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SITTING DAYS—2005

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>February</td>
<td>8, 9, 10, 14, 15, 16, 17</td>
</tr>
<tr>
<td>March</td>
<td>7, 8, 9, 10, 14, 15, 16, 17</td>
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<td>May</td>
<td>10, 11, 12, 23, 24, 25, 26, 30, 31</td>
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<td>June</td>
<td>1, 2, 14, 15, 16, 20, 21, 22, 23</td>
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<tr>
<td>August</td>
<td>9, 10, 11, 16, 17, 18</td>
</tr>
<tr>
<td>September</td>
<td>5, 6, 7, 8, 12, 13, 14, 15</td>
</tr>
<tr>
<td>October</td>
<td>10, 11, 12, 13, 31</td>
</tr>
<tr>
<td>November</td>
<td>1, 2, 3, 7, 8, 9, 10, 28, 29, 30</td>
</tr>
<tr>
<td>December</td>
<td>1, 5, 6, 7, 8</td>
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</tbody>
</table>

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Broadcasts of proceedings of the Parliament can be heard on the following Parliamentary and News Network radio stations, in the areas identified.

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<thead>
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<th>CITY</th>
<th>FREQUENCY</th>
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<td>1026 AM</td>
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<td>972 AM</td>
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<td>DARWIN</td>
<td>102.5 FM</td>
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FORTY-FIRST PARLIAMENT
FIRST SESSION—FOURTH 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. David Peter Maxwell Hawker MP
Deputy Speaker—The Hon. Ian Raymond Causley MP
Second Deputy Speaker—Mr Henry Alfred Jenkins MP

Members of the Speaker’s Panel—The Hon. Dick Godfrey Harry Adams, Mr Robert Charles Baldwin, the Hon. Bronwyn Kathleen Bishop, Mr Michael John Hatton, Mr Peter John Lindsay, Mr Robert Francis McMullan, Mr Harry Vernon Quick, the Hon. Bruce Craig Scott, the Hon. Alexander Michael Somlyay, Mr Kim William Wilkie

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—Ms Julia Eileen Gillard MP
Deputy Manager of Opposition Business—Mr Anthony Norman Albanese 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 Kerry Joseph Bartlett MP

Government Whips—Mrs Joanna Gash MP and Mr Fergus Stewart McArthur MP

The Nationals
Leader—The Hon. Mark Anthony James Vaile MP
Deputy Leader—The Hon. Warren Errol Truss MP
Chief Whip—Mr John Alexander Forrest MP
Whip—Mr Paul Christopher Neville MP

Australian Labor Party
Leader—The Hon. Kim Christian Beazley MP
Deputy Leader—Ms Jennifer Louise Macklin MP
Chief Opposition Whip—The Hon. Leo Roger Spurway Price MP
Opposition Whips—Mr Michael David Danby MP and Ms Jill Griffiths Hall MP

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

<table>
<thead>
<tr>
<th>Member</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abbott, Hon. Anthony John</td>
<td>Warringah, NSW</td>
<td>LP</td>
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<tr>
<td>Adams, Hon. Dick Godfrey Harry</td>
<td>Lyons, TAS</td>
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<td>Gwydir, NSW</td>
<td>Nats</td>
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<td>Bailey, Hon. Frances Esther</td>
<td>McEwen, VIC</td>
<td>LP</td>
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<td>Baird, Hon. Bruce George</td>
<td>Cook, NSW</td>
<td>LP</td>
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<tr>
<td>Baker, Mark Horden</td>
<td>Braddon, TAS</td>
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<td>Deakin, VIC</td>
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<td>Brand, WA</td>
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<td>Longman, QLD</td>
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<td>Chisholm, VIC</td>
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<td>Makin, SA</td>
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<td>Richmond, NSW</td>
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<td>Rankin, Qld</td>
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<td>Throsby, NSW</td>
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<td>Kooyong, Vic</td>
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<td>Bendigo, Vic</td>
<td>ALP</td>
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<td>Lalor, Vic</td>
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<td>Newcastle, NSW</td>
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<td>Griffin, Alan Peter</td>
<td>Bruce, Vic</td>
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<td>Kalgoorlie, WA</td>
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<td>Hall, Jill Griffiths</td>
<td>Shortland, NSW</td>
<td>ALP</td>
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<td>Wannon, Vic</td>
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<td>Werrriwa, NSW</td>
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<td>Henry, Stuart</td>
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<td>Charlton, NSW</td>
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<td>North Sydney, NSW</td>
<td>LP</td>
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<td>Howard, Hon. John Winston</td>
<td>Bennelong, NSW</td>
<td>LP</td>
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<td>Riverina, NSW</td>
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<td>Flinders, Vic</td>
<td>LP</td>
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<td>Fowler, NSW</td>
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<td>Scullin, Vic</td>
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<td>Jensen, Dennis Geoffrey</td>
<td>Tangney, WA</td>
<td>LP</td>
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<td>Ryan, Qld</td>
<td>LP</td>
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<td>Dawson, Qld</td>
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<td>Lindsay, NSW</td>
<td>LP</td>
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<td>Denison, Tas</td>
<td>ALP</td>
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<td>ALP</td>
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<td>Farrer, NSW</td>
<td>LP</td>
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<td>Herbert, Qld</td>
<td>LP</td>
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<td>LP</td>
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<td>Corangamite, Vic</td>
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<td>Member</td>
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<td>Party</td>
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<tr>
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<td>ALP</td>
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<td>Pearce, WA</td>
<td>LP</td>
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<td>Lowe, NSW</td>
<td>ALP</td>
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<td>Bradfield, NSW</td>
<td>LP</td>
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<td>Hinkler, Qld</td>
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<td>Gorton, Vic</td>
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<td>Corio, Vic</td>
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<td>Parramatta, NSW</td>
<td>ALP</td>
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<td>Indi, Vic</td>
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<td>Aston, Vic</td>
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<td>ALP</td>
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<td>Price, Hon. Leo Roger Spurway</td>
<td>Chifley, NSW</td>
<td>ALP</td>
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<td>Forrest, WA</td>
<td>LP</td>
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<td>Sturt, SA</td>
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<td>Quick, Harry Vernon</td>
<td>Franklin, Tas</td>
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<td>Canning, WA</td>
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<td>Kingston, SA</td>
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<td>Hume, NSW</td>
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<td>Barker, SA</td>
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<td>Vale, Hon. Mark Anthony James</td>
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### Members of the House of Representatives

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<thead>
<tr>
<th>Member</th>
<th>Division</th>
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<tbody>
<tr>
<td>Vamvakinou, Maria</td>
<td>Calwell, VIC</td>
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<td>Bonner, QLD</td>
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<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, VIC</td>
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### PARTY ABBREVIATIONS
ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; 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
- Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister
The Hon. John Winston Howard MP

Minister for Trade and Deputy Prime Minister
The Hon. Mark Anthony James Vaile MP

Treasurer
The Hon. Peter Howard Costello MP

Minister for Transport and Regional Services
The Hon. Warren Errol Truss MP

Minister for Defence and Leader of the Government in the Senate
Senator the Hon. Robert Murray Hill

Minister for Foreign Affairs
The Hon. Alexander John Gosse Downer MP

Minister for Health and Ageing and Leader of the House
The Hon. Anthony John Abbott MP

Attorney-General
The Hon. Philip Maxwell Ruddock MP

Minister for Finance and Administration, Deputy Leader of the Government in the Senate and Vice-President of the Executive Council
Senator the Hon. Nicholas Hugh Minchin

Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House
The Hon. Peter John McGauran MP

Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs
Senator the Hon. Amanda Eloise Vanstone

Minister for Education, Science and Training
The Hon. Dr Brendan John Nelson MP

Minister for Family and Community Services and Minister Assisting the Prime Minister for Women’s Issues
Senator the Hon. Kay Christine Lesley Patterson

Minister for Industry, Tourism and Resources
The Hon. Ian Elgin Macfarlane MP

Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service
The Hon. Kevin James Andrews MP

Minister for Communications, Information Technology and the Arts
Senator the Hon. Helen Lloyd Coonan

Minister for the Environment and Heritage
Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)
HOWARD MINISTRY—continued

Minister for Justice and Customs and Manager of Government Business in the Senate
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 Human Services
The Hon. Joseph Benedict Hockey MP

Minister for Citizenship and Multicultural Affairs
The Hon. John Kenneth Cobb MP

Minister for Revenue and Assistant Treasurer
Special Minister of State
The Hon. Malcolm Thomas Brough MP

Minister for Vocational and Technical Education
and Minister Assisting the Prime Minister
Senator the Hon. Eric Abetz

Minister for Ageing
The Hon. Julie Isabel Bishop MP

Minister for Small Business and Tourism
The Hon. Frances Esther Bailey MP

Minister for Local Government, Territories and Roads
The Hon. James Eric Lloyd MP

Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence
The Hon. De-Anne Margaret Kelly MP

Minister for Workforce Participation
The Hon. Peter Craig Dutton MP

Parliamentary Secretary to the Minister for Finance and Administration
The Hon. Dr Sharman Nancy Stone MP

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

Parliamentary Secretary to the Minister for Health and Ageing
The Hon. Christopher Maurice Pyne MP

Parliamentary Secretary to the Minister for Defence
The Hon. Teresa Gambaro MP

Parliamentary Secretary (Trade)
Senator the Hon. John Alexander Lindsay Macdonald

Parliamentary Secretary (Foreign Affairs) and Parliamentary Secretary to the Minister for Immigration and Multicultural and Indigenous Affairs
The Hon. Bruce Fredrick Billson MP

Parliamentary Secretary to the Prime Minister
The Hon. Gary Roy Nairn MP

Parliamentary Secretary to the Treasurer
The Hon. Christopher John Pearce MP

Parliamentary Secretary to the Minister for the Environment and Heritage
The Hon. Gregory Andrew Hunt MP

Parliamentary Secretary (Children and Youth Affairs)
The Hon. Sussan Penelope Ley MP

Parliamentary Secretary to the Minister for Education, Science and Training
The Hon. Patrick Francis Farmer MP

Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
Senator the Hon. Richard Mansell Colbeck
SHADOW MINISTRY

Leader of the Opposition
The Hon. Kim Christian Beazley MP

Deputy Leader of the Opposition and Shadow Minister for Education, Training, Science and Research
Jennifer Louise Macklin MP

Leader of the Opposition in the Senate, Shadow Minister for Indigenous Affairs and Shadow Minister for Family and Community Services
Senator Christopher Vaughan Evans

Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology
Senator Stephen Michael Conroy

Shadow Minister for Health and Manager of Opposition Business in the House
Julia Eileen Gillard MP

Shadow Treasurer
Wayne Maxwell Swan MP

Shadow Attorney-General
Nicola Louise Roxon MP

Shadow Minister for Industry, Infrastructure and Industrial Relations
Stephen Francis Smith MP

Shadow Minister for Foreign Affairs and Trade and Shadow Minister for International Security
Kevin Michael Rudd MP

Shadow Minister for Defence
Robert Bruce McClelland MP

Shadow Minister for Regional Development
The Hon. Simon Findlay Crean MP

Shadow Minister for Primary Industries, Resources, Forestry and Tourism
Martin John Ferguson MP

Shadow Minister for Environment and Heritage, Shadow Minister for Water and Deputy Manager of Opposition Business in the House
Anthony Norman Albanese MP

Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories
Senator Kim John Carr

Shadow Minister for Public Accountability and Shadow Minister for Human Services
Kelvin John Thomson MP

Shadow Minister for Finance
Lindsay James Tanner MP

Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services
Senator the Hon. Nicholas John Sherry

Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women
Tanya Joan Plibersek MP

Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility
Senator Penelope Ying Yen Wong

(The above are shadow cabinet ministers)
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<th>Position</th>
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<td>Shadow Minister for Consumer Affairs and</td>
<td>Laurie Donald Thomas Ferguson MP</td>
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<td>Shadow Minister for Population Health and</td>
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<td>Shadow Minister for Agriculture and Fisheries</td>
<td>Gavan Michael O’Connor MP</td>
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<td>Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow</td>
<td>Joel Andrew Fitzgibbon MP</td>
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<td>Shadow Minister for Transport</td>
<td>Senator Kerry Williams Kelso O’Brien</td>
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<td>Shadow Minister for Sport and Recreation</td>
<td>Senator Kate Alexandra Lundy</td>
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<td>Shadow Minister for Homeland Security and</td>
<td>The Hon. Archibald Ronald Bevis MP</td>
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<td>Shadow Minister for Aviation and Transport Security</td>
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<td>Shadow Minister for Veterans’ Affairs and</td>
<td>Alan Peter Griffin MP</td>
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<td>Shadow Special Minister of State</td>
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<td>Shadow Minister for Defence Industry, Procurement and Personnel</td>
<td>Senator Thomas Mark Bishop</td>
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<td>Anthony Stephen Burke MP</td>
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<td>Shadow Minister for Aged Care, Disabilities and Carers</td>
<td>Senator Jan Elizabeth McLucas</td>
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<td>Shadow Minister for Justice and Customs and Manager of Opposition Business in the Senate</td>
<td>Senator Joseph William Ludwig</td>
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<td>Shadow Minister for Overseas Aid and Pacific Island Affairs</td>
<td>Robert Charles Grant Sercombe MP</td>
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<td>Shadow Parliamentary Secretary for Reconciliation and the Arts</td>
<td>Peter Robert Garrett MP</td>
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<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>John Paul Murphy MP</td>
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<td>Shadow Parliamentary Secretary for Defence and Veterans’ Affairs</td>
<td>The Hon. Graham John Edwards MP</td>
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<td>Shadow Parliamentary Secretary for Education</td>
<td>Kirsten Fiona Livermore MP</td>
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<td>Shadow Parliamentary Secretary for Environment and Heritage</td>
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<td>Bernard Fernando Ripoll MP</td>
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<td>Ann Kathleen Corcoran MP</td>
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<td>Senator Ursula Mary Stephens</td>
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<td>Shadow Parliamentary Secretary for Northern Australia and Indigenous</td>
<td>The Hon. Warren Edward Snowdon MP</td>
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<tr>
<td>Affairs</td>
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</tr>
</tbody>
</table>
CONTENTS

MONDAY, 7 NOVEMBER

CHAMBER
Absence of The Speaker .............................................................................................................. 1
Committees—
Foreign Affairs, Defence and Trade Committee—Report ....................................................... 1
Public Accounts and Audit Committee—Report ........................................................................ 3
Treaties Committee—Report ....................................................................................................... 6
Private Members’ Business—
Fuel Prices .................................................................................................................................... 9
Statements by Members—
Montrose Community Ideas Day ................................................................................................. 21
Mr Geoff Havercroft .................................................................................................................. 21
English Language Essay Competition ......................................................................................... 21
Oxley Electorate: Workplace Relations ..................................................................................... 22
Corangamite Electorate: Roads ..................................................................................................... 22
Canberra Islamic Society ............................................................................................................. 23
Workplace Relations .................................................................................................................. 23
Holdfast Bay Rotary Club ........................................................................................................... 23
Pacific Highway ........................................................................................................................ 24
Whittlesea Respite Home .......................................................................................................... 24
Ministerial Arrangements ............................................................................................................ 25
Question Time ............................................................................................................................... 25
Questions Without Notice—
Workplace Relations ............................................................................................................... 25
Export Performance .................................................................................................................. 25
Distinguished Visitors .................................................................................................................. 26
Questions Without Notice—
Government Advertising ........................................................................................................... 26
Future Fund ................................................................................................................................ 27
Government Advertising ............................................................................................................. 27
Distinguished Visitors .................................................................................................................. 28
Questions Without Notice—
Workplace Relations ............................................................................................................... 28
Workplace Relations .................................................................................................................. 29
National Security ...................................................................................................................... 29
Workplace Relations .................................................................................................................. 30
Workplace Relations .................................................................................................................. 31
Workplace Relations .................................................................................................................. 32
Trade: Employment .................................................................................................................... 32
Workplace Relations .................................................................................................................. 33
France: Riots ............................................................................................................................... 34
Telstra: Service Charges ............................................................................................................. 35
Allied Health Professionals ........................................................................................................ 35
Oil for Food Program .................................................................................................................. 36
Workplace Relations .................................................................................................................. 36
Oil for Food Program .................................................................................................................. 36
Local Government ..................................................................................................................... 37
Workplace Relations .................................................................................................................. 38
Questions to the Speaker—
Question Time ............................................................................................................................ 41
CONTENTS—continued

Questions in Writing.................................................................................................................41

Petitions—
  Community Pharmacies ........................................................................................................41
  Community Pharmacies ........................................................................................................41
  Human Rights .......................................................................................................................42
  Heavy Vehicles ....................................................................................................................42
  Workplace Relations ..........................................................................................................42
  Asylum Seekers ..................................................................................................................43
  Roads: Funding ....................................................................................................................43
  Whaling ..............................................................................................................................44
  Workplace Relations ..........................................................................................................44
  China: Bears .......................................................................................................................44
  Human Rights: Falun Dafa .................................................................................................44
  Human Rights: Falun Gong ...............................................................................................45
  Child Care ..........................................................................................................................45

Private Members’ Business—
  Mr Nguyen Tuong Van ......................................................................................................46
  National Driver Education Program ..................................................................................53

Grievance Debate—
  Concessions: Walliss, Mr John ..........................................................................................61
  Whitlam Government ..........................................................................................................63
  Commonwealth Scientific and Industrial Research Organisation ....................................65
  Western Port Oberon Association ......................................................................................68
  Maritime Security .............................................................................................................70
  Bill of Rights .....................................................................................................................72
  Oxley Electorate: Ipswich Motorway ................................................................................74
  Workplace Relations ..........................................................................................................74
  Member for New England ..................................................................................................77

Anti-Terrorism Bill 2005—
  Returned from the Senate ................................................................................................80
  Assent ................................................................................................................................80

Business ................................................................................................................................80

Workplace Relations Amendment (Work Choices) Bill 2005—
  Second Reading ................................................................................................................80

Adjournment—
  Adelaide Electorate: General Practitioners..................................................................148
  Paterson Electorate: Pacific Highway Extension ..............................................................149
  Antiterrorism Legislation .................................................................................................150
  La Trobe Electorate: St Marks ..........................................................................................152
  United Nations ..................................................................................................................153
  Sport ..................................................................................................................................154

Notices ................................................................................................................................156

QUESTIONS IN WRITING

  Recruitment Agencies—(Question No. 1118) .................................................................157
  Airports: Passenger Movements—(Question No. 1414) ..................................................162
  Media and Communications Officers—(Question No. 1433) .........................................163
  Airport Firefighting Arrangements—(Question No. 1918) ..............................................163
  Adelaide Airport—(Question No. 1986) ..........................................................................164
  Consultancy Services—(Question No. 1992) ..................................................................164
  Commonwealth Property—(Question No. 1999) ............................................................165
Regional Partnerships—(Question No. 2051) ................................................................. 165
Medicare Private—(Question No. 2105) ........................................................................ 168
Transport and Regional Services: Leasing of Office Space—(Question No. 2238) .......... 168
Breast Cancer—(Question No. 2324) ........................................................................... 170
Australia Post: Letterboxes—(Question No. 2334) ...................................................... 171
National Roads and Motorists Association: Annual General Meeting—
(Question No. 2347) ................................................................................................. 172
Oil Prices—(Question No. 2372) .................................................................................. 172
Commonwealth Property—(Question No. 2379) ......................................................... 173
Petrol Prices—(Question No. 2396) ............................................................................. 174
Liquefied Petroleum Gas—(Question No. 2397) .......................................................... 175
Research Services—(Question No. 2412) ................................................................. 175
Graphic Design Services—(Question No. 2452) ......................................................... 175
Consultancy Services—(Question No. 2453) ............................................................... 176
Consultancy Services—(Question No. 2454) ............................................................... 176
Consultancy Services—(Question No. 2456) ............................................................... 176
The House met at 12.30 pm.

**ABSENCE OF THE SPEAKER**

The Clerk—I inform the House of the absence of the Speaker, who will be in attendance later this day. In accordance with standing order 18, the Deputy Speaker, as Acting Speaker, will take the chair.

The ACTING SPEAKER (Mr Causley) then took the chair, and read prayers.

**COMMITTEES**

Foreign Affairs, Defence and Trade Committee

**Report**

Mr BAIRD (Cook) (12.31 pm)—On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I present the Trade Subcommittee’s report entitled *Australia’s free trade agreements with Singapore, Thailand and the United States: progress to date and lessons for the future*.

Ordered that the report be made a parliamentary paper.

Mr BAIRD—On behalf of the Trade Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, I wish to make some brief comments on the committee’s report, *Australia’s free trade agreements with Singapore, Thailand and the United States: progress to date and lessons for the future*. In August this year, the committee convened a half-day hearing, in the form of a roundtable, to review the progress of Australia’s free trade agreements, FTAs, with Singapore, Thailand and the United States. The review was timely because, although these agreements have been in force for a short time, the Singapore agreement since July 2003 and the other two since January 2005, Australia is conducting negotiations on several other free trade agreements. The committee hoped the inquiry would identify issues arising from the current agreements that could assist with negotiating and implementing future FTAs.

The roundtable discussion covered negotiations and consultations, the impact on trade and on business and industry and lessons learned. The participants represented government, business and industry, unions and academia. The main message to emerge from the hearing was that it is too early to assess the impact of the agreements with Singapore, Thailand and the United States and that the effects of some changes under each FTA could take five to 10 years to become apparent. The committee also heard that there are other difficulties in assessing the performance of FTAs. Measures such as exports and imports, for example, were seen as unreliable because they can be affected by factors unrelated to free trade agreements, such as exchange rate variations and one-off or temporary events such as cancelled wheat shipments.

Despite the difficulty of assessing the FTAs, the participants of the roundtable were largely satisfied with the conduct of negotiations and the performance of the FTAs to date. They also identified early benefits of the agreements, in particular increased interest from Australian exporters in doing business in Singapore, Thailand and the United States. Although the time frame might be longer than some had expected, participants were generally confident that the agreements would result in tangible benefits for Australian business, industry and consumers. One of the reasons for this confidence was that free trade agreements were viewed as living rather than fixed agreements by virtue of provisions that enable aspects of each agreement to be reviewed and improved over time. The need to include such provisions in future FTAs was regarded as one of the most important lessons to take from the free trade agreements.
agreements with Singapore, Thailand and the US.

In closing, I am grateful to all those who gave evidence to the inquiry and my colleagues who participated in the event. I am particularly grateful to Kate Burton, who has resigned from her position as Secretary of the Trade Subcommittee and will be taking up a new position, in fact, with one of the members opposite in his office in Tasmania. Kate has done an outstanding job as secretary of the committee. She is a very bright lady and I wish her well in her future career. Again, I thank my colleagues for their participation in this review. I commend the report to the House.

Mr Snowdon (Lingiari) (12.35 pm)—I welcome the opportunity to speak on the report of the Trade Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade into Australia’s free trade agreements with Singapore, Thailand and the United States. I want to thank the chairman, the member for Cook, for the able work that he does in chairing the Trade Subcommittee. I would also like to thank the participants for providing the committee with their views from their various backgrounds and, of course, to thank the members of the Trade Subcommittee as well as the committee secretariat, Dr Margo Kerley and Dr Kate Burton and the administrative officer, Ms Jessica Butler, for their work. I am sad to see Kate leaving us because I think, as the chairman said, she provided very professional, able support for the committee and was a very good source of advice.

The committee chair has talked about the outcomes of the committee’s hearing and the report’s conclusion that it was too early to assess the effects of Australia’s free trade agreements. Whilst that is true, it is very important, in my view, that we continue to undertake these types of reviews regularly. I say that for a number of reasons. I welcome the committee’s statement in the report that it would hold another roundtable review of the FTAs in 2006. We need to understand in this country that these free trade agreements are an evolving science. Of course, we need to be very certain that we achieve the right balance between bilateral agreements and our multilateral obligations and agreements.

Multilateral negotiations allow all participating countries the opportunity to have their voices heard equally on trade matters. While bilateral agreements can provide a good complement to the multilateral system, Australia must remain focused on and committed to multilateral trade negotiations. There are now fewer than 40 days until the World Trade Organisation ministerial meeting in Hong Kong and there is still a great deal to be done to get the US, the EU and other countries to come up with a good outcome.

Mr Hunt—And French farmers.

Mr Snowdon—And French farmers. It will be tight, but Australia’s trading future depends on a good outcome at the Doha Round and all available trade-negotiating resources, in my view, now must be directed to that end.

Free trade agreements can have an important role to play if they genuinely advance our interests in the World Trade Organisation by freeing up trade right across the board. The first exercise of this, of course, for Australia was the Australia-New Zealand Closer Economic Relationship signed by the Hawke government as far back as May 1983 and it did that. All goods and services were covered, there were no carve-outs and it was very comprehensive on agriculture. This government, I might say, started off okay with the Singapore free trade agreement—no carve-outs, all sectors covered—but, of course, Singapore had no agricultural interests to defend. I have to say that, from my
own observation, the experience has not been so good since.

The Thai free trade agreement gave Australian exports some improved access in agriculture, and in other areas fast-tracked APEC’s Bogor goals and free trade investment for Thailand by 2020. But it did get worse with the US free trade agreement. The complete carve-out of sugar established the untenable precedent that if Australia would agree to exemptions it would not insist on most favoured nation treatment for agriculture. This, in my view, has sent the wrong message to our trading partners that Australia is soft at the crunch point of negotiations, undermining the prospects of comprehensive outcomes in agriculture for future free trade agreements. It would be okay if Australia were getting genuinely improved access right across the board, including agriculture, in these deals, but it is clearly not.

The importance of these annual reviews gives the committee the opportunity to focus on where we are winning and where we are losing. I note that the report talks about winners and losers. Before the free trade agreement with China even started, the government gave up our strongest bargaining chip: recognition of China as a market economy. China knew what they wanted from a free trade agreement—market economy status—and the government gave in to them just to get them to the negotiating table, and we got nothing in return. With the interests of 800 million people living in rural and regional areas, China will be a particularly tough negotiator on agriculture. Australia too must be a tough negotiator with China to ensure a good outcome is achieved for the Australian community. The devil will be in the detail for the China free trade agreement and we need to assess that detail against the national interest before determining our final position on the agreement. The Trade Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade has an important role to play in ensuring that progress of those negotiations is monitored, just as we monitor the performance of the free trade agreements we have already signed with Singapore, Thailand and United States. (Time expired)

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

Mr BAIRD (Cook) (12.40 pm)—I move:
That the House take note of the report.

The ACTING SPEAKER—In accordance with standing order 39, the debate is adjourned. The resumption of the debate will be made an order of the day the for next sitting.

Public Accounts and Audit Committee Report

Mr BALDWIN (Paterson) (12.40 pm) On behalf of the Joint Committee of Public Accounts and Audit, I present the committee’s report entitled Report 404: Review of Auditor-General’s reports 2003-2004 third and fourth quarters; and first and second quarters of 2004-2005. Ordered that the report be made a parliamentary paper.

Mr BALDWIN—One of the important functions of the Joint Committee of Public Accounts and Audit is to examine all reports of the Auditor-General and report the results of the committee’s deliberations to the parliament. This report is the first review of Auditor-General’s reports to be undertaken by the committee of the 41st Parliament. The report includes the committee’s review of 10 performance audits and one financial audit by the ANAO, these being: Audit report No. 25 2003-04—Intellectual property policies and practices in Commonwealth agencies;
Audit report No. 34 2003-04—The administration of major programs, Australian Greenhouse Office; Audit report No. 36 2003-04—The Commonwealth’s administration of the Dairy Industry Adjustment Package, Department of Agriculture, Fisheries and Forestry, Dairy Adjustment Authority; Audit report No. 46 2003-04—Client service in the Family Court of Australia and the Federal Magistrate’s Court; Audit report No. 50 2003-04—Management of federal airport leases; Audit report No. 4, 2004-05—Management of customer debt (Centrelink); Audit report No. 5 2004-05—Management of standard defence supply system upgrade; Audit report No. 21 2004-05—Audits of the financial statements of Australian government entities for the period ended 30 June 2004; Audit report No. 15 2004-05—Financial management of special appropriations; Audit report No. 16 2004-05—Container examination facilities (Australian Customs Service); and Audit report No. 18 2004-05—Regulation of non-prescription medicinal product.

Three of the audit reports included in this review were selected by the committee of the previous parliament. That review was suspended upon the dissolution of the House of Representatives in August 2004. In December 2004, the new committee of the 41st Parliament resolved to complete the review of the three ANAO reports begun by the previous committee and also to undertake a busy program reviewing a further eight audit reports, selected from the 37 ANAO reports that had been presented to parliament in the previous few months.

The 11 reviews undertaken by the committee have covered a broad range of government agencies and have included subjects such as grants administration, customer service, regulatory functions, management of assets, contract management and program implementation. In each chapter of the report we have made recommendations to improve agencies’ efficiency and effectiveness in implementation of programs and to ensure that the Auditor-General’s recommendations are implemented. In total this report contains 42 recommendations of the Joint Committee of Public Accounts and Audit to the government and agencies.

Two of the audit reports, Nos 5 and 21 of 2004-05, have detailed major problems with financial management and project administration at the Department of Defence. In December 2004 the Audit Office and the Department of Defence both found that they had an ‘inability to form an opinion’ on the Defence financial statements. In layman’s terms, this meant that there was so much uncertainty surrounding some of the figures which made up the financial statements that the Audit Office felt they could not verify the accounts. This was an unprecedented event in public sector accounting in Australia. The committee held a number of public hearings on this subject and is concerned to note that further audit reports tabled since the beginning of this current inquiry, such as the report on the PMKeyS personnel management system, have revealed more problems.

The committee examined an audit report detailing Centrelink’s management of customer debt. The report highlighted problems in planning, communication across regions and consistency in managing customer debt across the Centrelink network. This report is just one of a series of Centrelink reviews undertaken by the Australian National Audit Office. The committee is continuing its work in this area with a new review of seven more audit reports on Centrelink’s customer service and a review of another report which details the failed Edge information technology system. This report will be presented to the parliament early in the new year.
One of the reports the committee reviewed concerned the container examination facilities introduced by the Australian Customs Service. These container X-ray facilities are now at all major Australian ports. The committee’s review of this program found no major problems with the implementation of the container examination facilities. However, I would like to note that the integrated cargo system computer program—

The ACTING SPEAKER—Order! The member’s time has expired.

Mr Baldwin—I thought it was 10 minutes for the whole of the report presentation.

The ACTING SPEAKER—No, I have given five minutes each. I call the member for Newcastle.

Ms GRIERSON (Newcastle) (12.46 pm)—I rise to commend report No. 404 of the Joint Committee of Public Accounts and Audit to the House. As the chair, the member for Paterson, has said, the report covers 11 audit reports. The Australian National Audit Office has reviewed those reports, in its role as watchdog for the people of Australia, to make the government, its agencies and departments accountable. In these 11 reports, an issue we see over and over again is the inadequate design and administration of projects. Financial management, not in accordance with the rules and laws of this parliament, is another area that keeps coming up in those reports. The use of data to inform processes and outcomes is a further deficiency. These reports cover some very important roles of government and challenges for government departments and agencies. The report on the management of intellectual property is an interesting one. It says intellectual property is an asset to this country and therefore a value must be placed on it and it must be managed.

With regard to the report on the administration of major programs in the Australian Greenhouse Office, we recommend that there be milestones and payments directly linked to those programs to demonstrate that we are getting a benefit from those programs. Similarly, with the report on the Australian dairy industry adjustment package, this is another program in which we are not sure what is happening in the dairy industry. We would like to know, in the new economic environment in the dairy industry, if adjustment is happening. There really is a need for key performance indicators and for the impact of that funding on the industry to be demonstrated to us.

With regard to the report on the Family Court and the Federal Magistrates Court, there is certainly a challenge for that new court system to work cooperatively. We find that some areas are being coordinated very well, but we recommended a very simple measure such as a toll-free number for clients. We would like to see in all registries the best practice that we see in some registries. We would like to see more feedback being collected on community based organisations’ handling of such things as primary dispute resolutions.

In the case of the federal airport lease report, it is very clear that some lease obligations are not being met. If we are talking seriously about infrastructure in this country, it is important to know that the major developments that airports are obliged to deliver are delivered in a timely way and that, where extensions are granted by the Department of Transport and Regional Services, we are given some explanation for that. So we have recommended that DOTARS report to us annually on the exercising of those leases.

With regard to the report on Centrelink and its management of customer debt, I guess the message is that if it could only get
it right with a satisfactory error rate we would see better outcomes and better client satisfaction. We also noted a reliance on credit cards. That does not seem particularly sensible when dealing with debt recovery. We have also recommended better prevention strategies and identification of risk, and the management of that for clients.

With regard to the Defence report, the management of the SDSS upgrade is a textbook case of how not to do it. It is one project that has cost too much, has been poorly managed and in which outcomes are still to be achieved. It is a program that has led the committee to decide that we will continue our involvement with the Department of Defence. Given the inability of the Australian National Audit Office to form an opinion on the 2003-04 accounts, we made a decision that we would meet six-monthly with Defence and that they would report to us against the milestones they have set in their 14 remedial plans. That will continue for the next two years. As a result of those audit reports, we also recommended that the new upgrade JP2077 would have strict oversight and that we would also want to see DMO reporting to us regularly on that project.

The report on the financial management of special appropriations particularly distressed the chair. Both he and the committee agreed performance bonuses should only be paid to CFOs when they get it right. To see that some of our key financial departments are not abiding by the law is a serious concern.

With regard to the report on container examination, I am very pleased to see that Customs have restructured their security services and personnel but, as mentioned, there are still improvements to be made. I commend the report and thank the secretariat for their excellent assistance to the JCPAA.

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

Mr BALDWIN (Paterson) (12.51 pm)—I move:

That the House take note of the report.

The ACTING SPEAKER—In accordance with standing order 39, the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Treaties Committee
Report
Mrs MAY (McPherson) (12.51 pm)—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report entitled Report 68: treaties tabled on 7 December 2004 (5) and 9 August 2005—International Treaty on Plant Genetic Resources for Food and Agriculture; Treaty of Amity and Cooperation in Southeast Asia, as amended by the protocol amending the Treaty of Amity and Cooperation in Southeast Asia and the second protocol amending the Treaty of Amity and Cooperation in Southeast Asia; supplementary agreement between the government of the United Kingdom of Great Britain and Northern Ireland and the government of the Commonwealth of Australia concerning the Anglo-Australian optical telescope, at Siding Spring, New South Wales, Australia.

Ordered that the report be made a parliamentary paper.

Mrs MAY—Report 68 contains the findings and recommendations of the committee’s review of three treaty actions tabled in parliament on 7 December 2004 and 9 August 2005. The proposed treaty actions on which I will comment relate to plant genetic resources for food and agriculture, enabling Australia to attend the East Asia Summit and
the transfer to sole Australian ownership of the Anglo-Australian telescope.

The International Treaty on Plant Genetic Resources for Food and Agriculture will provide a binding international framework for the conservation, sustainable use and exchange of plant genetic resources for food and agriculture. This framework is designed to promote global food security and ensure the fair and equitable sharing of benefits arising from plant genetic resources for food and agriculture. The plant genetic resources treaty was first tabled in December 2002 and was reviewed by the treaties committee of the 40th Parliament until the inquiry lapsed on the prorogation of the parliament. The committee received evidence from a number of industry groups, initially presenting reservations about the treaty. Industry reservations related to the ratification and implementation of the treaty—namely, the funding, legal implications and scope of the treaty.

The committee also received evidence from the Department of Fisheries, Forestry and Agriculture—or AFFA—that industry concerns raised with the committee could best be addressed by Australia at the treaty’s governing body meeting, the first of which is due to take place by June 2006. AFFA advised the committee that, for Australia to partake in the governing body meeting, it would have to ratify the treaty. AFFA in turn addressed the concerns presented by industry groups. At the time of review, only one industry group maintained its reservations about ratification of the treaty. These reservations are included in the committee’s report. Having taken into consideration the evidence received, on balance, the committee believes that the treaty will ensure that Australia continues to have access to overseas sources of plant genetic resources for food and agriculture.

The committee also reviewed the Treaty of Amity and Cooperation in Southeast Asia, which aims to promote peace, amity and cooperation between parties. The Treaty of Amity and Cooperation is one of the foundation documents of the Association of Southeast Asian Nations—or ASEAN—and includes a procedure for dispute settlement between states parties. In the short term, acceding to the treaty allows Australia to attend the East Asia Summit. The summit is significant because it is expected to provide a new forum for regional dialogue, with the potential to make substantial progress on regional economic issues and strategic cooperation. This includes areas such as terrorism, regional pandemics and other issues of regional significance. During the course of its review, the Australian government informed the committee of its decision to accede to the treaty in order to prepare for Australia’s attendance at the East Asia Summit, which is taking place in December of this year.

The third treaty examined by the committee will amend the existing agreement relating to the Anglo-Australian telescope to provide for the UK’s commitment to the telescope to continue until Australia obtains sole ownership on 1 July 2010. Collaboration with the UK on the Anglo-Australian telescope has been a key element in Australia’s globally competitive performance in astronomy. In 2001, however, the UK advised Australia that it had other astronomy priorities and so intended to end its involvement with the Anglo-Australian telescope. The committee was informed that the UK would be directing some of its astronomy assigned funding towards facilities such as the European Southern Observatory and Gemini Observatories, both of which operate next-generation eight-metre optical telescopes. Instead of terminating the agreement with Australia, the UK agreed to amend the existing agreement to continue the UK’s commitment to the An-
The new termination and the telescope handover arrangements will ensure long-term access for Australia to a valuable scientific instrument in the lead-up to Australia’s acquisition of the Anglo-Australian telescope.

In conclusion, the committee believes it is in Australia’s interest for the treaties considered in *Report 68* to be ratified. I commend the report to the House.

**Mr WILKIE (Swan) (12.56 pm)—** *Report 68* of the Joint Standing Committee on Treaties contains a review of three treaties. Firstly, I will comment on the International Treaty on Plant Genetic Resources for Food and Agriculture. Treaties committees of the 40th and 41st parliaments received 12 submissions over the course of both reviews of the plant genetic resources treaty. In their submissions, industry groups expressed concern about various aspects of the treaty. Industry groups all agreed that Australia should not ratify the treaty until its exact impact and its associated costs and benefits in all areas had been identified and assessed to industry satisfaction.

The Australian Seed Federation was interested in receiving more detailed information and entering into further discussion with the Australian government in various areas. These were: firstly, consultation regarding the advantages and disadvantages of ratification of the treaty; secondly, how funds will be raised and how the governing body responsible for implementing the treaty will be financed; thirdly, how material transfer agreements or contracts for plant genetic resources for food and agricultural material exchange will coexist with common law contacts; fourthly, the legal implications of ratification of the treaty, as the Seed Federation does not accept the department’s view that Australia would need legislation change to administer Australian obligations under the treaty; and, fifthly, the scope of coverage of the treaty. The Seed Federation is concerned that the treaty will apply to all holders of plant genetic resources for food and agriculture and allow the Australian government to take whatever measures it deems necessary to include private holdings.

The Grains Research and Development Corporation and Grains Council Australia initially expressed similar concerns to those of the Seed Federation, including the funding of the governing body. The grains corporation was concerned that the majority of costs associated with the treaty could be borne by industry. The grains corporation agreed with the Seed Federation’s stance on material transfer agreements and the scope of coverage of the treaty. The grains corporation also drew attention to the use of ambiguous language with respect to articles of the treaty relating to material transfer agreements and the uncertainty of whether states and territories may have to provide access to plant genetic resource material.

It was observed by one industry group that there was no evidence to suggest that the capacity of Australian plant breeders who access genetic resources from overseas is likely to become more difficult if Australia does not ratify the treaty, as put forward by the government. Further, Australian participants involved in the exchange of germ plasm have not concluded that the proposed regime under the treaty will improve access.

The list of crops covered by the treaty was also of concern. For example, the treaty excludes crops which Australian industry expected would be included, such as soya beans, peanuts, linseed, safflower, panicum, buckwheat, sesame and, for the horticulture industry, tomatoes. There is a concern that non-inclusion of such crops could lead to...
disputes between parties with Australian interests unable to be satisfied in the wider area of the multilateral negotiations.

Another shared concern was the small number of countries that have ratified the treaty. Australia does not know the reasons for the opposition or lack of interest from such countries as the United States of America, who has not ratified the treaty, or Japan, who has not signed up to the treaty.

The department met with industry groups and addressed the issues raised through the committee by way of additional consultation. While the grains corporation and the Grains Council revised their view at a hearing in the parliament, the Seed Federation has maintained that there are outstanding issues concerning the treaty—namely, its administration and compliance with the material transfer agreement process and that it is not possible to determine whether ratifying the plant genetic resources treaty is in Australia’s interest.

The committee also reviewed the Treaty of Amity and Cooperation in Southeast Asia, which aims to promote peace, amity and cooperation between parties. The treaty of amity and cooperation is one of the founding documents of the Association of South-East Asian Nations—ASEAN—and includes a procedure for dispute resolution between parties.

In the short term, acceding to the treaty allows Australia to attend the East Asia Summit. The summit is significant because it is expected to provide a new forum for regional dialogue, with the potential to make substantial progress on regional economic issues and strategic cooperation. This includes areas such as terrorism, regional pandemics and other issues of regional significance. Given the importance of this summit to Australia, one would have thought that government members of the treaties committee would have attended that hearing. It is sad, therefore, that the meeting could only proceed because Labor provided a quorum.

As has already been stated by the acting chair, the member for McPherson, the committee also looked at the supplementary agreement with the United Kingdom on the Anglo-Australia telescope. We fully support that treaty and commend the report to the House.

The ACTING SPEAKER—Does the member for McPherson wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Mrs MAY (McPherson) (1.01 pm)—I move:

That the House take note of the report.

The ACTING SPEAKER—in accordance with standing order 39(c), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS

Fuel Prices

Mr BYRNE (Holt) (1.01 pm)—I move:

That this House:

(1) notes the alarming and rapid increase in fuel prices in the South-eastern suburbs of Melbourne and across Australia;

(2) recognises the severe implications of exorbitant fuel prices for local businesses and family budgets;

(3) acknowledges residents’ concerns about reported instances of possible price gouging practices within the petroleum refining and distribution industry; and

(4) asks the Treasurer to direct the Australian Competition and Consumer Commission to formally monitor prices under Part VIIA of the Trade Practices Act 1974.

In driving around Berwick Springs—in fact around Berwick Discount Fuel—in January this year when the price of petrol was 93c a
litre, no-one could have possibly dreamt that that very same discount fuel retailer would be selling petrol for $1.39 a litre in September. This has occurred as a consequence of a number of natural phenomena—hurricanes et cetera—and overseas conflict. However, it has been very interesting to study the behaviour of the oil companies over the past three or four months—in particular, since the price spike in September. I believe that their behaviour has contributed to the high cost of petrol. Their behaviour has resulted in unnecessary price increases, which are reflected in the prices of goods, such as groceries and fruit, that are sold to families in Holt and in business operating expenses.

If you look at petrol prices when they peaked in the week between 5 and 12 September, you see that they ranged from $1.28 a litre in Brisbane to $1.39 a litre in Hobart. In fact, there was a peak, as I said, of $1.39 a litre in my area in September. This was a huge increase in the price of petrol. The price of petrol now in that same area is about $1.20, as I speak. This price rise has had substantial impacts on families in Holt. The family watch committee, of which the member for Ballarat is chair, has indicated that it has contributed at least $10 extra a week to the cost of fuel.

My electorate has the highest rate of mortgages in Australia and, in effect, that petrol price increase was like an interest rate increase. It wiped out the tax cuts. If you speak to families in the region, they tell you that they are very worried about how, for example, they are going to service their debt. They are a very leveraged community. If you talk to someone like Derek West, who is the President of the Cranbourne Chamber of Commerce, he will tell you that local businesses are being charged transport levies or surcharges for the distribution and delivery of goods. These levies are hurting local business, particularly in the Cranbourne area. In one instance this has added about seven per cent to business costs for delivery and distribution, and the levy has increased more than once this year—and it has continued to increase. There are ripple increases as a consequence of the still high cost of petrol. If you talk to people in the Cranbourne information and support service, they will tell you that additional families are seeking relief as a consequence of the price of petrol.

If it were just natural and overseas factors that determined the price of petrol then one could say that this rise was as a consequence of the war in Iraq or a hurricane. But it is very instructive to look at the behaviour of the oil companies during this time. The Australian Automobile Association believe that there was petrol price gouging of about 15c a litre in September of this year. Victorian Automobile Chamber of Commerce research shows that when the price is 90.9c per litre, for example, the oil companies get about 37.5 per cent—that is for exploration, extractions, refining and equipment cost. It is about 41 per cent of the cost of petrol to the consumer. With a price of $1.39 per litre, the take of the oil companies is about 72.8c a litre. Their take is effectively doubled.

It has been reported to the VACC by a number of members that they believe that the oil companies have increased their refiner margins. They believe that their margins are about 8c to 10c per litre higher than they should be. Further research by the VACC shows that on 8 September the retail high of unleaded petrol in metropolitan Melbourne was $1.39.9 per litre. The retail low on the same day was $1.24.9 per litre. The terminal gate price—that is, the price at which petrol is sold—was $1.25 a litre. So how do you account for that massive price discrepancy? At this stage, the terminal gate price, which is the benchmark, is $1.20.9 a litre, but petrol it is now retailing at $1.23 a litre. So how can there be this massive price differential
between the terminal gate price and advertised spike in September and the gate price and price of petrol now? This adds to the fact that oil companies cannot be trusted. They are also not being monitored. They should be monitored properly, and I call upon the Treasurer to implement part 7 of the act and direct the ACCC to monitor oil prices.

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

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

Mr LAMING (Bowman) (1.06 pm)—I want to address the contribution from the other side of the chamber, by the member for Holt, on the motion relating to fuel prices, beginning with the notion of applying a competitive blowtorch to the oil industry in an effort to get cheaper prices. A simple analysis that has been carried out by nearly every recognised international agency shows that the spike in fuel prices in recent times can be attributed to a number of reasons, relating to both a decrease in supply and an increase in demand. There is no better source than today’s release of the Reserve Bank of Australia’s quarterly statement on monetary policy. In this report they have dedicated an enormous amount of space to talking about the impact of fuel prices, and they focus on the international factors.

What is more interesting to me, though, is the predilection on the other side of the chamber to always focus on trying to blame someone, and when that is big business it obviously suits their line. We heard comments from the Leader of the Opposition that applying a ‘blowtorch of competition to the fuel industry’ would be a great idea. I would draw the attention of the member for Holt to a paper by a neighbour of mine, the member for Rankin, who I thought came up with an excellent contribution that talked about snake oil solutions, about which we are hearing from the other side. In his paper the member for Rankin said quite clearly that ‘there are no magic solutions’ and that there are none because ‘Australians are smarter than that’. For the word ‘that’ you can insert the words ‘the opposition leader’, because the member for Holt will know that the opposition leader has four solutions to high fuel prices. First, let us cut our import bill by growing a liquid fuel market. Of course, growing a liquid fuel market has nothing to do with fuel prices when you have international parity pricing. Is the opposition leader talking about keeping Australian oil from international markets? Of course not; that is not a solution.

The second solution from the opposition leader is that we place less reliance on oil imports in the future by growing the biofuels industry. Doesn’t the opposition have a glorious history! The member for Holt will well remember the comments from his colleagues three years ago when they tried to talk down ethanol at every turn: ‘The government knows that it is pouring taxpayers’ money down a hole.’ I recall another member on the other side saying that motor car manufacturers say that ‘putting this fuel in engines can void your warranty, damage your car, damage your boat and lead to boating accidents’. That was the sort of confidence that the opposition had in biofuels at that time. I also recall another comment that they failed to see any demonstrated advantages in subsidising a local ethanol industry. That was idea No. 3. Obviously great ideas on the other side of the chamber come in fours. The fourth was that we have to give all Australians a decent tax cut. This is a pathetic contribution to addressing fluctuations that are fundamentally international.

We obviously have here a recurring pattern of behaviour from members on the other side of the chamber, with them picking out economic issues without any credible, long-term ability to understand how they actually
work. We can recall comments last year about an overheating economy. Earlier this year we were worried about the national debt, with a completely underwhelming case being put by the opposition. Certainly the Reserve Bank of Australia did not appear to agree with them when they were saying that banks were primarily lending on housing and that there was long-term debt, predominantly hedged in Australian dollars—long term not short term. The bank did not appear to share that concern.

The second concern was the budget deficit. Ignoring the strengthening terms of trade, the opposition were worried about a budget deficit. Now they are blaming retailers and they are blaming the fuel sector for price gouging, without a terribly credible case being put. The simple fact is that this is not like every other oil crisis, such as we saw in the seventies. Australia’s economy is now significantly internationalised. There are liberalised financial arrangements, which means that we are more resistant to endogenous shocks but also that we are more affected by exogenous shocks, including the price of fuel.

What has happened recently? Let’s look at the basics. It is there in the report: we have an increasing demand for oil, but for the first time there is a sense within the markets that this will be an ongoing and strong demand for oil that could outstrip supply—when we look at 62 per cent of the demand of the oil coming from the United States and China. That is the reason for what is going on here. Finally we have now a fall in the price of oil, down to $60 a barrel. In my electorate fuel prices have fallen to $1.05 a litre, yet those on the other side were saying that we may never again in our lifetimes see fuel priced under $1 a litre. I sense that we are very close to seeing it within a month.

On these issues this motion by the member for Holt shows short-termism and the failure to really address economic issues responsibly by those on the other side. They have never come to terms with a liberalised economy and they have always had deep resentments about the benefits that this government has provided. They very much are sitting around a table at a Chinese restaurant arguing for the very few. (Time expired)

Ms King (Ballarat) (1.11 pm)—I think the contribution we have just heard from the member for Bowman makes exactly our point: policy laziness from the government, no solutions whatsoever and no interest in having a proper debate about these issues or in doing anything at all about petrol pricing. They are ready to just criticise any solutions that come out but are not able to offer a single solution themselves. I am angry that this motion is necessary. It is necessary only because the government have been lazy on this issue. We have seen how quickly the government are prepared to act when they want to ride roughshod over the rights of working families. We have seen how quickly they are prepared to act when they want to cut disability support pensions and pensions for sole parents. Yet they plead absolute powerlessness when it comes to strong leadership on petrol prices and fuel strategies.

In just one week alone in September, Ballarat motorists in my district paid $1.3 million extra for petrol, compared with what they were paying in January. That is $1.3 million out of the pockets of country Victorians. For the average Ballarat family that translated to $11.72. In that same month the Prime Minister had the gall to say that it was of some consolation to him that this was occurring at a time when people’s disposable incomes were higher because of the recent tax cuts, the high real wages and the low unemployment’. Even the most basic maths will demonstrate that $11.72 is almost
double the incredibly mean $6 tax cut which this government provided to the vast majority of working families.

We have seen how this price hike is impacting on families in our region as fuel costs flow on to impact all other sectors. Retail costs are soaring, and we have seen increases in basic family items such as food. This in turn has bitten sharply into the family budget, and for many families this has meant a choice between buying petrol to go to work and buying the basics of life for their kids, paying the mortgage or covering the health costs that have increased under this government. As usual, regional and rural areas have been hardest hit, with a clear and demonstrable inequality between city and regional pricing.

This morning, Ballarat petrol prices are at $1.27 per litre while Melbourne and Geelong motorists are paying just over $1.18 per litre. The Australian Automobile Association has released figures demonstrating clearly that the gap between city and regional figures reached record highs during October. Even with the recent slight drop in fuel prices, regional and rural Australians are still doing it very tough. I quote from a press release from the Australian Automobile Association, which states:

... the figures refute claims that the high petrol prices were purely the result of international oil prices.

It absolutely refutes the claim that we just heard from the member for Bowman. Not just individual families are suffering but the economy as a whole is being affected, which Labor have been predicting since the beginning of these high price increases. Regional tourism is taking a battering, as the disposable income of families shrinks and as travel becomes more expensive. Manufacturing and other major businesses are less likely to relocate to regional areas when they know that their transport costs will blow out and they will have no protection from this government, while existing regional manufacturers are being severely disadvantaged by petrol costs.

Australia’s consumer confidence has also taken a major hit, according to the monthly index from Westpac and the Melbourne Institute, which is at its lowest since March 2003. The National Retail Association is ringing alarm bells, with the retail sector in a panic about the likely effects on Christmas trading. Recently, the Deputy Governor of the Reserve Bank warned policy makers that they can no longer ignore the pressure that high petrol prices are actually putting on inflation.

Labor have strongly called for the government to instruct the ACCC to formally monitor petrol pricing. We wrote to the ACCC in that regard, and we have seen that the government have absolutely failed to instruct the ACCC to formally investigate and monitor petrol pricing. The government have been asked on a number of occasions under the act to investigate services provided by Airservices Australia. They have also looked at Australia Post, they have looked at aeronautical services provided by Sydney Airports Corporation, but they have not been formally asked by the Treasurer to monitor petrol prices. It is an absolute disgrace that they have not done it. There is proof in this letter from the ACCC that the Treasurer has not instructed the ACCC to formally monitor petrol prices. If the ACCC cannot formally monitor petrol prices, they cannot get the evidence they need, and that is a disgrace.

(Time expired)
good deal of sympathy for consumers—everyday people who have faced enormous price rises over recent years at the fuel bowser—like the member for Bowman, I have a concern that the private member’s motion has a large element of naivety to it. However, it is valid to have concerns, and we ought to be doing all that we can to ensure that a fair price is being charged and paid.

I note that a recent Sensis consumer report showed that, in fact, petrol prices are at the very top of the list of concerns of Australians, even ahead of terrorism, the health system and the environment. Fifteen hundred Australians were surveyed in late July, early August and the report found that people are not anticipating any petrol price relief in the near future, with half of those people surveyed expecting to spend more on transport costs in the coming year.

Interestingly—and this is highly relevant to me in my role as an advocate for the people of Bass—the report also found that Australians in rural and regional areas are more concerned about petrol prices than even their city counterparts. That is easily explained, first of all, by an easily obtained differential between prices in the city and the bush and by the fact that people outside the cities have to, by the very nature of where they live, travel longer distances. Of course there are then the implications of freight costs impacting much more on regional areas.

No-one gets any joy from higher fuel prices, but it has to be said that the price of petrol and diesel in this country is determined largely not by local factors but by the global price of oil which, as we know, in recent times has reached an all-time high. Even the Australian Labor Party has acknowledged that fact. Like the member for Bowman, I read with interest the member for Rankin’s contribution on 4 July, where in his article headed ‘Snake oil is solution to high fuel prices’, he stated quite categorically something which is a matter of fact—that Australia’s record petrol prices have one cause and one cause only: high world oil prices.

Record oil prices are due to a range of factors, including increased global demand, about which we have already heard; diminished worldwide production capacity, which is not being taken advantage of; a lack of crude-refining capacity and of course hurricanes Katrina and Rita, which many of us in this part of the world perhaps do not appreciate but which have had a major impact on the supply opportunity for oil.

It is also interesting to note—and I congratulate my colleague on raising this matter—in the recent monetary report that 62 per cent of demand for oil on this planet comes from just two countries: the USA and, more notably, China. The demand for oil from China, China being an economic tiger, is pushing supply to its very limits. That has the natural result of pushing up prices. Despite all of these factors—and this will come as no comfort to everyday consumers—relative to other OECD countries Australia is ranked fourth lowest for petrol and fifth lowest for diesel prices. The most recent figures which have become available from the International Energy Agency—an autonomous arm of the OECD—show that the post-tax retail price of petrol in Australia is very low. In the March quarter of 2005, by comparison, the average price of petrol per litre, in Australian dollars, was $1.95 in the UK; $1.44 in Japan; $1.85 in Germany; and the bargain basement price of just 66c in the USA. Having said that, Australia still has one of the lowest pre-tax petrol prices in the OECD.

In closing, I wish to point out something I mentioned earlier—that is, for every one cent increase in petrol prices, the states in Austra-
lia reap a dividend of about $18 million. Were the other states to follow the example set by the Queensland government in offering an offset from its GST bonuses, fuel prices around Australia would fall by as much as 8c a litre. (Time expired)

Mr BRENDAN O’CONNOR (Gorton) (1.22 pm)—After informing the House last month that petrol prices had surpassed the cost of milk, I wish today to float the idea of cutting the fuel excise tax. Aggregate economic activity has been strong and inflation under control for some time. The house price bubble has not imploded and probably will not, at least for quite a while. Many households are heavily indebted and a significant proportion precariously so. The primary threat is rising wholesale and retail prices of oil and its derivatives. The shock is not novel; macro-economic ideas on this are well settled. The consequences are some combination of a rising general level of prices and falling economic activity.

Four policy responses have been suggested, either directly or by the terms of the debate or by the circumstances: first, do nothing; second, cut income taxes; third, tighten monetary policy; fourth, cut fuel excise taxes. What are the respective views of the Prime Minister and Treasurer? Tightening fiscal policy is none of their business because the Reserve Bank of Australia is independent. Option 4, cutting fuel excise tax, seems unnecessary. If the government were going to pursue option 4, it would seem to prefer option 2—namely, lowering income tax rates—but this seems to have been dismissed by the Treasurer and the Prime Minister. The apparent policy option preferred by the government is to do nothing, gambling that the shock is small or temporary and that it can be accommodated by lower household discretionary disposable income and lower business profit margins. In the context of the arguably good prospects for the Australian economy, this may be neither as callous nor as negligent as it appears. But—and this is a big but—if the gamble is wrong-headed, this is bad for economic activity and for inflation.

The second option is cutting income taxes. This has not been suggested as a solution to the shock. Rather, it is an option which might be closed off if the fourth option that I am proposing—cutting the fuel excise tax—is adopted. The problem is that income tax cuts put further upward pressure on prices. The third option is to tighten monetary policy, as I said. Again, this differs qualitatively from the alternatives. If there is a big, sustained oil price shock, if there are no countering forces deriving from government or elsewhere and if the Reserve Bank takes its price stability responsibility seriously, then monetary policy will tighten.

This may well be disastrous. If real and nominal interest rates were moved up by the Reserve Bank to squeeze out inflationary pressure, there is a double whammy to economic activity. The first channel of influence is the standard one, via the increased real cost and lower volume of business lending and by corporate bankruptcies induced by higher debt servicing costs. The second channel is the effect of higher nominal interest rates on household floating rate debt burdens and, consequently, on personal bankruptcy rates.

