically proven fracture, the Committee is not able to extend the listing to cover the treatment of osteoporosis where fracture has not occurred.

I find this an amazing response, particularly as we have pointed to the very high direct and indirect costs that are borne by sufferers, their families and society generally. The advice went on to say:

I am unable to provide detailed reasons as to why the PBAC considers Fosamax is not cost-effective in the treatment of osteoporosis in patients who
do not have fractures due to minimal trauma due to commercial-in-confidence considerations.

I have pursued these issues by way of questions on notice to the minister. It would seem to a layperson that you do not have to be an economist to know that the high direct and indirect costs surely warrant the subsidisation of Fosamux as a preventative treatment on the PBS scheme.

*Mrs DRAPER* (Makin) (4.19 p.m.)—I would like to commend all the members on both sides of the House who are supporting this motion on osteoporosis. Sadly, we probably all know of someone, either in our families or amongst our friends and/or constituents, who suffers from the debilitating effects of osteoporosis. Osteoporosis means ‘porous bones’. It is a disease which causes severe deterioration in bone density, leading to weakness and the increased likelihood of breaking or fracturing bones should the person suffer a fall. This motion provides us with the opportunity to reinforce the message that osteoporosis is preventable. It is important that this message is understood by the Australian people, particularly those who are most at risk, such as women after menopause and men with low testosterone levels. The organisation Osteoporosis Australia produces a lot of very good information about the disease and how it can be prevented. On its website, at www.osteoporosis.org.au, it provides people with the opportunity to gain an assessment of the risk they face, based on their health and lifestyle, of suffering osteoporosis. It is a quick and easy assessment to do.

In 1999 the results of a national nutrition survey were released by the CSIRO which revealed that over 90 per cent of Australians aged 65 years or older were not consuming their recommended daily intake of dairy foods and were not getting sufficient calcium. Osteoporosis robs the bones of calcium. Dr Peter Ebeling, endocrinologist at the Department of Diabetes and Endocrinology at the Royal Melbourne Hospital at the time of the survey’s release, stated:

People aged over 65 need at least 1000mg of calcium every day to help slow down bone loss.

While osteoporosis is not curable, it is preventable and it can be managed. We can protect our bones by eating a good diet, with an adequate intake of calcium, and by maintaining an active lifestyle which includes regular physical exercise, such as walking.

The report produced for Osteoporosis Australia by Access Economics Pty Ltd entitled *The burden of brittle bones: costing osteoporosis in Australia* states that osteoporosis is ‘the disease we don’t have to have’, and yet an estimated two million Australians already suffer from osteoporosis-related conditions and the prediction is made that this will increase to three million people by 2021. It was a recommendation in the report that dealing with the growing problem of osteoporosis be made a national health priority, with commensurate funding. I am pleased to note the lead taken by the health minister, Senator Kay Patterson. Senator Patterson is leading all state and territory ministers to an agreement to designate arthritis and musculoskeletal conditions, including osteoporosis, as a national health priority area. This means that a high priority is already being given to the work of health professionals and key community groups to improve the health and wellbeing of people with osteoporosis.

The federal government has also funded the initiative known as National Falls Prevention for Older People, which aims to reduce the number of serious falls suffered by older people, particularly those who have osteoporosis. I particularly welcome the $10 million in funding for research projects in South Australia announced by the minister in October 2002. Those projects include efforts to develop drug or dietary strategies to prevent osteoporosis. In the 2002-03 federal
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budget, $11.5 million was allocated over four years to help reduce the incidence of bone and joint conditions in the community. This was followed by an additional $21.8 million in this year’s federal budget to help people with chronic conditions, including arthritis and osteoporosis. An additional $2.3 million was also provided for the National Falls Prevention in Older People initiative.

Australia is one of more than 60 countries that have signed up to the Bone and Joint Decade 2000-2010, which is endorsed by the World Health Organisation and the United Nations. Activities over the decade are designed to improve the health related quality of life for people with bone and joint conditions. Osteoporosis is preventable and with a good diet and plenty of exercise many Australians can avoid the effects of this debilitating disease.

The DEPUTY SPEAKER (Mr Jenkins)—Order! The time allotted for this debate has expired. The debate is therefore adjourned and will be made an order of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS

Federal Magistrates Service

Mr JOHNSON (Ryan) (4.25 p.m.)—I move:

That this House:

(1) recognises the success of the Federal Magistrates Service since its establishment by the Commonwealth Government in 2000;

(2) in particular, recognises the contribution of the Federal Magistrates Service to:

(a) providing a quick and accessible forum for litigants involved in less complex family law and other general federal law disputes;

(b) increasing access to justice for Australian families, particularly those going through relationship breakdown; and

(c) providing an alternative and less formal court option for litigants and encouraging the use of conciliation, counselling, arbitration and mediation in appropriate cases; and

(3) notes the Government’s recent announcement that four new Federal Magistrates are to be appointed in South-east Queensland, Newcastle, Adelaide and Melbourne to further enhance the operation of the Federal Magistrates Service.

Since the Howard government’s election in 1996, a great deal has been achieved in the national interest. The Howard government’s record speaks for itself. The runs are on the board in many areas of national policy: under the Howard government our Commonwealth debt has been cut, the budget is in surplus, far more apprenticeships exist for younger Australians to help them in their search for jobs and Australians are paying $450 less a month on their average weekly mortgages than they were in the horror days of the Keating government.

But I want to speak on another aspect of national policy which has not had the full applause of the parliament. I want to speak very strongly in favour of it and advocate its place in Australian society. I want to speak in the parliament today about the creation of the federal magistrates courts and the impact that those courts are having on the lives of families throughout the country and in particular in my electorate of Ryan.

The Howard government is committed to providing quicker and more efficient services in and access to the legal system for Australians throughout the land. The government has established the Federal Magistrates Service to provide a cheaper, simpler and faster method of dealing with less complex civil and family law matters. It is the first tier of the Commonwealth court, and it is the first new Australian court since the Federal Court was established in 1977. The service has de-
Developed procedures that aim to be as streamlined and as user-friendly as possible, reducing delay and cost to litigants—because we all know that areas of litigation put great stress upon those who are in that litigation environment.

Since its establishment three years ago, the Federal Magistrates Service has assisted many constituents in my electorate of Ryan. This is why I am speaking on it in the parliament today. It is providing a quick and accessible forum for litigants involved in less complex family law and other general federal law disputes. The Federal Magistrates Service is helping to ease the pressure on the Family Court in particular and, consequentially, to reduce waiting lists in family law related matters. Constituents in Ryan often approach my office regarding family law matters, and some have family issues that are of a very serious nature. As we all know, in these situations all parties are looking for the quickest possible solution. The Federal Magistrates Service has freed up the Family Court and the Federal Court to focus on the far more complex and lengthy matters that the justices of those courts ought to focus on. Effectively, the Federal Magistrates Service is increasing access to justice for not only Ryan families but all Australian families, providing families with a greater range of options for resolving their legal problems as quickly and cheaply as possible.

There are currently 19 federal magistrates located in capital cities and major regional centres around Australia. In the 2003-04 budget the government allocated to the Federal Magistrates Service funding for the appointment of two additional federal magistrates. These appointments will honour the government’s election commitment to appoint up to two additional magistrates. Those new federal magistrates will be appointed in Newcastle and south-east Queensland. Two new magistrates will also be appointed in Adelaide and Melbourne. These appointments will contribute very significantly to the effective operation of the service.

While about 80 per cent of the current workload of the FMS is in the family law area, the government is still considering other areas of suitable jurisdiction for the FMS, where they involve matters of lower complexity. Areas being considered include some aspects of corporate insolvency and intellectual property related matters. Gradual expansion of the jurisdiction of the FMS is in accordance with the intended structure and development of the FMS as a lower court in our federal civil justice system.

I know that my constituents in the electorate of Ryan appreciate the nature of the Federal Magistrates Service and would very much commend the government on its expansion into other areas of law where it can help Ryan constituents. In moving this motion in the House, I would like to acknowledge the Attorney-General and the significant reforms that he has initiated while overseeing this important portfolio. The Attorney-General has initiated a number of changes to ensure equity and fairness in access to justice for all Australians. It is important that members of the House and senators as well acknowledge the work that is done to make life easier in this very difficult area for our fellow Australians. The FMS is achieving the government’s aims of encouraging people to resolve their legal disputes without going to court and of streamlining court processes where a resolution might not be attainable privately. I commend this motion to the House and again speak very strongly on the character of the Magistrates Service in the federal tier. (Time expired)

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

Mr Neville—I second the motion and reserve my right to speak.
Mr MURPHY (Lowe) (4.30 p.m.)—The member for Ryan’s motion recognises the contribution of the Federal Magistrates Service to the resolution of family disputes. However, with great respect to the member for Ryan, paragraph (3) of his motion ignores the principal reason the government is providing four new magistrates for Queensland, Newcastle, Adelaide and Melbourne. For the record, the real reason the Federal Magistrates Service is increasing its number of magistrates can be found in the Federal Magistrates Service Annual Report 2001-02, which on page 10 states:

The workload of the court in its general federal law jurisdictions has expanded, especially during the last quarter of 2001-02 when the court received a significant number of matters relating to migration.

The annual report goes on to state that, in addition to the quantum of cases flooding in from its inherent migration jurisdiction, that jurisdiction itself has been greatly expanded. It states:

The court has had a major expansion of its jurisdiction. At the time of its establishment the court was given jurisdiction in relation to most administrative law matters. However, jurisdiction in relation to applications to review visa-related decisions made under the Migration Act 1958 was specifically excluded from the scope of the court’s work. That was changed from 2 October 2001 when the court was given concurrent jurisdiction with the Federal Court.

The express and implied assertions in this motion give the false belief, in my view, of the government’s failed migration law policies. The failure of the government’s migration law policies reflects an ever increasing spiral in migration appeal cases—a barometer of market dissatisfaction against an ever increasing number of departmental and tribunal decisions.

Again, with respect to the member for Ryan, he cannot move this motion seriously believing it represents some great achievement of the government. Rather, if the government were serious about addressing this issue, it would go to the heart of the matter and implement policies that would lower the number of migration appeals. If the government were serious about its immigration policy, it would identify ways of making its visa system more equitable. I see that on a daily basis in my federal electorate office of Lowe.

The Howard government should immediately stop using immigration policy for its own cynical short-term political interests as an instrument to pander to the worst instincts in our society and, in so doing, further divide the Australian community. In conclusion, at a time when we have alarmingly low birth rates in Australia and recognise the serious consequences that that issue poses for our future, there has never been a better time for the government to do something to increase our migrant intake to the many parts of Australia which are in desperate need of the economic benefits associated with increased population growth. That would be in everybody’s interests.

Mr NEVILLE (Hinkler) (4.35 p.m.)—I seconded this motion, and I point out that it asks the House to recognise the efficiency of the Federal Magistrates Service in processing law disputes and the measures of comfort it affords families and individuals by bringing their cases to a speedier resolution than would otherwise be possible. I acknowledge and support the thrust of the member for
Ryan’s motion but I would like to look more closely at the Federal Magistrates Service and the role it plays in Family Court matters. It is no secret that issues surrounding parental separation, custody matters and child support payments have been at the forefront of my concerns for many years. Every one of us in the House today will have heard heart-breaking stories of divorce, child visitation problems and financial hardship—to the point where the government is looking at overhauling the system.

In the three years since its creation, the Federal Magistrates Service has played a major role in smoothing the way for Australian families—which would otherwise have had to go through lengthier and more arduous legal processes—during times of anxiety and distress. I tell the case of the man from Gin Gin who was in my electorate and who used to have to travel to the Federal Court at Parramatta, some 1,000 kilometres away, by hitchhiking and getting lifts on semitrailers, and then appear before two teams of barristers without legal aid. The Federal Magistrates Service goes some way to addressing those sorts of injustices. Although the FMS has jurisdiction in many areas, including administrative law, bankruptcy, unlawful discrimination, consumer protection, privacy law, migration and copyright, it focuses most of its attention on Family Court matters.

While the Federal Magistrates Service shares jurisdiction with the Federal Court and the Family Court in many of these matters, it has developed in its own right to the point where it is now responsible for about 36 per cent of all the applications for final orders in Family Court matters. Over 60 per cent of all applications for maintenance, child support and contravention of orders are delivered directly to the Federal Magistrates Service. I cannot endorse the member for Lowe’s cynical view of the FMS. I am sure that this growth is not essentially around migration matters but is more broadly held in the family jurisdiction.

More specifically, from the year 2000 to date the Federal Magistrates Service has received 93,278 family law applications, comprising 1,504 child support applications and 91,744 divorce applications. In that three-year time frame, the number of lodged child support applications has more than trebled—from 204 in 2000-01 to 735 in 2002-03. In the same period, divorce applications have grown by 29 per cent—a clear demonstration of the growing demand being placed on the Federal Magistrates Service. Its great value lies in two things: firstly, its ability to lift the burden from the existing Family Court and Federal Court systems; and, secondly, the speedier closure it gives many Australian families. Many citizens simply cannot afford the financial strictures of the Family Court process nor abide its lengthy delays. The Federal Magistrates Service was given a funding boost in 2003-04, with a budget of $4.4 million over four years. Four new magistrates will come on board, lifting its ranks from 19 to 23.

They will carry out services in the capital cities and some regional centres, and circuit hearings will be held throughout rural and regional areas. Whilst circuit hearings and regional courts are based at Launceston, Parramatta, Newcastle and Townsville—they offer fair coverage—I see great merit in basing additional magistrates in smaller provincial centres where permanent and regular circuits can be established. This has been done, with the announcement in May of a dedicated magistrate for south-east Queensland. I would like to see this trend developed further. Through flexible alternatives the Federal Magistrates Service focuses on methods of primary dispute resolution, helping to find workable outcomes to disputes without the necessity of resorting to the legal system. Individuals can be referred to coun-
selling, mediation and conciliation prior to lodging court documents, and these services remain available during the legal processes.

In conclusion, within the Central Queensland region we are fortunate to have two fairly accessible services being delivered by Centacare at Rockhampton and Bundaberg. I commend the work of the councillors in these two centres, particularly Shari Jackson and Neil Crossland. (Time expired)

Ms O’BYRNE (Bass) (4.40 p.m.)—The motion before the House asks us to recognise the success of the Federal Magistrates Service since its inception in 2000. In particular, we are being asked to look at the contribution the Federal Magistrates Service has made to shortening delays in the Family Court and increasing access to justice for Australian families, particularly those who are going through relationship breakdowns. The motion is also celebrating the four new federal magistrates in south-east Queensland, Newcastle, Adelaide and Melbourne. This announcement is good news for those areas. However, I do not think the member for Ryan yet fully understands the significant issues still facing many families in Tasmania and other regional areas when accessing appropriate legal representation in either court.

The member for Lowe has addressed the issue of migration workload, but I cannot let this motion go without addressing the Family Court implications that we are still suffering in regional communities. When the Federal Magistrates Bill was being debated in 1999, I made it clear that the concept of a federal magistracy was neither the best nor the most efficient way to resolve the delays in the Family Court. My fear when initially debating this bill, following the retirement in Tasmania of Justice Butler, the Family Court judge, was that families in my electorate of Bass and throughout the north of Tasmania would not have appropriate access to the Family Court system. Legal practitioners in Launceston and in northern Tasmania tell me that their experience has borne out the concerns that I had. The court still incurs long delays in the system, which can lead to a significant lack of judicial time spent on cases or can mean that the cases are dragged out over many months. They also raise as a concern the impact that continually having different judges hearing different cases can have on the results of cases. I hope the member for Ryan comes back for the rest of the debate because I think it is important that he understands the full implications of the service. Most legal practitioners would agree that having a familiar judge is important in ensuring the most efficient use of a court’s time. More importantly, we want to make sure that families do not have to explain to a judge again and again the circumstances of their case, thereby using up further court time.

The last time I spoke on this issue was actually in August 2000. It has been an issue on which I have been campaigning for some time for my community. Northern Tasmania was then still waiting for a replacement Family Court judge, following the retirement of Justice Butler in 1995. It is now September 2003—almost 10 years since the retirement of Justice Butler—and we are still waiting for a Family Court judge to be appointed on either a full- or part-time basis in northern Tasmania.

I have explained to the House several times the predicament that the judicial system in northern Tasmania is in, but for the benefit of those opposite who may not have been around when I did I will briefly go through it again. Northern Tasmania has been without a dedicated Family Court judge since 1995, when Justice Butler moved to Hobart just before he retired in 1996. During that year the then federal member for Bass, Warwick Smith, promised that Justice Butler
would be replaced. In April 1996, the Family Court closed the northern registry, claiming it had to meet budget cuts imposed by the federal government and that the north of the state would be serviced by a Hobart judge and by fly-in visits from interstate judges. It was promised at this time that families in the north of Tasmania would not be inconvenienced by this decision. It does not take Einstein to figure out that that actually has not happened. I would also remind members that Justice Butler’s replacement, when eventually appointed, was appointed in Sydney—a decision that baffles me to this day, as the delay times in Tasmania have been significantly and consistently worse than in Sydney. Delays at the time of the new appointment stood at 44 weeks in Sydney, compared to 53 weeks in Tasmania. Currently these delays are on average between six and 10 weeks in Sydney and Melbourne and anywhere between 12 and 28 weeks—and quite often more—in Tasmania. Despite this there is still no dedicated Family Court judge in northern Tasmania.

The Family Court regional circuit schedules only four judicial sittings in Launceston a year. This means that effectively there is a different judge for every sitting. The most consistent of these judges is Justice Hannon, who is based in Hobart, but there are also three sittings a year when a fly-in judge from either Sydney or Melbourne will attend. This makes it difficult if a case needs to be heard by the same judge and it makes it difficult for lawyers to build a relationship with the judge’s office. Also of concern is the process of hearing urgent and often sensitive matters, particularly those that involve children’s issues. There are some link-up facilities in place to ensure these matters are heard in as quick a time frame as possible, but I am sure that most people in this House would agree that this is not an ideal situation when talking about children’s matters.

The government’s failure to ensure that Tasmanian families have access to a fair and just legal system is continuing to have a disastrous impact on families, who are having to wait longer than 24 weeks to have their cases heard. The people of Bass were told by the federal government that the Federal Magistrates Service was going to fix that. The government’s foresight in setting up this service and their subsequent program of cost cutting in the Family Court to meet budgets have been a farce. The magistrate appointed in Tasmania not only is responsible for Northern Tasmania or even Tasmania but also has to go elsewhere.

The system has once again shown that the Howard government’s commitment to Australian families is nothing but empty promises and shameful politics. For many families in Tasmania, the situation of judicial delays has been at crisis point for some time. The government needs to start taking the needs of families across the whole of the country seriously and not just continue to pay lip-service to having appropriate judicial resources. (Time expired)

Ms GAMBARO (Petrie) (4.45 p.m.)—I would like to add to the debate on this motion and the comments by previous speakers. The establishment of a judicial environment sensitive to and capable of dealing with the evolving needs of modern family life has been one of the most important challenges of all court systems. The Australian government has taken great pride in meeting this challenge, particularly with the establishment in 2000 of the Federal Magistrates Court.

In an era of increasing marriage breakdown, changing parental responsibilities and evolving family structures, the Federal Magistrates Service has proved a model of response. It has offered mediated, non-adversarial legal options to families—things that were hardly imaginable even 10 years
ago, let alone at the dawn of Australia’s judicial system over a century ago. In its three years of operation, the Federal Magistrates Service has proved to be an outstanding success in providing the average person with a simpler, more humane, less time-consuming and less intimidating alternative to the superior courts. Importantly, it has done a great deal to relieve the tremendous workload of higher courts.

The increasing range and volume of cases directed to the Federal Magistrates Service have demonstrated its vital and expanding role within Australia’s judicial system. Over one-half of all migration matters and more than 40 per cent of family law and children's and property applications are now completed by the Federal Magistrates Service. But it is in the area of family law that the Federal Magistrates Service has distinguished itself. Approximately 80 per cent of the court’s workload is in the area of family law. One of the greatest successes of the Federal Magistrates Service has been its ability to encourage people embarking on family legal disputes to resolve those disputes through primary dispute resolution rather than through the traditional, much more stressful, adversarial and damaging arena of the higher courts, which all too often become weapons of revenge rather than forums of resolution and conciliation.

The Federal Magistrates Service, through its mediation capabilities, is able to call on a range of means to resolve disputes in order to avoid contested hearings. It has helped to usher in a new era of conciliation, counselling and mediation within our judicial system and it has greatly benefited those using it. The court uses community based counselling and mediation services as well as the increased existing counselling and mediation services of the Family Court and Federal Court, providing a choice that is as wide as possible for clients of the court. The Federal Magistrates Service is currently dealing with about 36 per cent of applications for final orders in family law matters. The Federal Magistrates Service is making a significant contribution to the effective operation of family law in Australia, providing families with a greater range of options for resolving their legal problems as quickly and as cheaply as possible.

The federal government is to be applauded for further extending the benefits of the Federal Magistrates Service with the appointment of two new federal magistrates. In the 2003-04 budget the government allocated funding to the Federal Magistrates Service for these new federal magistrates. The appointments will honour the government’s election commitment to appoint two additional magistrates, and that is a very good thing. They will also conduct circuits in various locations, in both rural and regional communities. The service conducted circuit hearings in 21 locations in 2002-03. The appointment of the new federal magistrates will be of great benefit to those rural and regional areas that we have heard other members speak about today.

At a time of increasing social and economic fallout in rural and regional Australia, the benefit can hardly be overestimated. Every day we read reports of drought, the downturn in rural industries and the erosion of rural communities. It is vital to remember that, at the end of the day, these are not just statistics—they translate into individual and sometimes very tragic human stories. Unfortunately, these things result in regional family breakdown, loss and dislocation. By extending the Federal Magistrates Service into rural and regional areas, the federal government is taking a positive step to reduce this human toll and help with what is happening in rural Australia. In particular, it is helping those involved in Family Court matters such as divorce, property disputes and parenting
orders, and I commend the government for it. I think this is a very valuable service.

The federal government is to be commended for ensuring that 80 per cent of the current workload of the Federal Magistrates Court is in this family law area. It also includes other areas, such as corporate insolvency and less complex intellectual property matters. Currently there are 19 federal magistrates located in capital cities and major regional centres around Australia, so it is a cheaper and more effective way to resolve disputes. *(Time expired)*

**Ms HOARE** (Charlton) *(4.50 p.m.)*—I too welcome the opportunity to speak on the member for Ryan’s motion concerning the Federal Magistrates Service. I thank the member for Ryan for bringing this matter to the attention of the House. The Federal Magistrates Service was established by the Federal Magistrates Act 1999 and conducted its first hearing in July 2000. The purpose of the court was to relieve some of the workload of the Family Court and the Federal Court and to provide a simple and more accessible alternative to litigation in those courts.

However, the service has not eased pressure on these courts, particularly the Family Court. With cuts in past budgets, pressure on the Family Court grows. In the *Canberra Times* on 30 October last year, it was reported that the Chief Justice of the Family Court, Alastair Nicholson, said that the Federal Magistrates Service had not reduced the workload of the Family Court but had increased the burden on the staff of the court. The Family Court recently cut from eight to three the number of senior registrars, who are responsible for making interim orders about residence and contact with children ahead of a final hearing. With the cutting of Family Court staff to pay for the Federal Magistrates Service, many interim and urgent matters now have to come before a judge rather than a registrar.

I am sure most members would be contacted fairly often by constituents who are concerned about how the family law system works. I know many constituents who are angry at the delays they experience in resolving family law disputes. People have contacted me because they are concerned about the fact that, once they have filed for orders relating to child or property matters, their file will sit in a pre-trial queue for nine to 12 months before being allocated a hearing date. This, combined with other delays in the process, means that many defended cases will take in excess of two years to come to trial. This can also result in enormous legal bills.

Many members would also be aware that the Family Court has taken some positive steps to help people avoid unnecessary trials and to resolve matters through mediation and other processes. I am most supportive of these measures and am reassured that the court is continuing to develop these alternative approaches. I recently had the opportunity to visit the Newcastle Registry of the Family Court. While I was there I learnt of the enormous amount of casework both the Federal Magistrates Service and the Family Court deal with on a daily basis. It is quite staggering. They do so with a small staff, including Mr Justice Graham Mullane and Federal Magistrate Mr Warren Donald.

I welcomed the announcement in this year’s budget of the appointment of an additional federal magistrate in Newcastle. Although the new magistrate is yet to be announced, I do hope the position will assist in relieving some of the burden of work on the Family Court and the current federal magistrate. I have recently been advised that one of the federal magistrates in Parramatta has been seconded to Melbourne, leaving the
people on that magistrate’s lists in Parramatta without hearings until next year in some cases. This is appalling and adds to the burden on people wanting to resolve their family law disputes.

While I was at the Newcastle Registry of the Family Court, I was interested to learn that in most final defended cases that come before the court one or more of the parties suffers from depression, a more serious mental illness, a personality disorder, alcoholism or an addiction to another drug or has a disposition to violence, control or other abusive behaviours. Many are legally unrepresented, which places further pressure on court staff—this all takes its toll on the resources of the court—who need to deal with people’s difficult circumstances.

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. The honourable member for Charlton will have leave to continue her remarks when the debate is resumed.

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Indigenous Affairs: Health

Mr QUICK (Franklin) (4.55 p.m.)—Thirteen days ago I received an unexpected email from my brother who lives in New Jersey. I say that it was unexpected because he usually only contacts me about something of some significance. His email said:

Hi Ace, I have just sent an article from The Courier Mail that I read the other day. I was appalled by the story, having been involved with the island and people for so long we still try to keep up with the news from the area. I knew that things were bad but not that bad. I wonder what a Federal member of parliament, opposition or government thinks when a story like that bounces around the world, isn’t it a part of the Governments responsibility to care for the welfare of its citizens regardless of their colour or race, as the expression goes in this country “someone needs to step up to the plate”.

With the wonders of modern technology, I accessed the Courier Mail. Being from Tasmania I do not get to read it very often. I was appalled to read the article of 30 August 2003 headed ‘Next stop jail for child’. The article says:

A 13-month-old boy has been sent to jail because there is no safe place for him in his home town.

Mornington Island is so dangerous mothers in fear of their lives inside their houses and even at the women’s shelter routinely put their children under street lights in the hope they will be safe.

Every child on Mornington was in urgent need of abuse rehabilitation, local MP and Police Minister Tony McGrady was told at a recent meeting of the Island’s Community Justice Group.

Mornington Island, in the Gulf of Carpentaria almost 1900km north of Brisbane, is one of 20 remote indigenous communities crippled by alcohol-fuelled violence.

What has this got to do with my brother? Well, a few years ago he spent 14 years on the island as the person in charge of all the construction and maintenance on the island. He lived there with his wife, Sue, and their four children. He was determined that I should investigate this matter. The article goes on:

The 13-month-old, called Jarvin, was sent to Townsville’s Stuart Creek prison on Thursday to share a cell with his mother.

She was jailed in April for 15 months for attacking another islander with a chair.

Jarvin’s father is also in jail and his extended family is already overburdened with caring for other children.

Little Jarvin was handed from family to family before the Justice Group decided to send him to join his mother.
The Families Department has not been involved because there has been no dispute over custody. Jarvin briefly stayed with the only accredited foster carers on the island, Michael and Helen Rosser, but they already have 13 children in their three-bedroom house – 10 of them foster children. There is no full-time social worker.

Lawyer and Justice Group co-ordinator Meg Frisby said island children lived in fear. “Do Queenslanders know that we have ‘lamp post children’— an expression I have never heard before— children as young as three sleeping under lit areas so that they are not sexually abused or beaten?” she said.

A Corrective Services spokesman said there were four children in the Stuart Creek prison. They either stayed with their mothers in a larger secure cell or in a special family house in the open custody area. It is understood Jarvin was taken to the family house with access to a playground.

The article goes on to say:

Almost 10 per cent of Mornington Island’s population is in jail or on community service orders. As of last week, 28 men and women from Mornington were in Stuart Creek jail. At least 20 other Mornington men were in other prisons. A further 54 were on community work orders.

And here is the bit that really stumped me:

The population of around 1000 spend almost $5 million a year on beer at the council-owned canteen. A staggering 20,000 cans of beer are delivered each week.

Why do I raise this issue, apart from giving my brother some satisfaction that I am a hardworking member of the House of Representatives? I raise it because I was part of the Standing Committee on Family and Community Affairs that produced what is regarded as a blueprint for Indigenous health, and that is Health is life: Report on the inquiry into Indigenous health. The foreword to this report says:

In Aboriginal society there is no word, term or expression for ‘health’ as it is understood in Western society ... The word as it is used in Western society almost defies translation but the nearest translation in an Aboriginal context would probably be a term such as ‘life is health is life’.

The foreword continues:

The continuing poor state of Indigenous health, and the many efforts of successive governments to address the issue, has seemingly left a nation at a loss to know what to do for the best on this issue. The Committee believes that many of the difficulties come down to these differing world views about health, about how it should be defined and about the sorts of services needed for good health.

We brought down 35 recommendations because the issue is so important. Recommendation 1 says:

The Commonwealth accept it has the major responsibility for the provision of primary health care to Indigenous Australians:

- the Commonwealth must assume responsibility for developing, in collaboration with the States and Territories, an efficient, coordinated and effective mechanism for the delivery of services and programs which impact on the health and well-being of the Indigenous population.

