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SITTING DAYS—2005

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- **Canberra**: 103.9 FM
- **Sydney**: 630 AM
- **Newcastle**: 1458 AM
- **Gosford**: 98.1 FM
- **Brisbane**: 936 AM
- **Gold Coast**: 95.7 FM
- **Melbourne**: 1026 AM
- **Adelaide**: 972 AM
- **Perth**: 585 AM
- **Hobart**: 747 AM
- **Northern Tasmania**: 92.5 FM
- **Darwin**: 102.5 FM
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
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<td>Wakelin, Barry Hugh</td>
<td>Grey, SA</td>
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<td>Washer, Malcolm James</td>
<td>Moore, WA</td>
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<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
<td>ALP</td>
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<tr>
<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, VIC</td>
<td>LP</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**

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<th>Position</th>
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<tr>
<td>Prime Minister</td>
<td>The Hon. John Winston Howard MP</td>
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<tr>
<td>Minister for Trade and Deputy Prime Minister</td>
<td>The Hon. Mark Anthony James Vaile MP</td>
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<tr>
<td>Treasurer</td>
<td>The Hon. Peter Howard Costello MP</td>
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<tr>
<td>Minister for Transport and Regional Services</td>
<td>The Hon. Warren Errol Truss MP</td>
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<tr>
<td>Minister for Defence and Leader of the Government in the Senate</td>
<td>Senator the Hon. Robert Murray Hill</td>
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<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon. Alexander John Gosse Downer MP</td>
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<tr>
<td>Minister for Health and Ageing and Leader of the House</td>
<td>The Hon. Anthony John Abbott MP</td>
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<tr>
<td>Attorney-General</td>
<td>The Hon. Philip Maxwell Ruddock MP</td>
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<tr>
<td>Minister for Finance and Administration, Deputy Leader of the Government in the Senate and Vice-President of the Executive Council</td>
<td>Senator the Hon. Nicholas Hugh Minchin</td>
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<tr>
<td>Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House</td>
<td>The Hon. Peter John McGauran MP</td>
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<tr>
<td>Minister for Immigration and Multicultural and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs</td>
<td>Senator the Hon. Amanda Eloise Vanstone</td>
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<tr>
<td>Minister for Education, Science and Training</td>
<td>The Hon. Dr Brendan John Nelson MP</td>
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<tr>
<td>Minister for Family and Community Services and Minister Assisting the Prime Minister for Women’s Issues</td>
<td>Senator the Hon. Kay Christine Lesley Patterson</td>
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<tr>
<td>Minister for Industry, Tourism and Resources</td>
<td>The Hon. Ian Elgin Macfarlane MP</td>
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<tr>
<td>Minister for Employment and Workplace Relations and Minister Assisting the Prime Minister for the Public Service</td>
<td>The Hon. Kevin James Andrews MP</td>
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<tr>
<td>Minister for Communications, Information Technology and the Arts</td>
<td>Senator the Hon. Helen Lloyd Coonan</td>
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<td>Minister for the Environment and Heritage</td>
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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
Senator the Hon. Eric Abetz

Minister for Vocational and Technical Education and Minister Assisting the Prime Minister
The Hon. Gary Douglas Hardgrave MP