The final option, as I proposed, is to cut fuel excise taxes. Let us imagine for the sake of the argument—and nothing hangs on this simplifying assumption—that there are two salient policy objectives: namely, price stability and buoyant economic activity. The problem for policy makers is that, as with archery, you need two arrows to hit two targets. The standard argument usually is that it is best to leave price stability to central bankers and to pursue buoyant economic activity with fiscal policy settings. In gen-
eral, the argument is coherent and compelling. There is one exception, and the exception is precisely the present Australian situation. There is no doubt that monetary policy can deal with any inflationary consequences of an oil price shock. Monetary policy can squeeze away any inflation. It is slow but sure. The difficulty is that if that is the sum total of the policy response—as is implied by the government’s doing nothing—the consequences for economic activity are very painful.

The magic bullet here is something which simultaneously alleviates the need for tighter monetary policy and which offsets the worst consequences of any tightening which occurs. A cut in fuel excise taxes may be that magic bullet. One way of describing the argument for cutting fuel excise duty is that, if the government does not do something, the Reserve Bank surely will. The economy faces stagflationary pressures. The sensible response is some policy change which is price decreasing and which also encourages economic activity. A fuel excise tax cut does that. None of the other policy options does so. The essential conceptual problem which the government view entails is that if it acts as if it is independent it means it is irrelevant. Just because the Reserve Bank is independent does not mean that its likely actions and reactions can be ignored.

If a macro-economic shock is large or sustained, the consequences are known. There is a policy response which is effective, macro-economically responsible and powerfully superior to the main alternative. This last point bears emphasis. The government proposes to do nothing, with a view to later cutting income taxes. No doubt the Treasurer would like to delay any further tax cuts to coincide with his replacement of or challenge to the Prime Minister. If doing nothing does not work, monetary policy will tighten. So the four policy options considered here are not mutually exclusive.—(Time expired)

Mr WAKELIN (Grey) (1.27 pm)—The great advantage of spending a term in opposition, as I did from 1993 to 1996, is that you do remember what Labor was like in government. Having fought a campaign in 1993, when the coalition offered to abolish excise, which is currently at 38c a litre, it is somewhat ironical to note the rise in fuel prices of about 20c to 30c due to overseas circumstances—that is, high world oil prices—and the relativity of the fact that the Labor government raised the excise rate from 6c a litre in 1983 to around 30-odd cents a litre by 1993. After the unsuccessful attempt to abolish excise by the coalition, it was then ramped up by the Keating government to something in excess of 42c a litre.

In terms of where the Labor Party sit on this issue, I note that it is easier to make these offerings from opposition than it is from government, because their record speaks for itself. Of course, there is even more strongly worded evidence from the Labor Party when you look at the words of Craig Emerson, chairman of the federal Labor caucus economic committee. He states: Australia’s record petrol prices have one cause and one cause only—high world oil prices. Surely we should be speaking about the things that we might do to alleviate the energy issues of this nation and, in cooperation with the Western democracies, what we are going to do about energy over the next generation.

There are a lot of things we can do. There are many examples throughout the world, and I will not go into them all now. Certainly the issue around ethanol bears greater examination. When we look at what the Labor Party did to discredit ethanol in the recent past, it is very pleasing to note that ethanol is now becoming more accepted and that the
incentives are there to place it in the energy supply in a way from which it should never have been disrupted. It is tragic that, when the government endeavours to do something for the long term—like encouragement of ethanol—it is discredited by our Labor opponents. It is very annoying that after a lot of hard work—and I know some of the work that was done to try to convince the Labor Party that ethanol had a role in Australia’s energy discussion—we have to be waiting, years on from when this disruption has occurred, to see it. It might have some good effect now, when we are under some pressure with prices.

I remind the House that the future for energy supplies is becoming more urgent as every year passes and that we have some very good options. One that I will conclude my speech on is the one surrounding the collection of excise—remembering, of course, that this government abolished the CPI increases, which are now worth a significant amount of money to the Australian consumer. We collect something like $15 billion from this excise at, really, the courtesy of the Labor Party, who promoted this program of collection. Thank you, Labor; thank you, no doubt, Treasury. But that should be going much more into R&D. We need greater research and development to look at the future energy supplies for this nation and the world.

Mr GIBBONS (Bendigo) (1.32 pm)—There are several options available to drive down fuel prices. Rather than increasing our reliance on imported oil, Australia’s vast reserves of natural gas should be developed to make us more self-sufficient in transport fuels and less vulnerable to future global oil shocks—or perhaps ‘sheiks’ might be a better word; maybe not today. Australia’s competitors in the gas industry are way ahead of us, particularly in the Middle East, where countries like Qatar already have major gas-to-liquid projects making refined products for the global market. The federal government should direct the ACCC to ensure effective competition in the industry to make sure Australians get the lowest possible prices at the bowser by strengthening the Trade Practices Act, especially section 46, to prevent the abuse of market power and other unfair practices which drive out competition; directing the industry to declare petrol prices under the prices surveillance provisions for monitoring purposes; and having the ACCC report six-monthly on movements, particularly in regional Australia. With its $13.8 billion budget surplus, the government should give all Australians a decent tax cut, making them better off and better able to cope with the rising fuel prices.

Bendigo region motorists have paid a staggering $22 million more in petrol taxes since the introduction of the GST. The Howard government had claimed the GST would lead to a drop in some indirect taxes but, when it came to petrol taxes, the GST had been used to conceal a grotesque petrol rip-off. If the government had stuck to pre-GST fuel taxes, it would have reaped $41 billion in the past four years. Instead, it was estimated it had collected more than $44 billion. Spread evenly across the nation, this made Bendigo’s share of the secret windfall more than $22 million. And I suspect our true share of that vile amount is even more than $22 million, given that country people pay more per litre for their fuel and, according to transport economists, make more long car trips than city motorists. Country people are even worse affected by the secret taxing because of the transport cost component in absolutely everything they consume.

In 2000-01 total petrol tax revenues were $8.38 billion. In 2004-05 it was estimated the tax take would be $9.32 billion—almost a billion dollars more than in 2001. By July 2005, the Howard government collected an estimated $44 billion in petrol taxes since the
GST came in. We have seen the results of that, especially in regional Australia. Even allowing for the 1.5 cent per litre cut in March 2001, and for revenue forgone as a result of non-indexation of petrol excise, the Howard government is still over $3 billion better off in petrol taxes since the introduction of the GST. This rorting was from a government which first promised that it would not introduce a GST and then claimed its GST would reduce indirect taxes.

The most common explanation for fuel price rises is that they reflect the exponential increases in the international fuel benchmark over the previous week, forcing immediate price increases. However, this situation is in stark contrast to the lengthy lag for benchmark decreases to be passed on to Australian motorists at the bowser. Labor has continually argued on behalf of consumers and asked why consumers have to cop international benchmark petrol price rises immediately when they are expected to accept a lag of 10 days or more when the benchmark goes down. The Australian Competition and Consumer Commission used their own data to make this point in Senate estimates hearings in February, when they suggested that consumers should expect to experience a lag of approximately 10 days to two weeks for prices to fall within the international benchmark.

The question to be answered by the federal government, oil companies and the ACCC is: why isn’t there a lag at the bowser when the international benchmark increases? This government has ripped off central Victorian motorists on fuel taxes but refuses to use the proceeds to pay its final commitment to fund and complete the Calder Highway. The Howard government walked away from its responsibility to fund and maintain Australia’s National Highway network while its AusLink Strategic Regional Roads component was used as a $93 million slush fund in coalition held or coalition targeted seats during the last election campaign. Bendigo motorists in particular are entitled to a fair go from revenues ripped off by this government on fuel taxes while they continue the 25-year wait for the Calder Highway duplication to be completed.

The Howard government is recognised as the highest taxing federal government in our history and is awash with taxpayer funds with excise and GST on fuel a major source of government revenue. Yet it refuses to put pressure on oil companies to structure their pricing on a fair and equitable basis. All Australians expect and are entitled to a fairer go on fuel prices.

Mr HARTSUYKER (Cowper) (1.37 pm)—No-one can ignore the recent increases in fuel prices—least of all those of us who live in regional and rural Australia. If you have a drive of several kilometres or more to the nearest shop, doctor’s surgery or school then the increases have a disproportionate effect on your weekly household budget. And, of course, this hits rural businesses as well.

We all know the reasons for the increases. Movements in world markets; strong demand; the effects of Hurricane Katrina and the other storms which have hit the refining areas in the last few months; and political tensions in producing areas all combine to produce the current price at the bowser. May I remind members that if the government had not already acted to end automatic CPI indexation of the excise duty on petrol the price per litre would be 6½c higher than it is currently. For the government to cut the price of a litre of fuel by just 1c it would cost $380 million—$380 million less for health, education and defence.

While there is no doubt that the rise in the price of petrol is hurting, perhaps the long-term view is of most concern. The price is
showing evidence of slipping back somewhat but we are talking about a limited resource. Long-term, there is only one way the price is going to go—and that is upwards. We are not only talking about a limited resource, we are talking about a resource which affects our environment and our health.

That is why we should be treating the current price rises as a wake-up call to redouble our efforts with regard to commercialising alternatives to the use of petrol. That is why I welcome the government’s measures to promote the use of ethanol. Unlike oil, it is a renewable resource, being produced from such crops as wheat and sugar cane. If you fill your tank with a 10 per cent blend of ethanol and petrol, I have been informed, you are likely to cut your petrol consumption by up to seven per cent. It is good for the economy and good for the environment.

It is generally agreed that the use of ethanol results in reduced emissions of carbon monoxide, carbon dioxide, hydrocarbons and other pollutants. I welcome the roll-out of BP’s E10 fuel and its launch here in Canberra last week. The fact that ethanol is duty-free should enable the blend to be sold for less than the price of unleaded petrol. Given the concern—as a result of misinformation from members opposite—about possible damage to cars, I also welcome the agreement struck by the industry minister with four motor manufacturers to develop a label stating that ethanol blends can be safely used.

Calls to 12 service stations in and around Coffs Harbour, in my electorate of Cowper, have revealed that three are offering an ethanol blend. I hope to see that figure increase in the coming months. Ethanol is not the whole answer to our dependence on oil—we have a personal contribution to make in the way that we consume resources—but it does represent a move away from a non-renewable source to a renewable source of energy.

The member for Holt mentioned petrol prices in the south-eastern suburbs of Melbourne. I wonder if he has had the opportunity to look further afield, outside the major capital cities—perhaps to visit Brisbane to see the impact of fuel prices there. The ACCC’s informal monitoring of petrol prices shows the average weekly retail price for unleaded petrol in Brisbane during October was between 4½c and 11½c lower than in Melbourne. Why? Because the Queensland state government offers a rebate to the retailers and, as a result, the price in Brisbane is consistently below the average price in our five major capital cities.

So if the member for Holt wants to do something to help his constituents cut their fuel bills, I suggest he goes along to his friends in the state government and ask them to follow the example of Queensland. And if the New South Wales government was not so busy entering into contracts to the ultimate detriment of the people of that state, it might also consider such a rebate and doing something practical for the people of New South Wales for a change.

Certainly, the efforts of the New South Wales government with regard to the debacle of the Cross City tunnel and the Lane Cove tunnel provide evidence of the way in which the New South Wales government is dealing with transport infrastructure. I might also note that motorists in that state find it abhorrent that public infrastructure, already paid for, is being restricted so that motorists must use the Cross City tunnel. It is an outrage—and one that I think the people of New South Wales will punish the New South Wales government for at the next opportunity. The fact that we are degrading public infrastructure, already paid for, to enhance a poorly conceived toll project is a disgrace. The in-
increased congestion can only add to our consumption of fuel and add to the pollutants in the environment. It is a disgrace in New South Wales and the government should be held in contempt for its actions.

Ms CORCORAN (Isaacs) (1.41 pm)—It is with pleasure that I support this motion. We all know about driving past a petrol station on the way to work in the morning and noticing the petrol prices and then, on the way home, stopping in to buy the petrol and noting with amazement that the price has moved several cents during the day. We all know that if there is a holiday weekend coming up the petrol price will rise and then fall again after the holiday weekend.

Over the years, this has been regarded variously as a minor irritant; frustrating; a factor in budgeting and timing of petrol buying; and, by everybody, as a clear indication that something is not right in the petrol industry—that we are being ripped off. Many people have called for answers and action but nothing has been forthcoming.

Recently this has come back to the forefront of political debate as petrol prices soared as a result, we are told, of hurricanes or threats of hurricanes overseas, as well as other factors. The ACCC has noted that ‘something funny is going on with the refiner margins’. We do not need the ACCC to tell us that; we all know that something funny is going on and that it has been going on for some time. That is very clear to my constituents and, I suggest, to most of Australia, including the independent petrol companies.

Petrol prices are of particular concern in many parts of my electorate because of the heavy reliance many of us have on private car transport and also because many households in Isaacs are not in a position to sustain increased costs of essential items, including petrol. So, what to do? The government seem to think that wringing their hands and mumbling, ‘Out of our control,’ is enough. Well, it is not enough.

Sure, the petrol market is a global market but there are things we can do here in Australia. There are two areas in which we must act. Firstly, we have to come to grips, once and for all, with the mysterious pattern of petrol price fluctuation and deal with those who are not behaving ethically in this area. The ACCC should monitor petrol prices. It should report regularly on this monitoring and it should investigate the ‘something funny’ that they note about petrol prices.

At the same time, we should lift our heads above the immediate and look ahead. It is well accepted that the supply of oil is finite and that it is not going to last much longer under current rates of increasing demand. We need to develop the alternatives to oil that we know about already—like liquid petroleum gas, ethanol and biodiesel. We need to investigate emerging alternatives such as compressed natural gas, liquid fuel from gas and stored electricity. Finally, we need to look to future fuels, such as hydrogen.

We also need to develop the technologies to make all this happen. We need to do all these things and take short-term actions, like monitoring and investigating the existing industry to stop the funny things happening so regularly to petrol prices. We need to do this to deal with the short-term damage increasing petrol prices is doing to many households already on the edge financially. We need to do the longer term things to ensure we survive and thrive into the future.

The DEPUTY SPEAKER (Mr Jenkins)—Order! It being approximately 1.45 pm, the debate is interrupted in accordance with standing order 34. 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 Isaacs will
have leave to continue speaking when the debate is resumed on a future day.

STATEMENTS BY MEMBERS

Montrose Community Ideas Day

Mr ANTHONY SMITH (Casey) (1.45 pm)—On Saturday morning I had the pleasure of attending the Montrose Community Ideas Day in the heart of Montrose at the foot of the Dandenong Ranges in the Casey federal electorate. The Montrose Community Ideas Day was the inspiration of a group of dedicated locals from the Montrose Township Group who put together the day to hear directly from people in Montrose about the sort of future they would like to see for Montrose. Throughout the morning hundreds of local residents met with the leaders of numerous voluntary and civic groups, including the Scouts, the Montrose Historical Society, the Japara community house, which does such a great job in Montrose, the CFA and the police—to name a few. They also participated in a range of workshops throughout the morning where they put forward their ideas on the sorts of things they like about Montrose and the sorts of things they might like to see improved in the future. They had their say on how to make Montrose the best possible place it can be. The executive of the Montrose Township Group should be recognised—its president, Rob Earney, its vice-president, Pauline Walton, its secretary, Julie McDonald, and Doug Fisher, Steve Downey, Chris Dowling, Ron Buckland, Stuart McCall, Kim Wormald, Irene Helmer, Gareth Little-Hales and David Dobson.

Mr Geoff Havercroft

Mr STEPHEN SMITH (Perth) (1.46 pm)—Today I would like to speak about an important local institution in my electorate. It also happens to be an important state and national institution. It is the Western Australian Cricket Association, best expressed by the iconic WACA Ground in East Perth.

On a Friday a couple of weeks ago, a great servant of the WACA announced his intention to retire and, as is characteristic of the person concerned, that was done without fuss or fanfare. That person was Mr Geoff Havercroft, who in 1986 became the Membership Manager of the WACA and since 1997 has been the association’s secretary. Geoff is the complete gentleman and he is and has been the complete professional. So far as cricket, administration and life are concerned, Geoff always knows the right thing to do, as compared with the wrong thing to do. He is one who always prides himself on conducting himself correctly and he is one who in his work prides himself on a professional attention to detail.

Over a long period of time—indeed greater than the 20 years that I have been a member of the WACA—Geoff has earned the trust and respect of those people who have come into contact with him. As is typical of Geoff, despite his intention to retire, he immediately offered his voluntary assistance to the WACA. Over the course of the years as the local federal member for Perth, I have come to know Geoff well. I regard him as a good cricketing friend. I give him my best wishes on his retirement.

English Language Essay Competition

Mrs IRWIN (Fowler) (1.48 pm)—An English language writing competition was recently held in Ho Chi Minh City by the Australian Consul-General. The idea came from a constituent of Fowler, Mr Dung Van Ma, who has coordinated two earlier writing competitions for young people in Sydney’s south-west. The My Dream English language competition for students in Vietnam revealed much about the aspirations of the younger generation in that country. Their essays, even though they are in their second language, are...
full of beauty, grace and imagination. They show the same impatience with poverty and war as their Australian counterparts; they show the same concern for the environment, freedom and the future. The senior prize winner, Kim Phuong, tells her personal story of losing her sight in adolescence. She now lives in a charity home for the blind in Ho Chi Minh City and attends a normal high school because there are no schools for blind people there. Her dream is to teach English to other Vietnamese who are blind and to be an interpreter. Her essay is a very touching piece of writing. I hope there are Australian companies and organisations who can help Kim Phuong to come here to study English and, most importantly, to have her eyes examined by an eye specialist; it would help her make her dream come true. I would like to thank the staff of the Australian Consulate-General and I would also recommend the competition book to members of the House. I would be pleased to provide members with a copy. (Time expired)

Oxley Electorate: Workplace Relations

Mr RIPOLL (Oxley) (1.50 pm)—There is a curious situation in my electorate at the moment which I want to raise today. I speak of an industrial dispute at the James Hardie work site at Carole Park. In a situation reflecting the case of Boeing workers in Newcastle, the employer has refused workers the choice to enter into a negotiated collective workplace agreement. So here we are on the cusp of brave new workplace arrangements, as John Howard’s extreme industrial relations regime is about to become law, and some companies are already taking the big stick to employees. It seems to me that companies like James Hardie cannot wait to take advantage of the new laws to exploit ordinary workers, strip away their entitlements and seriously undermine a cooperative workplace. Are they running point for the government, I wonder. Is this payback for the campaign the unions ran to get the entitlements owed to former employees who had their health and lives wrecked by asbestos? Who knows? But we do know that what James Hardie is doing is very unfair to and very bad for ordinary people. James Hardie has proven itself to be a less than honourable corporate citizen, and these actions at Carole Park should be condemned for what they are. They are hurting local families but, unfortunately, this may become the norm once John Howard’s extreme industrial relations laws come into effect in just a few days time. Labor supports hardworking families and ordinary workers as it tries to ensure that they are treated fairly in the workplace. (Time expired)

Corangamite Electorate: Roads

Mr McARTHUR (Corangamite) (1.51 pm)—In regional Australia road funding is a key issue and in the electorate of Corangamite the Geelong ring road has been a matter of public discussion for the previous three years. Its construction consists of three stages from the Melbourne-Geelong freeway. The Commonwealth contributed $187 million to the project. In Corangamite the third stage planning process is a matter of some considerable debate. I have been advocating a further west option so that motorists will be able to move to the areas of Colac and the Great Ocean Road unimpeded. The ring road is being constructed to ensure that traffic flows around Geelong. I have been arguing the case that the construction, planning and finality of the Geelong ring road meet the needs of future generations, not the short-term options of the current planning regime.
Canberra Islamic Society

Ms ANNETTE ELLIS (Canberra) (1.52 pm)—I want to take the time to compliment the Canberra Islamic Society in the ACT and, in particular, the president, Mr Mohammed Berjaoui, as well as all of his colleagues within the society and all the people connected with our Islamic mosque in Yarralumla. On Saturday morning, I had the privilege with many other Canberrans of attending an open day at the mosque in Yarralumla. At a time like this, when we need to have a far better understanding of each other’s differences and make those differences less prominent in our lives, the opportunity to have an open day at the mosque within our community in Yarralumla was a very important and valuable thing. The Islamic society, Mr Berjaoui and all of his colleagues deserve our thanks and our sincere congratulations for the trouble they went to.

We had performances by children from the local Islamic school. Members of other clergies were also in attendance, as well as a very broad representation of many different people within our Canberra community. I was particularly proud to attend that open day and mix with those people of the Islamic faith and other faiths in such a way. I congratulate everyone involved for a really well thought-out program on Saturday at the open day.

Workplace Relations

Mr BARTLETT (Macquarie) (1.54 pm)—Yesterday I attended a forum in Hawkesbury in my electorate on the proposed industrial relations reforms. Hopefully, it was beneficial to those who attended with an open mind. Sadly, however, the meeting was dominated and disrupted by a number of ALP and union members, which made it very hard for people who came along to get information. The forum typified what is going on in this debate. It was a contrast between rhetoric and scaremongering on one side and the factual record on the other side. The factual record is this: in spite of the scaremongering that we heard 10 years ago when the first round of industrial relations reforms was introduced, this country has benefited from the flexibility introduced to the labour market. These benefits have included: a 14.9 per cent rise in average real wages, a 10.7 per cent rise in minimum real wages, a fall in unemployment from 8.5 per cent to 5.1 per cent and 1.7 million jobs created. This second round of reforms will continue to deliver more jobs, higher wages and higher living standards for the Australian people in the same way as the first round. There could not be a greater contrast between the factual record of this side of the House and the empty rhetoric and scaremongering of the other side.

Holdfast Bay Rotary Club

Mr GEORGANAS (Hindmarsh) (1.55 pm)—I rise to congratulate the Rotary Club of Holdfast Bay in the electorate of Hindmarsh. Last Saturday, 5 November, I had the pleasure to attend a fundraiser for the Rotary Club. The evening was organised by the committee and the president, Mr John Douglas, of the Holdfast Bay Rotary Club. They were raising funds through an event held all around the world called Night of a Thousand Dinners. The money from funds raised will go towards the eradication of landmines. It is always a pleasure to be involved in doing something useful, and the funds raised on Saturday could not be put towards a more worthwhile cause by the Holdfast Bay Rotary Club.

The effects of landmines on postwar communities cannot be underestimated. Sadly, landmines remain well after the conflict of war has ended, maiming and killing innocent people in peacetime. There are an estimated 110 million landmines across more...
than 70 countries. Unfortunately, landmines do not distinguish between a cow’s hoof, a soldier’s leg or a small child’s foot. Each year around 20,000 people are killed or injured by landmines and, sadly, a great many of them are children. There are still many heavily mine-affected countries in the world. About 50 per cent of the world’s landmines are currently deployed in 12 countries. Saturday’s event was one of many being held around the world, and each person there has made an important contribution towards efforts to remove landmines and therefore save the lives of many who would otherwise become innocent victims. I take this opportunity to congratulate Mr John Douglas, the president, and all the committee members of the Rotary Club of Holdfast Bay for taking the initiative to raise funds for such an important cause. (Time expired)

Pacific Highway

Mr BALDWIN (Paterson) (1.57 pm)—Today I rise to talk about the management ineptitude of the New South Wales Labor government in the way they administer funding for the Pacific Highway. I do not support the actions taken by Andrew Fraser in the state parliament of grabbing Joe Tripodi by the collar, but I understand the seriousness of this issue. The Pacific Highway is a road that needs investment. I am glad to say that our federal minister, Mr Lloyd, has seen fit to attribute $160 million a year—a $100 million per annum increase—to road funding for the Pacific Highway.

In my electorate there is a junction called the Tea Gardens turn-off or Myall Way turn-off at which there is a need for a flyover. Currently, the traffic proceeds past there at some 80 kilometres an hour in two directions. With the new freeway upgrade there will be four lanes doing 110 kilometres an hour, and they expect people to transit this intersection—without any care or consideration being taken by the New South Wales Labor government. With the increased funding that the New South Wales government has received for roads under AusLink, I demand that the New South Wales government make it a priority to install the flyover at the Tea Gardens turn-off and stop using the federal government as a scapegoat for funding. The federal government has increased funding, on a state owned road, by $100 million per annum from $60 million to $160 million per annum. (Time expired)

Whittlesea Respite Home

Mr JENKINS (Scullin) (1.58 pm)—Under standing order 209(b) I present a petition from 305 citizens raising the need for a respite house in the city of Whittlesea. The petition of certain citizens draws to the attention of the House the failure of the government to ensure a facility based respite centre for people with disabilities. The petitioners ask the House to call on the government to provide funding for the construction of a respite facility and to provide recurrent funding necessary to staff the facility. This is a much needed facility in the outer northern suburbs of Melbourne. It is hard for parents with disabled children to find time for themselves. These parents have indicated that they would like the option of a facility based centre. Many of the bureaucrats indicate that that is not the way to go, but I believe that we should put the concerns of these people to government at both federal and state levels to indicate that this is the model that parents would like to see. It would enable them to have a break from the duties and the care that they give their disabled children overnight, for a weekend or even a holiday.

The petition read as follows—

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

Chamber
The Petition of certain citizens of Australia draws to the attention of the House:

- The failure of the government to ensure a facility based respite centre is available for people with disabilities within the City of Whittlesea LGA.

Your petitioners therefore ask the House to call on the Howard Government to:

1. Provide funding for the construction of a respite facility for the use of people with a disability residing within the City of Whittlesea.
2. Provide recurrent funding necessary to staff the respite facility in order to support people with disabilities to receive overnight respite care.

from 355 citizens.

The SPEAKER—Order! It being 2 pm, in accordance with standing order 43 the time for members’ statements has concluded.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 pm)—I inform the House that the Minister for Small Business and Tourism will be absent from question time today and tomorrow due to personal commitments. The Minister for Industry, Tourism and Resources will answer questions on her behalf.

QUESTION TIME

The SPEAKER (2.00 pm)—Last Thursday, the Manager of Opposition Business asked me to reflect on the application of standing order 94(a). In my view, the proceedings in the latter part of last week did not reflect well on the House. Questions were asked with relatively little interjection, but some answers were drowned out by the sheer volume of noise from members. Those members who were removed had all continued to interject after a general warning had been given, and some had been specifically warned.

Australian citizens have a right to expect better behaviour from their elected representatives than was demonstrated at the end of last week. If the application of standing order 94(a) does not result in a lifting in the standards of behaviour, I will be forced to resort to naming members. The primary responsibility for appropriate parliamentary behaviour rests with individual members and it is incumbent upon all members on both sides of the House to accept that responsibility.

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mr BEAZLEY (2.01 pm)—My question is to the Prime Minister. Does the Prime Minister realise it has been 19 days since I first challenged him to a national industrial relations debate? Why does the Prime Minister continue to hide behind $50 million worth of taxpayers’ funds for Liberal Party propaganda, 1,200 pages of extreme legislation and a parliamentary guillotine to kill off debate? When will the Prime Minister come out of hiding and agree to a national debate?

Mr HOWARD—I might remind the Leader of the Opposition that no Prime Minister in 30 years has been as available and accountable to answer questions in this parliament as I have.

Export Performance

Mr HARTSUYKER (2.02 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. Would the Deputy Prime Minister inform the House of Australia’s record export performance in September? What policies will ensure that this performance continues?

Mr VAILE—I thank the member for Cowper for his question. I recognise the member for Cowper’s electorate is a major exporter from the mid-North Coast of New South Wales. I am pleased to inform the member for Cowper that the international trade in goods and services statistics released by the ABS last week showed Australia’s
exports in September reached $14.7 billion. That is the highest level for the month of September on record—$14.7 billion. The underlying strength in exports is displayed in the fact that, for the first three months in the 2005-06 financial year, exports were 12.9 per cent higher than the first three months of the 2004-05 financial year. So we are on a glide path that is increasing in terms of our export efforts. In the financial year to date, exceptionally strong growth has been recorded in iron ore exports, up $1.3 billion, and coal exports, up $2.3 billion, compared to the same period last financial year.

The member for Cowper will be interested to know that, as we move into 2006, the exports of LNG to China will begin and, of course, a lot of the equipment that is used to liquefy the natural gas from the North West Shelf comes from the member for Cowper’s electorate on the mid-North Coast of New South Wales. Those exports will also feed into increasing the statistics as far as our export effort is concerned. Members would be aware that last year we reached the highest ever level of exports out of Australia of $162 billion. But we need to do more. We need to create a better environment and a more competitive environment.

If our export community is to continue to grow and prosper, we need to work together to implement fair, practical and sensible changes to our workplace relations system. The largest manufacturing exporter in Australia, the automotive industry represented by the FCAI, supports the government’s view that we need to reform workplace relations in this country. The FCAI says we need these reforms to be more competitive and more efficient overseas in those markets. A move towards a single national workplace relations system is crucial to this government’s commitment to improve productivity, create more jobs and increase living standards for Australian families. At the risk of being criticised, I invoke the words of a former great Australian on this issue. For the benefit of the Australian Labor Party, particularly the Queenslanders on the other side of the House, Sir Joh Bjelke-Petersen in 1987 said:

In industrial relations issues, as in economic ones, the problems we see in Queensland cannot be solved by State action alone. It is critical for Queensland that the next Federal government creates an environment in which real industrial relations reform can occur.

That is exactly what we want to do. We want to create reform; we want to create an environment so that the Queensland economy and the national economy can prosper and individuals and Australian families can prosper as well. The Australian Labor Party needs to get on board with these reforms and join with the manufacturing industries in Australia which want to see these reforms so that they can be more competitive in the international marketplace.

DISTINGUISHED VISITORS

The SPEAKER (2.06 pm)—I inform the House that we have present in the gallery this afternoon the Swedish Minister for Foreign Affairs, Laila Freivalds. On behalf of all members of the House, I extend her a very warm welcome.

Honourable members—Hear, hear!

The SPEAKER—While I am on my feet, could I also extend a very warm welcome to the Hon. David Jull, the member for Fadden.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Government Advertising

Mr STEPHEN SMITH (2.07 pm)—My question is to the Prime Minister. Does the Prime Minister recall being asked on 13 October about the pulping of 60,000 copies of a 16-page colour promotional brochure as part of the government’s $50 million taxpayer-funded industrial relations propaganda cam-
Is the Prime Minister aware that late last week Senate estimates revealed that 458,000 booklets—nearly half a million copies of the booklet—have been pulped at a cost to the taxpayer of over $152,000? Prime Minister, isn’t this waste of more than $152,000 just ‘pulp fiction’—pulping Liberal Party propaganda on the government’s extreme industrial relations changes?

Mr HOWARD—Mr Speaker, before answering the question asked by the honourable member for Perth, might I on behalf of all my coalition colleagues and also on behalf of the members opposite welcome the member for Fadden back to the House and wish him well. Can I, in answer to the first part of the question, say yes; in answer to the second part of the question: no.

Future Fund

Mr MICHAEL FERGUSON (2.08 pm)—My question is addressed to the Treasurer. Would the Treasurer update the House on developments involving the Future Fund. What will be the impact of this fund to taxpayers in years to come? Are there any alternative policies?

Mr COSTELLO—I thank the honourable member for Bass for his question and I can inform him that the government expects shortly to introduce legislation to establish Australia’s Future Fund—a fund which is determined to try to protect and strengthen Australia against the financial costs which we will face over decades to come in relation to the ageing of the population. This is far-sighted legislation—an initiative which very few countries in the world will be able to match—to ensure that future generations we bequeath an Australian nation which is in far stronger shape to deal with the demographic changes that are going to come over our society and, in fact, other Western societies over the next several decades. Today the government has announced that the Chairman of the Board of Guardians of the Future Fund will be Mr David Murray, who I believe is well known and well respected in Australia’s business community. The government will be announcing the additional guardians, whose role it will be to oversee the fund and ensure that the fund is locked away for future generations to finance the ageing of the population.

Opposition members interjecting—

Mr COSTELLO—I hear interjections from the opposition about protecting the fund, and nothing could be more important than to protect this fund against would-be robbers. One has already identified himself because I have here a copy of the Northern Star of 11 June 2005. Have a listen to this: Federal Labor’s plans for improving the Pacific Highway ... depend on plans to commandeer Treasurer Peter Costello’s ‘Future Fund’. Labor leader Kim Beazley told the Northern Star he is going to commandeer the Future Fund. The reason we are having a board of guardians—and I will table that excerpt—is to make sure that future generations of Australians can be protected, that their financial future can be secured and that the liabilities of the federal government—which are already about $80 billion and expected to grow to $140 billion by 2020—are adequately provided for. This is a mechanism that all the states have already put in place and the Commonwealth has lagged on. But if we start to accommodate these things now, if we set this up at arm’s length and if we ensure that we have guardians who defend the national interest, then Australia can face the future confidently, as well prepared as any other economy in the world for the changes coming over us to give young people the opportunity for the future that they deserve.

Government Advertising

Mr MELHAM (2.12 pm)—My question is to the Prime Minister and follows on from
the previous question by the member for Perth. Is the Prime Minister aware that Senate estimates late last week revealed that six million copies of the booklets have been printed, fewer than 180,000 booklets have been put into circulation and over 5.8 million booklets are sitting in warehouses awaiting distribution for use in seminars? How can the Prime Minister possibly justify such an outrageous waste of taxpayers’ money?

Mr Howard—I do not pretend to be, in answer to the member for Banks, aware of every word that was uttered at the Senate estimates committee and every answer that was given, but I have not disguised the fact that the government have embarked upon a public information campaign in relation to these measures. We regard them as important. We do not regard the public information campaign as being partisan. It does not involve any criticism of the Australian Labor Party, it offers not a word of criticism of the member for Banks or any of his esteemed colleagues and it is not in any way critical of the trade union movement; it merely explains the benefit of a long-needed, meritorious policy.

DISTINGUISHED VISITORS

The Speaker (2.14 pm)—I inform the House that we have present in the gallery this afternoon the Deputy Chief Minister of the Northern Territory, the Hon. Syd Stirling, and Alison Anderson, the member for Macdonnell. On behalf of the House I extend a very warm welcome to our visitors.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mrs Vale (2.14 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister update the House how workers will be protected under the new Work Choices system?

Is the minister aware of any contrary comments, and what is the government’s response?

Mr Andrews—I thank the member for Hughes for her question. This government will be protecting things in industrial relations such as the new Australian fair pay and conditions standard, which relates to ordinary times of work, annual leave, sick leave and carers leave. There will also be protections in relation to agreements, because the award system will remain as a default provision and therefore a protection for workers. This protection runs quite contrary to the shameless misinformation that we have had from the Australian Labor Party and the union movement after the past week.

Let me outline four matters on which we have had a shameless misinformation campaign from the ALP and the union movement. The first claim is that employers can force existing employees onto AWAs—to quote the member for Perth, ‘Take the AWA or take the sack.’ This is quite wrong. It will continue to be unlawful for an existing employee to be forced onto an AWA. The second claim is that employees dismissed on the grounds of operational redundancy will have no right to challenge the matter. Again, that is totally wrong. An employee has the right to dispute the employer’s operational reasons as part of the unfair dismissal process. On top of that, any claim made in this regard will be determined by the Australian Industrial Relations Commission.

The third claim is that workers could be jailed for discussing the terms of their AWA. Once again, that is totally wrong. There are sanctions in the act which apply to officers of the Office of the Employment Advocate divulging confidential information about employees on AWAs. That will be extended to those who are passed information, if it is done so inappropriately, by an officer of the
Office of the Employment Advocate. But the reality is that ordinary workers in Australia—and, indeed, employers—are at liberty to discuss their AWA if they wish to.

The fourth misleading and wrong claim is that employers could sack their entire work force and then re-employ them the next day on inferior working conditions—something Mr Combet, the Secretary of the ACTU, was claiming. Once again, that is absolutely the wrong. Firstly, if anybody were to do that, they would have to pay to an employee anything which had accrued in terms of their redundancy and entitlements. Secondly, if they were seeking to do that and to re-employ the workers, they would have to re-employ them under the existing terms and conditions.

So, once again, the facts of the issue stand in marked contrast to the misleading claims that are being made by the ALP and the ACTU. The absurdity of these claims indicates the level of debate we are getting from the ALP and the ACTU. The Leader of the Opposition said the divorce rate in Australia would increase as a result of Work Choices. We have had claims from a Victorian Labor member of parliament that women and children would die as a result of these changes. We have even had claims that life expectancy would fall. How absurd and ridiculous!

Workplace Relations

Mr BEAZLEY (2.19 pm)—My question is to the Minister for Employment and Workplace Relations and it goes to the last occasion on which he attempted to respond to somebody who had asked him how workers might protect themselves. I draw his attention to his suggestions that Australian workers could rely on their accountant to represent them in AWA negotiations. Does the minister expect nurses, social workers, cleaners, bricklayers and apprentices to all bring their accountants? Minister, to assist in negotiations should Australian workers also bring along their butlers to help them make the tea?

The SPEAKER—The Minister for Employment and Workplace Relations will ignore the last part of the question.

Mr ANDREWS—If the matters I outlined in my previous answer did not point to the absurdity of the case being mounted by the Leader of the Opposition, his question just did so. Why is that? The reality is that this government has put in place protections for workers who are looking at an AWA. Part of that protection is that a worker, an employee, can appoint a bargaining agent. That bargaining agent can be an official of the union or anybody that employee wishes to appoint. There may well be circumstances in which a worker would prefer to have their accountant appointed to be their bargaining agent. The reality is that a union official can be appointed as a bargaining agent. Mr Combet can be appointed as a bargaining agent.

Mr Albanese interjecting—

The SPEAKER—Order! The member for Grayndler is warned!

Mr ANDREWS—Any person who is of sufficient expertise or interest in a matter can be chosen by an individual worker to serve as their bargaining agent. If they want Kim Beazley, they can have him.

National Security

Mr LINDSAY (2.21 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister update the House on the safety of Australians on the cruise ship that was attacked on the weekend? What steps are the government taking to prevent such attacks in our region?

Mr DOWNER—First, I thank the member for Herbert for his question. Also, if the House will indulge me, may I say how pleased I am to see the Minister for Foreign Affairs here?
Affairs of Sweden here. She is enormously welcome. Let me also add that so are the mayors of Kangaroo Island and Alexandrina council, which are in the electorate of Mayo.

The cruise ship Seabourn Spirit was attacked by rocket propelled grenades and automatic weapons—we think about 150 kilometres off the Somali coast—on Saturday, 5 November. That is a bit further off the coast than we had earlier imagined. We do not know the motives of those who attacked this ship, whether they had terrorist motives in order to try to kill people or whether they wanted to rob it or even to try to highjack it. That is a matter that will be investigated and is being investigated.

Our consul from the Australian High Commission in Port Louis, in Mauritius, has now visited the ship, which is three kilometres off the Seychelles, and has confirmed that there were 22 Australians onboard the ship—19 passengers and three crew; nine male and 10 female passengers as well as the crew. Mercifully, all of the 22 Australians are safe. In fact, all of the complement of the ship is safe. Only one of the crew, I believe, was injured. That was the only injury that was sustained. Our consular officer at our high commission in Nairobi will travel to Mombassa, in Kenya, to provide assistance to the Australians who have been stranded in Mombassa as a result of the ship being diverted to the Seychelles.

My department’s travel advisory for Somalia does advise seafarers there is a risk of piracy occurring in coastal areas and territorial waters off Somalia. More than that, of course, there is a broader risk around the world. That is not to underestimate the risks of piracy—I think they are familiar to many members of the House—but possible terrorist attacks on shipping cannot be completely ruled out.

The Australian government are focused on this issue in our own immediate region. We part funded a counterterrorism exercise, called Ready Pacifica, which starts, by coincidence, tomorrow at the Pacific Forum Secretariat in Fiji. It will be the first of its kind involving Pacific countries, all of whom will participate. The exercise will focus on border security, but with particular focus on maritime security, cooperation, coordination and legal frameworks. It is important that we work with Pacific Island countries to test capabilities in responding to emerging terrorist threats and to help identify areas where the capacities of countries in our own immediate region to deal with these problems can be enhanced by the skills and capacity that we have here in this country.

Workplace Relations

Mr STEPHEN SMITH (2.25 pm)—My question is to the Prime Minister, and it follows on from my previous question to him and that from the member for Banks. Prime Minister, isn’t it the case that the government pulped nearly half a million copies of the booklet to insert the word ‘fairer’ into the title at the suggestion of the government’s taxpayer funded market research spin doctors? Prime Minister, doesn’t page 29 of the government’s industrial relations legislation expressly remove the requirement that the minimum wage be fair from the criteria for setting the minimum wage? Prime Minister, instead of pulping the booklet because the word ‘fair’ was not on the cover, why don’t you just kill the bill?

Mr HOWARD—The question of whether these changes are fair will be determined by an objective analysis of the aggregate provisions of the legislation. If you look at the aggregate provisions of the legislation, you find—for example, in relation to the minimum wage—for the first time a specific in-
juncture that the interests of the unemployed be looked at. As I said last week—

Mr Crean—But why take ‘fair’ out?

Mr HOWARD—They interject in the name of fairness. I will again remind those who sit opposite of the famous words of a successful Labour leader, Tony Blair, when he addressed the Trade Union Congress in 1997 in Great Britain. He said, ‘Fairness in the workplace starts with the chance of a job.’ An integral part of the injunctions given to the Fair Pay Commission is to take into account the interests of the unemployed, as well as the requirement for proper minimum wage considerations, the strength of the Australian economy and the other things that are listed in the conditions that are attached to the fair pay condition. When you look at all of those, you see that fairness to the unemployed is integral to the proceedings of the Fair Pay Commission. I think that demonstrates that this legislation, so far from needing to be put aside, properly meets the Australian fair go tradition.

Workplace Relations

Mr ANTHONY SMITH (2.28 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister inform the House how all Australians have benefited from rising real wages under the Howard government, including people on social security benefits? Are there any alternative policies?

Mr ANDREWS—I thank the member for Casey for his question. As his question indicates, Australians have benefited from increases in real wages under the Howard government, including people on social security benefits. Are there any alternative policies?

Mr ANDREWS—If the Leader of the Opposition were correct he would be able to produce his legislation. The reality is that this was the government that legislated to make that link, and you know it, sport!

Ms King interjecting—

The SPEAKER—The member for Ballarat is warned!

Mr ANDREWS—In the face of this, what we have seen is an increase in real wages for Australians and, because of that, we have seen increases in pensions for Australians. Despite this, we have another campaign of misinformation by the Labor Party. I came across a letter that the member for Cowan is distributing to constituents in his electorate, in which he says in part, ‘Just a one per cent per annum reduction in wages growth will leave a single pensioner almost $20 per fortnight worse off and a couple $30 worse off.’ Apart from the very dubious mathematics—

Ms Hoare interjecting—

The SPEAKER—The member for Carlton is warned!
Mr ANDREWS—it is based on a flawed assumption. This government has been about increasing real wages, unlike the Labor Party, which was about reducing real wages. Mr Speaker, ask yourself: who in this parliament was part of a government that reduced real wages? The Leader of the Opposition. Not only that, he actually claimed credit for it.

Mr Albanese interjecting—

The SPEAKER—The member for Grayndler has been warned. He is on very thin ice.

Mr ANDREWS—This year on 1 April, the Leader of the Opposition said:
We achieved 13 years of wage restraint under the Accord. The wage share of GDP came down from 60.1 per cent when we took office down to the lowest it had been since 1968. We—
that is, the ALP—
left office with the wage share of GDP at 55.3 per cent.
That is from 60 per cent down to 55 per cent.

Mr Tanner interjecting—

The SPEAKER—The member for Melbourne is warned!

Mr ANDREWS—On top of that, we had the former Prime Minister and former Treasurer of the ALP government, Mr Keating—

Mr Beazley—Mr Speaker, I rise on a point of order on relevance. This is a rant. He says that the wages share came down from 60 to 55 as a point, but he then does not tell the parliament that it is now 53.

The SPEAKER—There is no point of order.

Mr ANDREWS—The reality is that, under the Labor Party, real wages went up by 1.2 per cent; under this government, they have gone up by 14.9 per cent—1.2 per cent versus 14.9 per cent. This was reinforced by the former Prime Minister, Mr Keating, when, in an interview in the Sydney Morning Herald on Saturday, he is quoted as saying:
When Labor was in office, under the accord with the ACTU, with all power, what did we do? We engineered a fall in real wages ...

If the honourable member for Cowan and others on the other side are going to write to their constituents about changes in wages, they ought to adopt what has happened in the last 10 years—that is, unlike when their side were in government and real wages were going down, what has happened under this government is that real wages have gone up.

Workplace Relations

Mr JENKINS (2.33 pm)—My question is directed to the Prime Minister. It follows on from the previous questions from the member for Perth and is specifically about the minimum wage. Is it not the case that, if the government’s submissions to the Australian Industrial Relations Commission had been adopted since 1996, the minimum wage would have been reduced in real terms by 1.55 per cent? Is it not the case that pages 29 and 64 of the bill specifically repeal section 88 of the current act, which requires ‘fair minimum standards for employees in the context of living standards generally’ and ‘inflation’ to be taken into account in the setting of the minimum wage? Prime Minister, does not this particular change mean that employees dependent upon the minimum wage will have their wages reduced in real terms, just as you have always intended?

Mr HOWARD—The answer to the question is no.

Trade: Employment

Mr HAASE (2.35 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. Would the Deputy Prime Minister inform the House about how trade is contributing to the employment growth taking place in regional Australia, and what
policies will ensure that this employment growth continues?

Mr VAILE—I thank the member for Kalgoorlie for his question. Representing the largest regional seat in Australia, the member for Kalgoorlie recognises the importance of exports, particularly from his electorate, in terms of employment generation and growth in his electorate. Of course, one in five jobs in Australia is related to exports, but in regional Australia—and this is particularly so in the seat of Kalgoorlie—one in four jobs relies on exports for its maintenance. Australia’s export performance and sound economy are obviously benefiting regional and rural Australia. A lot of the growth that is coming out of that part of Western Australia, represented by the member for Kalgoorlie, is underpinning the economic and employment growth taking place in Australia today.

A report prepared for the Australian Local Government Association on the state of the regions supports the wellbeing and improvement in circumstances that exist in regional Australia today. It shows that our policies have helped regional Australia share in the nation’s ongoing economic prosperity, and a lot of that economic prosperity is being generated by the electorate of Kalgoorlie.

The report prepared by National Economics demonstrates on a couple of points that regions which suffered from low population growth over the 1990s are now seeing growth accelerate in their areas. That is good news in rural areas, where attractive lifestyles are available. Secondly, per capita employment has grown across regional Australia, with an above average decline in unemployment in what the report describes as rural lifestyle regions. Thirdly, and most importantly, net disposable household income has increased in most rural areas. These are very important statistics in terms of underpinning the economic strengthening that has taken place in regional Australia. It has certainly been an objective of our government over the last 10 years to put in place policies to reverse the general decline in the position of regional Australia in the overall national economy. This report supports the fact that the policies we have been putting in place are now working.

One of the interesting and more important recommendations in the report is the recognition of the clear benefits gained from extending quality broadband coverage into regional and rural Australia, as this will increase the capacity of enterprises to export and employ in regional Australia. It is well known that the government have announced that, as at 1 January 2006, we will invest $1.1 billion over the following four years in rolling out broadband capacity right across Australia into those regional areas, to continue to strengthen the economies and the opportunities in regional Australia and to build on what has been identified in this report as ‘the strengthening of regional Australia’.

Workplace Relations

Mr SWAN (2.39 pm)—My question is directed to the Treasurer. Can the Treasurer confirm that he was briefed on modelling undertaken by his department in April and May of this year estimating the impact of workplace relations proposals on employment, wages and productivity? Treasurer, what precisely did this modelling show? If the modelling backs up the $50 million advertising campaign claims of more jobs and higher wages, why has the government chosen to keep it secret?

Mr COSTELLO—I thank the honourable member for his question. I was rather surprised to read in the Australian on Saturday that the Howard government was concealing especially commissioned advice from the Treasury. It was certainly news to
me. When inquiries were made of the Treasury—

Mr Ripoll—It’s so secret they didn’t even tell you.

The SPEAKER—The member for Oxley is warned!

Mr COSTELLO—For once he has said something halfway decent in the House, and he is absolutely right: it was so secret that this report had not even been written. That is how secret it was. Not only was it so secret that it had not even been written; it was so secret that it had been neither written nor released, which I have to say was one of those top-secret things. In fact the Treasury—

Mr Ripoll interjecting—

The SPEAKER—The member for Oxley will remove himself under standing order 94(a).

The member for Oxley then left the chamber.

Mr COSTELLO—The Treasury put out a press release on Saturday—

Mr Albanese—Put your hands up, Pete.

The SPEAKER—Order! The member for Grayndler will also remove himself under standing order 94(a).

The member for Grayndler then left the chamber.

Mr COSTELLO—In fact the Treasury put out a press release on Saturday confirming that it had not been commissioned to provide specific advice, nor had it written a report, nor had the report been concealed. So I regret to inform the honourable member for Lilley that the story was wrong. In fact I pay tribute to him for actually getting a false story up on the front page of the Australian. It rather reminded me of a $600 payment that did not exist.

Mr Swan interjecting—

The SPEAKER—Order! The member for Swan!

Mr Wilkie—What? Me?

The SPEAKER—I’m sorry. The member for Lilley.

Mr COSTELLO—Mr Speaker, the member for Lilley is a swan—

A government member—No, he’s a rooster.

Mr COSTELLO—who metamorphoses into a rooster early in the morning: as the cock crows the swan flies off.

Mr Swan—Mr Speaker, I raise a point of order. The Treasurer should remember that when turkeys mate they think of swans.

The SPEAKER—The member for Lilley will resume his seat. Has the Treasurer finished his answer?

Mr COSTELLO—I would be surprised if Mr Smith and Senator Conroy think of the member for Lilley when they mate, Mr Speaker. They would be needing a good deal of pharmaceutical treatment if they did.

France: Riots

Mr SLIPPER (2.43 pm)—My question is addressed to the Minister for Foreign Affairs. In view of the ongoing riots in France, what advice does the government have for Australians travelling to Paris at this time?

Mr DOWNER—I thank the honourable member for his question and his interest. I think all members of the House will be aware that there have been violent riots, including arson, looting and widespread damage to property, in the northern Paris suburb of Clichy-sous-Bois and in other parts of Paris, and indeed now into other cities in France, such as Lille, Marseilles, Toulouse, Strasbourg and Nice.

Sadly, the rioting has the potential to spread still further, bearing in mind that the riots are now into their 10th day. On Satur-
day, rioters burnt nearly 1,300 cars and over 300 arrests were made, meaning that a total of some 3,300 vehicles have been torched since the rioting began. Schools, nurseries, shops, post offices and police stations have also been attacked. Police uncovered a gasoline bomb-making factory in a derelict building in the south of Paris. Of course, the Australian government strongly condemn these acts of violence and the needless and wanton destruction of property that has accompanied it. We welcome the statement by the French government expressing its resolve to restore law and order.

Given the continuing violence—we do not know how long this will go on for; we hope it does not go for an hour longer—and the spread beyond localised areas of most regions of France, today the Department of Foreign Affairs and Trade reissued our travel advice for France. The travel advice urges Australians in France to monitor the media closely and to exercise a high degree of caution should they need to travel through areas which are affected in any way by the riots. We would urge any Australians in France, or those who are planning to visit France, to consult the travel advisory.

Telstra: Service Charges

Mr WINDSOR (2.46 pm)—My question is to the Prime Minister. In the light of media reports about the possibility that some phone users in country Australia could be paying up to 10 times more for their services if the ACCC imposes changes to wholesale charges, could the Prime Minister confirm whether the guarantees given to the National Farmers Federation included the continuation of parity of pricing between city and country for line rentals, telephone services and broadband? Will the Prime Minister now point out where the government’s so-called guarantees are enshrined in the Telstra sale legislation?

Mr HOWARD—In answer to the honourable member for New England, I point out the detailed statement that was made by the Minister for Communications, Information Technology and the Arts to the Senate, and the government stands by that statement.

Allied Health Professionals

Mr WAKELIN (2.47 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister inform the House of the new measure to increase the number of allied health professionals in rural and remote areas?

Mr ABBOTT—I thank the member for Grey for his question. I point out to him that the GP bulk-billing rate in his area has increased by 13.7 per cent over the last 12 months, thanks to the policies of the Howard government. Today I inform him of more good news from the Howard government. From next year, the government will offer a new rural undergraduate allied health scholarship. This means that students from country areas studying subjects like dentistry, physiotherapy, psychology, occupational therapy, speech pathology and so on will have access to this new scholarship. There will be up to 180 scholarships a year. They will be worth $10,000 a year. Over time, this should certainly help to improve health services in country areas because, if you come from the country, you are more likely to stay in the country and practise in the country. This new scholarship complements the government’s existing allied health postgraduate scholarships, and also supplements the government’s allied health professional measure, announced as part of the Strengthening Medicare policy.

The government have a good record of delivering better health services in country areas, thanks to measures such as the rural incentive payments, the practice nurse incentive payments and the establishment of rural
clinical schools. The number of doctors in country areas has increased by 20 per cent since 1996. Measures like this show that, when it comes to health, the Howard government are the best friend that Medicare has ever had, and certainly we are the best friend that rural health services have ever had.

Government members interjecting—Hear, hear!

Oil for Food Program

Mr Rudd (2.49 pm)—My question is to the Prime Minister. I refer to his repeated claim last week that the Volcker inquiry exonerated his government from any involvement in approving Saddam Hussein’s $300 million Aussie slush fund. Prime Minister, is it not a fact that Volcker’s terms of reference only empowered Volcker to examine the role of UN agencies and UN contractors? Is it not also a fact that Volcker’s terms of reference did not empower Volcker to make any findings whatsoever in relation to any national government, Australian or otherwise? Prime Minister, will you have the courage to establish a royal commission, with full powers, to examine not just the Wheat Board’s role but the government’s role in bringing about this monumental scandal?

Mr Howard—I will repeat what I said last week. What I said last week was that, despite the government providing total cooperation, despite the government providing all documents it was asked to provide, the Volcker inquiry offered not a zephyr of criticism of the Australian government. In relation to the inquiry, I have already said that the government will establish a full inquiry with appropriate powers and, when the advice from the government on that issue has been completed, I will have an announcement to make.

Workplace Relations

Mrs Markus (2.50 pm)—My question is addressed to the Minister for Workforce Participation. Has the minister seen any new figures which show how Work for the Dole helps participants become work ready? Are there any alternative views?

Mr Dutton—I thank the member for Greenway. I know that she is particularly proud of the fact that, under the Howard government, unemployment has dropped from 8.8 per cent to 4.7 per cent. It is a wonderful result of the work that we have been doing in employment programs and helping people off welfare and into work. I am proud to announce today that figures released in relation to Work for the Dole showed that, for around 85 per cent of job participants in Work for the Dole, it had increased their desire to find a job and it had increased their self-esteem, and they were satisfied with their involvement in the project. We know that Work for the Dole is a program that works. It is a program that provides people with an opportunity to contribute back to society. It is a program which supports young people working in a team environment and, for all of those reasons, we still cannot understand why the Labor Party continue to hate Work for the Dole.

We know that the Labor Party would wind back Work for the Dole, despite the fact that it is an incredibly successful program. It is a program that enjoys tremendous support in the electorate, but the reality is that the Labor Party still cannot bring themselves to support this wonderful program. We know that, since 1997, on 336 occasions the Labor Party have taken the opportunity to talk down Work for the Dole. This is a great opportunity for the Leader of the Opposition to show some leadership, to support Work for the Dole and to help young people off the dole and into work.

Oil for Food Program

Mr Rudd (2.52 pm)—My question is to the Minister for Foreign Affairs. I refer to the
UN’s raising of formal and direct concerns with the Australian government in January 2000 over whether the Wheat Board’s commercial arrangements with the Iraqis were in violation of UN sanctions. I also refer to the fact that the UN’s concerns were raised with the government nine months before the government approved the Wheat Board’s proposal, a decision that resulted in gross violations of UN sanctions. Minister, given that these UN concerns were cabled to your office in Canberra, what action did you take in response to prevent the Wheat Board from paying $300 million to Saddam Hussein—the largest contribution worldwide to Saddam Hussein’s slush fund?

Mr Downer—As the Prime Minister said, all of these issues have been given careful consideration by the Volcker inquiry. We provided every piece of information that we could find to the Volcker inquiry, and quite rightly so. I said to my department quite some time ago that I wanted them to cooperate fully, to pass all documents they could possibly find to the Volcker inquiry and to ensure that our mission in New York and our Department of Foreign Affairs and Trade in Canberra fully cooperated with the Volcker inquiry. The Volcker inquiry has drawn its conclusions, in particular, from our point of view as Australians, in relation to the Australian Wheat Board, and they can be read by honourable members. You can read what the Wheat Board has said, and the Prime Minister, over and above that, has said that—

Mr Rudd—On a point of order, Mr Speaker: there is not one word in the answer that is relevant to the question. Volcker’s terms of reference do not touch the government—

The Speaker—The member will resume his seat. Has the minister completed his answer?

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

WORKPLACE RELATIONS

Mr BEAZLEY (Brand—Leader of the Opposition) (2.57 pm)—by leave—I move:

That so much of the standing and sessional orders be suspended as would prevent the Prime Minister from being required to provide this House with a full and proper explanation of his role in:

(a) the expenditure of more than $50 million of taxpayers’ money on a Liberal Party political advertising campaign in a desperate attempt to sell his extreme industrial relations changes;

(b) the fact that this expenditure includes taxpayers’ money which has been wasted on the production of 6 million propaganda booklets, with some 5.8 million booklets sitting in warehouses around the country; and

(c) the decision to pulp nearly half a million booklets because the word ‘fairer’ had to be inserted on the cover consistent with the advice of the Government’s spin doctors despite the fact that the Government’s bill expressly removes reference to a fair minimum wage.

This is an act of corruption. This is an act of the most—

Mr ABBOTT (Warringah—Leader of the House) (2.59 pm)—I move:

That the member be no longer heard.

Question put.