In the first chapter there is a quote from The Royal Australian and New Zealand College of Psychiatrists, whose submission we received. The report stated:

Mental health and emotional well-being, is another major challenge facing the Indigenous community. It is linked to:

... the loss of loved ones, childhood trauma, alcohol and drug related misery, violence, ongoing racism, stereotyping and discrimination, and the accumulated loss of two hundred and eleven years of cultural destruction and dispossession.

The report goes on to look at the question of how we compare with other countries. It says:

The poor health status of Indigenous Australians stands in stark contrast to that of the Indige-
ous populations of New Zealand, Canada and the United States.

All reports are the result of the tireless work of the committees involved. This committee has just released a wonderful report on substance abuse, which took us three years to complete. I note that the member for Blair, Mr Cameron Thompson, who is in the chamber, was part of that inquiry. We expect governments not to shelve these reports or put them away as part of a collection but to work on implementing the recommendations. One of our recommendations was that there should be a capacity for reporting back to the House—not only for this government and this parliament but also for state and territory parliaments, who have joint responsibility for the Indigenous people in their territories and states. This report was brought down three years ago. My brother asked, ‘Ace, what is happening?’ This story is circulating on the Net and going around Australia. We now have a new type of child: a lamppost child.

I do not wish to cast aspersions on the people of Mornington Island—I think I have visited just about every Aboriginal community in my 11 years in this place either as a member of the House of Representatives Committee on Family and Committee Affairs, as deputy chair of the House of Representatives Committee on Aboriginal and Torres Strait Islander Affairs and as a two-term member of the Joint Standing Committee on Native Title and the Aboriginal and Torres Strait Islander Fund. I realise that there are huge problems facing our Indigenous brothers and sisters. But, surely to goodness, we have to look at this issue and come up with some serious recommendations to be implemented right now—not in three or five years down the track. We have Commonwealth and state ministers saying, ‘It’s your responsibility; it’s not ours.’ We have people, Pontius Pilate like, washing their hands of this issue. Children as young as 13 months old are having to spend time in jail with their mothers because the system is absolutely stuffed. I am appalled and horrified. That is why I have raised this issue in the House today. It is pleasing to note that this is being broadcast around Australia, and I hope that someone somewhere will take up the challenge to address this issue immediately.

Roads: Ipswich Motorway

Mr CAMERON THOMPSON (Blair) (5.05 p.m.)—I rise today to discuss the shameful lack of transport infrastructure planning in south-east Queensland and particularly—and this is an issue that is very close to the heart of people in my electorate—the Ipswich Motorway. There have been some atrocious decisions made lately by the Beattie government, such as their failure to push through with their promised railway to Redcliffe and the upgrade of the Houghton Highway. But I think there is nothing worse than the way in which they have completely messed up the issue of planning for the Ipswich Motorway. This road has been declared by the RACQ as the most dangerous in Queensland.

To give some background, this road is just four lanes wide. It was carrying 78,000 vehicles a day in 2002 and is now carrying 85,000 vehicles a day. There are lots of ups and downs on that road and lots of off-camber corners. Where the intersection meets the Logan Motorway there are right-hand merges, which would be excellent if we were living in America and everyone drove on the other side of the road, but it is pretty hopeless here in Australia. The same thing happens if you come from the other end of the motorway and try to merge onto the motorway from Ipswich Road. This is not acceptable. On the other side of the river there is rampant growth—as is happening in Ipswich at the moment. On the other side of the
road is an incredible goat track that people drive down in order to access Brisbane from Moggill—that is from the overcrowded Moggill Road. Many people are racking their brains trying to figure out what to do with not just Moggill Road but also Ipswich Motorway. Unfortunately none of them is in the state government.

The story about the need to upgrade the Ipswich Motorway hit the front pages when the Commonwealth came up with $64 million to do some much needed work on the road, particularly on the right-hand mergers that I spoke about earlier. But when that money hit the deck did the state government have any plan as to how to use it? No, they did not; they had no plan at all. It was quite an embarrassment to them, I think, that when that money arrived there was silence from the state government and a complete lack of progress. That has been followed by a proposal from the state government to investigate how to fix the problem. You would think they would have had that sort of thing sitting on the shelf, but they did not. They set out to find out how to solve the traffic problem on the Ipswich Motorway and, blow me down, they could not look any further than the proposal to simply upgrade the four-lane motorway to a six-lane motorway.

For years, for decades—some claim this goes back almost a century—people in my electorate have been telling state governments of various hues that a bridge is needed in this area to cross from the south side to the north side of the river. That is the old proposal, and that would relieve some of the pressure on the Ipswich Motorway. That is oversimplifying it but, to be frank, if there were simply a duplication of the Ipswich Motorway to provide an alternative route, rather than an upgrade to six lanes, then there would be tremendous relief not only for the people south of the river, who are experiencing incredible traffic mayhem on the Ipswich Motorway, but also for the people north of the river, who are experiencing the same problem. They are lining up to go down Moggill Road, and they are experiencing all the delays and difficulties that are happening on the motorway.

There is a complete lack of planning from the state government. The state government sent out a consultant to look at the issue of planning for the motorway. When that fellow arrived at my office, he told me that the only way to build a new motorway would be to put it up on sticks, with the service roads underneath it. Obviously that would be a heck of an eyesore to have running through the middle of your town. Not only would it be an eyesore but I also think it would be quite illogical, given the pinch of traffic that occurs at Goodna. The consultant also told me that it would be impossible to build a perfect road if we stuck with the existing alignment, that we would have to build it at night and that it would be a very expensive and very long process. Of course, the reason it would have to be built at night is to try to avoid the traffic. Instead of a sensible planning proposal and a consequent unrolling of the necessary projects, we would be facing a never ending blockade of the road. With 85,000 vehicles a day trying to move through that area, the idea from the state government to basically move those 85,000 vehicles through a construction site is just mind boggling.

This is the level to which state government road planning has degenerated; their plan is to move 85,000 vehicles a day through a construction site. They are even planning that, by the time the road is completed and an inflated amount of money has been spent on all the people working on this in the middle of the night, the traffic number on that road will be 118,000 vehicles a day. Even once they have completed the six-lane upgrade, 118,000 vehicles a day would be at
a standstill. It is a total disaster—and this is what they are trying to force onto the people in my electorate. It is totally illogical, it is ridiculously expensive and it is ridiculously damaging to the local economy and to the daily lives of all the people who have to rely on that road.

Fortunately, at my insistence and at the insistence of the Commonwealth, the state government in the end were flogged into going out and looking at the possibility of an alternative route. And what did they find? They found that one of the options—option D—would cost about half as much, would be able to be done in half the time and would provide an equal division in the numbers of vehicles a day forecast for 2011. It would mean 48,000 vehicles a day on the new northern route and 46,000 vehicles a day on the existing southern route—a forecast reduction of 32,000 a day. Isn’t that a more logical and sensible outcome? It is, I can tell you, according to all the people in the electorate of Blair and the readership area of the Queensland Times—but not in the minds of the Queensland state government.

I have distributed a survey to people in the area. In two weeks I have received 166 responses. Of those, 158 supported the idea of an alternative route, three opposed it and five were neutral; they did not express an opinion either way. That is incredible. It is roughly 98 per cent in favour of an alternative route. The state government maintain that they have conducted consultation on their proposal. Do not ask me how the heck you can do consultation where 98 per cent of the people believe one thing and you find something completely different. This is pathetic; this is really hopeless. I cannot understand it, when this is so strongly felt by all the people—not only the people in the Ipswich area itself but also the people reliant on it further west, out round Laidley and Gatton, and north up to Esk. I had a discussion with the Mayor of Esk the other day. The councillors in Esk have already discussed this, and they feel very strongly that there needs to be an alternative route, just as the councillors at Gatton do. But what do we get from the councillors at Ipswich? The best you can say is that they are sitting on the fence. I say: 98 per cent of their constituents want an alternative road, and we expect them to deliver on their representation. They must be getting the same degree of lobbying on this as I am.

The latest is a report in the Sunday Mail on a pineapple farm in Moggill, in the vicinity of the alternative route for the motorway. There are pineapple farms, alpaca farms and plenty of open countryside in which it would be possible to build a very effective highway. There are not the kinds of constrictions that apply on the other side of the river, and, of course, as I have said before, it would be a huge attraction to the people who live over there to have the opportunity to use a southern road. But a pineapple farm is being sold and 407 new houses are being added. That will add something like 600 extra cars to the crawl down Moggill Road, and every single one of those could easily be diverted onto an alternative to the Ipswich Motorway.

That alternative would provide those people north of the river with an opportunity to immediately pick up rail transport—which they have never had—to reduce their travelling to the Gold Coast by half an hour and to provide them with a whole range of alternative routes on which to access the Brisbane city area. But none of that has been picked up by the state government. It is time that the transport minister, Steve Bredhauer, moved. It is time that he got this study finished so that we can have completed for our people in this area an effective road planning exercise. It is abysmal that we are getting nowhere with this. The people in the state government, particularly the member for Ipswich West—(Time expired)
Mr DANBY (Melbourne Ports) (5.15 p.m.)—Today I want to grieve about the relationship between the political process, the media and the future of Australian democratic institutions. Obviously, as a parliamentarian, I have a particular vantage point on this issue. I grieve for the trend in journalism, and the process of alienation from our democracy that I believe is partially its result. It has become a cliche to say that a free and independent media is essential for the proper functioning of a democracy; but it is as true now as it was in the 19th century. In Britain the struggle for an expanded franchise went hand in hand with the struggle to abolish tax on newspapers and allow free reporting of the House of Commons. Similar struggles for press freedom have accompanied the growth of democracy in many countries, including Australia.

Like most members of the House, I grew up in what many regard as the golden age of political journalism—the period of the Vietnam War and Watergate. Certainly there has been a dramatic shift in power between people in politics and people who practise journalism since that great expose of the Nixon government by the Washington Post. But the increasing focus on investigating and exposing the secrets and deceptions of the powerful has come at a cost. I believe that the cost is to the integrity of journalism, to the trust that must exist in a democracy between the people and their elected representatives and perhaps, paradoxically, to the standards of integrity in politics and government.

A new class of journalism has grown up since the 1970s—journalism characterised by a deep cynicism about all governments and all politicians. Although some journalists of this school have backgrounds in the far Left, few of them have retained much in the way of political principle. What they have retained and probably what they were taught at journalism school is the ingrained belief that all governments lie and cheat all the time and that the first duty of a journalist is to expose this. This trend has been aggravated by the increasingly sharp competition between traditional print media and television, more recently between network TV and cable news, and now between the Internet and all established media. Having competing sources of news and opinion is obviously a good thing, but the unfortunate consequence of some of the cutthroat media competition in the established media has been to drive this media down-market. News executives are increasingly valuing shock, sensation and trivia over reporting analysis and investigation.

The success of the media satire series, Frontline, exposed some of these trends and is evidence that my views about this issue have a wider resonance out there. Certainly the Australian public has these concerns as well. Recently the John F. Kennedy School of Government at Harvard University published a survey of both news reporting and public attitudes towards news in the United States. The study showed that since the eighties the proportion of hard news—serious reporting of politics, international affairs and public policy—had fallen dramatically while the proportion of soft news—stories about crimes, disasters, entertainment and celebrity gossip—had risen correspondingly. I am sure the same trend is evident in Australia.

It was obvious, the report said, that media organisations—particularly network TV but also newspapers and news magazines—have deliberately pursued a policy of ‘dumbing down’ the news in an effort to attract an audience they believe to be increasingly uninterested in news of any seriousness or depth. Along with increasing shallowness in media news reporting has come increasing aggres-
siveness—what is now commonly called ‘attack journalism’. In a recent article in the *Guardian*, Polly Toynbee—herself no shrinking violet in the media jungle—described what she called the ‘prevailing style, habit and mindset’ of much British journalism. The rule, she said, was:

Get the politicians, catch the government lying, denigrate, mock, kill. Never mind the substance of a policy—that’s boring and time-consuming

Undermining the idea that government may be a force for good may suit the mad militias of Idaho, but, argues Ms Toynbee, the political left which believes in government should be wary of joining the ‘all governments are the same and all are rubbish’ camp.

The irony of this is that the combination of soft journalism and attack journalism has damaged the media and failed to achieve its main objective—boost the circulation of newspapers and increase the rating of TV networks that engage in it. The Kennedy School survey showed that both are continuing their inexorable fall. People who want serious news and analysis are increasingly turning to other sources such as the Internet. I often read the *New York Times* online before the news reporting outlets here use it. It is very disturbing to see sometimes a pattern of articles in that great newspaper that are left out here in Australia.

More serious in the long run is the damage being done to democracy itself. If, as so many journalists and commentators think, ‘all politicians are liars and all governments are corrupt’, what is the point of voting for anyone? What is the point of having a democracy at all? There are of course some politicians who are liars and some governments that are corrupt. Investigative reporting and criticism by the media play a vital role in exposing lies and corruption. In recent times in this parliament we have seen the notorious ‘children overboard affair’ in which it was shown that both the Prime Minister and former Defence Minister Reith were, shall we say, less than entirely forthcoming with what they knew and when they knew it. Both the media and opposition members of this House played important roles in exposing the truth of this matter.

But when the media goes overboard with what the Kennedy School calls ‘the journalism of outrageousness’ it often defeats its own purposes. An example of this was the concerted attack on President Clinton over the Lewinsky affair. Here we had a president who engaged in grossly improper behaviour, then lied about it, but the media barrage against Clinton was so over the top, so sensational, so lurid and so rooted in hearsay that the American public opinion swung behind Clinton. In the end, it damaged the media as much as Clinton.

We are now seeing a more egregious example of attack journalism in Britain where the Labour Prime Minister Tony Blair is being assailed from both the left and right in the media for having joined the United States and Australia in the war in Iraq. Whatever one’s view of the war in Iraq, the media shark attack on the Blair government is the issue that I want to focus on. The attack is not just coming from people who are opposed to the war, such as the *Guardian* and the BBC, but especially from Tory papers such as the *Daily Mail*, which have had some outrageous headings. For example, after the death of Dr Kelly the *Daily Mail* heading was: ‘Are you proud of yourselves?’

Indeed, the BBC news programmers whose controversial role was central to this whole affair were then given front page stories in right-wing news magazines like the *Spectator* to pursue their vendettas against Tony Blair. Most striking, however, is the fact that the attack on Tony Blair is being led
by the state broadcaster, the BBC. Polly Toynbee writes:

The trouble is that a generation of young journalists now know nothing else, bred on the idea that attack is the only sign of journalistic integrity—all politicians are villains, all journalists their natural predators.

The effect on young people, in their non-consumption of news and their ‘turning off’ politics, is clear from the Kennedy School of Government study, which should be read by all members of this House. The prize example of the mentality that Toynbee identified is the BBC journalist, Andrew Gilligan, who, as we now know, based his allegations that the Prime Minister had deliberately falsified intelligence information and lied to the House of Commons on testimony from a single anonymous source, contrary to the BBC’s code of practice as well as basic journalistic ethics. Even then, as we also now know, Gilligan falsified what that source, the hapless Dr Kelly, had told him. Moreover, without the knowledge of the BBC board of governors, during the recent inquiry of the British foreign affairs and defence committee Andrew Gilligan prepared questions to other witnesses for members of the Conservative Party and the Liberal Democrats—a really disgraceful involvement, which reflects not only on Gilligan but also on the BBC board of governors. No wonder the BBC now admits it is partly responsible for Kelly’s death.

It would be a great tragedy if the ABC and SBS and our quality newspapers here in Australia followed the BBC and the London tabloids down the path of soft news and attack journalism. There were signs during the recent Iraq war that some people in the Australian media think this is the way to go. Recently Alan Ramsey in the Sydney Morning Herald has, for example, embodied this kind of attack journalism. He seems to think that it is his role to peddle his ancient grudges against the Labor Party and his conspiracy theories about the sinister influence of various lobbies on Australian politics. He does this without speaking to any of the people whom he criticises. For instance, I was the subject of one of his articles. Although I am not a national figure in Australian politics, I got three-quarters of a page and was mentioned 26 times without being spoken to at all. The ethics of that is something I will leave to this House to make a judgment about. The future health of Australian democracy depends on those who work in the media resisting the temptations that Polly Toynbee identified.

**Commonwealth Scientific and Industrial Research organisation**

**Maranoa Electorate: Yowah**

Mr BRUCE SCOTT (Maranoa) (5.24 p.m.)—I rise today in the grievance debate to raise a matter of great concern to myself and, I am sure, to many people wanting to address the whole issue of environmental flows in our very precious river systems across Australia. The matter that I raise today must be cleared up within the scientific community. On the weekend of 11 September 2003, an article by Michael Thomson on page 7 of the Queensland Country Life attacked the credibility of the CSIRO. The Queensland Country Life newspaper is well-regarded in Queensland, as is the journalist who wrote this article. I want to quote from the article because it is important that we are able to, at the end of all of this, get the CSIRO to make sure they are able to answer these claims—certainly more substantially than they have to date. The article in Queensland Country Life says:

At the time the CSIRO website read: “Salt levels are rising in almost all of the Basin’s rivers—this is the Murray-Darling Basin—and now exceed WHO guidelines for drinking water in many areas. If we do nothing, the salinity of the Lower Murray River—where Adelaide
pumps out its drinking water—will eventually rise to exceed WHO guidelines.

Mr Deputy Speaker, as you and I both know that is a very strong statement and we would want to know that that sort of statement is backed up with proper science. I would expect that the CSIRO, a well-respected and highly regarded organisation, would be able to scientifically back up a comment like that posted on their web site.

In that article, Dr Jennifer Marohasy made some very controversial statements to do with the CSIRO. After her statements, the CSIRO removed that part of the article from its web site. I want to quote Dr Marohasy, who is now with the Institute of Public Affairs, because she is also a highly regarded authority and one who has opinions that we all must listen to. In the article, she says:

Someone is misleading the Australian public ...

She says that the evidence that has been received for the deterioration in water quality of the Murray River has not been backed up by science. When we have CSIRO and Dr Marohasy contradicting each other, it is important that we are able to clear this matter up. I would again like to quote the article in the *Queensland Country Life* because it uses very strong language. I quote from the CSIRO paper *River Murray water quality: a salinity perspective 2003* which:

... supports calls for increased environmental flows and maintains that “degraded water quality through salinity is one of the major issues facing the basin”.

“There are increasing trends in stream salinity from upland catchments, particularly in NSW,” the paper states. “These streams are exporting much more salt than falls in rainfall suggesting that clearing has mobilised stored salt from these areas.”

When language like that is used, scientists have to be prepared to ground proof those statements. They are very strong statements; they are considered extremely credible because of the people who have made them, and in this case the CSIRO’s badge is attached to those statements.

In the limited time that I have today, I would like to move on to another issue within my electorate of Maranoa. It concerns a very small community in my vast electorate, the little town of Yowah. Yowah is an opal-mining town north-west of Quilpie. It has never been allocated a postcode—not before Federation and not since Federation. The community has grown. Whilst Yowah may be only very small today, it is a community to which the federal government has provided some $460,000 for the establishment of a rural transaction centre. They have rural power, they have a school, they have a state emergency service, they have an airport, which is utilised by the Royal Flying Doctor Service, and they have a small golf course.

I recently wrote to Australia Post seeking their support for the allocation of a postcode to this small community. Why should they have a postcode? I think that, like any other community that is not attached to another town and that stands out there alone with all the facilities, such as a school, a rural transaction centre and a small airport—albeit one that is not lit at night, but the Flying Doctor Service on occasion have to come in and land for emergencies—they are important to Australia. And I would hope that they were important to Australia Post. I was disturbed to get a letter back and find that my request on behalf of the community of Yowah had been rejected. What Australia Post said to me was that they wanted the township of Yowah to share a postcode with not only the town of Cunnamulla, which is the main town in the Paroo Shire, but also other smaller communities in the region.
Interestingly enough Australia Post, in making their evaluation, assess aspects of the geography of a community and the population trends. While Australia Post do not know whether the population of Yowah is going to rise, they do know that the residents of Yowah get an average of 200 or 300 items of mail a week throughout the year. I would have thought that small communities like Yowah deserved the same consideration as those people who live in urban parts of Australia, the new suburbs that are created in outer metropolitan parts of Australia and townships that grow because of the demographic shifts and changes that are occurring in the coastal regions of Australia.

What I am saying to Australia Post is that I would like them to revisit this issue. I find it unbelievable that the simple allocation of a postcode to a small community is so difficult. I notice the member for Lyons coming into the chamber. He would know this community. In his days as a wool presser in western Queensland, he possibly visited the township of Yowah. I am sure I would have his support in getting Australia Post to allocate the small community of Yowah its own postcode. Yowah is a small opal-mining community. It does a significant amount of trade in opals, with buyers coming in from other parts of the world.

Something we can do for small rural communities is give them their own identity through their own postcode rather than a postcode they have to share with another community. I just hope that Australia Post will rethink their position and grant this proud little community, which recently had a rural transaction centre built, the recognition that they deserve. This sort of case should not be considered purely on the size of the community, particularly not for our rural communities. This is a community that I think deserve the support of this parliament and deserve Australia Post giving them recognition through their own postcode.

Social Welfare: Compliance

Mr SWAN (Lilley) (5.34 p.m.)—Today I grieve for the thousands of pensioners across Australia who are now the new target of this government’s habitual heartlessness—a government that, when its record is exposed, claims complete ignorance and seeks to avoid responsibility for its heartless actions. It does this by elaborate diversionary tactics. There has never been a government more skilled in diversionary tactics than this one. People know that, whatever direction this government points in when it is allocating responsibility, they should always look in the other direction. This is advice that pensioners and their families would be very wise to heed.

A month or so ago, aged and disabled pensioners began phoning and writing to parliamentarians because they were receiving bills ranging from a few hundred dollars to $50,000 from the Howard government. The government has a new budget program to review 43,000 pensioners’ past financial records to search for discrepancies. It hopes to claw back more than $100 million from the aged and the infirm. These are not welfare fraudsters; these are people who have in most cases dutifully provided Centrelink with a constant diet of payslips and other paperwork. They are people trying to do the right thing who, in most cases, have tripped up because the government failed to properly advise them or record their information. It would not have occurred if this government had actually been doing what it claimed it was doing about social security compliance.

In every case my office has examined, these pensioners who had additional earnings have lodged a tax return each and every year. But this government has not been running the checks between tax and social security to
pick up the discrepancies before they get out of hand. In some cases, 10 years of error have produced a huge debt. One family that contacted my office have been providing Centrelink with payslips on a monthly basis for years. If they had provided them fortnightly, they were told, they would not have a debt today—but no-one told them to do that. Now they have a crippling bill, to be paid by the end of this month.

The fact is that these are debts that pensioners never knew they had. Now they are being hounded to by a heartless minister to repay. Most stand to lose their life savings or the money set aside for funerals to repay the money. And now we have the outrageous threat by the Minister for Family and Community Services to sell their homes. That is right; the minister has threatened to sell the homes of these people who have debts which have been incurred through no fault of their own.

The minister made her first outrageous comments during an interview screened on the Nine Network’s A Current Affair on August 22. The outrage that followed resulted in the minister attempting to hose the issue down. In a press release issued on August 24 she denied ever making such a threat during the interview. In her press statement she said:

Claims that I think that aged pensioners should simply have their houses sold from under them if they incur a debt are simply rubbish.

However, a transcript from the minister’s interview with A Current Affair shows this statement to be a bald-faced untruth. During the interview, the minister was asked about what she would do if aged pensioners could not repay the debts. This is what the transcript shows:

Interviewer: What if they don’t have the cash?

Vanstone: Well, we would look at their assets.

Interviewer: So you would be prepared to sell up their family homes?

Vanstone: Well I would be.

It was as clear as that. Minister Vanstone’s crackdown on aged pensioners is both heavy-handed and completely unwarranted. Most of the pensioners affected have in no way sought to rip off the system. The only reason the debts have accumulated is that the government has not been conducting even the most basic data-matching checks—that is, the government has bungled. Even small variations in fortnightly pension entitlements that have accumulated over the years now add up to thousands of dollars. Minister Vanstone should immediately call off her heavyweights and stop the standover tactics that are pressuring many pensioners to hand over every last cent they have. Where the repayment is due to an error by Centrelink and payments were received in good faith, the law requires that it be waived—no ifs, no buts—but that is not the advice that is coming from the government. Where an overpayment has been made due to an unintended lapse by the pension recipient the government ought to adopt a far fairer approach to recovering the debt. These aged pensioners deserve to live out their retirement years with respect and dignity, not to be left destitute or to be terrified by the government.

I would like to quote some of the cases that have come to my office. There is a 69-year-old widow who has had a $14,000 overpayment because of her husband’s Italian pension. Her son agrees that the overpayment occurred over a five-year period but says that it was an overpayment, not a debt. He says, ‘If Centrelink can make the mistake over five years, why can’t my mother repay over five years?’ He went on to comment:

My father helped build this country and now his widow, my mother, is being treated like a criminal. The process is unethical and shows blatant disregard for Aussies who built this country. There is a couple—one is 63 years old and the other is 69 years old—who have a
$26,000 debt going back 10 years. They gave Centrelink income details which were not updated. The debt was reduced by $1,000 each but they say:

... [we are] unsure if we can go through the SSAT because the decision has caused such huge stress in the family.

They go on and talk about their personal distress. There is a widow, Sonia, who is 53 years old, disabled and confined to a wheelchair. She was widowed in March this year. Her husband was 53 years old. She and her husband came in for a debt of approximately $850 each. They declared income to Centrelink every month but it was not entered correctly. This is what Sonia says:

One month, the girl laughed and said, ‘I haven’t entered last months yet!’ ... I am a grieving, disabled, homeless widow, my late husband was my carer, I believe the stress and heartache caused by this contributed to my husband’s death.

There is a legion of people affected across the country and many more that have come to my office. I will quote from one more pensioner. She says that as a result of incurring the debt:

I cannot eat or sleep, I wake at 1 am, 2 am ... When I open my eyes my stomach begins churning again, my husband is so sick now and I must keep working now instead of being able to retire and look after him.

It goes on and on. This is simply madness. These are heavy-handed tactics which are treating the elderly of this country with complete disrespect.

But, of course, why are we going down this road? Why is this habitual heartlessness at the core of this government? Part of the reason is the minister, Senator Vanstone, who, in a recent feature in the Age, was characterised as ‘The moderate who wasn’t’, and nothing could be closer to the truth. In that profile piece the author, Frank Robson, compares the minister to the Queen in Alice in Wonderland, describing her as ‘both jolly and menacing’. Of course, we all know what the Queen was on about. She was there screeching all the time, ‘Off with their heads!’ Vanstone takes the same approach to charities and parents of the disabled. Now, having got away with it in the other areas—having got away with it with disabled pensioners and the carers of disabled children—she has got the axe out there and is chopping into our pensioners, people who have worked hard to make this country great.

Ms O’Byrne—They have paid taxes all their lives.

Mr SWAN—Yes. In the article, Robson describes her as Roseanne the rottweiler. This is a woman who never forgives. She says in the article, when she is talking about her enemies:

... you don’t have to cross the street to fix someone up. You just keep it in your memory ... and one day your [enemy] will lay open his belly, waiting for it to happen.

Ms O’Byrne—What did pensioners ever do to her?

Mr SWAN—that is right. What did the pensioners ever do to Senator Amanda Vanstone? In this article, she admits to a five-hour lunch, although she cannot remember how many bottles of wine she may have had. Let us assume that over a five-hour lunch she had five bottles of wine—one an hour is quite a reasonable intake for Senator Vanstone and a journalist, I would assume. If she was drinking something like Elderton Command Shiraz, at about $80 a bottle—which I gather she might—she would have spent more in one five-hour lunch than she pays these pensioners in a fortnight.

That is the problem. The approach of this minister and her approach to her portfolio is one of contrast: savage treatment for people on very low incomes, Australian pensioners, carers of children and those people who are disabled, and a luxurious personal lifestyle at
the same time—but always out there chopping away at our great charities and taking down the unemployed through breaching and so on. This is a minister simply so out of touch that she should be removed by this Prime Minister for her disgusting behaviour when it comes to the pensioners of this great country. (Time expired)

Cook Electorate: New South Wales Government and Sutherland Shire Council

Mr BAIRD (Cook) (5.44 p.m.)—I rise today to draw the House’s attention to a number of issues which have caused alarm to my constituents due to actions of the New South Wales government and Sutherland Shire Council. The first issue concerns the Kirrawee brick pits. I recently wrote to every resident in the suburb of Kirrawee in relation to the redevelopment of the Kirrawee brick pits site and its sale by the New South Wales government to developers. To date in my office we have had petitions signed by 1,200 people who are very concerned about the government’s proposal and the overdevelopment it will cause on the site.

Sport is central to the Australian character and is a vital thread in our community. A few months I received a report from Sutherland Shire Council outlining the critical shortage of playing fields and public space in the shire. The report stated that our current facilities cannot cope with the demand and Sutherland Shire Council estimates that capacity is exceeded by 80 per cent. Competitions are having to be reorganised and games cut as the facilities cannot cope with the demand. This is particularly apparent in Kirrawee and surrounding suburbs.