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**

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<tbody>
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<td>The Hon. Kim Christian Beazley MP</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition and Shadow Minister for Education, Training, Science and Research</td>
<td>Jennifer Louise Macklin MP</td>
</tr>
<tr>
<td>Leader of the Opposition in the Senate, Shadow Minister for Indigenous Affairs and Shadow Minister for Family and Community Services</td>
<td>Senator Christopher Vaughan Evans</td>
</tr>
<tr>
<td>Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology</td>
<td>Senator Stephen Michael Conroy</td>
</tr>
<tr>
<td>Shadow Minister for Health and Manager of Opposition Business in the House</td>
<td>Julia Eileen Gillard MP</td>
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<tr>
<td>Shadow Treasurer</td>
<td>Wayne Maxwell Swan MP</td>
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<tr>
<td>Shadow Attorney-General</td>
<td>Nicola Louise Roxon MP</td>
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<tr>
<td>Shadow Minister for Industry, Infrastructure and Industrial Relations</td>
<td>Stephen Francis Smith MP</td>
</tr>
<tr>
<td>Shadow Minister for Foreign Affairs and Trade and Shadow Minister for International Security</td>
<td>Kevin Michael Rudd MP</td>
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<tr>
<td>Shadow Minister for Defence</td>
<td>Robert Bruce McClelland MP</td>
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<tr>
<td>Shadow Minister for Regional Development</td>
<td>The Hon. Simon Findlay Crean MP</td>
</tr>
<tr>
<td>Shadow Minister for Primary Industries, Resources, Forestry and Tourism</td>
<td>Martin John Ferguson MP</td>
</tr>
<tr>
<td>Shadow Minister for Environment and Heritage, Shadow Minister for Water and Deputy Manager of Opposition Business in the House</td>
<td>Anthony Norman Albanese MP</td>
</tr>
<tr>
<td>Shadow Minister for Housing, Shadow Minister for Urban Development and Shadow Minister for Local Government and Territories</td>
<td>Senator Kim John Carr</td>
</tr>
<tr>
<td>Shadow Minister for Public Accountability and Shadow Minister for Human Services</td>
<td>Kelvin John Thomson MP</td>
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<tr>
<td>Shadow Minister for Finance</td>
<td>Lindsay James Tanner MP</td>
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<tr>
<td>Shadow Minister for Superannuation and Intergenerational Finance and Shadow Minister for Banking and Financial Services</td>
<td>Senator the Hon. Nicholas John Sherry</td>
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<tr>
<td>Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women</td>
<td>Tanya Joan Plibersek MP</td>
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<tr>
<td>Shadow Minister for Employment and Workforce Participation and Shadow Minister for Corporate Governance and Responsibility</td>
<td>Senator Penelope Ying Yen Wong</td>
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*(The above are shadow cabinet ministers)*
SHADOW MINISTRY—continued

Shadow Minister for Consumer Affairs and Health Regulation
Shadow Minister for Population Health and Health Regulation
Laurie Donald Thomas Ferguson MP

Shadow Minister for Agriculture and Fisheries
Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow Minister for Small Business and Competition
Gavan Michael O’Connor MP
Joel Andrew Fitzgibbon MP

Shadow Minister for Transport
Shadow Minister for Sport and Recreation
Senator Kerry Williams Kelso O’Brien
Senator Kate Alexandra Lundy
The Hon. Archibald Ronald Bevis MP

Shadow Minister for Veterans’ Affairs and Shadow Special Minister of State
Alan Peter Griffin MP

Shadow Minister for Defence Industry, Procurement and Personnel
Senator Thomas Mark Bishop

Shadow Minister for Immigration
Anthony Stephen Burke MP

Shadow Minister for Aged Care, Disabilities and Carers
Senator Jan Elizabeth McLucas

Shadow Minister for Justice and Customs and Manager of Opposition Business in the Senate
Senator Joseph William Ludwig

Shadow Minister for Overseas Aid and Pacific Island Affairs
Robert Charles Grant Sercombe MP

Shadow Parliamentary Secretary for Reconciliation and the Arts
Peter Robert Garrett MP

Shadow Parliamentary Secretary to the Leader of the Opposition
John Paul Murphy MP

Shadow Parliamentary Secretary for Defence and Veterans’ Affairs
The Hon. Graham John Edwards MP

Shadow Parliamentary Secretary for Education
Kirsten Fiona Livermore MP

Shadow Parliamentary Secretary for Environment and Heritage
Jennie George MP

Shadow Parliamentary Secretary for Industry, Infrastructure and Industrial Relations
Bernard Fernando Ripoll MP

Shadow Parliamentary Secretary for Immigration
Ann Kathleen Corcoran MP

Shadow Parliamentary Secretary for Treasury
Catherine Fiona King MP

Shadow Parliamentary Secretary for Science and Water
Senator Ursula Mary Stephens

Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs
The Hon. Warren Edward Snowdon MP
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The SPEAKER (Hon. David Hawker) took the chair at 2.00 pm and read prayers.

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mr BEAZLEY (2.00 pm)—My question is to the Prime Minister. It is now 20 days since I first challenged the Prime Minister to a national industrial relations debate. Why does the Prime Minister continue to hide behind 50 million taxpayers’ dollars worth of Liberal propaganda, 1,200 pages of extreme legislation, a parliamentary guillotine to kill off debate and warehouses full of 5.8 million pamphlets of misleading spin? When will the Prime Minister come out of hiding and agree to a national debate?