The House divided. [3.03 pm]

(The Speaker—Hon. David Hawker)

Ayes.......... 82
Noes.......... 58
Majority....... 24

AYES

Abbott, A.J. Andrews, K.J.
Baird, B.G. Baker, M.
Baldwin, R.C. Barresi, P.A.
Bartlett, K.J. Billson, B.F.
Bishop, B.K. Bishop, J.J.
Broadbent, R. Brough, M.T.
Cadman, A.G. Causer, J.R.
Ciobo, S.M. Cobb, J.K.
Costello, P.H. Dutton, A.G.
Draper, P. Entsch, W.G.
Elson, K.S. Ferguson, M.D.
Fawcett, D. Gambaro, T.
Forrest, J.A. * Georgiou, P.
Gash, J. Hardgrave, G.D.
Haase, B.W. Henry, S.
Hartsuyker, L. Howard, J.W.
Hockey, J.B. Hunt, G.A.
Hull, K.E. Johnson, M.A.
Jennings, D. Keenan, M.
Jull, D.F. Kelly, J.M.
Kelly, D.M. Ley, S.P.
Laming, A. Lloyd, J.E.
Lindsay, P.J. Markus, L.
Macfarlane, I.E. McArthur, S. *
May, M.A. Moylan, J.E.
McGauran, P.J. Nelson, B.J.
Nairn, G.R. Panopoulos, S.
Pearce, C.J. Prosser, G.D.
Pyne, C. Randall, D.J.
Richardson, K. Robb, A.
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D.
Slipper, P.N. Smith, A.D.H.
Somlyay, A.M. Stone, S.N.
Thompson, C.P. Ticehurst, K.V.
Tollner, D.W. Truss, W.E.
Tuckey, C.W. Turnbull, M.
Vaile, M.A.J. Vale, D.S.
Vasta, R. Wakelin, B.H.
Washer, M.J. Wood, J.

NOES

Adams, D.G.H. Beazley, K.C.
Bevis, A.R. Bird, S.
Bowen, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Crean, S.F.
Danby, M. * Edwards, G.J.
Elliot, J. Ellis, A.L.
Ellis, K. Emerson, C.A.
Monday, 7 November 2005 HOUSE OF REPRESENTATIVES 39

Ferguson, L.D.T. Ferguson, M.J. Broadbent, R. Brough, M.T.
Fitzgibbon, J.A. Garrett, P. Cadman, A.G. Causerley, I.R.
Georganas, S. George, J. Gibbo, S.M. Cobb, J.K.
Gibbons, S.W. Gillard, P.H. Costello, A.J.G. Dutton, P.C.
Grierson, S.J. Grierson, A.P. Draper, P. Entsch, W.G.
Hall, J.G. * Hatton, M.J. Elson, K.S. Ferguson, M.D.
Hayes, C.P. Hoare, K.J. Fawcett, D. Gambaro, T.
Irwin, J. Jenkins, H.A. Forrest, J.A. * Gash, J. Georgiou, P.
Kerr, D.J.C. King, C.F. Haase, B.W. Hardgrave, G.D.
Lawrence, C.M. Livermore, K.F. Hartsuyker, L. Henry, S.
Macklin, J.L. McClelland, R.B. Hockey, J.B. Howard, J.W.
McMullan, R.F. Melham, D. Hull, K.E. Hunt, G.A.
Murphy, J.P. O’Connor, B.P. Jensen, D. Johnson, M.A.
O’Connor, G.M. Owens, J. Jull, D.F. Keenan, M.
Quiberstek, T. Price, L.R.S. Kelly, D.M. Kelly, J.M.
Quick, H.V. Roxon, N.L. Laming, A. Ley, S.P.
Rudd, K.M. Sercombe, R.C.G. Lindsay, P.J. Lloyd, J.E.
Smith, S.F. Snowdon, W.E. Macfarlane, I.E. Markus, L.
Swan, W.M. Tanner, L. May, M.A. McArthur, S. *
Thomson, K.J. Vamvakoinou, M. McGauran, P.J. Moylan, J.E.
Wilkie, K. Windsor, A.H.C. Nairn, G.R. Nelson, B.J.
* denotes teller

Question agreed to.

The SPEAKER—Is the motion seconded?

Mr STEPHEN SMITH (Perth) (3.08 pm)—I second the motion. The government should have pulped the bill. Having pulped the fiction, you should now pulp the bill—kill the bill!

Mr ABBOTT (Warringah—Minister for Health and Ageing) (3.08 pm)—I move:

That the member be no longer heard.

Question put.

The House divided. [3.09 pm]

(The Speaker—Hon. David Hawker)

Ayes………….. 82
Noes………….. 58
Majority……… 24

AYES
Abbott, A.J. Andrews, K.J.
Baird, B.G. Baker, M.
Baldwin, R.C. Barresi, P.A.
Bartlett, K.J. Billson, B.F.
Bishop, B.K. Bishop, J.J.

NOES
Adams, D.G.H. Beazley, K.C.
Bevis, A.R. Bird, S.
Bower, C. Byrne, A.M.
Burke, A.S. Crean, S.F.
Corcoran, A.K. Edwards, G.J.
Danby, M. * Elliot, J.
Ellis, K. Ellis, A.L.
Ferguson, L.D.T. Emerson, C.A.
Fitzgibbon, J.A. Ferguson, M.J.
Georganas, S. Garrett, P.
Gibbons, S.W. George, J.
Grierson, S.J. Gillard, J.E.
Hall, J.G. * Griffin, A.P.

CHAMBER
Question agreed to.

Original question put:

That the motion (Mr Beazley’s) be agreed to.

The House divided. [3.12 pm]

(The Speaker—Hon. David Hawker)

Ayes............. 59
Noes............. 81
Majority......... 22

AYES

Adams, D.G.H.  Beazley, K.C.
Bevis, A.R.  Bird, S.
Bowen, C.  Burke, A.E.
Burke, A.S.  Byrne, A.M.
Corcoran, A.K.  Crean, S.F.
Danby, M. *  Edwards, G.J.
Elliot, J.  Ellis, A.L.
Ellis, K.  Emerson, C.A.
Ferguson, L.D.T.  Ferguson, M.J.
Fitzgibbon, J.A.  Garrett, P.
Geogarana, S.  George, J.
Gibbons, S.W.  Gillard, J.E.
Grierson, S.J.  Griffin, A.P.
Hall, J.G. *  Hatton, M.J.
Hayes, C.P.  Hoare, K.J.
Irwin, J.  Jenkins, H.A.
Katter, R.C.  Kerr, D.J.C.
King, C.F.  Lawrence, C.M.
Livermore, K.F.  Macklin, J.L.
Mclelland, R.B.  McMullan, R.F.
Melham, D.  Murphy, J.P.
O’Connor, B.P.  O’Connor, G.M.

NOES

Abbott, A.J.  Baird, B.G.
Baldwin, R.C.  Bartlett, K.J.
Bishop, B.K.  Broadbent, R.
Cadman, A.G.  Ciobo, S.M.
Costello, P.H.  Dutton, P.C.
Entsch, W.G.  Ferguson, M.D.
Gambaro, T.  Hardgrave, G.D.
Henry, S.  Howard, J.W.
Hunt, G.A.  Jull, D.F.
Johnson, M.A.  Kelly, D.M.
Keenan, M.  Ley, S.P.
Kelly, J.M.  Lloyd, J.E.
Laming, A.  Mark, L.
Lloyd, J.E.  McArthur, S. *
May, M.A.  Moylan, J.E.
Nairn, G.R.  Nelson, B.J.
Nicola, P.C.  Panopoulos, S.
Phear, C.J.  Prosser, G.D.
Randall, D.J.  Robb, A.
Richardson, K.  Schultz, A.
Ruddock, P.M.  Secker, P.D.
Scott, B.C.  Smith, A.D.H.
Slipper, P.N.  Stone, S.N.
Somlyay, A.M.  Ticehurst, K.V.
Vaile, M.A.J.  Truss, W.E.
Vasta, R.  Turnbull, M.
Wash, M.J.  Wakefield, B.H.
Wood, J.  * denotes teller

* denotes teller
Question negatived.

QUESTIONS TO THE SPEAKER

Question Time

Mr DANBY (3.16 pm)—Mr Speaker, I refer to question time last Thursday when, under standing order 94(a), you removed seven members of the opposition at the rate of one every six minutes. Can you advise the House whether or not this has established an Australian or, indeed, a world record?

The SPEAKER—I would say to the member for Melbourne Ports the last part of that question was quite frivolous. In response to the first part, I think any comparison of current arrangements with earlier arrangements is difficult to make because standing order 94(a) is a fairly recent development in this chamber. Therefore, to try and make any meaningful comparison I think would be very difficult.

Questions in Writing

Mr MURPHY (3.17 pm)—Mr Speaker, I would like your assistance under standing order 105(b) please. On 5 September this year question No. 2229 to the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs first appeared on the Notice Paper in my name and on 7 September question No. 2324 similarly appeared on the Notice Paper for the first time in my name, to the Minister for Health and Ageing. As it is more than 60 days since those questions were first placed on the Notice Paper, I would be grateful if you would take the whip to those ministers and get me answers.

The SPEAKER—I thank the member for Lowe and I will follow that matter up for him.

PETITIONS

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

Community Pharmacies

To the Honourable Speaker and Members of the House of Representatives:

The Petition of citizens of Hindmarsh draws the attention of the House to the important role that Community Pharmacies play in the health care system. The petitioners call upon the House to ensure the Howard Government opposes the extension of pharmacies to major retail supermarkets. The petitioners also ask the House to note that a failure to do so would:

(a) Lead to the closure of many Community Pharmacies, the majority of whom are hard working small businesses;
(b) The loss of jobs among the 30,000 assistants currently employed in community pharmacies;
(c) Put at risk the 80 million free services provided by Community Pharmacies to the Australian community, many of who cannot afford the cost of going to the doctor due to the decline in bulk billing; and
(d) The reduction in training and career opportunities for people who have chosen pharmacy as their career.

by Mr Georganas (from 3,278 citizens)

Community Pharmacies

To the Honourable Speaker and Members of the House of Representatives:

The Petition of citizens of Fowler draws the attention of the House to the important role that Community Pharmacies play in the health care system. The petitioners call upon the House to ensure the Howard Government opposes the extension of pharmacies to major retail supermarkets. The petitioners also ask the House to note that a failure to do so would:

(a) Lead to the closure of many Community Pharmacies, the majority of whom are hard working small businesses;

by Mr Georganas (from 3,278 citizens)
(c) Put at risk the 80 million free services provided by Community Pharmacies to the Australian community, many of who cannot afford the cost of going to the doctor due to the decline in bulk billing; and
(d) The reduction in training and career opportunities for people who have chosen pharmacy as their career.

by Mrs Irwin (from 833 citizens)

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

This petition of certain citizens and residents of Australia draws to the attention of the House, the abhorrence of all civilized people to the concept of torture in any form and the adoption by the United Nations of the Universal Declaration of Human Rights and the adoption in 1975 of the Declaration on the protection of all persons from being subjected to torture or other cruel, inhumane, or degrading treatment or punishment.

Furthermore, this petition draws to the attention of the House the recently aired allegations of the direct involvement of Australian military personnel in the torture of Iraqis detained as part of the ongoing foreign occupation of that country.

Your petitioners therefore pray that the House seek that The Right Honourable the Prime Minister give an unequivocal undertaking to the Australian people that no member of the Australian Armed Forces or any member of any Australian security, foreign affairs or police agencies are trained or participate in any way whatsoever in any form of torture methods.

Further that such forces and agencies are prohibited from participating in any way with any other group or body including members of any Allied military, security, foreign affairs or police agencies in any forms of torture to any groups or individuals in detention.

And that all members of the above specified Australian forces and agencies are specifically directed to adhere to all provisions and conventions addressing the treatment of individuals or groups in detention.

by Mr Albanese (from 357 citizens)

Heavy Vehicles
To the Honourable the Speaker and the members of the House of Assembly, in the Tasmanian Parliament and to the Honourable the Speaker and the members of the House of Representatives in the Commonwealth Parliament.

The petition of the undersigned residents of the town and supporting residents in the vicinity of the town of Ulverstone, Tasmania, draws to the attention of the House significant problems caused by increased heavy vehicles travelling in or around the Eastland Drive, Heathcote Street, Main Street and Castra Road vicinity in Ulverstone.

Your Petitioners therefore request the House to take the necessary action for the inclusion of on/off ramps to the Castra Road overpass, as part of the proposed Stage 2 upgrade to the Bass Highway from the Leven River to East Ulverstone.

by Mr Baker (from 660 citizens)

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

The petition of certain citizens of Australia draws the attention of the House to the fact that:

We here the undersigned call on Braddon MHR Mark Baker to represent the interests of his constituents and OPPOSE the Howard Government’s plans to:

• Remove employment conditions from awards.
• Change the way minimum wages are set to make them lower.
• Use individual contracts to undercut existing rights and conditions.
• Keep unions out of workplaces and reduce workers’ negotiating and bargaining rights.
• Abolish redundancy pay and protection from unfair dismissals for the 3 million people who work in small businesses
• Reduce the powers of the independent Industrial Relations Commission to settle disputes and set fair minimum standards at work.

by Mr Albanese (from 357 citizens)
• Take away rights at with laws that unilaterally override and weaken State industrial relations systems, awards and agreements.

And we, your petitioners, ask the House to ensure that the Government upholds Australians’ rights at work and does not implement these plans that we oppose.

by Mr Baker (from 517 citizens)

Asylum Seekers

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

We the undersigned petitioners, citizens and residents of the Australian Commonwealth:

Royal Commission into the treatment of asylum seekers, refugees and immigration detainees

Request from the House of Representatives: to establish, as a matter of the highest priority, a Royal Commission into the treatment of asylum seekers, refugees and immigration detainees from the introduction of mandatory detention, with particular reference to the period of Howard government. Your petitioners therefore ask the House to ensure that this inquiry includes investigations into:

• conditions, incidents and events, in Australian and ‘Pacific Solution’ detention centres & all other forms of immigration detention and prisons, police lock-ups, home detention, including how incidents were acted upon and followed up;

• engagement and administration of the contract between ACM and the Commonwealth of Australia from 1997-2004 incl., and Group 4Falck from 2003 onwards; and the conduct of ACM and GSL in their operation of IDCs;

• the sinking of SIEVX and the possible role of AFP, ASIS and agents recruited, equipped or tasked by either AFP or ASIS;

• whether the Howard government influenced ADF & other Commonwealth agencies to suppress information about interception procedures and measures regarding Australia’s rescue obligations to refugee claimants attempting to reach Australia in SIEVs;

• into deaths of immigration detainees including the adequacy of any previous investigations and responses to their deaths, and unnatural deaths of TPV holders in the community;

• compliance of the TPV regime with international refugee law and its impact on the human rights of refugees on TPV’s;

• whether a bias was present or created in refugee assessment and review;

• the effects of preventing due access by lawyers, media agents and the public in order to assess, assist, support and report;

• whether obstructions were caused to the unfettered access to all aspects of legal recourse during assessment, review and appeals;

• the effects of government policies on their physical and mental health and that of their families and dependants;

• damage and disruption to asylum seekers’ lives, family and career plans;

• deportees and their fate upon return;

• and into the cost to the Australian community of these policies.

This Inquiry also should address accountability mechanisms and remedies, compensation, etc available for persons who have suffered violations of human rights as a result of Australia’s refugee and immigration detention regime.

by Mr Burke (from 9,831 citizens)

Roads: Funding

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

The petition of certain electors of the Division of Wakefield draws to the attention of the House the unsafe condition of Ruskins Road, Thompson Beach, South Australia which has a history of accidents and injuries.

Your petitioners therefore request the House to:

1. Address this area of need in the Community and support a funding request by the District Council of Mallala for funding under the Roads to Recovery, Black Spot Programme to seal Ruskin Road.
by Mr Fawcett (from 214 citizens)

Whaling

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

Certain citizens of Australia draw to the attention of the House:

Japan’s intention to seek an expansion of its whaling quota at the June meeting of the International Whaling Commission.

The Howard Government’s failure to protect the whale population in Australian waters despite laws passed by the Parliament in 1999 which gave it the power to do so.

Your petitioners therefore request the House to call on the Howard Government to:

(1) Take all steps to prevent an increase in Japan’s “scientific research” quota at the International Whaling Commission meeting to be held in Korea in June 2005.

(2) Take all necessary legal steps to enforce Australian laws creating an Australian Whale Sanctuary in the Southern Ocean and making it an offence to kill or injure whales in Australian waters.

(3) Challenge the legality of Japan’s abuse of the “scientific research” exemption to the ban on commercial whaling by taking a case to the International Court of Justice.

by Ms George (from 496 citizens)

Workplace Relations

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

The petition of certain citizens of Australia draws the attention of the House to the fact that Australian employees will be worse off as a result of the Howard Government’s proposed changes to the industrial relations system.

The petitioners call upon the Howard Government to adopt a plan to produce a fair industrial relations system based on fairness and the fundamental principles of minimum standards, wages and conditions; safety nets; an independent umpire; the right to associate; and the right to collectively bargain.

The Petitioners therefore ask the House to ensure that the Howard Government:

(1) Guarantees that no individual Australia employee will be worse off under proposed changes to the industrial relation system.

(2) Allows the National Minimum Wage to continue to be set annually by the independent umpire, the Australian Industrial Relations Commission.

(3) Guarantees that unfair dismissal law changes will not enable employers to unfairly sack employees.

(4) Ensures that workers have the right to reject individual contracts and bargain for decent wages and conditions collectively.

(5) Keeps in place safety nets for minimum wages and conditions.

(6) Adopt Federal Labor’s principles to produce a fair system based on the fundamental principles on minimum standards, wages and conditions; safety nets; an independent umpire; the right to associate; and the right to collectively bargain.

by Mrs Irwin (from 62 citizens)

China: Bears

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

The petition of certain residents of Australia draws to the attention of the House that approximately 8,000 bears are being kept in cages in China for the purpose of extracting bile for medical purposes and that the cages are so small the bears cannot move, which results in some of them going mad. It is further brought to the attention of the House that the Chinese plan to increase the number of bears, for these purposes, to 40,000.

Your petitioners therefore respectfully ask the House of Representatives to object most strongly to this horrendous and tragic practice and ask that steps be taken to stop it immediately.

by Mr Keenan (from 20,350 citizens)

Human Rights: Falun Dafa

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

The petition of certain citizens of Australia draws the attention of the House to the fact that approximately 8,000 bears are being kept in cages in China for the purpose of extracting bile for medical purposes and that the cages are so small the bears cannot move, which results in some of them going mad. It is further brought to the attention of the House that the Chinese plan to increase the number of bears, for these purposes, to 40,000.

Your petitioners therefore respectfully ask the House of Representatives to object most strongly to this horrendous and tragic practice and ask that steps be taken to stop it immediately.
The petition of certain citizens and residents of Australia draws to the attention of the House the persecution Falun Dafa in China.

Falun Dafa is a peaceful spiritual practice with over 100 million adherents in over 52 countries. In July 1999 the Chinese Central Government launched a propaganda campaign against Falun Dafa and declared the movement to be illegal. Tens of thousands of practitioners have been imprisoned without trial, while 354 have been tortured to death. This crackdown is clearly a breach of fundamental human rights.

Your petitioners therefore requests that the House urge China’s leadership to immediately:

1. Lift the ban on Falun Dafa and restore its legal status.
2. Withdraw the warrant of arrest for Mr Li Hongzhi.
3. Cease the torture of all detained Falun Dafa practitioners and release them forthwith.
4. Guarantee the full civil rights of released practitioners and their relatives.
5. Rectify all false propaganda used to defame Falun Dafa.

by Mr Keenan (from 100 citizens)

Human Rights: Falun Gong

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

The petition of certain citizens and residents of Australia draws to the attention of the House that: Sydney resident David Liang, father of two, was shot in both feet only hours after he and eight other Australians arrived in South Africa to file a lawsuit against Chinese officials who were visiting South Africa.

This proposed lawsuit charged China’s Vice President Zeng and Minister of Commerce Bo with torture, genocide and crimes against humanity, committed according to Jiang Zemin’s personally stated policies regarding Falun Gong to “Ruin their reputations, bankrupt them financially and destroy them physically,” as well as, “Killing them won’t matter because their deaths will be counted as suicides.” Zeng and Bo have been served with lawsuits during previous overseas visits for their pivotal role in prolonging the persecution of Falun Gong in China.

South African Police are investigating the incident as attempted murder against an Australian. Australians Terrorised Falun Gong practitioners have long been the victims of discrimination, harassment and assault from Chinese officials on Australian soil and worldwide. A known ‘blacklist’ has been circulated to prevent Falun Gong practitioners travelling overseas. This incident in South Africa is the most severe case to date and marks a new level of violence in the persecution of Falun Gong practitioners outside of China.

YOUR PETITIONERS THEREFORE REQUEST THE HOUSE TO:

1. Pay close attention to the safety of Australians, including Falun Gong practitioners, who face terrorist attacks by Jiang Zemin’s faction within the Chinese Government to help prevent such terrorist activities.
2. Co-operate with authorities in South Africa to thoroughly investigate this incident and bring to justice those responsible for this attempted murder.
3. Condemn the acts of terrorism by Jiang Zemin’s faction against Falun Gong practitioners both inside and outside of China.

by Mr Keenan (from 553 citizens)

Child Care

To the honourable Speaker and members of the House of Representatives:

The petition of citizens of Chifley draws the attention of the House to the increasing shortage and unaffordability of child care in Australia. Your petitioners ask the House to:

(a) note that the cost of child care across Australia has increased by 12% in the last year, which is 5 times the rate of all other goods and services;
(b) address the increasing disparity between the demand for and supply of child care in Australia;
(c) recognise that the excessive cost and unavailability of child care is a drain on the
Australian economy, and requires immediate action by the Federal Government;

(d) acknowledge that an untold number of Australian parents would like to participate or increase their participation in the paid workforce, but cannot, because child care is either not available or too expensive.

Petitioners also note that the Prime Minister has had nothing to say about the massive increase in child care costs under his government, and has expressed no interest or concern about the fact that some parents have no child care in their area.

Petitioners ask the House to support a National Summit on Child Care, to discuss the crisis in affordable child care in Australia and what should be done to solve the structural problems producing the crisis.

Sign the Petition • Make child care more accessible and affordable

by Mr Price (from 259 citizens)

Petitions received.

PRIVATE MEMBERS’ BUSINESS

Mr Nguyen Tuong Van

Mrs MOYLAN (Pearce) (3.20 pm)—I move:

That this House:

(1) acknowledges the shared history and strong relationship between Australia and Singapore;

(2) strongly supports representations by the Prime Minister, the Hon. John Howard MP, to the Government of Singapore for clemency on behalf of Mr Nguyen Tuong Van, who was recently convicted and sentenced to death for drug trafficking by the Singapore Court;

(3) supports the representation by the Minister for Foreign Affairs, the Hon. Alexander Downer MP, the Leader of the Opposition, Mr Kevin Rudd MP, and Members and Senators of the Australian Parliament who have supported a plea for clemency as outlined above;

(4) expresses profound regret that the Prime Minister of Singapore, HE Mr Lee Hsien Loong, and his Cabinet has rejected the pleas for clemency;

(5) notes that although the Singapore Court has adhered to due process, there remains an option for the Prime Minister and Cabinet of Singapore to overturn the death sentence, replacing it with a prison sentence;

(6) acknowledges the severe social impact that drug trafficking and drug use has on communities around the world and respects the strong stance by Singapore in its policies to combat this illegal trade and its worst effects;

(7) re-affirms Australia’s opposition to capital punishment;

(8) believes that there are mitigating circumstances arising from this case that warrant consideration of clemency for Mr Nguyen;

(9) respectfully calls on the Singapore Prime Minister and Cabinet to reconsider the plea by the Australian Government for clemency in the case of Mr Nguyen Tuong Van; and

(10) asks the Singapore Government to overturn the death sentence imposed on Mr Nguyen and replace it with an appropriate prison term.

We are now at the eleventh hour in seeking clemency for Mr Nguyen and our leadership in this House has been unanimous in their call on behalf of Mr Nguyen for clemency. This call has been led by the Prime Minister. I notice that on at least three separate occasions the Prime Minister has made a personal plea for clemency: in a letter that he wrote to the Singapore Prime Minister, Mr Lee, on 17 May; during his visit on 1 February to Singapore, where he sought clemency on behalf of Mr Nguyen, raising the matter with Senior Minister Goh; and when he attended the Asia-Pacific Economic Cooperation meeting last November. I know our Prime Minister’s work to seek clemency for Mr Nguyen continues. Many others from both government and opposition have joined in what, as I said, has been a unanimous call for clemency.

The basis on which we have made our call for clemency is clearly provided for in the
Singapore constitution, which I will outline in a moment. Before I do so, I thank all members who have supported this motion today and who will speak on it. The member for Fowler was the deputy leader of the delegation when we visited Singapore recently, and I appreciated her unequivocal support in writing to the Prime Minister on behalf of the delegation and also in visiting senior members of the Singapore parliament during the course of our visit. The member for Riverina, one of my coalition colleagues, was also extremely concerned and very strongly supportive of action in the call for clemency. I also thank the member for Canberra. But I would like to particularly acknowledge the work of the member for Cook because for some time now he has been the chair of Amnesty International in this parliament, and I know he has worked tirelessly behind the scenes, both on a personal level and through his role as chair of Amnesty International, to seek clemency on behalf of Mr Nguyen.

As I said, the provisions of Singapore’s constitution do allow for this. For those who might be critical, we are not asking for Mr Nguyen to be given clemency just because he is an Australian, although I believe we are perfectly entitled to put in a plea on behalf of one of our citizens. We are asking for clemency because the Singapore constitution specifically allows for this to happen. Article 22P(1) provides that the President, on the advice of the Prime Minister and cabinet, may:

(a) grant a pardon to any accomplice in any offence who gives information which leads to the conviction of the principal offender or any one of the principal offenders, if more than one;

Mr Nguyen has fully cooperated with the Singapore authorities and the Australian Federal Police in this respect. So I think that on (a) alone there is good reason for a call for clemency under the Singapore constitution. However, the constitution goes on to provide for the President, with the advice of cabinet, to:

(b) grant to any offender convicted of any offence in any court in Singapore, a pardon, free or subject to lawful conditions, or any reprieve or respite, either indefinite or for such period as the President may think fit, of the execution of any sentence pronounced on such offender; or

(c) remit the whole or any part of such sentence or of any penalty or forfeiture imposed by law.

So we do have a good case to put to the Singapore government. We do so with respect for their system of government, but we believe that this young man’s circumstances do allow us to put in a strong plea for clemency. It would be a sad day if this young man’s life were lost. (Time expired)

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

Mrs IRWIN (Fowler) (3.25 pm)—I second the motion. While I held concerns for the fate of Nguyen Tuong Van before visiting Singapore last month, my concerns were greatly increased by my talks with representatives of the Singapore government and parliament. After having exhausted almost every avenue of appeal for clemency, it now seems certain that the sentence will be carried out in the next few weeks or even days. However, while there is life there is hope, and like other speakers I hope that there is still a chance of the Singapore government granting clemency.

I want to stress a few points that the delegation raised with representatives of the Singapore government and, hopefully, clarify some issues which may not have been understood at the time. One point which was raised by a female member of the Singapore parliament was that clemency should not be granted to an Australian when many Singapore citizens have been executed for the same offence. I should make it quite clear
that our appeals were not based on nationality but on the issue of capital punishment. Clearly, our concern with this case comes from our close association with it, but that is not to say that we would not have called for clemency in other cases—indeed, I would seek the abolition of capital punishment in all countries.

The second point relates to the issue of respect for the laws of Singapore. At a meeting with Mr Raymond Lim, the Second Minister for Foreign Affairs, I repeated the comment of former Australian Prime Minister Bob Hawke, when he referred to the Barlow and Chambers executions in Malaysia in 1986 as a ‘barbaric act’. The death penalty is the ultimate violation of human rights. While respecting the laws of other countries, Australia must never fail to speak out on abuses of human rights. Nor is this a case of Western society claiming to be more civilised than eastern cultures.

The values fundamental to human rights are universal, and none is more fundamental than the right to life. It was pointed out to me by a member of the Singapore parliament that Singapore regards the mandatory death penalty for drug offences as essential to controlling drug addiction and that opponents were simply bleeding hearts. I can understand the historical reasons for Singapore’s concern with problems of drug addiction, and some would see the deterrent effect of extreme penalties, but the use of the death penalty for social control purposes raises other concerns. Throughout the world, for every execution of a convicted criminal, hundreds are executed for their political or religious beliefs. When politicians oppose the death penalty, it can often be for the very good reason of self-preservation. Singapore is one of Australia’s closest friends in the region, and I hope this matter will not unduly harm our relationship, but we must make it clear that we cannot accept this abuse of human rights. I remind the House and the Singapore government that Vietnam has recently reprieved two Australians facing the death penalty for drug trafficking. I congratulate that government for granting clemency in those cases.

I express my admiration for the staff at our high commission in Singapore. The task of liaising between Nguyen, his family and justice officials is extremely stressful. They have been responsible for passing on the most terrible reports. My heartfelt thanks and admiration go out to them for the coming weeks. I can only conclude with the thoughts of my friend and fellow delegate the member for Canberra, when she reflected after one meeting that: ‘We will leave Singapore with heavy hearts.’ Indeed, we did leave Singapore with very heavy hearts and I am sure that was the feeling of all members of the delegation. Regardless of the outcome, while I have enormous respect for the people of Singapore and their achievements, I will never think of Singapore in the same way again.

To Nguyen Tuong Van, and your courageous mother, who may never again have even a moment to hold her son, you are constantly in our thoughts and you will live in our hearts forever.

Mr BAIRD (Cook) (3.30 pm)—I am very glad to support this motion today on Mr Nguyen Tuong Van. I thank my colleagues the member for Isaacs, the member for Campbell, the member for Fowler, the member for Riverina and, of course, the member for Pearce, who brought this motion to the House. I thank the very many members and senators who signed the petition which Laurie Ferguson, the member for Reid, and I took to the Singapore High Commission only last week. Over 400 members of parliament and staffers signed it. Certainly we were very pleased with the reception that we had from
the Singapore High Commission, but we have heard already that the Singaporean government has refused any consideration of amnesty. Nevertheless, as Bronwyn Lee, a close friend of Mr Nguyen’s said, ‘Every day Van is alive, there is still hope. Every day represents an extra day of hope. Please help us to save our friend’s life.’ As the Daily Telegraph editorialised on 25 October:

It may be that any further entreaty—to save Van Nguyen’s life—will fall entirely on deaf ears. But that does not mean no further effort should be made.

... ...

Australia does not support the death penalty and we should be at pains to ensure we do not send even an inadvertent or tacit indication of resigned acceptance.

And we should not stop protesting until all hope is lost.

On a combined basis, both sides of the House are asking for clemency for this young man.

This young man, with a tragic background of being in refugee camps in Thailand, who ended up in Australia, had a difficult family environment and his brother got into trouble. He was in Singapore for the first time. He left Australia to try to find some money to assist the family. This is by no means to excuse his involvement in the drug trade, but I think for all of us who have made mistakes at some point in our lives there is a need for forgiveness, there is a need for compassion and there is a need for understanding. By all means, he should be punished for his involvement with the drug trade, but by no means should he receive the death penalty.

In our meeting with the Singapore High Commission last week, where we were received most courteously, we reiterated several things. Firstly, the relationship between Australia and Singapore has been very strong since World War II. We were involved in the war together when the Japanese moved down onto the Singapore peninsula and we fought together at that time. Our relationship has gone on since that time. We have forged the free trade agreement with Singapore and, of all of the countries in South-East Asia, Singapore is amongst our closest neighbours in friendship and economic cooperation. We look to the future together. But we would also point out that Singapore is regarded as a First World country in what it has achieved economically. It has a strong, vibrant economy which attracts many of the world’s largest corporations to establish regional offices and major corporations in that city and in that land. Yet one of the things that stands out about Singapore in comparison with other countries is its persistence with the death penalty. We are asked how we can explain to Singaporean parents whose children are put to death if we spare the life of a young Australian, and we say to them, ‘It is time to review your attitude to the death penalty and to establish the right status that you have amongst the world as being a First World country.’

The case itself deserves compassion and consideration. This young man, on his first exercise to bring drugs into Australia, was caught at Singapore airport. I cannot imagine what his mother must be feeling as he faces the death penalty at this young age. The President of Amnesty said that he met the mother who went up to Singapore to see her son. The son put his hand up at the glass window as they could not have direct contact and said to his mother, ‘Put your hand where my hand is.’ She said to him, ‘My son, here is my hand and my hand will be with you for all time.’ And so we think with compassion of that mother. We call on the Singapore government to review this case. On behalf of the members of this House and the people of Australia: have compassion on our young son, this son of Australia, of Vietnamese
background. We ask you to commute his sentence to one of imprisonment from the death penalty.

Ms ANNETTE ELLIS (Canberra) (3.35 pm)—In a funny sort of way I am honoured to have the opportunity to speak to this motion today on Mr Nguyen Tuong Van. I want to thank my colleagues for the manner in which this motion has been accepted onto the business paper of this House. I do not believe there could be any higher duty for me, as a member of this parliament, than to plead for someone else’s life. Today I rise to speak on behalf of Mr Nguyen Tuong Van and to join my colleagues and many members of the Canberran and Australian communities in pleading to the government of Singapore for clemency for this young Australian.

There is no doubt he made a very foolish decision when he agreed to act as a ‘mule’, which is the common word used, for this particular drug syndicate. There is no doubt at all that he has ever denied the charge. He has cooperated with all the authorities since being charged and has shown deep and sincere remorse ever since. He has offered to do all he can to assist in whatever action authorities at either end of this operation need and I believe he has done all in his power to cooperate.

I endorse the remarks made by the member for Pearce when she made reference to the constitution of Singapore. I do not need to go into those points any further, and I will not, but I unequivocally state my opposition to capital punishment—an opposition I have always held and always will hold dear to my heart. However, I also need to say how much out of proportion this penalty is to what this young man did.

I was also, as you know, Mr Deputy Speaker, part of the delegation that was recently in Singapore. We had an opportunity that we never thought we would need, and we never realised we would have, because we arrived almost on the day that the Singaporean Prime Minister made the announcement that he would not agree to clemency—that he would take his cabinet’s advice and hold to the sentence. We found ourselves in a unique position where our meetings that were already scheduled with senior ministers of the Singapore government also gave us the opportunity to bring this subject up and to speak to them at a personal level. And, whilst I respect entirely the manner in which our discussions were greeted and I respect entirely the ability of the Singapore government, like any other democratically elected government in the world, to make policies, I have to say how much I vehemently disagree with them on the imposition of capital punishment.

But today I want to speak specifically about this young man. Yes, he made a very grave error; but, as I said to each of those ministers and advisers during those meetings, ‘Let us just hope that nobody in this room where we meet here today will find themselves in a position where one of their children makes an equally silly decision, because they would feel what Mr Nguyen’s mother is feeling.’ The attitude in Singapore is that, regardless, the death penalty will be imposed. The point for me is that we are merely human beings and when we are young, as this young man is, there is no guarantee that we will not make a foolish decision. In this case he has made one foolish decision—a big one, but only one—and if ever there was a case that deserves another chance at life it is this young man’s.

I also reiterate the words of the member for Fowler and other members in this debate and pay absolute credit to the Australian High Commissioner to Singapore, Miles Kupa, and his staff. They have visited this young man every week for two years and have gotten to know him extremely well.
They can only speak highly and positively of him, even though they know that it may not work out as positively as they would like. The member for Pearce and the member for Cook are right: this is the eleventh hour; there is nothing left for us to do. We as a delegation have written to the Singaporean Prime Minister, we have brought this motion to the House in a unanimous, unbiased and collective way today, and after this I am not sure what else we can do.

I am not a religious person and I do not turn to prayer, but I do turn to the heart of those in the Singaporean government and I plead with them to see this through the eyes of their own children, if in fact one of them made a mistake in their life and needed a second chance. I hope that that sort of plea might cut through. I plead with them to find some way to apply clemency in this case. I hope they can.

Mrs Hull (Riverina) (3.40 pm)—I rise today to support the motion in the name of the member for Pearce, seconded by the member for Fowler, and to support the speakers that have spoken so eloquently in this House in their support for a plea of clemency for Van Nguyen. It may appear to many Australians and Singaporeans listening to this debate or reading it in the future that this group of people speaking in this House today has had no exposure to the travesties of and the scourge that is the use of heroin and has had no exposure to the devastation that the trafficking of heroin and the use of drugs brings into the Australian community. That is quite wrong. Three of the speakers in this House today have had ample and adequate exposure and have seen the worst of the worst of substance abuse, drug abuse, the use of heroin and other drugs across the Australian community. Three of us here in this House who are speaking today have encountered tale upon tale, tragedy upon tragedy, circumstance upon circumstance of the impact and effect on family lives and the lives of those who have become victims of drugs.

It may seem strange to many that I myself would rise on this occasion and seek support for clemency for Van Nguyen. The reason is simply that I have been exposed to this issue through having been fortunate enough to chair the Standing Committee on Family and Community Affairs that brought down the report called Road to recovery: report on the inquiry into substance abuse in Australian communities. That gives me the feeling that the wrong person is being hanged here—the wrong person has been convicted and sentenced to lose their life. In fact, it will make no difference to ‘Mr Big’, as we have seen and read in the Road to recovery report. I quote from the report:

The former NCA pointed out that ‘a narrow focus by law enforcement on the interdiction of drugs would not necessarily be successful in dismantling networks and prosecuting the Mr Bigs’, because major figures in organised crime usually distance themselves from high-risk illegal activity.

As the member for Canberra pointed out, we have a ‘mule’ in the name Van Nguyen, a ‘mule’ who was carrying the drugs for a Mr Big—a Mr Big who will continue to live and to inflict tragic circumstances on the lives of people right across the world. It may be thought that the use of capital punishment in Van Nguyen’s circumstance will eradicate some use of drugs, but this, unfortunately, is simply not the case.

It may be said—I have had it said to me by some of our colleagues—‘What about the lives of those people who would have been recipients of the drugs that Van Nguyen was carrying?’ Yes, we all agree those lives are extremely important and to keep those lives intact would be of great benefit to all people. However, very sadly, those lives are still in jeopardy. They will still find a source of this drug because Van Nguyen is not the Mr Big.
Mr Big is still there, still using vulnerable people—and he will continue to find vulnerable people to distribute the scourge of the earth that is this form of heroin.

I am not ignorant of the world of drug trafficking and substance abuse; I know very well what takes place. I also know that Van Nguyen losing his life by hanging in a Singapore prison will not make any difference. Van Nguyen is not responsible for the drug supply; Van Nguyen is responsible only for carrying drugs. The scourge will go on and the Mr Bigs will use other people. I believe Van Nguyen’s life is worth something. It is a productive young life, it is a life that has a future and it is an Australian life. I believe we need to ask for clemency at the highest level.

Ms BURKE (Chisholm) (3.45 pm)—Today we have made a clear and unequivocal statement that we believe in the dignity and sanctity of human life, that capital punishment is wrong and that under no circumstances should we adhere to capital punishment. At the end of the day, capital punishment serves no purpose; it deters no-one from these horrendous crimes. We certainly need to punish people who are involved in the drug trade, but not by death. It is my fervent belief that nobody should be punished by death for any crime.

It is quite interesting that everybody has been saying only Australia has taken up this issue. That is not true. There have also been people in the Singaporean community who have been saying for a long time that the death sentence in Singapore is wrong and should come to an end. The Japanese parliament is on the verge of bringing an end to the death sentence. On its web site this week, Singapore’s Think Centre asked:

If this inhumane practice is really a deterrent, how come we after 40 years of executions still have the highest per-capita execution rate in the world with the greatest known proportion of these executions small-time drug mules?

The executions are not achieving the desired end; they are not achieving an end to the drug trade. We should also remember and put on the record today that Nguyen Tuong Van was commuting through Singapore and had no intention of taking those drugs into Singapore. Tragically, he had the intention of bringing those drugs to Australia. If he had made it to Australia and had been found, he would have faced a very different sentence.

Yesterday I had the honour of attending the incredibly moving church service at St Patrick’s Cathedral. I spoke to Van’s mother, Kim Nguyen, who spoke in a very calm and quiet voice but obviously was incredibly distressed. She asked us over and over to ensure that her son would not be put to death by hanging. Tragically, I could not bring myself to say that we are going to achieve that. All I could do was assure her that everybody in this parliament was doing their utmost to ensure that we send Singapore a very loud, clear and united message that we are opposed to the death penalty and that we are seeking clemency in respect of her son’s life. Kim Nguyen prayed that those who have the power of life and death over her son be guided by the spirit of justice, mercy and humanity. And that is what I ask for today: justice, mercy and humanity for Van Nguyen.

As the brochure for the church service said, Van Nguyen is an Australian man who has been sentenced to death in Singapore, and there is no doubt that he was carrying drugs from Cambodia. The transcript of the judgment says that, when caught, Van said: ‘Yes, they are drugs. Here they are. Take them.’ He did not profess his innocence. He did not put up a ruse. He admitted his crime. During his time in jail he has been an extraordinary help to both the Singaporean police and the Australian Federal Police. One of the big tragedies is that the prosecution of
other people will not take place without Van’s testimony. He will be killed before he is able to assist in those cases. The judgment makes fascinating reading. This is not a man who was out to commit a horrendous crime; this is a naive individual who was led down the garden path by a lot of people. He ended up in a horrendous situation, admitted his guilt straightaway and has been helping the police ever since.

Van has been a loving child to a loving mother. He went through school as a typical teenager. He did part-time work in a variety of jobs, went to scouts and venturers and did some postgraduate study. His life went off the rails and he ultimately went to collect heroin as a courier. Caught passing through Changi Airport in December 2002, the then 22-year-old immediately admitted his guilt. He has assisted police ever since. The Australian Federal Police have acknowledged his assistance. He is now on death row in Changi prison. Singapore rarely grants clemency but, because of his help to police and his personal circumstances, Van’s case fits within the slim definition of cases in which clemency can be granted under their constitution. If, on advice, the President of Singapore grants clemency, Van would still serve a huge jail sentence of perhaps 20 or 30 years or more. Who can say that this is not enough punishment for a repentant young man?

Father Peter Hansen and the Venerable Thich Phuoc Tan led a very moving service. Today’s message from the Australian parliament should be heard by the Singaporean government.

The DEPUTY SPEAKER (Mr Jenkins)—The time allotted for this debate has expired. Whilst the debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting, the House has once again spoken on the matter of clemency for Nguyen Tuong Van and the view of the House is clear.

**National Driver Education Program**

**Mrs May** (McPherson) (3.51 pm)—I move:

That this House:

1. recognises that:
   1. Australia-wide, over a quarter of all drivers killed and seriously injured each year are young adult drivers;
   2. road traffic injuries are a public health issue and road traffic crashes can be prevented;
   3. in addition to the burden of personal suffering, the monetary cost of crashes is in the order of $15 billion per annum; and
   4. during the 2004 election, the Australian government committed to work with the states and territories to introduce a national compulsory driver education scheme for all new provisional licence holders by 2007;

2. calls on the Australian government to deliver a national education program, that is both compulsory and intensive, through our schools involving a minimum of 120 hours of practical driver experience and nationally recognised credentials to be delivered as a certificate II course; and

3. on a bipartisan level provides young adults with the skills and knowledge necessary to stay safe on Australian roads.

I have spoken many times in this House on the need to introduce a national driver training program for the young people of Australia. Today’s motion before the House is, I believe, another opportunity for members from both sides of this House to support this goal and encourage both state and federal ministers of education and transport to put this issue on the table for discussion and bipartisan support so that we can save those young lives that are lost every year on our roads.
By far the highest proportion of road deaths in this country is in the 17- to 25-year-old age group, and most of these deaths occur in the early hours of Saturday and Sunday mornings. In Queensland alone this year, 51 young people aged 17 to 24 have already been killed on our roads. That is 51 families that have faced the tragedy of losing a son or daughter—deaths that, in my view, can be prevented. We as legislators have the ability to stop the carnage and introduce a national comprehensive driver training program.

Apart from the deaths, there are the unfortunate young people who are left crippled in wheelchairs or brain damaged for the rest of their lives—young people who have suffered horrific injuries that will not see them reach their full potential in life. There are families—mums and dads—whose lives will be forever changed by the enormous responsibility of caring for a young person who will never be able to care for themselves because of the extent of their injuries. There is also the social cost to our communities—the ongoing health costs and rehabilitation costs to support these young people and the wonderful medical teams and ancillary support health workers who are involved in the rehabilitation process to help those left with horrific injuries to at least achieve a level of normalcy in their lives.

The federal government made a commitment in the last federal election campaign to work with the states and territories to introduce a national compulsory driver education scheme for all new provisional licence holders by 2007. Funding was provided for further trials to be undertaken. I do not support those trials, because I believe we have enough statistics and we have had enough trials; we know what is happening on our roads with our young people. In my view, it is time to start developing a national program that can be embedded in our schools as part of the school curriculum—a two-year certificate course delivered through the VET system. We often talk about skilling Australians for the work force or skilling them for life. Driving is a fundamental life skill that, in my view, needs to be compulsory for every young person in this country.

We have the opportunity of not just saving lives; we have the opportunity of developing world’s best practice driver training in Australia through a program that is tailored and designed for Australian conditions and Australian roads. We can set the benchmark for driver training, and we have the people with the skills and knowledge to develop the course. We do not need to look overseas for that expertise; it is right here in this country.

There are pioneers and people passionate about driver training who are already doing something about it. I want to pay tribute today to Brian Griffin, whose persistence and commitment to our local schools on the Gold Coast are paying dividends. He is delivering driver training programs to a number of our high schools. He has met with principals and teachers and with our local VET coordinator. He has spoken to parents and school administrators. I know the program he is running will provide valuable insight and data into what is needed to deliver a successful national program.

The course needs to be a certificate II course, nationally recognised and supported by all state governments and the Commonwealth. It needs the will of the ministers on a bipartisan level to undertake and commit to a national program—a huge ask, but I believe the legislators of this country can put aside their differences, solve the funding issues, develop the course and deliver it to all young people in Australia.

Road crashes cost the Australian economy around $15 billion a year—a huge cost to our country. The cost of delivering a national
driver education program will not cost anywhere near this; it will be in the millions of dollars. It is my view that students would also contribute to the cost of the program. I am sure parents would agree that a contribution to a course that is going to save their children’s lives is a great investment.

Driving a motor car is the most dangerous and complex task the average person will ever undertake; yet, despite this fact, drivers still take to the road in a hopelessly under-prepared state. The end result is that fatal car crashes are a daily event. Drivers are not equipped to handle anything out of the ordinary. Drinking and speed are huge factors in the number of accidents, but, if the young people of this country understood the machine they were driving—the power of that machine—and if they were equipped with the skills they needed to drive that machine, then maybe—just maybe—we could save those young lives and spare families the untold misery and sorrow they experience when they lose a young son or daughter. We must teach our young people to drive to survive. I thank my colleagues on both sides of the House for their support of this motion today.

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

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

Mr HAYES (Werriwa) (3.56 pm)—Every driver should strive to be the best driver they can possibly be. That is not only for their sake but for the sake of everybody else on the road. Coming into the season when the national road toll makes nightly news, it is important that some thought is given to how we might continue to cut the road toll. For this reason, I would support the development of an education scheme for the youngest drivers in our community so that good skills and sound habits could be learnt from day one.

Those in the 17- to 20-year-old age bracket are three times more likely than drivers aged 21 and over to be involved in serious car crashes. Young drivers are also at the greatest risk of dying in a road crash. While they hold approximately 16 per cent of licences, unfortunately they account for 28 per cent of vehicle crashes. This is a telling statistic, which in part explains the estimated $15 billion that motor vehicle accidents cost our community annually, which is an essential basis of this motion. This is a staggering statistic and one that needs to be addressed.

Inexperience, it seems, is the key contributing factor to crashes. I am pleased to be able to report to the House that efforts are being made to address the issue of adequate young driver training. One local initiative currently under way in the Macarthur region is being delivered by volunteers and funded by Rotary. Through this scheme, young drivers are steered down the right path by people such as retired police sergeant Ray James, who volunteers his time to teach some of the skills, tips and tricks that he learned as a New South Wales police officer. I would like to recognise and congratulate volunteers like Ray and the people at Rotary for developing and implementing this scheme that is being delivered through schools in the Macarthur region.

The NRMA is also making a contribution to young driver training though its new Safer Driving Education Centre and the release of its new Safer Driving DVD. The NRMA’s Safer Driving Education Centre is now equipped with two new simulators—half Volkswagen Golfs, to be exact—to give young L-plate drivers the feel of what it is like to drive on the road. The technology involved in these simulators is the type that is being used for training astronauts and pilots, so the experience, as I understand it, is quite realistic.
The centre also has a number of full-time professional instructors using dual-control Golfs so that once learner drivers graduate from a simulator they can directly translate their experiences onto the road in a vehicle which they are familiar with. While the centre provides practical experience, the DVD produced by NRMA allows a number of key messages to be reinforced before young drivers even get on the road. These are important tips that parents may forget when teaching their children how to drive—important tips that may help cut our road toll.

These two groups realised how important it was to have young drivers trained correctly. The government was willing to make promises about young driver education during the election campaign, and now it is time to deliver. The details of the scheme of course need to be negotiated between the relevant state government driver licensing and education authorities, but a real effort has to be made. I am sure that I am not alone in hearing stories about how bad some drivers are. These days TV programs are even made about how silly some people are on the road.

With those sorts of experiences in mind and with the knowledge that, as Rotary and the NRMA have shown, it is possible to deliver effective programs to young drivers, it is about time that these models were used to develop programs that can deliver training to more young drivers. Every driver—even those who are cautious drivers—knows that it does not take much to get into trouble on the road. If, through a national education program, young drivers can be instilled with good driving habits from day one, there is a chance that we might see a greater reduction in our national road toll.

Mr WAKELIN (Grey) (4.01 pm)—I too express my appreciation to the member for McPherson for her persistence and commitment to this very important matter of national driver education. It is tragic and almost unbelievable in this era that, although we do not accept it, we almost accept the inevitability of the loss of life on our roads—particularly the lives of our young people. This weekend in my electorate, we had evidence of that with the deaths of three young people who were hit by a train. These issues are regularly on our minds. For those parents, relatives and friends of people who have lost their lives, it cuts even deeper—and few of us would not have been touched by that.

This is a very important national issue. The aim of research is to reduce the death toll by 50 per cent over the next 15 years or so. The experts tell us that the majority of the reduction can come from car and highway design—I think it is around 80 per cent or probably even higher, at 90 per cent—but there is very little emphasis on driver behaviour. That strikes me as being absolutely remarkable. As someone who travels about 100,000 kilometres per year around the electorate of Grey—and I think you are getting used to me, Deputy Speaker Jenkins, in my brushes with the law—and collects more demerit points than one really should, I am very aware of the difficulty that our police have in bringing forward the ethic of safety when we are paying money out for a breach of a technicality with no particular safety issue involved. I understand the debate about speed et cetera, but in general terms I do not see a culture of safety being developed around the issue of speeding and speeding fines. I see a culture of revenue collection, and that is what many of our people believe. That these state or federal jurisdictional issues exist is irrelevant when you look at the tragedies that we confront on a daily, weekly, monthly and annual basis.

It is not trite or overly emotional to say that these people are not just statistics, be-
because of course they are not. I think we need a radical cultural change. Education is more than just the physical movement of hopping into a motor car and driving it. It is important to technically understand all of that, but equally important, if not more important, is to realise that a car is a killer—a motor vehicle is a killer; understand and respect that—and that, with the best will in the world, things will go wrong. In conclusion, if, in our approach to roads, we applied the same culture as we do to aviation, I think we would see quite a different outcome. It is totally sensible to do so.

Ms OWENS (Parramatta) (4.05 pm)—I also rise in support of the member for McPherson’s motion calling for action on driver education. The number of deaths on our roads has been trending down since the eighties, thanks to a range of measures, including vehicle design and safety features, toughening up on registration of older vehicles, seatbelts, child restraints, bicycle helmets, drunk driving laws, community driver-reviver programs, police blitzes on speeding and 40-kilometre per hour zones outside schools. All these highly successful programs have led to a decrease in road deaths in Australia over the last 20 years. The number of deaths has decreased despite an extraordinary increase in the number of vehicles on our roads. Deaths per 100,000 vehicles have decreased from 26.5 in 1975 to 7.95 in 2004, and deaths per 100 million kilometres travelled have dropped from 3.5 to 0.81.

These are good figures that show the effect of good programs and lives saved, but they also hide the reality of deaths each year on our roads. The graphs look great, but the reality is quite different. In 2004, 1,598 people died on our roads in some 1,458 road crashes. Nearly 27 per cent of those were between the ages of 17 and 25, with the vast majority, some four-fifths, being males between the ages of 17 and 25—women accounted for the remaining one-fifth. Around 34 per cent of all passengers killed are in that 17- to 25-year-old age group, and around two-thirds of them are young men. In spite of the reductions—and regulators at all levels of government are to be congratulated for their work so far—there is still much more to be done.

One area still largely untouched, and where there is much more room for improvement, is driver training. This motion moved by the member for McPheron calls on the government to honour its commitment made during the 2004 election campaign to work with the states and territories to introduce a national compulsory driver education scheme for all new provisional licence holders by 2007. It recommends that the program be delivered through the school system on a compulsory basis as a certificate II course, providing 120 hours of practical driver experience and nationally recognised credentials.

It is hard to fathom why a backbencher in the Howard government would put forward a motion that reaffirms the commitment and asks the government to do what it has already promised, but this side of the House supports the member for McPherson in raising this extremely important issue. The opposition also calls on the government to honour this election promise. This is essential work that will ensure that, when our young men and women go out onto the roads, they go armed with the necessary skills to keep themselves, their passengers and others safe on the road.

This is an urgent issue that requires the attention of the government and the House sooner rather than later, and it requires appropriate financial support to ensure that schools can deliver the program effectively. It is quite common to see promises made and not kept by this government, or delivered
years later than promised, but in this of all weeks we have seen how quickly the government can act when it wants to. In spite of the government standing up in this House in question time day after day and blaming the states for inaction, we can see how well the federal government can work with the states when it chooses to do so. The reality in Australia is that the Australian people choose one party in the states and one party in the federal arena, and quite often a different one in the Senate, year after year, and they expect us to do the job of working together.

This proposal and promise will save Australian lives. We can expect that around 1,500 people will die on our roads in each year that the government delays. That is over 30 people per week and over four per day, and that is not counting the thousands more who are injured, many seriously. Like many of the issues we face in this country, this is one that cannot be fixed later. For every year that it is delayed, people will die who otherwise might have lived. I hope this is a real promise, not one that will be made over and over again and never delivered. I hope that by the election in 2007 this program is already in place and we do not see it announced again for the benefit of that campaign. Let’s see it actually delivered. Let’s see the road deaths decrease in this country.

Mr JOHNSON (Ryan) (4.10 pm)—I am pleased to speak in the parliament today and support my Queensland friend and colleague the member for McPherson in this motion on the important issue of national driver education. This issue is so important that I am disappointed that the previous speaker, the member for Parramatta, chose to be a bit partisan—I know that she is a new member to this parliament but on these sorts of issues we should not be partisan—and I regret that very much on her part.

All of us know of someone who has been touched by road carnage. The human cost is unbearable. Road deaths in this country are a tragedy. Parents and families are torn apart; it is a family-destroying event. Loved ones are taken away from their families—men, women and children whose potential for a fulfilling and wholesome life is taken from them in a moment, in the blink of an eye. Ryan families have suffered too, I know. The tragedy is all the more great because we can prevent so many of these deaths. Maybe we cannot eliminate every single road death, but surely this society and this parliament can play a part to reduce the figure from thousands in this country every year to a fraction of that. We do need a culture of safe driving and road safety to permeate our community. I very much encourage all members of this parliament and those who may be listening to pay attention to developing that culture in our society.

The financial cost alone to the economy is massive. In 2002, some 22,000 accidents took place in the state of Queensland. The cost of this to our nation purely in financial terms was some $2.5 billion. Australia-wide this cost is calculated at some $15 billion to the national economy. But, as I said, more important is the fact that a life is taken away. The causes are many and varied: alcohol, reckless driving and a lack of maturity and responsibility on the part of young drivers in particular, and even road rage causes lives to be lost. Of course, we all know that the state of our roads certainly plays a part in accidents which lead to deaths. Many Australians happen to be in the wrong place at the wrong time, and they are innocent victims.

I am pleased to support this motion very strongly and, whilst this is a state and territorial responsibility, like all members of this parliament, at the end of day, I am more interested in outcomes. I am pleased that the Howard government has promised to intro-
duce a national compulsory driver education scheme. The Australian government has also sponsored a Young Driver Safety Forum, at which speakers of importance and expertise will talk to our young people. The scheme will focus on providing young drivers, in particular, with a better insight into the risks they face and their own limitations. The forum will be provided at a cost of $5 million. The trial will be jointly funded by the federal government and the Victorian and New South Wales state governments. The trial is due to commence in 2006 and will run for 12 months. My only disappointment is that my home state of Queensland will not be a part of the trial.

The trial will include some 14,000 young Australians. I strongly endorse it and welcome it. As I understand it, the focus will be on young Australian drivers in particular, and I want to make some comments on the ages of Australians who are killed in road accidents and road carnage. It seems that young Australians between the ages of 17 and 25 are most deeply affected by road accidents. Progress seemed to be made in the late 1980s, but in the early 1990s it flattened out. In 1989, 17- to 25-year-olds represented 34 per cent of all driver deaths. In 2003, 17- to 25-year-olds represented 25 per cent of total driver deaths, despite representing only six per cent of the population, and only last year 17- to 25-year-olds represented 27 per cent of all road deaths but only a small fraction of the population.

The sense of freedom and adventure in young drivers in particular is well known. Young men in particular seem to be most affected. I play a small role, as a member of the government and as a member of the federal parliament, in encouraging young Australians in the Ryan electorate to take care and to be responsible on the roads. In 2003, men represented 28 per cent of all those killed through road accidents.

Driving is a privilege. Driver education programs in the curriculum of our schools and in our education system have a role to play. But let us not forget the power of education in the home. Communities and businesses have a role to play and parental responsibility has its place. But, at the end of the day, individual responsibility must come to the fore. I implore drivers and young people across the country who have a licence to drive to take greater care on the roads of our nation. I implore families and parents to speak to their adolescent children in particular in the days, weeks and months ahead, again to caution them that, when they are behind the wheel this summer, they take care in preserving their life. (Time expired)

Ms HOARE (Charlton) (4.15 pm)—I congratulate my friend and colleague the member for McPherson on raising this very important issue in this place. I know that she has a strong commitment to driver education as part of the VET in Schools program and, as we have heard, has been instrumental in pursuing practical measures in schools in her electorate. I am aware of the proposal for a national driver trainer initiative—the White-Griffin driver training program—which was presented to the member for McPherson. She pursued that to be trialled in four schools in her electorate. I understand that students in year 11 have just completed the first 12 months of the two-year certificate course.