Plans proposed by council and the state government for the rejuvenation of the Kirrawee shopping precinct have been on display for some time. Central to those plans is the redevelopment of the brick pit site—public land—with the construction of several high-density developments with over 300 apartments, rather than the creation of playing fields as is appropriate with government land. State member for Miranda, Barry Collier, and Sutherland Shire Council, both elected on the back of their opposition to overdevelopment, are now promoting further high-density developments throughout Kirrawee. To many, the handing over of public land to developers is alarming and cannot be supported as long as there is a public need for such space.

I believe that this land should be given back to the community. The current plans give about a quarter of the land back to the public in terms of open space but do not accommodate the real needs of residents—that is, the delivery of open space and additional sporting fields. The shire’s sporting fields are the birthplace of champions and public land should remain in public hands. This sentiment is shared by thousands of my constituents who signed a petition opposing the sale of the land to developers, particularly for more high-density developments.

The infrastructure of Kirrawee and, more broadly, the shire cannot cope with further high-density developments. Roads are at breaking point, with all major arterial roads choked with traffic. The rail service has reached capacity—peak-hour commuters face dirty trains with standing room only on a daily basis by the time they reach Sutherland. This will only get worse as the state government announced cuts to services further down the line last week, and recent rail reviews are likely to see a delay in the duplication of the rail services.

The state government have reaped billions from the property boom from stamp duty and spent very little on infrastructure. They are big on announcements but invariably fail to deliver. I make this point because their policies are destroying the shire and its beauty.
Private polling and public surveys consistently rate overdevelopment as their core concern, outrating issues like the economy and national security. The character of Kirrawee has changed tremendously in the past decade. Over this time, much of old Kirrawee has been redeveloped and replaced with apartment buildings, many of which are the result of the state government’s planning policies and the booming Sydney property market. A line in the sand must be drawn and the hypocrisy of the Labor-Shire Watch Coalition exposed for the fraud that it is.

In relation to ANSTO, like the member for Hughes, I receive an abundance of correspondence from Sutherland Shire Council. In the majority of instances it is seeking a grant or some form of assistance from the federal government. Sutherland Shire Council’s opposition to ANSTO and the replacement nuclear reactor is on the record in this place and their political antics are well noted by this side of the House. Sutherland Shire Council enjoy a massive budget and charge premium rates—some of the highest in the country. These rates continue to rise at a time when core services are in decline.

From time to time Sutherland Shire Council conduct phone polling and market surveys to enhance service delivery. This is no big deal and happens at every level of government. However, the politicisation of this issue has been hijacked by a vocal minority, and that is quite alarming. Sutherland Shire Council recently spent in excess of $15,000 of ratepayers’ money—this is in addition to the hundreds of thousands of dollars they spent in promoting an ANSTO policy before the last federal election and, I would imagine, general grants from state and federal governments—to conduct a phone poll on issues connected to ANSTO and the replacement reactor.

The mayor released statistics, funded by ratepayers, declaring that 87.1 per cent of the shire’s residents were concerned or very concerned about the reactor, which contradicted every piece of research that I have seen on the subject. This result alarmed me and incited some interesting letters to the editor in the St George and Sutherland Shire Leader. I want to quote a letter from Sylvania resident Chris Larmer, and I pose the following question to the House and the residents of the Sutherland shire: is there a need to review the role of local government and its activities with regard to the reactor? The letter I mentioned was particularly interesting. It says:

In reply to Cr. Blight … I was rung and took part in the survey about the Lucas Heights reactor. I have never heard a more biased survey. Each question was of the ilk: “With regard to accidents on our roads today, how alarmed are you regarding the transport of dangerous nuclear waste through your neighbourhood? Very alarmed, moderately alarmed, alarmed or not alarmed”.

Half-way through I nearly hung up, but was persuaded to continue with the comment that I could make a statement at the end.

I considered the whole survey to be a waste of my ratepayer funds and a complete political stunt. Each question gave an alarmist preamble but no facts. ANSTO’s very high safety record was never mentioned.

For example, in 50 years no one has suffered significant injury from the transport of nuclear materials, but many lives have been saved by the medicines produced. It is interesting that ANSTO plays such a significant role in the community, yet it continues to be attacked through biased surveys from our local council.

The third issue I want to speak about is the Gymea speed camera—an issue that has
These are some of the issues imposed on my constituents by the state government and
the local council. In terms of their very
doubtful polling in relation to the ANSTO
facility and their proposal for development
on the brick pit site, which is opposed by a
large number of the residents in Kirrawee,
what we should be seeing is more open
space, a more positive attitude towards
ANSTO by the council and less revenue rais-
ing by the state government by putting fur-
ther speed cameras throughout our electorate. It is time for a fairer go for the residents
of the Sutherland Shire and the electorate of
Cook.

Health: Dementia Awareness Week

Ms GRIERSON (Newcastle) (5.54
p.m.)—It is Dementia Awareness Week, and
this afternoon I had the privilege and pleas-
ure of being part of the launch of Parlia-
mentary Friends of Dementia, a group set up by
Senator Marise Payne and me in response to
the dementia epidemic now being faced by
Australia. The participation by both the
Prime Minister and the Leader of the Opposi-
tion in the launch demonstrated that there are
many issues where our concerns are shared,
irrespective of party politics. Senator Marise
Payne and I were encouraged to set up such a
group by the board of Alzheimer’s Australia
New South Wales and their CEO, Lewis
Kaplan. I must register here my appreciation
to the New South Wales body and particu-
larly to Lewis Kaplan for his readiness to
provide me with advice and information on
dementia and Alzheimer’s when, as a new
member of parliament, there seemed so very
much to learn.

As parliamentarians, our attention is fo-
cussed on myriad concerns to our electorate,
so it is often difficult to condense all this
down to a meaningful form. The support
group will help our colleagues to easily ac-
cess relevant information and organisations
impacting on the wellbeing of those living with dementia. We hope that our support group will be a conduit for the excellent research that is now being undertaken in this once-neglected area. We also hope that our group will be an accessible first reference point for those involved with dementia research, treatment and care and for the peak organisations, in particular Alzheimer’s Australia.

For too long dementia was seen as simply part of the ageing process. Memory loss and decline in mental function were considered somewhat inevitable. Fortunately, we know better today. Dementia is a health issue that demands research and understanding so that treatment and care are more appropriate and so that, hopefully, one day a cure may be found. The human and financial cost of this disease is ever-growing. More than 162,000 Australians have a diagnosis of dementia, with perhaps as many again in the early stages. Dementia affects the lives of possibly half a million Australians—those with dementia and also their families and carers.

There are more than 70 diseases that cause dementia. Alzheimer’s disease—the most common cause of dementia—accounts for between 50 per cent and 70 per cent of all cases. The second most common cause is probably not known to most people—it is simply vascular disease, which obviously may be preventable. With the ageing of Australia’s population, we can expect a significant increase in the number of people affected by dementia, including carers, within the next few decades. By 2041, half a million people are expected to have a diagnosis of dementia. So it is important that we get some measures in place now to avoid more human, economic and social loss to our communities.

But the real stars of today’s launch were the participants brought along by Alzheimer’s Australia. These people from the ACT—just like so many people in every electorate of Australia, including my electorate of Newcastle—experience dementia in their daily lives, and it is from them that we can learn so much. Today at the launch of Parliamentary Friends of Dementia, I met a mother, daughter and granddaughter from the ACT who had come along together to urge us all to do more for those living with dementia. Mary, the grandmother, had cared for her husband at home for six years. Now he is a resident in an aged care facility because Mary, a very strong woman, lost her home in last year’s Canberra bushfires. In fact, she lost everything but her memories and the love of her family. I pay tribute to the ‘Marys’ of our electorates, who are carers 24 hours a day, seven days every week. They deserve our consideration and our gratitude.

In my electorate of Newcastle, I have been part of a campaign to gain PBS recognition for anti-dementia drugs since meeting Mr Bradley, a very devoted husband whose wife has been suffering from dementia for many years. He cared for his wife at home for a long time but, sadly, Mrs Bradley is now in care. The campaign to have the testing measures changed to take into account behavioural and quantitative measures when assessing the effectiveness of drug treatment must continue. It is really important that we give credit to the opinions of families and the doctors, who do know whether drugs are being successful. If drugs are being successful, they should be continued and certainly should be available.

I would also take the opportunity to congratulate Alzheimer’s Australia on their commissioning and release of the report prepared by Access Economics, entitled The dementia epidemic. For too long, dementia and all aspects of ageing have been neglected. This report highlights areas that need improvement. These areas include pro-
providing early access to affordable medication, which would improve quality of life and reduce overall health care costs in the long run; access to affordable, in-home support services; access to appropriate respite care for carers of people with dementia; education for carers; initiatives to assist carers to remain in the workforce; and more appropriate services in residential aged care facilities or dementia specific care facilities. The report also suggests a future national strategy for dementia, and I urge the government and all political parties to consider that strategy and, of course, endeavour to put it in place. In that report, they say that that strategy should involve:

1) a significant investment in research for cause, prevention and care;
2) early intervention through improvement in diagnosis, and the provision of cost-effective pharmacotherapies;
3) comprehensive provision of support, education and respite services—in place in the community as far as is optimal;
4) quality residential care, appropriately financed, that are centred on the person with dementia and their family/carer; and
5) provision for special needs, including people with younger onset dementia—people with behavioural and psychological symptoms of dementia ... people from culturally and linguistically diverse backgrounds, indigenous Australians and people in rural and remote areas.

I also take this opportunity to acknowledge the fine work of the Hunter Network in the Newcastle and Hunter area, which operates to support those living with dementia. They are particularly active, and have been for a long time. They run Seniors Week activities, they work with the mental health programs, they provide information stands and seminars at many events in our area, they undertake fundraising activities and, most importantly, they support individuals and families who are living with dementia. Their education programs and media information are constant, and they have successfully set up a 24-hour answering machine with the help of Hunter Health. They have a direct need right now for a computer, and I, with my colleagues in the Hunter, will be trying to find that computer they need to continue with their work. In my electorate and in that of my colleague Jill Hall, the Charlestown Alzheimer’s Support Group, recently celebrated their 10th birthday—10 years of assisting families with dementia. Well done!

I also point out that individuals, as mentioned in the strategy, who have special problems must be given attention. I pay tribute to Maureen in my electorate, who copes with her husband’s dementia. Unfortunately, he also suffers from war related post-traumatic stress disorder. That, of course, exacerbates the situation for her as his carer. She is determined to care for him in her home but has great difficulty in accessing sufficient and affordable home care services. She finds it unacceptable to place him in anything but her own home, because there is really not an appropriate psychogeriatric facility in easy travelling distance. From watching and speaking with families today, we know that they want to be visitors to their loved ones every day. They see just how difficult it is in aged care facilities and how short-staffed these places are, and they want to be there to make sure their family member gets the care they need and deserve.

The main message of Dementia Awareness Week this year is urging early detection and early intervention and support. Research has found that early detection, early acknowledgement that there may be a problem, is vital to achieving the best health outcomes. So I urge everyone in the community to assess their individual situation and con-
sider whether they are responding early enough.

I also point out that the government, with the help of Alzheimer’s Australia and the National Dementia Behaviour Advisory Service, has presented this year a document called ReBOC—reducing behaviours of concern. It is an excellent support document for families, giving them a hands-on guide to dealing with behaviours and responding to them. Finally, I encourage colleagues to be part of the Parliamentary Friends of Dementia. Hopefully, through that group, we can ensure every electorate office can better help their constituents to gain the early advice so critical to the management of dementia.

Rural and Regional Australia: Taxation Zone Rebate

Mr HAASE (Kalgoorlie) (6.04 p.m.)—

The original intent of the taxation zone rebate, introduced as the taxation zone allowance in 1945, was to provide financial compensation to people who chose to meet the challenge of living and working in rural and remote areas of Australia. However, since 1945 the rebate, originally equal to about five weeks wages per annum, has been so severely eroded by inflation that in certain remote areas it now represents less than half a week’s wage and is barely worth the effort it takes to claim it. I have proposed a concerted four-point plan to revise the current rebate system and shape it into a fair and workable taxation strategy. The reform aims to reclassify current zone areas for population increases over the past 60 years, substantially increase the taxation zone rebate amount, amend rebate eligibility to provide only for permanent residents of remote areas, and provide an effective Higher Education Contribution Scheme discount for university graduates who choose to live and work in remote areas of Australia.

An independent report on the growth of regional business—the regional business action plan—was released in August as a key initiative of the coalition government’s Stronger Regions, A Stronger Australia statement. The report identified four major impediments to regional business growth: attracting investment and accessing finance; dealing with government policies and programs; recruiting and retaining skilled people; and establishing and maintaining adequate infrastructure. Among the report’s recommendations for the role of government in regional Australia was an overhaul of the taxation zone rebate scheme. Proposed changes included aligning the zone boundaries with generally accepted Australian Bureau of Statistics boundaries for remote and very remote areas; introducing provisions that provide for regular indexing of the rebate in line with shifts in the CPI for regional and remote Australia; removing eligibility for the rebate from those people who are employed under a fly-in, fly-out arrangement and whose principal place of residence is not in one of the designated zones; and, finally, introducing amendments to the scheme that provide for an economic ceiling, effectively limiting access to rebates for people on high incomes.

As noted in the report, taxation zone rebate boundaries have changed very little since the introduction of the allowance in 1945. The most substantial change was the introduction of special zones in 1982. The report proposes that zonal boundaries be aligned with the ABS Accessibility/Remoteness Index of Australia, ARIA, which divides the country into five zones: major cities, inner regional Australia, outer regional Australia, remote Australia and very remote Australia. The report recommends that only residents living in areas classed as either remote or very remote should be eligible for the rebate.
I concur with the ARIA boundaries in that, in line with my proposal, they would preclude Darwin, Cairns, Townsville and Mackay from the rebate. However, under the ARIA model, places such as Broken Hill in New South Wales, the Queensland townships of Bowen, Airlie Beach, Ingham, Tully and Innisfail, and Northampton in Western Australia would also be ineligible. As my proposal specifically calls for the elimination of cities with populations of greater than 50,000 people, I do not support the area model in its entirety.

Some apprehension regarding my proposal to remove Darwin, Cairns, Townsville and Mackay from the rebate scheme is understandable. That apprehension is nevertheless misplaced considering the following statistics in each of the cities. The Mackay City Council’s most recent population estimate put Mackay’s population at approximately 78,400. With a current growth rate of 1.7 per cent, Mackay’s projected population in the year 2016 will be 98,700. The Darwin City Council’s web site estimates the combined population of Darwin and its satellite city of Palmerston at just over 107,000. ABS statistics indicate that the combined city is ‘growing at pace’. According to the Cairns City Council web site, the current population of Cairns is 123,760, with an annual growth rate of 2.5 per cent—well above the state and national averages. According to the council web site, Cairns will have a population of approximately 200,000 by the year 2020. Current ABS statistics put the combined population of Townsville and Thuringowa at 145,945. From 1996 to 2001, the Townsville region grew by 10 per cent, and its population is estimated to reach 170,000 by the year 2011.

Based on these statistics, the combined population of these cities is approximately 455,000. Assuming that approximately 50 per cent of the residents of these cities are taxpayers, under my proposal we would remove approximately 227,500 people from the rebate. 1997-98 statistics put the total number of zone rebate claimants at approximately 491,700. Assuming that the number of nationwide claimants has increased since 1998, it would be estimated that roughly 45 per cent of claimants would be removed under my proposal.

The second report recommendation was for regular indexing of the rebate. Quite simply, during the coalition’s time in government, this has not happened. Since the allowance became a rebate in 1975, its base rate was increased in the 1975-76, 1981-82, 1984-85, 1985-86, 1992-93 and 1993-94 financial years. However, it has not been increased since. I acknowledge that in 1975 an additional percentage amount was introduced for zone residents with dependants and that this dependant rebate component rises yearly in line with annual indexation. It does not change the fact, however, that the base rebate has remained unchanged since 1994. The fact that the coalition has been in government for most of this period merely highlights our shortcomings as a government that claims to support regional Australia. It is the need to rectify these ineffectual policies that has prompted me to call for an overhaul of the zone rebate.

The report’s third recommendation was the removal of the rebate for those employed under a fly-in fly-out—FIFO—arrangement and who do not reside in a designated zone. This is an important point. There are numerous examples of the negative impact of FIFO employment on shires in my electorate. In correspondence earlier this year, for example, the Shire of Wiluna pointed to the expenses associated with trying to maintain a skilled work force and infrastructure under the cloud of a fly-in fly-out population:

The FIFO employment offered by mining companies in the area makes it extremely difficult to
obtain and retain highly skilled machine operators. The Shire does not have a workforce of a similar size to that of the mining operations to support the overheads associated with the FIFO option. The only alternative is to provide housing to attract staff to live in Wiluna on a permanent basis. This is expensive, with building costs approximately 175% of Perth costs.

The Shire of Meekatharra also writes of the effect of FIFO employment on its survival and what needs to be done about securing a permanent population:

FIFO people are provided with accommodation and messing facilities, and generally are not affected by normal living costs. The attraction for professional people to move to these areas must be enhanced for the sake of our future. FIFO is not the answer, and if the Government is dinkum about a fair go, then the— rebate— should be reviewed for that group and passed on to the people who actually live and make their home where they work.

The common question posed to me during my travels throughout my electorate is this: ‘Why should someone who lives in Perth and who pays Perth prices for their goods and services be entitled to a zone rebate?’ Indeed, these people are city based residents, who have all their needs catered for at the mine site during their work shift and are then flown back home to the comfort of the big city. Why are they then eligible for compensation for living in the bush? The fact is that FIFO workers do not live in the bush. In addition to making the system fairer, the removal of FIFO workers from entitlement to the rebate would free up additional rebate funds for bona fide residents of remote Australia.

The fourth recommendation of the report involved introducing provisions that would limit eligibility for people on high incomes. I disagree. All indications from the architects of my taxation zone rebate proposal point to it being revenue positive to the Commonwealth government. In fact, even in a worst-case scenario, the budgetary effect would be revenue neutral. Put simply, this initiative does not incur additional government spending, yet the benefits gained from it would be enormous. Rural and regional Australians need to be encouraged to invest their time and effort in the bush, and they deserve to see some positive outcome for that investment.

The regional taxation proposal I have put forward offers an additional encouragement to attract young professionals to remote areas through a Higher Education Contribution Scheme incentive. My proposal to offer a HECS repayment discount to university graduates who elect to live and work in remote areas would do much to ease the current shortage of professionals in rural and remote Australia, particularly in the vital areas of health care and education. This initiative would go a long way to appeasing the ever-present assertion that there are never enough doctors, nurses and teachers in rural Australia.

There are multiple benefits from such a proposal. Firstly, with HECS fees for professional university courses often in excess of $20,000, the attraction of a greatly reduced HECS debt would appeal to all but the most city-centric graduates. Secondly, the availability of more professional services in regional areas would have the flow-on effect of attracting and maintaining family residence in these areas. If we can double the population in rural Australia, then there is ample justification for ongoing investment in infrastructure and the maintenance and upgrade of existing services.

I conclude by mentioning the fact that, in rural and remote areas, consumers pay 10 per cent on goods and services that—due to distance, lack of competition and low turn-
over—cost considerably more than they do in the city. This results in a higher dollar value GST paid for the same provision of goods and services. It is a fact that populations in many rural and remote communities of Western Australia are dwindling due to the hardships endured by those living in the bush coupled with the lack of incentives to live and work there. I am not alone in my belief that this taxation zone rebate proposal should be taken seriously by the Treasurer and by the federal government.

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—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.

NATIONAL RESIDUE SURVEY (CUSTOMS) LEVY AMENDMENT BILL 2002

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that this bill be considered forthwith.

Bill agreed to.

Third Reading

Miss JACKIE KELLY (Lindsay—Parliamentary Secretary to the Prime Minister) (6.16 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.
Monday, 15 September 2003

NATIONAL RESIDUE SURVEY (EXCISE) LEVY AMENDMENT BILL (No. 2) 2003

Report from Main Committee

Bill returned from Main Committee without amendment; certified copy of the bill presented.

Ordered that this bill be considered forthwith.

Bill agreed to.

Third Reading

Miss JACKIE KELLY (Lindsay—Parliamentary Secretary to the Prime Minister) (6.18 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

ASSENT

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

National Transport Commission Bill 2003
Civil Aviation Legislation Amendment Bill 2003

BILLS RETURNED FROM THE SENATE

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

Vocational Education and Training Funding Amendment Bill 2003

HEALTH LEGISLATION AMENDMENT (PRIVATE HEALTH INSURANCE REFORM) BILL 2003

First Reading

Bill received from the Senate, and read a first time.

Ordered that the second reading be made an order of the day for the next sitting.

MIGRATION LEGISLATION AMENDMENT (SPONSORSHIP MEASURES) BILL 2003

Consideration of Senate Message

Bill returned from the Senate with an amendment.

Ordered that the amendment be considered forthwith.

Senate’s amendment—

(1) Schedule 1, item 2, page 6 (after line 24), at the end of section 140I, add:

(4) If a person (the sponsor) makes an undertaking in relation to the costs of the Commonwealth in locating and detaining another person, the undertaking is not enforceable against the sponsor to the extent that the amount which the sponsor has undertaken to pay in relation to those costs exceeds a limit prescribed in the regulations, as in force when the undertaking is made.

Mr RUDDOCK (Berowra—Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Reconciliation) (6.20 p.m.)—I move:

That the amendment be agreed to.

This is an amendment to add a new subsection 140I(4). It expressly forbids enforceability of a sponsor’s undertaking to pay the costs of the Commonwealth in relation to the location and detention of a person whom that sponsor has sponsored where the amount exceeds an amount or cap prescribed in regulations. It is proposed that regulations will initially prescribe a cap of $10,000. The new subsection (4) provides that the amount of the cap can be changed from time to time, as circumstances require, by amendments to the regulations. This allows flexibility and would enable us to take into account inflation and other factors without the need for another amendment.
The new subsection (4) makes it clear that the dollar amount of the cap applicable in particular circumstances is the cap prescribed by the regulations at the time the sponsor made the undertaking. Amendments provide that the cap applies in respect of each person a sponsor has sponsored and in respect of whom the sponsor has given the relevant undertaking. In summary, the amendment to the bill will ensure that the liability of sponsors to pay the Commonwealth’s costs of locating and detaining a sponsored person will be limited to a specific amount.

This flowed from a parliamentary report where there were deliberations in relation to the bill. The bill has largely had bipartisan support because it seeks to introduce a range of sponsorship measures which will be important in improving particularly the workings of the temporary business long stay visa class. This is a very beneficial program. Australian businesses have been able to bring more than 20,000 highly skilled people and their families to Australia under this visa class. Major occupations have included nurses and computer professionals as well as accountants and executives.

Despite the handful of well publicised cases, it is a very compliant group. There are few people who breach sponsorship requirements, overstay the visas altogether or work contrary to visa conditions. All sponsors are monitored to ensure that they comply with undertakings given. Twenty per cent of the group are site visited. The government has certainly moved on any areas of noncompliance and referred to other agencies, where appropriate, for investigation matters that might be of concern. Last year we referred 26 cases to other agencies for investigation and, where there was a breach of our requirements, cancelled 234 visas. The regulation changes that were made in 2001 introduced minimum salaries and skill levels and required that employees be made aware of their salary and working conditions. If overseas employees want to change employers, they must apply for a new visa and meet the conditions at that time.

This bill seeks to increase our ability to maintain the integrity of this program and, for the first time, to provide sanctions against sponsors who do not comply with undertakings they have given in relation to employing people under these temporary arrangements. It is designed also to stop abuse. Abuse sometimes occurs in the appeal system where applicants clearly do not meet the threshold requirements of having a sponsor for their stay in Australia. This visa program exemplifies world’s best practice in service delivery. The bill, as amended, will keep that standing. The amendment that I have proposed meets the desire of the Senate not to have a punitive level of costs imposed upon those who sponsor. With the regulations prescribing a limit of $10,000, we will be able to see how that works and see whether there are the improvements that we hope will come from it. I commend the amendment to the House.

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—The question is that the amendment be agreed to.

Question agreed to.

AUSTRALIAN NATIONAL TRAINING AUTHORITY AMENDMENT BILL 2003

Consideration of Senate Message

Bill returned from the Senate with an amendment.

Ordered that the amendment be considered forthwith.

Senate’s amendment—

(1) Schedule 2, page 4 (after line 15), after item 1, insert:

1A After section 18

Insert:
Dr NELSON (Bradfield—Minister for Education, Science and Training) (6.26 p.m.)—I move:

That the amendment be agreed to.

The Australian National Training Authority Amendment Bill 2003 will amend the Australian National Training Authority Act 1992 to do two principal things: to provide for a new Australian National Training Authority agreement and to increase to nine the number of members of the Australian National Training Authority. The bill underpins ongoing funding and development of a world-class vocational education and training sector that supports the competitiveness of our industries and Australia’s economic and social development. In 2002 there were around 1.7 million Australians who participated in vocational education and training: more than one in nine working age Australians and more than one in four young people aged 15 to 19. The figure is even higher when you take into account students who undertake VET programs, as they are called, at school. As I advised the House today, there were more than 396,000 new apprentices in training as of 30 June 2003—a significant if not huge increase from 140,000 in 1995. Today, New Apprenticeships are available in more than 500 occupations, including aero skills, electro technology, process manufacturing, information technology, microtechnologies in manufacturing, photonics, nanotechnology and telecommunications.

In the other place, concerns were raised that the removal of the ANTA agreement from the schedule might deny the parliament the opportunity to scrutinise the ANTA agreement. This is plainly false, as I had undertaken to table the agreement when it was concluded. Nevertheless, two amendments have been proposed to require the agreement or any amendment to it to be tabled within 15 sitting days of the agreement’s conclusion and to cause the agreement to be published on the ANTA web site within the same period. The government agrees to these amendments. This bill will provide for the ongoing development and continuing successful operation of Australia’s world-class vocational education and training system. I commend the amendment to the House.

Mr ALBANESE (Grayndler) (6.28 p.m.)—I, too, rise to support the amendment that has been made in the Senate, which will ensure not only that any new ANTA agreement and any amendment to the agreement would come before the House within 15 sitting days of the agreement being made between the Commonwealth, states and territories but also that it is published on the Internet. We considered the Australian National Training Authority Amendment Bill 2003 in conjunction with the VET funding bill. While the Minister for Education, Science and Training is in a conciliatory mood and supporting this Senate amendment, he will have an opportunity to also support the position taken by the Australian Labor Party on what should happen to the Australian National Training Authority—that is, there is a
need in the new agreement for growth funding.

If the minister is going to have credibility in coming into this House and criticising state and territory governments for ensuring that their books are balanced, then he needs to be part of a cooperative approach between the Commonwealth, states and territories in negotiating the new ANTA agreement. He will have an opportunity at the Gold Coast MINCO meeting in a couple of months to put his money where his mouth is. Before going to dinner at Jupiters Casino, the minister will have an opportunity to roll the dice in favour of young Australians—and in favour also of mature age Australians, who are participating more and more in the vocational education and training sector.

This is an extremely important sector of the economy. It is important for individuals who participate in vocational education and training in schools, in TAFEs and through group training organisations and other parts of the sector in that it enables them to fully participate in society and realise the positive benefits that education and training give, and it is also important for us as a nation and as an economy. The expansion of vocational education and training benefits our economy and means that we can move forward as a high-wage, high-skills economy. The alternative is competing with our neighbours in a race to the bottom. Some would like to see their approach to labour market deregulation produce that result.

I commend the fact that the minister has been conciliatory in accepting the amendment from that dreaded place across the other side and that we can all agree on this Senate amendment. However, I call upon the minister to have the same enlightened approach towards negotiating the ANTA agreement if his rhetoric is to become more than just that and is to result in the states and territories delivering an expanded service. More and more we see the dollars per student simply becoming fewer and fewer due to pressure on the system, which is why we need growth funding in the new ANTA agreement. I commend the bill to the House. I also take the opportunity to commend all those from the top down—from the ANTA board, which will see an expansion due to this bill, to all the TAFE teachers throughout Australia—who work beyond the call of duty and do many hours of unpaid work due to their commitment to deliver services for Australians.

The DEPUTY SPEAKER (Hon. D.G.H. Adams)—The question is that the amendment be agreed to.

Question agreed to.

QUARANTINE AMENDMENT (HEALTH) BILL 2003

Debate resumed from 10 September.

Second Reading

Ms WORTH (Adelaide—Parliamentary Secretary to the Minister for Health and Ageing) (6.33 p.m.)—I move:

That this bill be now read a second time.

The purpose of this bill is to amend the human quarantine provisions of the Quarantine Act 1908.

The Quarantine Act 1908 (the act) and its subordinate legislation provide the legislative basis for human, plant and animal quarantine activities in Australia. The human provisions of the Quarantine Act 1908 deal specifically with a small group of ‘quarannable diseases’—plague, cholera, yellow fever, smallpox, rabies, viral haemorrhagic fevers and, more recently, the Severe Acute Respiratory Syndrome (SARS).

The Department of Agriculture, Fisheries and Forestry’s Australian Quarantine and Inspection Service (AQIS) administers the
legislation for plant and animal quarantine entirely and, for human quarantine, on behalf of the Department of Health and Ageing.

Australia’s quarantine policy is based on the concept of the management of risk to an acceptably low level. In these times of enormous international movement of goods and persons through migration, business travel and tourism, the risk to the Australian population posed by the importation of communicable diseases, including quarantinable diseases, has increased greatly.