Mr HOWARD—I have done a little research since the Leader of the Opposition started asking me questions, and my research tells me that somewhere in the order of 700 to 800 questions have been asked of me by the Leader of the Opposition. I would hazard a guess that you would have to go back to Calwell questioning Menzies to find a situation where a leader of the opposition has had as many opportunities to ask a prime minister questions. I have been handed a note—miraculously a note has materialised. I have been told that 741 questions out of the 2,685 that have been asked of me since I have been the Prime Minister have come from the Leader of the Opposition. As I said the other day, my predecessor deigned to turn up half the number of times he should have. You have to go back to his predecessor to find a prime minister who turned up at every question time, and then they only allowed 45 minutes. I do not think any prime minister has been more available for questioning and debate in this parliament than the current one. I can promise the Leader of the Opposition that that is how it will remain.

National Security

Mr WOOD (2.03 pm)—My question is addressed to the Attorney-General. In relation to the terrorism linked events and arrests overnight, is the Attorney-General aware of any views expressed on the relevance of the recent amendments made to the Criminal Code?

Mr RUDDOCK—I thank the member for La Trobe for his question. I know that the member for La Trobe, given his previous experience, has been very interested in these issues and the way in which they evolve. Sixteen people have been arrested this morning—

Ms George—Mr Speaker, I rise on a point of order. It is very difficult to hear the Attorney-General’s response to an important issue. Could the microphones be turned up or could the Attorney-General please speak in a manner so that people can hear him?

The SPEAKER—I thank the member for Throsby. I remind all members that it is much easier to hear if we keep the level of noise down. I am sure the Attorney-General will endeavour to make sure that his voice can be heard.

Mr RUDDOCK—as I was saying a moment ago, 16 people have been arrested this morning in Melbourne and in Sydney in connection with terrorism related activities. As both the New South Wales and Victorian police commissioners have stated, this is an ongoing operation and further charges are being considered. For those reasons I have no intention of commenting in detail on the charges or the further conduct of the proceedings. It would be quite improper of me to do so.

Mr Crean—You wouldn’t do anything improper, would you?

Mr RUDDOCK—You are absolutely right. I do regret that the events culminated
in a shooting this morning. While the use of force by police officers is a matter of last resort, it is obviously always traumatic for the victim, their family, their friends and the police officers involved in the incident. This was an operation led by the Australian Federal Police and ASIO. I would like to also acknowledge the Victoria Police, the New South Wales Police and the New South Wales Crime Commission for their cooperation in disrupting these activities. The people arrested in Sydney and Melbourne are expected to face charges under the Commonwealth Criminal Code Act of 1995.

As Victorian Police Commissioner, Christine Nixon, stated this morning:

We believe that they were planning an operation and we weren’t exactly sure when, nor more importantly, what they planned to damage or to do harm to.

Obviously, the role of the government is to ensure that appropriate laws are in place to support operational decisions. In this case, last week the parliament agreed to a specific provision to clarify that in a prosecution for a terrorist offence it is not necessary to identify a particular terrorist act. I would like to extend my appreciation to the parliament for dealing with those urgent amendments, especially to the senators who travelled long distances at short notice to ensure their passage. We should be comforted by the words of the New South Wales Police Commissioner, Ken Moroney, who said this morning:

Certainly the Commonwealth legislation, as it passed last week, assisted us.

His sentiments were echoed by state leaders in Victoria and New South Wales. Law enforcement and security agencies at the federal and state levels have worked together professionally, and I am sure the House would want to acknowledge their efforts.

**Workplace Relations**

**Mr BEAZLEY** (2.07 pm)—I agree with those comments, Mr Speaker, as I had occasion to formally at a press conference about 20 minutes ago. My question is to the Minister for Employment and Workplace Relations. I refer to the minister’s comments yesterday during question time, when he confirmed that, under section 83BS on page 59 of the bill, jail terms do apply to officers of the Office of the Employment Advocate for divulging confidential information about employees on AWAs and that jail terms 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. Is the minister now saying that, as a result of the government’s extreme changes, journalists like those in the press gallery up there who receive whistleblower information from an Office of the Employment Advocate officer about the detail of a bodgie AWA are at risk of jail terms?

**Mr ANDREWS**—Under the current Workplace Relations Act there are protections for the privacy of individuals who have entered into Australian workplace agreements. Those protections provide that an official of the Office of the Employment Advocate should not disclose inappropriately details of information provided to the Office of the Employment Advocate. That is something which this government believes is entirely appropriate. It is just as appropriate as an official of a court not being at risk when in a position where he or she should disclose private information which is provided to them but which is not in the public domain. That is a sensible provision in the legislation at present. In addition to that—

**Ms Macklin interjecting**—

**The SPEAKER**—Order! The Deputy Leader of the Opposition!
Mr ANDREWS—I thought the Leader of the Opposition was seeking information and asking a sensible question.