The main difference between this program and the recently announced New South Wales and the Victorian program is that the New South Wales and the Victorian program focuses on training after a young person has obtained a drivers licence, whereas this proposal recommends comprehensive competency based driving training before a young person obtains a learners permit. There are arguments for and against both of these proposals, some of which we have heard here today. But, with my limited knowledge of
these arguments, and as a mother of a young adult who has just obtained her licence, my personal preference would be that my daughter had had the opportunity to receive competency based training before Reg and I actually took her out on the road. However, this training would have to be prior to young people turning 16 because it is very difficult to deter or delay them from being able to drive once they reach that legal age.

The New South Wales RTA indicates that, although young people are more mobile these days than at any other time in the past, there have been huge improvements in road safety over the past 25 years. The annual number of road deaths in New South Wales has fallen from a high of 1,384 in 1978 to 510 in 2004. The two major contributing factors to that decline were the compulsory wearing of seatbelts and the introduction of random breath testing. However, young people are greatly overrepresented in road crash statistics, even though there have been many initiatives introduced for young drivers such as zero alcohol tolerance and longer periods for learning and for holding provisional licences. More recent initiatives in New South Wales include banning P-plate drivers from driving high-performance cars. But this is obviously not sufficient and is only really tinkering at the edges, particularly when all new cars go fast. After having a discussion with Reg about whether Naomi would be able to drive our car, we checked with the RTA and it said that, under current laws, she was allowed to drive our XR6.

The statistics alone accentuate the importance and urgency of the issues raised in this motion. Of the 1,598 road deaths in Australia last year, 430 were young people aged between 17 and 25. Of these, 215 were drivers, 125 were passengers, 32 were pedestrians, 54 were riding motorcycles and three were riding bicycles. Drivers between the ages of 17 and 25 are three times more likely than drivers over age 25 to be involved in a serious or fatal accident. These are not just statistics or predictions. These are young members of our community dying on our roads. They are our sons and daughters, our grandsons and grand-daughters, our nieces and nephews. They are our friends, our friends’ children and our children’s friends.

The member for McPherson spoke of the number of young people from schools in her electorate dying in car accidents. We all know or know of a young person who has had their life tragically taken as a result of a car accident. I also had a very good friend whose son, a learner driver, was driving when an accident—the fault of another driver—took the lives of this young mother, her 16-year-old son, her seven-year-old daughter and her three-year-old son. All but two members of one family had their lives taken by the use of motor vehicles.

Also, as I have mentioned, our daughter Naomi has just received her P-plates, and she and many of her school friends are now driving independently. They drive to school, parties and concerts and to outside school activities such as sport and music. They are a sensible group, but car accidents are not limited to the irresponsible. Car accidents occur because of some stupidity and a lot of inexperience. Just recently, Naomi came home one evening shaken because she had skidded in the wet on a local roundabout which is renowned for being slippery from the number of trucks that use it. Her driving experience had not included this situation, and she was completely unaware of how to react. The rest of us, with more experience, might have reacted as second nature, without pausing to think or without panicking.

My son will start driving next year. None of us want our children to be one of those statistics and all of us dread it. We have a responsibility to ensure that parents can feel

CHAMBER
as though they, their children, their family, their community and the government have done everything they possibly can to avoid that knock on the door that we should never have to face.

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

GRIEVANCE DEBATE

Question proposed:
That grievances be noted.

Condolences: Walliss, Mr John

Mr MELHAM (Banks) (4.21 pm)—I rise today to remember John Walliss, who passed away on 24 March this year. As this parliament debates the workplace relations bills, I am reminded of the many discussions I had with John over the years about what being a union member really means to workers and their families. He would be appalled at what is happening in this country today. John was a lifelong union member and activist. He reflected the best values of the union movement: honour, commitment, courage and integrity.

John’s personal history reflects many of the injustices that unions have fought to eliminate over the last century in Australia. When John finished his time as an apprentice fitter and turner, his boss informed him that he would be on lower wages. This unfairness so incensed him that John left the job. Through a series of circumstances, he experienced the real meaning of the union movement. An AMWU organiser helped him find another job. That was the beginning of John’s relationship with the union, where he found like-minded people who loathed unfairness and injustice.

Later in his career he found out that the company was putting workers off on a ‘last on, first off’ basis. John’s shop steward intervened and John was found an alternative position. John regarded this moment as pivotal to his working life—he became a convert to the values of the union movement. For the remainder of his life, until his illness intervened, John represented the union and its workers as a shop steward, as a delegate and as an advocate. John was a key player in negotiating the 35-hour week for the glass industry. He became a full time union organiser in 1978.

John epitomised the best of the Australian character. His working life reflected many of the misfortunes of being an Australian worker. John’s health suffered and he had his first heart attack at age 44, then his second at age 55. He was diagnosed with asbestosis, which is the disease that ultimately took his life. He and his family observed the progress of the Hardie case and applauded the CFMEU for making it happen. How anyone can say that unions have no place in our society is beyond me. Hardie have only been called to account because of the union commitment to making it happen.

John’s passion for social justice, born of the union movement, led him to become a member of the Labor Party. He was a member of the Padstow branch of the ALP. He was a valued supporter and friend. John worked tirelessly for his beliefs through his steadfast commitment to equity, justice and fairness. He fought for anyone who had been wronged. It was with immense pride that, at his funeral, his casket was draped with the Eureka flag and the service concluded with the great union song Solidarity Forever.

We will miss him in the fight which is facing those of us committed to the labour movement. In remembering John, I also mourn for the workers of this country. This
government is moving along a pathway which will ultimately destroy the rights of our working people. The government’s agenda is clearly obsessed with crushing the union movement. The approach of confrontation so aptly demonstrated on the waterfront and in the building and construction industry is now being extended to workers in every industry.

The right to organise is a deep-seated part of our way of life. For attempting to form a union in Britain, the Tolpuddle Martyrs were sentenced to seven years transportation in 1834. In sentencing, the judge told them that, if workmen were permitted to organise, the results would be that unions would ‘ruin masters, cause stagnation in trade and destroy property’. These could easily be the words of the current Minister for Employment and Workplace Relations, though perhaps he would prefer to move further back into history and reintroduce the 1828 New South Wales Masters and Servants Act.

At his funeral, John Walliss’s son, Stephen, recalled a comment John made when he heard the findings of the Cole royal commission. John refused to mourn this attack on unions and said he was of the view that: ‘This may be one of the best things to happen to the workers of this country, because Australians will cop it for so long; then, when they realise that they are being done over, they will come together and do something about it.’ I share John’s optimism because Australians will only cop it for so long before they realise they are being done over.

I wish to acknowledge the passing of a great Australian and a great unionist but most of all a great family man. I share the grief of his passing with his wife, Jan; his children, Stephen, Jane and Joanne; his daughter-in-law, Janine; his sons-in-law, Kevin and Steven; and his beloved grandchildren, Ashleigh, James, Sam, Daniel and Jessie. Most of the family are present in the gallery today.

This government must not underestimate the Australian people. Our work force is full of men and women like John Walliss who will continue to stand up and fight for what is right. This country faces the most concentrated attack on organised labour that it has seen over the past 100 years. Australian workers will not stand for the radical and vindictive overhaul of the workplace. What this government proposes is an outright attack on the rights of Australian workers and it diminishes all that we have fought for and won. We will stand united. John would expect nothing less. It worries me that we have a government that does not pay due attention to the John Wallisses of this world. There are committed unionists who are great Australians, who believe that the wealth should be shared and who believe in the right to organise.

John was a very special person. He was one of those blokes whom I can never recall complaining about his lot being worse than the next person’s lot. His whole life was devoted to making it easier for his fellow citizens, to making it better for his fellow citizens. His value system was one to behold. I can remember, when I first sought preselection for the Labor Party, meeting him in Padstow. And since I have been the member, for over 15 years, he was a solid supporter and a good sounding board. He was not an embittered person. His values were values that shone through, and his family are an adornment to him. He has basically left a legacy in his wife, his children and his grandchildren, and it is a legacy to behold. Our country is littered with John Wallisses, but what we are going to see in the next little while is conflict that is unnecessary. At a time when Australia has record employment levels, the government is ideologically bent in its introduction of its workplace relations
legislation and is going to see the souring of relations right across this country at a shopfront and a community level. It is all so unnecessary.

I valued John’s friendship. I valued his support over the years. He was always there for me. I never had to look over my shoulder in relation to him, whereas in politics we lose many friends. We make very few friends in this business. Both in the parliament and at a local and branch level, in many respects there is a lot of cynicism. In John’s dealings with me, there was never cynicism. I certainly will miss him, but I will continue to remember him and what he stood for. His values are things that will guide me in terms of decisions that I make well into the future, because they were decent values. They were not about himself: he was a giver, not a taker.

Whitlam Government

Mr PEARCE (Aston—Parliamentary Secretary to the Treasurer) (4.31 pm)—As we approach the 30th anniversary of the fall of the Whitlam government, I rise today to grieve at the perversion of history that has been perpetrated in connection with the events of 11 November 1975—the perversion of history that has tried to cast former Governor-General Sir John Kerr as a villain in the events that forced the worst federal government of all time to face the people. I grieve when I think about the enormous edifice of myths that has been created around the events of that historic day, around the record of the Labor government that was terminated and around the individual members of that government. I grieve because the vast mythology that has been created by the Australian Labor Party and its friends in academia and in the media—that vast superstructure of myths—obscures timeless facts and relevant information about the nature of all Labor governments.

Those facts, if they were recorded accurately, spoken about frankly and passed on to every generation of Australians faithfully, would serve not only as a true record of the past but also as a lesson for all aspiring parliamentarians. If the appalling Whitlam government record were spoken about truthfully, it would also serve as a powerful warning to the people of Australia about the probable nature of future Labor governments. For if our political opponents here and outside this House choose to falsify the events of the past, refuse to face up to their true nature and will not recognise the disastrous errors that were made, how can they ever hope to learn from them? And Australia did experience that kind of epic failure again, repeated at the hands of the Hawke and Keating governments. Undoubtedly, history would also repeat itself under a Beazley Labor government—or should I make that under a Swan Labor government, a Tanner Labor government or a Rudd Labor government, maybe? Or even—do we dare even speak its name?—a Gillard Labor government?

But enough of such nightmare scenarios—may they be forever just a figment of the imagination. The Whitlam government, unfortunately, was not a figment of the imagination; it was an appalling and grotesque reality. And now, as we approach the 30th anniversary of the dismissal of that inept administration, I believe it is time, well and truly time, to remember and honour the role of the late Sir John Kerr in the events of that day. After 30 years of myths and lies about the events of 11 November 1975, we need to use this occasion to reinstate the truth. And the truth is: Sir John Kerr deserves to be regarded as a national hero for his role in bringing to an end that incompetent government. Sir John Kerr should be regarded as nothing less than a national treasure.

Sir David Smith, who was the official secretary to Sir John at the time of the dismissal,
once noted that, unfortunately, most of the histories about the events of 11 November 1975 were written in the few years immediately following the occasion. Speaking in 1995, Sir David said:

Thus the history of 1975 so far has been written, not by the victors, as is usually the case with the writing of history, but by the vanquished.

And many of those books were written by journalists who, Sir David said, were committed to Labor’s view of the events. You do not have to look very hard to find examples of what Sir David was talking about. For example, in his 1976 book, The Unmaking of Gough, Paul Kelly wrote that Whitlam’s ‘appalling error’ was misjudging the Governor-General. That was his ‘appalling error’, was it? Misjudging the Governor-General?

I would have thought that that might be viewed objectively as very small potatoes in the pantheon of Whitlam’s errors. It is pretty small cheese when you put it up against some of his other ‘errors’, like: 17 per cent inflation, soaring unemployment, the loans affair and the formal diplomatic recognition of the Pol Pot regime—nice one, Gough. I wonder: did Mr Whitlam believe the Cambodian people thought it was time for that? In comparison with all of that, misjudging the Governor-General, if indeed Mr Whitlam did so, was an ‘error’ that had a very positive effect in that it led to the removal of the Whitlam government. The nation owes a lot to Sir John Kerr for bringing to an end the worst government in Australian history.

And he paid a terrible price for doing so. Because when the Governor-General did the right thing—in the interests of the country, and in accordance with the Australian Constitution—he exposed the Labor Party in all its thuggish ugliness. He revealed the culture of hatred and violence that lurks beneath the surface of the party of those opposite. Sir John was forced to endure a constant stream of vitriolic and often defamatory verbal attacks from the Labor leadership and trade union officials. He experienced outrageous acts of violent protest against him at almost every public appearance he made after that. Protesters were stirred up by the Labor leadership and the demonstrations were stage-managed by their union stooges. They turned the protests into riots: throwing eggs, throwing paint, throwing bottles. Sir John had to put up with all of that.

Of course, the outrageous behaviour was not limited to Labor’s goon squads in the trade union movement. Sir John endured a sustained attack from intellectual louts in academia and a constant stream of abuse and criticism from Labor’s mates in the media. When Sir John Kerr dismissed the Whitlam government he was correctly exercising the constitutional power of his office—just as the Senate was doing when it deferred passage of the budget.

In fact, in 1970, using exactly the same constitutional power, the Labor Party had tried to force the Gorton government to an election. Hansard records that on 1 October 1970 Mr Whitlam declared:

... the tradition is that, if a money bill is defeated ... the government goes to the people to seek their endorsement of its policies.

Hansard shows that between 1950 and 1970 the Labor Party in opposition tried on no fewer than 170 occasions to block financial bills, including taxation and appropriation bills. In 1974, when the Senate threatened to block the appropriation bills, Mr Whitlam went straight off to the Governor-General and secured a double dissolution election. The difference—the only difference—between that and what occurred in 1975 was that Whitlam knew that if he was forced to face the people he would be defeated. He had just scraped back in in 1974.
That is why, right from the beginning of the impasse, Whitlam was determined not to call an election. He had plenty of opportunities. Whitlam rejected a compromise proposed by Malcolm Fraser that offered to pass the supply bills if Mr Whitlam would agree to an election before July 1976. It was Whitlam’s outright rejection of that compromise, and his stated intention to try to govern without supply, that convinced the Governor-General, Sir John Kerr, that a political settlement would not be reached. Sir John then sacked Whitlam, and every Australian should be grateful that he did.

I have always held the view, from my readings of the event, that Whitlam deliberately constructed the situation that occurred in 1975 in order to manufacture an issue on which to fight an election and to camouflage his appalling performance in government. So, as we approach the 30th anniversary of that day, let us dispel the myths surrounding the events of 11 November 1975 and reinstate the truth.

One of the great catchcries of Labor’s cheer squads down the years has been that the Whitlam government was a reforming government. That is a myth. The Whitlam government was not a reforming government. The Whitlam government was a deforming government. It deformed and twisted the social and economic foundations of our nation. Every Australian should be thankful that Sir John Kerr dismissed Mr Whitlam, the great deformer. We should acknowledge the debt the nation owes Sir John by making him a national treasure.

When you strip away the myths, you can see that when it comes to Labor’s economic mismanagement, history does indeed repeat itself. The Keating government gave Australia the worst recession since the Great Depression. With Labor, the faces may change, the message may change, but the incompetence never changes. And Labor would do it all again if they had the chance. So let us remember 11 November 1975; indeed, let us never forget 11 November 1975. And let us acknowledge the heroic role Sir John Kerr played in those events by making him a national treasure.

Ms ANNETTE ELLIS (Canberra) (4.41 pm)—I want to use my time here today to speak about very serious and concerning issues regarding the current government’s attitude towards research and education in this country. The CSIRO has a long and proud history of leading the way in scientific research in Australia and the world—which is why I was disappointed to hear some disturbing reports about new directions adopted by CSIRO management.

Hundreds of jobs at the CSIRO here in the ACT are set to be cut and the organisation’s research priorities are shifting in favour of economic considerations. The staff cuts will largely come out of support roles in areas such as administration, finance, legal services and library records. While some may say that these jobs are support roles, not directly related to the main game of scientific research, I would contend that our scientists deserve all the support they can get in the continuing work of this important organisation. I am certainly not filled with great faith in the new management’s priorities when I hear that, according to a report in the Canberra Times, the number of senior executives earning over $300,000 at the CSIRO doubled during the last financial year while the actual scientists remain on salaries on or near $67,000 each.
The priorities of the CSIRO are set to shift away from renewable energy, medicinal research and crop and livestock research, in favour of research into biosecurity and information technology, and trying to make coal cleaner. It may not be my place to interfere with the priorities of the CSIRO—I am happy to say that. I cannot speak with great authority on the merits of one sort of research over another. My concern lies with the methods by which the priorities are being shifted.

At the launch of his science textbook Life of Marsupials, Dr Hugh Tyndale-Biscoe, who can boast a 45-year career with the CSIRO, summarised perfectly the problem, in his opinion, with the organisation’s new direction. He said:

The point of contention is not that the organisation has changed its research priorities; that must always happen. What is at issue is that priorities are now determined from above, rather than by the practitioners.

While any government department needs to work with the minister in charge, there are limits to the amount of acceptable interference by ministers and senior management, especially in research and investigative organisations. While those limits have been respected to varying degrees by former governments, they have all but disappeared under the current regime. In the case of the CSIRO it would appear that the emphasis has shifted away from scientist-driven research priorities towards a management-dictated agenda as determined by financial and public relations considerations.

Dr Tyndale-Biscoe declared his most recent book launch to be a celebration of past biological research and a wake for the CSIRO that nurtured much of that research. Whether the old CSIRO is dead or merely wounded, when the new management are simultaneously hiring more communications staff while decreasing overall staff numbers, it betrays an unfortunate attitude towards research and education on the part of the government. We can fill the skills shortage from our own population, we can lift the apprenticeship completion rate and we have the ability to actively encourage more students to complete tertiary degrees—we are just not doing it at present.

The changes in CSIRO research priorities have been determined at least in part by the federal government’s short-sighted attitude to research and education in Australia—the same attitude that has been exacerbating the skills shortage in this country over the past nine years and has helped to turn Australia’s skills shortage into a skills crisis. Australia is currently the only country in the developed world that has reduced its expenditure on tertiary and vocational education since 1995. It is the only developed country on the planet to do this. As disadvantaged as most skilled workers are going to be by the government’s ‘no choices’ workplace relations package, their disadvantage is nothing compared to that of the thousands of Australians who have not been able to get trade skills in the first place. Completion rates for new apprenticeships are falling and trades services are costing more each year while this government avoids responsibility for actually addressing the issue. As thousands of Australians are turned away from technical colleges and universities, the skills crisis is getting worse.

The government’s so-called solution, announced during the last election campaign, was a new set of technical colleges independent of the current TAFE system. The problems with the government’s alternative TAFE proposal have already been highlighted at length by many members on this side of the chamber and I certainly do not have the time today to canvass the issue in detail. Having said that, I think there is one point that is worth revisiting, and it is this:
the new technical colleges will not produce their first tradesperson until 2010. In the meantime Australian businesses are meant to twiddle their thumbs and wait while the skills crisis deepens and Australian families are meant to keep paying more for services, all because the government cannot bring itself to properly fund real solutions. The government’s latest idea is to ship young apprentices to Australia to alleviate the skills crisis. Never mind the tens of thousands of young Australians who are lining up around the block to get into existing technical colleges—do not bother funding real solutions, just ship in apprentices in what can best be described as one of the biggest bandaid solutions yet devised by members opposite.

The Howard government have now spent, by their own admission, tens of millions of dollars on an advertising campaign for their ‘no choices’ workplace relations package. When the legislation is challenged in the High Court, they will undoubtedly spend more money trying to make their changes stick. Instead of attacking workers’ rights for reasons best described by the Prime Minister as ‘an article of faith’, perhaps this government could start pursuing measures that will actually help Australian families. There is nothing stopping the government, save outdated ideological reasoning, from taking an active interest in the skills crisis gripping this country. The old adage that they do not think there are any other solutions just because they cannot think of any does not apply here. The solutions are simple: stop attacking student organisations and support campus services; stop trying to shift the cost of education onto students and their families; support organisations like the CSIRO and let the scientists decide what research to pursue; most importantly, support the education system that will inevitably need to produce the next generation of skilled workers; and properly fund universities and stop wasting money competing with the states in vocational education. Our TAFEs and universities have the potential to be world class again. They have been in the past, they should be now and they deserve to be so in the future. We have excellent, highly qualified teachers who want to do their jobs: give them the support they need and let them do what they do best.

The skills crisis is not insurmountable and I would like to think that the CSIRO is not yet dead. If this government can put aside its hatred of student organisations, loosen its grip on scientific organisations like the CSIRO and start cooperating with the states on vocational education, I believe that solutions can still be found. The situation that the CSIRO is facing is desperately embarrassing to this government. The CSIRO is one of the pre-eminent scientific research and development organisations in the world. I cannot believe that this government are happy to see the CSIRO’s standing in the world community decline by even one millimetre under their jurisdiction. We in Canberra obviously have a particular interest in the CSIRO because much of the research work that it performs is done in our community; we know this organisation well. But it is not a Canberra thing; it is an Australian thing, and I am pleading with the government to do something about the CSIRO in a serious way. Consider all the marvellous and wonderfully inventive work that it has done in the past. I believe no member of this House could put up their hand and say honestly they are not proud of the CSIRO. I am absolutely dismayed to see that this government’s attitude is leading this organisation down the path on which it now finds itself. When you listen to people like the academic I just quoted, you understand it is really something that we need to take very seriously and look at as a matter of urgency for the sake of this country’s research and development efforts.
So I say to the government, ‘Please think very carefully about this. Look at the CSIRO’s value and ensure its valued existence into the future.’

Western Port Oberon Association

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (4.50 pm)—I want to raise today a grievance on behalf of the Western Port Oberon Association. The Western Port Oberon Association is a group of citizens within my electorate of Flinders, largely based in the town of Hastings and comprising both ex-servicemen and women and those who are supportive of the services. This group, led by Mr Max Bryant, developed over half a decade ago the idea that Hastings, a town which has had a great connection to the Royal Australian Navy for at least 60 years, should be the home, base and centrepiece of the retired Oberon class submarine HMAS Otama, which was decommissioned in 2000. This proposal has been stymied, crushed and gradually strangled by a process of the most hideous Victorian state bureaucracy. The submarine has been in place waiting offshore of Crib Point terminal at Hastings for over three years. It has been allowed to lie in the water and has been prevented from being brought ashore by utter bureaucratic inaction. It is an extraordinary achievement of bureaucracy which would make Sir Humphrey Appleby green with jealousy. Before I tell you the reason why, let me run through three things. I want to talk about the proposal, the problem and the solution. In essence, we see that a proposal to establish a tourism attraction of national standing has been let lie. For the most mindless of reasons, ordinary people have been left to work and struggle for over half a decade in vain.

In 2000, Mr Max Bryant and others who went on to form the Western Port Oberon Association put forward the idea that Hastings, adjacent to Crib Point and HMAS Cerberus, would be the perfect place for the HMAS Otama to find its final resting ground. It could be brought ashore on the edge of the Hastings marina area and become a regional tourism attraction to bring tourists to a town which, over the years, has done it hard. It would be a living museum with one of the most extraordinary displays, commemorating the work of our servicepeople and bringing Hastings, a town with a great working-class history, a new attraction and a new source of income.

Work was done on the value of an HMAS Otama display to the town of Hastings. An independent inquiry commissioned by the Mornington Peninsula Shire Council found that over $4 million per year in income would be brought to the region and approximately 40 jobs would be indirectly created as a result of the display. The HMAS Otama was awarded to the Oberon association along with a $500,000 grant by the Commonwealth to help develop it and bring it from Perth, whence it was towed. The Oberon association carried out their duties and did that. They brought it from Perth to Crib Point, and for three years since April 2002 the HMAS Otama Oberon class submarine has been off the coast of Crib Point, adjacent to Hastings.

During that time this group has had the support of the council and the community. Princess Anne visited the Western Port Oberon Association in 2003 to lend her support as the person who initially commissioned the HMAS Otama. For three years we have seen them struggle without a decision from the Victorian Department of Sustainability and Environment. Victoria is hardly open for business. Again, a group of highly professional but volunteer people, who carry themselves with dignity, drive and energy, have been utterly thwarted.
How has this come to pass? The problem is that they were given every encouragement by the Victorian Department of Sustainability and Environment, under the leadership of the Deputy Premier, to go ahead and pursue a planning application. They took all the necessary steps and went through a two-year process after having been given the run-around for a full year before they were even invited to go through that process. They received submissions; they had consultants’ reports; they had engineering reports; they had extraordinary support from within the community. After two years they were given a finding of no decision—in other words, these people have been trapped in limbo. They have raised funds from the community, they have raised funds from the Commonwealth and they have been frugal, cautious and patient. They have developed a vision, which is a tremendous thing for this town of Hastings. In Hastings and on the Western Port side of the Mornington Peninsula, it gives us a chance to have something which would not only rival but surpass Holbrook and be comparable with the outstanding success of Fremantle, where there is an Oberon class submarine display which is bringing millions and millions of dollars into the local economy. It would also be a source of pride for the people of Hastings, for the people of Crib Point and for those who remember and recognise the naval history of HMAS Cerberus.

Finally, after enormous pressure—more than three years from the beginning of a bureaucratic process and after every indication that it would be accepted, approved and pushed forward by the Department of Sustainability and Environment—this group of volunteers has been told no, they cannot have the submarine on the foreshore at Hastings. What was their response? Their response has been to say, ‘All right, we will find somewhere else.’ They did that. They found a fair site—not quite as good, but let not the perfect be the enemy of the good—adjacent to the old Crib Point terminal. At that point they again ran up against bureaucracy.

On the one hand the state says, ‘We think this is a good project,’ but on the other hand it does nothing to help. The local state member, Rosy Buchanan, has had three years to walk through the minister’s door and say, ‘This project must happen. We must find something to help the people of Hastings and the Western Port Oberon Association.’ This project has the potential to be one of the great regional tourism initiatives within Australia. I see the member for Batman opposite—a reasonable man on some occasions—and I ask for his assistance with his state colleagues in bringing this project to pass. Beyond that, we have had no action from the local member but instead a failure and a derogation of duty, because you can make these things happen if you are an elected member and you have a commitment to do it. The very reason you are elected is to stand up for your local community—not to represent Spring Street in Hastings but to represent Hastings in Spring Street. That is the job. That is why people in Crib Point, Cerberus, Hastings, Bittern and Balmarring elected you. There is a duty incumbent upon the local member, Rosy Buchanan, to stand up in public and say, ‘This project will happen.’ But after three years nothing has happened.

So where do we go from here? I think there are two very simple things which must occur. Firstly, the local member must make an unequivocal and clear commitment to bring the project to pass and to stop standing in its way. Secondly, there is a very easy answer here where the state of Victoria can, if it is serious, cut through the bureaucracy and approve the siting adjacent to the Crib Point terminal which has been proposed by the
Western Port Oberon Association. It is a good site, it is a great project and it would be of tremendous benefit to the people of Hastings, the people of Crib Point and the people of the Mornington Peninsula. I commend the project but I highlight my grievance and I say: ‘Do not let this sub sink. Let the submarine project go ahead and bring it to the people of Crib Point and Hastings.’

Maritime Security

Mr MARTIN FERGUSON (Batman) (5.00 pm)—I propose this afternoon to talk about an issue of national importance. In doing so, I note that this week the government intends introducing its counter-terrorism laws for debate. It is therefore timely to revisit what I regard as a significant part of this debate, and that is the issue of our maritime security. I think it is an area that has been seriously neglected by the Howard government.

Across the political spectrum politicians are sensitive—and rightly so—to the need to protect citizens in the war on terrorism. That is what it is. In a post-September 11 world the issue of terrorism is one of the few areas of policy with consistent bipartisan support in this parliament and also, I might say, at state, territory and national levels. To this end the opposition has, for the right reasons, welcomed the development of the Maritime Transport and Offshore Facilities Security Act. This is one that I handled to a large extent in the last parliament as the shadow minister for transport. The opposition also supports the changes made earlier this year to strengthen the act’s framework through the inclusion of the offshore oil and gas industry. The potential for a major terrorist attack around the Australian coastline, especially in north-west Western Australia, is an issue.

But the fact remains—and the parliament should be aware of this—that these laws do not go nearly as far as they should in addressing some of the serious dangers posed by security breaches of our maritime borders. If you have got any doubt about that, just look at the problems with illegal fishing in the area north of Australia at the moment. As an active local member, this is something that the member for Leichhardt—who is at the table—would be well aware of. Maritime security is of paramount importance to a country like Australia, which is an island nation. It is a nation that is dependent on the existence of a safe and secure international shipping industry. That is bread and butter to us as a major trading nation that is more than ever dependent, for example, on the export of our resources for economic prosperity in the face of the declining importance of the manufacturing industry under the current government.

To our north we have some of the busiest ports in the world, and up to 300,000 ships a year pass through the Strait of Malacca between Indonesia and Malaysia—an area notorious for pirate attacks. Only last weekend a ship carrying Australians was actually attacked by pirates. It is both close to home and far from home. Despite this and despite government claims of security reviews I contend that there are gaping holes in our coastal maritime security system that could threaten our ports, our cities and Australia’s population at large. Still today the international maritime security community accepts that the perpetrator of the world’s most heinous terrorist act, Osama bin Laden, owns a fleet of ships registered under the notorious flag of convenience system. We cannot escape these facts.

Several summits on international terrorism in Australia and internationally have heard that organised terrorist cells own and operate cargo vessels. It is well known that cargo shipping is used to finance those cells—to actually finance some of their terrorist activities. Flag of convenience ships have also
been linked to another serious issue that Australia has confronted on a regular basis—the smuggling of people, weapons, bombs, explosives and drugs. They are all interrelated. I note that the US Coast Guard, in a classified report, documents that 25 terrorists linked to Osama bin Laden’s al-Qaeda network illegally entered the US as stowaways aboard cargo vessels through ports such as Miami and Long Beach. That is the United States, with supposedly one of the most secure and advanced international security systems. We have also had our own cases of stowaways—for example, recently aboard the Capitaine Tasman.

Despite these threats the government has not responded to the plan outlined by the Australian Strategic Policy Institute report Future unknown: the terrorist threat to Australian maritime security, which warns that an attack on our maritime interests is a ‘credible scenario’. The report found Australia still faces ‘major institutional and operational challenges in reducing the risks of maritime terrorism’. The institute has therefore recommended the establishment of a $100 million maritime security program aimed at ports including the direct involvement of the Australian defence forces in ship and maritime port security.

The flag of convenience system poses a current and real danger to our shores. We have scant information about the foreign crews on these ships, where they come from or the conditions they endure. These are circumstances ripe for exploitation, including by organisations responsible for international terrorist acts. While these flag of convenience vessels must be covered by the International Ship and Port Facility Security Code, they are hardly properly regulated when they are flagged in countries with exceptionally bad security reputations such as Mongolia and Cambodia, just to name a couple.

The number of foreign vessels operating around the Australian coast has increased dramatically under the Howard government because of its approach to coastal shipping permits and the deliberate erosion of the Australian flagged shipping fleet. In 1990, by way of example, 50 permits were issued to foreign ships; last year there were more than 850 permits issued to foreign ships that are potentially an activity front for international terrorist organisations.

The government has also failed to demonstrate how it satisfies itself about the bona fides of the crews on board these ships. Instead, at a time when we are imposing stringent background checks on all Australian maritime security workers, the Howard government is willing to take the word of underpaid or unpaid foreign crew members from countries described, not by me but by the Prime Minister, as the ‘arc of instability’. It takes their word that crews are who they say they are, rather than making any endeavour to actually check the bona fides of the crew members.

Some of these vessels, like the FOC ship Henry Oldendorf, are carrying ammonium nitrate into our city ports, where once it was securely carried by Australian flagged vessels with domestic crews. That causes even greater alarm to the Australian community. Just think about a vessel carrying ammonium nitrate going up in the port of Sydney, Melbourne or Geelong. Think about what damage it would do to the local community, including the death and maiming of members of the Australian community. This is a very serious issue that the Howard government is continuing to neglect in its fight against terrorism. It is a graphic example of what could go bad with respect to a terrorist attack in Australia’s major ports.

At the weekend, the potential for terrorist actions on the water was further highlighted...
by the attack on the Seabourn Spirit off the coast of Africa by pirates using machine guns and rocket propelled grenades. But we just want to let these flag of convenience vessels go around the Australian coastline willy-nilly without any endeavour to do proper checks with respect to the crews. Think about that passenger vessel being attacked with Australians on board.

Last week, we had a joint report by the International Transport Workers Federation, the World Wildlife Fund and the Department of Agriculture, Fisheries and Forestry. It recommended that the flag of convenience system be eliminated to stop illegal fishing in international waters—a major problem for Australia. That report, The changing nature of high seas fishing, found that the number of large-scale fishing vessels whose flag is listed as unknown has leapt by 50 per cent since 1999.

I note that fishing vessels are outside the International Ship and Port Facility Security Code. It goes without saying that these ships, many built specifically with illegal fishing in mind, provide the cover that terrorists need and the cover that terrorists go out of their way to seek to allow them to perpetrate their attacks on innocent people internationally—and potentially in Australia because of neglect by the Howard government.

We have to get more serious about properly resourcing maritime security and making sure that our security regime is tight and that we actually front up to the weaknesses with respect to foreign vessels relating to such issues as poor reporting and the fact that we potentially have porous maritime borders which represent a point of serious terrorist attack. While the Howard government looks to these new laws to track possible terrorist threats on land, it is ignoring the potential dangers lurking in Australian waters. One flag of convenience ship arriving in Australian waters using these loopholes could see a very serious accident of considerable danger to the Australian community. I simply say to the Howard government: get serious about your job.

**Bill of Rights**

Mr CIOBO (Moncrieff) (5.11 pm)—In my first speech in this place on 13 February 2002, I posed the question ‘What is my purpose?’ In answering that question, I sought to outline a map that could guide my deliberations in my role as a member of the House of Representatives. In my first speech I touched on my fundamental beliefs as a Liberal Party member. These beliefs remain true and steadfast for me still today. Those beliefs were:

... in the sovereignty of the individual and their empowerment over the collective; in the responsibility every one of us has in a civil society; in the promotion of the family as the bedrock of any sustainable society; and in the limited role for the state in wealth redistribution and market intervention.

I continued:

Since the nefarious attack on all liberal democracies on September 11, I am steeled in my resolve to defend our freedoms. I am strengthened in my view that the Liberal Party remains in this country the greatest mechanism for resisting the incursion of the collective over the individual.

Today, nearly four years later, our nation and others continue to repel vicious and ruthless attempts to intimidate Western democracies and to curb the freedoms our people enjoy. Indeed, this very week, the executive arm of government is introducing a suite of new powers that will assist in enabling our frontline agencies, the men and women of the various Australian police forces, security agencies and other associated bodies, to fight against those who threaten our very way of life.

These enhanced powers are very necessary. The new threat paradigm the people of Australia and other peoples elsewhere must
contend with is not predicated on our traditional view of nation state opposed to nation state. Rather, it is nation state against organised, but loose, collectives that we are preparing ourselves to fight. The men and women directly charged with maintaining Australia’s security need to have wide ranging powers in order to adequately perform their task. In the absence of good intelligence, terrorists are free to enjoy the same freedoms we all do in the West. In the absence of scrutiny, terrorists can plot and make preparations to murder and mutilate as many as their wicked plans aspire to. It is truly only the ability to gather intelligence and closely scrutinise potential terrorists among us that can provide reassurance to all Australians.

The concern, of course, is that in seeking to provide the necessary tools to our front line to adequately protect Australians and provide the security all Australians rightly demand, we must somehow not unduly erode the very freedoms we are fighting to maintain. Essentially, since the Magna Carta in 1215, Western democracies have been set apart from others through our pursuit and steadfast defence of liberty and human rights. The balance that must be achieved is between the desire for security and the individual incursions required to deliver it, on the one hand, and the need to maintain our gaze on individual freedoms and processes which continue to uphold the individual as the supreme focus in a liberal democracy, on the other. I can think of no better enunciation of this principle than the widely quoted American Declaration of Independence:

We hold these truths to be self evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness.

In Australia, sharing as we do a common heritage with the United States, we enjoy constitutional and common law rights and responsibilities passed down through the generations from Britain. Our forefathers crafted an excellent Constitution that has stood the test of time in better shape than most. Developed as a blend of the US and UK systems of government, the Australian Constitution truly embodies the best forms of government and accountability that serve all Australians.

This parliament is guided by section 51 of the Constitution in the development and implementation of laws. Laws that fall outside of the Commonwealth’s jurisdictional heads of power are unconstitutional and without effect, as determined by the High Court of Australia. This is necessary as a check on the powers of the executive.

Unlike the positive list of responsibilities for the Commonwealth government outlined in section 51 of the Constitution, however, individual rights in Australia are far less clear. The Constitution itself does specify certain individual rights as part of its broader focus on providing limits to executive powers. In the main, however, individual rights are largely outlined through the development of common law precedent and through the mixed bag of statute law providing for rights. This unstructured approach to defining individual rights has served Australia reasonably well also. It does, however, particularly lend itself to individual rights being a product of judicial interpretation.

This characteristic of the development of rights at law within Australia I find troubling. In addition, in light of the new threat paradigm facing Australia and her legislators, I see the potential for increased conflict and uncertainty arising from the legitimate need to curb certain freedoms to uphold the right to security, being tested in courts, at the mercy of judicial interpretation and application of implied constitutional rights and
common law precedent. This is a situation that cannot, and should not, continue.

In an environment in which the executive is required to explore the interplay of individual rights against the need to provide collective security, surely there is a role to also explore the reverse. Some Australians are uncomfortable with the executive’s stronger pursuit of collective security at the expense of individual freedom, even in the face of more calculated and malicious terrorist attacks. Other Australians place a higher emphasis on the need for collective security over individual freedom and are not necessarily concerned with a possible erosion of Western democratic principles of individual supremacy. Our personal views will, of course, reflect our respective weighting of these two competing demands. It is my contention that both viewpoints can be suitably comforted through the introduction of a statutory bill of rights in Australia.

This Australian parliament should be the principal tool of the will of the Australian people to legislate the individual-collective balance. A statutory bill of rights, at a time when the executive must tread more heavily in areas of individual rights, will provide the necessary counterbalance of providing and ensuring collectively that the individual remains the focus of a liberal democracy.

Currently, individual rights, because of their common law origin and their limited role and enunciation in the Australian Constitution, are subject to an activist court. A statutory bill of rights would provide greater clarity because it would be formulated by parliamentarians who are accountable to the Australian people. There should be very little scope for the Australian people to have those individual rights, the very keystone of Western liberal democracies, being subject to interpretation and judicial activism by those who are largely unaccountable and unknown—let alone the processes, which many Australians find completely mystifying.

The benefit of a statutory bill of rights will ensure that legislation will operate at the will of the parliament. As the composition of the parliament changes, so too perhaps is there scope for legislation pertaining to the bill of rights act to also change. I would propose that a court would not be able to strike down legislation that may sit in conflict with the bill of rights act. This is a crucial and fundamental keystone that underlies why it should be a statutory bill of rights rather than a bill of rights that perhaps most Australians associate with—that is, the United States Bill of Rights.

A statutory bill of rights will simply sit together with other pieces of legislation for courts to examine and to assess new legislation in comparison with. That legislation that might sit in conflict with a statutory bill of rights would simply have the court issuing, for example, a statement of incompatibility with the bill of rights act. Such a statement of incompatibility would seek to draw the attention of the media, of the opposition as well as of the Australian people to the operation of the new laws. The executive, of course, would then be required to outline the reason why such legislation is necessary or indeed to defend that legislation in the face of a statement of incompatibility by the High Court. A statutory bill of rights is necessary and important.

Oxley Electorate: Ipswich Motorway Workplace Relations

Mr RIPOLL (Oxley) (5.21 pm)—Today I want to place on the public record two important issues that profoundly affect the lives of many people in the electorate of Oxley and many other people as well. One, in particular, is the Ipswich Motorway, the other being industrial relations as it interacts with our economy. I want to place on the public
record once again my complete and utter disgust and dismay at the way in which the federal government—and in particular the Prime Minister—has delayed funding for the full upgrade of the Ipswich Motorway. As everybody in this place would know, I have spoken about this issue many times, asking the government to do something about this road. But, despite my continual pleas on behalf of the people of south-east Queensland, to date the government has achieved absolutely nothing.

The Ipswich Motorway is a crucial link in the national highway network and it is clearly 100 per cent a federal government responsibility. The Howard government has known since 1997 that the full upgrade of the Ipswich Motorway must go ahead at some point, and yet the people of south-east Queensland are still waiting. Enough is enough: it is time the people of Queensland sent the Prime Minister a very clear message. Despite report after report and study after study showing that the Ipswich Motorway must be upgraded, the Howard government continues to ignore the transport needs of Queenslanders. We are constantly told by the Prime Minister and a successive band of hapless road ministers that a solution is on the way—it is coming. So is Christmas, and Queenslanders still have no road funding under the tree. I am still hoping that, because we have all been good boys and girls, Santa Howard will have a surprise for us before 25 December. That is my wish this year for Christmas, and I know it is the wish of many other Queenslanders as well.

But the Prime Minister cannot continue to treat Queenslanders like mugs. I urge people to call the Prime Minister directly and demand that he release funding for the full upgrade of the Ipswich Motorway immediately. The list of lies and deceptions from the Prime Minister and from the government and its road ministers on this project is—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Oxley will have to withdraw that comment.

Mr RIPOLL—I withdraw. Because of the limited time available to me today I will highlight just a few of the mistruths about this issue. The Prime Minister said that a solution would be announced with AusLink, the so-called national land transport plan, which was released publicly in June 2004, but no funding was allocated to the Ipswich Motorway for a full upgrade. During last year’s election campaign, the Prime Minister said on 4BC, a Brisbane radio station, that he had committed ‘$627 million to this project’—when he was referring in discussion to the Ipswich Motorway—‘over the next five years’. The Department of Transport and Regional Services, DOTARS, has since confirmed that no money has been allocated for the Ipswich Motorway upgrade at all.

After another independent report, released in May this year, found that a full upgrade of the Ipswich Motorway must go ahead, the Prime Minister said that an announcement on the fate of this project would be made in August. No such announcement was made, and we are still waiting. For far too long the Howard government has played politics with the Ipswich Motorway, while local residents continue to suffer. Just how much longer do the people of Queensland have to wait before some real action is taken to address the growing traffic problems in that part of the world? Today I urge residents to give the Prime Minister’s office a call to express their disgust at his complete lack of concern about their safety and their affairs. The number is readily available on the Parliament House web site. For those who cannot get access to that, the Prime Minister’s Canberra number is (02)62777700.

Finally, the member for Blair must also shoulder a good deal of the responsibility for
the current state of affairs. He is known locally as the one-man roadblock, the man standing in the way. If only he had got out of the way or made a conscious decision to do something constructive for the people he claims to represent, this issue would have been solved a long time ago. Let us get fair dinkum and let us get on with the job: let us see a real roads solution.

The second issue I want to talk about is the issue of industrial relations and economic growth. While the government has pinned its hopes and $55 million of taxpayers’ money—an incredible amount of money—on the sham assertion that the next round of productivity growth will magically appear once the extreme IR changes become law, everybody knows this is not the case. There is no evidence to back up the central claims of the government’s $55 million worth of advertising—the claims that these changes will lead to higher wages and more jobs. The government is hoping this happens as a matter of continued economic growth and prosperity—which, by the way, was delivered during the eighties and nineties through the economic and structural reforms of the Labor Party, rather than through any policy initiatives of this government.

Despite what this government would have you believe, these legislative measures have absolutely nothing to do with offering working Australians real choices in the workplace—and least of all have they anything to do with providing a platform for the future growth and expansion of the Australian economy. Where is the evidence that supports the government’s assertions that reducing the rights and working conditions of average Australian families will actually produce any productivity miracle or magical increase in productivity and efficiency? The fact is there is none, and there is no credible economist who agrees with the government’s argument in regard to this case. Productivity and efficiency were never built on the back of lowering wages or reducing conditions. The current industrial relations system is not holding the economy back—far from it. In fact it is part of our success. The Howard government’s plan will be the undoing of Australia’s economic success.

The claims they make about their plan are spurious, just as the bills themselves are. In the absence of any firm modelling or conclusions from the Treasury it is clear that the government claims of economic gains following the industrial relations changes are completely unfounded. Statements from Treasury officials during estimates last week suggested that they have little or no concrete evidence of productivity, wage or employment gains at all. We know from estimates proceedings that modelling was undertaken as part of advice to the Treasury, and it is likely that no firm conclusions on wages or employment were actually reached. The truth is the Treasurer is sitting on economic analysis of the industrial relations package because it contains flimsy evidence of the economic gains the government has been claiming. That evidence would debunk the myth once and for all about jobs and growth and what the package would do for the economy. If only the Treasurer had the gumption and the courage to actually release those findings.

We heard today and we have seen in Treasury media releases a lot of fine word play. We have heard them making sure they do not let anything out of the bag, but the reality is that they have done some work on this. The problem for government, of course, is that that work does not show it what it wants in the outcome. Therefore we are never going to see that work—it will never make the light of day. But Labor has today lodged with Treasury a freedom of information request for the analysis of the industrial relations changes. This material should be
immediately released in the national interest. If this government is serious about its own credibility on this issue, if it is so confident that what it is doing is in the national interest—that it will produce jobs, that it will produce growth, that it is good for productivity and efficiency, that it will benefit workers and families, that it is good for business and everybody—why is it scared? Why won’t it release the documents it has and the evidence it has? It will not do that, because it knows what those documents say and what they say does not favour the government’s argument.

The government wants Australians to bear all the pain, but for no economic gain. As the Prime Minister has said clearly on many occasions—but very specifically—this is an article of faith for him and for the government. It is nothing to do with commonsense, let alone economic commonsense; it is simply an article of faith. It is all ideology, with no commonsense.

Australia needs to ensure the retention of minimum standards, fair wages and conditions and an independent umpire to settle work disputes. It needs to provide real choice by allowing workers the right to join a union and access collective bargaining if they want to do so. The only possible outcome of the Howard government’s extreme changes to the industrial relations system is to reduce the living standards of working families: families in my electorate, in Ipswich, in south-west Brisbane, right across Queensland, right across Australia. More disturbingly, these changes will have drastic effects on all Australian employees.

As a federal member of parliament, I will not stand by. I will not silently let the Prime Minister and his band of ideologues get away with this injustice. This so-called Work Choices bill offers Australians Hobson’s choice: like it or lump it, take it or leave it. It is just not good enough. Only Labor are committed to the institution of public policies which will produce real future economic growth and improve the lot of all Australians, not destroy them as this government wants to do. Labor in government will not accept these changes. We will not allow this to continue. We will not be amending these changes; we will be ripping them up.

**Member for New England**

Mr HARTSUYKER (Cowper) (5.30 pm)—I grieve today and call on my fellow members of this House to remind themselves of the opportunity afforded to them and the obligations placed upon them by the institution of parliamentary privilege. In the time available to me, I would like to reflect on the institution of privilege and the way that institution has been abused by the member for New England and to ask what his actions say about him. First, let me remind you why we enjoy the protection of privilege and of its proper purpose. *House of Representatives Practice* tells us:

> ... parliamentary privilege refers to the special rights and immunities which belong to the Houses, their committees and their Members, and which are considered essential for the proper operation of the Parliament.

Privileges are not enjoyed by members in their personal capacities; they are enjoyed by the House in its corporate capacity and by its members on behalf of the citizens they represent. *House of Representatives Practice* remarks that the privilege of freedom of speech has been described as the ‘most valuable and most essential’ of the privileges we enjoy and as ‘the only privilege of substance enjoyed by members of parliament’. Without wishing to dwell on history—it is after all a current abuse that concerns me—it is worth pointing out that our freedom of speech stems from the Bill of Rights 1688, which stated:

> ... the freedom of speech and debates or proceedings in Parliament ought not to be impeached or
questioned in any court or place out of Parliament.

So, if we as members of this House are aware of a wrongdoing, we have the freedom to expose it without fear of prosecution and then to have it properly left up to other authorities to investigate and to take appropriate action against the person or persons named in this House. This is not something to be trifled with or lightly invoked. Few people have this privilege. It is not for personal use. It is accorded to us only to ensure that parliament does its job and only in our capacity as representatives of our constituents. Of course, with freedom comes responsibility. I make no apology for again quoting House of Representatives Practice. Perhaps some of us should read it more often. It says that the very significance of the privilege of freedom of speech:

... is such, where the reputation or welfare of persons may be an issue, that it should be used judiciously. If a Member is of the opinion that it is in the public interest to disclose such allegations, he or she should make all reasonable inquiries as to the truth of the allegations.

Let me repeat: where the reputation of persons may be an issue, it should be used judiciously. That brings me to my second point: the allegations made in this House by the member for New England last November to the effect that an attempt had been made to bribe him. He alleged that he was offered a diplomatic post or trade appointment if he did not stand for his seat. That offer was made to him, he alleged, by Tamworth businessman Greg Maguire on behalf of the then Deputy Prime Minister, John Anderson, and Senator Sandy Macdonald. Was the reputation of persons an issue here? Most definitely. Would those remarks, if made outside the House, have exposed the member for New England to an action for libel? Almost certainly.

Mr Price—Mr Deputy Speaker Scott, I raise a point of order. I am very reluctant to interrupt the honourable member but, under standing orders, he is not able to reflect on a member. Rather, he needs to move a substantive motion if that is his desire. Mr Deputy Speaker, I would ask that you listen very carefully to what the honourable member is saying and ensure that no other member of this House is adversely reflected upon.

The DEPUTY SPEAKER (Hon. BC Scott)—Thank you. I am listening very carefully to the member for Cowper.

Mr HARTSUYKER—Was the privilege used judiciously in this case? Certainly not. But then the member for New England is not known for his judicious remarks. In the context of the Telstra debate—

Mr Price—Mr Deputy Speaker, I raise a point of order. I think the member for Cowper is establishing well and truly that he is reflecting on the member for New England and his motives. If he wishes to do so, he is entitled to do so in the House, but he must use the proper forms of the House. He cannot do it by way of a speech in the grievance debate. He needs to move a substantive motion to that effect.

The DEPUTY SPEAKER—The Chief Opposition Whip has raised the issue of the member for Cowper reflecting on the member for New England. I ask him, in his continuation of the grievance debate, to bear that in mind.

Mr HARTSUYKER—Thank you, Mr Deputy Speaker. To continue, I certainly wish to consider the investigation that was conducted by the Australian Federal Police. That investigation found that there were no grounds to support certain allegations that were made in this House. Papers were passed to the Commonwealth Director of Public Prosecutions, who concluded:
none of the versions of the conversations related by any of the witnesses can amount to an “offer to give or confer” a benefit. Further there is no evidence in this material of Mr Maguire having conspired with any other person to make an offer to Mr Windsor.

There was no evidence—I repeat: there was no evidence—and the case was closed. The Senate Finance and Public Administration References Committee also examined the allegations as part of its inquiry into Regional Partnerships. I quote from the committee report:

Without compelling and incontrovertible evidence, a committee of the Senate cannot make an adverse finding against a Senator or Member who has denied the allegations made against him. In the case of the alleged inducement, the evidence is not sufficient for this Committee to depart from that principle.

That was the majority report. The government senators, on the other hand, concluded that:

There is also absolutely no evidence to support the allegation that the Honourable John Anderson, then Deputy Prime Minister, and Senator Sandy Macdonald offered an inducement to Mr Windsor not to stand at the 2004 federal election.

So the Director of Public Prosecutions concluded that there is no evidence of conspiracy, the majority Senate committee found no ‘compelling’ or ‘incontrovertible’ evidence, and the government senators found no evidence to support the allegations. And what was the member’s reaction when the lack of evidence was pointed out? Following the Senate inquiry, he said he was vindicated—a most interesting conclusion to bring.

I think it is important in relation to the allegations made that we reflect a moment on the character of one of the members who was the subject of certain allegations. This brings me to the proceedings in the House on 23 June and what was said about the Hon. John Anderson on his retirement from the front-bench. I would like to quote the Prime Minister, who said:

I have said on a number of occasions that I have not met a person with greater integrity in public life, and I am very proud to repeat that comment today.

The Prime Minister also said that John Anderson is:

... a man for whom I have a profound personal regard and affection.

The Minister for Health and Ageing said of Mr Anderson:

... he is a man whose transparent decency has often inspired us, and sometimes shamed us, into better reflecting our best selves.

The member for Banks said:

I think he is a reflection of all that is good in this place.

That tribute is all the more impressive because it comes from the other side of the chamber. There we have some idea of the reputation of the member for Gwydir, a reputation that was at stake when those allegations were made by the member for New England. Let me remind you of that phrase from the House of Representatives Practice about the use of privilege:

... where the reputation ... of persons may be an issue, ... it should be used judiciously.

Did the member for New England use the privilege of free speech judiciously? I think not. He had no evidence but he went ahead anyway. He abused the privilege of free speech—

Mr Price—Mr Deputy Speaker, I rise on a point of order. Firstly, there is a convention in this place that, if you are attacking or speaking adversely about another member, you do them the courtesy of letting them know. Secondly, the member for Cowper is again reflecting on the member for New England. You must uphold the standing orders—and I am sure you will, Mr Deputy Speaker. The member for Cowper cannot
reflect in that way on the honourable member for New England.

The DEPUTY SPEAKER—I thank the Chief Opposition Whip. In his concluding remarks the member for Cowper will ensure that he does not reflect on the member for New England. I ask that he uphold the very principles of privilege in this House of which he is talking in this grievance debate.

Mr HARTSUYKER—I will conclude, as time is running out, by reaffirming the fact that it is important that privilege be used in representing our constituents, rather than for private purposes. It is important that privilege be used from the viewpoint of assisting this House to do its job, rather than for any other purpose. I think that in the time available to me I have sufficiently highlighted that, in the case that I drew attention to, I do not believe that was the case. I think we need to reflect on the use of privilege. I believe that the use of privilege is something that has to be treasured by members of parliament, and that is something that I do not think has always been the case in this place.

The DEPUTY SPEAKER (Hon. BC Scott)—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.

ANTI-TERRORISM BILL 2005

Returned from the Senate

Message received from the Senate returning the bill without amendment.

Assent

Message from the Governor-General reported informing the House of assent to the bill.

BUSINESS

Mr JOHN COBB (Parkes—Minister for Citizenship and Multicultural Affairs) (5.41 pm)—On behalf of the Leader of the House, I move:

That standing orders 31 (automatic adjournment of the House) and 33 (limit on business after 9.30 p.m.) be suspended for the sittings on Monday, 7 November and Tuesday, 8 November 2005.

Mr PRICE (Chifley) (5.42 pm)—Mr Deputy Speaker, I wish to inform you that the opposition support this motion. This will allow the Workplace Relations Amendment (Work Choices) Bill 2005 to be debated and provide extra debating time. I need to inform the House that we have 62 speakers on the opposition side, including three Independent members, who wish to make a contribution to these important bills. I think the minister at the table would agree that these are very big changes to our industrial relations laws in this country, and we in the opposition fundamentally believe that every opposition member should be given the right to speak on this bill. I accept and welcome the fact that the minister has moved for more debating time tonight by extending the debate to 10.30 on both Monday night and Tuesday night, but I seek an assurance from him that every member in this House has the democratic right to speak on this bill and will be given the opportunity to speak on this bill.

Question agreed to.

WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005

Second Reading

Debate resumed from 3 November, on motion by Mr Andrews:

That this bill be now read a second time.

upon which Mr Stephen Smith moved by way of amendment:

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

“the House declines to give the bill a second reading, because the House condemns the Government:
(a) for failing to allow the House of Representatives and the Australian people proper scrutiny of the Bill prior to the debate in the House;

(b) for spending over $55 million dollars of taxpayers’ money advertising Liberal Party policy proposals before the WorkChoices legislation has entered the Parliament;

(c) for misleading the Australian people in those advertisements by making unsubstantiated assertions about the benefits of these changes and misrepresenting the extent to which employees will lose their rights under the WorkChoices legislation;

(d) for creating an industrial relations system that is extreme, unfair and divisive;

(e) for failing to put working families first in developing its plans to dramatically change Australia’s industrial relations laws;

(f) specifically, for failing to commission and publish a Family Impact Statement as promised during the election for all family related legislation;

(g) for failing to provide a guarantee that no individual Australian employee will be worse off under the extreme industrial relations changes;

(h) for attacking the living standards of Australian employees and their families by removing the ‘no disadvantage test’ from collective and individual agreements;

(i) by allowing employees to be forced onto unfair Australian Workplace Agreements as a condition of employment;

(j) for abolishing annual wage increases made by the Australian Industrial Relations Commission for workers under Awards with the objective of reducing the Minimum Wage in real terms, and by removing the requirement that fairness be taken into account in the calculation of the Minimum Wage;

(k) for delaying the next National Wage Case by a period of six months, so that at least 1.7 million workers under Awards will not receive a wage increase for a period of 18 months or longer;

(l) for undermining family life by proposing to give employers the power to change employees’ work hours without reasonable notice;

(m) for destroying rights achieved through the hard work of generations of Australian workers;

(n) for undermining the principles of fairness that underpinned the Australian industrial relations system for the past hundred years;

(o) for gutting the Australian Industrial Relations Commission and eliminating the role of an independent umpire to ensure fair wages and conditions and resolve disputes;

(p) for developing proposals that will deliberately distort the workplace bargaining relationship in favour of employers and against employees;

(q) for denying Australian employees the capacity to bargain collectively with their employer for decent wages and conditions;

(r) for denying individuals the right to reject individual contracts which cut pay and conditions and undermine collective bargaining and union representation;

(s) for allowing individual contracts to undermine the rights of Australian workers under collective agreements and Awards, for instance by eliminating penalty rates, shift loadings, overtime and holiday pay and other Award conditions;

(t) for removing from almost 4 million employees any protection from unfair dismissal;

(u) for refusing to consult with State Governments in developing a unitary industrial relations system resulting in an inadequate and incomplete national system;

(v) for launching an unprovoked attack on responsible trade unions and asserting that those unions have no role in the economic and social future of Australia;

(w) for proposing to jail union representatives or fine them up to $33,000 if they negotiate to include health and safety, training and other clauses in agreements;

(x) for ignoring the concerns of the Australian community and Churches of the adverse im-
pact these changes will have on Australian employees and their families;

(y) for failing to guarantee that wages will be sustained or increased in real terms under these changes; and

(z) for seeking to justify these measures by asserting that slashing wages will somehow make Australia more competitive, more productive, and increase employment”.