The recent outbreak of SARS and the potential for other new and emerging disease threats highlight the importance of border protection measures as an essential first line of defence against the transmission of disease.

In 1997, the human quarantine provisions of the act were reviewed in accordance with national competition policy requirements.

Following the recommendations of the final report of the National Competition Policy Review, the Department of Health and Aged Care undertook a review of the human quarantine provisions of the act in the year 2000, to investigate the adequacy of existing provisions for protecting and promoting public health, and with a view to updating and improving the legislative framework for human quarantine activities in Australia.

In December 2000, the then Minister for Health and Aged Care, Dr Michael Wooldridge, approved the final report of the Human Quarantine Legislation Review. The report recommended a two-stage response to the review’s findings.

This bill has been developed in response to the stage 1 recommendation of the final report. The bill introduces a number of amendments and new provisions to ensure the act is comprehensive yet flexible in its approach to border control measures.

These are minor and technical amendments to better align some of the existing provisions with current policy and practice regarding human quarantine control measures.

The amendments:

- incorporate a new right for people who have been ordered into quarantine to request an independent medical assessment;
- support the current policy of granting pratique by exception for international aircraft except where specified circumstances exist;
- allow for vector control activities to be undertaken, or ordered, within the entire boundary of a port as well as in a 400 metre surrounding buffer zone, with a penalty for non-compliance consistent with other penalty provisions in the Quarantine Act;
- ensure that quarantine signals apply to sea vessels only and not to aircraft;
- provide that costs relating to human quarantine may be recovered from the master, owner or agent of a quarantined vessel consistent with other similar provisions in the Quarantine Act;
- ensure that individuals are not liable for the costs of food or medicine relating to human quarantine; and
- remove the outdated references to ‘division or divisions’ of quarantine.

The act currently makes no provision for a person who has been ordered into quarantine to obtain an independent medical assessment of their condition. Pursuant to the amendments in this bill, a person ordered into quarantine who is, or is likely to be, suffering from a disease, may seek an independent medical assessment of their condition from a medical practitioner of their choice. They must be informed of this right, and may seek to exercise it at any time after being ordered into quarantine. Such a request may be invoked again after a lapse of 72 hours but not before. This new procedure aims to balance
the interests of the individual against the public health risks to the wider community.

A new section is inserted into the act, to enable pratique to be granted automatically in relation to the arrival of overseas aircraft, unless specified circumstances exist. Pratique is a term used to refer to the health clearance of a vessel—whether a ship or an overseas aircraft, or an installation, by a quarantine officer.

In relation to incoming overseas aircraft this risk management approach is addressed by enabling pratique to be automatically granted in appropriate circumstances. Circumstances in which pratique will not be automatically granted include:

- if the commander of an aircraft has notified a quarantine officer of the presence of a prescribed symptom or an outbreak on board; or
- a quarantine officer is not satisfied that an aircraft is free from infection.

The Director of Human Quarantine, who is also the Commonwealth Chief Medical Officer, can also give a direction, before an aircraft arrives, that pratique will not be granted automatically on arrival, so that appropriate precautions can be taken commensurate with the perceived level of risk. The recent SARS outbreak provides an example of circumstances where the Director of Human Quarantine may decide to give such a direction, for example, in relation to aircraft arrivals from specified countries which pose a higher level of disease threat.

A new part on vector monitoring and control activities is inserted into the act to provide for the carrying out of vector control measures. The objective is to prevent the introduction, spread and establishment of exotic diseases and their vectors so that any threat to public health resulting from a vector incursion is minimised or removed entirely. This provides for vector monitoring and control activities to be undertaken within a port, and within a permissible distance—currently 400 metres—from the boundary of a port, or from a place at which a vessel has landed, or is moored or berthed.

Provisions are also inserted to provide greater flexibility in relation to vector control activities carried out on private property to ensure that a vector has not spread onto, or is not likely to become established on, the property. This part also provides for a new offence of failing to comply with a direction given by a quarantine officer to carry out vector control measures on the property.

A quarantine officer will be able to enter property, including private property, to conduct vector monitoring and control activities with consent, or in an emergency, or under the terms of a warrant.

In order to remove inconsistency and ambiguity, this bill inserts several new definitions into the act. The definition of ‘vector’ is inserted to ensure that a consistent description applies throughout the act. The definition of ‘proclaimed place’ is repealed and replaced with a definition of ‘declared place’. This modernises the administration of the act by allowing the minister to declare any place in or beyond Australia infected, or in danger of being infected, by a quarantinable disease or pest.

Other amendments in this bill include:

- the removal of all references to ‘a division’ or ‘divisions’ of quarantine;
- provision that persons released under quarantine surveillance cannot be apprehended; and
- clarification that a person can be made subject to quarantine on the basis of a quarantine officer’s ‘reasonable suspicion’ that a person has been infected or exposed to a quarantinable disease or pest.

This addresses an anomaly, in that a person can be ‘ordered’ into quarantine on various grounds, including:
• a quarantine officer’s opinion that the person is, or ‘is likely to be’, infected with a quarantinable disease, or
• that a person or persons are suffering or ‘suspected’ to be suffering from a communicable disease.

However, there is no equivalent provision under section 18 in relation to persons being subject to quarantine. This corrects that anomaly, and moreover, requires that the suspicion be reasonable.

These amendments address a number of technical issues to improve the operation of this longstanding piece of legislation. The Quarantine Act has served Australia well to protect human health over the last century, and with these amendments will continue to do so.

The recent international outbreak of the SARS virus has also highlighted the need for a continued strategic approach to health protection to address issues surrounding contemporary disease preparedness, governance and response. In implementing the stage 2 recommendations of the human quarantine legislation review, the department will consider these issues, including options for administrative review and cost recovery where appropriate.

I commend this bill to the parliament and present the signed explanatory memorandum.

Ms GILLARD (Lalor) (6.43 p.m.)—I am pleased to have the opportunity to speak in the second reading debate on the Quarantine Amendment (Health) Bill 2003. Quarantine is one of the federal government’s oldest and most important responsibilities. It is a responsibility in relation to human health that lies within the health portfolio, and it is, in fact, one of the original reasons why we have a health portfolio. The bill amends the Quarantine Act 1908, which provides the legislative basis for human, plant and animal quarantine activities in Australia. The amendments are designed to ensure that Australia’s quarantine laws with regard to public health reflect the modern scope and focus of our quarantine arrangements.

There are several measures contained in this bill. The first relates to pratique for aircraft entering Australia. Pratique is a term used to refer to the clearance of an installation or vessel, whether a ship or aircraft, by a quarantine officer. Historically the master or commander of every vessel was required to undergo pratique, but the sheer number of aircraft entering Australia every day through modern airports makes this quite impractical. Current practice is for aircraft to undergo pratique on an exception basis. The bill makes provision for this practice by allowing pratique to be granted automatically unless specified circumstances, such as an outbreak of disease on board the aircraft, give reason to act otherwise. This is an important change to the act, providing a legislative framework that supports good quarantine practices while acknowledging the realities of modern international airports.

Second, under the current provisions of the Quarantine Act, a person detained for quarantine has no right of medical or administrative review of their detention. Under new section 35C of the bill, a person ordered into quarantine who is, or is likely to be, suffering from a disease will now have the right to an independent medical assessment of their condition by a practitioner of their choice. This review can take place at any time and the person must be informed of that right. After a lapse of 72 hours, the person can request another medical review to ensure the quarantine is still justified.

Third, a new part, VAA, is inserted into the act to provide for vector monitoring and control measures. Vector is a term used to describe the means by which disease travels...
in the environment, for example, through mosquitoes or rats. The objective of vector control is to prevent the introduction, spread and/or establishment of foreign diseases and their vectors so that any threat to public health is minimised or removed entirely. The need to control and monitor disease vectors is quite apparent, and the incorporation of these details into the act is an excellent step forward to acknowledge and support the hard work already done by quarantine and public health officers around the country.

A new section 55B provides for these activities—for example, the search for mosquitoes and their breeding grounds—to be undertaken both within a port, including an airport, and within a reasonable distance from the boundary of a port or from a place at which a vessel is moored. These activities currently take place with the cooperation of the owners and/or operators of a port and the surrounding land, which is often owned by federal, state or local government. Section 55C of the bill will now allow quarantine officers to also conduct these activities on private property. Although I must acknowledge that the owners of private property are generally very cooperative, quarantine officers have not previously had any formal right of access. They will now have the right of access with the consent of the owner or, in an emergency, under the terms of a warrant.

In addition to these major components of the bill, there are several smaller administrative improvements. Currently the act provides for the Governor-General to proclaim particular places of origin as potential sources of infection. The bill will instead allow the minister to declare potential sources of infection, allowing the process to happen more efficiently and more quickly. Currently, a person must be infected with a disease in order to be quarantined. This bill allows a person to be quarantined on reasonable suspicion of infection or exposure. This acknowledges the reality that quarantine officers and others involved in the quarantine process are not medically qualified for conclusive diagnosis in airport terminals. This measure will allow easier administration of quarantine for diseases such as SARS, which spread rapidly and are not easy for anyone to conclusively diagnose, including medical practitioners—let alone quarantine officers on the spot, faced with potentially the outbreak of a new international disease.

The master of any vessel is currently required to display quarantine signals if an outbreak of disease has occurred. This is of course impractical on modern aircraft, and the bill will allow notification of the outbreak to a quarantine officer by radio or other communication instead. The current act has no provision for people who are released from quarantine but who are still subject to surveillance—for example, people with suspected exposure to SARS who could be released to their own homes. This scenario will now be provided for.

Because the measures in the bill are measures which the opposition support and which I believe can be clearly seen as necessary additions to our quarantine arrangements, the opposition are supporting this bill and have cooperated with the government, dealing with it in an expedited way. The measures are, in the opposition’s view, commendable and Labor are pleased to be able to support the work of our quarantine officers by supporting this bill. Whilst we have determined to support the bill and to cooperate with it being dealt with on an expedited basis, I must however take this opportunity to raise some concerns with the manner in which this bill has ended up before the House today.

The bill arises from a review of the human quarantine provisions of the Quarantine Act conducted in 1997, in accordance with the
national competition policy requirements. I have no doubt that the review was well conducted, overseen by a steering committee, including representatives from AQIS and from Commonwealth agencies, and chaired by the Commonwealth Chief Medical Officer. A publicly available discussion paper and an independent consultant’s report informed the review. Yet, I cannot help but wonder why it has taken six years to progress from this review to the implementation of its recommendations and why, after such a lengthy delay, the Howard government all of a sudden is rushing the bill to parliament and, in fact, several weeks ago requested that Labor support an exemption from the Senate cut-off without, at that stage, having even had the courtesy to show us a copy of the bill. As you would be aware, Mr Deputy Speaker Lindsay, it is not possible for any member of parliament or any political party to make a reasonable judgment about the merits of a bill without at least a copy of the bill and, hopefully, an explanatory memorandum.

I am sure that the SARS epidemic, which caused such turmoil internationally and which put a great deal of pressure on our quarantine services in Australia, had a lot to do with pushing these changes forward. I must take the opportunity to congratulate our quarantine service, our airlines and our public health and medical work force for their excellent response to this epidemic. Even so, the best part of a year has elapsed since the epidemic first took hold, and it is only now that we are implementing changes which might have supported our quarantine services at the time.

In addition to this needless delay, Labor has one other significant matter of concern in relation to this bill. As a matter of course, when dealing with legislation affecting the airline industry, Labor ensures that the industry is consulted. The office of the member for Batman, as shadow minister for transport, contacted Qantas, as Australia’s only international airline, to ensure that the practical aspects of this bill were appropriate and workable. When the member for Batman’s staff made contact with the airline they discovered, much to their surprise, that Qantas had not been consulted about the wording of the bill at all. In fact, it had not been contacted by the government in relation to these matters since 2000. I would have thought that we all would have been concerned about this level of consultation. Three-year-old consultation is not an acceptable level of involvement if the Howard government is serious about ensuring the workability of the Quarantine Act.

I make the point very clearly: Qantas would not have known this bill was here or been advised of its contents if it had not been for actions taken by the Labor opposition, and specifically the member for Batman in his capacity as shadow minister for transport. It was Labor’s internal processes, conveying the bill to the member for Batman and seeking his opinion and him then going through the usual procedures for contacting industry, that ensured Qantas was aware that this bill was coming before the parliament and of the provisions within the bill. When one looks at the disparity of resources between the government and the opposition, and where I would have said the burden for undertaking such consultation should have lain, it is fair to say that that is something that the government ought to have done. They left it unattended and, consequently, it fell to the opposition to do it. It is not that the opposition resents doing such work, but it really is not appropriate practice for a bill affecting our international airline and carrier, Qantas, to come before this parliament without the minister or her staff, or relevant departmental officials on her instruction, making contact with the relevant major industry player.
When we engaged in that consultation, Qantas indicated that it had a number of concerns about the interpretation of the bill. Fortunately Labor acted as an intermediary with the government and, as a result of Labor transmitting information back and forth between Qantas and the government, the advice we have now received is that the issues that were initially of concern to Qantas have actually been resolved. This should never have been a necessary part of the process. It seems to me that three-year-old consultation—consultation in the year 2000—obviously needed updating. We are all aware of major shake-outs in the airline industry in the intervening three years and, as the bill has a direct impact on the airline industry, it was appropriate to consult with Qantas and any other airline affected to ensure this was going to be part of a cooperative approach to quarantine. It should not be up to the opposition to ensure that the government involves all the stakeholders in this process.

Labor regrets that in this case the Howard government could not place more priority on implementing changes they have known for six years were necessary, even in the face of a public health crisis such as the SARS epidemic. We also regret that the government has taken such a slipshod approach to industry consultation. Nevertheless, as I indicated at the outset, this legislation is a positive step towards an even better quarantine system. Labor is pleased to support it and to facilitate its expedited passage through the parliament. Both sides of the parliament, as well as the quarantine service, the public health sector and the transport industry must work together to ensure the best possible protection for Australians and Australian industry.

Ms WORTH (Adelaide—Parliamentary Secretary to the Minister for Health and Ageing) (6.56 p.m.)—in reply—I take this opportunity to thank the opposition for their support of this important legislation. In doing so, I will not take up the time of the House in going over old ground as far as summary is concerned. However, I would like to say a couple of things about the consultation process given the fact that this was raised by the shadow minister. During the course of the review, broad public consultation was undertaken and the department has worked extensively with the Department of Agriculture, Fisheries and Forestry and the Australian Quarantine and Inspection Service, or AQIS. The human quarantine legislation review was overseen by a steering committee, chaired by the Commonwealth Chief Medical Officer and including representatives from AQIS, the Department of Defence, Australian Customs Service, the department of immigration and multicultural affairs, and a representative of the states and territories chief quarantine officers. The bill has been developed in close consultation with AQIS, which administers the human quarantine provisions of the legislation on behalf of the Department of Health and Ageing. The shadow minister might be interested to know that Qantas did actually lodge a submission to the original review agreeing to the final recommendations of the discussion paper. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Ms WORTH (Adelaide—Parliamentary Secretary to the Minister for Health and Ageing) (6.58 p.m.)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

FUEL QUALITY STANDARDS AMENDMENT BILL 2003

Second Reading

Debate resumed from 11 September, on motion by Dr Stone:

That this bill be now read a second time.
upon which Mr Griffin moved by way of amendment:

That all words after “That” be omitted with a view to substituting the following words:

“whilst not denying the Bill a second reading, the House:

(1) notes the failure of the Federal Government to protect Australian consumers by delaying the implementation of a mandatory national labelling regime for ethanol blended fuel despite the repeated public assurances of the Minister for Environment and Heritage;

(2) notes the decision by the Howard Government to continue to protect the interests of the ethanol industry by continuing to subsidise the industry while failing to provide adequate protection for consumers;

(3) notes the inadequacy of the proposed labelling regime to provide consumers with a sufficiently informed choice when purchasing ethanol blended fuel;

(4) notes the failure of the Federal Government to release the proposed regulations that will determine what labelling information consumers will be given;

(5) notes the Government’s general conduct in developing its ethanol policy behind closed doors in a clandestine manner and;

(6) calls on the Government to release the regulations immediately to ensure public scrutiny of their proposals”.

Mrs DE-ANNE KELLY (Dawson) (6.59 p.m.)—I rise to speak on the Fuel Quality Standards Amendment Bill 2003. This bill is a result of the government’s commitment, made in April of this year, to ensure that fuels are properly labelled and offences under the act are properly enforced. It follows on from the Fuel Quality Standards Act 2000, which established a national regulatory regime for fuel quality, backed up by comprehensive monitoring and an enforcement regime that is among the best in the world.

The bill establishes a comprehensive and transparent system of labelling. It will be used in the first instance to establish the parameters that will apply at the point of sale of ethanol-blended fuels. This will be an important element in restoring public confidence in ethanol—confidence that has been seriously damaged by the actions of the oil companies and motoring organisations, such as the Australian Automobile Association. In this they have been aided and abetted by the Australian Labor Party and some sections of the media. I will return to the matter of ethanol later in my address.

The amendments contained in this bill will enable the responsible minister to set a fuel quality information standard whenever this is in the public interest. This can be used, for example, to label biodiesel blends when these become available. The bill also introduces strict liability for key offences under the act. This is to ensure that convictions can be obtained. It will not be possible, as it was under the previous act, for a defendant to simply claim that they were not aware of the requirements of the act. Ignorance will no longer be a defence. This bill confirms the government’s commitment to uniform enforceable national fuel standards that will enable consumers to be confident about the fuel they are buying. It is a sensible measure that both sides of the House should support.

I would now like to return to the issue of ethanol. I had the opportunity recently to see the ethanol industry in the United States. Ethanol has a very different place in the minds of the American motoring public and its supporters there from the place it unfortunately has here in Australia. I visited the Minnesota Department of Agriculture and received a great deal of their material, including a brochure entitled Questions and answers about ethanol, which they distribute freely to motorists in the great state of Minnesota—and I was very pleased to drive there, despite the fact that you have to drive on the wrong side of the road. In Minnesota
all motorists use a 10 per cent ethanol blend. That is all you can buy—a 10 per cent ethanol blend; there is no plain gasoline available in Minnesota. It is the same in many other states, but Minnesota takes the lead.

The Minnesotans are so keen on ethanol that they are now producing E85, which is an ethanol blend of 85 per cent ethanol and 15 per cent gasoline. They are so proud of this that a leaflet I have here with me says:

Never buy gasoline again! E85. Renewable—American-Made ... Less-Polluting.

It lists the 86 service stations in Minnesota that sell E85. They also have a list of all the vehicles that can run on E85, known as flexible fuel vehicles. Under Ford, for instance, Explorers, Tauruses, sedans and wagons, Ranger pick-ups and Taurus sedans are all listed as being able to drive on E85. Under Daimler Chrysler, it lists Dodge Rams, Chrysler Sebring sedans, Dodge Stratus sedans, Dodge Caravan cargo vans, Caravans, Voyagers and Town and Country vehicles—all Daimler Chrysler. General Motors have Tahoes, Ukons, Ukon XLs and some of their Sierras and Silverados, Chevies, Sonomas and Suburbs. Isuzu has a range of Hombres, Mazdas has the Mazda B3000 and Mercedes has the C320 series. Mercury also has selected vehicles that drive on E85. So in Minnesota not only are they all happy to drive on E10 but they are now starting to drive on E85—no worries about ethanol over there.

In the brochure Questions and answers about ethanol, one of the questions asked is:

Will the use of ethanol void my car’s warranty?

This is a very topical issue, with the scare campaigns that the Australian Automobile Association has been running. The answer reads:

Certainly not! When the use of ethanol began in 1979, most automobile manufacturers did not even address alcohol fuels. As soon as each manufacturer tested their vehicles, they approved the use of a 10% ethanol blend. Today, all manufacturers approve the use of ethanol, and some even recommend ethanol use for environmental reasons.

A further question is:

Why do some mechanics say not to use ethanol?

The answer is:

A mechanic who says not to use ethanol does not have correct information.

It then goes into that information, which I will not share with the House tonight. Another question asks whether ethanol use reduces exhaust emissions. The answer reads:

Ethanol contains oxygen, so it contributes to a cleaner, more efficient burn of the gasoline with less CO and other toxic chemicals in the exhaust emissions. Ethanol is a simple chemical which, when burned, does not produce all the complex pollutants and aromatics formed by the many different chemicals contained in gasoline.

Mr Deputy Speaker Lindsay, I know you have quite a scientific interest, and that is a debate we have not yet had in Australia—the health benefits of using alcohol-blended fuels. Further brochures put out in Minnesota are Breathe easy: small engines run great on ethanol, and Breathe easy: snowmobiles run great on ethanol. And so it goes on.

They do not have any problem with ethanol over there. In fact, the Minnesota Department of Agriculture told me they had set up a hotline for complaints about ethanol. Certainly, for the first few years, they received quite a number of complaints. They would thoroughly check them—they would send out a team to take a sample of the fuel in the vehicle to assess the vehicle. They found that not one complaint related to ethanol, which was pretty much what we found in the complaints about engine damage recently in Sydney. It transpired, when we addressed the Sydney Morning Herald’s articles, that the contamination had been from kerosene. That was not mentioned in the arti-
cles. In Minnesota they found over time, as ethanol became accepted, that there was no substance to the complaints. They properly investigated them, found they had no substance and reassured motorists. That complaints hotline is still there, but it is rarely used.

I would like to deal again with Minnesota. They sold the idea to the farmers in Minnesota on the basis that ethanol and the Minnesota model would be of assistance to farmers and the wider community. They said farmers could wait for the next government-induced subsidy or they could take charge of their own destiny. In Minnesota, they sure did. The great bulk of ethanol distilleries in Minnesota are farmer owned. They are what they call new generation cooperatives, whereby some of the townfolk have shares in the distillery as well. Minnesota produces in excess of 300 million gallons of ethanol. As I said, there are 14 plants, of which 12 are new generation cooperatives, with three more under construction.

What did it do for the state of Minnesota? Driving around, there is no doubt of the prosperity in those little towns. You drive through and there are restaurants up the main street and everything is beautifully painted and brand spanking new. There are lots of late model vehicles and people have an air of prosperity and confidence. Why wouldn’t they? In building those distilleries there was $555 million in direct investment creating jobs. It adds every year to the annual state GDP, from $29 million in 1990 to $588 million a year now. It directly creates 2,562 jobs, and indirect jobs flow on from there. So why wouldn’t Minnesota look like a prosperous, busy, bustling little state?

They do get support. They get financial support from the government—$36 million a year from their state government. What a pity our state government in Queensland was not likewise inclined to create jobs and opportunities in Queensland. That support is being reduced now, as ethanol has become accepted and popular, and it will be reduced to $20 million this year. But the most important factor in Minnesota’s case was the state mandate of a 10 per cent ethanol blend. I believe that in time the government will move to that—when we can reassure the public, again, that they can have confidence in blended fuels and, of course, that ethanol can be produced with no subsidy. I think we can move to that in this country. We cannot live in a 20th century fossil fuel age. Unfortunately, the opposition—the Australian Labor Party—love fossilised ideas and fossil fuels, but we in the coalition are prepared to move forward into a carbohydrate fuel age, which has many benefits. It provides a benefit for motorists, a benefit for the environment and a benefit in terms of jobs and opportunities.

In Minnesota the impact on the farmers has been substantial, and there is a flow-on to their communities. First of all, it has stabilised corn prices. As we know, many commodity prices are very unstable; they fluctuate greatly with world prices. But over there when the corn prices are low, because they supply their corn to the distillery and the feedstock is at a low price they get a good dividend from their ethanol sales. When corn prices are high, naturally there is less to make from the dividend from ethanol but, of course, you have got a high corn price, which is something of a solace, I have to say. Mind you, the farmers there told me that they were not often worried by high corn prices—that was not a significant problem for them, if I could term it that way.

Minnesota saw the future 15 years ago. They set oxygenate standards through legislation and they set fuel standards—which, of course, are contained in this very sensible piece of legislation. They mandated, and now
they are reaping the benefits of that. The Minnesota model provides a great model for us. But in speaking to them over there I was amazed at the fact that they faced the same obstructions in those early days that we are facing here. They had the scare campaigns about engine damage and dealt with that with a hotline. Likewise, we in Australia will have to deal with that scare campaign. They had opposition from the oil companies; they had arguments about whether in fact the fuel was greenhouse gas efficient. But they focused on getting a coalition of support and actively pursuing scientific research.

I would like to share some of that research with the House tonight. Mr Deputy Speaker Lindsay, with your scientific background you would be most interested in the net energy value of ethanol, which is one of the very significant issues—that is the energy content of ethanol minus the fossil energy used to produce the ethanol. The latest studies out of Minnesota are done by Shapouri, Duffield and Wang. We will have to duplicate these studies in Australia, naturally enough, and in fact we trust the results will be out in the next few weeks. Those Minnesota studies show that the net energy value now is 21,105 British thermal units positive per gallon. That is a very good result and shows that ethanol is a modern fuel that takes something like low-grade coal and a natural biomass and produces a valuable, renewable, liquid fuel. It is a plus-plus.

In the time left to me I would like to speak about the scare campaign that we have had here. It is quite a disgraceful one. The Deputy Prime Minister has set up an ethanol working group, which is a very good initiative to draw together distillers, oil companies and other stakeholders in what we trust will be an ethanol industry in Australia. There was a leaked document from that group. It asserted that up to 10 million cars in Australia would not be able to use E10. I actually got information from the United States on all of those cars and their manufacturers, and I have in fact written to every car manufacturer and importer in Australia. I have not yet sent the letters; they were only completed this afternoon. Let me give you an example of the anomaly that exists between the quality of vehicle manufactured in Australia and the quality of vehicle manufactured in the US. I have written to the president of the Ford Motor Company in Australia as follows—and I do apologise for his not having received this letter first but, as I said, unfortunately the correspondence could not be completed and sent in time for tonight’s address; I will certainly ensure that each of these motor companies receives their correspondence:

Dear Sir I write to request your assistance to resolve an apparent anomaly regarding the quality of vehicle manufactured for the Australian market compared to those manufactured for the US market, specifically with regard to their ability to operate successfully on E10 or 10 per cent ethanol fuel blends. In the information supplied by your company to the Ethanol Confidence Building Working Group convened by the Deputy Prime Minister, the Hon. John Anderson, it states: Ford: all Falcon petrol vehicles since 1998 will operate satisfactorily on E10. Please contact the Ford call centre for information on other Ford vehicles.

This is at odds with the information that Ford supplied to the American magazine Changes in Gasoline 2, available from Downstream Alternatives in Bremen, Indianapolis. In chapter 5, the auto manufacturers fuel recommendations state that every major auto manufacturer should include the use of 10 per cent ethanol blends under warranty coverage. Page 26, under the Ford Motor Company’s details, states:

Your vehicle should operate normally if you use blends that contain no more than 10 per cent ethanol such as gasohol.
In the United States there is no warning to motorists; there is no concern. So my question is: why are Australian motorists being given an inferior vehicle in Australia not only from Ford but from others, when in the United States American motorists have the option of choosing their fuel blend and their vehicle? To be fair to Ford, the Service Station Association of Australia have undertaken a non-technical study of ethanol blended fuels, all at 10 per cent, using a Ford Fairmont sedan which has travelled 94,400 kilometres on E10. The report says:

... only minor panel repair, no mechanical repairs or non-routine maintenance at this time.

Similarly, a Ford XLS ute, an AU11 series, has travelled 161,000 kilometres on E10 and again the report states as follows:

... no mechanical repairs or non-routine maintenance at this time.

I have said to the president of Ford that these results are very impressive, and I commend his company on the results achieved by its vehicles. But the anomaly still remains: why have Ford and other vehicle manufacturers allowed there to be a perception—and it may only be a perception; after all, this is a leaked report, and I have great faith in our Australian vehicle manufacturers and importers—that Australian vehicles are of a lesser standard than American vehicles? I know that the member for Leichhardt would be enthusiastically supporting the ethanol trial in Cairns, which interestingly enough has raised the market share of Caltex. We are delighted to hear that Caltex are doing well out of an ethanol blend. Long may they continue, we trust, to profit from ethanol blends! The National Party believe that motorists in Australia should have choice in their fuel blends, as American motorists do. We would encourage those car manufacturers and importers, which have sound reputations generally, to see that they can promote consumer confidence in E10 by offering vehicles that give this choice.

I encourage the Australian Labor Party to join the 21st century, like the coalition, and to embrace a 21st century fuel and a carbohydrate based fuel industry—certainly starting with E10 blends. It is good for the motorists, who know that they are driving to work using not imported fuels but perhaps the grain, sugar cane or whatever biomass it is from a paddock not far from their town. This is good for the environment—a 10 per cent ethanol blend is said to reduce, following United States studies, greenhouse gas emissions by up to 30 per cent. That is a very positive outcome. So we have a win, win, win. It is not often you get that, but out of an ethanol blended fuel there can be a very positive win for the motorist, a win for the environment and a win for rural and regional jobs and prosperity in regional communities.