Opposition members interjecting—

Mr ANDREWS—You might listen to the answer. If information which is private and which we believe ought to remain private is inappropriately disclosed by an official of the Office of the Employment Advocate to another person, then we think that those provisions would apply as well.

Economy

Mr JULL (2.10 pm)—My question is addressed to the Treasurer. What do current surveys indicate for Australia’s future economic outlook?

Mr COSTELLO—I thank the honourable member for Fadden for his question. Can I say on behalf of the House that it is great to have him back and for him to look so well. The National Australia Bank monthly business survey for October showed that business conditions weakened. Key activity and confidence measures weakened, although they remain at reasonable levels. Capacity utilisation declined, although it remains high by historical standards. Investment spending remained steady, but export performance was the best for some time. Business reported some improvement in job gains in October.

Yesterday the ANZ job ads index was released. The ANZ head of economics, Tony Pearson, in commenting on that index said that he thought there would be a further slowing of employment over the next six months, but beyond this the upturn in newspaper advertisements is signalling a resurgence in demand for labour. He said:

While it is early days yet, if the trend continues it points to some recovery in employment growth from mid-2006.

That is consistent with an economy which is moderating somewhat at the moment. We have had extraordinary jobs growth during last year. As the House is aware, unemployment is at a 30-year low. We are seeing a rebalancing of the economy out of consumer demand towards business investment.

I believe this is an opportunity to get on with further reform of the Australian economy. There is no more important microeconomic reform that we could do at the moment than industrial relations reform, which is absolutely critical for lifting productivity and capacity. Also, improvements to the welfare system, which will boost labour supply and encourage greater capacity, are very important for Australia’s economic future. Overall, we have a very solid story to tell with solid prospects, but there is no room for complacency. The reform program must go on, and it must go on most particularly in industrial relations.

Workplace Relations

Mr STEPHEN SMITH (2.13 pm)—My question is to the Prime Minister. I refer the Prime Minister to his comments last night on The 7.30 Report, where he said that his extreme industrial relations changes are something that he has ‘believed in for more than two decades’.

Government members—He didn’t say that!

Mr STEPHEN SMITH—The quote is ‘believed in for more than two decades’.

Mr Howard interjecting—

Mr STEPHEN SMITH—You have believed in it all right—we know that.

The SPEAKER—Order! The member for Perth will continue his question.

Mr STEPHEN SMITH—In light of that confirmation, does the Prime Minister recall saying on 28 August 1979 that he thought leave loadings and penalty rates were ‘ri-
digious’ or, in November 1990, that leave loadings were illogical and a ‘heavy and ludicrous impost’? Prime Minister, isn’t this attitude reflected on page 371 of the bill, which removes penalty rates and leave loadings from the safety net—penalty rates worth up to $240 a month for average employees who work overtime? Prime Minister, isn’t it the case that your extreme industrial relations changes are not about Australia’s future but about your past?

The SPEAKER—The Prime Minister can ignore the last part of the question.

Mr HOWARD—This legislation is not extreme legislation. The position in relation to penalty rates has been very clearly set out both in statements that have been made and in the legislation. If somebody is on an award, the matters of penalty rates and leave loadings are covered in the award. If somebody enters into an agreement, unless there is provision in the agreement expressly varying or removing the penalty rates, the default provision is that the penalty rates stipulated in the relevant award obtain. That is the position; it is very clear. It is not as described by the member.

Pharmacy Guild of Australia

Mr BAKER (2.15 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister advise the House of the new agreement reached with the Pharmacy Guild of Australia? How will this agreement ensure that Australians continue to have access to affordable medicines?

Mr ABBOTT—I thank the member for Braddon for his question. I can inform him and the House that agreement has been reached on the fundamental design of a fourth agreement between the Pharmacy Guild of Australia and the Commonwealth government. This agreement will be reasonable for pharmacists, it will be good for patients and, above all else, it will be fair for taxpayers. Over the life of the agreement, total payments to pharmacists will increase by 28 per cent in real terms and there will be a 6.2 per cent real increase in payments per script to pharmacists, but there will also be $350 million of savings against the forward estimates. There will be a new community service obligation fund, which will ensure that any PBS drug will be delivered to any pharmacy anywhere in Australia generally within 24 hours, and there will be more flexible location rules which will preserve traditional community pharmacy but which will also enable pharmacists to move to areas of high potential unmet demand for PBS drugs.