**Dr LAWRENCE** (Fremantle) (5.43 pm)—Back in February the Minister for Employment and Workplace Relations said in anticipation of the government’s industrial relations onslaught:

... an emphasis on fairness only leads to regulatory excess and inefficiency.

That is, of course, a view that put him in lock step with the big business lobby. But then, as the time came to electrify Frankenstein’s monster, some bright spark at Colmar Brunton, or perhaps at Jackson Wells Morris, realised that fairness is one of the country’s fundamental values. Now, $150,000 of second-rate propaganda later, which had to be pulped to make way for some first-rate spin, we see the word ‘fairness’—the word, mind you, not the principle, because that is the beauty of spin-doctoring—slapped all over this piece of legislation and filling page after page of newspapers all across the country. Never have so many packets of fish and chips been wrapped in so much obscenely expensive claptrap. I should say that it is hilarious to hear the government justify this obscenely expensive propaganda blitz as a response to the unions’ so-called fear campaign. A fear campaign? Talk about the pot calling the kettle black!

In a recent interview, the Prime Minister went so far as to blame the huge unpopularity of the government’s IR vendetta on what he called ‘this terrible’—but, I must say, honestly funded and comparatively small—‘fear campaign’. However, a lot of it—indeed, all of it, as far as I can see—has now proved all too accurate. This accusation, it must be said, has come from the ‘High Emperor of Fear Campaigns’, the ‘Grand Vizier of Dog Whistlers’. This is from the same government that told the Australian people that we were to be flooded by refugees who were prepared to throw their children into the ocean and that Iraq had weapons of mass destruction that were trained in our direction—fear and lies, fear and loathing. Here we are, effectively ambushed by two hugely significant and sensitive pieces of legislation. Funny timing, isn’t it. Here we have terror laws to keep the national security profile nice and high as a form of inoculation against the unpopularity of the government’s IR vendetta. In a year’s time, the media will probably call it an act of political genius—but we know what it is.

As well as dealing with the general provisions of the bill, I want to draw attention to two particular areas of concern: the adverse effects on our system of government and the punishing consequences for women and other low-paid workers. I have to say that this looks like the agenda of a government in decline taking its last opportunity to settle some longstanding ideological scores. Instead of addressing the real problems in our economy, it is pursuing a hit parade of old political targets: student organisations, trade unions, Labor state governments, the Senate and so on. If the Constitution stands in the way, too bad.

Australia should operate under a federal constitutional democracy. I should not have to remind the government or the House that the key elements of such a democracy are federalism, which distributes power and provides a critical balance between the federal government and the governments of the states and territories; the parliamentary check on executive power, which is a system that ought to provide transparency of decision making, freedom of debate and the opportu-
nity to scrutinise the government of the day; and an independent bureaucracy, with departments that do not function as spruikers and war chests for party-political objectives.

Yet, with this bill, we see the Howard government continuing to undermine all these aspects of our democracy—and not for the first time. First, we see departmental funds, on a massive scale and without parliamentary approval, being used to promote the Liberal Party’s policy in advance of the detail of that policy. The fact that the campaign’s overwhelming purpose is propaganda and not the provision of essential information is, of course, proved by the ‘fairness’ fiasco: the pulping of documents.

Second, despite the brief extension of time tonight and tomorrow night, we see debate on this and other bills being rushed, gagged and guillotined—as no doubt it will be. This is occurring despite the fact that the Howard government has a bicameral majority. What is it so afraid of: of debating its own cause? Is it so bad that the government cannot stand to have a fair and open argument about it? The government has already blown $50 million on puffery and the game still is not stacked enough for its liking? I personally think there are more than enough sporting analogies in Australian public debate but, if there were ever a case of rigging a fixed game, here it is.

Finally, and perhaps more seriously, there is the centralist, undemocratic and possibly unconstitutional aspect of the government’s IR proposal. This vendetta—and that is what it is—is not just against unions and the weakest members of the labour market; it is also against the independent powers of state and territory governments. It is an attack on federalism, which is perhaps the single most important structural feature of Australian democracy. It is part of an accelerating centralism that is now characteristic of this administration. It is a ripping up of the Constitution without taking it to a referendum of the people. Why is this happening? As far as I can see, not one of these manoeuvres is in the national interest. How is the national interest served by the unfettered, unexamined ideological obsessions of a decadent and now power-drunk government? It is a good question. Perhaps the people at Colmar Brunton or Jackson Wells Morris could get on to it.

If we were to take the government at its word—and, believe me, this is only hypothetical, for who would?—if we could suspend disbelief for a minute and take the government at its word, we might have expected it to support choice, flexibility and diversity. These are small-l liberal values after all—my own father’s creed. But this legislation is about inflicting a monolithic, inflexible, unaccountable and unfair system on the whole of Australia.

On the question of the IR vendetta, and specifically on the antifederal and undemocratic nature of that vendetta, constitutional lawyer—and genuine conservative—Greg Craven wrote last week:

... however much Canberra may resist the notion, there is not one undifferentiated Australian labour market. Policy and market needs in booming resource-rich Perth may be very different from those in ... Adelaide. Yet the Andrews proposals will ensure that a state government has the same practical capacity to influence the labour market as to set the price of saucers on Neptune.

We know that this government regards ideology as some kind of Latin word for communism, but it is more than passing strange to see it trampling its own ideology in pursuit of its ideological enemies. As Craven says: Fundamentally, federalism is the philosophy of Liberal conservatism.

I put in brackets: it used to be—

It holds that untrammelled Government power is inherently dangerous. In particular we must not
allow large agglomerations of central power to crush local difference, individuality and innovation. To this end, federalism safeguards liberty by dividing power between the commonwealth and the states. It balances power by exposing every significant issue to debate in multiple political arenas and debating chambers.

Well, if you are lucky in Australia in the 21st century. There are very real dangers inherent in the government’s plan to hijack the corporations power for the purposes of its IR proposals when it knows that the existing power contained in the conciliation and arbitration clause simply will not stretch to authorise the radical changes that it has in mind.

While on the issue of the federal government, as a Western Australian member of this parliament I want to draw attention to the experiment that was carried out on the people of Western Australia by another bunch of reactionaries. In Western Australia, some of the madness that the Howard government is proposing was road-tested under the Court government. Indeed, despite the failure of that experiment, this legislation is its ugly progeny.

In a submission to the Senate Employment, Workplace Relations and Education References Committee, the WA government reported independent research into the effects of the Court government’s failed IR experiment. It examined the impact of individual workplace agreements across four industries that represented a significant proportion of those that had been registered. The key findings of the report with regard to the agreements analysed were that 74 per cent of them provided no weekend penalty rates of pay, 67 per cent provided no overtime rates of pay and 56 per cent provided an ordinary rate of pay below the award rate. These are all things that we have been told are protected by law in this legislation, although it is quite clear that they are not.

The government’s sloganeering for its IR changes includes the claim that they will produce higher wages. Let us check the facts again from Western Australia. Of the individual workplace agreements surveyed in the independent report, 56 per cent paid employees less than the relevant award. A recent ABS report notes that WA employees on individual workplace agreements received $65 per week less than those on certified agreements. What is more, the average weekly earnings for those employees on individual agreements in the last two years of the program declined by $212. That does not sound like higher wages to me. I am sure it does not sound like higher wages to anyone listening. The right-wing commentators, the self-anointed Howard-lovers, accuse those who oppose this legislation as being peddlers of doom. But here is a labour market that has been to the dark side. The facts stare you in the face. The evidence is there. We have had the natural experiment.

Women lost most under this regime in Western Australia, and the gender wage gap really blew out. I want to turn to the specific effects of this legislation on women. Many Australian women’s working lives have become a lot more difficult under this government already and are likely to get much worse under these proposals. Despite opinions to the contrary, the proportion of women in full-time employment actually has not increased in 30 years, and the majority of women still work in a range of low-paid, part-time and precarious jobs. And our participation rate is low by international standards. Over the last decade women, like men, have also experienced a decline in standard hours and a rise in part-time hours. Over the same period there has been a rapid increase in the numbers in casual employment, accounting for 59 per cent of the part-time jobs that women hold, a proportion that has been steadily rising.
Many women in part-time and often casual jobs will testify that the jobs are, to say the least, less than ideal. Despite the fact that part-time work has often been touted as the ideal way of reconciling work and family responsibilities for women, there is a substantial downside to such employment. Many people accept reduced hours because they cannot find suitable full-time employment, in which case it is clearly a form of underemployment. They do not always use the skills that they already have. In other cases, women opt for part-time work because adequate and affordable child care is simply not available—and that problem is getting worse by the day. A lot of part-time and casual work is not structured to meet the family’s needs but rather to suit the employer. That is the case right now. Many women report an increase in unsociable hours, split shifts and the like, adding to their problems rather than diminishing them. These problems will be seriously exacerbated by this legislation.

Even Howard confidante Sex Discrimination Commissioner Pru Goward says that the government’s package will lead to worse working conditions for women in already low-paid jobs. She is warning the government of these consequences. They are not, of course, listening. It will inevitably force more women to trade off leave and accept hours and conditions which suit the employer or to lose their job. As several specialists in the tax and IR field have already warned, the net result of these laws and the extortionate marginal tax rates which such workers face might well force a retreat of married women from the labour market altogether. Why, after all, place your family at risk, sacrificing leave and family time, working longer hours for less money?

The government seems to operate on the view that was prevalent when I was growing up: that women’s work is for pin money, so it will not matter if the rate for low-paid workers—mostly women—actually falls. But times have changed—although the Prime Minister appears reluctant to recognise this—and it does matter. The second income is what allows many families to cope financially, keeping them out of poverty. But at the rate the government is going they will be carefully calculating that they may be better off having one partner stay at home—no tax bill, no child-care costs, and generous family tax benefits. Perhaps we will see Howard’s white picket fence after all, and the reduction in the purchase of services, the GDP and the tax base as results that will follow when women do the work for themselves. Of course, at the same time they will ruin their chances at financial independence as they lose contact with the job market. Meanwhile, single parents are to be forced into the labour market, facing severe penalties for failure to find work. As my young friends would say, ‘Go figure.’

We already know that the move away from centralised and collective wage agreements produces poorer outcomes for women. Existing industrial relations policies have actually led to deterioration in the wages of some women. The ABS reported earlier this year that women on individual agreements went backwards. As I said earlier, this was also the experience in Western Australia.

I think we would do well to remember in this place that we are very privileged in the work we do. As Galbraith has often pointed out, much work is repetitive and demeaning. The use of the word ‘work’ by the ‘contented classes’, as he calls them, to describe our highly paid, creative and self-fulfilling activities in the same breath as the low-paid and oppressive chores of the working poor is a fraud of the first order. Galbraith argues that it is in fact the inherently boring and tedious nature of work which seems to many people precisely the reason that one is paid to do it. It is what you definitely would not
do if you were not being paid. Sadly, women are still disproportionately represented in sectors of the economy where job satisfaction is low and the pay equally so.

Some of you may have read Elisabeth Wynhausen’s recent account of her experiences in what she called ‘the wrong end’ of the job market. She reminds us that for many Australian women—and men—the work experience is anything but rewarding. Wynhausen took, as she called it, a ‘self-funded sabbatical on the breadline’. Her starting point was an understanding that the view of society you get from newspaper offices—she was a journalist—or indeed from this place, or from Kirribilli, for that matter, ‘is as indistinct as the view of the street from the highest floor of a city building’. She sought to experience first-hand the other side of the so-called miracle economy.

Wynhausen takes us through half a dozen low-paid and so-called unskilled jobs, from working in the dining room of an exclusive Sydney club to packing eggs in rural NSW. She worked in a big retail chain and a nursing home and she cleaned offices. What struck her most, apart from the low pay, was that all the jobs had one thing in common. ‘I no sooner took them on’, she said, ‘than I, like my fellow employees, seemed to be rendered invisible.’ She was no longer consulted about schedules or given explanations about the work to be done and was treated with disrespect.

An atmosphere of intimidation and powerlessness pervaded most of the work environments—and these were selected pretty much at random. Workers believed that if they stood up for themselves they would be sacked—and they were. Working hours and rosters were extended without consultation; agreed days off were simply removed. The high turnover in many of the workplaces meant that there was little satisfying social contact between the workers. The egg-packing factory, Wynhausen found, was grim and rancorous and, as she saw it, no-one appeared to go home feeling they had done a good day’s work. When she asked one of the women whether the people at the factory took pride in what they did, she was bluntly told, ‘You just do it like a robot.’ This is a foretaste of the future for many more Australian workers.

The minister at the table, the member for Parkes, might smile, but he would do well to go into some of these places and actually live the lives that some of these people do, as Elisabeth Wynhausen was prepared to do. That is where the Howard government wants to take the workers of Australia—lower wages, fewer conditions, less security. The ministers on the other side will never see it; they will never know about it. They will maybe see a few statistics but they will not know the experience of these people. At a time of economic growth, the Howard government wants to gouge money and conditions out of Australian workers and transfer them to business owners and shareholders, from wages to profit, although the profit share is already at a historical high. As the WA submission noted:

The Western Australian experience clearly demonstrates that in the absence of an adequate safety net of entitlements in individual agreement making, the door is wide open for employers to substantially reduce wages and conditions.

That is the experience; those are the results. And what has happened since the IR madness of the Court government was repealed? Was there a lagging economy, low productivity or industrial chaos? No—in fact, there was exactly the opposite of this gloomy campaign that we hear from this government. The economy in Western Australia is one of the country’s most robust. The unemployment levels in WA lead the nation.
This government’s proposals are doctrinaire, unfair, divisive and not justified by the evidence. They bring no economic or social benefit. In fact, as I have indicated, in key areas—and many that others will canvass—they do harm. They tear up a longstanding contract with the Australian people, that all should have a fair share in economic growth and prosperity, that they should be protected from unscrupulous and avaricious employers and that the raison d’etre of the arbitration system in Australia is to ameliorate the power imbalance inherent in the individual employment relationship—the idea that they are standing equal in that bargain is ridiculous. Australians believe that they should have a say in their pay and conditions—selling your labour is not like selling soap powder; it is fundamental to human dignity and our sense of worth. Australians also think that they can make use of the services of unions to advance their wellbeing—and that will be made incredibly difficult under this legislation—and that they can work together with other workers to achieve satisfactory outcomes in their workplaces—(Time expired)

Mr McARTHUR (Corangamite) (6.03 pm)—I am pleased to contribute to the debate on the Workplace Relations Amendment (Work Choices) Bill 2005. The introduction of this industrial relations legislation is as significant to Australians as the collapse of the Berlin Wall and East-West relationships. This parliament is contributing to history by introducing measures that will encourage a cooperative enterprise culture in businesses and work forces across Australia. The legislation will close the chapter on 20 years of debate about the need for a flexible industrial relations system. It is an issue on which the Prime Minister has stamped his mark in leading public policy debate, not only over 9½ years as Prime Minister but for a decade before in opposition—a remarkable achievement.

When I entered parliament in 1984 the industrial relations debate was a blank page. There was at the time essentially a political consensus for a third-party resolution of workplace arrangements and deals between big unions, big business and big government at the expense of individual workers and businesses. The Hawke government entrenched the power of the big union/big business corporatist model through the Accord with the ACTU, which over time actually reduced the wages of Australian workers. The then ACTU president, Bill Kelty, almost had cabinet status under these arrangements.

As chairman of the backbench committee and with the then shadow minister, the Hon. Neil Brown, we in the opposition developed the embryonic workplace agreement concept. This was a revolutionary thought when companies like BHP and Ford had never contemplated a world without myriad awards and a big brother arbitration commission making their human relations decisions for them. In fact, big business came out strongly against this early proposal. John Howard became the Leader of the Opposition in 1985, providing new impetus for industrial relations reform. The then opposition leader provided a vision within the Liberal Party and Australia for industrial relations reform.

Over the past 20 years there have been advocates for industrial relations heresy. Martin Luther would have been proud of them. I refer to the HR Nicholls Society, of which I am a proud member, which was a protagonist for change. It provided an intellectual base for practitioners, intellectuals and trade union leaders, showing them that there was a better way. It published papers, ran seminars and encouraged national debate, so much so that then Prime Minister
Hawke called them ‘troglodytes’. The mining industry understood the necessity for better industrial relations. (Quorum formed)

As I was saying, the mining industry understood the necessity of better industrial relations and was ably led by Hugh Morgan of Western Mining Corporation in bringing about some quite radical changes to work practices in that industry. The Dollar Sweets case provided a focal point for union intimidation of the work force, and Fred Stauder is to be commended for his steadfast stand. The National Farmers Federation advocated a more flexible system, ably led by Ian McLachlan. Bert Kelly, the Modest Member, advocated a market economy, fewer tariffs and a more flexible system. Professor Blandey encouraged productivity and enterprise based agreements. Professor Judith Sloan argued for changes to the industrial relations club.

I draw to the attention of the House the trailblazers in industrial relations reform. There was the two-year strike at Mudginberri meatworks, where the manager, Pendarvis, wanted to pay his workers more money for increased productivity and removal of the tally system. This was a two-year strike. The changes were very strongly supported by the National Farmers Federation. It was union intransigence towards increases in productivity that brought about this very famous dispute.

Robe River and Charles Copeman fought a long and bitter battle that productivity should be a result of huge capital investment. That investment was controlled by a few Pommy shop stewards demanding unreasonable conditions. But, eventually, there were more flexible conditions in that mining operation. There was the wide-comb dispute in the shearing industry, which you would be aware of, Mr Deputy Speaker, in which the union wanted to ban the use of wide combs which would increase productivity. They wanted to go back to the old world.

In fact, the old world of industrial relations is based on the 1904 Harvester case and the living wage, with a presumption that Australia could remain prosperous by trading with itself and not trading overseas. BHP was a monopoly protected by government and held a dominant position in the market. The unions exploited this position with excessive wage demands and positions. There was no international competition for steel making in Australia at that time and BHP fell behind in the world of investment and in labour performance in their steel mills. The BHP steel division actually went broke, even after a huge injection of government funds. It only became profitable when it restructured its work force and changed its technology.

The car industry, which members of this House would be aware of, had 150 per cent tariff protection, which has been reduced to 15 per cent. Now the car industry is internationally competitive; however, the vehicle builders union remains influential, with pattern bargaining amongst the four manufacturers. The car industry is now much more aware of industrial relations concerns, and it looks after its work force and fully understands the importance of international competitiveness—a far cry from the 1960s of big unions, big factories and insensitive management.

Can I refer to the Hawke government’s decision to float the Australian dollar in 1983 and say that it changed forever Australia’s protection against international competitive forces. The reality was that the exchange rate was measured by Australia’s productivity, performance and real position on the world economic ladder. The missing link in this decision was, of course, a competitive wage structure. Internationally competitive, Australia’s position would be judged by the fi-
nancial markets of Wall Street, London and Europe as to whether it was doing a good job. I do acknowledge the Hawke government’s landmark decision in floating the dollar.

Former Prime Minister Keating was convinced of the necessity to change the industrial relations culture—so much for the rhetoric of the current Labor leader, Mr Beazley, attacking the current industrial relations legislation. In 1993 Paul Keating, when speaking to the Institute of Company Directors, said:

Let me describe the model of industrial relations we are working towards. It is a model which places primary emphasis on bargaining at the workplace level within a framework of minimum standards ... Over time the safety net would inevitably become simpler. We would have fewer awards, with fewer clauses ... We need to find a way of extending the coverage of agreements from being add-ons to awards ... to being full substitutes for awards.

A hundred years of industrial relations in Australia was very dependent on the three members of the industrial relations club: the big employers, the big unions and the industrial umpire, the Conciliation and Arbitration Commission.

Australian business developed a mindset that the welfare of their employees was not their problem and that they should hand over lock, stock and barrel the problem of conditions, wage rates and productivity to the faceless men of the arbitration commission. Most bigger companies and corporations abrogated their responsibility for human relations, working conditions and rates of pay to a legalistic third party that had no understanding of their individual workplaces. The industrial relations club took very little account of the capacity of individual companies to be profitable in the long term. The banks show no mercy to individual entrepreneurs who cannot pay their bills. If a small enterprise cannot pay the bills, there are no jobs, no matter what award structures might be in place.

This attitude during the 1980s was reinforced by the Hancock report, which said that there was no other way. This voluminous report reinforced the prejudice of the main players in the industrial relations club. Strong industries such as oil refineries, car makers and the cement industry managed to extract higher wages than productivity would have justified. India, China and the rest of Asia are providing a model of flexibility in competitive world markets. Australia needs to follow their lead if we are to look after our children in the next three decades.

The proposed 2005 act is a culmination of the 1996 election promises and the implementation of the 1998 Reith Industrial Relations Act. The fundamental element of this Workplace Relations Amendment (Work Choices) Bill is to ensure that there is a more flexible enterprise based system, that there is cooperation between employer and employee for mutual advantage and that the peculiarities of every workplace around Australia are taken into account.

The waterfront monopoly of the MUA is a perfect example of increased technology but reduced performance of the work force. Entrenched old-world attitudes ensured that cosy award-ridden arrangements between stevedores and MUA members made it impossible to provide reliability on the Australian waterfront over the last 50 years. The removal of this monopoly in 1998, as a result of the Reith 1996 industrial relations legislation, was a major breakthrough in improving Australia’s waterfront performance. The dead hand of the Conciliation and Arbitration Commission third party was removed from the life of employers in Australia and their hardworking employees and families.
Australian workplace agreements will be encouraged and simplified. They will be covered by law once they are lodged so that both parties can move forward with confidence that their agreement is binding and within the law and that it meets the minimum conditions as laid down by the act: the fair pay and conditions standard.

The Alcoa plant in Point Henry is the best example of the AWA approach. In his capacity as then shadow spokesman for industrial relations, the Prime Minister, John Howard, visited the Alcoa plant in Geelong in 1995. The Point Henry plant was near its use-by date, but it has continued operational capacity because of industrial relations changes. These changes and this new approach included annualised salaries; the establishment of work groups; the involvement of the wives of workers; no overtime pay; 12-hour shifts; four-day working weeks, with three-day weekends; a build-up of enterprise culture; an awareness of international aluminium prices; benign support from the metal-workers union of the day for this particular set of arrangements; a high degree of employees’ work satisfaction; productivity targets, understood by management and the work force; and a dramatic change of workplace culture.

The OECD have long been advocating a more flexible wage system for modern internationally competitive economies. Their supporting statements have been on the public record for the last four or five years, with high rates of unemployment in Germany at 11 per cent and France at 10 per cent. The old postwar Europe—Germany, France and Italy—of corporate state, big business and big unions, which has worked for 20 years, is now fundamentally flawed.

In Great Britain, productivity dropped to an all-time low because of entrenched work practices and the domination of industrial processes by craft unions. The dramatic changes by the Thatcher government ensured that the balance was redressed between capital and employees. The manifestation of these changes was the coal strikes and the quite dramatic changes that they precipitated in other basic industries. The Thatcherite industrial relations revolution was vigorously resisted by the trade unions in the UK, but the resurgence of the British economy is a stark reminder of the success of those changes. Prime Minister Blair, a third-way Labour leader, has not altered this industrial relations framework such that Great Britain has maintained its economic growth under a Labour government.

My recent overseas delegation to Sweden and Denmark supported the assessment that Sweden was a corporate state with high taxation, excessive social security and a high-ground industrial relations structure designed to suit big corporations and big business. Small business in Sweden is disadvantaged by the age-old concept of last on, first off. This discriminates against younger employees who could contribute to the profitability of a business. That nation should be advocating something similar to that which we are advocating in this House.

The two key objectives of the Work Choices bill are to create wealth and more jobs. To bring about these changes, a cooperative enterprise culture between management and its work force will make Australia a more competitive nation. Following the industrial relations changes of 1996 the heavens did not fall in. However, real wages have increased by 14.2 per cent over the 9½ years that these changes have been in force. In comparison, under the Labor government, real wages improved by 1.5 per cent over 13 years.

Wage and job growth cannot be delivered by bankrupt businesses. Medium to small
businesses in the private sector must be competitive. No job security is possible, no matter what the unions demand, if a business is going bankrupt. Ansett is a perfect example—bankrupt, no jobs and lost entitlements. So much for unions’ ever-increasing demands for wage equality, fair pay and conditions when the boss has gone broke! Compare the case of Ansett with Alcoa where cooperation and an enterprise culture have kept the company going in a very competitive world of manufacturing aluminium.

Union membership is in decline. Union membership was 51 per cent of the workforce in 1976. In 1990, it was 40.5 per cent; and in 2004, it was 22.7 per cent, of which only 17 per cent of the private sector were members of a union. Union members are voting with their feet. Even before the Keating government reforms, the old system of big union, big business and the third umpire did not meet the needs of workers, with 20 per cent of the union members leaving between the mid-1970s and the start of the 1990s. Even the workers knew the system was broke. Independent contractors and small business equal the number of employed persons in Australia.

The new legislation before the parliament is a 700-page document which replaces 3,000 pages of industrial relations legislation and regulation. This gives a lie to the opposition claim of complexity in the new legislation and the number of new pages contained in the new document. The new legislation replaces 4,000 awards, with almost 44,000 different rates of pay. This is a mind-boggling morass of regulations which is impossible for any employer to fully comprehend, even in their own industry. The act will have national coverage under the Corporations Act. Hopefully, the states will follow Victoria’s lead and join the Commonwealth in accepting this national approach to an Australia-wide problem of having industrial relations accepted in every state. Banks, companies and the Stock Exchange are national entities with employees in multiple states, so why not run a national industrial relations system?

This is a very historic time for me personally. It is a historic time for Australia. This is a time when we have introduced new legislation, when we have brought about some fundamental change to the industrial relations culture. This argument, as I have said, has been going on for 20 years. I am disappointed that those opposite are fighting it tooth and nail, because they know that the future of Australia depends upon the introduction of this act. I commend the Minister for Employment and Workplace Relations for his assiduous attention to the detail incorporated in this new document. I also commend the members on this side of the House on their activities in developing the conceptual arguments in the detail. I commend the Prime Minister and everyone associated with developing the argument that Australia needs a new industrial relations system related to flexibility, with unfair dismissals being reasonable, with flexibility related to workplace culture and with a change that will ensure that Australia remains competitive with the Asian nations.

No longer can we be part of an internal culture. We need to make sure that employers, employees and small businesses are cooperative, that they understand that profits provide job opportunities, that profits provide good conditions and that prosperity will be here for future generations of men and women. They will know that in this particular week in 2005 there was a dramatic change in the Australian workplace culture that was for their benefit for the next 50 years.

Mr ANDREN (Calare) (6.22 pm)—Let me say from the outset that I oppose the
Workplace Relations Amendment (Work Choices) Bill 2005, as do the great majority of fair-minded Australians. In my many contributions on the various workplace relations bills the government has brought before this House since 1996, I have approached the legislation with what I believe has been a considered and practical analysis of the issues and their likely impact on employers and employees. I have supported the government’s exemption of small businesses from the unfair dismissal regime, as I have defended the Australian Industrial Relations Commission against the same government’s relentless attempts to undermine the authority of this important and independent industrial umpire.

The government’s conduct with this latest and largest omnibus bill and its lack of respect in presenting 700 pages of legislation with less than 24 hours to analyse it, before the beginning of this second reading debate, is deplorable. What I have been able to assess from the so-called Work Choices bill since last week gives me no reason to support it. There is absolutely no reason for these so-called reforms except, I believe, to drive down the cost of labour and to advantage the corporate bottom line. That will be good for the shareholders but not the Australian workers, who face negotiating their own way in the workplace under the deceptive government mantra of ‘choice and flexibility’. This reform package is certainly not simple and certainly not fair, and $55 million worth of advertising is not going to change that. This waste of public money for political purposes is outrageous, and that is the feedback I get wherever I go.

This sort of money could have been used to tackle respite and emergency response measures identified in the Not for service report into the mental health crisis in this country, which is a national shame. In Calare it could have rebuilt Kelso High School, destroyed by fire earlier this year, with change left over to start the new base hospitals for Orange and Bathurst and their surrounding districts. To have to spend $55 million to sell a policy suggests it is not worth supporting in the first place—as most Australians are saying, despite the campaign, with very little movement in public opinion on this piece of legislation.

A letter from Michael Sinclair-Jones of Maylands, Western Australia, to the Australian last week stated:
The Prime Minister says ‘we are labouring under a workplace system that was largely designed over a century ago to deal with the problems of a different time in a different world’. Nothing could be further from the truth.
The letter goes on:
The system’s founding father, High Court Judge Henry Bournes Higgins said in 1907 that the minimum wage for an unskilled worker must not be decided by ‘the usual but unequal contest, the higgling of the market for labour with the pressure for bread on the one side and the pressure for profits on the other’. A civilised community must protect workers with ‘something which they cannot get by the ordinary system of individual bargaining with employers’, he says.

According to the Australian’s correspondent:
Mr Howard wants to turn the clock back to the 19th century with a forced return to non-union individual bargaining. ‘We cannot afford to go backwards’ he says. But that’s exactly what his new laws will achieve.

I am indebted to Michael Sinclair-Jones for that precise summary, in historical context, of what we have here: not ‘going forward’, to use the nonsense jargon of the business would-bes, but going backwards into the 19th century. There is no need for these changes, and they are ideologically driven.

The usurping of state powers; the replacement of the independent umpire, the AIRC, with the Fair Pay Commission; the fair pay and conditions standards; the gutting
of awards and their eventual replacement as workers inevitably move from job to job in an increasingly casualised workplace; the abandoning of the no disadvantage test; the transfer of AIRC powers to the minister; the extension of unfair dismissal exclusion to corporations employing 100 or fewer; and the exclusion of unions from workplaces—all these are direct attacks on equity and fairness in the workplace and tilt the scales decisively in favour of the employer. AWAs and collective agreements will now bypass the Australian Industrial Relations Commission. There will be no independent audit of the content of agreements. Perhaps the government has decided that that little formality is unnecessary anyway—the no-disadvantage test has gone, so why the need for any independent audit?

On top of that, we have the wonderful freedom—or ‘flexibility’, to use the government’s jargon—available to workers to trade off penalty rates, if they still exist, and public holidays, meal breaks and annual leave for extra ordinary time pay. As well, the ordinary 38-hour week can be averaged over a year. Just imagine the worker who trades in his leave and works long hours before Christmas but has no leave to compensate. Of course employees will take the money—they need it to meet the huge financial commitments of Australian families, more and more of whom are substantially underemployed.

To suggest the fair pay commissioner’s stated aim of getting unemployed people into work is some sort of justification for a lower minimum wage is to conveniently forget that unemployment is not our major problem. Underemployment is the problem, with as much as 28 per cent of our work force seriously short of enough work and income to meet commitments. Indeed, since 1988, 54 per cent of all new jobs created have been casual jobs. To reduce the minimum pay only to create more low-paid jobs is simply exploiting labour. Remember that it already takes but an hour’s work a week to deem one as employed. Four per cent unemployment does not mean 96 per cent have as much work as they want. Once upon a time it did but no more. Underemployment is the curse of the modern economy, and to suggest we should countenance reduced pay to put more people in work suggests incorrectly that those already in work have as much work as they need. Are they supposed to somehow share their hours? Are they just units of cost in a production line?

The Prime Minister and others so deceptively used the figure of 14 per cent—as did the previous speaker, the member for Corangamite—when lauding wage increases over the past 10 years. This was wrong and, if it was deliberate, cynical. The fact is that, when you remove the top 20 per cent of wages and salary earners from the equation—those people who can write their own meal tickets—you are left with about a three per cent increase in wages over 10 years and about a 1½ per cent increase for the lower 20 per cent of the work force. So much for being relaxed and comfortable, particularly with petrol prices as they are now.

Now you will be able to negotiate your own pay and trade in your leave to make up for the inevitable downward pressure on wages that will come about under this new regime. The great Australian dream of a full-time job—and a house one day, perhaps—will become a nightmare for the most vulnerable, while obscenely high salaries will continue for the top 20 per cent as Australia’s social division continues to widen.

Since 1996 I have voted in support of the government’s many attempts to introduce an exemption for small business from unfair dismissal regimes—first, for those who employ fewer than 15; then, for those who employ fewer than 20—on the basis that exten-
sive consultation with small business had made it clear to me that it was indeed a serious impediment. I made it clear each time I spoke on the multiple versions of these unfair dismissal bills that that was the limit of my support. I was convinced that the unfair dismissal laws acted as a disincentive. I held to the belief that, for small business in particular, a relationship based on trust and cooperation made for a more productive operation all round.

In the government’s last bill that dealt solely with unfair dismissal, which was introduced earlier this year before the government took control of the other place, the minister reaffirmed the arguments of his predecessors in relation to this issue. Small businesses make up 96 per cent of all Australian businesses and, in a 2004 Sensis survey, 28 per cent of those indicated they had not taken on an additional employee because of the fear of unfair dismissal action. The minister also quoted from a report by the Centre for Independent Studies which indicated that change to the unfair dismissal laws could contribute to five per cent of small businesses each employing one extra person, thereby creating 55,000 jobs. In my contribution on that bill, I summed up my support for what I then considered to be the only reasonable proposition in the government’s workplace agenda. I said:

Small business margins are tight and they need a workplace where the employee and employer are part of a team. They cannot bear the expense of protracted unfair dismissal cases. In such a small business—and those that I have had constant contact with—with 15 or 20 employees there is eyeball to eyeball contact between the small business owner and his or her staff.

I will maintain my support for this legislation as it applies to small business until I am convinced it is having a serious impact on the rights of employees, as opposed to the rights of small business to offer jobs in good faith.

Regardless of that figure of 55,000, I stand by my initial assertion that small business owner perceptions of the unfair dismissal laws will be a deciding factor in decisions to employ or not to employ. I said that, on that basis, I would maintain the stance that I have taken to the electorate on two occasions—I will support this legislation on the proviso that, if I see any feedback that causes undue hardship and concern, I will oppose any subsequent legislation.

I cannot support the extension of the exemption from unfair dismissal to businesses employing up to 100, as provided for under the new subsections in the Work Choices bill that is before us. Businesses employing more than 20 people for the most part do have resources to challenge unfair dismissal claims. Given the hurdles that are provided to lodge such claims, the government’s previous arguments no longer apply. This fivefold increase in the threshold for the unfair dismissal is outrageous. There is no surer indication that the aim of the government is to remove unfair dismissal laws for every employer in this country, whatever the size of the work force, because it appears quite clearly in the fine print of this legislation. New subsections 170CE(5C) and (5D) bear this out. These subsections determine that a business, whatever its size, may terminate employees for operational reasons and that these employees will have no recourse to unfair dismissal laws.

Nobody doubts that in downturns there are retrenchments and cutbacks. There is a need to explain to people the reasons for that situation but, given the other concessions in this bill regarding unfair dismissal, it would not stretch the imagination at all to believe that we are enshrining in legislation the right for businesses with more than 100 employees to effectively use unfair procedures to
terminate employees. ‘Operational reasons’ are defined in these subsections of the bill as follows:

... reasons of an economic, technological, structural or similar nature relating to the employer’s undertaking, establishment service or business or to part of the employer’s undertaking establishment service or business.

This definition seems to be very open to wide legal interpretation. I will support any measures to remove this apparent loophole and to reduce the threshold for exemption from unfair dismissal back to businesses with 20 or fewer employees. Indeed, my colleague the member for New England is working on such an amendment. This is in keeping with the government’s original intention that this protection be available only to small business.

I am also concerned that this WorkChoices bill in a number of ways undermines the independence of our system of workplace relations from the government of the day. The bill effectively undermines the role of the Australian Industrial Relations Commission as the independent umpire in workplace matters and provides the Minister for Employment and Workplace Relations with certain unilateral powers. The institution of the AIRC remains but will no longer have a role in determining the minimum wage and conditions. This power will be transferred to the government’s new Fair Pay Commission. The AIRC will lose responsibility for the certification of collective agreements, with all approved workplace agreements, collective or otherwise, to be lodged with the Office of the Employment Advocate. As I understand it, an approved AWA is one that is signed and dated by both the employee and the employer. An approved collective agreement is accompanied by a statutory declaration explaining they were negotiated in accordance with section 98C. Agreements will come into effect on the date of lodgment, meaning there will no longer be a process for the approval of agreements outside of the workplace.

The abolition of the no-disadvantage test and the federal award safety net further remove the AIRC from the picture. The no-disadvantage test determined that an employee could be no worse off under an AWA than they would be under the wages and conditions provided under federal awards. The federal award safety net provided for 20 basic conditions of employment: employee classification and skill paths, ordinary hours of work, minimum rates of pay and so on. This list of bare minimum conditions has been culled to the five-point Australian fair pay and conditions standard. The only things that must be included in a workplace agreement will be: four weeks annual leave, or five for shift workers; personal leave of 10 days a year; parental leave, including maternity leave; an average of 38 ordinary working hours per week; and a minimum wage of $484.40, the 2005 national wage case minimum, which becomes the absolute minimum for wages from this year onwards. The 20 basic award conditions, or allowable matters, are to be reduced in section 116 to 16 allowable matters which may be preserved in an award or included in a workplace agreement but only as the result of negotiation between the employer and employees.

The minister stated in a 3 November interview on Lateline that the exclusion of particular conditions must be specifically stated in an agreement and that if this is not done the agreement defaults to the existing award and the conditions in question remain in force. The minister implied this was an additional safety net under Work Choices. However, as existing awards expire and are replaced by collective agreements or AWAs, this so-called default safety net will no longer apply.
Referring back to the minister’s assertion that existing awards will act as a default safety net for AWAs, I wonder if a regulation determining certain matters to be prohibited content could have the effect of removing this already tenuous guarantee for workers’ conditions. The object of the exercise seems to be to circumvent and eventually replace awards, so I would appreciate clarification from the minister and his advisers on the issue of prohibited content.

Determining prohibited content is not the only example of unilateral ministerial power I am concerned about. Under sections 112 and 112A of the new division 7 the minister may declare a specific bargaining period terminated. This is a unilateral, essential services power. If the minister believes the action being taken threatens ‘the life, the personal safety or health, or the welfare, of the population or part of it’ or could cause significant economic damage, any industrial action being taken in support of employees’ claims that began legally can be unilaterally declared illegal without reference to any other authority. Prima facie it may seem reasonable if we are talking about life and safety and health and so on, but this unilateral power surely needs reference to parliament. I have not supported such unchecked unilateral power in past legislation and I do not intend to start supporting it now.

Much of the government’s Workplace Relations Amendment (Right of Entry) Bill 2004 has been incorporated into Work Choices. I did not support the right of entry bill, as I believed its provisions would restrict a union’s ability to legitimately represent the interest of members. Union representatives are already required to have a permit from the industrial registrar and to give 24 hours notice. Most union visits to workplaces in Australia occur without incident several thousand times a day across the country. I cannot support this ramping down and eviction of representation, particularly when people are required more and more to represent themselves in very unequal circumstances.

More and more, workers are becoming units of cost to be replaced, laid off, called back, fired and rehired in the name of maximizing profits. Last week congress in the US voted against raising the minimum wage by $1.10. It is now $A6.86 an hour. It has been there for 10 years.

In 1996 I supported the first raft of industrial reforms after the good work of the Australian Democrats, particularly Senator Murray. We have not got that now in the Senate; we have not got that check and balance. This bill is government by executive. It is undemocratic. It will not be amended substantially in the other place and therefore will not have my support. (Time expired)

Mr SECKER (Barker) (6.42 pm)—I always find it amazing when someone from the opposition—or in this case an Independent—gets up here and says that this is entirely undemocratic. I hate to inform the member for Calare, but we did actually have an election that voted in those people in place in the Senate and here in this chamber. It was entirely democratic and to suggest anything else is ridiculous.

It is my great pleasure to speak today in support of the Workplace Relations Amendment (Work Choices) Bill 2005. The Work Choices bill is about delivering a simpler and fairer national workplace relations system to the people of Australia. It will be a system that will make it easier to enter into agreements that suit individual workplace needs. Since coming to government in 1996 we have been continually pushing to provide Australians with a national workplace relations system that accurately reflects the reality of a modern national economy. The coalition are committed to making the workplace
relations system better for Australian workers and employers. We have seen significant reforms during this time, including the introduction of flexibilities and a reduction in third-party intervention.

The archaic system currently in place bamboozles businesses and workers, and it needs to be changed. It needs to be not only changed but simplified. Currently in Australia there are six different workplace relations systems, with thousands of federal and state awards. For employers and workers, this is extremely difficult to operate under and causes unnecessary confusion and uncertainty. I regularly see in my electorate examples of these complexities making the lives of employees and employers harder. They must deal with overlapping obligations imposed by state and federal regulations and excess paperwork, and in the case of my electorate many businesses operate on both sides of the border and often have to deal with the Victorian, South Australian or federal systems. This excess paperwork is unnecessary, and we simply cannot impose this on the nation’s work force any longer.

Australia is currently working under a system that was designed in the 1900s to resolve industrial disputes and protect minimum wages prior to the introduction of a welfare system. We do have a welfare system now; we did not then. Times have changed significantly since Federation, and the conflict and disputation model, which was a cornerstone of the original legislation, is simply irrelevant in the 21st century. We now have an industrial relations system based on agreements between employers and employees, and it would seem reasonable and sensible for our workplace relations legislation to reflect this.

This government has recognised that we are no longer living in the 20th century, and, unlike the opposition, it is making and supporting changes that will bring industrial relations into the 21st century for the benefit of all Australians. The changes before the House today are the next step in a process started by the Keating government in 1993, which saw a change from a centralised award system to workplace bargaining. This government has continued working towards this since coming to office in 1996, and the benefits are evident.

The Business Council of Australia recently estimated the benefits of changes to the workplace relations system to be equivalent to $4,200 in additional income per person per year in 2004 alone. This is a pretty amazing statistic, and I am sure if we took back this amount from the hip pockets of Australian workers they would have something to say about it. The average unemployment rate would be sitting around 8.1 per cent if it was not for the workplace relations reforms brought in by this government. Instead, we are enjoying an unemployment rate of five per cent, the lowest in 28 years, and we intend to reduce that further.

Furthermore, we have seen a significant decrease in the number of industrial disputes. The average level of industrial disputes under Labor was 192 working days lost per 1,000 employees. Last year, the level of industrial disputes was 45.5 working days lost per 1,000 employees. That is an extra 146.5 productive, constructive days per 1,000 employees. Frankly, I think that speaks for itself.

It really is a workers’ market out there at the moment, and we will see—in fact, we are seeing—employers competing to hold on to their workers. They are not going to sack them without good reason. Quite simply, they cannot afford to. I have seen many examples of this in my electorate of Barker. There are many employers going to extraordinary lengths to attract and retain workers.
There are businesses in Barker paying unskilled workers well above award rates, plus covering accommodation, meals and travel, just to ensure that they have people on board to do the work.

The cornerstone of the Work Choices legislation is the creation of a single national system, free of unnecessary complexities, red tape and duplication. There is simply no sense in having 130 different pieces of industrial legislation or 4,000 awards. We have six different workplace relations systems operating across this country, and we wonder why people are fed up with industrial relations. There are simply too many rules and regulations, making it extremely difficult for employers and workers to get together and reach an agreement in their workplace. We know that the benefits of instituting workplace agreements are wide, varied and substantial, so it would stand to reason that if we can make this process easier and more appealing we should move forward and do it.

But this is not just what the government wants; the businesspeople of Australia also want this. In fact, in a recent survey undertaken by Australian Business Ltd it was found that some 92 per cent of businesses wanted the state governments to sit down with the federal government to develop a unified workplace relations system, which would in turn increase the numbers of workplaces entering into workplace agreements. We are delivering this to the people of Australia. We are delivering this because the benefits are great and the repercussions of holding on to the archaic system we have are even greater. We must not stand still. The passage of this bill will see some 85 per cent of all Australian workers covered by one national system—Work Choices—and it will be a historic day for all Australians.

Work Choices will see the establishment of the Australian Fair Pay Commission. This independent body, which will have at its heart the economic prosperity of Australians, will consult with stakeholders to set and adjust minimum wage and award classifications. After the first determination, expected by spring 2006, wages will be set in stone, guaranteeing all Australians that their wage will never fall below that level. This will provide peace of mind for workers and employers. For the first time in history, workers’ basic rights will be protected by law. Never before have workers been guaranteed those employment conditions that we consider to be truly Australian—those that are at the heart of being Australian and those that make Australia a great place in which to live and work.

With the passage of the Workplace Relations Amendment (Work Choices) Bill 2005, we will be delivering four minimum standards to each and every worker in Australia. We will guarantee each and every worker a minimum of four weeks annual leave, with the option of paying out up to two weeks of that. We will guarantee that, in the unfortunate circumstance where a worker needs to take personal or carers leave, they will have access to 10 days paid personal leave—and, if they need a little bit more, two days unpaid will also be available—and two days compassionate leave. Becoming a parent is a special time in people’s lives. I have had that great pleasure myself. The Australian government recognises this, and for the first time we will guarantee, inclusive of maternity leave, 52 weeks of unpaid leave for either parent after 12 months of service. Furthermore, we will guarantee a maximum of 38 ordinary hours of work each week.

The Work Choices bill will make it much simpler for employers and employees to enter into workplace agreements. Simplifying the process will have many benefits, but the most important thing to remember in all of this is that it empowers the workers. In this
modern society workers are being given more and more responsibility; they are more accountable and they want to make a contribution. They are not only becoming more involved in business outcomes; in many instances, they are driving them. We trust them to run our businesses; it seems reasonable, then, that we trust them with their own employment conditions.

Direct bargaining is the best method of deciding employment conditions. We have witnessed that it has a direct impact on productivity, which in turn increases and sustains prosperity and living standards. Work Choices will make this process much simpler. All agreements will take effect on the day of lodgment with the Office of Employment Advocate. Termination, variation and extension can be arranged by agreement. Workers and employers alike will be protected and supported through this process by a range of new measures being introduced and the preservation of current employment bodies. The Office of the Employment Advocate will provide advice to both employers and employees, ensuring that both parties understand the agreement being formulated and the implications of it. The expanded Office of Workplace Services will be empowered to assist, enforce and prosecute breaches.

Work Choices will see small and medium businesses with fewer than 100 employees exempt from unfair dismissal laws. One particular thing I hear from time to time from businesses in my electorate is that they are always worried about unfair dismissal laws. I have had so many cases of employers saying how they have been unfairly treated over this. They have ended up paying the usual $10,000 or $20,000 go-away money, because it is cheaper than going through the court process.

This bill does not mean that employees will be without protection. They will continue to be protected against unlawful termination on the grounds of race, colour, sex, age, union membership, pregnancy, family responsibility and refusal to agree to an AWA. The government has achieved much through industrial relations reform, and these achievements will increase with the passage of this bill. We all know that the Labor Party will continue to oppose industrial relations reform and we all know why. The important thing is that this government is looking out for the workers of this country and the employers, and Australians will benefit from the changes proposed in Work Choices. Work Choices quite simply makes sense, and it is with great pleasure and anticipation that I commend the bill to the House.

Mr MARTIN FERGUSON (Batman) (6.55 pm)—I rise this evening to add my voice to what is a growing chorus of outrage in the Australian community about the impact of the Howard government’s proposed draconian industrial relations law. As the second reading amendment standing in the name of the member for Perth, Stephen Smith, says, this is about a system that is extreme, unfair and divisive, and that is why there is such an amazing reaction in the Australian community to what is before the chair this evening.

The Workplace Relations Amendment (Work Choices) Bill 2005 is exceptionally important to me because, as a former President of the ACTU and as a member of this parliament representing the northern suburbs of Melbourne, I have seen first-hand how the poorest paid employees in the Australian community struggle from week to week to make ends meet. These are the people who will be most affected by this bill. They are not the people I come across during my work as shadow minister for resources but the type of people I meet in the streets of my elector-
ate and the type of people employed in the hospitality sector, who I come across as shadow minister for tourism. I see both ends of the wages and conditions debate in the Australian community at the moment. I meet first-hand some of the highest paid people in the Australian community and some of the lowest paid people, in the tourism sector. They are predominantly women and young people who are dependent on a decent, fair industrial relations system.

That is why the outrage extends well beyond the Australian trade union movement. It is a community reaction, and the community has a sense of what is fair play, what is decent and what one should expect in a workplace. In the end, workers are prepared to do a fair day’s work for a fair day’s pay, and the crux of this debate is about what is fair and acceptable in any decent democratic society in the 21st century. I think the record now shows that the reaction of concern comes from a wide spectrum of the community—from church and welfare leaders to leading economists—and it will escalate. As the impact of this proposed act of parliament starts to bite in the Australian community, this concern will escalate. It will filter through the community over the next two years, right up until the next federal election. It will be one of the major issues at that election. We have waited for months for these laws, and I believe that making an AWA a condition of employment is duress. You either accept it or you do not get the job; there is no choice. People are desperate to work, but all they want is a fair day’s pay for a fair day’s work. I do not think there is anything wrong with that. They want the right to have assistance and to have a decent, independent industrial relations system to establish those standards. That is why the legislation says:

To avoid doubt, an employer does not apply duress to an employee for the purposes of subsection (5) merely because the employer requires the employee to make an AWA with the employer as a condition of employment.

It is spelt out in black and white. As we all well know, these changes will abolish protection through unfair dismissal laws for four million workers. It is also now explicit that bosses can sack someone because they do not like the way they chew gum or the colour of their eyes—as an industrial relations expert, Professor David Peetz from Griffith University, has put it.

What is worse is that if an employee deigns to ask for an unfair dismissal remedy in their enterprise agreement they can be
fined $33,000—there is now a debate amongst lawyers, but it is at least accepted that it is tens of thousands of dollars. That is simply for asking for that particular remedy to go in their agreement. How, in a tolerant, fair democracy such as Australia, have we descended to this depth? That is what it is: we are going backwards. How is it possible that a person can be fined for asking for something from their employer? This bill goes down that path. They can also be fined, for example, $33,000 for asking for union assistance in dispute resolution, $33,000 for asking an employer to commit to future collective bargaining or to any other claim that the minister decides should be illegal. It is an all-encompassing power. Can you just imagine what some on the other side will come up with, with that all-encompassing capacity to determine other things are illegal under the terms of the proposed industrial relations act?

Also, importantly, these laws only provide five minimum conditions of employment. If an employee wants more they will have to negotiate an individual agreement. There is a certainty that the AWA will be less than the collective agreement. That is because the law allows the employer to discriminate against those on a collective agreement by paying them less or denying them promotion in order to force them onto an AWA. This is the government’s endeavour on an ongoing basis in the Australian Public Service. Not only has this government removed the test that guarantees no worker will be disadvantaged; it has entrenched this disadvantage with such contempt it beggars belief. I urge the Australian community to go through this bill in detail. It is not about simplification; there are more pages than I have ever seen in a proposed industrial relations act in this parliament. If anyone is still sceptical about what these laws mean, they should go and have a hard look at what is before the House.

I also note that union officials already accept—and this is important—that this is going to be an ongoing campaign and they are prepared to go to jail in order to fight for these workers. We have had these fights in the past; we have been able to stand up for rights and we will stand up for them again in the future, including in the course of this parliament, to reinforce to the Australian community how bad this proposed act of parliament is. I say this evening: the fight has only just begun. The government might have its way before Christmas with respect to an act of parliament, but the real fight is going to be about the implementation of that act of parliament in the streets, suburbs and regions of the Australian community. If anyone doubts they are full of fight, all I can say is that this is nothing compared to some of the fights we have had in the past. This is a fight concerning decency and the rights of Australian workers with respect to how they are treated in their workplaces by an Australian government in the 21st century.

Therefore it is obvious that workers are going to start demanding answers to some obvious questions. How is it possible that industrial relations is suddenly a barrier to the economy after 14 consecutive years of growth? I simply say that the real changes that achieved that growth were put in place prior to 1996. How is it possible that the workers who work amongst the longest hours in the world must now carry the burden of change to work longer hours for less? That is the reality: Australian workers are already working harder than anyone else. These are international statistics. An Australian full-time worker works an average of something like 1,840 hours a year. The average Japanese worker works around 1,600 hours a year while workers from the Netherlands work around 1,400 a year. Even in the
United States they work 30 hours less than in Australia on average. Nobody can dispute the fact, therefore, that Australians are hard workers. They actually believe that they have got to earn their way in life. They do not expect anything on a plate. All they want is to be treated with some dignity and respect at work.

Not only do Australians work long hours; they are very flexible at work. They have accepted the changes that were pursued under the accord by Labor working in cooperation with employers, workers and the union movement in that fantastic period of achievement with respect to the change of direction of the Australian economy of 1983 to 1996. Everyone knows that it was a major period of achievement that set up the foundations for the economic growth and prosperity that we are now all benefiting from. That was the legacy of the Hawke and Keating governments’ years of change: more flexibility in the Australian wages system than just about any country outside the United States.

Workers will be starting to ask, and rightly so, ‘Why do we need these extreme changes to a system that during the 1990s, including post-1996, has delivered the highest labour productivity on record?’ Under that system, achieved by the Hawke and Keating governments, the Australian workplace was radically restructured with visionary reforms that have laid the foundation for Australia’s current economic success. It was Labor that took up the challenge of labour market reforms in integrating Australia into the world economy. We accepted, unlike the previous governments of this country, that we are part of the global community and we have to compete on productivity and changes at a workplace level—not drive down wages to some of the lowest in the international community. The current approach is that you can only compete with China and India if you pay lower wages than are paid in those countries. That is backward, rather than fronting up to the real issues that determine the future efficiency of this economy.

Because it was part of how we achieved change and acceptance in the Australian community—I am talking about real acceptance to drive change at a workplace level—we also sought to assist workers on the social wage front. These allowed the trade-offs which effectively meant that we could break the back of inflation in Australia. We as a community are now reaping the benefits of compulsory superannuation. And what about tax cuts, one after the other, including flat tax cuts that give the biggest benefits to the lowest paid in the community, who really appreciate that you do more in the tax system and through the wages system if you have a government that is prepared to front up to productivity and workplace change and deliver it through a combination of wages, flexibility, tax cuts, social wage issues, labour market reforms for the unemployed and even better child care? That is about a holistic approach to workplace change in Australia and fronting up to the issue of productivity.

I believe it is about time this community understood that there is one way and an alternative way. Labor’s approach was to encourage workers to take up productivity based workplace agreements by agreement so that they drove the change themselves: they owned it and they wanted to put it in place. That is the key to achieving change at a local level—to have workers involved in working things out, because they then have a sense of ownership and they are willing to drive it and make it succeed. Workers were protected also, as they ought to be, by an award system, a safety net that effectively meant that they could not be disadvantaged as they went through a huge period of change. It was about social and economic change based on an understanding that we in a decent society have to both deliver eco-
economic reform and protect the most disadvantaged.

I contend that unfortunately the changes we are discussing this evening are not driven by sound economic policy; they are driven by hatred and by cherished and archaic beliefs and prejudices of the Prime Minister which date back to the 1970s and which have no place in modern society. This government is seeking to do one thing: weaken already vulnerable workers, especially young people and women, in the most vulnerable workplaces in the Australian community, by denying them any real bargaining opportunity. This is about the Prime Minister trying to mask his extremism by arguing that industrial relations is the key to unlocking productivity improvements in our economy. That is just plain wrong. There are other key drivers of productivity and competition in the global community that are being ignored as part of this debate. The low-wage approach is a never-ending downward spiral. We will never be able to compete with some of the countries in our own backyard. We should never think about going down that particular road.

Wage cuts to compete with China, India and Bangladesh will not guarantee our future as a nation. There is a broader agenda. It is about building on the foundations of a productive and competitive Australia—the foundations established prior to 1996. It is about skills. It is about infrastructure. It is about research and development and innovation. These are the drivers of a modern economy. These are why we are doing fairly well in the international community at the moment—because we actually pursued some of these issues.

We should renew our vigour to confront these types of debates. Let us face it: statistics show that between 1996 and 2002 investment in structured training fell from 1.7 per cent to 1.5 per cent. We should be increasing structured training. That is why the economy now has blockages—because of skill shortages in Australia. We have a skills crisis in Australia. That is the debate we should be having. How else have we arrived at a situation where less than one third of apprentices and trainees currently in training are in traditional trades? What is the government’s answer? Bring them from overseas. Imagine Australia in the 21st century trying to solve its skill shortage by bringing in apprentices from overseas on the basis that you can offer them a lower AWA than is available to Australian workers. I just scratch my head. If that is our future, we as a community had better give up, because there is a better approach.

ACTU research has indicated that there will be $9 billion in lost output over the next decade because of the skills crisis. That is supported by a range of key economic institutions and business groups in the Australian community. The government’s approach is that workers so will increase their income from AWAs. It is just not so. It might be the case for some managers, but the statistics show that non-managers work longer hours and get less pay. This is particularly so if you are a woman and if you are casual or part time. It is also the case if you are a young kid trying to make ends meet while you get through university or take a second job as you are doing your apprenticeship.

The government says the minimum wage is protected. Let us look at the government’s record. Let us look at the national wage case decisions since March 1996. If the government’s submissions had been accepted, nearly two million workers on the minimum wage would be $50 a week—$2,600 a year—worse off than the current annual salary of $25,188. I know that for a domestic working in the Sydney metropolitan area from Monday to Friday in a hotel the gross
wage is about $490 per week. You effectively live on the outskirts in Sydney; you have a weekly rail ticket of about $40 or $50 without even thinking about paying your taxes and associated costs of working. With two nights TA a government minister in Sydney earns more tax free than such a domestic worker earns gross per week working Monday to Friday 38 hours per week. This government would have you believe that we ought to cut their wages for the purpose of productivity and efficiency in the Australian community. I am ashamed of the approach of the government with respect to its attitude to these low-paid workers. These workers are good enough to make their beds but they are not good enough to pay a decent wage to. That is the crux of the debate.

The government talks about a new tribunal, the Fair Pay Commission. We now hear that a worker’s future is in the hands of God. That is what the new appointee, Professor Ian Harper, has said. He already admits that he does not meet many low-paid workers. My electorate is not far from Melbourne university, where he works. Perhaps he ought to come out to Edwards Street, Reservoir, or Tyler Street, Preston, and actually talk to some of those workers struggling from week to week, living in housing commission homes, working hard just to put food on the table for their kids. Go and meet some of them and think about how hard it is to live. It is a struggle for these people.