Mr KATTER (Kennedy) (7.19 p.m.)—I strongly endorse the remarks of the member for Dawson. That is the same line I have taken in the northern media—I do not know whether we get as much coverage as I would like. But yes, Australian motor cars are so deficient in their manufacturing that they cannot take an ethanol blend. There are three problems in relation to ethanol that could be argued: first, there is the hydroscopic problem—it absorbs water; second, it is permeable and will pass through a membrane that petrol will not pass through; and, third, it contains oxygen, which of course is the reason we want to use it. You cannot have your cake and eat it too! But if oxygen is permeating throughout the petrol, when the explosion occurs all of the hydrocarbons can access that oxygen. In a normal motor it is only the surface area of the petrol that can access the oxygen and you get an imperfect burn, which is the problem that prompted remarks on health made by the honourable member for Dawson.
Having said that, I cannot help but comment that the current government has not implemented ethanol use; the current government has abolished it. If I could see an exercise in hypocrisy it would be the National Party standing up and saying that they secured assistance. The honourable member sitting at the table here has on many occasions referred—I am sure my saying this will embarrass him—to the hypocrisy of the people representing the National Party. They come in here and say that they represent rural Australia. They said that they secured a subsidy in the recent elections which is a great help to the ethanol industry. The ethanol industry had, until the last budget, a 38c a litre advantage over petrol. After the budget, its advantage was to be phased out completely over the next seven or eight years. So instead of the assertion made by this political party that they helped, in actual fact they sat at the cabinet table that abolished all assistance.

We have seen the hypocrisy of the people on my right-hand side in continuously attacking this and moving an amendment to this bill which they should be absolutely ashamed of. They were the people who thought ethanol was so good that they did not levy an excise and who added a bounty to ethanol. They were the people who did that—good on them; terrific stuff; a new industry for Australia. Manildra was in fact created by the people sitting on my right-hand side, not those on my left-hand side. Understand that the industry is being abolished by the current government. But, having said that, I again endorse the remarks, on another level, by the previous speaker.

The first story we heard came from the Minister for Agriculture, Fisheries and Forestry, Mr Truss. Of all the people who should not have carried this message, he definitely should not have carried this message. He issued a press statement saying that there were problems with mixing and it would have to go back to the oil companies to be mixed and this would create great difficulties. I attended a seminar on ethanol. The lecturer at the seminar said, ‘Mixing ethanol with petrol is very complicated—very, very complicated indeed!’ and he poured one beaker into another and it was mixed. Everyone knows how it is done. Even someone with the smallest amount of scientific knowledge knows that it diffuses immediately throughout the petrol. One of the problems is that it is so permeable it diffuses. Everyone at the seminar roared with laughter, because they already knew that.

This minister in the government is so lacking in intellectual understanding of what he is talking about and so irresponsible as to make a statement damaging this industry. Where did he get that information from? I suspect he got it from the same place that the RACQ, the Australian Automobile Association and all the other people who continuously put these furphies out are getting their information from—and we all know where that is.

The next thing that the Minister for Agriculture, Fisheries and Forestry said, in a personal attack on me for advocating ethanol, was that I was a fool and that, in actual fact, it would only result in ethanol coming in from Brazil. So I immediately went to press and said: ‘Of course the ethanol is going to come in from Brazil. There is a 38c a litre advantage for ethanol over petrol. As sure as the sun rises, ethanol is going to come in from Brazil.’ We have always said that we need an environmental rebate. If we are going down the environmental road, there should be some sort of reward for the risk takers—whether they be the farmers, the processors, the sugar mills or the people in the wheat industry. Of course, that would have the effect—incidentally, not intentionally—of keeping the Brazilian ethanol out.
Surprise, surprise, the Brazilian ethanol came in a few months ago. Of course, when we asked for a rebate for the people of the wheat and sugar industries, we got completely ignored. But, when ‘Mr Manildra’ asks for it for his personal advantage, we suddenly get action from the government. It is a pity the minister—who was saying to me that Brazilian ethanol would come in—did not get off his backside and do something about stopping Brazilian ethanol from coming in. If he had acted when we had asked him to act, the government would not be in the deeply embarrassing situation that they are in at the present moment. The minister sitting at the table was one of the people who advised the government on the dairy industry. If his advice, and the advice of the honourable member for Page, Mr Causley, had been taken, we would not have had the problem that arose in the dairy industry—most certainly not the political problem for the government; we may have even been able to forestall it.

The same people who are advising the minister and the Australian Automobile Association then came out with another story: that there is considerably less power in ethanol. Of course there is, because it is 30 per cent oxygen; it does not contain the hydrogen which provides the power. I do not know—does anyone do any research or have any scientific understanding before they shoot their mouths off? Of course it has less power. But the reason that it is being used is that it has oxygen in it—because it oxygenates the petrol. So when you allow for the oxygenation effect, there is a marginal loss of power—about two per cent or something like that. But that was not the contention put forward by certain people on the front bench here and by spokesmen for certain other interests.

The final story we have heard is that ethanol will wreck motors. I am going to read out a number of propositions. One of them is from the United States. Eight or nine months ago—I cannot remember the exact date—the United States Senate moved, in an overwhelming vote of 69 to 27, or something of that nature, across party lines, to introduce a 10 per cent ethanol blend by the year 2010. We can assume that the United States Senate has decided to wreck 40 million cars in the United States, or we can assume that the statements made by the Australian Automobile Association and the car manufacturers in Australia are a load of imbecilic rubbish—but there is no in between. The United States Senate moved to implement a 10 per cent ethanol blend, in a vote of, I think, 69 to 27; it was overwhelming. The 27 votes against were only on a minor point. It actual fact, it was almost a unanimous decision on the substantive motion.

Do you think that an august body like the United States Senate would move to implement a 10 per cent ethanol blend when, according to the leaked Australian report, that could put some 30 million cars off the road in the United States? Do they seriously think that the United States Senate would put 30 million cars off the road? So we are looking at another load of rubbish. It may come as a great surprise to the Australian Automobile Association, the oil companies and the motor manufacturers, who have been so stupid in their statements, to know that 22 per cent is the minimum level of ethanol used in petrol in Brazil. Brazil is a poor country. Do you think every motor car in Brazil has been modified to the tune of hundreds or thousands of dollars to suit the government of Brazil? Not likely.

Shortly I will refer to the European Union. We have a choice here. We can listen to the advice of the Australian government and people like CSIRO, the Department of Agriculture, Fisheries and Forestry, the Australian Automobile Association and Australian
manufacturers—we can believe all these people—that ethanol is bad, or we can listen to the government of the United States, a government of a country of 250 million or so people, and we can listen to the European Union—the government of Europe; the government of 650 million people—but there is no in between. You cannot believe the European Union and also believe the Australian government and its spokesmen and mouthpieces, the Australian Automobile Association and the manufacturers—you cannot believe both. You cannot believe the United States and also believe these very foolish people in Australia.

A report from the CSIRO said that ethanol was marginally negative for the environment. You do not have to be Albert Einstein, you do not have to be clever, you do not even have to have been to school to work out that, if you burn petrol, CO$_2$ goes into the atmosphere. If you burn ethanol, CO$_2$ also goes into the atmosphere. They are equal. If you burn the same amount of ethanol and petrol, you get the same amount of CO$_2$—actually, you do not, because there is a lot of oxygen in ethanol. But we will not go sideways into that; we will just say that the same amount goes up. But there is one hell of a difference between the two, because with ethanol it comes back down again.

I had a screaming sense of personal frustration when explaining it to one of these people who has put out one of these reports—and I deeply regret to say that the officers involved have this attitude. I said: ‘Do you understand that there are 500,000 hectares of sugar cane being produced in Australia and that each one of those hectares pulls around 100 tonnes of CO$_2$ out of the atmosphere every year? This means 50 million tonnes of CO$_2$ is being pulled out of the atmosphere by this one industry every single year. The petrol industry does not do that—the petrol industry pulls not a single tonne of CO$_2$ out of the atmosphere—yet you are saying that they both have the same effect on the atmosphere. Do you realise how incredibly stupid your statement is?’

In fairness to CSIRO, they have canned that report. It is very difficult to find. The federal department of the environment are not referring to it very often at the present moment either. I had a discussion with one of these people, and he said, ‘You’ve got to take into account things like ploughing.’ I cannot speak for the wheat industry—and they tell me wheat is just as efficient as, if not more efficient than, sugar in producing ethanol—but the sugar industry most certainly cannot produce 10 per cent of Australia’s ethanol requirements. It would be flat out producing three or four per cent. But, regarding the sugar industry, he said, ‘Every year you’ve got to plough, you’ve got to plant, you’ve got to cultivate. This takes a lot of oil, petrol and input.’ I said to him: ‘We don’t plough anymore in this industry. We don’t cultivate. We only touch the ground once every five years. We put an eight-inch trash blanket over it every year. We don’t need to cultivate anymore.’ He said, ‘But what about the mill?’ I said, ‘There are no inputs to a mill.’ He said, ‘But you have power.’ I said, ‘The power is generated by burning the bagasse,’ which is the solid material that is left after you take the cane juice out. It was quite obvious to me that he had absolutely no working knowledge of this industry whatsoever. He was the person advising the Parliamentary Library, advising the department of agriculture, advising the department of the environment, and he had no working knowledge of this substantial central industry whatsoever.

There are 14 mills in Queensland. If we move to ethanol then there will be 40 per cent more bagasse—the solid material that is left over—to be burnt to generate electricity. One in every two of those mills should be
able to generate 100 megawatts of electricity all year round. I think the Queensland grid is about 5,000 or 6,000 megawatts. We are talking here of a quarter of the entire electricity requirement of Queensland being able to be delivered by a sustainable energy medium that takes as much CO$_2$ out of the atmosphere as it puts in—and this is only a by-product of the production of ethanol. To me, it is incredible that this could be happening.

The issue of health is by far and away the most important issue in this debate, and the government are going to get burnt, and burnt badly, unless they move on ethanol. Unlike the governments of all the other countries which have acted to clean up their act regarding pollution coming out of petrol exhausts, this government, and successive governments, have not. The Americans and Europeans acted 15 and 20 years ago.

Dr Noel Child and Professor Michael Dawson of the University of Technology in Sydney were explaining it to me. They said that when lead was taken out of petrol something had to be put back in to improve the performance, because motor cars would now only do 500 kilometres, instead of 600 kilometres, on a tank of petrol. We had to put something back in to replace the lead, and there were two alternatives: there was ethanol on the one hand and there were aromatics on the other.

There is a huge difference between aromatics and ethanol. One is carcinogenic. It causes cancer. People will die if you use aromatics in the petrol tank. Ethanol is not carcinogenic, and people will not die if you use it in the petrol tank. This is a pretty significant difference. Other countries acted 15 to 20 years ago. I think the Americans put a one per cent cap on benzine 15 years ago. There is no cap on benzine in Australia at the present moment. I have not seen the latest Australian design rules, but they only came out two months ago. As of two months ago, I can say that for certain.

Another difference—and this explains where all these stories are coming from—is that the oil companies produce aromatics. They make a profit from aromatics. They make no profit from ethanol. So they had a choice between using aromatics, which would kill people, and using ethanol, which would not kill people. One they made a profit out of, the other they did not. This was an evil decision—and ‘evil’ is the only word that I can use to describe to the House the nature of this decision.

On top of that there is a small particles issue, which in fact is more serious than the aromatics issue. I quote from the New Scientist magazine, which is the most eminent scientific magazine in the world. An article under the headline ‘Big City Killer’ states:

If the cigarettes don’t get you the traffic pollution will.

Up to a fifth of all lung cancer deaths in cities are caused by tiny particles of pollution—most of them from vehicle exhaust. That’s the conclusion of the biggest study into city pollution to date, which tracked half a million Americans for 16 years. It suggests the impact is far greater than feared.

I cannot read out the whole article, but it is from the world’s most prestigious scientific journal. That article refers to another article, from the Journal of the American Medical Association of 6 March 2002, called ‘Lung cancer, cardiopulmonary mortality, and long-term exposure to fine particulate air pollution’. On page 1137 of that article is the lung cancer mortality rate. If you go from what is normal in country Australia to a Sydney type situation, you will see that the incidence of lung cancer doubles. It is very simple: here is the graph. People here are not acting and have actually become spokespeople for the oil companies. People are dying in this country.
Finally, on the sugar industry, I deeply regret that the Parliamentary Library has taken information from sources that are really very substandard. I was the minister in the Queensland government when Transfield came to us—definitely no foolish company—and we negotiated on the basis of $360 a tonne, which we had to do because it was $340 a tonne then for sugar, so we were not going to negotiate for anything less. The library reference says $200 a tonne. So either Transfield or the people providing that information are fools, and I must emphasise that it was the people providing that information to the Parliamentary Library. We had Fluor Daniel and Wright Killen of Texas oversee the figures for us, so I am certain they are correct.

It was 67c for feedstock—that is, $360 a tonne—and 15c for processing, which equals 82c. You only put a 10th of it in a litre, so that is 360c for your normal petrol charges, which are 40c a litre less government charges at the present moment at the bowser. That is 44c a litre, and that is handled by the environment rebate. (Time expired)

Mr JOHN COBB (Parkes) (7.39 p.m.)—One thing that is certain is that Australia is very much a transport driven nation. Electorates like mine—or that of the member from the Top End over here—are even more transport driven than most, especially when you are an export driven electorate, as most electorates in country Australia are. Nobody has more reason to be worried about transport and its standards than these people do. Sheer distance and the necessity to own and use a car in the bush means that we are all going to be using them at a young age and we will be dependent lifelong on using automobiles or internal-combustion engines of some sort.

It is no surprise that passenger vehicles in Australia do produce 40 million tonnes of greenhouse gases and, while that is not a huge problem for those of us who live in the country, it could certainly create some problems in the cities. Obviously we are not about to even try to stop people using motor vehicles, but we do have to provide some sort of a regulatory framework and tighten standards to get better operational outcomes and some better emission controls to try and keep things on an even keel in the cities.

The Fuel Quality Standards Act 2000 set the wheels in motion to do just that, and the amendments set out in the Fuel Quality Standards Amendment Bill 2003 give the Commonwealth the ability to bring about some changes. The Fuel Quality Standards Act 2000 was an innovative piece of legislation that, for the first time, introduced a national regulatory framework to control fuel quality. The aim of the act is to regulate fuel quality for the adoption of better engine and emission control technologies, for more efficient engines and, to an extent, to control emissions.

The National Party has been on about the fuel quality agenda for a long time. While most of us represent large fuel-consuming electorates because of—as I have said previously—the very nature of our electorates and the way they have to transport so much, there do have to be fuel standards. Even though we do not always like them, I think we have got to recognise that they have to exist. It does not matter whether you are a farmer or a transport operator, we all must concede that we have a part to play. With all the changes to emission controls that have happened in the last 20 years, the technology has certainly meant a far greater ability to get mileage out of a litre of fuel. We have moved towards better production, better technologies and cleaner fuels at the same time and, by and large, we are getting industry wide cooperation.
The one thing I will never claim to be—and I am not—is a mad greenie, but we do have to have a commonsense approach to this, and it has to involve the whole of the community in one form or another. The amendments in this bill will provide benefits for the fuel consumer, or motorist, and for the community as well—it is a fact of life. Item 1 of the explanatory memorandum states:

This item amends the objects of the Act (section 3) to include a specific objective related to the new fuel labelling provisions.

The amendments are necessary to give the Commonwealth the ability to have an effective and enforceable national labelling regime for fuels. Motorists will have the opportunity to be informed about the fuel they are purchasing before they buy it, and I do not think we can argue about the fact that they should have the right to that. Labelling requirements have got to be consistent, and that is why the Commonwealth has taken these steps. Some of the states, especially New South Wales, have had the ability to do it for 100 years but they have not done it.

Consistent national labelling at petrol service stations will benefit all Australian motorists and, as we move towards a 10 per cent limit on ethanol, consistent labelling is something we have to do. There has been enormous scaremongering—to say the least—by certain parties about ethanol fuel and labelling requirements. I think the members opposite, along with the fuel companies, are probably as guilty as anyone of running one of the biggest scare campaigns, with very little truth involved, if any at all, and absolutely no concern about an Australian industry that has an enormous amount to offer to Australia as a whole.

I agree with what the honourable member for Kennedy said earlier—that environmentally this is good news, not bad news. I am no scientist but I do not believe that a scientist can add two and two and make five—but perhaps in this case they have. We have moved an amendment to counter the unease and scaremongering that has been going on. How often do you see an opposition combine with the fuel companies, especially an opposition that purports to represent the ordinary people? I do not know how often it has happened; this is certainly the first time I have seen it happen to this extent. The particular system they were trying to destroy involved totally Australian companies and Australian employees, Australian farmers and Australian technology. Why anyone would want to ruin that, I do not know, but the attempt to do so will go down in shame. We have to do our best to try to resurrect the opportunities presented by that technology and those industries. The people who work in those industries build homes and feed their families. It is all very well for the opposition to smile about it, but I do not think the people who have put their money up and the people who have got the jobs are smiling about it.

Not surprisingly, most of the state Labor governments have failed in their duty to regulate the industry. As has been mentioned, it is not just New South Wales; most of the states have the opportunity to regulate the industry and to have labelling standards, but they have failed to do so. Instead, they preferred to be part of the scare campaign to try and stop people using the produce at all. Because the states have refused to institute labelling, the Commonwealth will legislate to give itself the power to require labelling so that consumers will have the opportunity to know exactly what they are buying, instead of driving up to service stations where there are signs with ‘no ethanol’ written on them—as was intimated by those who have been trying to run a scare campaign for political reasons. The fuel companies have tried to run
a scare campaign for a far more insidious reason—to try to ruin a competitor.

The New South Wales government has had the capacity for 100 years to regulate the sale of petrol and to require petrol retailers to inform consumers of content through proper labelling, and it has failed to do that. Blends containing 20 per cent ethanol have been available on the Sydney market since 1994. I point out that reports that were in the paper last week about what ethanol does to cars were not accurate. Most car companies concede that a 10 per cent level of ethanol will never hurt their products, but they will not put their name to it in case somebody calls them to account in the future. That is a disgrace on the part of the car companies, the opposition and the petrol companies. Research suggests that an ethanol level of 20 per cent may cause some problems in some cars. It is not suitable for two-stroke engines, where there may be a problem. But we are not talking about two-stroke engines; we are talking about the vast bulk of cars that have been made since 1984—certainly almost every car that is being produced today.

While the Commonwealth was undertaking scientific testing to set an appropriate and sound ethanol limit for fuel, state governments still had an opportunity to cooperate by insisting on labelling standards so that the public could look at what they were buying, and we would not have had to have that ‘no ethanol’ campaign that was run so effectively and nearly—I stress ‘nearly’—brought an industry to its knees. It is no wonder the motoring public became anxious about ethanol fuel while all of that was going on. That 20 per cent ethanol level was being thrown about everywhere, whether it was being used or not, and most of the time it was not. Certainly at that level there would be durability concerns with some vehicles.

With this amendment, we are about allaying the concerns of motorists and are about giving an industry—and those who put in the money, the technology and the work—an opportunity, whether it be in cane production or feed grain production. We want to allay the concerns of the public and the concerns of people in the industry. After all, it is a wholly Australian industry and not—as with a lot of the engines and fuel companies we are talking about—total foreign investment. Each fuel quality information standard will set out the type and supply of fuel to which it applies, the information that must be provided with regard to the fuel and the manner in which it must be provided. The standards will be enforced through Environment Australia’s existing national fuel monitoring program. The bill states that fuel quality information standards, and variations to these standards, cannot be made without first consulting the Fuel Standards Consultative Committee. This gives a voice to the many stakeholders who are affected by fuel regulation—and I have already mentioned those.

Finally, key offences of supplying off-specification fuel, altering fuel so that it does not meet the standards and supplying or importing prohibited additives are to be made strict liability offences. The new offences relating to the supply of fuel which does not meet the fuel quality information standards will be strict liability offences. Claims by offenders that they were not aware of the standards will be rendered null and void, and suppliers will be made accountable to the consuming public. I support this amendment. I abhor what has gone on in the past 12 months or so in trying to ruin an industry before it even got on its feet. I should add that there is an enormous amount of investment ready to be put into the ethanol industry and the biofuel industry today. It does not need scare campaigns by those who have no purpose other than foreign greed or local
political outcomes and who are trying to drag it down.

Mr WINDSOR (New England) (7.52 p.m.)—I congratulate the member for Kennedy for the great speech that he made a moment ago, particularly in terms of the health issue but also for the analysis of the scientific implications of the use of ethanol. I rise to support the Fuel Quality Standards Amendment Bill 2003. I am delighted that so many were in the gallery to hear the speech made tonight by the member for Kennedy, because I think it is a matter that should be reported by the press gallery. With its national significance to job creation and regional development and the major contribution it could make to the health care of the nation, I believe the press gallery should be paying this matter enormous attention.

Ethanol has absolutely enormous implications for agriculture. We heard the member for Kennedy say that about 550,000 hectares of sugar cane would be able to produce something like three to four per cent of our fuel needs if all of that area were turned over to the production of ethanol. In my area and that of the member for Gwydir—and also in southern Queensland—there is the potential for three plants to be put in place, the production from which would amount to something like one per cent of our fuel needs. Investors looking at investing in ethanol—and there are significant investors right across Australia—are all saying that under that regime it is uneconomic to start an industry.

I cannot believe the way in which this issue has been treated by both sides in this parliament. I cannot believe that the Labor Party have embarked on a process of removing the issue of ethanol from the minds of the fuel-using community. The Labor Party have embarked on this process to score some cheap political points over some confused rationale that the government had at one stage over the dealings of the Prime Minister with the proprietor of Manildra. But that is not an excuse.

Mr Fitzgibbon—That justifies it.

Mr WINDSOR—No, it does not justify it at all. The cheap political advantage that has been gained by that, if any has been gained, is at the risk of major production in the ethanol industry.

The government on the other hand is not squeaky clean on this issue either. The government says that since 2001, when it brought in the 350 million litre biofuel policy it is currently trying to implement, it has tried, by removing the 38c per litre excise until 2008 and phasing out that excise exemption in five equal instalments through to 2012, to put in place a policy—and we have heard speakers here tonight talk about this—that will encourage investment in the ethanol industry. That will not occur.

Let us look at the mathematics and the economics of the ethanol industry. If you are a greenfield site at the moment, even if a decision were made today, it would take something like two years for that plant to get into production, which would take you to the end of 2005 before a litre of ethanol was produced. You would then have three years of exemption from the 38c excise and then there would be a phase out over the next five years. Investors looking at investing in ethanol—and there are significant investors right across Australia—are all saying that under that regime it is uneconomic to start an industry.

The member for Kennedy is quite right: we are not going to see an industry start with that sort of policy mix. It is not going to occur. The government have to rethink the pol-
icy mix. They cannot keep saying, ‘We’ve put in a policy mix that’s going to encourage investment in ethanol,’ when the investors are saying that it is not good enough. The two things do not add up. It is private sector investment. We are going to have to rethink that policy. A corruption of economic language has come into the debate in this place, where the removal of a tax—an excise—is described as a subsidy to an industry. It is a tax that should not be on the production sector to start with. The language should not be corrupted in that way. The removal of a tax is considered by the government to be a subsidy to an industry.

In a lot of other countries in the world that sort of logic does not hold true. We heard what the member for Kennedy said about the US Senate with the 10 per cent mandate. They are the so-called bastion of free enterprise, the nation we listen to most, the nation we have listened to in recent years and with which we have formed a number of treaties. Let us hope that the Minister for Trade can do something about a free trade treaty while he is in Mexico. But we are not following the Americans with this mandated 10 per cent.

**Mr Fitzgibbon**—Do you support the FTA?

**Mr WINDSOR**—I support a 10 per cent mandatory usage of ethanol. The government should bite the bullet on that. It should mandate for 10 per cent, which would give investors security, and should remove the corruption in language which says that the removal of a tax is a subsidy. Remove the tax and let the industry grow. The flow-on effects to our communities and the environmental impacts will be enormous. There will be a generation of investment and a decreasing reliance on the Middle East and other oil-producing countries into our future because of the capacity to grow our own readily renewable fuel. As I said, the implications of that for regional communities are enormous.

The community of Gunnedah, in the Deputy Prime Minister’s electorate, currently has a proposed investment package of $120 million. Depending on the yield, that $120 million would utilise something like 500,000 to 600,000 acres of sorghum. That would underwrite the price of coarse grain in that area. Dalby is a smaller plant—I think it is about a $60 million investment—that would create something like 60 million litres of ethanol per year. In terms of crop input, that particular plant would need 200,000 to 300,000 acres of sorghum. There is another plant in the township of Corindi south of Tamworth. These are the sorts of investments that are out there and the sorts of things we should be encouraging.

The government would not agree with fuel excise being charged. I think some of the players in the current cabinet argued behind closed doors when the GST came in that fuel should have been considered and a flat rate of GST applied to it. That would have sent some positive messages to the investment community in terms of our comparative advantage in being an export nation. I suggest that there would be people in the cabinet who would agree with that view, but there would be others who would suggest that, if we start to remove or not charge an excise on a renewable fuel, that may well encourage the growth of a readily renewable biofuels industry, which the 2001 policy was supposed to do—350 million litres of fuel by 2010 was supposed to be the objective. So we have this argument going on: do we go for a renewable biofuels industry that does not produce an income stream to government, or do we stay with an income stream to government? At the moment we are told that we must, at some stage, reimpose a tax, an income stream. The Deputy Prime Minister said the other day in relation to a question...
on this that the industry must be able to stand on its own feet at some time in the future—so there will be a capital grant of 16c a litre or whatever and the excise exemption will be graded out—which means that the industry will be fully taxed. So again we have this corruption that, if you do not tax this industry, that would be subsidising it.

We have a circumstance where the government is opting for the income stream. The Treasury are saying, ‘If we start to erode this income stream base, we will be in big trouble later on’—we are starting to see it with LPG gas and some of the other things as well—‘we’ve got to be careful that we do not lose our income.’ On the other hand, in the Telstra debate the government is happy to lose a very large income stream. The government has to make up its mind whether it is in the business of encouraging domestic industry, particularly inland Australian agricultural industries. This is a very real opportunity to come to grips with some of the problems that inland Australia is having. We have an oil industry that is based on US dollars essentially, a global currency, and we have the potential—if we apply a 10 per cent mandate, for instance, so that 10 per cent of fuel is generated by crop production—to enter that global market in terms of pricing. The impact of that on our communities would be enormous.

I believe that some members of the government are actually trying to do the right thing but are being caught in this mesh and using the Labor Party’s scare campaign—and the Labor Party are playing into the hands of the government for a short period. The existing industry is essentially one producer: Manildra. The production from this plant relates to what was a by-product that they were going to have difficulty with in terms of environmental outcomes. They have turned a by-product into ethanol and done it very successfully—and I congratulate them. But they are the only beneficiaries of this current policy mix. Other investors will not be able to establish themselves for long enough to accept the 38c a litre exemption and put themselves in a position where they can, as the Deputy Prime Minister keeps saying, stand on their own feet at some stage with full taxation being applied to them. The only producer that can do that is the one in the industry at the moment, and that is Manildra.

So I would encourage government members to revisit this if they are serious about doing something for regional Australia, for country communities, for country people and for agriculture that does not rely on the world to exist and if they are serious about getting into the renewable biofuels industry—and at some stage we will have to, but it might be 50 or 100 years away. Australia has some of the best and most competitive farmers in the world, because they have had to struggle in a non-subsidised environment. Yet here we have the government saying, ‘You can only have this one, boys, if you can stand full taxation.’ I think it is an absolute disgrace that we are even suggesting that. The Minister for Agriculture, Fisheries and Forestry and the Deputy Prime Minister should be demanding that there be no excise on this industry. Why do we want to tax an industry that is going to create this amount of investment? If 10 per cent of our fuel suddenly became ethanol, it would need $2.5 billion to $3 billion worth of investment. Where would that occur? In the agricultural lands of Australia. That would be an enormous investment in not only the employment
levels but the whole underwriting of the grains industry and perhaps the sugar cane industry.

We have to look at the social implications if we do not do something for the sugar cane industry. I know—and the member for Kennedy might disagree with me—that sugar cane is not the most efficient way to produce ethanol. But we have an industry and communities out there that have been making a major contribution to Australia over many years, and here is an option we can adopt. If it does require some sort of ‘subsidy’, so be it. If we destroy our agricultural industries, those people we destroy along with them are going to be subsidised at some time in the future. So I would encourage the government members to revisit this and get it right. Remove this idea that people seem to have polluting their minds that a renewable biofuels industry must be taxed at some stage. There is no logic to that. Why does it have to be taxed? We are a global player, trying to compete with others. Why are we looking at taxing people in relation to these particular industries? It is just a corruption of the worth of this industry.

I would like to mention a few other things in conclusion. The points that the member for Kennedy made in relation to health are very important. I urge the press gallery to pick up on this and really start to do some homework on what is going on within the fuel industry and on the rumours that are about, such as the rubbish being peddled that you cannot use 10 per cent ethanol in fuel because of the so-called damage that is being incurred. All those sorts of things can be taken care of. As the member for Dawson said earlier, they are up to E85 in some parts of the United States. As I said, we have followed the United States in many areas. Maybe we have to take a closer look at what they are doing over there, because we have the capacity to join with them and provide readily renewable biofuels in our country communities, rather than looking at importing fuel into the future. The health implications and the US experience are very important.