This agreement is the product of more than six months of hard work by senior officials of my department and by officers of the Pharmacy Guild. I want to say that the guild has been a decent and honourable negotiating partner. Of course, it is in the nature of these agreements that there have been compromises all round, but this agreement demonstrates the capacity of the Howard government to engage in constructive partnership with important community organisations to produce agreements which are in the overall best interests of the Australian people.

Government Advertising

Mr STEPHEN SMITH (2.17 pm)—My question is again to the Prime Minister. I refer to the government direction that nearly half a million 16-page, glossy booklets be pulped at a cost to the taxpayer of over $152,000 because the government’s spin doctors said the word ‘fairer’ had to be in the title. I also refer to the fact that, of the six million booklets produced, 5.8 million copies are currently dumped in warehouses across the country. Prime Minister, won’t these 5.8 million copies also be pulped because the market research is now saying that your Liberal Party propaganda is not fooling the Aus-
Australian public? Prime Minister, will the Liberal Party pay for the pulping of its own fiction?

Mr HOWARD—The only thing that I have to add to the answer that I gave to, essentially, the same question yesterday is to again correct the erroneous proposition that the reason that some copies were pulped was the absence of one word on the front cover. In fact, as from time to time occurs with the preparation of any material, there were some content errors in the document. That is why the change was made.

Workplace Relations

Mr McARTHUR (2.19 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister update the House on how Australian workplaces will benefit from a simplified workplace relations system? Are there any alternative views?

Mr ANDREWS—I thank the member for Corangamite for his question of substance in relation to workplace relations. I say to him that the new Work Choices system is the first step towards consolidating six state systems, which currently have over 3,000 pages of legislation, into a single workplace relations system for Australia. The achievement of this will be to the greater benefit of the Australian economy, reducing the needless red tape that has built up over 100 years in this country. This is something which this side of politics believe is important for Australia as we move into this century. Last week the Leader of the Opposition was reported on the Today show as saying:

... we oppose every line of this Bill. And we will go to the next election on the basis of dismantling the system they put up ...

The Leader of the Opposition also said:

... Labor in government is committed to ripping up these laws.

The R word rolls up. It reminds me of that other thing that he was going to do—roll back. It is rip up this time. But let us look at what he says he is going to rip up. This is what the Leader of the Opposition says he is going to rip up: he is going to rip up, he is going to roll back, one set of rules for workplaces in Australia. He does not want one set of rules for workplaces in Australia.

Opposition members interjecting—

The SPEAKER—Order! The member for Hotham!

Mr ANDREWS—What the Leader of the Opposition says he is going to rip up, what he is going to get to vote for or against this week, is whether there should be one guaranteed safety net for workers in Australia, whether or not they are covered by an award. That is what he says he is going to rip up. He is also going to rip up a guaranteed four weeks annual leave for workers in Australia. That is what the Leader of the Opposition says he is going to vote for or against this week. The Leader of the Opposition says he is going to rip up every single page. That means he is going to rip up a guarantee of a minimum of 52 weeks maternity leave. That is what he is going to rip up. I suppose he is also going to vote against doubling the number of workplace inspectors in Australia. Is he against doubling the number of workplace inspectors in Australia? Or what about protecting small business who are ruined by irresponsible industrial action? That is what the Leader of the Opposition says he is going to vote against, and the list goes on and on.

All of these sensible measures that are there to protect employers and employees in Australia, the Leader of the Opposition says that he stands against. The reality, of course, is that nobody knows what he stands for and nobody knows what he stands against. In fact, I remind the House that he said for two
terms of parliament he was against the GST and he was going to roll it back. Is he still against it today? Not even the union movement believe the Leader of the Opposition, because reported in the *West Australian* on Monday the Secretary of UnionsWA, Dave Robinson, is reported as ‘urging union supporters not to become complacent by relying on the Labor Party to roll back the legislation’. The unionists in Western Australia, who know the Leader of the Opposition well, know we do not know what he is for and we do not know what he is against. The sad feature of a man who has spent 25 years in this place is that most Australians have not got a clue what you stand for.

The SPEAKER—Order! I remind the Minister for Employment and Workplace Relations that the reference to another person in this chamber by the word ‘you’ is strongly discouraged.