Professor Harper says that wages have been at historically high levels. We all know where the minimum wage is headed under him. He is on the record as saying on a variety of occasions that the minimum wage has been at historically high levels. Then he says that he is looking to God to guide him in his decisions. Others who look to God perhaps more regularly take a very different view from that of Professor Harper and the current government with respect to minimum wages. I am talking about the churches. Let me quote Archbishop Peter Watson:

There are some issues which stir the soul, where there comes an overwhelming urge to identify an issue where Australians are at risk, understand the issues and speak out for the public good.

He is talking about industrial relations. Then we see Archbishop Watson joining with Archbishop Peter Jensen and Anglican Prime Phillip Aspinall. They work at the front line with the poorest of Australian people. They are concerned about it, as is the Salvation Army—not a known traditional supporter of the Australian Labor Party. These are serious issues. Economist Mark Wooden with the Melbourne Institute of Applied Economic and Social Research is one of these people too. He says:

But is John Howard’s plan the way to move forward? Business groups think so but most others do not.

He also says:

... a good number of industrial relations academics see the reform agenda as partisan in favour of employers, undermining people’s rights ...

The second reading amendment says it all. Let us have a decent debate about productivity and a fair and proper system that is not divisive, that puts families first and that puts the Australian economy first rather than the divisive bill that is before the parliament for consideration this evening. We need a workplace that encourages productivity, a workplace where dignity and self-worth are valued and a workplace where employees are confident and secure—where they go to work in the knowledge that for a fair day’s work they will receive a fair day’s pay. I commend the second reading amendment to the House. (Time expired)

Mr TICEHURST (Dobell) (7.15 pm)—The Workplace Relations Amendment (Work Choices) Bill 2005 represents the implementation of the Australian government’s fourth-
term workplace relations reform agenda as well as addressing most the government’s stalled reform proposals since 1996. Since 1996 there have been 13 separate Senate inquiries into the government’s workplace relations reform proposals. The member for Batman talks about a fight that will be on when the legislation is passed. However, this time there will be a difference because union members will be accountable under the law.

The claims being made today by members opposite are no different from the claims they made against the government’s original workplace relations reforms nine years ago. That is because the Australian Labor Party are still not serious about wanting to govern Australia. They continually fail to understand what small business and the Australian economy need. That is because many Labor members have never had a real job. What they do understand is how to support legislation that hinders non-union businesses and impedes jobs. They remain forever beholden to the unions. In fact, over 70 per cent of Labor members of parliament have union links. When you consider that the average union membership in private industry is only 17 per cent, this really says it all.

Across electorates the unions have been running a massive scare campaign. The blatant inaccuracies they have been providing to my constituents are scandalous and they should be ashamed of themselves. I have met with many union representatives in my office on this issue. Many of these groups have no real information on what the legislation is about. What we have today is the ACTU fighting a rearguard action. The rearguard action is fighting for privilege.

When this bill was introduced into the parliament the member for Perth lifted all the copies off the table. Then he stated that members did not have the legislation available to them, that there were not 60 copies in the House. The copies that were there, he lifted. Even later in his explanation he was caught; the video showed exactly what happened. His only defence was, ‘I didn’t take 60 off the table.’ That is just abominable behaviour.

The member for Lalor the other day complained about the number of Labor members who were asked to leave the House because of their unruly behaviour. She was lucky that she did not go because of the way she spoke to the Speaker. She should have been the first out. I had students from the Warnervale Public School up in the gallery. It was so bad, so raucous on that side of the House that I asked the guy to turn the sound off.

It is very easy to instil fear in people through misinformation and hogwash, which is what we are hearing from members opposite. It is much harder to promote the benefits of a policy. That is what the government is doing with this industrial relations policy.

I have worked on factory floors, been a managing director of a company, owned a small business and experienced all points in between. With this background I can appreciate what these reforms will mean for small businesses and for Australian employees. Australia’s small businesses provide about one in three jobs created in this country, but for too long they and their employees have been shunned by a workplace relations system that is adversarial, outdated, legalistic and unbelievably complex. Australian small business has long argued that most employers and employees are capable of making their own arrangements and that our institutions and laws dating back a century are too often an impediment to sensible bargaining in the workplace.

Australia currently has over 130 different pieces of industrial relations legislation, over 4,000 different awards and six different workplace relations systems operating across
the country. This is totally ridiculous, especially when you recognise that regulations destroy jobs; they do not create them. We had a highly regulated system of industrial relations in Australia in the late eighties and the early nineties, yet we had a recession which saw a million Australians out of work.

Labor complains that the Prime Minister will not say that nobody will be worse off under this arrangement. This really shows a lack of real world experience. If a company loses a major contract it does not have the ability to put those workers aside and pay them their wages, like we see in New South Wales—so many public servants doing nothing. Even the latest one, the General Manager of the RTA, is being paid a salary of over $300,000 a year for doing nothing.

Business and workers are fed up with Labor stunts—useless strikes, many of which are just demonstrating union power and the power to disrupt industry. We have seen that many times in Victoria in the building industry; we have seen it in the car industry. In years past we used to have the Christmas trifecta: beer strikes, postal strikes and petrol strikes. You could almost bank on it every year. Fortunately, those days seem to have gone.

A company’s loss of a contract can also mean that the company can no longer afford workers. The company really needs to go out and find other contracts, but the workers can move onto other companies. Right now we have a shortage not just of skilled workers but of workers in general. We have more jobs now than people able to fill them. That is something that the Labor Party really has not come to grips with. I have had the unenviable task of selecting from a list people who had to go because the company had lost the contract. That is not a very easy thing to have to do.

One of the people that I worked under years ago always said to me, ‘When you’re assessing people, use the criteria of performance, ability and qualifications, in that order.’ It is a shame that the Leader of the Opposition cannot apply those criteria when he looks at members on his front bench. He cannot even decide who is going to be on the front bench. It is the union bosses who tell him who to put on the front bench.

It is vital for the 1.4 million small businesses in Australia—and even more essential for the 3.3 million people employed by those businesses—that opportunities for continued growth and job creation be maximised. This bill will lead Australia towards a single national system of workplace relations. Up to 85 per cent of Australian workers will be covered. All employees of the Commonwealth government and all employees in Victoria and the territories will be covered. It is hoped that once this bill is passed the state Labor governments will agree to refer their IR powers to the Commonwealth in the next five years. It will cost the states around $120 million per year to maintain their individual systems for a very small minority of employees—around 15 per cent.

Despite what Labor and the unions would like to have people believe, these reforms will not cut minimum and award classification wages. To make the system simpler and fairer a new and totally independent wage setting body, the Australian Fair Pay Commission, will be created. The Fair Pay Commission will make the wage setting system simpler and fairer, with the primary objective of promoting the economic prosperity of the people of Australia. The Fair Pay Commission will set and adjust the federal minimum wage; minimum award classification rates of pay; and federal minimum award wages for juniors and for trainees, including school based apprentices, and for employees with disabilities. It will set and adjust minimum
wages for piece workers and it will set and adjust casual loadings. Minimum and award classification wages will be protected at the levels set by the AIRC’s 2005 safety net review. Minimum and award classification wages will not fall below that level and they will increase as decided by the Fair Pay Commission.

The government will also enshrine in law minimum conditions of employment, including maximum ordinary hours of work, annual leave, personal leave, carers leave, sick leave and parental leave, including maternity leave. These minimum conditions, together with the minimum award classification wages set by the Fair Pay Commission, will make up the new Australian fair pay and conditions standard. All new agreements will be required to meet the fair pay and conditions standard at all times when the agreement is in operation. The Australian Industrial Relations Commission will continue to exist, although it will change to keep pace with the needs of a modern economy. The AIRC will focus on its key responsibility—dispute resolution. In addition, the AIRC will also be responsible for further simplifying and rationalising awards, as well as regulating industrial action, right of entry, unfair dismissal and registered organisations.

I would also like to assure residents in my electorate of Dobell that the reforms will not remove protection against unlawful termination. Australia’s unfair dismissal laws have been open to abuse since their introduction by Labor in the early 1900s. Many small businesses face significant costs, fending off frivolous unfair dismissal claims. More commonly businesses have paid ‘go away’ money, to avoid the costs involved in protracted disputes. Big winners from the Work Choices exemption will be the thousands of people who will find jobs because small businesses are no longer fearful of the possible negative consequences of employing people. Under Work Choices it will continue to be unlawful to dismiss an employee because of their temporary absence from work due to illness or injury or because they have filed a complaint or have been involved in legal proceedings against an employer. They cannot be dismissed because of trade union membership or legal activities as a union member or for refusing to negotiate or sign an AWA or on grounds which are discriminatory—for example, on grounds of race, colour, sex, age, union membership, family responsibility or pregnancy.

The government’s workplace relations reforms will not abolish awards. Employees not covered by workplace agreements will continue to work under their awards. The new fair pay and conditions standard will also apply to award reliant employees, except where the relevant award has a more generous provision, in which case the more generous provision will apply. The AIRC will continue to be responsible for awards. In the new system, long service leave, superannuation, jury service and notice of termination will not be included in new awards, because they are provided in other legislation. However, these provisions in current awards will continue to apply to existing and new employees covered by these awards. This means award reliant employees will continue to enjoy the benefits of these provisions in their current awards. Award provisions that are more generous than the fair pay and conditions standard annual leave, personal leave, carers leave, parental leave and hours of work provisions will also continue to apply. If there is a difference between the fair pay and conditions standard and these award conditions, the more generous provisions will continue to apply.

It is a priority of the government to make our workplace relations system fairer and to provide a better balance in the workplace for employees and employers. These changes
must ensure that award wages and specified existing conditions, along with the right to be represented by a union, are protected by law. As the current workplace system stands, there are simply too many rules and regulations that make it too hard for employees and employers to get together and reach agreement. Agreements must be easier to make. We need to ensure that employers and employees are not prevented by time-consuming and legalistic certification or approval processes from getting together and reaching agreement. As Bill Kelty, a former ACTU president, once said, ‘A more decentralised wage fixing system will put the spotlight back on the only place where Australia’s real economic battle will be won—in Australian workplaces.’

The Labor campaign we are seeing now is really about protecting the privileges of union bosses. We have had four former ACTU leaders in the House. A past Prime Minister, Bob Hawke, was one of the notable former ACTU leaders. The acts of the member for Hotham, another former ACTU leader, led to the destruction of an Australian company I worked for on the Central Coast. He instituted secondary boycott provisions that led to the destruction of Dulmison Australia, which was a proud Australian company. The management was sabotaged because it would not force all the employees to join a union and it would not agree to extract union fees from the weekly wages of people who really did not want to be members of a union. That company is now owned by an American company called Tyco, and it is an absolute disgrace that this has happened, thanks to union bullying.

Even in Dobell, union reps are fed up with their unions’ activities. They are sick of useless strikes and the fact that their members’ fees are now funding a misleading PR campaign. The building industry has suffered many walkouts during concrete pours. Who pays for the damage? Who pays for the damage to property? Under the new laws, the unions will be responsible. They will not be allowed to act illegally and get away with it. We had the so-called ‘safety training’, where $800 had to be paid to a union for so-called safety, to deliver hire equipment to the Olympic site. It was absolutely ridiculous. It was $800 straight into the union coffers, no training, no nothing—a straight-out slug. Labor use emotive language. They talk about ‘extreme measures’. Is it extreme to make union bosses behave and be accountable?

I take this opportunity to welcome the government’s additional funding commitment of an extra $61½ million over four years to simplify agreement making in workplaces. Under Work Choices, a simplified lodgment-only agreement-making process will be implemented. To support this simplified process, the Office of the Employment Advocate will be the primary source of education, information, advice and assistance with regard to agreement making.

As is presently the case, individual agreements, AWAs, are optional. Employees must agree to individual agreements before they can be lodged with the Office of the Employment Advocate. And Work Choices will not take away the right to lawful industrial action when negotiating an agreement. It will continue to be unlawful for an employer to try and coerce employees to sign an agreement. It will continue to be unlawful for an employer to sack an employee for refusing to accept an agreement.

As the Prime Minister has said on many occasions, a workplace relations system is only as good as the contribution it makes to the strength of the economy. All the regulations in the world will not save somebody’s job, or push up wages, if our economy is weak or if businesses are uncompetitive. Work Choices will promote the simple and
flexible workplace agreements that we need for our future prosperity.

The government is determined to ensure that the gains of the past decade provide a basis for sustaining job creation and economic competitiveness into the future. It is determined to ensure that Australia’s workplace relations system is geared towards the challenges that Australia faces in the 21st century—the challenges of ongoing global competition and the challenges of an ageing population. Work Choices represents a necessary next step in the modernisation of Australia’s workplace relations system, and I commend the bill to the House.

Mr EDWARDS (Cowan) (7.32 pm)—I certainly support the very worthy second reading amendment moved by the member for Perth in this House. I want to refer very briefly to the speech of the previous speaker, who claimed that we on this side and those out there in the community who are involved in fighting the government tooth and nail—because that is what we should be doing—are running a scare campaign. Nothing could be further from the truth. I do not know how a person could be so hypocritical as to get up in this place and make a statement like that, in the full knowledge that he is a member of a government that has spent over $55 million trying to advertise what it calls ‘a fairer system’.

That is not the way the public sees it. I want to quickly refer to an article in the Australian this morning under the headline ‘Arrogance rules the IR debate’. It is interesting that the person who wrote this article, Glenn Milne, is hardly someone that anyone on this side of the House would refer to as a critic of the government. Nothing could be further from the truth. I do not know how a person could be so hypocritical as to get up in this place and make a statement like that, in the full knowledge that he is a member of a government that has spent over $55 million trying to advertise what it calls ‘a fairer system’.

The solution, from the Coalition’s point of view, appears to be: get the bills through the parliament as quickly as possible, batten down, take the issue off the front pages and hope the continuing good performance of the economy will mask any bad side effects of the changes. Because the Government knows that when growth turns down, and the skills shortage eases, that’s when employers will begin to use their new-found power to wind back wages and conditions. Is it any wonder that there is another headline in the Age today: ‘Ex-chief slams Libs as cruel, scary: Former Howard ally goes on attack’? I will just quote the first couple of paragraphs:

Former federal Liberal Party president John Valder has launched a blistering attack on the Howard government which, he said, had betrayed the principles it once stood for.

The article goes on to say:

Mr Valder, who was one of Prime Minister John Howard’s closest political allies during the 1980s, has attacked the Howard government as “cruel” and “scary”, and warned Mr Howard that many Australians were now “questioning your honesty and integrity”.

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CHAMBER
That is the truth of it. In the media, we are seeing more and more what you would term supporters of the government taking pen to paper in a fairly scathing way that is very critical of this government—and for good reason. We have seen a massive taxpayer funded campaign, a campaign that should be being paid for by the Liberal Party. This campaign is aimed at trying to convince the people of Australia that the things they fought for over many decades are no longer worth fighting for and that the changes that will occur will be good changes.

The Prime Minister says, ‘Trust me.’ But I do not trust him, and nor do a lot of people in my electorate of Cowan or in Australia. Let me quote from an article by Greg Combet in the Herald Sun today, called ‘Under IR you like it, or lump it’. Mr Combet says:

The Howard government’s WorkChoices is nasty legislation.

- It is the wrong economic strategy for Australia.
- It encourages exploitation, not enterprise.
- It will undermine the security of working families.

... ... ...

It is ideology we are dealing with here—the articles of Liberal Party faith.

Mr Combet goes on to say:

Certainly we must continue to make economic reforms that will generate future prosperity.

But reform that makes it harder for working families to share the benefits of the economic good times, and leaves them with little protection in the hard times, is not the way forward.

In another part of the article—and this is the main point that I want to deal with in what I have to say tonight—Mr Combet goes on to say:

Penalty rates for weekend and shift work, overtime, allowances, career structures, public holidays, redundancy pay, meal breaks and a host of other award conditions will be up for grabs.

It’s not a matter of trading these rights away, they can be taken away without compensation.

They will not be protected by law.

The take-home pay of many workers can and will be cut, particularly the wages of those most vulnerable.

You or people opposite might be able to dismiss that last quote, Mr Deputy Speaker Baldwin, because it comes from Greg Combet, a person clearly identified with the labour movement in this country—and a good movement it is. But you cannot dismiss him in isolation; you would have to dismiss the other quotes I have used, the reflections of other people in the community who have nothing to do with the labour movement and who indeed have a record of being anything but supporters of the labour movement, and you cannot dismiss them.

This government is an arrogant government, and that arrogance is starting to show through. I suspect that the government and the Prime Minister, along with his think tank and his spin doctors, are now mightily concerned about the way that this ad campaign has increased people’s awareness of what is happening in this parliament. It has made them more aware that the things that give them safety, security and certainty in the workplace are things that, once this legislation passes, will not be there. You can fool the people some of the time, but you are not going to fool the people of Australia this time. It does not matter whether the government spends $55 million, $110 million or $220 million; the people of Australia do not trust the Prime Minister on this issue. They do not trust his government, and they are mightily sceptical over the timing of the terrorist legislation which was introduced into this House. Many of them are saying that the terrorist legislation was introduced to camouflage the passage of this legislation, the Workplace Relations Amendment (Work Choices) Bill 2005, through the House.
I listened to the Minister for Employment and Workplace Relations when he was answering questions today, and he accused me of running a campaign of misleading people in my electorate. He accused me of that because I have written to a number of pensioners in my electorate. I want to read this letter to the House because, far from misleading these people, what I am doing is making sure they are aware of what is happening in this parliament and what this Prime Minister is about. I am making sure that they are aware that the changes we are debating are not just about those who are in the workplace now but about those who were in it before, many of whom—particularly in my father’s generation—fought tooth and nail to achieve the sorts of conditions and awards and safeties and certainties that we have in today’s workplace. I want to make sure that they are aware of what this Prime Minister is trying to do.

The letter reads:

Dear < Salutation>

As you are no doubt aware, the Howard Government is proposing to introduce some extreme industrial relations laws in Australia in the near future.

What you may not know is that these industrial relations changes are aimed at reducing wages. If the government is successful this will inevitably lead to cuts in pension rates for some 3.5 million Australians—

and they know it too, I might say. The letter goes on:

Currently most pensions are benchmarked to 25% of Male Total Average Weekly Earnings. Just a 1% per annum reduction in wages growth will leave a single pensioner almost $20 per fortnight worse off and a couple $30 worse off.

That statement, which went out in this letter, was attacked in the House today by the minister for workplace reform. I could not understand the basis upon which he would attack it, because, on the back of the letter and the petition I sent asking people to sign, there is an article from the *Sunday Times* which quotes a spokesperson for the minister. I would assume that the minister employs spokespeople who are able to accurately portray what is in the government’s policies, and this spokesperson said:

Pensions are tied to male total average weekly earnings. Increases in those are based on wage increases across the board—certified agreements, Australian Workplace Agreements and enterprise agreements, not just the federal minimum wage.

Far from misleading the people in my electorate, what the minister’s spokesperson has said actually supports what I have said in my letter. Therefore, in my view, the minister himself has misled the House. I suggest that he needs to go back to the *Sunday Times* article of 16 October and see what his spokesperson had to say—‘Pension threat in IR move’. The *Sunday Times* and I were not the only ones talking about that issue at that time, nor have we been since. Another heading, in the *Australian* of 13 October 2005, reads ‘The wages gap is about to get a whole lot wider’. People who are on pensions, who have been in the workplace, who have committed their lives to working in this nation and who now are on age, disability or veterans pensions need to be aware that their incomes are at stake too, not just the incomes of those in the current work force or the incomes of those who will go into the work force in the future. In my letter, I said:

Enclosed is a news article from the *Sunday Times* about how your pension may be affected by these industrial relations laws.

On the reverse side of the page is a petition calling for the protection of workers’ job security and conditions so that the minimum wage is not adversely affected. I went on to say:

If you are concerned about these proposed changes, I urge you, your family, your friends and
your neighbours to complete this petition and return it to me by 3 November 2005.

The only problem is that 3 November has been and gone and still the petitions arrive at my office. I will be seeking leave to table those petitions. They contain 2,698 signatures. For instance, I have received today at my electorate office another 213 signatures on these petitions and I expect to receive a heck of a lot more. I must say that I only sent out about 10,000 letters, so the response to this has been quite staggering. If it is appropriate at the moment, I will seek leave to table these petitions.

**The DEPUTY SPEAKER** (Mr Baldwin)—I would make the honourable member aware that they cannot be tabled as petitions but as papers. If you wish to table them as petitions, they must be tabled through the Table Office and will then be presented on a Monday.

**Mr EDWARDS**—It is a matter of the definition, I suppose, Mr Deputy Speaker, and I seek to table these papers relating to workplace changes.

**Ms Julie Bishop**—Mr Deputy Speaker, I would have thought that, if these are petitions, the honourable member—

**Mr EDWARDS**—I am not going to argue, Mr Deputy Speaker. They will be tabled in the House. I would have thought that it is a fairly straightforward thing to do. I have done the same thing when I have been on duty; I have given leave for members opposite to table things.

I go back to the statements made by former Liberal Party President John Valder, under the heading ‘Ex-chief slams Libs as cruel, scary’. We are seeing just this sort of arrogance being demonstrated here tonight, because they will not let me table these papers signed by pensioners in my electorate. They are telling me to go through a more bureaucratic process so that I can bring to the attention of the parliament the fact that pensioners, people on low incomes, in my electorate trust neither this government nor this Prime Minister. Is it any wonder that we are getting headings in the paper like the one from Glenn Milne, ‘Arrogance rules the IR debate’? We have just seen a bit of that arrogance demonstrated here by the minister at the table.

**Mr Tollner**—Mr Deputy Speaker, I rise on a point of order. The member, by inference, has called the minister at the table cruel and scary. He is now calling her arrogant. I think he should withdraw those comments.

**The DEPUTY SPEAKER**—It is not without precedence that such language has been used and implied, but the member herself has not drawn attention to that matter or taken umbrage. As reluctant as I am, I will—

**Mr EDWARDS**—I am more than happy to withdraw those comments. Once again, I simply quote the headline in the paper—not said by me, but reported in the *Age* today: ‘Ex-chief slams Libs as cruel, scary’. Perhaps you should write to the paper and get it to withdraw the headline! You might be able to stop me from saying these things in this place, but let me tell you, Mr Deputy Speaker, you will not stop people out in the community believing these things and you will not stop journalists who have demonstrated themselves to be fairly conservative writing those things in papers that have demonstrated themselves over the last decade to be fairly conservative.

I recently put out in my electorate a pamphlet with the following heading:

*It should be a question of priorities ... not politics*.

I will read some of it into the *Hansard*. It states:

Spiralling fuel prices ... increased health care costs ... deprived age care ... an education system
that could be much better ... and the constant worry about terrorist attacks on our cities.

Yet the most important priority for Prime Minister Howard is to attack the pay and conditions of ordinary Australians. His attack on penalty rates, holidays, overtime and the minimum wage will make everyone worse off—except the very rich. The Liberals abolition of Unfair Dismissal will make job security only a memory for most people.

Most importantly: Under Prime Minister Howard’s changes the balance of power between employer and employee will change forever and no working person will ever be able to negotiate with strength or protection.

I asked people to respond by signing some papers and returning them to me. Because they are not in the form of a petition, I cannot seek to have them tabled as a petition.

Mr Deputy Speaker, there are about 464 of these papers and I seek leave to have them tabled, because they reflect the views of a number of electors in my electorate. I would think it would be a fairly straightforward move to give leave.

Ms Julie Bishop—On the basis that these do not constitute a petition to be tabled in the usual way, leave is granted.

Leave granted.

Mr EDWARDS—I thank the minister at the table for leave. (Time expired)

Mr TOLLNER (Solomon) (7.53 pm)—Today I rise to speak on the Workplace Relations Amendment (Work Choices) Bill 2005 from a particularly Northern Territory perspective. This is a very important piece of legislation and one that will have a significant role in the future development of the Northern Territory. Territorians, of course, are not afraid of federal IR rules, because the Northern Territory has always been under federal industrial relations jurisdiction. This has served the NT very well, with economic growth, employment and wage levels historically outperforming those in the rest of Australia. This growth led to the catchcry from people all over Australia that the Territory punches above its weight when compared to the rest of the country. That claim is certainly under serious threat now. Under successive Country Liberal Party governments the Territory’s gross state product was consistently above its proportion of the nation’s population. Sadly, this economic legacy, after just four years of Labor in the Northern Territory, is no longer true.

In the Northern Territory we often do things a little bit differently. I would hazard a guess that I am probably the only member on this side of the House that has received an election campaign donation from what many would consider to be a militant trade union. In the Northern Territory we have had a historically low level of union membership because generally people have felt they were getting a pretty good deal from their bosses, and this has served us well. Just look at the rapid and accelerated rate of economic and social development that has occurred over the past 30 years since self-government.

In the Northern Territory unions have in the past been, and still are, quite pragmatic, being prepared to work with a conservative Country Liberal Party government in the best interests of their members, fellow non-union workers and indeed all Territorians. They have understood the need for both employer and employee to work together to develop the Territory. There has always been a place for unions in the Northern Territory, but it was more a role of assisting and guiding, not confronting and obstructing. Both trade unions and employer bodies have recognised that to attract people, expand the population, create wealth and deliver a better lifestyle in the Territory they must work together.

There were—and still are—too many hurdles and challenges we faced. Nobody in the Territory ever wanted to get
caught up in pointless, time-consuming and argumentative disputes. Take the waterfront dispute a few years ago. Territorians realised that there was just too much at stake for us to get caught up in a dispute that really only affected the major ports of Melbourne and Sydney. Consequently we had the only ports in the whole of the country which were not shut down. Territorians just get on with the job of building the Territory. This was a unique situation in Australia and, unfortunately, one that is being jeopardised now.

Unfortunately, the current Martin Labor government is prepared to sacrifice and threaten this amicable relationship. It is prepared to sacrifice 30 years of cooperative work by attempting to allow the spread of incorrect information and plainly wrong statements by the interstate union movement. The Martin Labor government should never allow an interstate union movement to wreck an arrangement that has served our workers well for over three decades. It should be noted that until four years ago the Northern Territory had an extraordinarily low level of industrial disputes. Now what we find is happening is that, despite industrial disputes being at their lowest level nationally, the level of industrial disputes in the Northern Territory is well on the increase. This has only started happening in the last four years in the Territory—since Clare Martin won government. This is part of the Martin Labor legacy in industrial relations so far.

I would quickly like to talk about the new Northern Territory Labor Party president—of course I am speaking about the member for Lingiari—and his record on employment growth and job opportunity for all. I fully expect him to get up in this House and carry on about how the new industrial relations changes will be the downfall of Australian society as we know it, how bright, hardworking young Aussies will be thrown on the employment scrap heap and how thousands of other Aussies will be forced to work 26 hours a day, eight days a week in salt mines on permission to come to work and, when they ask for a tea-break, their employers will slice them in two with breadknives and dance about on their graves singing ‘Alleluia’. I fully expect that he will run this Monty Pythonesque line.

But, given the member for Lingiari’s past, he should really reconsider this plan and look at supporting this legislation. When the member for Lingiari was Parliamentary Secretary to the Minister for Employment, Education and Training he presided over the most appalling jobs growth figures. In fact he was proud to announce on 29 April 1993 that he and his Labor government were exporting redundancy programs to Russia. That is, the former Labor government were so good at making people jobless and having to provide welfare payments that the skills they developed in dealing with all of these people could be exported to other nations. In the very same interview the member for Lingiari said, ‘It is difficult when people are unemployed and we have to deal with it.’ I will give him credit here. It is more difficult to deal with an unemployment rate of 10.7 per cent, as it was then in August 1993, than a rate of 5.1 per cent, as it is currently.

I am a great supporter of exports, including the export of our great products, our skills and our Australian business acumen, but I do not believe that we should develop skills that make us global experts in redundancies. They are not the sorts of skills and knowledge that the coalition or the Country Liberal Party could ever take pride in. What a record. For the life of me, I cannot understand how on earth the member for Lingiari can stand up here and criticise changes that will get more people into work. Perhaps Labor are proud of the fact that more people lost jobs because of their employment, eco-
nomic and industrial relations policies—that more people were cut off, laid off or sacked.

The Northern Territory Minister for Employment, Education and Training is here in Canberra today, and I hope he can begin to understand the importance of the new changes and the significant boost they will give to the Northern Territory economy. The work choices legislation will improve an employee’s ability to negotiate directly with an employer to determine the package that best suits them. The new workplace relations laws will cut back on red tape, undue complexity and outdated wage-setting mechanisms, and they will allow for increased flexibility in the workplace. I believe the most important aspect of the changes is the ability for agreements to be made directly between the employer and the employee. Each and every business will be able to work with an employee to formulate an agreement that reflects the unique aspects of that employee’s work, family and lifestyle situations. This is critical for the Northern Territory, where we face huge distances, high transport costs, a largely remote population and an economy that is structurally different from those in most other areas in Australia. These changes will enable Territory businesses and their employees to create unique agreements designed to suit Territory conditions.

Further to this, the industrial relations changes will break open the current stodgy and inflexible system, and they will provide greater employment opportunities for Indigenous people. I completely refute arguments that, under these changes, Indigenous Territorians will be worse off. The Work Choices legislation will create further employment opportunities and enable greater participation in the work force. Rural and regional employers will be able to work with locals to secure greater employment opportunities for Indigenous people. I stand here and proudly declare that creating more jobs is better than handing out more welfare. As is so often said, a job is the best form of welfare.

I stand here today and demand that the Martin Labor government support these important industrial relations changes. Successive CLP governments had a respectful relationship with unions that resulted in few industrial disputes, a low unemployment rate, an increasing participation rate and growing wages. Under the Martin Labor government, that has all gone. In September 2001, when the Martin Labor government was elected, the Northern Territory had an employment participation rate of 74.8 per cent. As of September this year, the participation rate had plummeted to just 68.8 per cent. Since September 2002, employment in Australia has grown by 7.5 per cent; in the Northern Territory, it has fallen by 2.5 per cent. Union driven disputes—a rarity in the past—are increasingly more prevalent. Under Labor, there has been a reduction in the wages when compared with the rest of Australia. This was never ever the case when the Country Liberals held government. Territory wages were always the highest in the land.

The Martin Labor government must discard its federal Labor mates and reject the states-union scare campaign. They must do this for the future of the Northern Territory. I believe that, deep down, Clare Martin realises this. On 15 September this year, in an article in the Australian Financial Review, she said that she wanted to see the private sector being the main mover behind new infrastructure projects in the Territory. If Clare Martin really believes this, then she should support the Work Choices legislation because, as we all know, the private sector is just about unanimous in its support for these changes. If the Northern Territory government want more private sector involvement in the Northern Territory, they must support
this legislation. I am very happy to commend this bill to the House.

Ms GEORGE (Throsby) (8.05 pm)—I will begin by saying the legislation before us is reprehensible. If this government had any moral integrity, it would withdraw the Workplace Relations Amendment (Work Choices) Bill 2005. However, as the member for Cowan so rightly quoted from journalists who have written about this legislation, the government is really a mean and tricky and a scary and cruel government and it is perpetrating a gigantic hoax on the people of this nation. The people around the country will have the opportunity to tell John Howard and his government exactly what they think of this legislation, both in the short term and in the lead-up to the next federal election.

It was interesting to note this morning that, despite the $50-odd million of taxpayers’ money spent on Liberal propaganda, the people of Australia have not been fooled. An Age readers’ poll today showed that, of the 5,000 people who were questioned on their attitudes to this bill, an overwhelming 92 per cent of people opposed the IR changes. So $55 million has not bought the soul of the people out there. They know exactly what this is about. It is about turning back the clock. It is about going back to the bad old days of the master-servant relationship. It is about going back to the bad old days of the law of contract. It is about the overturning of 100 years of history and the practice of a unique system of conciliation and arbitration that we have built in this country. If this is to be overturned, it will be a callous disregard of not just our history but the rights of all working people for a fair go, be they union members or not.

Deputy Speaker Baldwin, listening to the debate before I came into the chamber, one of your close colleagues, the member for Dobell, had some rather amazing things to say. He asserted that we on this side of the House were running a scare campaign and that this was all about a rearguard action where the unions are fighting to maintain their privilege. In most of the words I have heard from members on this side of the chamber, their concerns have been expressed in terms of the impact that the legislation will have on ordinary working people. I think it behoves members on the government side of the House to actually take the trouble to read the detail of the bill. All we heard from the member for Dobell was the parroting of the lines that had been prepared for him by the minister. He is accountable to the people in his electorate, and we will make sure that the people in the member for Dobell’s electorate understand what disregard he has for the protections that the system has afforded them up until this legislation. They know that no amount of money, no amount of spin and no amount of misinformation can hide the facts and the intent that lie beneath this legislation.

It is a fact—and no-one can dispute this, not even the member for Dobell—that in the future all working people will only have a handful of four legislated minimum conditions on top of the hourly minimum wage, which is currently about $12.75. On top of that there are four conditions. There is a 38-hour standard working week—or so we thought. That was the assurance that the Prime Minister gave us. But now we have looked at the fine detail of the bill we find that the 38-hour week can now be averaged over a 12-month period. There also is four weeks annual leave, half of which can be cashed out; 10 days of paid personal leave; and 12 months unpaid parental leave. That is the core of the legislated minimum conditions that will apply across the board. Everything else is up for grabs. Why didn’t the member for Dobell make it clear to his electorate that penalty rates for weekend and
shiftwork, overtime rates, allowances, career structures, public holidays, redundancy pay, meal breaks and a whole host of other award conditions will be up for grabs in the negotiating arena?

It is not a matter of trading these rights away. It is not as if they are going to be compensated of necessity under the law, because the law says that all of these conditions can be removed by the employers with the stroke of a pen, without compensation. They will not be protected by law. The take-home pay of many workers can and will be cut under this legislation, particularly the wages of those who are most vulnerable, including women and young people.

If it was not draconian enough to take the axe to ordinary working men and women who have helped build the prosperity of this nation and who deserve to share in the productivity outcomes, on top of all that, as horrendous as that is, we now see that many legitimate union activities will be made illegal and will give rise to criminal penalties. In other words, this legislation will treat ordinary, routine union activity almost akin to suspected terrorist activity. I will give you one example. Union officials, delegates and employees can be fined $33,000 under this bill simply for asking an employer to include in an enterprise agreement a provision to remedy an unfair dismissal or have union involvement in dispute resolution. I think that is the job that union delegates do across the nation—they intervene to protect job security, they intervene against capricious decisions of employers and they intervene to make sure that there are dispute resolution mechanisms in place.

On the one hand your government wants to tell us that this is all about flexibility—get rid of third parties, leave it to employers and workers to negotiate—and yet on the other hand you are going to introduce draconian laws which override any agreement that might be made at the workplace level to tell workers and employers what will and will not be acceptable. We know already that in the building and construction industries workers face six months in jail if they refuse to attend a secret interrogation and if they refuse to answer questions, even though that may incriminate them, or if they refuse to hand over documents. I am not exaggerating when I say that ordinary union business under this bill will be treated akin to suspected terrorist activity.

It is no wonder that this government is intent on rushing through the 1,252 pages encompassed in the bill and the explanatory memorandum. They are doing it in a most cavalier and arrogant manner. It is no wonder there is haste to avoid proper scrutiny of the most draconian piece of legislation this ideologically obsessed Prime Minister has introduced into this parliament. It is no wonder that to date $50 million, and more into the future, of taxpayers’ money is being spent on spin and disinformation. It is no wonder that this Prime Minister wants to hide the facts of a piece of legislation that will so fundamentally erode the living standards of many Australians and their families. But, much to their credit, the Australian community will not be fooled. This government will pay severely for attempting to hoodwink them by their glossy spin and the ads on TV. I am just amazed that it is taxpayers’ funds that are going to promote all this advertising—all the spin on the gloss—about a bill that is set to punish them if it ever sees the light of day.

My colleagues have dealt at length with the impact of these draconian provisions on the work force at large. Tonight I want to specifically have a look at the impact that these laws will have on workers, particular women with family responsibilities. I think it is quite reasonable for the average Australian with family responsibilities to hope that a
government would provide first of all a secure living wage; security of employment; adequate, predictable and common family time; protection from excessive hours; leave so that they can deal with family concerns; and quality, accessible and affordable child care. I think that is a pretty simple package of issues that goes to the heart of workers’ need to balance their work and family life. Those workers, all of them out there, if they do not know now, will know very soon that this bill does nothing at all to assist them in that balance. In fact, it will make it a lot harder than it is today.

After years of fighting for equality in the work force, not only will women lose many current employment entitlements and rights of redress against unfair dismissal but they will find it increasingly difficult to manage their work and family life balance. As you know, Mr Deputy Speaker Baldwin, women are often employed on a part-time and casual basis, they are often located in industries with little bargaining power and they are often not members of the trade union movement. And, as we know from this legislation, more and more of these very vulnerable workers will be forced onto individual contracts in order to get paid employment or, indeed, to retain paid employment. As a group, women will lose out on pay and conditions. Despite all the spin, the statistics and the data revealed by the ABS clearly show that to be the case. The data already shows that women on AWAs are doing far worse in comparison to women on collective agreements and even on award conditions.

The trends that I have outlined are only going to be exacerbated under the new legislation, should it see the light of day. Of course we hope that the Senate will have sense and not allow it, as it has rejected it in times gone by. Both the first wave and the second wave of so-called reform were rejected when the Senate had the opportunity to consider the detail in all its horrendous manifestations.

Women will be severely impacted by this legislation, because the new no-disadvantage test, which has protected them hitherto, will disappear and their agreements will only be judged against a handful of very minimum conditions. On top of this, women are going to feel the brunt of the changes to the setting of the minimum wage. The minimum wage applies to 1.6 million workers, predominantly women, who lack the bargaining power at the workplace to extract conditions better than those prescribed in their award safety nets, and we know that this government already believes the minimum wage is too high.

Tell that to a lot of families who are absolutely reliant on the wages that working wives are able to bring to the household. We know that many in two-income families are often at work not out of free choice but out of economic necessity. As we know, the government’s aim in creating the new so-called Fair Pay Commission—but of course any reference to ‘fair’ is deleted in the detail of the bill—is to freeze the minimum wage as much as possible so that it will decline in real value over time. It is not just the fact that the minimum wage will be eroded over time; very importantly, we will see an increase in the gender pay gap that we have struggled very hard over the last few decades to redress. I think, if anything, all politicians in this chamber should be very pleased with Australia’s effort to try to close the pay gap between male and female earnings.

You do not have to look far to know that one of the reasons we have done so well in this country is that we have had a safety net of institutional arrangements, through the Australian Industrial Relations Commission, which has set the living wage, and attempts have been made by the union movement to
try to address the factors that have historically led to inequality in the wages outcomes for men and women. This will all end with the passage of this legislation, because the traditional powers of the Industrial Relations Commission will be eroded, as will be the awards that have enforced a fair minimum safety net for women across the nation. It will be a lot easier to shift women onto individual contracts. They will be faced with reduced wages and conditions through the more limited no-disadvantage test.

The other area of great concern that has not been mentioned is that the test cases that we have run through the Australian Industrial Relations Commission will be consigned to history, because the Industrial Relations Commission will be prevented from arbitrating on system-wide changes that will be of benefit to women workers. When you look at our history, how did we achieve maternity leave standards, parental leave and carers leave? They were all achieved through the auspices of the Industrial Relations Commission arbitrating on arguments put in test cases, and those decisions have flowed to all at work.

The AIRC has set the standards and made the general advances on work and family standards that have been so important to people across this nation. But under this bill, the umpire—the commission—will lose its historic role. The loss of this capacity will especially hurt those who are most vulnerable in the labour market and those who have little bargaining capacity. You have to ask: from where will the across-the-board improvements on conditions relating to work and family life come in the future?

These negative outcomes will be felt even more so by casual workers, who have the least bargaining power. It is of great concern that in our country today job security is a thing of the past and that 1.2 million women are employed as casuals and denied a range of entitlements that we have all taken for granted. Nearly 14 per cent of all full-time employees and 60 per cent of all part-time employees are casuals. One in every three women now employed is employed as a casual worker. Daily hire with no effective recourse for unfair dismissal will make their jobs even more precarious into the future.

I looked at the data about casual employment, and I was horrified. I had not realised the extent of casualisation among young people in the child-rearing age group. Nearly 40 per cent of all casuals in Australia today are in the 20- to 34-year age group, so you can immediately write off their chance of being able to negotiate family-friendly work arrangements or even paid maternity leave. In fact, casual employment today in our country is disproportionately made up of many people who have particularly strong needs for family-friendly benefits.

Yet we know that AWAs are very family unfriendly. Only 12 per cent of AWAs registered between 1995 and 2000 had any work and family provisions. Only small proportions of AWAs registered in 2002-03 had any family or carers leave—25 per cent of them. When you look at maternity leave, it was only eight per cent; and paid parental leave, five per cent. So let us not fool ourselves and believe the spin that these new laws will make it easier to negotiate family-friendly working arrangements. The truth and the statistics show that to be a great con.

I am extremely concerned that into the future there will be millions of women who will never get to benefit from the outcome of the struggles we have seen in this country to secure decent wages and entitlements, equal pay and family-friendly provisions. We will see a rapid expansion in AWAs. All the existing evidence shows that non-managerial employees on AWAs fare worse relative to peo-
people on collective agreements in that they face lower pay rates, lower pay rises, longer and more unsocial hours and less time autonomy. Given that loadings for overtime and unsocial hours will not be protected by law, despite the spin, there will be further growth in this country of long hours and unsocial hours worked. Control over working time, avoidance of unsocial hours and protection of common family time will inevitably be further compromised by this regressive legislation.

The government can talk all it likes about balancing work and family life; we know the problems this has created. The member for Wentworth has talked on many occasions about the declining fertility rate. I suggest to the member for Wentworth that really serious issues in that debate will be exacerbated by the deregulation of the labour market and by forcing people into accepting individual contracts or to have no job at all. There is a great deal at risk for all working people in the government’s proposed changes, but one thing can be said with certainty: women, particularly those with family responsibilities, will be the big losers under Howard’s way.

We have a collective responsibility to tell people the truth, and that is why we are here. We have had enough of people coming into the chamber and just reading their lines from the brief that has been prepared by the minister. They have to be accountable to the people they represent, and we will make sure that they are held accountable. (Time expired)

Mr TURNBULL (Wentworth) (8.25 pm)—The member for Throsby spoke a moment ago about flexibility and women in the workplace, and it reminded me of a mutual friend of ours who shall remain nameless for reasons that will become obvious. He was a trade union official at the time, working with a large union whose members were mostly women. I remember saying to him—because I was very interested in the issues of women in the workplace, work-family balance and so forth, as the member for Throsby rightly observed—‘How important is it to your members that there should be paid maternity leave?’ Paid maternity leave was a big issue at the time. He said, ‘It is of very secondary importance.’ He said that it surprised him that it was but that was the fact. He said that, overwhelmingly, flexibility in the workplace was the major issue—and that, really, was a message that underlined what the Workplace Relations Amendment (Work Choices) Bill 2005 is all about. It is about nothing more complex than freedom.

On this side of the House we believe in freedom. We believe that individuals are best able to chart the destiny of their own lives by themselves and that the most efficient way for people to resolve their employment relations is by direct dealings between the employer and the employee. We believe in freedom of association. We believe in the right to join a trade union and to be represented by a trade union, but we also believe in the right not to join a trade union—and both the right to join and the right not to join are protected in this legislation. The right to be represented by a trade union is protected in this legislation, as is the right to choose not to be. What the member for Throsby was objecting to was the prohibited content provisions in the regulations. What she is concerned about—and understandably concerned, from the perspective of her background as a trade union leader—is that unions will have to work harder to win the support of the members they seek to represent. They will no longer be imposed upon workers and be, in effect, presented as the compulsory representative. We believe—because we believe in freedom—that that is a fairer, more flexible and more efficient way to regulate the relations between workers, employers and trade un-
ions, the would-be representatives of employees, if they earn their trust. We can see, of course, how much trust Australian workers have in trade unions. The trade union share of Australian employees has never been lower. I read recently that it was at 17 per cent. How low can it go? It will continue to go lower if they do not deliver value. What this legislation will do is to throw down the gauntlet and say to the unions, ‘If you can deliver some value for employees and if you can represent them well, they will seek your services.’

The Labor Party say that this work choices bill is ideological. They forget that they are the party of ideology, not us. We Liberals are practical and pragmatic conservatives who know that experience and commonsense are always better guides to policy than ideology, let alone political theory. What has that experience been? Far from creating a collapse in living standards, as predicted by Labor, the changes in workplace relations effected by the Howard government over the last 9½ years have been accompanied by unprecedented growth in prosperity. Average wages have grown in real terms by nearly 15 per cent in the Howard years compared to less than two per cent in the Hawke and Keating years. With 1.7 million new jobs having been created, unemployment is nudging a 30-year low. On top of all of that, the Howard government has almost completely paid off Labor’s debt.

We know, as practical people, that those nations with the most regulated workplaces have the highest levels of unemployment. Germany—a great example—has nearly 12 per cent and France has more than 10 per cent unemployment. Their laws, designed to protect employment, actually promote unemployment. Only recently I was in Berlin and met with a leading German politician who told me of the need to deregulate the German workplace relations system. He said, ‘We have lost, over the last few years, a million jobs to neighbouring countries in the EU with more flexible, efficient labour markets. They have just walked across the border.’ He was despairing at the inability of their electoral system to deliver a clear result so that they could do something about it.

We know that we have the highest ratio of minimum wage to average wage in the OECD. And we know that while that is seen as operating as a safety net—and of course a minimum wage is a safety net—the higher you set it the more of a barrier it becomes to new employment. That is why the new Fair Pay Commission will be required under this act, when it is passed, not only to provide a safety net for the low-paid—which is what a

Further reforms of industrial relations are needed to expand labour demand and facilitate productivity gains.

In other words, they are needed to continue and sustain the prosperity that the Howard years have delivered. The IMF cited, as two examples of a defective industrial relations system, award complexity—addressed directly in this legislation—and the no-disadvantage clause—that hopelessly subjective and unworkable rule that puts employers and employees in the position of trying to compare, subjectively, apples with oranges. It stands as an enormous barrier to greater direct bargaining in workplaces and—as it was intended—to Australian workplace agreements.

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minimum wage should do—but also to have regard to the capacity for the unemployed and low-paid to obtain and remain in employment. This is the key weakness of Labor. If you like, it is its blind spot. Rooted in the trade union movement—and the Labor Party is, after all, the political wing of the trade union movement—it is focused on entrenching the position of people who have a job, with little or no interest in promoting the prospects of those who are unemployed to get a job. That is why Tony Blair’s 1997 homily to the British trade unions has been so often quoted in this House, and with very good cause. ‘Fairness in the workplace’, he said, ‘starts with a chance of a job.’

Labor knows that the old centralised system has been failing for years. Paul Keating said in 1993 that the model of industrial relations he was working towards was a model: ... which places primary emphasis on bargaining at the workplace level within the framework of minimum standards. He went on:

Over time the safety net would become simpler. We would have fewer awards, with fewer clauses. And then he added, in what reads like a passage from the second reading speech of the Minister for Employment and Workplace Relations, Mr Andrews:

We need to find a way of extending the coverage of agreements from being add-ons to awards ... to being full substitutes for awards.

Paul Keating said that. That way has been found—12 years later. Awards remain simpler and with fewer conditions, as Mr Keating prefigured. The safety net remains—also simpler—and set by the Fair Pay Commission. The removal of the subjective and unworkable no disadvantage test means that agreements can readily substitute for awards where workers and employers agree to it.

Reading through the speeches of the opposition members in this debate, historians of the future will be convinced that the issue was not industrial relations but the regulation of government advertising. It is difficult, paging through the Hansard, to find anything of substance beyond rhetoric and a morbid fascination with advertising. There have been a few substantive criticisms but they have invariably been not only misguided but utterly false. Let us consider the three biggest whoppers of last week. First up was the claim that an employee was prevented by section 83BS to disclose information to a friend or a family member about a workplace agreement. The section was well titled in that regard because the prohibition applies only to staff of the Employment Advocate’s office. Second—and this one got an especially good run from the Leader of the Opposition and the member for Perth—was the claim that section 104 empowered an employer to force an employee to switch to an AWA. That is wrong again. Section 170CK of the act is unchanged and it makes it unlawful to sack an employee for not signing an AWA. (Quorum formed)

The new provisions will enable employers to make it a condition, for new hires only, that they sign a workplace agreement. But that is the law right now. Best of all, the third whopper of last week was Labor’s concerned advocacy on behalf of double dippers. Section 170CEE provides that where an employee is terminated for operational reasons—in other words, made redundant—and therefore paid redundancy pay, he or she should not be able to also make a claim for unfair dismissal. Labor objects. What an outrage!

The bill will also remove the application of the unfair dismissal laws to businesses with 100 employees or fewer. It will remain unlawful for any business, no matter what its size is, to sack an employee on a whole range of grounds, including having a particular political opinion, joining a union, family
responsibilities, gender, age and so forth. The notion that employers will be able to sack employees at will in smaller businesses is nonsense, and that has been well established here.

Labor continues to defend the unfair dismissal laws. Whether or not those laws were well intended at the time they were introduced, experience has shown that they prevent and chill employment. The simple economic truth is that if you wish to promote economic activity, if you wish to promote transactions—in this case, employment transactions—you should reduce the cost of entering into those transactions. You have to free the market to do its work and let the cost of setting the clearing price—be it for labour, shares, home units or loaves of bread—be as low as possible, and by that I mean with as few transaction costs as possible. That is why, when years ago we wanted to free up the stock market, we removed stamp duty to reduce the transaction costs.

The simple reality is that the unfair dismissal laws are like rent controls—another measure beloved by socialist administrations in years gone by. Rent controls typically set rents at levels below their market level. When that is done, inevitably, demand exceeds supply. However, because the price is fixed, there is insufficient incentive for landlords to increase supply by building new properties or refurbishing old ones. Rent controls invariably restrain the supply of housing and ultimately work against the interests of tenants. In exactly the same fashion, unfair dismissal laws restrain or inhibit the supply of employment opportunities.

The unfair dismissal law has not preserved a single job. Nobody has kept their job because of it—not one person. All it has done is to increase, substantially, the cost of terminating an employee’s engagement. The impact of the unfair dismissal law is not measured by the number of unfair dismissal cases. The real impact of the law is that employers have to make substantially larger termination payments in order to avoid the risk of a claim. Just as excessively high minimum wages can price the less skilled out of the labour market, and therefore have the potential to work against the people they are designed to protect, so too do unfair dismissal laws work against the businesses and workers who most deserve support and encouragement. It is the least able, the less skilled and the least employable who are prejudiced most by the industrial relations system so beloved of the Labor Party.

Every decision to employ somebody is a risk. Not every employee works out. There is no fault or blame in that: it is life; it is life’s experience. Plainly, the more likely an employee is to be terminated, the ‘riskier’ the decision to hire that employee; the more marginal the decision is to take somebody on, the more significant is the added cost of the potential termination of that employee in the mind of the employer. This perceived riskiness may be a consequence of the employee being an uncertain match with the job. He or she may be taking on a new role; they may be younger than is normal in the position—or they might be older or less qualified. They may have been a good salesman for one product in one business; will they be able to sell a different one? The risk may be inherent in the position itself. A business which wants to expand will normally hire staff somewhat in advance of sales. I have done that many times myself. But how far in advance? If I hire an extra salesman, solicitor, software designer or assistant chef, will the revenues of my business grow to pay their wages? The reality is that nobody knows. We live in an uncertain world—and no-one more so than the entrepreneurs and the small business men and women of Australia who our side of politics
believes are the mainstay of the Australian economy and the people whose enterprise this parliament should be supporting. These people take risks every day, and one of the risks they take is hiring others.

The unfair dismissal laws have imposed an additional risk on hiring, an additional cost of hiring. Together with many other aspects of Labor’s highly regulated industrial world that we are now seeking to free up with this Work Choices bill, they have worked against employees, they have worked against the unemployed and they have worked against the least skilled. They have worked against the very people who, if you took the rhetoric of Labor seriously, would be the people they should be seeking to protect but who in fact are only protected today by the Liberal Party and its coalition partners on this side of the House.

Mrs ELLIOT (Richmond) (8.45 pm)—I rise to speak in opposition to the Workplace Relations Amendment (Work Choices) Bill 2005, as I vehemently oppose this bill and the extreme effects it will have on Australian families. These proposals are indeed extreme. They are unfair and they will be very divisive to our society. They bring with them no economic or social benefit. Let us have a look at what these changes will mean.

These changes will strip workers of their rights and conditions. They will slash wages. They will leave the most vulnerable, including the unemployed, the young, the old, single parents and the unskilled, on their own to negotiate their conditions with big bosses and employers who hold all the cards.

These changes not only undermine the living standards of working families; they attack the very heart of what it means to be Australian—very important ideals like everyone deserving a fair go, treating people with civility and dignity, ensuring that safety nets and independent umpires look after those most vulnerable in our society and protecting working conditions so that employment supports the growth and strength of family and community life rather than undermining it.

This extreme reform is not the vision we should have for Australia. It is not the vision we should have for young Australians who are just starting out and entering the work force. It is certainly not the vision I have for the people living in my electorate of Richmond. And I certainly know that it is not the vision of all the local mums and dads, grandparents, teachers, community groups and young people who live there—the people who live in Tweed Heads, Murwillumbah, Kingscliff, Mullumbimby, Byron Bay, Lennox Head, Alstonville and all the other towns, villages, farms and communities in between. What they want for Australians are decent jobs and workplaces that do not exploit them but challenge, reward and protect them.

These unnecessary changes perfectly exemplify the Howard government’s leadership style that we have come to know so well after nine very long years: mean, bullying, short-sighted and out of touch. Everything about these changes, from their conception to delivery—every process, every detail—is steeped in the deceit and propaganda that is so characteristic of this untrustworthy government. What we are seeing is extreme reform being introduced at a breakneck speed without proper time for examination and debate, without proper public and expert scrutiny, without comprehensive economic modelling, without a family impact statement, without evidence of its need or likely effectiveness, with no guarantees that workers will not be worse off—all underpinned by a $55 million propaganda campaign.

After the last election we saw the Howard government gain control of the Senate. At
that time we all watched the Prime Minister, with a Cheshire cat grin, assure the Australian people that he would not abuse his control of the Senate—‘Trust me,’ he said to everyone. The Prime Minister has done nothing but exploit his control of the Senate and push through legislation unsupported by the Australian public. If forcing the sale of Telstra when over 70 per cent of people oppose it is not an abuse of power then I do not know what is.

Those same words—‘Trust me’—have been getting an incredible workout recently by the Prime Minister. When asked for a guarantee that no worker will be worse off under the proposed changes, what do we hear? ‘Trust me; trust my record.’ Let us look at that record. The record is that the Howard government has opposed every minimum wage increase since 1996. If the government’s submissions to the Industrial Relations Commission had been agreed to by the commission, the minimum wage since the Howard government came to office would have been $50 a week, or $2,600 a year, less. So, when the Prime Minister says that real wages have risen since his government has been in power, what he does not tell you is that this is despite him, not because of him.

The Howard government refuses to guarantee that no worker will be worse off precisely because that is the policy objective of these changes. The sad and frightening truth is that the Prime Minister wants us to compete with low-wage economies like China and India by reducing the minimum wage in real terms. By abolishing the independent umpire, the Australian Industrial Relations Commission, which sets the minimum wage, the government will effectively get through the back door what it has not been able to get through the front door: bringing down real wages.

It is not just the living standards of workers that will be affected by these changes. Aged pensioners are also at risk. The age pension is currently calculated at 25 per cent of total male average weekly earnings. So, if real wages go down, or fail to increase, this will have a flow-on effect on the pension. There are about 13,000 aged pensioners in my electorate, and many of those are just scraping by week by week. They will not be able to afford a cut in their income, nor will they be able to survive if their pensions are not increased as the cost of living goes up.

In relation to wage setting, in the current Workplace Relations Act 1996 we find that the idea of fairness is explicit in section 88B—‘the need to provide fair minimum standards’. In contrast, the government’s legislation, in section 7J on page 29 of the bill, refers to the Fair Pay Commission’s wage-setting parameters—and there is no reference to fairness in that section. The government spent $55 million on an advertising campaign calling their changes ‘fair’, but in actual fact they have specifically taken fairness out of the wage-fixing criteria.

What this government will do is abolish the independent wage umpire and replace it with a non-independent Fair Pay Commission that will happily do the government’s bidding and allow real wages to fall, becoming dangerously unfair for families who are already struggling to make ends meet. The black irony is reminiscent of George Orwell’s Nineteen Eighty-Four—just tell everyone you are doing the exact opposite of what you are actually doing: make unfair changes but call them ‘fair’; replace the independent umpire that sets fair pay with a non-independent body and call it the ‘Fair Pay Commission’; change the legislation to remove workers protections and describe it as ‘protected by law’; take away people’s choices at work and call it ‘Work Choice’.
The truth is that these changes will take away workers’ choices. This can be the only outcome when we give employers the power to unilaterally determine the pay and employment conditions of their employees, free from the input of unions, collective bargaining, awards, industrial tribunals and workers themselves. This can be the only outcome when unfair dismissal protections are removed, leaving millions of people across 98 per cent of workplaces at risk and unprotected. By the time these laws are fully implemented there will be only five minimum conditions of employment underpinning the labour market. To get more than five minimum standards, the government wants people to negotiate individual contracts—AWAs—with their employers. Penalty rates for weekend and shift work, overtime allowances, career structures, public holidays, redundancy pay, meal breaks and a host of other award conditions will be up for grabs. We all know what that means: sacrifice your conditions or sacrifice your job. There is no negotiation. Employees will have no say. New employees can be made to sign an AWA just to get a job. Employees on collective agreements can be paid less or denied promotion or other benefits, in order to force them onto an AWA. It sounds outrageous, and it is outrageous—and the Howard government is going to make it legal!

Under these outrageous new laws, where will the real choice be for a teenager in an area of high youth unemployment? Where will the real choice be for a retrenched 50-year-old who is desperate to get back into the work force? Where will the real choice be for a single mum with limited skills and training who is being forced back into the workplace under the welfare reforms? The Prime Minister has become so out of touch: he says there is a level playing field, and he thinks there is. His defence has been that workers will be protected from exploitation under their AWAs because we are living in a workers’ market. But the Prime Minister’s utopian workers’ market exists only in very privileged electorates like his own. The unemployment rate in my electorate of Richmond has been rising and is currently standing at 9.8 per cent. No local in their right mind would describe the situation in Richmond as a workers’ market.