Let me conclude by saying that I believe there are two issues that are very important in relation to the economic implications for country Australia. The first is the issue of Telstra and communications. Equity of access to communications is the very thing that can break the distance factor as a disadvantage of living in rural Australia. The second is that we can start using agriculture to grow fuels into our future. We can start using agriculture to produce its own jobs, rather than relying on the vagaries of the international marketplace and the corrupted cost structures of some of our competitors. It would be nice to think that the Minister for Trade, Mark Vaile, would be successful with some of his negotiations; history says that countries looks after themselves. Maybe it is time that this country started to look after itself as well.

Mrs GASH (Gilmore) (8.10 p.m.)—Before I speak on the Fuel Quality Standards Amendment Bill 2003, I would like to congratulate the member for Dawson on her most articulate and precise speech on ethanol. I think it was absolutely tremendous. Much has been said about the benefits of ethanol, and I have certainly not been a wallflower in making my feelings about this issue known. Let us recognise that behind all this brouhaha is a Labor Party campaign. The member for Bruce is running the line that the government is keeping information from consumers on the safety of ethanol. I think it was absolutely tremendous. Much has been said about the benefits of ethanol, and I have certainly not been a wallflower in making my feelings about this issue known. Let us recognise that behind all this brouhaha is a Labor Party campaign. The member for Bruce is running the line that the government is keeping information from consumers on the safety of ethanol in fuel. However, the reality is that such statements are just a cover for their campaign of misinformation and half truths on ethanol—and that is putting it graciously.
Labor have done their best to kill off the blended fuel industry in Australia. If Labor really want to repair that situation, restore national confidence in this industry and give back to the workers in my electorate of Gilmore the assurance that their jobs are secure, then let us have the Leader of the Opposition, the member for Werriwa and the member for Batman come into the House here and now and apologise for misleading the Australian people on the value of ethanol as a renewable fuel additive. If the Labor Party want to persist in refusing to recognise the environmental benefits of ethanol and continue to work against jobs in Gilmore, then perhaps they should listen to some outsiders. Radio presenter Philip Clark has had the good sense to present an objective analysis of this issue. On 10 September Mr Clark interviewed Dr Bill Wells, an adviser to the United States government on ethanol. Having heard the claim that two million cars manufactured before 1986 would be damaged by 10 per cent ethanol, he said:

It’s not even possible ... I don’t believe there’s an automobile driving on the highway today in Australia that would be harmed by 10% ethanol blends. Somewhere between 27% and 30% of all petrol in the US contains some level of ethanol. In the big polluted cities—Los Angeles, Milwaukee, Chicago, it’s just moving into Detroit and Connecticut—100%, year round of the petrol contains ethanol. It’s non-polluting. In around 1985 or 1986 ... when they took the lead out, the auto companies said, OK, we now have cars that can burn on unleaded fuel and they’re being conservative about the other ones.

Indeed, Dr Wells is so confident about it he said:

If I had ... a pre-1986 car, I would seek out ethanol. It will clean out your engine, particularly the older cars, it makes them run more efficiently, the higher octane level, the enleanment is really, really good for these rich burning engines and the proof is it’s been running for 10 years in Sydney.

Last week when I addressed this issue in the Main Committee I was also somewhat conservative in my own assessment. (Quorum formed) It is a pity that the Labor Party cannot take it as well as give it and that they have to call this intervention to stop time in my speech. However, I will continue loudly and long on this issue. There is no doubt that ethanol cannot be used, as I said—and I was wrong to say—in pre-1986 cars, when the manufacturers are saying that they can use it with the right preparations. It is no wonder that, with all the conflicting reports, like the consumer I was somewhat confused. Dr Wells went on to say:

There are around 2.7 billion gallons, which is something like 11 billion litres of ethanol going to be blended as E10 or E8 or E6 in the United States this year.

He calculates:

Americans will drive 670 billion miles on ethanol this year. If there was a problem ... believe me, we would know it.

Dr Wells points out that Brazil have 22 per cent ethanol in their petrol and some cars run on 90 per cent. So why are we arguing like this?

Philip Clark in his commentary on the subject puts it down to ‘hysteria’ and ‘ignorance’. I think he is right. Hysteria describes Labor’s approach to dealing with a serious issue. They cause a scare campaign and destroy the reputation of fine Australians and their companies all in the name of getting at the government. It is called point scoring. Given the level of ignorance that prevails in the Labor Party on ethanol, as evidenced by some of the debate we have heard on this bill, it is not surprising to see them resorting to an hysterical fear campaign. That is what they are good at. They have no policies. That takes creative ideas and hard work, and they are not up to that. Instead, they scare the people—because what would they know?
We also need to ask about the oil companies’ support for using ethanol. Do they have an interest in backing Labor’s campaign? As far as the international oil companies are concerned, this is certainly not the case. Dr Wells states that Sir John Brown of BP is an ‘extreme environmentalist and he buys more ethanol in a month than the United States and Australia could use in two years’. To their credit, BP in Queensland have produced a brochure entitled ‘What colour is your petrol? Ours is green.’ It states:

It's time for more motorists to take advantage of the benefits of ... Australian-sourced renewable fuel. Ethanol is one of the best ways we have to fight air pollution from vehicles. That's because ethanol contains 35% oxygen. And when you increase the level of oxygen in petrol you get more complete combustion, which reduces harmful tailpipe emissions such as carbon monoxide and hydrocarbons ... When the ethanol is burnt as a fuel, it releases carbon dioxide which plants reabsorb and use to make more oxygen. And so the cycle goes ...

Why are our oil companies in other states not supporting ethanol? I repeat the question: are they in support of Labor in its scare campaign? In the United States Mobil put out literature entitled ‘Why ethanol is good for your car’. They promote ethanol as ‘Engine enhancing; Clean and safe; American made’. They say that ethanol helps keep fuel injection systems clean, so they perform better. Problems with fuel injection plugging are the result of dirty fuel, not ethanol. The research has been done. The American Institute of Chemical Engineers compared ethanol fuel to straight gasoline, and in a published report the institute said that ethanol was ‘very similar in driving characteristics to straight gasoline, except that pre-ignition and dieseling run on are noticeably reduced and acceleration can be improved’ with ethanol.

Hopefully, other Australian oil company representatives will start to respond to the initiative demonstrated by Mobil’s global operations and BP here in Australia. It is easy for these companies to become slaves to the marketplace, responding to the hysteria that the Labor opposition is feeding the public. However, rural and regional Australians can be far more discerning. They understand better than most the long-term benefits of practical environmental management, not to mention the real and immediate benefits of employment so desperately needed in these areas.

When I was elected as the member for Gilmore in 1996, unemployment was 17 per cent. Thanks to the responsible economic management of this government, unemployment in Gilmore now stands at 6.5 per cent. But I am not satisfied with that; there is more work to be done. It is estimated that this industry will create up to $1.1 billion of new investment in regional areas. Where is Labor’s alternative employment program for regional Australia? That is what it comes down to with this opposition. There is no plan and no policy.

Let us, for a moment, have a look at how this issue affects the people in my electorate of Gilmore. The New South Wales Environment Protection Authority regulations require Manildra to find a way to deal with the waste stream from their mill on the Shoalhaven River at Bomaderry. This waste includes starches and proteins. The most efficient solution to the problem was to build an ethanol plant, which also added value to what would have been just waste. If Manildra is unable to process effluent waste into ethanol, then the EPA may force them to close as there is no other infrastructure in place to deal with the waste. Let us not forget that it was the former Labor government that promoted the use of ethanol and encouraged Manildra to produce it by giving ethanol an 18 cent per litre bounty.
Manildra has been seeking to sell ethanol to the four major fuel companies since 1992. During that time they have not been able to sell even one litre. Ethanol storage is in short supply and if petrol companies do not start taking ethanol, it is likely that Manildra will need to halt production anyhow. Since the government’s decision on the 10 per cent cap for ethanol in fuel, Manildra has again made representations to every fuel company, and on each occasion the answer has been ‘no’ or ‘maybe in six to 12 months or so’. These oil companies still have their signs up saying, ‘No ethanol sold here.’

Closing Manildra’s ethanol plant at Bomaderry on the Shoalhaven River would directly threaten over 200 local jobs with a much wider economic impact, beginning with the loss of a further 600 to 800 jobs indirectly. One of the major reasons why Manildra is located at Bomaderry is the neighbouring paper mill. It uses the starches to add quality to the paper; it stops ink running. Starch also adds stiffness to packaging and cardboard. Closure of Manildra also puts the paper mill at risk of closing.

But the destruction does not end there. Manildra supplies brewers’ syrups across Australia. Imagine how many jobs are linked with the production, transport and selling of beer in Australia. Ethanol is the major carrier or delivery system for aerosol sprays as it evaporates quickly, leaving only the substance being sprayed. Ethanol is not only the delivery system for perfumes and deodorants, but it is also used with many aerosol medicines such as asthma sprays. Is Labor asking producers for these products to source their ethanol from overseas?

Manildra is a major supplier of glucose sweeteners to Cadburys, Nestle and Coca-Cola. The production of ethanol emits carbon dioxide as a by-product, which is used to put the bubbles in Coke. This CO₂ replaces fossil carbon. Now why would you go back to mining a fossil fuel product when a safe, clean, environmentally friendly carbonating substance is being made from renewable vegetative waste? We must ask: where are the Greens on this? Senator Brown is strangely silent. How come they are not at the petrol stations asking for ethanol to help keep our air clean? How come they are not out there supporting a sustainable, renewable fuel source?

The effects of the Bomaderry plant closure would be even more far-reaching. The flour that comes from Gunnedah and the township of Manildra will have nowhere to go since it is not flour sold for bread making but for industrial processing. Such a result will negatively impact on the farmers, the harvesters and the flour millers out in those regional areas. Australia wide, there could be another 900 jobs put at risk.

The ethanol issue has been played out before in several developed countries. In each case where the oil companies totally owned and controlled the industry, the introduction of ethanol progressed smoothly and without question. However, in countries where the oil companies did not have total control of the industry, this same battle of the perception of ethanol has been fought. Basically, if the oil companies cannot own it they will fight its introduction for as long as possible in the hope that they will send the ethanol producers broke. When that happens, as has happened in other countries, the oil companies then buy up the infrastructure and suddenly ethanol is available in fuel with no problems. This is the battle we are watching in Australia today. (Quorum formed)

In presenting this bill, all the Australian government is asking the parliament to do is to give it the power to put in place a system of labelling that the states and territories have not done. The state member for Kiama,
Matt Brown, is one Labor MP who says that he is happy to support ethanol—particularly if he gets his photo in the paper—but his support does not extend to convincing his own New South Wales government colleagues to do what it is their responsibility to do—that is, to introduce labelling which the federal government has now put before the House.

In concluding—as time is running out and I have had to miss out half my speech—let us go back to the ethanol plant at Bomaderry known as Manildra. I do not know whether the Leader of the Opposition or the member for Werriwa have actually ever been to see what is produced there or have had the opportunity to talk to the people who produce ethanol. As the federal member I extend an invitation to them to come and visit, speak to the workers and hear from people like Stuart Lucas, who has worked for Dick Honan at Manildra for the past 26 years. He has just bought a better home and has a mortgage to go with it. He certainly has no plans to retire or to be made redundant. He has a son, who has worked at the plant for 10 years. He also has a wife, two children and a mortgage. What will the Leader of the Opposition and the member for Werriwa tell them? How will they explain that scoring these political points costs jobs and ruins families—and for what? I say to them: come and visit. Come and talk to the workers whom your tactics will affect, the people whose jobs you are putting at risk. I am working for those jobs and for more jobs—more jobs in Gilmore and more jobs in rural and regional Australia.

Mr ANDREN (Calare) (8.30 p.m.)—The Fuel Quality Standards Amendment Bill 2003 is concerned with establishing a labelling system for all fuels available in this country. But, as we have heard from the speeches on this bill, it is very much caught up in the current ethanol debate. This bill has been referred to the Senate Environment, Communications, Information Technology and the Arts Legislation Committee for report by 28 October 2003, a deadline which is unlikely to be met, yet the House of Representatives proceeds with debate before the committee’s findings are available. Again this highlights the need for a House bills reference committee. That is patently obvious, given the intensity and passion of the debate around one of the fuel additives that we are debating—that is, ethanol.

This is all the more serious in light of the potentially very complex nature of such labelling—whether or not something contains ethanol—as evidenced by the ethanol working group’s report that more than three million cars of many different ages and makes may not be suited to ethanol. The public is demanding some clear and definitive answers on this. The Senate committee is to examine the effectiveness of the bill in delivering an enforceable national labelling regime that will achieve consumer choice in fuel purchase and the likelihood of the proposed amendments resulting in key provisions of the act being enforceable. It will also examine the bill’s provisions on the development of fuel quality information standards. Surely this is critical to any proper debate of this legislation here in the House of Representatives.

The bill establishes a national framework for fuel labelling in Australia. It will override state and territory laws where the Commonwealth makes fuel quality standards and create strict liability offences for the key offences provision. The objective of the labelling is to reduce the levels of pollutants and emissions arising from the use of fuel that may cause environmental and health problems, facilitate the adoption of better engine technology and emission control technology, and allow engines to operate more effectively. The minister is to determine the base fuel standard only after consultation with the
Fuel Standards Consultative Committee. Members of this committee include representatives from each state and territory, one or more representatives from the Commonwealth, one or more representatives from the fuel producers, one representative of an non-government body with an interest in the protection of the environment and one person representing the interests of consumers—a good, solid review group, you might say.

The bill provides that if its provisions are contravened this will be a strict liability offence, which means that the courts do not have to prove that the defendant had guilty intent in failing to adhere to the bill’s provisions—nor do courts have to prove fault; that is, recklessness or negligence. So failure to comply is punishable but there is still the possibility of arguing the defence of a ‘reasonable mistake’. The bill basically assumes that all those in the industry will have the required knowledge of the applicable fuel standard and therefore will comply. This means the prosecution does not have to go about proving the defendant has this knowledge. If offences were not strict liability offences, enforcement would be exceedingly difficult. The punishments have been reduced accordingly—fines only and no imprisonment. The maximum fine—which has been halved—is 500 penalty units, which is $55,000. For a corporation the maximum fine is 2,500 units, which is $275,000. That is all pretty reasonable. Fuel labelling is essential as we move toward biofuel and clean fuel alternatives. We are in a transitional time of development, and people need to know what they are buying. I support labelling, but how can this bill be passed without the findings of a proper review committee with regard to its effectiveness? Notwithstanding that, I can only support the bill at this point in the expectation that the inquiry and review in the other place will iron out any flaws before it returns here.

Let me just briefly mention the ethanol debate. Here I support my colleague the member for New England in agreeing that the government’s support program is not long enough to enable sufficient encouragement of all potential players in this market. If ethanol is as effective as other countries seem to believe then its use, quite frankly, should be mandated. That this bill is subject to inquiry is not unusual; that related excise bills are held up in the Senate is part of the opposition parties’ attempts to obtain the release of the full minutes of discussions between the Manildra Group and the Prime Minister. It strikes me that this impasse—where, by Thursday night, we may have the current excise on ethanol lifted but the domestic subsidy maintained—can be broken by the simple release of those documents. The public can be excused for being totally bewildered to the point of abject cynicism by the shenanigans around ethanol in this country.

The European parliament strongly supports biofuels, including ethanol, through tax exemptions and other means. There is strong support throughout the US for ethanol blends, with the oil companies cooperating in the process, it would seem. A similar story pertains in New Zealand. The University of Sydney’s Professor Ray Kearney says that benefits to our health, the environment and the economy will arise from the expansion of the market for ethanol-blended fuels and biodiesel. However, the parliamentary research paper says that the positive benefits relating to greenhouse gas emissions depend on how the ethanol is produced. Whilst ethanol produced from woody feedstock results in substantially reduced full fuel cycle greenhouse gas emissions, ethanol produced from starchy crops does not produce significant full fuel cycle greenhouse gas savings over conventionally produced gasoline. That needs to be fully tested, I would suggest. Yet
ethanol production from corn is booming in the US—it is a starch based product. It is being used as a blend and to create an improved ethanol-powered fuel cell. The US Renewable Energy Action Project says CO₂ emissions are reduced by 35 per cent by using ethanol.

Up to 20 per cent blending is used worldwide, yet here we have the oil industry actively campaigning against ethanol blends. If the science is sound, then why wouldn’t the oil companies want to extend what is a finite supply of petroleum by using an environmentally friendly additive? It makes more sense to dilute a last bottle of cordial than to guzzle it all up, although the oil companies seem determined not to give up even a 10 per cent share of the market. Is it as short-sighted as all that, or am I missing something? Whatever the finite nature of oil supplies, the oil companies seem determined not to give up even a 10 per cent share of the market.

However, complicating this scene further, we have a government not being open and honest enough with the public about the arrangements it makes with ethanol producers. We have innuendo and suspicion cast across the alternative energy debate, with claims of special help for political mates. Whatever the merits of ethanol, we should not have any government, opposition or, indeed, independent member or senator compromised by campaign contributions from anyone. Banks, retailers, media operators and, yes, oil companies, are all listed on the AEC web site as big donors to political parties. So too is the alternative energy sector, it seems. Only a cap on campaign spending will reign in the donations and remove this odious influence from Australian politics. Public perception is everything, and corporate or interest group donations to the political process can only be controlled by controlling the spending of individuals in individual seats and legislating for free broadcast time. It is not rocket science; it is the sort of policy that is in place in the UK—have a look.

This ethanol mess is one of the government’s and industry’s own making, contributed to, no doubt, by the duplicity of the oil companies. It blurs the debate we should be having: how best to develop alternative energy in this country. That industry should be developed through cooperation and sharing by government, oil companies and alternative energy producers, not by policies that favour one, two or three producers. The opposition wants to cover all bases with its second reading amendment: attack the government, promote strong labelling, hop into bed with oil companies by suggesting ethanol will wreck engines, and legitimately criticise the government’s secrecy around negotiations on protecting the local industry at a time when that local industry is dominated by one producer, in at least one aspect of the ethanol production area. That producer has, incidentally, stuck by the product. I supported him strongly through the times when he lost the bounty assistance, and still do. Manildra, incidentally, is in my electorate and I went into bat when they lost that bounty. The former government introduced that bounty and it was knocked off by this government in 1996 or thereabouts on the grounds that it was not an efficient way of encouraging an alternative energy industry. Here we have another system in place which, to my mind, does not do anything substantially different, notwithstanding that loss of bounty assistance, as the member for Gilmore has been since she came into this parliament.

Let us not be duplicitous about this; let us not do deals behind closed doors. Let us get out and debate with the public and have a proper investigation into the value of ethanol. Let us go over the more recent information, which seems to cloud some of the earlier stuff that was around in the late nineties.
suggesting that perhaps the energy efficiency—in terms of CO₂ reduction in the production process for wheat or sugar—is not as efficacious as perhaps some other means of producing ethanol around the world. Let us have it all out there and let us really look at the industry and see how valuable it is in the long run.

I believe it is an industry worth supporting—and not just because Manildra is in my electorate—I have thought that for many years. I support any sort of investigation into alternative energies that are going to reduce the amount of petrol guzzling and indeed the fanatical rush to control the oil reserves of the world, part of the problem we see today in the Middle East crisis. Let us be constructive around alternative energy and then one day perhaps we may find alternatives that will not only deliver a cleaner earth but a more peaceful earth. So, while the public hopes the air will become clearer with cleaner fuel, the debate is muddied by the crass opportunistic politics on both sides of this debate. Hopefully, the fuel quality standards legislation before us will at least clear up the product choices for motorists, and to that extent I support the bill.

Dr KEMP (Goldstein—Minister for the Environment and Heritage) (8.43 p.m.)—The debate has now come to an end and I propose to make some summing up remarks. Let me make it clear right from the start that the government does not support the second reading amendment. The allegations contained in that amendment are baseless and the actions proposed in it are unnecessary. I will say something about the amendment in summing up the debate, but I would first like to correct some misinformation which has come before this parliament in the course of the debate.

Let me start these remarks with a general comment. Since last year, the Labor Party has been a major factor in the decline of consumer confidence in ethanol, because it has been prepared to make inaccurate claim after inaccurate claim without regard to the facts or the truth. This irresponsible campaign peaked last week when the Labor Party insisted on putting into the public arena preliminary information provided by automobile manufacturers to the ethanol confidence working group about the impact of the 10 per cent blend of ethanol in petrol on the operability of different makes of cars.

This information was not cleared by the manufacturers for publication and very possibly contained information that could be misleading. Nevertheless, Labor insisted on making it public and even tried to table it in the House. The consequence of this is inevitably that consumers would have been misled by some of this information. We can see the nature of how they were being misled through comments made by the member for McMillan in the course of the debate when he said that 10 per cent ethanol blends will damage some vehicles. On the basis of the information provided by the manufacturers, there is no justification for this claim—a claim which was, however, widely reported in the press.

As pointed out by the member for Dunkley, the general issue is not about vehicle damage from 10 per cent ethanol but about whether a vehicle will operate optimally on the E10 blend. This is no different an issue to the change in performance that may be experienced by using regular unleaded petrol in vehicles for which premium unleaded is recommended. On this point, the member for McMillan stated that, according to the list, ethanol is not recommended for use in many vehicles. I agree that it is disappointing that car manufacturers provided that equivocal advice on the suitability of ethanol for their cars to the working group. Amongst domestic manufacturers,
only Holden has given clear advice. It is also disappointing given the wide use of 10 per cent ethanol internationally. But I understand that car makers and importers are working through the federal Chamber of Automotive Industries to tighten up that list and give clearer and more accurate advice to motorists. Nevertheless, Australian motorists are quite able to see through this issue. Once the legislation is passed and clear advice is available at the bowser, motorists will be able to determine if their car can use E10. I note that motorists now choose between premium unleaded, lead replacement and unleaded petrols without difficulty. Equally, car enthusiasts will be able to determine whether or not they want to use E10 once the government is given the power to impose labelling.

My second point of clarification concerns comments by the member for Bruce, who suggested that the label he has tabled is the government’s proposed label—he also made a number of statements about what he thought were the inadequacies of that label. Let me make it quite clear to the House that that label is no such thing. There has been an orchestrated and hysterical overreaction to a draft label that has no legal status, and debate on that label is irrelevant. The content of the ethanol label has not been finalised. The ethanol confidence working group have been considering this issue and have come up with an option—that is all it is: an option. This is not the be all and end all of the process in designing a national ethanol label. The final content and form of the ethanol label and where and how it is to be displayed will be set out by me in a disallowable instrument.

In deciding on the label, I will consider the advice of the ethanol working group but also any other matters that I consider relevant. After the bill is passed and before making this instrument, I will also be required to seek the advice of the Fuel Standards Consultative Committee—a statutory committee with members drawn from industry, consumer groups and all the jurisdictions. This is exactly the same mechanism used in setting the current petrol and diesel standards.

The member for Bruce and the member for Batman asked why the government has taken so long to introduce the labelling legislation. Unlike state governments who have had the power to introduce fuel labelling requirements within a matter of weeks throughout the whole development of this debate, the Commonwealth has no existing power to require the labelling of vehicle fuels. That is what this legislation is about. In the absence of action by the states—and I warned the states about the need for consumer information in October last year and repeated my call to them in December—the government at the federal level has moved quickly to introduce the necessary legislation. The amendments in this bill will ensure that the Commonwealth gains the power to act swiftly to require labelling of fuels where it is in the public interest to do so. These labelling requirements will be uniform across the country and will be backed up by a world-class monitoring and enforcement program.

The matter is now in the hands of this parliament and especially the Senate in terms of the time taken for passage. The real question is: why is the opposition determined to stand in the way of a national labelling regime? In the Senate the opposition has referred this bill to a Senate committee which will not be reporting until 28 October. That will make it impossible to meet the 31 October date that has been requested of the federal government for labelling by the state jurisdictions—who have of course, and have had throughout this debate, the opportunity and the power to create labelling on their own account.
The second reading amendment accused the government of protecting the interests of ethanol producers through subsidies—and I note the member for Wills has talked about the government bankrolling ethanol producers. The Keating government originated the policy of an ethanol bounty scheme and provided more than a decade of excise exemptions for ethanol. Support for a domestic ethanol industry has therefore come from both sides of this chamber. The member for Bruce has also asked why the government has not tabled the label with the legislation. This legislation not only gives the government the power to require fuel labelling but also sets out a statutory process to be followed in the setting of labelling standards. This includes the formal consultation with the Fuel Standards Consultative Committee that I mentioned earlier, which must occur before a draft label can be put forward for parliamentary consideration. The statutory processes have been designed to ensure transparency and accountability. It would be quite inappropriate for the government to propose a label for debate before those statutory processes and the required consultation have occurred. It would in fact be putting the cart before the horse. It would also be a waste of parliament’s time, because the label could potentially change substantially as a result of the consultation with the Fuel Standards Consultative Committee.

I reiterate that the bill provides that the labelling determination will be a disallowable instrument, so this is neither the only nor the last opportunity for the parliament to scrutinise any proposed ethanol label should it so choose. The government shares the concerns of the member for McMillan about the potential effects of ethanol on marine engines, and a label would be needed to address this issue. I note that the results of the scientific tests on outboards that the government commissioned are posted on the web site of my department. These tests showed that 20 per cent ethanol was not suitable for outboards but that these engines ran satisfactorily on 10 per cent. Nevertheless, I agree that information on outboards is needed on labels as it appears on labels produced by BP, Bogas, Caltex and the Victorian government.

We could debate a range of issues around ethanol until the cows come home, but the fact is that such issues are irrelevant to today’s debate. What we are seeking here is the passage of a bill that will allow nationally consistent labelling—that is the issue at hand—and it appears that there is no argument from either side of the House that such labelling is required. Of equal importance are the strict liability amendments contained in the bill. These changes will strengthen the act and ensure that the key offences in the act can be properly enforced. This will significantly improve the effectiveness of the act as an instrument to achieve the objectives of reducing vehicle emissions, improving engine operation and providing consumer information. The passage of this legislation is being delayed by the opposition. They are the speed hump between motorists and full information for consumers. I thank all those who contributed to the debate.

The DEPUTY SPEAKER (Mr Jenkins)—The original question was that this bill be now read a second time. To this the honourable member for Bruce has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Question agreed to.
Original question agreed to.
Bill read a second time.

Consideration in Detail
Bill—by leave—taken as a whole.
Mr Griffin (Bruce) (8.54 p.m.)—In the consideration in detail stage, I want to raise a couple of issues regarding what we are dealing with here and the circumstances we now face. The Minister for the Environment and Heritage in his summing up made a number of points. Given the lateness of the hour, I will not address all of those points—although there are a number of points that could be made—but I will pick up on a couple. The minister made the point that, despite his warnings to the state government in October last year, this government has in fact acted quickly. He made it clear that the circumstances around labelling from a federal perspective are more difficult than from a state perspective, which is why we are here today dealing with this specific piece of legislation.

But we need to go back to what the minister actually said in February. On 1 February, the minister said that labelling should be in place by March—that is what he was quoted on the wire as saying, and that was his plan—and that he was planning to introduce legislation at the commencement of parliament. Parliament resumed on 4 February; it did not resume on 26 June. At that stage and at that time, the minister had been advised—and we can only take this to have been the case—that his department and his office were in a position to be able to move forthwith. Some three days beforehand he said that was possible and yet, again, we did not even see legislation in this place until 26 June. If there were reasons why it took so long, I would love to know what they are, and I think the House is entitled to ask what those reasons were, if the minister is going to try to blame others for the time taken in that period during the first half of this year to get to this stage. The minister said in a press release on 19 February:

Nevertheless, I expect to be making an announcement shortly and hope that motorists will see labels on petrol bowser within the next couple of months.

So his hope then was to be able to pass legislation and have a system in place within a couple of months—so we are talking about April—but it was not until June that we actually saw legislation. I do not think the minister has addressed that point at all. I think it stands out glaringly as an example of the fact that things have not been clear about what this government has been doing in these circumstances. The minister also mentioned comments that I made in the House around the issue of preferred labels and comments made about the status of those labels. I will just quote from my speech in the second reading debate. I said:

... the ethanol confidence working group ... was considering labels and had in fact come down with a preferred label, which had been passed on to the government as their view—that is, the view of the ethanol confidence working group. That is what I said at that stage. I made the point that the government had refuted the allegation that had been made around the question of its status, but I made it clear that that was the status of that label.

On the question of where we are up to, the argument that you cannot release draft labels for discussion in the parliament or through the Senate committee process is just ridiculous. With regard to the question of consultation with other organs of government, there is no problem with that and there is no reason that that cannot occur as well. What we would like to see is some openness and transparency around the debate in order to ensure that this matter can be seen. The minister has not answered that question, and he should be brought to account for it.

Dr Kemp (Goldstein—Minister for the Environment and Heritage) (8.57 p.m.)—I will just make a very brief comment in response. It is very obvious where the delay in
labelling has been. The Labor Party governments in the states have had the power to label from the very beginning of the public debate on this issue. I advised them to do so last year. Only one state has so far finalised a label, and that is Victoria. In New South Wales, the state where there has been the most debate on this, there has not been any sign of action from the New South Wales Labor government. And at present we have the Labor Party delaying the introduction of the legislation in the Senate. That shows that the Labor Party is not serious in its claim that it wants to see labels introduced as soon as possible. If the Labor Party were serious, it would not be delaying this legislation; it would be enabling it to come forward to the Senate for finalisation as soon as possible.

Bill agreed to.