Workplace Relations

Mr KELVIN THOMSON (2.24 pm)—My question is to the Prime Minister. Can the Prime Minister confirm that the taxpayer funded contract to distribute the *WorkChoices* booklets went to Salmat Pty Ltd? Can the Prime Minister also confirm that Salmat and one of the company’s directors donated almost $120,000 to the Liberal and National parties in corporate and personal donations in just the latest disclosure year 2003-04? How does the Prime Minister justify the awarding of an $800,000 distribution contract to a Liberal Party corporate mate given that these booklets are not being distributed and are likely to be pulped?

Mr HOWARD—I do not without checking—and I am not necessarily suggesting that the member for Wills is misleading the parliament; I am not suggesting that—find myself in a position to confirm the identity of the distribution company. I am aware of Salmat. I do not know whether Salmat has contributed to other political parties. It would be my understanding—and I will check this—that the contract was awarded in the normal fashion. It has not been the practice in the past to disbar companies from doing government work simply by reason of the fact that they have made political donations. I will ask somebody to just do a little bit of research this afternoon as to the donation and political track record of organisations and individuals that have enjoyed government contracts under former governments.

I thought the rule was that you awarded these contracts in a manner where there was a proper selection, and the fact that the company may have been a financial supporter of this or that side of politics was totally irrelevant. But apparently the Labor Party no longer believes that, which is a very interesting observation.

Welfare to Work

Mr BAIRD (2.26 pm)—My question is addressed to the Minister for Workforce Participation. Will the minister explain to the House what the government is doing to help more Australians move from welfare to work?

Mr DUTTON—I thank the honourable member for his question, and can I take the opportunity to thank him and all members on this side of the House for the consultation that they have provided to the government in the formulation of our Welfare to Work package. Earlier today Minister Andrews and I had the pleasure of announcing details of the Howard government’s $3.6 billion investment in the Welfare to Work package to help more job seekers and their families get ahead by getting off welfare and into work.

The changes to be introduced will see around 450,000 new employment training and rehabilitation places to help people with disabilities, parents, the mature aged and very long-term unemployed off the dole and
into work. This also importantly includes an additional 101,000 places in employment and rehabilitation services. In the Job Network, for instance, there will be a new employment preparation service to help parents update or gain new skills to help them get into work. There will be additional places for parents with additional needs in the Personal Support Program and other specialist employment services. For people with disabilities who have a capacity to work, there are more services and there is more financial incentive to help them into part-time and ultimately, we hope, full-time employment.

I can confirm today that parents applying for parenting payment single after 1 July 2006 will be able to remain on that payment until their youngest child turns eight. However, they will still have to look for work once the youngest child turns six. Parents currently on the parenting payment single will remain on that payment until their youngest child turns 16. An important point to make—because the Labor Party have been running a scare campaign on this very issue—is that people who were on a disability support pension at the time that this announcement was made, at the May budget, will remain on that pension. These changes we are very proud of because they are in the national interest.

Ms Macklin interjecting—

The SPEAKER—Order! The Deputy Leader of the Opposition!

Mr DUTTON—We know that they will bring more Australians the ability to get into a job and to enjoy the financial rewards that a job brings. This government strongly believes, in contrast to the Labor Party, that people of a working age who have a capacity to work are better off off welfare and into work—

Ms Macklin interjecting—

The SPEAKER—The Deputy Leader of the Opposition is warned!

Mr DUTTON—not just better for themselves but better for their families and their children and, ultimately, better for this country.

Government Advertising

Mr BOWEN (2.30 pm)—My question is directed to the Prime Minister. I refer to the fact that the government's $50 million taxpayer funded advertising campaign has been headed up by advertising agency Dewey Horton, and in particular Ted Horton, who has directed Liberal Party election advertising for many years. Prime Minister, isn't it the case that Senate estimates revealed that Dewey Horton is on a $2 million contract which includes the design of the cover of the government's 16-page glossy booklets which are now collecting dust? Doesn't this show that this fraudulent advertising propaganda is just a Liberal Party campaign for Liberal Party purposes?

The SPEAKER—Before I call the Prime Minister, I ask the member for Prospect to remove the word 'fraudulent'.

Mr McMullan—Mr Speaker, I rise on a point of order. Under what possible standing order are you suggesting—

The SPEAKER—for the benefit of the member for Fraser, it is standing order 100.