The reality is that unemployed people will face a choice between an unfair work contract and unemployment, and workers in Richmond will be completely open to exploitation. Since last year’s election the people of Richmond have been forced to cop broken promises on interest rates and the Medicare safety net, and they are now being forced to pay the highest petrol prices Australia has ever known. Now the Howard government is putting the final nail in the coffin for families by introducing an extreme industrial relations package that will slash their wages and take away their conditions.

I am particularly concerned for young Australians as they enter the work force. They will be particularly vulnerable under this new system. Even the out of touch Howard government realises that young people do not have the same bargaining power as employers. Under Work Choices, employees under the age of 18 will need the consent of a parent or guardian before they sign an AWA. The unemployment rate amongst young people in the Richmond electorate is over 30 per cent, so what real choice will young workers and their parents have when it comes to negotiating work conditions?

A recently published survey reveals that young workers are already being exploited at work. The survey found that 44 per cent of the sample had been pressured to work overtime without pay, 51 per cent had been pressured to work while sick and 71 per cent had been pressured to work through meal breaks.
The survey also showed that 22 per cent of participants felt they had been fired for reasons they thought were unfair, 17 per cent said that they had been fired or lost shifts after turning a year older and 46 per cent said that they had been bullied at work. Having parents approve AWAs will not protect young people from exploitation. This government clearly has no idea how hard it is for young people to start their careers and get their first jobs, particularly in regional areas like Richmond where youth unemployment is so high—over 30 per cent.

So here we are in the middle of a national skills crisis and this government, which has consistently failed to invest in vocational education and training to skill up young people and which already views young employees as disposable, is now about to bring in extreme changes to our industrial relations system. These are changes that will further disadvantage young Australians as they venture into the workplace for the first time. Is this how we build a bright enthusiastic new generation of workers—by using and exploiting them to increase the profits of a few?

One principle that is germane to life in a democratic society is that when governments want to institute significant change there is an expectation that an economic or social case is made out to explain why such change is necessary in the public and national interest. To date the government has been unable to mount a persuasive economic argument, let alone a compelling social argument, for its proposed changes. All we have from the government is a $55 million propaganda campaign which is not based on any real analysis of whether the proposed changes will benefit Australia economically or socially—in fact evidence from Treasury officials during Senate estimates suggests that secret economic modelling of the government’s IR proposals failed to back up its claims of more jobs and higher wages.

The government has been caught out: through the Senate estimates process we know that economic modelling was prepared on the macroeconomic impacts of the workplace proposal under cabinet consideration. The modelling has not been released publicly and, according to officials, it is not likely ever to be released. The modelling reached few specific conclusions about the effect of the proposals on employment and wages. No modelling has been undertaken since the original cabinet advice was provided. The decision to hide the initial modelling and to not commission further modelling shows a lack of confidence that further modelling would back up the government’s claims. We now know that the Treasurer’s guarantee that improved industrial relations would lead to a stronger economy, producing more jobs and higher wages, is not based on a single shred of evidence from Treasury. Couple this with the independent report card by 17 leading Australian academics, led by the University of Sydney’s Professor Russell Lansbury. It concluded that the government’s changes were likely to have no positive impact on economic productivity or jobs growth.

This is at the national level. We need to also consider potential negative impacts on local economies. My seat of Richmond is one of the most popular tourist destinations in Australia. Every year thousands of holiday-makers travel to enjoy our beautiful beaches—like those at Byron Bay, Brunswick Heads, Kingscliff and Tweed Heads—and the surrounding hinterland. Tourism is one of Richmond’s most important industries, and many local businesses depend upon the tourist dollar. Local businesses are telling me that they are very concerned that, under the Howard government’s new system, people will be forced to trade away their holidays, which will ultimately reduce the annual
tourist migration to our area. Work Choices threatens not only the Australian way of life and holidays at the beach with the kids but also our robust and lucrative domestic tourist industry.

We have a government that is willing to take the lazy way of building the economy. It has embraced a plan to deliver extraordinary workplace power to employers and diminish the rights of every Australian employee. By this, it is intended that the market will price labour more efficiently. Is this really the best the government can come up with to boost international competitiveness—to compete with China and India on labour costs?

While there is no evidence to support the claim that Work Choices will create more jobs, we can be sure that the changes will have a negative impact on fairness in our society and in our nation’s workplaces. In fact, just about everyone—other than the Prime Minister, the Treasurer and the very stoic Minister for Employment and Workplace Relations—is concerned about the impact of these changes. These people include economists, academics and religious leaders and groups including the Australian Catholic Commission for Employment Relations; the National Council of Churches; His Eminence Cardinal Pell; the new Primate of the Anglican Church, Archbishop Aspinall from Brisbane; and Dr Peter Jensen, Anglican Archbishop of Sydney. They also include a range of community groups and welfare organisations, including the Australian Council of Social Service. Along with all these other individuals, groups and organisations, I too am very worried about these extreme changes and how they will hurt the people of Richmond. That is why I oppose this bill.

We Australians have an international reputation for being hard workers. We are internationally envied for our way of life, our commitment to family and community and our enjoyment of life. We are loved for our principle of giving people a fair go. These might just be stereotypes, but I think that just about every Australian would say there is an intrinsic truth to them. For over a century, Australians have fought hard for the rights that the Howard government now wants to take away. Australians are right to fear these changes and what they will do to the society that we have forged for ourselves. Australians deserve so much better than a government which views them as workhorses, there to be exploited to build an economy that they will never personally benefit from.

The Howard government is trying to sell this nightmare to us dressed up as the great Australian dream. Instead, Australians deserve a government that believes in strengthening the economy by investing in the skills, education and training of our work force, by being a smart and great trading nation and by investing in infrastructure, innovation, research and development. These are the things that will create a future that is worthy of this great nation: one that is bright, fair and inspirational.

Mrs HULL (Riverina) (9.02 pm)—This evening I rise to speak in support of the Workplace Relations Amendment (Work Choices) Bill 2005. This bill, as we have heard, will enable the reforms necessary to ensure that Australia continues to grow and remain competitive. A stronger economy flows on to create investment, jobs and better living standards for all Australians. It is my personal view that if employees are coping with the six different systems, the 130 different pieces of industrial legislation and the over 4,000 different awards currently in place then surely they will cope with these proposed changes, which will actually simplify this complicated system.

I remember when the GST was being implemented. In the 1998 election, I was fortu-
nately elected to this House. Everybody came to me continually through that preselection and election phase, and after I was elected, to tell me that every business in the Riverina was going to basically shut its doors, simply because the GST was going to put everybody out of business. People wanted to know the exact workings of the GST—exactly and precisely how it was going to work into the future—but they did not have any understanding of the tax system that they were operating in at the time. They were just operating inside a tax system and had no idea how it worked, but it was the system that they knew. It was the old thing of hating change and objecting to change.

I can safely say—and I am very happy to say—that not every business in the Riverina closed down. Yes, there were some who thought, ‘Well, we’re close to retirement. We do not want to implement new systems. It seems so complicated. We were going to get out in two years, so we may get out now rather than go through all of these changes.’ Yes, I do agree that that did happen. But, although there have been some reporting requirements that have created concerns over the years, the majority of business owners and business managers say that the GST has been the best thing that has ever been introduced, in that they know where their business is going.

We all fell into the old thing that you waited for 12 months and then you put in your tax return to your accountant. It was 18 months or so before he got the figures back to you, and you did not know what was happening within your business for those 18 months. Finally, you got your stuff back from the accountant, who said, ‘You’re sincerely broke, or you’re so close to it.’ You should have been making major changes in your business activities in the last 18 months, and now you found yourself in this predicament.

The GST was a very good introduction for the responsible way in which businesses are managed now. I do not think anybody would argue about that. Every businessperson now basically knows, on a monthly or three-monthly basis, just how their business is operating. And I see that we have a very similar issue here.

I have met with and listened intently to all union and employer representative groups that have asked to meet with me. I have taken down their concerns and allegations, and I have sought information. I have investigated their issues to see if their concerns were valid. Some of them were valid and some of them came from people who were not informed. Some of the people who came to me were not informed simply because the information was not out there, and one of the things that I perhaps regret is that I did not have enough information to provide to people when they came in to ask me questions. I would certainly have liked to have had information earlier. However, having said that, I feel quite comfortable and confident that in the majority of cases that were raised with me the concerns have been addressed positively, within the information that I have been given on the proposed reforms to date.

I see this industrial relations debate as being identical in nature to the GST debate. It is significantly filled with fear and with people not understanding exactly what will happen in their circumstances. I have listened, I have learned and I am convinced about the process of industrial reform that has been going on for many years now. It has not just been going on in this parliament or in the parliaments of the Howard-Fischer, Howard-Anderson and Howard-Vaile governments since 1996. It was going on when we heard former Labor Prime Minister Paul Keating state during his prime ministership in 1993:

Let me describe the model of industrial relations we are working towards. It is a model which
places primary emphasis on bargaining at the workplace level within a framework of minimum standards provided by arbitral tribunals ... Over time the safety net would inevitably become simpler. We would have fewer awards, with fewer clauses ... We need to find a way of extending the coverage of agreements from being add-ons to awards ... to being full substitutes for awards.

I am no advocate for former Prime Minister Paul Keating. However, he was attempting to adjust the real complexities and the issues of the system. I would much prefer to put my trust in the fiscal understanding of the Treasurer, Peter Costello, and the Prime Minister, John Howard, to lead us into a more productive economy through workplace relations reforms than in former prime ministers or the unions.

I support that by alluding to some research that I came across in an article by Michael Baume in the *Australian Financial Review* on 31 October 2005. This research was titled ‘Does raising the minimum wage help the poor?’ and it was done by Andrew Leigh of the Social Policy Evaluation, Analysis and Research Centre at the ANU. I looked into this research to see exactly what it means.

Former Prime Minister Paul Keating said that we had a complex and difficult system, and that is basically corroborated in a piece I will quote out of this research by Andrew Leigh from the Australian National University. It says:

> The operation of Australian minimum wages is also notoriously complex. The Australian federal minimum wage is set by the Australian Industrial Relations Commission (AIRC) through a process of arbitration, and affects not only those at the bottom, but also workers further up the wage distribution. Whether an employee is covered by the federal minimum depends upon whether he or she is within Federal industrial jurisdiction. Such jurisdiction extends to all employees in Victoria, the Australian Capital Territory, and the Northern Territory (and hence all are covered by the federal minimum wage). In the remaining five states, whether an employee is within the federal industrial jurisdiction depends upon a number of factors, including the employee’s industry— that is, whether they are lucky enough to be under a federal wage; I know the industry that I worked in is under a federal wage— and whether the employing company has operations in multiple states. However, even if employees are not covered by the federal minimum wage, they will typically be within state jurisdiction. In recent years, state industrial tribunals have tended to adopt the federal minimum wage, with only a brief delay.

Basically, we already have a majority of awards being adopted with a view to a federal system, and what we are trying to do is implement a federal system.

I found the *Australian Financial Review* article by Michael Baume interesting. I am sometimes a bit sceptical about whether you can agree with or believe everything that is printed in the press, but this article says that among full-time workers in Australia we have about six million non-award workers, compared with only about 900,000 working under awards. It goes on to say:

> The reason is simple: ordinary time earnings per week (in 2004) for non-award workers averaged $928 against only $524 for award workers.

In another part of the article, Baume went on to say:

> No wonder the unions are losing members. Why pay a minimum of $10 a week union dues to earn a relatively lower wage—and see your funds wasted—

I was a bit hesitant to say that—in a dishonest campaign that does not promote your interests.

Basically, I have no problems with these industrial relations reforms. There has been much assertion that the big end of town are driving the reforms, and that is probably true in part; they certainly have wanted change. However, they are probably far from happy
with the package that has been delivered to date and would probably like the government to go even further. I would sincerely disagree with that. Currently we have the big end of town saying that the reforms are not going far enough and the unions saying that they are going too far. That probably puts the reforms somewhere in the centre, which may give us even and consistent outcomes.

According to the knowledge that I currently have of the proposed reforms, they are sensibly balanced. Fairness and equity will continue to be provided in the majority of cases. But, of course, someone will fall through the cracks somewhere, just as they do now. Why is it that the current system is allowed to be less than perfect? The current system is allowed to have cracks, through which people fall, but a new system has to be more than perfect. In my view, if the business councils want us to go further and the unions claim we have gone too far, we probably have come somewhere near acceptable.

But I do have a problem with the way there has been an active campaign asserting that, from the moment these reforms are introduced, all employers will exploit their employees. I honestly ask the question: why is it that people who mortgage their homes and all they own to run a business and employ people are only criticised and defamed rather than recognised for the valuable part they play in the lives of those in my electorate of Riverina and in every electorate in Australia? It has to be purely negative thinking to assert that workers will be worse off as a result of the many changes, as it is an absolute insult for unions and the opposition to assert that employers are just waiting to exploit and rip off their valuable staff. What absolute rubbish. To assume that all those who genuinely and legitimately employ people, as has been done for a hundred years, will now rush out and exploit their employees is something I find obscene and offensive.

It is a fact—and I have said this before in this House—that the majority of employers have a good relationship with their staff and consider them to be their most valuable asset. So why now all of a sudden will we all run out and exploit them, particularly when there are such recognised skills shortages in our trades and services? Every day we hear the opposition’s indignation about skills and trades shortages in our electorates and its cries of “What has the Howard government ever done about the skills and trades shortages?” It now appears as though all those shortages do not exist and that, if we have an industrial relations systems that rewards and improves conditions, particularly under AWAs, everybody will be forced out of a job.

I am quite confident that, in the electorate of Riverina, little or no change will take place, particularly in areas of trades and services shortage—simply because they are areas that we cannot fill. If unintended consequences result from the reforms that the government might make on any issue here, the government will move to fix them. I am aware of that having happened previously. In many cases where things have happened, we have moved immediately to fix those issues. I am very confident of that happening.

Work Choices will replace a rigid, outdated system that was designed over 100 years ago. That system was designed to deal with the problems of the 1890s and it is not a system geared for the challenges that Australia faces today. This generation of Australian workers has been lucky enough not to have known economic downturns or recessions, and they now will be able to take advantage of this range of reforms and policies to ensure that they are a very proactive and productive part of our economy into the future. We have experienced low unemployment,
stable interest rates and inflation, and increasing wages and living conditions. I have here on my desk two pieces of research that back up that theory and they do not back up the theories and scaremongering taking place with the campaign that is being directed at the moment.

In conclusion, I say that the best arrangements are those agreed to between employees and employers at the workplace level. They should be sensible, fair and simple arrangements that recognise and reward the issues important to employers and employees in the workplace. I happened to be at a function in the Currawarna hall just a few weeks ago, when a man came up to me and said, ‘You know something? I’ve pretty much been a Labor voter all my life, but AWAs were introduced on to my work floor 20-odd years ago and it was the best thing that ever happened to me. I got the best out of it and I got the best reward. I’m now able to retire and enjoy life, with far better outcomes than I had when I strenuously resisted the changes that were being implemented into my workplace.’ That statement was not coerced. It was just a particular gentleman coming up and offering me his point of view.

I feel quite comfortable that, in the Riverina, employers and employees have such valuable relationships in the majority of cases that little or nothing will change. I look forward to supporting these industrial relations outcomes and bringing about better conditions and better opportunities for those within the Riverina.

Dr Emerson (Rankin) (9.20 pm)—The previous government speaker spent all her time reassuring business that the Workplace Relations Amendment (Work Choices) Bill 2005 would not be too bad and they could quite possibly be happy with it. That says it all, doesn’t it. The previous speaker was reassuring business that this legislation will be okay. The previous speaker spent no time reassuring working Australians that this legislation would be okay for them. Certainly, for bigger businesses in this country, the legislation will be just dandy, because that is what they wanted—this legislation and more. For small businesses, there will be problems. Small businesses that are not incorporated will be obliged to incorporate within the next five years in order to be covered compulsorily, against their wills, by this legislation. But my greatest concern and that of the Labor side is for the working men and women of this country, most particularly for the vulnerable workers of this country.

The member for Riverina, when she did refer to working people ever so briefly, conceded that some will fall through the cracks. She said, ‘Some fall through the cracks now, so what is different?’ What is different as a result of this legislation is that there will be bigger cracks and no safety net to prevent them falling through the cracks. That is the problem with this legislation. She also then went on to say that there was a worker who came up to her who used to vote Labor and who was now very happy because 20 years ago he signed an AWA. AWAs were introduced by this government in 1996. She was speaking straight out of the Ministry of Truth—which is where this legislation comes from and where the government’s $55 million propaganda advertising campaign comes from—authored by George Orwell.

Let us spend a little time understanding what is contained in this legislation without going through some sort of legalistic discourse. The best way I thought I could do that was to envisage the drafting instructions from the Prime Minister. Make no mistake: the instructions for this legislation did not come from the Minister for Employment and Workplace Relations but from the Prime Minister. This is his 25-year-old dream. Paramount amongst those instructions, was that
AWAs—individual contracts—must have primacy over collective agreements.

This government is desperately disappointed that, after nine long years of vigorously promoting AWAs, to this day AWAs cover less than three per cent of the Australian work force. If these AWAs were such marvellous instruments for lifting productivity, boosting profits and boosting wages, wouldn’t you think that 97 per cent of working Australians would be on AWAs as they all got together in these productive, harmonious workplaces? But it has not been the experience. This government is very upset and very frustrated about that. Already AWAs are very easy to introduce because the Office of the Employment Advocate need only tick and flick, which is what happens. They are not negotiated; they are imposed. They are uniform. The Office of the Employment Advocate have conceded that they use a streamlining process. That is, they look at one and approve 100.

The only restraint on AWAs, as a result of Senate insistence back in 1996, when this legislation was first introduced, is that they must comply with a no disadvantage test. That is, overall they must not provide a disadvantage in net terms to the employee. This frustrated government has said, ‘How can we make AWAs the vehicle of choice, the instrument of choice? We have the answer. We will remove the no disadvantage test.’ That is what this legislation does. It is what John Howard wanted to do in 1996. He did not want to have a bar of the no disadvantage test. Now in parliament when we ask, day after day, ‘Will the Prime Minister give a guarantee that no working Australian will be worse off?’ he says, ‘My guarantee is my record.’ He will not give that guarantee.

He says that his record in relation to vulnerable workers is clear, and that is that the minimum wage has risen substantially since 1996. But the fact of the matter is that, if the government had got its way in relation to the minimum wage, today it would be $50 a week lower. So here we have the Prime Minister, who loves these AWAs, making it even easier to introduce AWAs. But there will not be a no disadvantage test. That was the Prime Minister’s second instruction to the 11 law firms who were commissioned to produce this piece of ideological obsession.

That instruction also included removing the role of the independent Australian Industrial Relations Commission in setting the minimum wage and replacing it with the highly dependent Australian Fair Pay Commission. The fact is that these commissioners will be beholden to the government because they will be on fixed-term contracts. They will not have tenure. They will do what the government wants them to do. I understand that the chief commissioner has said he will seek inspiration from God. I hope God is benevolent and will tell him it is decent and fair to increase the minimum wage. But the fact is that this government, in setting up the Fair Pay Commission, believes that the minimum wage is too high. Why would you set up a Fair Pay Commission and remove the power of the Industrial Relations Commission to set the minimum wage if you thought that the minimum wage was too low and the Industrial Relations Commission had not been increasing it by enough? The only logical explanation—and it is staring us in the face—is that the government believes the minimum wage is too high.

In this piece of ideological obsession the government does set the current minimum wage at $12.75 an hour. But that is all it does. What it really wants, and what it knows will happen, is for the real value of the minimum wage to fall over time. Let me explain that point. The government has said that this new Fair Pay Commission is not scheduled to bring down a decision on the
minimum wage until spring of 2006. The last decision on the minimum wage, which was a $17-a-week increase, was in June 2005. That means that the minimum wage will be frozen for 15 months. In the meantime the price of petrol is going through the roof, the price of child care has been rising sharply, the price of health care has been rising too and today the Reserve Bank has warned that inflation at three per cent is at the upper band of the range of acceptability.

So we have the Reserve Bank confirming that we are confronting higher inflation than we have experienced in the past, and we have a minimum wage freeze for 15 months. That means one thing and one thing only: the real value of the minimum wage will fall over the coming 15 months. That is just as the government wants it. That is why it has established the Fair Pay Commission. The Reserve Bank today has also raised the prospect that if high petrol prices persist and if further price rises occur then it may increase interest rates. So we will have Australia’s most vulnerable workers facing a 15-month wage freeze, higher than usual inflation and the prospect of interest rate rises—and this is just the way the government wants it.

In my state of Queensland, the situation is even worse because Queensland has a bigger share of vulnerable, low-paid workers than do most other states. The average weekly earnings of all employees in Queensland—$740 per week—are almost $53 a week lower than the national average. Lower paid Queenslanders will be the big losers from the government’s policy of a 15-month freeze in the minimum wage, rising fuel, health and child-care costs and a possible interest rate rise.

My electorate of Rankin, which covers most of Logan City, is especially vulnerable because there are so many low-income earners in Logan City. That is one of the reasons why I am so vehemently opposed to this legislation.

If vulnerable working Australians want to get together and improve their bargaining position by bargaining collectively, their position is undermined by this legislation because the third instruction given by the Prime Minister to the 11 law firms that drafted this legislation was to make collective bargaining very difficult, if not impossible.

We know that the government does not want wage outcomes to be based on bargaining strength. We know that the government wants to take away the capacity of unions to effectively represent their members. It is doing that through very nasty right-of-entry provisions, about which there has been inadequate debate so far. This government does not like collective bargaining, and it does not want unions effectively representing the working people of this country.

We hear so much out of the ‘ministry of truth’ on the government side. When the Minister for Health and Ageing was the Minister for Employment and Workplace Relations, he was talking to a Vietnamese worker who was standing in line after having been locked out in the Morris McMahon dispute. The Vietnamese worker said, ‘We just want to be able to have a collective agreement,’ and the then minister for workplace relations very cleverly—very trickily—said, ‘You have every right to ask for a collective agreement.’ They do have a right to ask for a collective agreement, but the employer has a right under the legislation to veto it—to say no. Sometime later, when the present Minister for Employment and Workplace Relations was talking about the wisdom of the government changing the Trade Practices Act, which Labor supported, to allow small businesses to bargain collectively in supplying larger businesses, I asked him, ‘Why don’t you extend that same right to working peo-
ple?” The minister for workplace relations said, ‘They already have an automatic right to bargain collectively.’ Untrue, untrue, untrue.

It has been repeated even more recently. A spokesman for the Minister for Employment and Workplace Relations, Kevin Andrews, said:

Collective bargaining has always been protected and will remain so in the future.

Untrue, untrue, untrue. That is straight out of the ministry of truth.

The fourth instruction of this government was to remove protection for working Australians from being unfairly dismissed. It has done that for businesses with fewer than 100 employees and, through a very clever device relating to operational requirements, it effectively has done so for businesses with more than 100 employees.

Having a bit of economics training, I thought that there was some responsibility on my part to try to understand whether there are any economic arguments in favour of the government’s legislation. Mr Deputy Speaker Causley, you probably expect me to conclude that there are no economic arguments in favour of this legislation, and you probably would not place very heavy weight on my word in that respect, because you might think I am slightly biased as a Labor member of parliament. So I have drawn on some independent advice from highly trained, traditional, orthodox, market based economists. I refer to Professor Mark Wooden, who has long been an advocate and a supporter of the government’s deregulation of the labour market, and to Saul Eslake, Chief Economist, ANZ Banking Group. I will refer to some of the statements made by Mark Wooden. It is clear that he is a fan of collective bargaining and a fan of collective agreements. He said:

On balance therefore the position advanced by Greg Combet seems a reasonable one—workers should be offered the right to enter into a collective agreement and employers should be obligated to bargain in good faith.

A requirement to bargain in good faith not only is missing from this legislation but was removed in 1996. There is no requirement to bargain in good faith, yet a market economist has said that there should be a right to bargain collectively and that there should be a requirement to bargain in good faith. He agrees with Greg Combet. I agree with Mark Wooden, and I agree with Greg Combet. It is about time this government revisited that issue, but I would not hold my breath. In relation to the minimum wage, Mark Wooden said:

A stated objective of the reform agenda is to provide more jobs, but then is unable to deliver any proposal that will fundamentally help the unemployed to secure employment.

That is a damning indictment of this legislation. On the fourth point that I raised, unfair dismissals, he said:

The cost on the other hand is greater uncertainty and insecurity for some Australian families, directly contrary to the aims of the reform agenda.

That is hardly an embracing of the effective abolition of the unfair dismissal laws. He goes on to say:

... the Prime Minister and his Government has consistently stated that an objective of its reform agenda is to increase the choices provided to Australian workers.

Let us just listen to this:

Some of the rhetoric here is clearly ‘political speak’; for example, the reference to workers having “the choice of remaining under the existing award system or entering into workplace agreements”. Surely this is not much of a choice given the Government intends to continue to undermine awards, both through further restriction on the types of matters that can be considered in awards, and through the abolition of the no disadvantage test.
It says it all. This is not some pinko socialist; this is a dry market economist who has long been a supporter of further labour market regulation. He said enough is enough. And it is. This legislation is hopeless, it is worthless and it should be thrown out of this parliament. I will finish with one more statement from Professor Mark Wooden. He says:

Far more worrying though, it is not at all clear that the reform agenda is one which is particularly interested in promoting collective agreements. The Government has been concerned with the low level of coverage by AWAs and thus intends drafting legislation to encourage further interest in them by employers.

He does not say ‘by employees’. He goes on:

But what if AWAs are not desired by workers? Currently, there do not appear to be measures that ensure that workers have the ability to choose between individual agreements and collective agreements. If the aim is to provide employees with real choices, then I am on Greg Combet’s side—the right to bargain collectively needs to be protected. Further, the Government should have a vested interest in ensuring collective bargaining continues to flourish if it believes, as it is stated so often in the past, that enterprise bargaining has been fundamental to the productivity gains of the 1990s.

Hear, hear! Enterprise bargaining, introduced not by the coalition but by Labor, has produced 14 years of strong economic growth, a 30-year low in unemployment and a historic low in industrial disputation—and the government says, ‘We need to fundamentally change the labour market regulations in this country.’ You would think that they would be pretty happy with those results, especially given that those results were built on the economic reform programs of the Labor government and accelerated through the move to enterprise bargaining by the previous Labor government in 1993. Here we have Professor Mark Wooden saying that we should have collective bargaining, we should have enterprise bargaining and we should have choice. Yet this legislation, outrageously called the ‘Work Choices’ legislation, is no choice for workers at all, because they can be forced onto instruments that they do not want to go onto. I will refer briefly to some of the statements by Saul Eslake. He says in relation to enterprise bargaining, picking up the point of Professor Wooden:

Since the 1993 Keating Government reforms, Australia’s labour market has delivered strong jobs growth ... falling unemployment and under-employment; rising productivity (at least until the end of 2003, since when productivity growth has gone into reverse) and real wages; well-behaved real unit labour costs ... and ... low levels of industrial disputation.

Here he is, saying that those reforms have produced these results; and yet the government wants to fundamentally overturn this system that has been so effective. In relation to the whole issue of whether more centralised or less centralised bargaining produces more employment, he points out, through some very rigorous analysis:

... there is no obvious correlation between the degree of centralization of wage-setting arrangements ... and employment growth over the past decade.

Indeed a simple regression of the latter on the former produces a co-efficient with the ‘wrong’ sign—

bad news for the government—

from the perspective of those expecting to find an inverse correlation between these two variables ...

He then goes on to say in relation to employment protection legislation:

Australia’s employment protection legislation is ‘one of the least restrictive’ in the OECD.

The OECD has confirmed that. There is no case for this legislation. It is ideology gone mad. The real target is the union movement and, through the union movement, the ALP. Working Australians, especially vulnerable working Australians, will be caught in the crossfire of the Prime Minister’s blind, ideo-
logical obsession—a 25-year sour old dream about to be visited on the most vulnerable people in this country. This legislation is a disgrace and it should be thrown out of this parliament. *(Time expired)*

**Mr BAIRD** (Cook) *(9.40 pm)*—It is particularly interesting to follow the member for Rankin, with his PhD in economics, and find out how much he belongs to the 1980s. It is particularly interesting to look at the *Latham Diaries* and what they said about Dr Emerson when he was shadow minister:

Emerson is launching our IR policy tomorrow. All week he has been at me, coming into my office with that hang-dog look on his face, trying to include pattern bargaining in the policy. He’s fallen out with (Bill) Ludwig and Hawke, and lost his power base in the party—if he wasn’t a shadow minister he’d probably lose his preselection for Rankin, it’s that bad. So he’s trying to re-establish himself by cultivating the ACTU as his power base. He’s an errand boy trying to write their demands into our policy document.

... Emmo regards himself as an economics guru, but there he was in my office wanting to return the IR system to the 1980s.

That is true. There he was on his feet illustrating the point—it is back to the eighties. That is where he belongs—the eighties or the fifties or the forties—but not to contemporary Australia, with its need for deregulation. Union membership and his power base has fallen to 23 per cent of the workforce. Our economy is now service based. The old manufacturing sector is declining. A new way of doing things is required. The *Australian* in its editorial ‘Reform race is still to run’ said:

Over time, they—

that is, the government—

will facilitate the dismantling of the unique Australian system of heavy-handed workplace regulation, see more people employed on individual contracts rather than prescriptive awards and require trade unions to genuinely represent the interests of individual workers rather than as a monopoly supplier of labour to particular industries. That is true of the approach of this government on IR reforms. Toward the end of the editorial it says:

So rather than feeding end-of-world fantasies—which we have certainly heard served up by the members opposite; the end of the world as we know it!—

the Howard Government’s latest workplace changes should be seen in the context of a gradual correction of a historical anomaly ...

**Mr Price interjecting**—

**Mr BAIRD**—*(Quorum formed)* I am very pleased to extend my comments on this and to say to the member for Chifley that we on this side of the House are concerned about individual rights. We are concerned about the rights of the workers of Australia to negotiate their own contracts—not to have them determined by Sussex Street or by the ACTU but for the individual worker to sit down with their employer and negotiate a contract that suits them.

Labor look after their union mates and do deals such as the Centenary House deal. They creamed $40 million off the top of that deal with that super rort. We are about reforming the IR system. Those who sit opposite presided over the industrial relations club for a long time. They had their IR lawyers and their trade union members, and they all came together and worked out a very nice deal with their arbitration people. The AIRC was just there for them to work as they wanted.

The member for Rankin claimed some economists support his view. What we can say is that the OECD, the premier economic organisation of the world; the International Monetary Fund, based in Washington; the Productivity Commission; the Reserve Bank of Australia; and the Business Council of Australia all agree that if we are to operate in
global markets, among others, more deregulation and greater flexibility is essential to our future prosperity. This is what the economists and the OECD are saying we require if we are going to be a flexible economy and if we are going to relate to a world that has changed from the IR system that members opposite would like to perpetuate.

The fact is that, from the 1990s to the present day, we have seen a halving of those involved in trade unions right across the board in Australia. What does that say to us? It says that industrial relations have changed. Those opposite are very slow to adapt to these changes, whereas we on this side of the House recognise the changes and know that we must adapt if we are going to be competitive as a nation.

Several things have happened in terms of this. It is quite interesting that the previous government and the members opposite would like to say how they laid down the ground rules for the economic reforms and successes of this government. There is no doubt that we would support some of things that the member opposite did—for example, the floating of the dollar, the privatisation of the Commonwealth Bank and the privatisation of Australian Airlines and Qantas. The IR legislation that the previous Prime Minister, Paul Keating, introduced was the first stage in the IR reforms. Once the genie has been let out of the bottle it is very hard to change things, and Labor are trying to put the genie back in the bottle when the Australian economy has changed so much.

There were three major aspects to why the situation changed. The first was the tariff reductions, which started with none other than Gough Whitlam, who was not regarded as perhaps the most significant economic reformer of the country. But, with the introduction of his tariff reforms, he did begin a process which has continued today. With free trade agreements and with WTO reforms, we have seen very significant tariff reductions across the board so that the protection that existed in the days of the British Empire, when Australia lived off the sheep’s back and when manufacturing existed behind a very high tariff wall, changed.

The stiff winds of international competition began, and tariff reductions started that process whereby Australian manufacturers and service providers have to survive and compete in a global situation where they no longer have that tariff protection. When you have a different type of economy, you can no longer say to manufacturers: ‘This is what you must do. These are the rates that you must apply. This is the way you must treat your workers. This is the way the Industrial Relations Commission must act.’

The second part of this change was in the way that the unions acted in the lead-up to the 1980s. There were no problems: whatever you asked for and got away with continued. The metal unions continued to push the pace and demand and push for their workers, requiring very significant increases in their wages. The result, in terms of those requirements, was that they reached the stage where, in 1981, they pushed too far; there was a wage movement right across the board and we moved into a recessionary process. Of course, you know the comments that the then shadow Treasurer made about the situation. Paul Keating said that 100,000 jobs were affected as a result of the very poor decisions that were made by the unions at that time. That is true, because they did not recognise the total integration of the economy. You cannot push one sector that is moving ahead and demand that wages flow right through. It was Keating who said that there were 100,000 dead men in terms of employment because of the way the unions pushed at that time.
The third aspect was the OECD changes, the demographic changes; and, finally and most importantly, there was the whole question of globalisation in that a company in Wodonga has to compete with a company in Kiev; a company in Atlanta, Georgia has to compete with a company in Birmingham, UK; and a company in Pretoria, South Africa has to compete with a company in Bratislava in Slovakia. The internationalisation of the world has meant that companies have to compete, and they can no longer exist in the union-dominated, highly structured, red tape fixated organisations that we have had in the past. They need to relate to the flexibility of a new environment. That is why we require these changes today.

There are several aspects to the changes we have made. Most important is unfair dismissal. I am sure that members of this House have been subject to small business people telling them about restrictions that are placed on them in terms of the unfair dismissal requirements. I am sure they have been told of the requirement that businesses pay out people, even though they have been ineffective employees or even though they may have been rorting the company, and that it is easier for them to pay off the employees than to go through the whole process of going to court. The result has been a reduction in employment in a lot of the small businesses because they did not want to wear that cost. So we are going to change that requirement.

We are also going to ensure that there is no expensive duplication across seven states and that the national IR system will be folded into one. We are going to continue the microeconomic reform that we have achieved in the almost 10 years of our government in power. It is about ensuring the real increases in wages that we have achieved—and this is not imaginary. I had a union member on the phone the other day saying, ‘You don’t believe this,’ in terms of what our government have achieved. He was referring to the great increases in salaries, the 1.7 million new jobs that have been achieved under our government, the lowest unemployment in almost 30 years, the real wage growth of 14.9 per cent compared with 1.2 per cent in 13 years of Labor, and the lowest levels of industrial disputes since records were first kept in 1913. This has all been achieved under our government. But we heard Dr Emerson saying that it was not true that since we came into government all these things have happened. The reality is that I heard one of the frontbenchers opposite say that it really should be about the real wage increase of the members, not anything else. What are they about at the bottom line? If we are not about increasing the average income and the average standard of living of the people of Australia, what are we about? Our government have achieved it in spades—14.9 per cent compared with just a few per cent under the opposition. So these are some of the achievements we have had.

The fact that we have only 23 per cent of the workforce belonging to unions is a significant indicator that the world has changed. It is a different environment. People are going into the service sector and looking for a different environment and a different way of going about their day-to-day lives. In an article in the Australian, Alan Wood said that a great majority of Australians will be better off under more flexible labour market arrangements, because they will allow employers and employees to come to a mutually beneficial arrangement. He said:

The function of the labour market is to match the demand for and supply of labour at a price that gets as many people in a job as possible.

Ensuring people have an adequate income is a function of government welfare policy. This is what this bill is about: providing the necessary flexibility. The current workplace relations system is burdened by restrictions
of 30 years of stagnating inertia caused by blatant obstructionism. Industrial relations is still in the hands of third parties and so-called experts, rather than actual businesses or employees. Industrial processes, rules, regulations and requirements are complex and costly. Work Choices will replace a rigid and outdated system that was designed over 100 years ago. Fairness does not relate to complexity. In fact, fairness is impeded by complexity. The old system was designed to deal with the issues of the 1890s rather than contemporary life.

As an overview of the government’s policy: the bill addresses a number of longstanding policy commitments which have been blocked in the Senate since 1996 and builds on the reforms introduced by the government in 1996. It simplifies the complexity. Australia has over 130 different pieces of industrial legislation—over 4,000 awards. Six different workplace relations systems operating across the country just does not make sense. There is too much red tape, too much complexity and too much confusion. It is bad for business, costs jobs and is holding Australia back. It is for these reasons that Work Choices will move Australia forward as we move towards one, simpler, national workplace relations system. Up to 85 per cent of all Australians will be covered by the new Work Choices system and, by a simple referral of powers by the states, it would amount to 100 per cent.

The new legislation will establish an independent body called the Australian Fair Pay Commission, which will promote the economic prosperity of the people of Australia, take a consultative approach with all the stakeholders and be independent of government, have on its board people with experience of business, community organisations, workplace relations and economics and set and adjust minimum award classification wages as well as wages for juniors, trainees, employees with disabilities and pieceworkers, and casual loadings.

Minimum award classification wages will be locked in and cannot fall below the level set after the inclusion of the increase from the AIRC’s 2005 Safety Net Review. Of course, it shows the nonsense of those members opposite who talk about the erosion of standards. The legislation will enhance compliance with the Workplace Relations Act, increase the number of inspectors from 90 to 200 and enshrine in law minimum conditions of employment, including annual leave, personal carers leave, parental leave and maximum ordinary hours of work. It will place a greater emphasis on direct bargaining and introduce a simpler agreement-making process, set a minimum safety net of the standards right across the board and protect certain award conditions relating to holidays and rest breaks. I commend the bill to the House. (Time expired)

Mr GIBBONS (Bendigo) (10.01 pm)—I stand proudly in this House today to vigorously oppose this nasty, cruel and obnoxious Workplace Relations Amendment (Work Choices) Bill 2005 and to join with my colleagues on this side of the House in fighting this legislation every step of the way—right up until and including the next federal election campaign, if necessary. Labor will completely dismantle this legislation at the first opportunity and reinstate the powers of the Conciliation and Arbitration Commission and a fairer awards based system that has served this country so well for the past 100 years.

There is no doubt this government wants every Australian worker on an individual contract. Under these new work laws all the power will be with the employer. The government’s plans mean that AWA individual contracts will not be underpinned by award conditions and that means conditions like
standard working hours, penalty rates, overtime payments and redundancy pay are no longer guaranteed. The no disadvantage test that protected Australian workers the last time the Howard government tried to attack their wages and conditions will disappear under this legislation, leaving millions of Australians vulnerable to exploitation. It was Labor that insisted on these provisions last time the Prime Minister attacked workers' conditions, but now the Howard government has the numbers in the Senate the no disadvantage test is abolished. The Prime Minister has consistently refused to give workers the only guarantee that matters—a legally enforceable guarantee that they will not be made worse off by his laws. No amount of taxpayer funded advertising, spin or phoney protections can hide that truth.

Prime Minister Howard constantly states that Australian families will be better off under the proposed changes to the workplace relations system. The most sickening aspect of the Howard government’s ruthless and cruel changes to Australian living standards is the impact on age pensions. The base pension is indexed twice yearly in March and September based on 25 per cent of male total average weekly earnings. These are the people who have built this nation over past decades and the only thanks they get from the coalition government is a reduction in their already meagre pensions. I do not think there could be a more callous or cruel outcome than that inflicted on senior Australians.

As there is no doubt the government’s objective is to drive down wages, the flow-on effect will drive downward pressure on pensions. Figures from the Parliamentary Library show that in September 2004 there were 15,858 aged care pension recipients in my electorate of Bendigo. This was part of a total of 27,724 people who were dependent on full or part pension entitlements. Every one of these Australians faces the potential of having their income reduced under this government’s attack on living standards. I call on the Prime Minister and the Minister for Employment and Workplace Relations to introduce positive and effective initiatives to insulate and protect all pensioners from the impact of these draconian changes to our standard of living. They deserve nothing less.

The Prime Minister told reporters in Sydney on 23 October that the great value of his so-called Work Choice policy is that it will strengthen the economy and that is the best message the government can give to Australian families. However, the federal government is concealing advice formulated by Treasury that fails to show any economic benefit from its workplace changes. The Treasury prepared advice on the economic justification for proceeding with the workplace law changes, unveiled last week. In fact, a Treasury official confirmed that his department had reached conclusions about likely changes to productivity as a result of its economic modelling but told a Senate estimates committee yesterday that he was ‘not at liberty’ to reveal the advice. The Treasurer has refused to release the advice, saying that it is confidential. The government has hidden the department’s advice because clearly it has failed to provide the economic justification for these radical, extreme and obnoxious changes. This proves that Treasury has disowned the government’s false claims that its changes will have a beneficial impact on employment and wages.

What the Prime Minister will not say is that he expects salary and wage earners—hard working Australian families—to pay for a stronger economy by giving up part of their hard won wages and conditions. Everyone hopes for a strong economy, but under this government’s changes those who can afford it least are expected to pay the most for it and the Prime Minister keeps adding insult to injury when he peddles the line that it is a
workers’ market. I would like to see the Prime Minister explain that to the 100 former employees at Penny and Lang in Carisbrook, or the between nine and 14 per cent of people who are currently unemployed in the Bendigo electorate.

Forcing those who can afford it least to give up part of their wages and conditions has been a Howard obsession ever since he entered federal parliament and it is only Labor and the unions that have prevented him from achieving this appalling idea in the past. The Howard government is scornful of the ACTU campaign to alert Australian families to the consequences of the government’s changes, but there is now no room for doubt. Even the government’s own $55 million taxpayer funded propaganda package released just a few weeks ago clearly shows that workers will be worse off under these new laws. The ACTU’s deep concerns about the changes on Australian workers are in no way alleviated by the Work Choices pile of propaganda. Australian working people will still be hit hard.

Unfair dismissal protection will disappear for the four million working Australians working in businesses with fewer than 100 employees. The government’s own $55 million tax-payer funded propaganda package released just a few weeks ago clearly shows that workers will be worse off under these new laws. The ACTU’s deep concerns about the changes on Australian workers are in no way alleviated by the Work Choices pile of propaganda. Australian working people will still be hit hard.

Minimum wages will no longer be set by the independent umpire, clearing the way for them to be lower in the future. The government has failed to get its way with the current Industrial Relations Commission, asking for a minimum wage $50 per week lower than the current $484. This is the obvious reason it is setting up the deceitfully titled Fair Pay Commission.

The legislation requires that this so-called Fair Pay Commission is directed not to take fairness into account when considering wages for low-income workers. Only the Howard government would be economically dry enough and arrogant enough to set up an organisation called the Fair Pay Commission and then instruct it to do anything but provide fairness in its deliberations. The Yes, Minister doctrine is alive and well under this deceitful government. In fact, you would be forgiven for assuming that the scriptwriters for the Yes, Minister series drafted this legislation. Remember Sir Humphrey Appleby’s famous advice to the minister: if you want to implement some legislation that contains some obnoxious parts and nasties, put the nasties in the detail within the bill and then
give it a title that reflects precisely the opposite of the intention in that small print. Only the Howard government would be arrogant and cruel enough to deliberately legislate against fairness.

If this Prime Minister were any drier, he would shatter into a million pieces. The removal of the award safety net will clear the way for radical reductions to the pay and conditions of working Australians over time. This will not happen overnight, but mark my words: it will happen. The government claims that employees can take a third party into negotiations with employers, and the minister suggests that they take their accountants.

Let us take Mary as an example, a 16-year-old school leaver applying for her first job as a supermarket checkout clerk. She is expected to retain the services of an accountant to negotiate her terms and conditions. Just how far out of touch with reality is this government? If Mary wants to receive fair wages and conditions, I would suggest that the only way this will be achieved will be if she takes Chopper Reid in to do her negotiating for her. I am reminded of that well-known phrase which is always the truth: it is when the trade union movement is needed most that the call for its destruction is the loudest.

These radical changes are not justified by any economic need. They will not create jobs or aid productivity. The Prime Minister gave a more honest assessment of the industrial relations plans when he said to the coalition party room that they are an article of faith for the coalition parties. Just in case anyone has any doubts about the government’s intentions or motivation for this bill, they should consider these words expressed by the former minister for workplace relations Peter Reith when he said:

Never forget the history of politics. Never forget which side we’re on. We’re on the side of making profits. We are on the side of people owning private capital.

This is classic coalition legislation or Tory legislation. No-one is against the ownership of capital, but when accumulating capital is achieved by stripping away workers’ wages, entitlements, protection and job security, we on this side of the House will fight every inch of the way to protect Australian workers’ hard-won wages and conditions.

If the government was at all genuine about its ‘choice’ rhetoric, it would legislate to give employees the real democratic choice to decide whether or not they want their conditions of work to be covered by a collective agreement. The right to bargain collectively with your employer is a right that workers have in other developed countries like the UK and Canada.

The average unemployment rate in Bendigo is currently at around nine per cent, an increase of 1.8 per cent from June 2004 to June 2005 and around four per cent higher than the national average. It fluctuates across the region; in Maryborough in the Central Goldfields Shire it is up as high as 14 per cent. Australia’s regions will be the biggest losers under the Howard government’s arrogant and extreme changes. Workers in areas of high unemployment like Bendigo, Castlemaine, Maryborough and Heathcote will be the first victims of the Howard government’s arrogant and extreme agenda.

Under the government’s plan, unemployed workers will face a stark choice—an unfair work contract or a permanent place at the end of a long unemployment queue. The government’s taxpayer funded propaganda highlighted Billy—an unemployed person forced to accept unfair work conditions in exchange for a job. Mr Howard says this is fair because Australia is a workers’ market.
The reality is that an unemployed Billy in the region where I come from will be ripe for exploitation because Mr Howard’s ‘workers’ market’ exists only in his imagination. The government is killing off collective bargaining in favour of individual work contracts, but every worker in central Victoria knows that an individual against the boss is not a fair match.

Additionally, workers employed in businesses of 100 people or less will lose their protection from unfair dismissal. The legislation allows businesses with more than 100 people to dismiss workers without fear of unfair dismissal proceedings if it can be shown that the dismissals are for operational reasons. If a job disappears for economic, technological or structural reasons, employees will have no legal basis for claiming unfair dismissal.

Just imagine how a company like Telstra will exploit that particular loophole. Bendigo Telstra employees will be forced to work on Bendigo Cup Day for the first time as a result of Telstra’s national management decision to prematurely adopt the Howard government’s workplace relations changes even though they are yet to pass through both houses of parliament. Telstra’s Bendigo employees were previously always given the option to either work or claim the public holiday as their current enterprise bargaining agreement and award provisions allow. The Howard government’s extreme workplace relations changes have already encouraged Telstra to step outside the legally binding current system even though the changes have not been passed by this parliament. No doubt Telstra’s new management team will be standing on the sidelines cheering the Howard government on as it systematically sets about ripping away workers’ wages and conditions.

Since last year’s election the people of Bendigo and central Victoria have been forced to cop broken promises on interest rates and the Medicare safety net, and they have been forced to pay the highest petrol prices Australia has ever known. Now the Howard government is preparing to implement an extreme industrial relations agenda that will leave the people of this region more vulnerable than most other Australians due to high and rising unemployment.

The Howard and Costello government have consistently refused to guarantee that penalty rates will be retained if these new laws are implemented. In fact, coalition senators have voted down a motion to commission a Senate inquiry into the abolition of penalty rates in Australian awards. A motion by Family First Senator Steve Fielding calling for a Senate inquiry into the removal of penalty rates was supported by Labor, the Greens and the Australian Democrats, but was lost because the Liberal and National senators voted against it, resulting in the motion being defeated.

Penalty rates are an important part of the annual wages of a significant number of employees in a wide range of industry sectors. The Howard government’s refusal to allow an inquiry signalled that the current penalty rate system was doomed under these new workplace reforms that we are debating today. Central Victoria’s economy will be gutted if the Howard government’s attack on workers’ penalty rates becomes law. These workplace relations reforms will see the abolition of workers’ penalty rates totalling up towards $80 million in central Victoria alone. Central Victoria stands to lose the economic equivalent of between 2,100 and 3,400 jobs every year through this attack on workers’ pay packets.

Research using ABS statistics and applied to an economic modelling software frame-
work illustrates that a dramatic reduction in disposable income would be injected into the central Victoria’s economy if the Howard government’s abolition of penalty rates became law. These statistics show a massive reduction of up to $80 million in direct disposable income each year across all our industry sectors throughout the central Victorian economy. When you factor in the flow-on effects the figure jumps to a whopping $136 million. Think about that. Assuming the workers of our region get the median weekly family wage, this is equivalent to losing more than 2,100 jobs based on the direct loss of disposable income, or an even more heart-wrenching 3,400 jobs based on the flow-on losses.

It is nice for the Prime Minister to sit in Canberra and talk in waffly bureaucratic terms about his policies, but where I live, in the real world, this is what the impact will be. It means a huge reduction in wages being spent in the local economy and small business in the hospitality, tourism and retail sectors would be hit the hardest. And the figures do not include the abolition of overtime, which is also being abolished by the Howard government’s proposals.

Wage earners who have a penalty rate component as part of their annual income are already among the lowest paid workers throughout Australia and usually spend their entire pay packet each pay period on necessities. Small business might gain a reduction in their wages bill if penalty rates are abolished but those gains would soon disappear through a substantial reduction in cash flow into those businesses. In fact, the impact in our community will be even worse because in Bendigo our average wage is lower than most of the rest of Australia.

In Bendigo and central Victoria we already have one of the lowest median weekly family income levels, at $736 per week. If the Howard government’s workplace relations reforms are implemented, this already low figure will become even lower. These forecasts are terrifying, and if the government has any more encouraging data then I would like to see it. The Prime Minister and his colleagues keep referring to Australia being a workers paradise. I am reminded of the last words in one of my favourite Eagles tunes, which go: ‘When you call someplace paradise, kiss it goodbye’. You will be pleased to know that I will dispense with the falsetto bits.

Mr TUCKEY (O’Connor) (10.17 pm)—As evidence of the fact that there are so many fibs told in regard to the Workplace Relations Amendment (Work Choices) Bill 2005 I am interested to see two persons in this place, one who has been writing letters to pensioners and the other, the member for Bendigo, who has just run the argument that pensioners will get less in this arrangement. The simple fact is that—

Mr Edwards—You probably don’t know any pensioners in your electorate!

Mr TUCKEY—We know all about you. I have read a lot of the letters from your electorate. You talk one way in here and another way out there.

Mr Edwards—Mr Deputy Speaker, on a point of order: I think it is appropriate for a member, when speaking, to refer to a member by the appropriate title. I understand that ‘you’ is not the appropriate title.

The DEPUTY SPEAKER (Hon. IR Causley)—I understand the member for Cowan initiated this exchange and I think he should take what he gets.

Mr TUCKEY—There will never be a time in Australia when the pensioner—

Mr Edwards—Mr Deputy Speaker, on a point of order.
The DEPUTY SPEAKER—If this is a frivolous point of order I will deal with it.

Mr Edwards—Is it then appropriate, given your ruling, for members to refer to each other in this place as ‘you’?

The DEPUTY SPEAKER—No, it is not.

Mr Edwards—Can I then draw your attention to the standing orders.

The DEPUTY SPEAKER—There is no point of order.

Mr TUCKEY—The pension that is paid to Australians today can only be increased. If there were a slowdown in male total average weekly earnings—and there will not be—then of course the inflation rate would apply. That is the rule. The pensioners of today, under Howard government policy, either receive an increase relative to the consumer price index or an increase that maintains their pension at 25 per cent of MTAWE. Anybody who writes to a pensioner and frightens them in this fashion, saying that they could actually receive a reduction in their pension, has little interest in their welfare but much in their own.

Mr Edwards—And anyone who doesn’t believe it doesn’t know what they are talking about.

The DEPUTY SPEAKER—Order! I remind the member for Cowan of standing order 65(b).

Mr TUCKEY—I will not respond to further interjections, because they are unparliamentary. I made my maiden speech 25 years ago on industrial relations. I thought it was a big problem then, after 30 years as an employer. A lot of my concerns related to the rights of workers. I found that, in a seven-day a week industry such as the hotel industry, they were fed up with an award where they got more money one week and less the next, simply on the basis of the rotation of their rosters. They did not understand; they did not want that. In fact, we agreed back in the sixties to a flat rate and everybody in town wanted to work under that arrangement. When I employed grader drivers, they were not interested either in the award or in paying union dues. They knew what they were worth—as did truckies; they wanted trip money.

You wonder why there has been this massive departure from membership of trade unions in Australia today. It was interesting to note that the member for Bendigo suggested that someone, in doing a deal with their own employer, needed Chopper Reid. Too late. The trade union movement has had all the heavyweights for years—the Domicans, the Reynolds and others. Excuse me, but when it comes to negotiating face to face with an employer, you can still have the trade union as your representative—but they will have to do a bit of work. They cannot just drop down to the industrial commission—wink, wink, nod, nod to a few people who have been promoted from the industry, either from one side or the other, into that job and get an outcome. They will have to do a bit of work. They will have to consider the issues relevant to the matter. Might I add that you do not need your accountant, although, if that were your choice, you could do so.

(Quorum formed) There is only one industry in Australia that needs to fear this legislation—the trade union bureaucracy and, of course, their sycophants in this place. The reality is that they will have to do a bit of work, as I said earlier. If this program and these proposals are as bad as is being suggested, the trade union movement is going to have millions of members. I would like to take a bet on that. The reality is that people abandoned unions because they did not think they were worth $500 or more per year. Who is left? The people in the construction industry, who are too terrified that they will see themselves black-banned, not getting any
employment, if they do not join. Who else wants to be with them? Practically no-one.
The last two leaders of the ACTU have been schoolteachers and, of course, in every part of private enterprise nobody wants to know they exist. So why are they going frantic in this place? Because they are worried about their future—not about the future of the people for whom they cry crocodile tears.

But of course we well remember the GST campaign—how the Labor Party were going to surf into office on the strength of the GST and community anger. I just hope they keep it up. The Australian people want positive policies. They want initiatives and they want people to come forward from this parliament to deliver them the things we have yet to achieve—better taxation and matters like that. But the Labor Party have put us on notice: they are going to campaign up to the next election on something that will be harsh and stark reality by that time. Again they will have to explain to the Australian people why all their predictions did not come true.

The Labor Party are so divorced from their core constituency, their aspirations and their needs that it is not funny. They lecture us time and again—and I see a member in here now possibly contemplating making a speech, and it will be somewhere at the end of the list so he will get nothing now, because we are speaking for 20 minutes instead of for 10 minutes. But the reality is that those opposite cannot seem to differentiate between an entitlement and the money that that entitlement is worth. A member got up the other day and virtually misled this House by simply asking half a question about an AWA; they did not have the integrity to tell this House that there was a cash settlement for the so-called ‘lost’ entitlements. When we rang the employer, he said, ‘But that’s what my workers want.’ When I ran a hotel, that is what my workers wanted too.

The member for Adelaide can tell us what her views are, but the reality is that she will find one person who says they are not happy, and she will trot them out. They will be like those workers who came to this place from Boeing—all 20 of them, out of a work force of 400—who think that the entire work force should sing to their tune. There are four hundred and something workers there, and 20 of them thought they had a right above the rest, and they were trying to picket the place. Of course, they have not got the message yet that their working colleagues do not want to know about them.

These are the issues before the parliament today. They will be tested. It is about two years to the next election, I remind the opposition. The state governments will desert them. Yes, they will go through their posturing and they will put an appeal to the High Court, but why will they want to do that? As an excuse, so that they can say, ‘We have lost the case, we have fought the good fight, we are going to follow Victoria’—and please remember that, notwithstanding the fact that it was Jeff Kennett, a Liberal leader, who referred the powers of the Victorian government to this parliament, Steve Bracks never took them back, and he has no intention of doing so. If I were allowed to run a book in this place, I would be giving a good shade of odds that the rest of the premiers will line up and desert this lot, and they will have nothing, because they have not got one positive policy. They send out letters to pensioners, trying to scare the hell out of them when there is absolutely no possibility that pensioners will have their pensions reduced in any way—they can only go up, by one mechanism or another.

Mr Deputy Speaker, I note the time. If that is a matter of interest to you, I seek leave to continue my remarks later.

Leave granted; debate adjourned.
ADJOURNMENT

Mr PYNE (Sturt—Parliamentary Secretary to the Minister for Health and Ageing) (10.30 pm)—I move:
That the House do now adjourn.

Adelaide Electorate: General Practitioners

Ms KATE ELLIS (Adelaide) (10.30 pm)—Tonight I rise to speak on the shortage of general practitioners in our communities. This is a health crisis, and it is no longer just confined to rural and regional Australia. The GP shortage that has plagued country areas in Australia is now being felt throughout both inner and outer metropolitan areas, and it is an issue that is hitting the communities within my electorate hard.

General practitioners have played a pivotal role in primary care for decades. They have supplied a valuable, personal and necessary service to their surrounding communities, and they have in the past alleviated the pressure that has sometimes been placed on our public hospitals. There is no doubt that country doctors, particularly those in remote areas, have a very daunting and demanding task, a fact evidenced by federal government statistics. But a comparison of rural centres and capital cities suggests that the workload of city GPs is not far behind that of some of their rural colleagues now.

It is my job to represent and fight for the people of Adelaide. Right now, the people of Adelaide are suffering from the government’s failure to act on this issue. The Adelaide North East Division of General Practice, within which a large part of the Adelaide electorate falls, reported that in 2002 the number of people per GP stood at 1,395. In 2003—in just one year—this figure jumped to 1,430.

The seriousness of this problem was brought to my attention when I was recently contacted by staff and patients of the Nailsworth surgery, a surgery which falls within the northern part of my electorate. In 2003 the Nailsworth surgery lost two practising GPs, and it has since been unable to attract replacement practitioners due to the shortage. I visited and met with staff of the Nailsworth surgery, who informed me that the surgery has reached full capacity and that staff are forced to turn away, on average, two or three new patients every day.

Recently the surgery has interviewed an overseas trained doctor in the hope of appointing him. This doctor is very willing and enthusiastic about joining the clinic. However, under the government’s Health Insurance Act, the surgery’s newly sourced GP is unable to attract the necessary Medicare provider number. The doctor in question has completed six years of rural service, and both he and the surgery have applied for an exemption under section 19AB of the Health Insurance Act. This request was initially denied, and the surgery requested a review of this decision. In support of the Nailsworth surgery, I have previously written to the Minister for Health and Ageing, the Hon. Tony Abbott, appealing for an exemption to be granted based on special circumstances. However, this appeal has now been denied for a second time because the federal health authorities do not consider Nailsworth to be an ‘area of shortage’.