Third Reading

Dr KEMP (Goldstein—Minister for the Environment and Heritage) (8.58 p.m.)—by leave—I move:

That this bill be now read a third time.
Question agreed to.
Bill read a third time.

ADJOURNMENT

The SPEAKER—Order! It being as good as 9.00 p.m., I propose the question:

That the House do now adjourn.

Education: Vocational Education and Training

Ms VAMVAKINOU (Calwell) (8.59 p.m.)—I want to speak this evening about the excellent work being done by my local schools in conjunction with our local TAFE college, Kangan Batman TAFE. It is a key post secondary education provider for people in my electorate of Calwell. TAFE and apprenticeships may be hot issues at the moment as experts and policy makers acknowledge their inherent value, but young people in my electorate consider vocational education to be an integral part of their career options. It is no wonder then that a strong nexus has been established between local secondary schools and Kangan Batman TAFE and that it is one that continues to strengthen from year to year.

Kangan Batman TAFE operates on fundamental, yet simple, principles of access and equity, seeking to ensure the greatest possible participation in the workplace by providing training opportunities for people in my electorate. The institute has 33,000 students and 1,000 very devoted staff members, with 12,100 students aged between 15 and 19 years and 145 students with disabilities. Illustrating the quality and high calibre of the courses that it offers, Kangan Batman TAFE was named Training Provider of the Year in 2001 in the Victorian Training Awards and was a finalist in the 2001 Australian Business Excellence Awards.

The confidence that local students hold in Kangan Batman TAFE is best reflected by recent On Track results released by the Victorian government. On Track, a guide to the progress of graduating VCE students, reported that Roxburgh College had the highest result in the state, with 63 per cent of year 12 students going on to TAFE studies. This result also highlights the success of the state government’s decision to relocate Upfield Secondary College to the new Roxburgh Park site—and of course striving towards a first-class facility. Other local secondary colleges have achieved similarly strong figures in terms of entry into TAFE, with Penola Catholic College at 49 per cent, Copperfield Secondary College at 48 per cent and Broadmeadows Secondary College at 45 per cent.

The Minister for Education, Science and Training is surprisingly accurate when he claims that vocational education and training underpins the competitiveness of our indus-
tries and supports economic and social development. This is something that is particularly prevalent in my electorate in the north-western suburbs of Melbourne, where TAFE is the preferred option for my young constituents, who are increasingly being squeezed out of university places due to financial constraints. It is the hard work of those involved at a local level that has allowed Kangan Batman TAFE to prosper and meet the needs of my young constituents. However, this level of commitment is not satisfactorily reciprocated by this government, and the success stories that exist in my electorate are not reflected in other areas.

Repeated government cutbacks have had a negative impact on vocational training courses and institutions but, despite all the research calling for action, it is a problem that the government tends to ignore. We need to continue to support and invest in this vital education sector, not impose stringent and constant budgetary constraints. Evidence from overseas bodies, such as the OECD, affirm undoubtedly that investment in human capital provides significant gain for the students concerned and, similarly, overall national social and economic benefit. To see this, all we need to do is look at Germany and the importance that it places on vocational education.

Denying adequate funds to the very programs that would assist the unemployed to get off welfare and back into work means that young Australians are missing out on vital training courses and on learning the skills that our nation needs, which are also pivotal to giving each of them the best possible opportunity to establish a strong and sustainable livelihood. The 2003-04 budget saw Commonwealth funding to the training sector for the period 2004 to 2006 fall in real terms from $230 million to $218 million. At a time when industry and training providers are screaming out for further skills development, the government’s response is to make no offer of additional funding.

The member for Bradfield really needs to understand the hurt and pain that the introduction of the government’s changes to the post secondary sector has created. While hundreds of thousands of young people are opting for vocational education and training courses, we need to address the issue of the tens of thousands of young people who miss out each year. The minister talks about giving kids from poorer backgrounds a fair go, but he conveniently hides the fact that budget cuts are actually preventing kids from poorer families—many of which are in my electorate of Calwell—from participating. This affects boys in particular, who seem to be missing out in greater numbers. The minister needs to understand that this is not a good sign, given that the rate of youth unemployment sits at 20 per cent across the country and in my electorate remains in double digits.

Science: Advanced Laser Interferometer Gravitational Wave Observatory Project

Dr WASHER (Moore) (9.04 p.m.)—Tomorrow in Parliament House, Professor Barry Barish from the California Institute of Technology, who is a director of LIGO; Professor David Blair from the University of WA, who is winner of the Clunies Ross National Science and Technology Award 2003; Professor David McClelland, from the Australian National University, who is Chair of ACIGA; and Dr Roger Netterfield from the Australian Centre for Precision Optics at the CSIRO will be speakers on the Advanced LIGO project, an international project with Australian partners in the USA, Britain and Germany.

The nature of light was investigated prior to 1886—by Isaac Newton in the 1660s and by Thomas Young in the 1790s—but it was not until 1864 that James Clerk Maxwell...
predicted the existence of electromagnetic waves, and in 1886 they were discovered by Heinrich Hertz. The new spectrum, the new bionic ear for the human race, is gravity waves—the vibrations of space itself, created from the beginning of the universe small fractions of a second after the big bang. They travel through space at the speed of light but act more like sound than light. Einstein predicted gravitational waves in 1916. Astronomers Joe Taylor and Russell Hulse received the Nobel Prize for proving their existence by showing that a star system is losing energy by producing gravitational waves.

The acronym ‘LIGO’ stands for Laser Interferometer Gravitational Wave Observatory. LIGO works on the principle that small changes in the position of two test masses as a gravitational wave passes through the observatory can be detected as disturbances and interference between two laser beams. Detecting such changes is extremely challenging, as it is roughly equivalent to measuring from earth a change in the size of an atom on the sun. Although gravitational waves have not yet been detected on earth, it is speculated that they may be within the next 10 years, as detector sensitivity improves. Ultimately, black holes—the regions throughout the universe where space and time come to an end and all matter is lost forever—will be targeted.

The Advanced LIGO project that Australia has been invited to join will have much greater sensitivity than existing facilities, enabling observations to be made in several hours that would previously have taken a year. Even before the discovery on earth of this new spectrum, with all the new associated knowledge and benefits, there have been enormous benefits from the research. Sapphire oscillators that can improve radar 10,000 times have made what was previously undetectable detectable. Both clear air turbulence and stealth bombers can be easily detected with this new technology, making Poseidon Scientific Instruments in WA the world’s leading supplier of precision oscillators for radar.

Land based ocean wave monitors that can image and monitor the ocean waves around our coast through the minute and normally undetectable land waves they produce are now possible. High-powered, solid-state lasers developed in Adelaide will revolutionise all forms of cutting, from bricks to textiles. New laser control technology developed in Canberra has applications from space exploration to drug detection. Vibration isolators are used for airborne mineral exploration in WA. Vibration isolation technology in gravitational astronomy stops all movements down to the size of one ten-billionth of an atom. The world’s best mirrors, 1,000 times better than the best earth based telescope mirrors and 100 times more precise than those on the Hubble space telescope, are being developed in Sydney. The evening will also be accompanied by fine Aquila Wines from the Margaret River and Blackwood Valley of Western Australia, and I invite everyone to come.

Education: Teachers

Ms GEORGE (Throsby) (9.08 p.m.)—I want to speak in defence of public education and the teachers who work within that system. I have a very strong view that the primary obligation of all governments, state and federal, must be to ensure that the public education system is properly resourced and adequately funded. It is, after all, the system that educates 70 per cent of our school students. It is the system that is open to all. It is the system which provides the foundation of Australia’s cohesive, democratic and multicultural society. Historically, it has been this system which has played the crucial role in helping to build the social capital that keeps our communities and society together. It is
the system which, in the words of Sir Henry Parkes, makes:

... no distinction of faith, asking no question where a child has been born, what may be his condition of life, or what the position of his parents, but inviting all to sit side by side.

I am a product of that system, and I taught in it. I continue to be one of its many champions. I see the wonderful work performed by teachers in that system in the schools in my electorate, and I constantly wonder how they cope with the many challenges and responsibilities expected of them. As a community we need to show our teachers greater support. Their task is extraordinarily demanding, and yet as a profession they feel undervalued and, in my view, are definitely underpaid.

I am fully supportive of the teachers’ current campaign to achieve salary justice. It has been a long time since their work value was comprehensively assessed. No-one can argue that their wage relativities by comparison to many other professionals, including politicians, have declined. In my day as a teacher and union representative it was a benchmarking comparison by which teachers’ salary status was judged—that is, we often looked at their status relative to other professions, and to politicians in particular. Back in 1974, for example, a graduate teacher at the top of the scale earned 66.57 per cent of a New South Wales politician’s salary. But by July last year that percentage had dropped to 56.86. Similarly, the principal of a high school in 1974 earned just less than the salary of a member of the lower house in New South Wales. That figure last year had dropped to 92.14 per cent. Between 1988 and 2002, the increase in teachers pay was 21 per cent less than the increase in average male weekly earnings.

I believe that public school teachers and their TAFE colleagues deserve a significant salary increase to both retain experienced teachers, as that profession is ageing, and help recruit the next generation of teacher graduates. I am delighted that a very recent poll conducted by the New South Wales Teachers Federation confirms strong support for teachers and the public education system. Of the key findings in that news poll, 93 per cent of those polled agreed that teachers in public schools are a valuable asset to their community, 68 per cent agreed that teachers in the public education system should be paid more, and a very high 91 per cent agreed that governments should increase funding to public education. It is my earnest hope that politicians at every level of government will heed the views expressed in these findings and that they will recognise the important role of that system both in its historical and in its current context.

Chapman, Mr Ralph

Mr ANTHONY SMITH (Casey) (9.13 p.m.)—I want to take the opportunity in tonight’s adjournment debate to pay tribute to a special constituent who celebrated his 100th birthday last Friday. I speak of Mr Ralph Chapman of Silvan. I was honoured to attend a celebration for Ralph’s 100th birthday yesterday at the Monbulk Community Centre, where, with more than 200 relatives and friends, Ralph’s family paid tribute to him in fine style.

The likes of Ralph Chapman have witnessed some of the most significant changes in our nation’s history and also some of the most significant developments in the world. When Ralph was born, in 1903, Australia’s Federation was in its infancy and our first Prime Minister, Edmund Barton, was still in office. In the same year, the Tour de France held its first ever race. Then, like now, there was a massive drought across Australia and, indeed, throughout much of the world, creating tough economic conditions.
In the United States, the Ford Motor Co. produced its first product, the Model A car, and at a beach called Kittyhawk the Wright brothers flew their first plane. To be born at a time when cars and aeroplanes were just being invented and talked about and then to witness the massive transformations and advances they have made to travel in the world—from flying across continents in planes to the emergence of space travel—and to witness all the other developments that have occurred across the century, must indeed be breathtaking. To see Australia develop from a country of fewer than four million people to become a strong and confident nation and a leader in its region must also be fascinating. The most important thing for all of us to remember is that our country's success and position today owe a great deal to the hard work, sacrifice and tireless effort of people like Ralph Chapman.

The Chapman family story is typical of many Australian families. Ralph's grandfather arrived from England in 1849 with nothing but the hope of a new life. He travelled to central Victoria, where he worked as a blacksmith. Ralph's father married in 1894, having moved to Silvan in the heart of the Casey electorate in 1892. He was the fourth eldest in a family of 11 children. Their property being well located with a cool, temperate climate and good soil, the Chapman family produced a range of fruits from it. At 500 acres, the farm was quite large for its time. At one time the Chapmans were the largest strawberry growers in the Southern Hemisphere. Like other families, the Chapmans endured the difficulties of World War I, the heartbreak of the Great Depression and the following Second World War.

Over the decades, Ralph worked as an adviser to the department of agriculture and was a significant contributor to the Silvan community, through the local church, school and other groups. He was a founding member and captain of the Silvan fire brigade; he was also a founding director of Silvan Fruit Processors, a cooperative venture established to handle excess local produce. Ralph Chapman lived in the home he built and moved into in 1928 when he married, and he stayed there, incredibly, until just four years ago. He and his wife were married for over 60 years. Together they have seven children—three boys and four girls. Now living in more suitable accommodation, Ralph is surrounded by a loving and caring family. He likes nothing more than to hear news of the farm he helped create all those years ago and to see it first-hand whenever he can.

Ralph has seen much over his 100 years. During this time he has made a substantial contribution to the community and to his family. It was a pleasure to be involved in the family's celebrations for a very special person. The volunteer spirit and dedication to community has been handed on to his children and grandchildren. For instance, his son Gordon and daughter-in-law Linda are magnificent contributors to the local community in the Yarra Valley. They dedicate many hours to community groups such as Mont De Lancy, a historic homestead in Wandin that preserves and maintains the valley's important history. Ralph was justifiably proud to reach the age of 100, but at yesterday's celebration you could see that his greatest pride was in his children and grandchildren, to whom he has passed on the family baton and who are continuing the work he began in the community all those years ago.

Justice and Customs: Rule of Law

Mr McCLELLAND (Barton) (9.18 p.m.)—The Prime Minister, in opening the Commonwealth Law Conference in Melbourne on 14 April this year, expressed his 'great personal respect for the rule of law in our society'. This sentiment often wins rhetorical support from Howard government
ministers; regrettably, respect for the rule of law, in particular for our courts, is often hard to discern in their actions. Indeed, in recent times it is fair to say that we have witnessed yet another pattern of behaviour from conservative politicians which undermines the rule of law.

Last month, after the former member for Oxley was found guilty in Queensland by a jury and was sentenced by a judge to a term of imprisonment, the member for Mackellar saw fit to accuse the Queensland courts of acting politically. Specifically, she described the former member as a ‘political prisoner’. Such baseless allegations can only undermine public confidence in the rule of law. That case is, of course, subject to an appeal, and the appeal will stand on its merits; nonetheless, the criticism of the Queensland judicial system must be regarded as inappropriate. More recently, the Minister for Immigration and Multicultural and Indigenous Affairs went on talkback radio to impugn the integrity of the Family Court in the eyes of Australians, after it ordered the release of five children from immigration detention. On two occasions, the minister accused the Family Court of giving special treatment to children of asylum seekers over Australian citizens. On 26 August he told John Laws:

One’s not supposed to impute the integrity of judges in relation to these matters, but they seem to have a desire to be involved in dealing with these matters, and dealing with them quickly because they say people are in detention. But you know, we have many people who are convicted of offences who are sent to jail who sometimes have to wait until the courts are ready to deal with their appeals, and that can sometimes go for years. When you have them being heard within days ... many Australians would like to think that they could get their matters dealt with by the Family Court in the time frame that these matters seem to be dealt with.

Two days later, the minister told listeners of 2GB:

The primary concern I have is that there seems to have been a desire … to deal with these issues on the part of some judges. The Family Court has a primary responsibility in dealing with matters relating to Australians and Australian taxpayers who foot the bill of the court. I don’t know that we need to have the court clogged up with these issues as well. I thought it was remarkable that when a judge in the first instance made a decision that it was not in the best interests of the children to be released, given that they might have to depart again, it got before another court within weeks. I think a lot of Australians would like to think that if they had an issue before the courts that they would be dealt with as quickly as that.”

This is the very same minister who, in June last year, was asked by the Federal Court to explain his public attacks on the motives of judges of the court in migration matters.

On 22 August this year, the Chief Justice of the High Court of Australia, Murray Gleeson, summarised well the responsibilities of politicians towards the courts, when he told the Australian Financial Review:

I think it’s important from time to time to let the public know and to remind people active in politics that certain kinds of criticism of the court can undermine the independence of the judiciary and the level of public confidence in the judiciary. ... I don’t kid myself that we can ever be free from political criticism. Indeed, people have the right to criticise us. My object is to put it into a proper perspective and to remind people that there are conventions of restraint that exist for an important public purpose and ought to be kept in mind. Conventions are frequently broken. But when that happens, I want to remind people that there is a cost involved.

Unfortunately, it is a cost that the current government—and in particular the current Attorney-General—seems all too willing to incur.

Sydney Marathon

Mr FARMER (Macarthur) (9.22 p.m.)—Tonight I stand before you to speak about something that is very dear to my heart,
something that I was heavily involved with prior to my coming to this House: the Sydney Marathon. The Sydney Marathon is arguably the best marathon in Australia. It is one of many events in this country, indeed around the world, that put up the ultimate physical and mental challenge to sports men and women. Marathon is undoubtedly one of the toughest and most demanding sports in the world. It is seen as the toughest event in the Olympics. In conquering the physical and mental challenges that long-distance running provides we learn lessons that we can take with us through every aspect of our lives. That is why I am proud to have helped develop the Prime Minister’s ‘future five’.

The Prime Minister’s Running for a Future Team is a federal government partnership to encourage excellence in sport and business and, most importantly, to identify and foster Australia’s marathon stars of the future. The PM’s team will be selected each year in conjunction with the Sydney Marathon Festival and will consist of up-and-coming marathon runners who show real potential and the desire, talent and attitude to achieve on the world stage. Business leaders, sponsors and sporting mentors who have achieved success at an elite level will also be involved. As a former sportsman, I understand how important this last point is. You can have all the talent and enthusiasm in the world, but often it is all for nothing unless you have the right people around you to guide and help you along the way. That is where the mentors come into play. Every member of the PM’s team will be matched with both a sporting and a business mentor to help them achieve their goals and in time, hopefully, their Olympic dream.

You would agree that to have the likes of Steve Moneghetti, Robert de Castella, Kerryn McCann and Tani Ruckle on board would certainly give these young athletes a great start. Add to these four the five business mentors that Athletics Australia has helped us to find and you will see that we have a formula for success. The business mentors we have chosen for this program are people such as Herb Elliott, Alex Hamilton, Lou Jardin, Russell Scrimshaw and Darren Tucker. We also have five corporate sponsors on board to provide the financial assistance to help these young athletes achieve their dream. The inaugural PM’s team provides a solid platform from which to develop an initiative with the ultimate aim of finding the next de Castella or Steve Moneghetti.

Mr Hardgrave—Or the next Pat Farmer.

Mr Farmer—Maybe a Pat Farmer in the future. Who knows? All five runners in the PM’s team have already competed in the 2003 Sydney Marathon Festival, which was held on Sunday 14 September. The PM’s team was represented in all three events: the 10-kilometre bridge run, the half marathon and the Flora Marathon. I am happy to note that Scott Westcott was the male winner of the 10-kilometre run and Kate Seibold-Crosbie was the female winner of the 10-kilometre run. Shane Hayes is a young 17-year-old wild card entrant to the Prime Minister’s team. The winner of the Sydney Marathon was Paul Arthur, who is now part of the Prime Minister’s five. The women’s winner was Helen Verity Tolhurst, who is now the 2003 women’s Australian marathon champion.

These days, especially in this House, we focus on the doom and gloom that faces the world today and a lot of the problems of life. We concentrate on the negatives that ordinary people are faced with every day of their life. It is very refreshing for the Prime Minister to set forth a plan such as this—a plan similar to the one for the cricketers of the Prime Minister’s XI. Now with the Prime Minister’s top five marathon runners we have an opportunity for people to dream—to
dream for the Olympics and to dream just as they did during the Sydney 2000 Olympics.

Condolences: Ida West

Ms O’BYRNE (Bass) (9.27 p.m.)—Ida West—or ‘Aunty Ida’ as she was known to most people in Tasmania—a fine ambassador for Tasmania and Australia on peace and reconciliation, died last Monday in Hobart following a battle with cancer. I want to take this opportunity to express my condolences to Aunty Ida’s family and the wider Tasmanian Aboriginal community, who, along with the many people whose hearts she touched, will miss her greatly. Aunty Ida was one of Tasmania’s most respected Aboriginal elders. She was an inspiration in many ways, particularly in her role in bringing together Indigenous and non-Indigenous Tasmanians. Only last year she was appointed a Member of the Order of Australia, as well as being named NAIDOC Female Elder of the Year.

One of the defining moments for Aunty Ida was the culmination of 20 years of lobbying and campaigning that saw the return of Wybalenna on Flinders Island in 1999. She said at that time:

It’s pretty important you know, the land. It doesn’t matter how small, it’s something. We’re talking about land and fighting for it. Where the bad was, we can always make good.

That pretty much sums up Aunty Ida’s attitude to life: where the bad was, we can always make good. Her passing is heartfelt and her life should be celebrated for her commitment to peace, tolerance and understanding.

Condolences: Ida West

Mr HARDGRAVE (Moreton—Minister for Citizenship and Multicultural Affairs) (9.29 p.m.)—May I take 50 seconds to make a contribution?

The SPEAKER—That would be unusual. The minister can seek to extend the debate if there is something that has been raised that he wants to comment on. It need not be a criticism; he could participate in a supportive way. It needs to be something that another member has already raised.

Leave granted

Mr HARDGRAVE—I would like to add our condolences to the Aboriginal community of Tasmania, following on from the member for Bass’s contribution. Her words tonight are something I am sure people on this side would also like to reflect upon and be associated with.

The SPEAKER—Order! It being 9.30 p.m., the debate is interrupted.

House adjourned at 9.30 p.m.

NOTICES

The following notices were given:

Mr Baird to move:

That this House commends the efforts of the Indonesian Government in bringing justice to those who were responsible for the Bali bombing and, in particular:

(1) applauds Indonesia in formally charging 24 people in connection with the Bali bombing and the conviction of 5 of those people;

(2) congratulates the Indonesian police and Australian Federal Police in the rapid dismantling of the cell that carried out the attack on 12 October 2002;

(3) recognises and commends the Australian Federal Police for the significant role it has played in helping the Indonesian police bring these terrorists to trial; and

(4) commends the Government on the $10 million package of assistance for counter-terrorism capability building.

Mr Price to move:

That this House:

(1) recognises that the Hansard record on the parliamentary website should pre-date the current cut-off of 1984;

(2) acknowledges the national benefit that would be derived from a more comprehensive record being made available as well as the
benefit to Members of Parliament and their staff;

(3) notes that the proposed Centenary project to have all the *Hansard* records incorporated was unable to be finalised apparently because of the cost; and

(4) urges the Presiding Officers to re-examine the proposal and at least attempt to extend the current scope of the *Hansard* available on the Web even if it has to be staged over a number of Parliaments.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

**Taxation: Bankruptcies**

(Question No. 1547)

Mr Murphy asked the Treasurer, upon notice, on 3 March 2003:

1. Is he aware of the common law rule and administrative law maxim that justice must not only be done, it must manifestly be seen to be done.

2. Is he also aware that, in the Commissioner of Taxation’s annual report on the activities of the Australian Taxation Office (ATO) for the year 2000-2001, there is a chapter titled Legal Profession Project (LPP) dealing with persistent tax debtors.

3. Does the chapter provide important information in the public interest relating to (a) the investigation of 62 barristers with current practising certificates who had been bankrupt or entered into Bankruptcy Act Part X arrangements in the past decade, (b) strategies for dealing with serial bankrupt barristers, (c) proposed action in relation to the prosecution of 104 barristers who had failed to respond to a demand for lodgment of a tax return by the due date and (d) the Commissioner of Taxation meeting with the NSW Bar Association to share information and discuss opportunities to work together.

4. With regard to the sharing of information between the NSW Bar Association and, in light of section 16 of the Income Tax Assessment Act 1936 (ITAA), (a) what authority does the Commissioner of Taxation have to share such information with the NSW Bar Association, (b) has the Commissioner of Taxation actually shared such information with the NSW Bar Association; if so, what is the nature, or what are the details, of this information and by what legal authority and statutory or other power has the Commissioner shared this information, (c) is the statement on page 63 of the annual report that the Commissioner has met with the NSW Bar Association to share information and discuss opportunities to work together false; if not, why not and (d) if the Commissioner of Taxation has not met with the NSW Bar Association in furtherance of the annual report 2000-01, when will the Commissioner so meet.

5. What power is the Commissioner of Taxation actually using when sharing information referred to in parts (3) and (4), and is this power (a) a power under section 16 of the ITAA; if so, what provision of that section; if not, why not, (b) a power under the exclusionary or exceptions provisions of the Information Privacy Principles under section 14 of the Privacy Act 1988; if so, what power; if not, why not, (c) some other statutory power under the ITAA, Privacy Act, other taxation, secrecy, privacy or other statute law; if so, what is that power; if not, why not, (d) a common law power; if so, what is that power, (e) an administrative power; if so, what is that power, (f) a prerogative power; if so, what is that power or (g) some other power; if so, what is that power.

6. What priority is the Commissioner of Taxation giving to the prosecution of serial bankrupt barristers, in particular the prosecution of the 104 cases mentioned in the annual report.

7. What remedy is there to eliminate the high number of barristers who fail to lodge a tax return and fail to pay their assessed and fair share of tax.

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

1. to (3) Refer to the Commissioner of Taxation annual report 2000-01.

4. (a) (b) The information shared between the Commissioner and the Bar Association of New South Wales involved statistics gathered by the ATO in relation to the percentage of the profession who
had failed to file a tax return and the number of barristers declared bankrupt within NSW. The Commissioner did not provide any personal information about any barristers and, as such, did not infringe section 16 of the Income Tax Assessment Act 1936 (ITAA).

The Commissioner’s appointment carries with it a responsibility to liaise with industry bodies, and the community more broadly, about compliance with the tax laws. It is appropriate for the Commissioner to provide to a professional association statistical information relating to, or affecting, compliance levels within the relevant profession provided the disclosure is otherwise consistent with the secrecy provisions of the tax law and the privacy principles.

(c) and (d) The Commissioner met with the President of the Bar Association of New South Wales on Tuesday 13 March 2001. The Commissioner’s staff responsible for the Legal Profession Project continue to meet and liaise with officers of the Bar Association.

(5) The Commissioner’s ability to disclose aggregate statistical information to a Bar Association is explained in the answer to question (4) above.

Disclosure of aggregate statistical information does not infringe any prohibition in section 16. Nor does the Privacy Act 1988 apply to the disclosure of aggregate statistical information.

(6) The Commissioner of Taxation has informed me that the ATO is continuing to give high priority to barristers who are not complying with their tax obligations. This includes focussing on the lodgment of outstanding returns, payment of debt and prosecution action for failing to lodge tax returns.

(7) The majority of barristers are now up to date with their lodgments and the Commissioner will continue his efforts through the focus of the ATO’s Legal Profession Project. The Bankruptcy Taskforce has made a number of recommendations to change tax law, bankruptcy law and family law. The package of recommendations is now being considered by the Government.

Also refer to the joint press release by the Attorney-General and the Minister for Revenue and Assistant Treasurer of 2 May 2003, ‘Progress of Government action to strengthen laws to prevent tax abuse’.


Taxation: Income Tax
(Question No. 1587)

Mr Murphy asked the Treasurer, upon notice, 6 March 2003:

(1) Further to paragraph (3) of your reply to question No. 43 (Hansard, 11 February 2003, page 647) what are the external sources from which he gathered the information that 69.2% of barristers declared a taxable income in excess of $60,000 for the financial year 2000-01.

(2) Is it the case that the Australian Taxation Office (ATO), on the basis of its own records, cannot provide information on the number and percentage of self-employed barristers who paid the top marginal rate of income tax for the financial year 2000-01; if so, why.

(3) On the basis of the ATOs internal records in relation to those taxpayers who describe their occupation to the Taxation Commissioner as a self-employed barrister, what is the number and percentage of those self-employed barristers who paid the top marginal rate of income tax for the financial year 2000-01.

(4) On the basis of the ATOs internal records in relation to those taxpayers who describe their occupation to the Taxation Commissioner as a solicitor or lawyer, what is the number and percentage of those self-employed solicitors or lawyers who paid the top marginal rate of income tax for the financial year 2000-01.

Mr Costello—The answer to the honourable member’s question is as follows:
20114 HOUSE OF REPRESENTATIVES  Monday, 15 September 2003

(1) The Commissioner of Taxation gathered information from the Australian Legal Directory and the NSW Bar Association membership lists.

(2) Yes. The ATO only records the ANZSIC industry code used by the taxpayers on their tax returns. There is not a separate ANZSIC code to identify self-employed barristers.

(3) and (4) See reply to Question on Notice number 43 tabled on 11 February 2003. There is no separate ANZSIC industry code for people with occupations as self-employed barristers, solicitors or lawyers.

Taxation: Income Tax
(Question No. 1641)

Mr Murphy asked the Treasurer, upon notice, on 18 March 2003:

What percentage of those practitioners in the following Business Industry Codes pay the top marginal rate of income tax: (a) 86110 which includes: eye hospitals, hospital operation – except psychiatric, dental or veterinary hospitals, maternity hospital operation, obstetric hospital operation, psychiatric hospital, convalescent homes, hospice operation, and nursing home operation, (b) 86210 which includes: clinic – medical practice, general practice, flying doctor service, general practitioner – medical, and medical service, (c) 86221 – anaesthetist, (d) 86222 – consultant physician, (e) 86223 – dermatologist, (f) 86224 – gynaecologist, (g) 86225 – pathologist, (h) 86226 – psychiatrist, (i) 86227 which includes: radiologist and radiologist services, (j) 86228 which includes: allergist, medical service – specialist, neurologist, ophthalmologist, otorhinolaryngologist, paediatrician, plastic surgeon, rheumatologist, specialist medical practitioner, surgeon – medical, thoracic specialist and urologist, (k) 86230 which includes: clinic – dental, dental hospital operation, dental surgeon, endodontist, oral pathologist, orthodontist, paedodontist, periodontist and prosthodontist, (l) 86320 which includes: contact lenses dispensing, eye testing – optometrist, optical dispensing, optician, orthoptist and spectacles dispensing, (m) 78420 which includes: accountant, accounting service, auditing service, bookkeeping service and tax agent and (n) all business activities listed under code 86392.