Mr McMullan—I have standing order 100 in front of me. Mr Speaker, you can, of course, under the standing orders require people to rephrase questions, but you have to have some basis for doing it. The fact is that someone considers an advertising campaign to be fraudulent. They would not be entitled to allege that a member was fraudulent, because that is an allegation that would require a substantive motion, but they are certainly entitled to say that the government's advertising campaign is fraudulent, because it is.
The SPEAKER—The member for Fraser has made his point. I ask the member for Prospect to rephrase his question on the basis of standing order 100(d), which makes reference to arguments, inferences, imputations, insults, ironical expressions and so on.

Ms Gillard—Mr Speaker, further to the member for Fraser’s point of order: which particular section of standing order 100(d) do you say applies in this instance and how do you say it applies to an adjective before the word ‘propaganda’? I refer you to the fact that he is not referring to an individual.

The SPEAKER—The Manager of Opposition Business has made her point. I have already ruled on this point. It is under standing order 100(d). I am offering the member for Prospect the opportunity to rephrase his question.

Mr BOWEN—Mr Speaker, in deference to you, I rephrase the last paragraph of the question to say: ‘Doesn’t this show that this advertising propaganda is just Liberal Party campaign material for Liberal Party purposes?’

Mr HOWARD—The answer is no.

Trade: Sugar

Mr NEVILLE (2.33 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. Would the Deputy Prime Minister inform the House of recent developments in the World Trade Organisation that will benefit Australian sugar farmers? What measures has the government undertaken to support sugar products and the sugar industry?

Mr Abbott—Mr Speaker, on a point of order: just prior to the member for Hinkler asking his question, members on this side distinctly heard an offensive comment from the member for Lalor and I request that she withdraw it. It was a reference to a member being fraudulent and it should be withdrawn.

The SPEAKER—The Manager of Opposition Business will withdraw if it was an offensive statement.

Ms Gillard—If they are going to put on a sook, I withdraw.

The SPEAKER—The member will withdraw.

Ms Gillard—I withdraw.

The SPEAKER—I thank the member.

Mr VAILE—I thank the member for Hinkler for his question, which is obviously very relevant to the sugar industry Australia-wide and particularly the sugar producers in his electorate. The federal government is working hard on a number of fronts to assist the sugar industry and cane growers across Australia in trade opportunities internationally, in the structure of the industry in Australia and in new opportunities to use their product in different ways domestically in Australia. The member would be aware that Australia took part in a joint action with Brazil and Thailand in the WTO, in which we challenged the subsidies that the European Union applied to five million tonnes of its sugar that it was exporting. We argued that case and won. We won on the basis that those subsidies were found to be illegal, and they have to be removed. The member will be pleased to hear that, by 22 May next year, the European Union will have to reduce those subsidies to only 1¼ million tonnes of sugar instead of five million tonnes of sugar. That will mean Australia’s sugar producers will be able to compete more effectively and competitively and without that distortion in the international marketplace. That is something we have undertaken under the rules based system of the WTO.

I can also confirm that the government have been undertaking additional measures by providing new opportunities for the use of sugar cane and sugar in Australia. That, of course, is through the development of a sus-
tainable and competitive Australian ethanol industry. Unlike those on the other side, who a few years ago stymied the development of an ethanol industry in Australia for political purposes, this government have put in place a number of measures to assist in the development of an ethanol industry which will use sugar as the biomass going into its development. We have introduced a $37 million program to expand the capacity of the biofuels industry, $43 million in ethanol production grants and an effective excise-free status until 2011, all to help generate the development of this new industry in Australia which underpins not just the sugar industry but also other agricultural industries in Australia.

We have worked with the fuel distribution industry and it has committed to developing industry action plans to implement the distribution of biofuels throughout Australia. Australia’s four car manufacturers have agreed that, as of the beginning of next year, they will fix labels to all new vehicles, authorising usage and guaranteeing the warranty on those vehicles to use E10 fuel, a 10 per cent ethanol blend. So there has been a broad range of contributions by a number of industries in Australia to assist in the development of the ethanol industry.

Last week the Minister for Industry, Tourism and Resources, Ian Macfarlane, and I launched the availability of an E10 blend through a local BP service station here in Canberra. So all members of parliament can go down to Kingston and fill up with E10 and support the Australian sugar industry. I am delighted to inform the House that since then we have been advised that ethanol blended fuel makes up about 25 per cent of the regular unleaded fuel sales at that particular participating BP store in Kingston. So the member for Hinkler should be comfortable in the knowledge that our government is working on many fronts to support the sugar industry in Australia.