Let me insist to this House that the shortage is very real for the people of Nailsworth. A petition is currently being circulated in the Nailsworth area which has already attracted over 700 signatures. It will soon be tabled in this parliament. The Nailsworth surgery may be close to the CBD of Adelaide, but I assure you that the doctor shortage is hitting our community very hard and relief is seriously needed. The Nailsworth surgery services some of the most disadvantaged people in metropolitan Adelaide, and this is not the
only clinic that faces such difficulties. Rather, the Nailsworth surgery illustrates problems that face a number of clinics in metropolitan areas across this country.

I reiterate: the pressure on GPs and health clinics is very real and considerable. Workload concerns could have been resolved if it were not for the government’s deficient policies and regulations. The government has remained in denial over its role in contributing to the doctor shortage, and it has willingly left many Australians without ready access to a GP, let alone a bulk-billing GP.

Unlike the Howard government, Labor is committed to investing in more doctors and nurses. Labor is committed to working together with our state and territory governments to address these crucial issues. I note that South Australia’s brand new Minister for Health, the Hon. John Hill, has already been getting on with the job of addressing these issues. Labor is committed to more medical graduates and more GP training places. At the last election, Labor promised to invest $1.5 billion to build Australia’s health-care work force, which included an additional 1,000 medical places.

With this in mind, tonight I call on the Howard government to urgently consider long-term solutions to ease the pressing issue of doctor shortages in this country. More particularly, I call on the federal minister for health to listen not just to my call but to the calls of hundreds of residents of Adelaide and to use his authority and grant an exemption for the Nailsworth surgery under section 19AB of the Health Insurance Act. The people of Adelaide have elected me to fight for their needs, and I tell you that I will be fighting long and hard on this issue until Nailsworth has access to adequate GP services. (Time expired)

Paterson Electorate: Pacific Highway Extension

Mr BALDWIN (Paterson) (10.35 pm)—For the second time today in this House, I raise issues concerning the Pacific Highway. I now draw the House’s attention to enormous problems in my electorate concerning the proposed extension of the Pacific Highway from Beresfield through to Heatherbrae.

The RTA has put two different options for the highway on display, and the B3 option has raised serious concerns about the potential impact on existing businesses such as Weathertex, the Kinross Industrial Estate and thousands of local jobs. The route in the B3 option involves an extension of the highway through the botanic gardens, Hunter Water land and then through the Weathertex bore fields and the proposed and existing industrial estates.

I have been contacted by the Chairman of Weathertex, Mr Paul Michael, who is very concerned about the likely impact this option will have on the business and his employees—and for very good reason. This option for the highway extension could force the closure of Weathertex, which is a key employer in the Port Stephens area. The route which the RTA has proposed goes straight through the factory site, which has been in existence since 1939. The company employs between 85 and 90 direct employees and more in indirect jobs. This in turn puts more than $14 million into our local economy each year in wages and support.

The route of this highway option will go through the company’s bore fields, where they extract two megalitres of water each day under their licence, of which they return around 1.7 megalitres of water to the east of the factory through the woodlots irrigation area. Obviously, without these bore fields, Weathertex cannot undertake their work, and that would force the closure of an important
and long-established local business, which most people would have known as the masonite factory. It will affect a growing export market which Mr Michael has developed.

The assault on the economy of Port Stephens does not stop there. The B3 option also goes through the Kinross industrial subdivision, which currently consists of 30 blocks, with a proposed further 130 blocks to be developed in industrial estates. An EIS by Castlecrest Consultants in 2001 found the development would put some $170 million into the local economy through infrastructure and factory construction costs. It is estimated that over 1,000 direct jobs and over 2,000 indirect jobs would be generated by industry in the subdivision and that this in turn would generate $51 million for the community each and every year. Twenty-three of the 30 blocks in the existing subdivision have already been sold, and the buyers are a combination of local businesses seeking to expand and businesses looking to set up in the Port Stephens local government area.

The proposed B3 route not only puts a cloud over the future of this important industrial subdivision but will be an inhibitor to local jobs growth in Raymond Terrace, Heatherbrae and the wider community. It will prevent a major push for economic development similar to the successes that we have seen in Thornton, Beresfield, Rutherford and Cardiff, which have been the drivers of employment growth in the Hunter region’s economy, particularly post BHP.

The fact that this has happened to the Weathertex employees just before Christmas is also a disgrace. One has to wonder whether any sound public consultation was done before these options were developed or whether a bureaucrat simply drew a line between point A and point B without thinking of the consequences. No-one knows their local area better than local people and, if plans are being drawn up for road infrastructure, communities should be wholeheartedly involved.

The second option put forward by the RTA involves the extension of the Pacific Highway through the middle of the existing infrastructure. While I am yet to hear the issues raised on this option, a range of possible options needs to be canvassed in the community so that plans for future economics and jobs growth, job security and the Port Stephens economy are not put at risk. The extension of the Pacific Highway should not be to the detriment of existing businesses; rather, it should work with communities like Heatherbrae, Raymond Terrace and Port Stephens to help them prosper. The construction of infrastructure should be the catalyst for greater prosperity for a community and not lead to the downfall of successful local businesses and the loss of future regional opportunities.

I strongly urge members of the Port Stephens community to have their say on these options and show their support for local jobs. Our community should not be bullied into accepting a second-rate option that they do not want and that will cause adverse effects for everyone. This is another case of arrogance by the New South Wales government at the expense of local people. Paul Michael, the chair of Weathertex, went to see the local member of state parliament, John Bartlett, and his response was to dismiss his concerns and say, ‘It’s up to the RTA.’ I say it is up to government. The state government should step in, administer the program properly and look for positive direction, not negative effects on the local economies of my electorate.

**Antiterrorism Legislation**

Mr GARRETT (Kingsford Smith) (10.40 pm)—The Anti-Terrorism Bill (No. 2) 2005 is law which plainly undermines the legal
and constitutional practices of our Federation. If ‘freedom is just another word for nothing left to lose’ we are in danger of really losing precious freedoms. To put it plainly, this government has gone a step too far in respect of this legislation.

I want to refer particularly to the sedition clauses of the bill, although there is plenty to be said about the totality of the legislation. But in one important way sedition stands out. Why? Because it is an offence that historically has attracted a political judgment as opposed to a legal judgment. It is an offence that is universally disliked by lawyers and by those who know a little of history and who value liberty.

I focus on sedition, as the state premiers clearly were not required to. Indeed, it is a Commonwealth crime which relies on an ultimate decision by the federal Attorney-General to prosecute. I focus on sedition because members of the government, including the Attorney-General, do not have the confidence that these clauses as drafted should come before the House. The government’s current position can be summarised thus. The Attorney-General acknowledges public concern about the laws and will review sedition clauses—but not prior to legislating; only once they are law. How extraordinary. By Senator Brandis, the member for Wentworth and others with legal backgrounds, they are described as bad, archaic, poorly drafted laws. Yet the sedition provisions have come into this parliament virtually unchanged.

The only judgment on the contribution of honourable members opposite is that it has been limited, for in this case bad laws are still standing. That being the case, the parliament is entitled to ask: why are they being considered at all? It is because the effect of these laws is to create confusion and fertilise fear and uncertainty, and the Howard government thrives on these conditions.

I remind the House that, were it not for the actions of ACT Chief Minister Stanhope, the parliament and the public would, in the first instance, have been denied the opportunity to see the proposed antiterrorism laws prior to their being tabled in the House. The original intention of the government was to rush this legislation through, truncate debate and doubtless continue to play the ‘soft on terrorism’ card or say, ‘Here’s another terrorism risk,’ to raise the temperature around this issue a little higher.

There has been near universal condemnation of the government by competent legal authorities, academics and judges, to the clear effect that these proposed laws undermine both our legal history and practice and, critically, first principles—namely, that everyone is entitled to be considered innocent unless proven otherwise; that no person should be arbitrarily detained without charge; and, importantly in the context of heightened anxiety about terrorism, that the scope of laws like sedition should not be so expanded as to open up the Pandora’s box of possibilities as to whom such laws should be applied.

In a letter to the Prime Minister released today, the president of the Law Council of Australia writes:

Australia’s legal profession is united ... in opposition to your government’s proposed legislation.

He goes on to say:

The legislation offends our traditional rights and freedoms.

In the case of the sedition clauses, 10 days ago I sought legal opinion on the likely impact the antiterrorism bill would have on the free expression of opinion, especially in relation to creative and artistic expression. Senior Counsel Peter Gray found:

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Australians involved in creative or artistic fields seem to me to be particularly vulnerable to the risk of prosecution under the regime to be introduced by the bill.

Concerns about the scope of the sedition clauses have subsequently been widely expressed by other legal experts, so why enact these laws now? If the intention is to contain hateful, inflammatory language intended to create violence amongst racial and religious groups, then clearly-worded laws which deal specifically with that matter should be drafted and considered. Labor have made proposals to that effect. But that has not happened. Instead, we have a mishmash of offences, with strictly limited defences, which have the effect of drawing into their clutches writers, painters, poets, peaceful protesters, journalists and more.

These people, along with their fellow citizens, are the ones most affected by bad laws of this kind. The shining light of their democratic and creative impulse should not be darkened by the possibility, however remote, that they may be committing sedition when in fact they are merely exercising the very rights we need to protect in times such as these. These sedition laws should be withdrawn now.

**La Trobe Electorate: St Marks**

Mr WOOD (La Trobe) (10.45 pm)—I rise today to highlight the role of an integral community group in the electorate of La Trobe. I had the privilege of visiting St Marks in Emerald on Sunday, 30 October and attending a service dedicated to local emergency services, including Emerald CFA, Emerald State Emergency Service, Clematis and Macesfield CFAs and the Emerald Ambulance Service. St Marks, Emerald, has dedicated its mission to also providing assistance to our local community. Through the Linkz program, ECHO Youth Ministries—which has celebrated its 16th anniversary—and Pathways Counselling, its contribution to the Emerald community has been fantastic.

During the 1860s, Church of England services were being held on private properties in Emerald. By the turn of the century, CH Nash, the vicar of St Columbs, Hawthorn, would travel throughout settlements in the hills, establishing churches. As a result of his great work and the arrival of Puffing Billy, St Marks, Emerald, moved ahead. The building was opened in 1906 and was immediately burnt down in bushfires. The second church was built the following year. Following rapid growth in the ministry and membership of St Marks, the church building was extended in 1982, 1990 and 1998.

Today St Marks has a staff of 12 and serves the people of the district through some 70 ministries or activities. St Marks offers a wide range of activities for numerous sections of the community—from the two-year-old Sparklers up to year 6 programs. The youth programs offer Explode for years 7 to 9 and On the Hill for years 10 to 12, providing young people with the opportunity to socialise and discuss life’s questions in a safe environment. School programs are tied in with Emerald Secondary College and offer kids the opportunity to discuss life issues. The Linkz program, as I mentioned, is a great connection between Emerald Secondary College and ECHO Inc Youth Ministries, which seeks to enhance the potential of young people by connecting students and schools with people from the local community. ECHO Inc Youth Ministries provides an important outreach and mentoring service to local youth and it builds leadership skills. Selected students meet with a mentor for six months and together they complete a project.

St Marks also provides support for adults through growth seminars and counselling through Pathways Counselling. Pathways
Counselling sees the counsellor’s role as one of working with the client to establish both the goals and the task of the counselling process and of working together as a team to achieve these goals. Those who make St Marks such a success include Peter Crawford, Senior Pastor at St Marks; Pastor Craig Ogden; Megan Rayment and Jeff Roma, who handle the children’s ministry; Wayne Collins, Youth Pastor and ECHO director; Rhiannon Dowding, Youth Pastor; Brendan Smith, High School Outreach Pastor; Ben Mitchell, High School Pastor; and Peter Whitwood, Young Adult Pastor.

Most involved with St Marks are volunteers—and I do make that point. I am committed to supporting the important work of these local volunteers. Volunteering is about people working with people to create stronger communities, and St Marks is a fantastic leader. It develops skills that help the local area. When there is a local tragedy in Emerald, St Marks is always there. It has been a great privilege for me to get to know those at St Marks. They have been very open. They have been fantastic ambassadors for the area, in particular helping young people.

St Marks has impressed me very much with the way it has realised that young people in Emerald do not have opportunities that others have. Public transport in Emerald lacks a bus service. Rather than have locals leaving the area, St Marks creates fantastic areas to keep them locally. That is so important for any community where services, such as public transport, may be missing. I also realise that St Marks offers great counselling services to young adults, and I wish to mention how many lives they have enriched.

(Time expired)

Mr LAURIE FERGUSON (Reid) (10.50 pm)—Earlier this year, US President George Bush utilised a US Senate recess to appoint John Bolton as the United States Ambassador to the United Nations. This occurred despite the fact that the Republican Party has a firm majority in the Senate, which says something about the controversy of the appointment. Mr Bolton was soon to justify the public’s and Senate’s concerns about his appointment to that UN role by making hundreds of deletions and insertions to the UN’s millennium goals document. Amongst those changes was his opposition to pharmaceutical companies, on a grant basis, making anti-retroviral drugs affordable to Africans. He also extensively deleted a section that said the world should recognise that climate change is a serious and long-term challenge that has the potential to affect every part of the world. Another deletion from that intended document—which had taken months to prepare, with the US suggestions of deletions and inclusions coming at five minutes to midnight—was of a phrase that said:

We welcome the establishment of timetables by many developed countries to achieve the target of 0.7% of gross national product for official development assistance by no longer than 2015.

Finally—I should not say finally, as there were hundreds, but this is the final one I will cite—there was the deletion of a phrase that said that the world would:

... remain concerned ... by the slow and uneven implementation of the internationally agreed development goals, including the Millennium development goals ...

So we have the situation where, in a US Senate recess, a very controversial appointment was made to the UN of a man who would have been rejected by the US Senate and who soon shocked even the US state department and Condoleezza Rice by the extremism of his deletions and insertions of provisions.

Very soon afterwards he reiterated for the fourth year in a row the United States ad-
ministration’s decision not to release $34 million appropriated by congress for UNFPA and its birth restriction efforts in China. The ground for this has been—and we know of the difficulties in China that go with China’s birth policies—the allegation that the UNFPA, a respected international agency of the UN, was involved with the Chinese government in enforced sterilisation, enforced abortions et cetera. The persistence of the US in refusing to hand this money over was in contrast to the outcomes of an inquiry instigated by the US itself which claimed that the assessment team that went to China sponsored by the US administration found no evidence that the UNFPA supports coercive abortions or sterilisations.

This situation was in contrast to the reality on the ground, where the UNFPA has in fact been very active in encouraging women to have the final say, increased choice and accessibility to quality voluntary family planning. The US is essentially burying its head in the sand in relation to the realities of the world. The UNFPA has recently come out with a further report calling for greater rights for women as a major move towards the end of poverty. Thoraya Ahmed Obaid, in launching a report recently, stated:

I am here today to say that world leaders will not make poverty history until they make gender discrimination history.

She pointed out that each year about 76 million women become pregnant unintentionally because they do not have access to contraception. There are some 19 million abortions every year, many of which are carried out unsafely in backstreet clinics and sometimes lead to disability and death. Some 600 million women are illiterate compared with 320 million men. Today’s population stands at almost 6½ billion and, if things continue as they are, will rise to 9.1 billion in 2050. It was also pointed out in that report that in developing countries rural women are responsible for 60 to 80 per cent of food production, but many governments will not allow a woman to own or sell land without her husband's permission. Importantly, she made the point in the release of that program:

Many leaders call for free trade to spur economic growth ... It is time to call for action to free women of the discrimination, violence and poor health that they face in their daily lives.

The situation is of extreme concern internationally. The United States, the wealthiest country on this earth, devotes only 0.16 per cent of GDP towards foreign aid. It was said by Jeffrey Sachs, Director of the Earth Institute at Columbia University:

The most important follow-through is getting the US on board. The EU has announced a timetable to reach 0.7% of GNP by 2015, with an interim target of 0.56% of GNP by 2010. (Time expired)

**Sport**

Mr JOHNSON (Ryan) (10.55 pm)—Ryan residents are great lovers of sport, be it cricket down the park with friends and family, netball on the weekend for the girls or a game of touch football for both the guys and the girls, for that matter. Australians cherish the great outdoors and the beautiful environment we have in this country. Sport indeed has a special place in Australian society and culture. Sport is a force for good in our local communities. It is a social good bringing together families and strangers alike.

Of course sport today is also big business, worth billions of dollars and employing tens of thousands of people directly and indirectly. Sport creates millionaires and celebrities in the blink of an eye. But more important to me and to the people of Ryan, who I have the great pleasure of representing in this parliament, is the place of sport in the heart and soul of the Ryan community. From Brookfield to The Gap, sporting clubs and teams thrive and reflect the very best of our
young people. From Anstead to Taringa, I am pleased to continue my support for all local Ryan schools and sporting teams that exist.

Whilst I am on the subject of sport generally, I believe that sport is something that can have a very positive impact on the health and wellbeing of our children. Take, for instance, the problem of obesity. We all know that obesity is a major health problem in today’s society. We all know that, if we do not address the problem, it will become a crisis greater than it is today. The price that Australian society and future taxpayers will have to pay to bring it under control will be something truly beyond our imagination. Sport might well be one pathway for us to invest in the prevention and reduction of obesity in all Australians, in particular in children. This may be a way for us to reduce it, in particular in the children that I have particular concern for in my electorate of Ryan. Therefore, I would certainly encourage the federal government to play a greater role in appreciating the capacity for local sport in our communities and our electorates to have an effective impact on both preventing and reducing obesity, as well as the capacity to be a force for social good in our communities, as I have alluded to.

I want to conclude my remarks this evening by taking the opportunity in the parliament to wish the Australian Socceroos all the best in their match against Uruguay on 12 November before returning to Sydney for the return game on 16 November. I want to thank the handful of Ryan residents who have taken the time to call me to ask me to make a particular point of wishing the Socceroos well in their travels to Uruguay. Australian soccer has certainly had its fair share of trouble in recent times, but I am confident it now has a big future in this country following the reforms that have been implemented. Who knows? One day Australia might host a future soccer World Cup—maybe in the year 2018, when I think it is next due in the Asia-Pacific region—to add to the two great Olympic Games this country has hosted and our two Rugby World Cups, in 1987 and only recently in 2003.

While I have a couple of minutes left in my presentation this evening, I might take the opportunity to comment very briefly on a Sunday Mail article of 6 November 2005. The article referred to the so-called bombshell news that the ARU was likely to vote in support of the Japan Rugby Football Union’s bid to host the 2011 Rugby World Cup. If that is a bombshell story then I certainly want to take the opportunity in the Australian parliament to express my full support for the prospect that Japan might successfully bid for the right to host the 2011 Rugby World Cup. I do not know why it would be seen to be a bombshell, but I certainly know that the residents of Ryan and many constituents in the Ryan electorate are great lovers of rugby. I am sure they would want to see the game they love spread and prosper to all corners of the world, including within the Asia-Pacific region and in this case Japan.

I do hope very much that the fact that the ARU has a relationship with South Africa and New Zealand does not prohibit or discourage the two ARU delegates from supporting Japan’s bid to host the 2011 Rugby World Cup. So in the parliament tonight I wish to place on record formally my support for Japan to host the 2011 Rugby World Cup. Japan absolutely deserves to host this fabulous tournament. Who could forget the way they played in Australia during the last World Cup? Make no mistake about it: just as sport and rugby are loved in this country and in the Ryan electorate, sport and rugby are loved in Japan. I am sure that all lovers of sport in this country would wish them well. (Time expired)

House adjourned at 11.01 pm
NOTICES

The following notices were given:

Mr Bowen to move:
That this House:
(1) notes that petrol prices in Australia remain at historically high levels, with the average price of petrol in Sydney at $1.19 a litre with prices in rural and regional areas being even higher;
(2) particularly recognises the implications of exorbitant fuel prices for small businesses and family budgets; and
(3) calls on the Government to direct the Australian Competition and Consumer Commission to formally monitor prices under Part VIIA of the Trade Practices Act 1974.

Mr Katter to move:
That this House resolves to accept the principle that the primary qualifying criteria for the Australian Defence Medal specify two years effective service, instead of six years, in line with the recommendation of the Returned and Services League of Australia.

Mr Fawcett to move:
That this House:
(1) express its deep sorrow and its condolences to the Government of the Republic of Indonesia and to the families who have been directly affected by the killings of the three Indonesian girls that occurred last Saturday, 29 October 2005, in Poso, Central Sulawesi, Indonesia;
(2) strongly condemns the beheadings of the three Christian girls, students in Poso, which it considers as an act of brutality, terror, and a serious abuse of human rights, in that the fundamental human rights are the rights to life and religious freedom, which are guaranteed under the Indonesian Constitution;
(3) welcomes steps by the Government of Indonesia to investigate the incident and its efforts to stop the climate of violence and to bring those responsible for this act of terror to justice; and
(4) conveys to the Government and people of Indonesia that the Australian Government remains committed to peace and reconciliation in Indonesia, and to enhancing mutual understanding and cooperation among peoples of Indonesia and Australia.

Mr Beazley to move:
That this House:
(1) notes that the Howard Government has now spent over $50 million on a party political advertising campaign in an attempt to sell its extreme industrial relations changes;
(2) notes that the Howard Government intends to guillotine its extreme industrial relations legislation through the House of Representatives to limit debate on the 600 page bill and 600 page Explanatory Memorandum;
(3) notes that the Howard Government intends to set up a sham Senate inquiry into its extreme industrial relations legislation to further limit public scrutiny of the bill and its adverse impact on Australian workers and their families; and
(4) calls on the Prime Minister to agree to a televised national debate with the Leader of the Opposition to ensure the Australian community has a full appreciation of the adverse impact these draconian laws will have on their working lives.
QUESTIONS IN WRITING

Recruitment Agencies
(Question No. 1118)

Mr Bowen asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 10 May 2005:

(1) What sum was spent on recruitment agencies in (a) 2001, (b) 2002, (c) 2003, and (d) 2004 by each department and agency in the Minister’s portfolio.

(2) Will the Minister provide a list of the recruitment agencies which are used by the department and agencies in the Minister’s portfolio.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(1) and (2) The details of recruitment agencies used by the Department of Communications, Information Technology and the Arts is as follows:

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### The details of recruitment agencies used by portfolio agencies is in the following table:

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<td>National Gallery of Australia</td>
<td>$252,624</td>
<td>$35,538</td>
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<td>National Archives of Australia</td>
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<td>$6,617,361</td>
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<td>Australian National Maritime Museum</td>
<td>$4,327</td>
<td>$8,111</td>
<td>$10,214</td>
<td>$17,742</td>
<td>Select Australasia Pty Ltd</td>
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<td>Bronwyn Rodden</td>
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<td>(Please note that the Archives use</td>
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<td>a high number of staff sourced</td>
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<td>Coopers Recruitment</td>
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<td>through recruitment agencies</td>
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<td>working on preservation</td>
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<td>PCA (Professional Careers Australia)</td>
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QUESTIONS IN WRITING
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<tr>
<th>Name of Agency</th>
<th>Sum spent in 2001</th>
<th>Sum spent in 2002</th>
<th>Sum spent in 2003</th>
<th>Sum spent in 2004</th>
<th>Agencies used</th>
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<tr>
<td>National Library of Australia</td>
<td>$262,233</td>
<td>$224,056</td>
<td>$134,006</td>
<td>$224,626</td>
<td>Manpower</td>
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<td>Smalls Recruiting</td>
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<td>Informed Sources Pty Ltd</td>
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<td>Westaff (Australia) Pty Ltd</td>
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<td>Allstaff Australia Pty Ltd</td>
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<td>Catalyst Recruitment Systems Pty Ltd</td>
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<td>Direct Contracts Pty Ltd</td>
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<td>The Public Affairs Recruitment Company</td>
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<td>Humanagement Personnel Consulting Pty Ltd</td>
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<td>Staff and Executive Resources Pty Ltd</td>
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<td>Seek Communications</td>
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<td>Badsoar Pty Ltd</td>
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<td>The Association for Payroll Specialists</td>
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<td>Julia Ross Recruitment Pty Ltd</td>
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<td>The One Umbrella</td>
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<td>Michael Page International (Australia) Pty Ltd</td>
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<td>Now Recruitment Unit Trust</td>
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<td>Zenith Management Services Group Pty Ltd</td>
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<td>Acom Professional Pty Ltd</td>
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<td>The Publicity Agency</td>
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<td>The Trustee for the Jones and Koller Trust</td>
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<td>Hudson Global Resources (Australia) Pty Ltd</td>
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<td>Hays Accountancy Personnel</td>
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<tr>
<td>Australian Sports Drug Agency</td>
<td>$36,385</td>
<td>$7,762</td>
<td>$16,390</td>
<td>$7,045</td>
<td>ASDA utilises recruitment agencies based on what type of</td>
</tr>
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<td>position is being recruited.</td>
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<td>Recruitment agencies utilised from 2001-2004 were: Sports-</td>
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<td>people. Tailored HR Solutions, Value Edge Consulting and the</td>
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<td>Empower Group. In 2005,</td>
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QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>Name of Agency</th>
<th>Sum spent in 2001</th>
<th>Sum spent in 2002</th>
<th>Sum spent in 2003</th>
<th>Sum spent in 2004</th>
<th>Agencies used</th>
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<tbody>
<tr>
<td>Australian Sports Commission</td>
<td>$22,488</td>
<td>$130,447</td>
<td>$11,692</td>
<td>$72,386</td>
<td>ASDA has also utilised Hudson, Sports Employment Australia Pty Ltd Manpower Interim HR Solutions Staffing and Office Solutions Hays Recruitment Candle Recruitment Green and Green Spherion Wizard</td>
</tr>
<tr>
<td>Australian Broadcasting Corporation</td>
<td>$382,400</td>
<td>$409,700</td>
<td>$134,600</td>
<td>$317,100</td>
<td>Avant Personnel Boyden International Crown Executive Search Eurolink Global Eurolink Consulting Futures Recruitment Futurestep (Australia) Pty Ltd Hansen and Season Hays Montrose Hays Personnel Services (Australia) Pty Ltd Hender Consulting Igate Australia Pty Ltd J Curve Jones and Koller Pty Ltd Ross Human Directions Limited RSP Group Pty Ltd Spherion Recruitment Solutions Pty Ltd Staff Quest The Insight Group The Next Step Recruitment Company Pty Ltd</td>
</tr>
<tr>
<td>Special Broadcasting Service</td>
<td>nil</td>
<td>$2,310</td>
<td>$17,206</td>
<td>$63,849</td>
<td>The Publicity Agency Hays Personnel Services Select Australasia Crown Executive Search Accountancy Options ADECCO Catalyst Recruitment Chandler Recruitment Chandler MacLeod Group Drake International Forstaff Select Australia Skilled Engineering and Sure Personnel</td>
</tr>
<tr>
<td>Australia Post</td>
<td>$44,700,000</td>
<td>$34,500,000</td>
<td>$36,500,000</td>
<td>$39,200,000</td>
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</tr>
</tbody>
</table>
### Name of Agency | Sum spent in 2001 | Sum spent in 2002 | Sum spent in 2003 | Sum spent in 2004 | Agencies used
--- | --- | --- | --- | --- | ---
Telstra | $10,213,000 | $8,349,000 | $9,573,000 | $12,230,000 | Willis Management Consultants  
Michael Page International  
Lyncroft (Slade Group)  
Hamilton James and Bruce  
Carmichael Fisher  
Australian Personnel  
DPF Recruitment Services  
Julia Ross Recruitment/First Water Executive  
Kelly Services  
Skilled  
Diversiti  
Hudson Global Resources  
Robert Walters  
Hamilton James and Bruce  
KPMG  
Link Recruitment  
Robert Walters  
Hudson Global Resources.

### Airports: Passenger Movements  
(Question No. 1414)

**Mr Martin Ferguson** asked the Minister for Transport and Regional Services, in writing, on 24 May 2005:

1. Can he confirm that Yulara and Maroochydore Airports have reached the scheduled figure of 350,000 passenger movements per annum; if so, have Aviation Rescue and Fire Fighting Services been introduced at these airports and, if they have not, why not.

2. When did regular passenger movements by Jetstar commence at Avalon Airport and what have been the passenger movements for each calendar month at Avalon Airport since the commencement of the Jetstar service.

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

1. Yes


Data is collected from airlines operating in Australia by the Bureau of Transport and Regional Economics (BTRE) under Air Navigation Regulation 12. The Air Navigation Regulation requires that information detailing the operations of individual operators be treated as confidential unless consent is given by the operator to release such information.

A request was made by BTRE to Qantas seeking consent to release the requested information. Qantas has responded that it does not consent to this airline-specific information being released because it is commercial-in-confidence.
Media and Communications Officers  
(Question No. 1433)

Mr Bowen asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 24 May 2005:

(1) How many media and communications officers are employed in the Minister’s department.
(2) How many media and communications officers were employed in the Minister’s department in 1996.
(3) What sum was allocated to the media and communications unit in 1996-1997, (b) 2004-2005, and (c) 2005-2006.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(1) There are 21 media and communications officers employed in the Department of Communications, Information Technology and the Arts. This includes 10 officers at Old Parliament House, the National Portrait Gallery, Artbank and the M2006 Taskforce.
(2) Unable to respond. Details of position by organisational unit in 1996 are not held in the Department’s current human resources system.
(3) (a) Unable to respond. In accordance with the Archives Act 1983 and the Administrative Functions Disposal Authority, accounting records were destroyed after seven years.
(b) In 2004-2005 the total budget (including staff and administrative costs) of the Corporate Media and Communications Unit was approximately $1.48 million. The budget for the specialist areas of Old Parliament House, the National Portrait Gallery, Artbank and the M2006 Taskforce was approximately $1.53 million.
(c) In 2005-2006 the total budget (including staff and administrative costs) of the Corporate Media and Communications Unit is approximately $1.51 million. The budget for the specialist areas of Old Parliament House, the National Portrait Gallery, Artbank and the M2006 Taskforce is approximately $2.2 million.

Airport Firefighting Arrangements  
(Question No. 1918)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, in writing, on 9 August 2005:

Further to the answer to question No. 62, (a) what was the nature of the low cost service suggested by AirServices to the operator of (i) Bankstown, (ii) Moorabbin, (iii) Archerfield, and (iv) Jandakot Airport and (b) did AirServices or his department recommend the introduction of this service as a result of the fatal accident at Bankstown Airport on 11 November 2003.

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

(a) The nature of the low cost service suggested by Airservices Australia was to work with airports and the Civil Aviation Safety Authority (CASA) to examine the potential to develop a low cost minimal service for Aviation Rescue and Fire Fighting Services (ARFFS) for airports that are below the requirements for ICAO/CASA compliant ARFF services. The concept envisaged was that the service would utilise technical advances in extinguishing agents that would allow the use of small, fast response fire vehicles.
(b) There was no formal recommendation by either Airservices Australia or my Department. The proposal was developed by Airservices Australia for consideration of operators of general aviation aerodrome procedures (GAAP) airports.
Adelaide Airport
(Question No. 1986)

Mr Georganas asked the Minister for Transport and Regional Services, in writing, on 10 August 2005:
(1) Can he explain why a fine was not imposed for the breach of the airport curfew at Adelaide Airport on 9 February 2005 by a Kalitta Air cargo jet.
(2) Can he say whether the Commonwealth Director of Public Prosecutions (DPP) determined that there was a case to answer regarding the breach of the curfew.
(3) Can he say whether the DPP determined that the costs of recovery would exceed the amount of the fine which could be imposed for the breach.
(4) Will he ask the DPP to review the decision and with a view to prosecuting so that airline operators take the curfew seriously.
(5) What will he do to ensure that the offenders are fined when breaches of the curfew occur in the future.

Mr Truss—The answer to the honourable member’s question is as follows:
(1) A fine can only be imposed pursuant to section 6 of the Adelaide Airport Curfew Act 2000 (the Act) following the successful prosecution of the operator of an aircraft for a breach of that section.
(2) The DPP has thoroughly reviewed all of the information provided in relation to this incident and has determined in accordance with the Prosecution Policy of the Commonwealth that there was an insufficient basis to proceed to prosecute the matter. Barriers seen by the DPP to successful prosecution include the adequacy of evidence and difficulties in effecting service on Kalitta Air, which has no corporate address in Australia.
(3) The costs of recovery were not a factor in the DPP’s decision. I note that the maximum penalty for a breach of the curfew by a corporation under the Act is $110,000.
(4) The DPP of its own volition has already undertaken a thorough review of the matter. The DPP has advised my Department that its decision is unchanged but that it is prepared to consider the matter further if the evidentiary problems can be overcome. The Department is continuing to work on this.
(5) My Department has an established protocol for dealing with alleged breaches of the curfew. After investigation of the alleged breach, if the outcome of an investigation warrants, my Department will submit a brief of evidence to the DPP. It then becomes a matter for the DPP within the ambit of the Prosecution Policy of the Commonwealth whether or not to launch a prosecution. I have also asked the Department to look at what action can be taken to improve the basis for enforcement action and prevent such actions in the future.

Consultancy Services
(Question No. 1992)

Mr Bowen asked the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs, in writing, on 10 August 2005:
Did the Minister’s department engage Crowne Plaza Alice Springs to provide services related to management consulting at a cost of $44,000 between 7 and 20 July 2005; if so, what services were provided under the terms of this contract.

Mr John Cobb—The Minister for Immigration and Multicultural and Indigenous Affairs has provided the following answer to the honourable member’s question:
Crowne Plaza Alice Springs was not engaged to provide services related to management consulting at a cost of $44,000 between 7 and 20 July 2005. However Crowne Plaza Alice Springs was engaged to...
provide conference facilities, equipment and catering as well as accommodation at a cost of $26,445.67 for the Office of the Registrar of Aboriginal Corporations’ (ORAC) Induction of its National Panel of Consultants which was held on 26 and 27 July 2005.

ORAC’s National Panel of Consultants was established through a tender process (RFT 04/05) and comprises 61 entities of professional service providers to assist ORAC in performing its statutory functions and providing related services such as regulation and incorporation services, and accredited and non-accredited governance training to Indigenous Corporations.

Ninety three delegates representing the entities on the Panel attended the Induction conference. The purpose of which was to ensure that panellists would perform services in a manner that responds to the special challenges of working with Indigenous corporations today. Tenderers were advised as part of the RFT that inability to attend the Inductions conference would affect the volume and type of work offered where a successful tenderer did not attend.

**Commonwealth Property**

(Question No. 1999)

Mr Bowen asked the Minister for Health and Ageing, in writing, on 10 August 2005:

1. What is the name and address of each vacant property under the control of the department and each agency in the Minister’s portfolio (i.e. properties not actively used by the agency and not leased out).
2. In respect of each vacant property, (a) why is it not being actively used and (b) what action plans are in place to have it actively used.

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

1. There is no vacant property under the control of the department or portfolio agencies.
2. Not applicable.

**Regional Partnerships**

(Question No. 2051)

Mr Jenkins asked the Minister for Transport and Regional Services, in writing, on 16 August 2005:

1. How many applications for funding under the Regional Partnerships Program, or its predecessor, were submitted from the electoral division of Scullin for 2004-2005 and what are the details of each application.
2. How many applications submitted for funding under the Regional Partnerships Program, submitted from the electoral division of Scullin, are awaiting determination, and what are the details of each application.
3. What are the details of the grants applied for and received under the Regional Partnerships Program or its predecessor in the electoral division of Scullin for 2004-2005.
4. How many applications under the Regional Partnerships Program, or its predecessor, were approved in the electoral division of Scullin for 2004-2005, and, in respect of each project, (a) what date was it approved, (b) what date did the Area Consultative Committee recommend funding, (c) which Regional Partnerships eligibility criteria did it satisfy, (d) what are the expected employment outcomes, (e) what sum was contributed by the applicant, (f) when did it satisfy due diligence requirements, and (g) what supporting documentation was supplied with the application.

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

1. 2 Applications received under Regional Partnerships for 2004-2005. See Table 1.
(2) As at 31 August 2005, one application is awaiting determination. See Table 1.
(3) See Table 1.
(4) (a) – (g) See Table 1
<table>
<thead>
<tr>
<th>Organisation Name</th>
<th>Project</th>
<th>Electorate</th>
<th>Date ACC Recommendation</th>
<th>Date of Due Diligence</th>
<th>Date Approved</th>
<th>Criteria Satisfied</th>
<th>Anticipated Employment Outcomes</th>
<th>Documentaion</th>
<th>Total Applicant Contribution (GST inc)</th>
<th>Total Funding (GST included)</th>
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<tbody>
<tr>
<td>RMIT University (Community and Regional Partnerships)</td>
<td>Building Opportunities in Low Income Communities</td>
<td>*Scullin Under Assessment</td>
<td>14/07/2004</td>
<td>04/08/2004</td>
<td>24/08/2004</td>
<td>strengthening growth and opportunities</td>
<td>Not specified</td>
<td>Application</td>
<td>$22,503</td>
<td>$99,002</td>
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*Based on electorate boundaries at time application was made.

#The Department is unable to provide potentially sensitive information of projects currently under assessment without the prior consent of the applicant, the result of the assessment is yet to be determined; placing this information on the public record may prejudice further attempts by the applicant to obtain financial support from other public or private sources.
Medicare Private
(Question No. 2105)

Mr Bowen asked the Minister for Health and Ageing, in writing, on 17 August 2005:
(1) How many scoping studies has the Minister’s department conducted into the proposed privitisation of Medibank Private.
(2) When was each study undertaken.
(3) Was any study conducted by an external consultant; if so, (a) who, (b) what recruitment or tendering process did the department undertake to obtain the consultant’s services, and (c) what sum was the consultant paid to complete the study.

Mr Abbott—The answer to the honourable member’s question is as follows:
(1) None. The scoping study into the proposed privitisation of Medibank Private was conducted by the Department of Finance and Administration.
(2) Not applicable.
(3) Not applicable.

Transport and Regional Services: Leasing of Office Space
(Question No. 2238)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, in writing, on 5 September 2005:
(1) At which locations does the department and the agencies in his portfolio lease office space, what area is leased, and what is the cost per square metre.
(2) Has his department analysed the claimed market rate of $450 per square metre for space at Sydney International Airport; if so, is it comparable to the market rate for similar space in the immediate airport precinct.

Mr Truss—The answer to the honourable member’s question is as follows:
(1) Areas occupied and rent per square metre are provided in the following table.

<table>
<thead>
<tr>
<th>Location</th>
<th>Area leased (m²)</th>
<th>Rate per m²</th>
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<tbody>
<tr>
<td>Canberra 111 Aリングa Street</td>
<td>14,795</td>
<td>$334.80</td>
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<td>Canberra 111 Aリングa Street</td>
<td>210</td>
<td>$395.00</td>
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<tr>
<td>Canberra 15 Mort Street</td>
<td>3,697</td>
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<td>Canberra 4 Mort Street</td>
<td>3,383</td>
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<td>Canberra House Level 2</td>
<td>1,909</td>
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<td>NRMA House</td>
<td>1,456</td>
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<tr>
<td>13-15 Huddart Court Mitchell Canberra</td>
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<td>$63.00</td>
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<tr>
<td>Newcastle 24 Beaumont Street</td>
<td>303</td>
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<td>Orange 60-62 McNamaara Street</td>
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<tr>
<td>Rosebery 1-15 Rosebery Ave</td>
<td>273</td>
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<tr>
<td>Rosebery 1-15 Rosebery Ave</td>
<td>264</td>
<td>$206.98</td>
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<tr>
<td>Wollongong 87-89 Market St</td>
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<td>$254.62</td>
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<tr>
<td>Darwin TCG Centre</td>
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<td>Brisbane 340 Adelaide Street</td>
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<tr>
<td>Brisbane Airport Freight Ctr</td>
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<td>Townsville 155 Hugh Street</td>
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<td>Adelaide 55 Currie Street</td>
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<tr>
<td>Location</td>
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<td>Rate per m²</td>
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<tr>
<td>Adelaide 55 Currie Street</td>
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<td>Hobart 22 Elizabeth Street</td>
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<td>Bendigo 52 Mitchell Street</td>
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<tr>
<td>Melbourne Casselden Place Level 9</td>
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<tr>
<td>Melbourne Casselden Place Level 8</td>
<td>250</td>
<td>$330.00</td>
</tr>
<tr>
<td>Melbourne Tullamarine Airport</td>
<td>116</td>
<td>$249.52</td>
</tr>
<tr>
<td>277 Great Eastern Hwy Belmont Perth</td>
<td>126</td>
<td>$135.00</td>
</tr>
<tr>
<td>Perth Chancery House</td>
<td>902</td>
<td>$208.00</td>
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<tr>
<td>Perth Airport</td>
<td>95</td>
<td>$280.00</td>
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**Airservices Australia**

<table>
<thead>
<tr>
<th>Location</th>
<th>Area leased (m²)</th>
<th>Rate per m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brindabella Park Canberra Airport</td>
<td>853</td>
<td>$341.50</td>
</tr>
<tr>
<td>Allan Woods Building Canberra City</td>
<td>12,518</td>
<td>$305.00</td>
</tr>
<tr>
<td>20 Allara Street Canberra City</td>
<td>482</td>
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<tr>
<td>Brisbane Airport Fire Station</td>
<td>353</td>
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<tr>
<td>Brisbane Airport Fire Station</td>
<td>600</td>
<td>$152.00</td>
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**Australian Maritime Safety Authority**

<table>
<thead>
<tr>
<th>Location</th>
<th>Area leased (m²)</th>
<th>Rate per m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Brisbane</td>
<td>197</td>
<td>$307</td>
</tr>
<tr>
<td>Cairns</td>
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</tr>
<tr>
<td>Canberra</td>
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<tr>
<td>Darwin</td>
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<tr>
<td>Devonport</td>
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<td>$147</td>
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<tr>
<td>Fremantle</td>
<td>390</td>
<td>$158</td>
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<tr>
<td>Gladstone</td>
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<tr>
<td>Karratha</td>
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<td>$239</td>
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<tr>
<td>Mackay</td>
<td>33</td>
<td>$312</td>
</tr>
<tr>
<td>Melbourne</td>
<td>227</td>
<td>$307</td>
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<tr>
<td>Newcastle</td>
<td>124</td>
<td>$225</td>
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<tr>
<td>Port Kembla</td>
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<td>$152</td>
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<tr>
<td>Sydney</td>
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<td>$416</td>
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**National Capital Authority (NCA)**

<table>
<thead>
<tr>
<th>Location</th>
<th>Area leased (m²)</th>
<th>Rate per m²</th>
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</thead>
<tbody>
<tr>
<td>Canberra, Treasury building</td>
<td>2253</td>
<td>$330</td>
</tr>
<tr>
<td>Canberra, Treasury building (Basement storage space)</td>
<td>108</td>
<td>$90</td>
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</table>

**Civil Aviation Safety Authority (CASA)**

<table>
<thead>
<tr>
<th>Location</th>
<th>Area leased (m²)</th>
<th>Rate per m²</th>
</tr>
</thead>
<tbody>
<tr>
<td>Canberra, CASA Building</td>
<td>6237</td>
<td>$312.00</td>
</tr>
<tr>
<td>Canberra, Level 2 &amp; 3 Novell House</td>
<td>1662</td>
<td>$288.40</td>
</tr>
<tr>
<td>Canberra, Level 5 Novell House</td>
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<tr>
<td>Canberra, Level 2 Sverdrup House</td>
<td>1085</td>
<td>$320.00</td>
</tr>
</tbody>
</table>
(2) The Department has not done an analysis of the claimed market rent of $450 per square metre for
space at Sydney Airport.

Breast Cancer

(Question No. 2324)

Mr Murphy asked the Minister for Health and Ageing, in writing, on 7 September 2005:

(1) What is his department’s analysis of the Breast Cancer Prevention Institute’s (BCPI) Fact Sheet
titled ‘Abortion and Breast Cancer re: “collaborative reanalysis of data”’ and, in particular, its as-
sertions that the study published in The Lancet on 25 March 2004 is not reliable because many
studies showing a link between induced abortion and the risk of subsequent breast cancer (ABC
link) were inappropriately excluded.

(2) Has he read the BCPI’s Bulletin titled ‘UNFPA scientists caught!’ dated March 2000.

(3) What is his department’s analysis of the BCPI finding that the 2000 World Health Organization
(WHO) Factsheet issued in June 2000, which states that results from epidemiological studies are
reassuring in that they show no consistent effect of first trimester induced abortion upon a woman’s
risk of breast cancer later in life, is discredited because: (a) the data upon which the conclusions are
based are unreliable and have subsequently been shown to have been tampered with before conclu-
sions were made; (b) the WHO Group used improper statistical methods; (c) the WHO Group has
produced misleading results; and (d) the prominent epidemiologist Olav Meirik of the
UNDP/UNFPA/WHO/World Bank Special Programme of Research, Development and Research
Training Human Reproduction in Geneva, was exposed in 1998 for publishing false findings in the
relationship between abortion and breast cancer in 1990.

(4) Will he direct his department to review its advice to indicate that there is a scientifically established
causal link between abortion and the subsequent risk of breast cancer.

(5) Will he call upon BreastScreen Australia and Assessment Services to undertake a study of the pos-
sible relationship between reproductive history and breast cancer to test the findings of the BCPI
2004 Fact Sheet and the March 2000 BCPI Bulletin; if so, when; if not, why not.

(6) Will he implement an Australian Government accreditation process for counselling women who are
considering the termination of a pregnancy which includes information on the ABC link; if so, when; if not, why not.

QUESTIONS IN WRITING
**Mr Abbott**—The answer to the honourable member’s question is as follows:

1. My department has advised that the BCPI Fact Sheet is a non-peer reviewed publication which adds to, but does not resolve, the continuing debate within scientific circles about the evidence for a link between abortion and breast cancer. The department has noted that the Lancet paper that is the subject of the BCPI critique was the result of collaborative work by a group of eminent researchers in the field, whose epidemiological methodology has been subjected to a peer review process.

2. I have been provided with a copy of the article.

3. My department has advised that it has been unable to substantiate the claim in the BCPI Bulletin that the position taken by the World Health Organization (WHO) in its Fact Sheet issued in June 2000 has been discredited. WHO bases its public information on the best available evidence, which it keeps under review. Since 2000, WHO has not altered its position that studies show no consistent effect of first trimester induced abortion upon a woman’s risk of breast cancer later in life. The WHO position is in keeping with other bodies which also keep the evidence under review.

4. There is insufficient evidence to do so.

5. BreastScreen Australia has been established jointly by all Australian governments to provide biennial screening mammography for eligible women. There have been calls in the past to use BreastScreen Australia Screening and Assessment Services to study a possible relationship between reproductive history and breast cancer. These proposals were considered and rejected by the then National Advisory Committee to BreastScreen Australia at its meeting of 1 June 2000.

6. The Department of Health and Ageing does not have a direct role in accrediting counselling services. Standard setting is a matter for professional counselling bodies to address.

**Australia Post: Letterboxes**

(Question No. 2334)

**Mr Jenkins** asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 8 September 2005:

1. How many Australia Post letter boxes have been (a) removed, (b) relocated, and (c) installed in the postcode area (i) 3074, (ii) 3075, (iii) 3076, (iv) 3082, (v) 3083, (vi) 3087, (vii) 3088, (viii) 3089, (ix) 3090, (x) 3091 and (xi) 3752 since January 2002.

2. What criteria does Australia Post use to determine the (a) siting, (b) relocation, and (c) removal of letter boxes.

3. What plans does Australia Post have to (a) install, (b) relocate, and (c) remove letter boxes in the postcode area (i) 3074, (ii) 3075, (iii) 3076, (iv) 3082, (v) 3083, (vi) 3087, (vii) 3088, (viii) 3089, (ix) 3090, (x) 3091 and (xi) 3752.

**Mr McGauran**—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question based on information provided by Australia Post:

1. (a) – (c)

<table>
<thead>
<tr>
<th>Postcode Area</th>
<th>SPBs removed</th>
<th>SPBs relocated</th>
<th>SPBs installed</th>
</tr>
</thead>
<tbody>
<tr>
<td>3074</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>3075</td>
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<td>-</td>
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<tr>
<td>3076</td>
<td>-</td>
<td>1</td>
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<td>3082</td>
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<td>3083</td>
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</tr>
<tr>
<td>3087</td>
<td>-</td>
<td>1</td>
<td>-</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
Australia Post’s street posting boxes (SPB) policy of 2004 sets out the criteria used to determine the siting, relocation, and removal of SPBs. In siting a SPB, the policy states that in capital city metropolitan areas and provincial cities, street posting boxes will be provided at or near all postal outlets (a possible exception being outlets inside shopping centres that are not accessible after hours). In addition, SPBs will be provided in these areas to ensure that residents have access to a lodgement point within 2 kilometres. In rural towns and communities a SPB facility will be provided at or near postal outlets. The policy also states that where a SPB is being considered for possible removal or relocation, a comprehensive consultation process will be undertaken to ensure community views or special needs are taken into account. Australia Post’s SPB policy is published in full on its website www.auspost.com.au.

Australia Post has no current plans to install, relocate or remove SPBs in the 11 postcode areas in question.

National Roads and Motorists Association: Annual General Meeting
(Conference No. 2347)

Ms Bird asked the Treasurer, in writing, on 14 September 2005:

(1) Is he aware of correspondence dated 21 April 2004 from the Australian Securities and Investments Commission (ASIC) Executive Director, Enforcement to Mr Richard Talbot concerning the 2003 Annual General Meeting of the National Roads and Motorists’ Association (NRMA).

(2) Can he say what progress ASIC has made on the concerns raised by Mr Talbot; if not, why not.

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

(1) and (2) In response to the question, my Department sought advice from ASIC regarding the correspondence.

As detailed in media and information release 04-337, the Australian Securities and Investments Commission (ASIC) has completed its enquiries. The Chair of ASIC, Mr Jeffrey Lucy AM, wrote to Mr Talbot on 20 October 2004 and advised him that ASIC had determined that no further action was warranted.

Oil Prices
(Conference No. 2372)

Mr Bowen asked the Treasurer, in writing, on 14 September 2005:

(1) Why do the budget papers not disclose oil price assumptions.

(2) What is the assumed oil price in US$ per barrel for (a) 2005-2006, (b) 2006-2007, (c) 2007-2008, and (d) 2008-2009.

(3) Has the Government revised the assumed oil price for 2005-2006 based on actual prices this financial year; if not, when will the assumptions be revised.

(4) When will the Government publish revised assumptions on the oil price for 2005-2006.

<table>
<thead>
<tr>
<th>Postcode Area</th>
<th>SPBs removed</th>
<th>SPBs relocated</th>
<th>SPBs installed</th>
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<tr>
<td>3090</td>
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<tr>
<td>3091</td>
<td>-</td>
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</tr>
<tr>
<td>3752</td>
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<td>-</td>
<td>1</td>
</tr>
<tr>
<td>Total</td>
<td>-</td>
<td>6</td>
<td>3</td>
</tr>
</tbody>
</table>
(5) What additional revenue above the budget estimates will the Commonwealth receive from the petroleum resource rent tax as a result of higher than anticipated oil prices in 2005-2006.

(6) Within the estimated aggregate GST collections for 2005-2006, what sum was estimated to be collected on (a) petrol and (b) diesel.

(7) What additional GST above the budget estimates will be collected as a result of higher than anticipated oil and petroleum product prices in 2005-2006.

(8) What additional revenue above the budget estimates will the Commonwealth receive from the crude oil levy as a result of higher than anticipated oil prices in 2005-2006.

(9) What sum in GST revenue has been derived from applying the GST to the fuel excise component of (a) petrol and (b) diesel for (i) 2000-2001, (ii) 2001-2002, (iii) 2002-2003, (iv) 2003-2004, and (v) 2004-2005.

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

(1) The Government’s assumption about the oil price is set out on page 3-14 of 2005-06 Budget Paper No. 1.

(2) See answer to (1)

(3) and (4) The Mid-Year Economic and Fiscal Outlook 2005-06 will contain updated information on the oil price assumption.

(5) The Government’s revenue estimates will be updated in the Mid-Year Economic and Fiscal Outlook 2005-06.

(6) Estimates of GST revenue are based on expected movements in the total GST tax base without regard to movements within the GST tax base. While individual components that are subject to the GST are part of this assessment, their contributions to GST revenue are not calculated individually.

(7) See the answer to part (5). In general, increases in expenditure by households on fuel are expected to be offset by reduced expenditure on other goods and services that are subject to the GST.

(8) See the answer to part (5).

(9) See the answer to part (6).

Commonwealth Property
(Question No. 2379)

Mr Bowen asked the Treasurer, in writing, on 15 September 2005:

(1) What properties, or lettable floor areas at partially occupied properties, owned by the Commonwealth and in the possession of the department and each agency in the Minister’s portfolio, are currently not utilised by the department or agency in question, and are not let out.

(2) For how long has each property, or part of a property, identified in part (1) been vacant and why has it been left vacant.

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

Australian Bureau of Statistics

(1) Nil

(2) Not applicable.

Australian Competition & Consumer Commission

(1) Nil

(2) Not applicable.
Australian Office of Financial Management
(1) Nil
(2) Not applicable.

Australian Prudential Regulation Authority
(1) None of the properties which APRA occupies is owned by the Commonwealth. However, part of the ground floor of: 243-251 Northbourne Ave, Lyneham, Canberra is vacant.
(2) The area has been vacant since January 2002 as it is surplus to requirements.

Australian Securities and Investments Commission
(1) Nil
(2) Not applicable.

Australian Taxation Office
(1) The Australian Taxation Office does not occupy any premises owned by the Commonwealth, however, all lettable space that it does lease are fully utilised.
(2) Not applicable

Corporations & Markets Advisory Committee
(1) Nil
(2) Not applicable.

Inspector-General of Taxation
(1) Nil
(2) Not applicable.

National Competition Council
(1) Nil
(2) Not applicable.

Productivity Commission
(1) Nil
(2) Not applicable.

Treasury
(1) Nil
(2) Not applicable.

Petrol Prices
(Question No. 2396)

Mr Murphy asked the Treasurer, in writing, on 15 September 2005:
(1) Can he confirm that motorists pay almost 50 cents tax on every litre of petrol.
(2) Will he remove the GST from petrol; if not, why not.

Mr Costello—The answer to the honourable member’s question is as follows:
(1) and (2) Petrol includes an excise (or customs duty when imported) component. The excise has been fixed since March 2001 when the Government discontinued fuel excise indexation. The goods and services tax (GST) also applies to petrol. The States and Territories receive all GST revenue. Removing the GST from petrol would be a change to the GST base, and would therefore require unanimous State and Territory approval. No request has been received from any State or Territory
to remove the GST from petrol. One State – Queensland – uses part of its revenues to subsidise the cost of fuel by about 8.4 cents per litre. All other States and Territories have the opportunity to follow Queensland and reduce the cost of fuel for consumers.

Liquefied Petroleum Gas
(Question No. 2397)

Mr Murphy asked the Treasurer, in writing, on 15 September 2005:

(1) Has he seen the article titled ‘Motorists give gas a run as cost of petrol soars’ in the Financial Review on 10 September 2005 which reported that liquid petroleum gas (LPG) is cheaper and better for the environment.

(2) Will he withdraw the proposed 2.5 cents a litre excise on LPG to be introduced in 2008; if not, why not.

(3) What is the Government doing to encourage (a) motorists to convert to LPG, (b) motorists to use a mix of 10 per cent ethanol with gasoline, and (c) the production of cars that run on 25 per cent to 100 per cent ethanol.

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

(1) Yes.

(2) Excise will not apply to LPG until 1 July 2011. For further information see the 2004-05 Budget papers.

(3) (a) See the Prime Minister’s press release of 16 December 2003.

(b) and (c) The Government’s policies in relation to biofuels such as ethanol are set out in the Prime Minister’s press release of 22 September 2005.

Research Services
(Question No. 2412)

Mr Bowen asked the Minister for Foreign Affairs, in writing, on 10 October 2005:

Did his department engage The Open Mind Research Group at a cost of $11,400 to conduct research; if so, what research is being conducted under the terms of this contract.

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

Yes. The Open Mind Research Group was contracted by the Department of Foreign Affairs and Trade to undertake research for the smartraveller public information campaign on consular services and travel advice. The Open Mind Research Group has conducted formative, benchmarking and tracking research and creative testing. The total contract value is $494,741 over three years (2003-04, 2004-05 and 2005-06).

Graphic Design Services
(Question No. 2452)

Mr Bowen asked the Minister representing the Minister for Finance and Administration, in writing, on 11 October 2005.

Did the Minister’s department engage Giraffe Visual Communication Management to provide graphic design services at a cost of $17,322.80; if so, what graphic design services were provided under the terms of this contract.

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

Consultancy Services
(Question No. 2453)

Mr Bowen asked the Minister representing the Minister for Finance and Administration, in writing, on 11 October 2005:
Did the Minister’s department engage Finity Consulting Pty Ltd to provide consultancy services at a cost of $92,500; if so, what services were provided under the terms of this contract.

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable Member’s question:
Yes. The Department of Finance and Administration engaged Finity Consulting Pty Ltd at a total value of $92,500 (inclusive of GST) for the provision of actuarial services for the actuarial valuation of the Australian Government liabilities for compensation claims arising from asbestos exposure.

Consultancy Services
(Question No. 2454)

Mr Bowen asked the Minister representing the Minister for Finance and Administration, in writing, on 11 October 2005:
Did the Minister’s department engage the Hiser Group to provide consultancy services at a cost of $40,404; if so, what services were provided under the terms of this contract.

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable member’s question:
Yes. The Department of Finance and Administration engaged Hiser Group for a total value of $40,404.42 (inclusive of GST) to undertake a review of the Guide to Minimum Website Standards.

Consultancy Services
(Question No. 2456)

Mr Bowen asked the Minister representing the Minister for Finance and Administration, in writing, on 11 October 2005:
Did the Minister’s department engage Pricewaterhouse Coopers to provide consultancy services at a cost of $22,473; if so, what services were provided under the terms of this contract.

Mr Costello—The Minister for Finance and Administration has supplied the following answer to the honourable member’s question:
The Department of Finance and Administration engaged PricewaterhouseCoopers at an initial cost of $9,500 (inclusive of GST) which was not gazetted on www.contracts.gov.au as the contract value was below $10,000. The contract was amended to a total of $31,973. The increased amount of $22,473 was gazetted.
The consultancy services provided under the terms of this contract were probity review services on the procurement process of the Parliamentary Entitlements Management System.