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

Based on 2000-01 tax return data for all taxpayers, the relevant percentages are listed in the table below.

<table>
<thead>
<tr>
<th>Business Industry Codes</th>
<th>Percentage of taxpayers paying top marginal rate*</th>
</tr>
</thead>
<tbody>
<tr>
<td>86110 Hospitals</td>
<td>51%</td>
</tr>
<tr>
<td>86210 General practice medical services</td>
<td>65%</td>
</tr>
<tr>
<td>86221 Anaesthetist (own account)</td>
<td>93%</td>
</tr>
<tr>
<td>86222 Specialist medical clinic operation</td>
<td>65%</td>
</tr>
<tr>
<td>86223 Dermatologist (own account)</td>
<td>91%</td>
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<td>86224 Gynaecology and Obstetrician (own account)</td>
<td>77%</td>
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<tr>
<td>86225 Pathologist (own account)</td>
<td>62%</td>
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<td>86226 Psychiatrist (own account)</td>
<td>58%</td>
</tr>
<tr>
<td>86227 Radiologist (own account)</td>
<td>84%</td>
</tr>
<tr>
<td>86228 Specialist medical services n.e.c</td>
<td>71%</td>
</tr>
<tr>
<td>86230 Dental services</td>
<td>55%</td>
</tr>
<tr>
<td>86320 Optometry and optical dispensing</td>
<td>28%</td>
</tr>
<tr>
<td>78420 Accounting services</td>
<td>18%</td>
</tr>
<tr>
<td>86392 Health services n.e.c</td>
<td>9%</td>
</tr>
</tbody>
</table>

* as at 7 April 2003
Notes:
• ‘n.e.c.’ refers to ‘not elsewhere classified’. This contains professions which do not come under their own banner. A general field which groups together similar professions into one.
• ‘own account’ means ‘for oneself’, i.e. working on behalf of oneself as opposed to working on behalf of a business or other organisation.

These percentages are based on the total population of individuals lodging income tax returns.

**Taxation: New South Wales Bar Association**

*(Question No. 1886)*

Mr Murphy asked the Treasurer, upon notice, on 15 May 2003:

(1) Is he aware of the reported judgment in the NSW Legal Services Tribunal in the matter of Harrison which applied the following legal standard addressing the question of what amounts to professional misconduct: “Evidence that a person has deliberately flouted and avoided his legal and financial obligations, and has been convicted and sentenced for failing to comply with the order of a Court may, no doubt, demonstrate that a person is not of good character, particularly when that person is a legal practitioner and his character is being considered in the context of his fitness to practice as a legal practitioner”.

(2) Has the Commissioner of Taxation had any communication with the NSW Bar Association to clarify the issue of conduct in relation to taxation law that goes to the question of whether a person is of good character and hence liable to an action for professional misconduct or unsatisfactory professional conduct; if so, what was the outcome; if not, why not.

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

(1) and (2) The Commissioner of Taxation has had communications with the NSW Bar Association. However, determining whether an action or inaction amounts to professional misconduct or unsatisfactory professional conduct is a matter for the governing body of the professional association.

**Nuclear Energy: Lucas Heights Reactor**

*(Question No. 1940 Amended Response)*

Mr McClelland asked the Minister for Education, Science and Training, upon notice, on 27 May 2003:

Since question No. 1355 was placed on the Notice Paper (5 February 2003), has there been an event in the construction of the new nuclear reactor at Lucas Heights that has the potential to delay the completion date for the project.

Dr Nelson—The answer to the honourable member’s question is as follows:

Significant rain has led to the loss of a few working days.

In addition, and as discussed during Senate Estimates proceedings on 3 and 4 June 2003, there has been an error in cutting penetrations in the reactor pool tank. A proposal for rectifying the error has recently been approved by Dr John Loy, the Chief Executive Officer of the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA), on the basis of advice from experts in welded structures and the particular stainless steel being used in this project. ANSTO does not expect this issue to lead to an overall delay in construction of the replacement research reactor.

Dr Loy’s decision and the reasons for it are provided on the ARPANSA website.
Nuclear Energy: Lucas Heights Reactor
(Question No. 2149)

Mr McClelland asked the Minister for Science, upon notice, on 11 August 2003:
In respect of the construction of a new nuclear reactor at Lucas Heights in Sydney, have problems about water circulation in the delay tanks been raised; if so, with whom have those concerns been raised and what has been the response to those concerns.

Mr McGauran—the answer to the honourable member’s question is as follows:
The Replacement Research Reactor has no delay tanks. However, it does have two decay tanks. There are no problems or concerns regarding water circulation in the decay tanks. Approvals to construct those tanks were received from the Australian Radiation Protection and Nuclear Safety Agency in the second half of 2002, following the normal regulatory process.

Barton Electorate: Programs and Grants
(Question No. 2157 and 2160)

Mr McClelland asked the Minister for Trade and the Minister for Foreign Affairs, upon notice, on 11 August 2003:
(1) What programs have been introduced, continued or renewed by the Minister’s Department in the electoral division of Barton since March 1996.
(2) What grants and or benefits have been provided to individuals, businesses and organisations by the Minister’s Department in the electoral division of Barton since 1996.

Mr Downer—On behalf of the Minister for Trade and me, the answer to the honourable member’s question is as follows:
The following responses are based on activities since 1 July 1999 as I am not prepared to authorise the diversion of the Department’s resources which would be required to discover the answers to the questions from 1996.
(1) The Ministerial Offices of Foreign Affairs and Trade, the Department of Foreign Affairs, ACIAR and the Australian Agency for International Development (AusAID) programs are not specific to any electoral division. A separate response for Austrade is provided below.

Austrade
Export Market Development Grants (EMDG) scheme
The EMDG scheme is the Australian Government’s principal financial assistance program for aspiring and current exporters.
Administered by Austrade, the purpose of the scheme is to encourage small and medium sized Australian businesses to develop export markets. To access the scheme for the first time, businesses need to have spent $15,000 over two years on eligible export marketing expenses.
EMDG reimburses up to 50 per cent of expenses incurred on eligible export promotional activities, less the first $15,000.
The scheme is open to all Australian businesses that meet the eligibility criteria and supports a wide range of businesses, industry sectors and products, including inbound tourism and the export of intellectual property outside Australia.

TradeStart
TradeStart is a national network of 51 export assistance offices in partnership between Austrade and a range of public and private sector organisations throughout Australia, and is an integral part of Austrade’s domestic network.
Austrade and TradeStart offer a package of free services designed to assist small and medium sized companies develop their business overseas and make their first export sale through the New Exporter Development Program.

(2) The Ministerial Offices of Foreign Affairs and Trade, the Department of Foreign Affairs and ACIAR are not aware of any direct grants or benefits to individuals, businesses and organisations in the electoral division of Barton during the period 1 July 1999 to date. Separate responses for AusAID and Austrade are provided below.

**AusAID**
Some Australian Youth Ambassadors for Development and/or other volunteers funded through the Australian aid program may reside in the electoral division of Barton, but due to the Privacy Act 1998 (Commonwealth), we are unable to provide details on individuals.

**Austrade**

**Export Market Development Grants (EMDG) scheme**
For grant years 1998-99 to 2001-02, $1.7m in EMDG grants was paid (in the financial years 1999-2000 to 2002-03) to 40 businesses in the electorate of Barton. These are listed in the attachment.

**TradeStart**
In the 2002-03 budget, the Government allocated $21.5 million to continue and expand the TradeStart network from July 2003 and provide for the opening of new offices. Two of these new offices, based at Mascot and Sutherland, share coverage of the Barton electorate. The Mascot office is operated by Australian Business Ltd and the Sutherland office by Australian Institute of Export (NSW).

ATTACHMENT A

<table>
<thead>
<tr>
<th>Recipient</th>
<th>Industry</th>
<th>Address</th>
<th>Suburb</th>
<th>Post-code</th>
<th>Grant</th>
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<tr>
<td>BRAD BURNS</td>
<td>Medicinal and Pharmaceutical Product Manufacturing</td>
<td>36 Upper Wilsons Rd</td>
<td>BARDWELL VALLEY</td>
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<td>Mining</td>
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<td>Architectural Aluminium Product Manufacturing</td>
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<td>HARVEY WORLD TRAVEL INTERNATIONAL PTY LTD</td>
<td>Travel Agency Services</td>
<td>631 Princes Highway</td>
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<td>PORTLAND SQUARE PTY LTD</td>
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<td>Unit 3, Level 5, 1 South Street</td>
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QUESTIONS ON NOTICE
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<td>SUNAWARE AUSTRALIA PTY LTD Clothing Manufacturing 95 Bonar Street ARNCLIFFE 2205</td>
<td>$42,353</td>
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<td>SOUTHERN GROUP PTY LIMITED Fruit Growing Suite 27 8 Ashton Street ROCKDALE 2216</td>
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<td>WILD BLUE-GUM PTY LIMITED Accommodation 14 Blakesley Road SOUTH HURSTVILLE 2221</td>
<td>$17,915</td>
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<td>J&amp;K AUSTRALIAN-CHINESE BUSINESS DEVELOPMENT P/L Petroleum and Coal Product Manufacturing 354 Bay Street Level 1 BRIGHTON-LE-SANDS 2216</td>
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<td>SYDNEY INTERNATIONAL PTY LIMITED Pharmaceutical and Toiletry Wholesale 17 Willis Street ARNCLIFFE 2205</td>
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**Total grants paid: 12**

**Total grants paid: 8**

**Total grants paid: 10**

**Total grants paid: 8**

**Total grants paid: 10**
EMDG RECIPIENTS IN FEDERAL ELECTORATE OF BARTON - Grant year 2001-2002

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<tr>
<th>Recipient</th>
<th>Industry</th>
<th>Address</th>
<th>Suburb</th>
<th>Post-code</th>
<th>Grant</th>
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<tr>
<td>EZY-GLIDE SHOWERScreens Pty Ltd</td>
<td>Manufacturing aluminium products</td>
<td>22 Princes Highway</td>
<td>ARNCLIFFE</td>
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<td>JKA AUSTRALIA Pty Ltd</td>
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<td>KOGARAH</td>
<td>2217</td>
<td>$10,904</td>
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<tr>
<td>NGR GROUP Pty Ltd</td>
<td>Farm Produce and Supplies Wholesaling</td>
<td>70-76 Princes Highway</td>
<td>ARNCLIFFE</td>
<td>2205</td>
<td>$5,000</td>
</tr>
<tr>
<td>RARITY SPORT AUSTRALIA Pty Ltd</td>
<td>Women’s and Girls’ Wear Manufacturing</td>
<td>Unit 18, 13 - 15 Wollongong Road</td>
<td>ARNCLIFFE</td>
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<td>$49,314</td>
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<tr>
<td>SUNLOTS Development Pty Ltd</td>
<td>Building Supplies Wholesaling</td>
<td>16 Gertrude Street</td>
<td>ARNCLIFFE</td>
<td>2205</td>
<td>$44,686</td>
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<tr>
<td>SYDNEY INTERNATIONAL Pty Limited</td>
<td>Pharmaceutical and Toilery Wholesaling</td>
<td>17 Willis Street</td>
<td>ARNCLIFFE</td>
<td>2205</td>
<td>$79,371</td>
</tr>
<tr>
<td>VENTURA MEDIA ASIA PACIFIC Pty Ltd</td>
<td>Advertising Services</td>
<td>Suite 2, Level 1, 354 Bay Street</td>
<td>BRIGHTON-LE-SANDS</td>
<td>2216</td>
<td>$20,372</td>
</tr>
</tbody>
</table>

Total grant + A31s paid: 10 $430,720

Source: EMDG database 25 August 2003
Overall Total $1,665,681

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**Barton Electorate: Programs and Grants (Question No. 2163)**

Mr McClelland asked the Minister for the Environment and Heritage, upon notice, on 11 August 2003:

(1) What programs have been introduced, continued or renewed by the Minister’s Department in the electoral division of Barton since March 1996.

(2) What grants and or benefits have been provided to individuals, businesses and organisations by the Minister’s Department to the electoral division of Barton since 1996.

Dr Kemp—The answer to the honourable member’s question is as follows:

(d) Since the Natural Heritage Trust was introduced in 1996, over $647 000 has been provided in the Barton electorate, under various programs including Clean Seas, Coastcare, and Bushcare. In addition, the Urban Stormwater Initiative has funded $550 600 in the Barton Electorate. The Greenhouse Office has funded $8 000 under the Cities for Climate Protection Program and $1 million under the Renewable Energy Commercialisation Program. Under the Grants to Voluntary Environment and Heritage Organisations, The NSW Bird Atlassers received $9,000.

**Migration Agents Registration Authority (Question No. 2193)**

Mr Laurie Ferguson asked the Minister for Citizenship and Multicultural Affairs, upon notice, on 12 August 2003:
(1) How many (a) fee-charging and (b) non-fee charging migration agents were registered with the Migration Agents Registration Authority (MARA) as at 30 June 1998 and at the end of each subsequent financial year.

(2) For each year since MARA’s establishment, how many (a) initial and (b) repeat applications did it receive from (c) fee-charging and (d) non-fee charging agents and how many such applications were approved or rejected.

(3) How many formal complaints has MARA received to date and how many of these cases has it finalised.

(4) In respect of finalised cases, how many resulted in (a) a finding that the agent had committed no breach of the Code of Conduct, (b) no further action being taken for other reasons, (c) the complaint being discontinued because the agent sought to be removed from the register or did not apply for reregistration, (d) the matter being referred to DIMIA to investigate possible offences committed by the agent, (e) the matter being referred to State legal services bodies for possible disciplinary action against a lawyer agent, (f) a caution being imposed on an agent, (h) the agent’s registration being suspended, and (i) the agent’s registration being cancelled.

(5) What is the average period of time in weeks that it took MARA to finalise complaints in 1998-99 and each subsequent year.

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

(d) (a) and (b)

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Commercial</th>
<th>Non-commercial</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 June 1998</td>
<td>2145</td>
<td>409</td>
<td>2554</td>
</tr>
<tr>
<td>30 June 1999</td>
<td>1826</td>
<td>384</td>
<td>2210</td>
</tr>
<tr>
<td>30 June 2000</td>
<td>1909</td>
<td>271</td>
<td>2180</td>
</tr>
<tr>
<td>30 June 2001</td>
<td>2175</td>
<td>254</td>
<td>2429</td>
</tr>
<tr>
<td>30 June 2002</td>
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<td>2773</td>
</tr>
<tr>
<td>30 June 2003</td>
<td>2813</td>
<td>271</td>
<td>3084</td>
</tr>
</tbody>
</table>

Notes:
1. The MARA commenced operation on 23 March 1998. On 1 July 2000 the terms “fee-charging” and “non-fee charging” were removed and replaced with “Commercial or for profit basis” and “non-commercial or non-profit basis” by the Migration Agents Registration Application Charge Amendment Regulations 2000 (No. 1) 2000 No. 65. Some non-commercial agents operate with organisations which have charged a small administrative fee to visa applicants.

(2)

(c) Commercial for Profit

Financial Year | (a) Initial Registration | (b) Repeat Registration |
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Received</td>
<td>Approved</td>
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<tr>
<td>30 June 1998</td>
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<td>605</td>
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<tr>
<td>30 June 2003</td>
<td>717</td>
<td>624</td>
</tr>
</tbody>
</table>

(d) Non-commercial not for profit

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>(a) Initial Registration</th>
<th>(b) Repeat Registration</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
## QUESTIONS ON NOTICE

<table>
<thead>
<tr>
<th>Date</th>
<th>Received</th>
<th>Approved</th>
<th>Refused</th>
<th>Received</th>
<th>Approved</th>
<th>Refused</th>
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<td>99</td>
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<td>67</td>
<td>12</td>
<td>326</td>
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<td>30 June 2000</td>
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<td>5</td>
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<td>30 June 2001</td>
<td>76</td>
<td>68</td>
<td>0</td>
<td>225</td>
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<td>70</td>
<td>72</td>
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<td>55</td>
<td>53</td>
<td>2</td>
<td>216</td>
<td>210</td>
<td>3</td>
</tr>
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</table>

Notes:
1. Figures for 30 June 1998 incorporate applications received by the former Migration Agents Registration Board which were passed on to the MARA for processing.
2. Approval and refusal figures for any given year may include decisions on registration applications received in the previous year.
3. From 21 March 1998 to 13 August 2003, the MARA received 1,697 complaints and 25 complaints were re-opened. Of these 1,722 complaints, 1,231 had been finalised as at 13 August 2003.

### From 21 March 1998 to 13 August 2003, the MARA received 1,697 complaints and 25 complaints were re-opened. Of these 1,722 complaints, 1,231 had been finalised as at 13 August 2003.

### Average time to finalise complaints

<table>
<thead>
<tr>
<th>Received Financial Year</th>
<th>Weeks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1998 - 1999</td>
<td>55</td>
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<tr>
<td>1999 - 2000</td>
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<td>2000 - 2001</td>
<td>44</td>
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<tr>
<td>2001 - 2002</td>
<td>33</td>
</tr>
<tr>
<td>2002 - 2003</td>
<td>16</td>
</tr>
</tbody>
</table>
Notes:
1. The average number of weeks is calculated from the date each complaint was received until finalised.
2. Figures exclude complaints that were for unregistered practice (ie MARA refers these to DIMIA).
3. Figures calculated as at 13 August 2003 and are subject to change as complaints received in a given Financial Year continue to be finalised. There were 491 complaints still open on 13 August 2003.

Iraq
(Question No. 2232)

Mr Bevis asked the Minister representing the Minister for Defence, upon notice, on 12 August 2003:
(1) Further to the answer to question No. 1960, what factors led to the reversal of the decision to import the Iraqi jet fighter aircraft, given that it had been “taken to a staging base in the Middle East in preparation for return to Australia”.
(2) What office within the “command authority” authorised the acquisition of the “other military hardware from Iraq”.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:
(1) As Australian forces withdrew from operations in Western Iraq, the Iraqi jet fighter was moved to the staging base for safe keeping, pending a formal decision on whether the aircraft, and other captured items, would be imported into Australia. The factors that led to the decision not to import the Iraqi jet fighter aircraft were:
   (a) it was captured on the ground in a non-operational condition; and
   (b) at the time of capture it was quite evident that the jet had not been involved in combat operations.

   As such, it was determined that the jet was of minimal historical value, and that its subsequent display in the Australian War Memorial would not have been the most appropriate representation of the Australian Defence Force’s participation in the 2003 Gulf War.

(2) The Chief of the Defence Force.

Aviation: Laser Anti-Missile Defence System
(Question No. 2259)

Mr Danby asked the Minister representing the Minister for Defence, upon notice, on 14 August 2003:
(1) Further to the answer to question No. 1212 (Hansard, 4 February 2003, page 184), is the Minister’s department still considering the purchase of laser anti-missile defence systems; if so, (a) which systems, (b) from whom would they be purchased, (c) what is the price per unit, (d) how many units is the Government considering purchasing, (e) who would they be for, (f) which airlines would use them, (g) which aircraft would use them, (h) would they be purchased for commercial aircraft, and (i) would they be purchased for RAAF aircraft.
(2) If the Minister’s department is not still considering the purchase of laser anti-missile defence systems (a) why not, and (b) what conclusions did the Minister’s department come to when deciding either not to consider the purchase or not to proceed with the purchase of the technology.
(3) Is the Minister able to say whether any commercial airlines flying within Australia have considered purchasing such technology.
(4) Would the Government assist commercial airlines with the purchase price.
(5) Is the Minister able to say whether any airline proceeded with the purchase; if so, (a) which airline, (b) which systems, (c) from whom were they purchased, (d) what was the price per unit, and (e) how many units were purchased.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:

(1) Yes.
   (a) The AAQ-24 Nemesis system.
   (b) The Northrop Grumman Corporation USA.
   (c) The price per unit is typically $9.4m per system. It should be noted that this price can vary according to number of systems, sub-systems and degree of integration required.
   (d) The number of units being procured is classified.
   (e) The Australian Defence Force.
   (f) Defence is not aware of any intended acquisition by the airlines.
   (g) The systems would be used on the Boeing 737-700 AEW&C aircraft procured under Project Wedgetail Air 5077 and possibly the aircraft procured under Project Air 5402 ADF Air Refuelling Capability.
   (h) Defence is not aware of any intended acquisition by the airlines.
   (i) Yes.

(2) (a) and (b) Refer to part (1).
(3) Defence is not aware of any intended acquisition by the airlines.
(4) It is not current Government policy to provide financial assistance to commercial airlines to acquire such technology.
(5) Defence is not aware of any intended acquisition by the airlines.

National Sports Organisations: Proposed Restructure
(Question No. 2266)

Mr Edwards asked the Minister representing the Minister for the Arts and Sport, upon notice, on 14 August 2003:

(1) Is the Minister aware of the moves by the Australian Sports Commission (ASC) to restructure sport in Australia.
(2) How many national sports organisations (NSOs) have been approached or encouraged by the ASC to modify their current national [federal model] structures to the ASC’s preferred unitary model and convert State/Territory associations into branch agencies of the NSOs.
(3) Will the Minister give an assurance that NSOs which choose not to adopt the unitary model encouraged by the ASC will not have their funding affected.
(4) Is the Minister aware that (a) entry into a Memorandum of Understanding between NSOs and the ASC to establish the unitary model throughout Australia circumvents the constitutional requirements of associations, (b) that the national bodies do not have the authority to comply without the agreement of the State bodies and their community-based local clubs, and (c) that any such action would breach the organisations’ constitutions.
(5) Does the ASC have agreements with the State Governments that they will continue to fund sport at the State level if the existing State associations become agencies on the NSOs.
(6) Does the Minister have a policy that a centralised approach to sport development, as advocated by the ASC, would better contribute to the differences and circumstances which sport is confronting outside of Canberra.

(7) What evidence does the Minister have to support the view that a centralised approach to developing sport would better serve Australia.

(8) Does the Minister recognise that the current system promotes commitment from volunteers to the sport system and its development; if so, what evidence does the Minister have that this commitment to volunteering will continue under the unitary model.

(9) Will a lessening of the independence of State associations help foster or improve the crucial support of volunteers in community based sport.

(10) Is the Minister aware that many sports administrators at the State level see these moves by non-State organisations as an attempt to reallocate funds raised at the State level to the coffers of national sports organisations.

Mr McGauran—The Minister for the Arts and Sport has provided the following answer to the honourable member’s question:

(1) The Board of the Australian Sports Commission (ASC) regards governance standards and structures within Australian Sport as of fundamental importance and has directed management to progress reform in this area.

(2) The ASC has not approached or encouraged National Sporting Organisations (NSOs) to adopt a unitary model. The ASC is however increasingly being asked by NSOs operating under a federal structure to assist them to get the best out of their governance and operational relationships. Sports such as Volleyball, Equestrian, Touch, Rollersports have requested assistance to investigate alternative models that may assist in improving their structures in the areas of service delivery and meeting stakeholder and member expectations.

(3) The ASC does not advocate either the federal or the unitary structure as the preferred structure for a National Sporting Organisation. Neither is ASC funding for NSOs linked in any way to the adoption of a unitary model.

(4) (a) - (c) The ASC has not entered into any MOUs with NSOs to establish unitary models throughout Australia. The ASC does assist NSOs to undertake structural reform. This may include a move to a unitary structure. At the current time the ASC is assisting more than ten NSOs with reviews of their governance structures. Of this number two NSOs have expressed interest to date in assessing the feasibility of a unitary structure.

(5) The ASC does not have agreements with State Governments that they will continue to fund sport at the State level if the existing State associations become agencies of the NSOs.

(6) The Government’s policy on sports management is clearly articulated in Backing Australia’s Sporting Ability - A More Active Australia. The ASC’s policy is to encourage more efficient and effective coordination of sport development focussing on solutions tailored to specific sports.

(7) The ASC is not advocating a centralised approach. Where NSOs believe that they are unable to effectively and efficiently streamline their federal structure, the unitary structure is one alternative that organisations have considered as a means of achieving uniform services throughout the sport with the National body charged with the responsibility of ensuring quality, efficiencies and consistency.

(8) It is the experience of the ASC that some NSOs believe that their current structures could be improved in the areas of service delivery, sport development, volunteer management and meeting stakeholder and member expectations.
(9) There is no reason that the State Associations would not continue to manage their own affairs in the important areas of fostering and improving the critical support of volunteers in community based sports.

(10) The issue of fund allocations is a matter for all states to work out through appropriate governance and management structures.

Local Government: Grants
(Question No. 2271)

Mrs Crosio asked the Minister for Regional Services, Territories and Local Government, upon notice, on 14 August 2003:


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

The Howard Government’s estimated grant to NSW under this programme for 2003/2004 is $486.85 million, an increase of $16.028 million from the actual grant in 2002/03.

State-appointed Grants Commissions determine individual council allocations in accordance with Federal distribution guidelines as enacted by the then Keating Government in 1995. The member’s further enquiries should be directed to the New South Wales Local Government Grants Commission.

Defence: Visiting Warships
(Question No. 2284)

Mr Melham asked the Minister representing the Minister for Defence, upon notice, on 18 August 2003:

(1) What arrangements concerning liability and indemnity in case of a nuclear related accident are currently in place in relation to visits to Australian Ports by nuclear powered warships of the (a) United States Navy, (b) the Royal Navy, and (c) the French Navy.

(2) When were these arrangements put in place and when were they last reviewed or revised.

Mrs Vale—The Minister for Defence has provided the following answer to the honourable member’s question:

(1) Defence guidelines for visits to Australia by Nuclear Powered Warships of allied nations are contained in Defence publication OPSMAN1. Because of the nature of a Nuclear Powered Warship’s propulsion plant, special procedures have been adopted to ensure the safety of the general public when these vessels visit Australian ports. These include strict conditions of entry which include the provision of adequate assurances by the vessel’s country of origin that they have satisfactory arrangements in place to cover any liability and indemnity issues in the extremely unlikely event of a reactor accident while they are in Australian waters.

(a) The United States (US) Government’s long standing position has been that under US Public Law 93-513, it is their policy to accept liability on an absolute basis for nuclear damage which may have resulted from an accident involving the reactor of a United States Navy warship. This was ratified by the then-US Secretary for State, Mr William Rodgers, in 15 June 1976.

(b) In 1977, the United Kingdom Government also provided a unilateral assurance to Australia on nuclear reactor liability comparable to that provided by the US. This stance is articulated in Royal Navy policy which states that “claims arising out of a nuclear incident involving a visiting nuclear powered warship will be dealt with through diplomatic channels in accordance
with customary procedures for the settlement of international claims under generally accepted principles of international law and equity.”

(c) In the case of the French Navy, there has only ever been one visit to Australia by a French nuclear powered warship being that of FNS PERLE in 2001 at HMAS Stirling. Prior to this visit, the Australian Government sought the assurances of the French Government that they would provide liability and indemnity for a nuclear incident similar to that already provided by the US and UK Governments. A formal Exchange of Notes on nuclear liability took place in Paris on 26 January 2001.

(2) These arrangements have generally been in place since the 1970s and issues arising from such visits are reviewed regularly.

Foreign Affairs: Bingzhang, Mr Wang
(Question No. 2310)

Mr Danby asked the Minister for Foreign Affairs, upon notice, on 20 August 2003:

(1) Is he aware of the case of US citizen and Chinese democracy advocate Wang Bingzhang.
(2) When was he (a) charged, (b) tried, (c) convicted, and (d) sentenced.
(3) With what was he charged and what was his sentence.
(4) Is he a political prisoner.
(5) Was his trial free and fair.
(6) Is he being held in compliance with his basic human rights.
(7) Has the Government made representations to the Chinese Government about Wang Bingzhang’s case; if so, (a) when, (b) to whom, (c) by whom, and (d) what was the response; if not, why not.
(8) Was Wang Bingzhang’s case discussed at the recent Australia-China Human Rights Dialogue; if so, (a) with whom, (b) by whom, and (c) what was the response; if not, why not.

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

(1) Yes.
(2) Wang Bingzhang was charged in December 2002; tried, convicted and sentenced in February 2003.
(3) Wang was charged and convicted of organising and leading a terrorist organisation and espionage on behalf of Taiwan and sentenced to life imprisonment. Details of the charge included publishing books and internet articles advocating terrorism over a number of years; and conspiring to blow up the Chinese Embassy in Thailand.
(4) The Australian Government believes he may have been detained and held in breach of international human rights standards.
(5) The trial was not open to the public.
(6) The Chinese authorities have told us that he is.
(7) The Australian Embassy in Beijing made representations to the Ministry of Foreign Affairs in February 2003. The Ministry advised that Wang had been tried and convicted of organising and leading a terrorist organisation and espionage on behalf of Taiwan and sentenced to life in prison by the Shenzhen Intermediate People’s Court.
(8) Yes. The Australian delegation to the bilateral Human Rights Dialogue raised his case with the Ministry of Foreign Affairs in July/August 2003. The Ministry said Wang was serving a sentence of life imprisonment in Beijiang prison for espionage and leading a terrorist group. He was in good health and in communication with his family.