Workplace Relations

Mr Swan (2.38 pm)—My question is directed to the Treasurer. I refer the Treasurer to his interview with David Speers on the Agenda program last evening, when he said, ‘The best way to compare the benefits of labour market flexibility is to look at two societies, one with one system and one with the other.’ Is the Treasurer aware that, in the decade since New Zealand introduced reforms similar to those now proposed in Australia, its productivity grew at half the pace of Australia’s? Does the Treasurer accept the view of respected Age commentator Tim Colebatch that ‘there is no reason to think these reforms will lift productivity’? Will he now acknowledge that these reforms are all pain with no productivity gain?

Mr Costello—From work which has been done in the IMF, the OECD and other international organisations, one of the reasons why unemployment rates are lower in Britain, the United States, New Zealand and Australia at present is that by and large those countries have more flexible labour markets than countries on the continent, particularly France and Germany. Those members of the public who have been following recent events in France will know that France has a very high unemployment rate—higher than 10 per cent—as does Germany. One of the reasons why unemployment is so high in France is they have a very highly regulated labour market, including a labour market which has very restrictive unfair dismissal laws. I was on the IMF committee for eight or nine years and I do not think there was a single meeting of the IMF committee that passed without the continental countries being urged to reform their labour markets—

Mr Swan—What about New Zealand?

The Speaker—Order! The member for Lilley has asked his question.
Mr COSTELLO—and to get rid of restrictive unfair dismissal laws in order to boost productivity and to lower unemployment.

Mr Beazley—Mr Speaker, on a point of order on relevance: he has erected here a straw man. It was not a comparison between continental Europe and Australia but between Australia and New Zealand—

The SPEAKER—The Leader of the Opposition will resume his seat. The Treasurer is answering the question.

Mr COSTELLO—As I said on that program yesterday, and was quoted, you can compare countries that have regulated labour markets against those that do not. Those that do, such as France and Germany and others in continental Europe, invariably have higher unemployment. The New Zealand unemployment rate, from memory, is probably lower than Australia’s.

Mr Beazley interjecting—

Mr COSTELLO—Okay, the Leader of the Opposition says it is higher. We will go to the record but I will make a prediction. My recollection is that it is in fact lower, but I will make this prediction: it will certainly not be in double digits as in countries like France and Germany. Why? Because New Zealand—like Australia, like the United States and like Britain, the so-called Anglo societies—has a much less regulated labour market and—

Mr Beazley—Mr Speaker, I rise on a point of order on relevance. This was not about unemployment levels; it was about productivity. New Zealand has half—

The SPEAKER—The Leader of the Opposition will resume his seat. Has the Treasurer finished his answer? I call the honourable member for Canning.

Mr Beazley—Mr Speaker, I rise on a point of order on relevance: he has erected here a straw man. It was not a comparison between continental Europe and Australia but between Australia and New Zealand—

The SPEAKER—The Leader of the Opposition will resume his seat. Has the Treasurer finished his answer? I call the honourable member for Canning.

Foreign Affairs: Travel Advice

Mr RANDALL (2.42 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister advise the House how the government is ensuring that Australians have the best possible advice on which to base their decisions about overseas travel?

Mr DOWNER—First I thank the honourable member for his question and remind the House that, as the Prime Minister has said so often, the government’s top priority is to protect the safety and welfare of Australians here in Australia and of course we do what we can overseas. The House may be interested to know that Australians are now making 4.8 million trips every year and almost 900,000 Australians live overseas. It is therefore not surprising that the government’s travel advisory has become an important tool for communicating with Australian travellers. Today I have announced that the DFAT travel advisory system will be changed to make it clearer and simpler for Australians to use. The changes include the creation of a new five-level advisory system, which grades the government’s assessment of the level of risk in individual countries. The system ranges from level 1, which advises travellers to be alert to their own security, to the highest level, which recommends, not surprisingly, that Australians should not travel to a country.

Let me make it absolutely clear: it is not the job of the government to tell Australians what to do. We on this side of the House do not aspire to run a nanny state. Decisions about whether, where and when to travel are up to individuals.

Mr Swan interjecting—

Mr DOWNER—Our old friends, the socialists, of course aspire to run the state just like that. That is why you join the Labor
Party: so that you can tell other people what
to do with their lives.

Mr Swan interjecting—

The SPEAKER—the member for Lilley is warned!

Mr DOWNER—the changes will help
Australians to better understand the relative
level of risks in the different countries and
therefore to make well-informed decisions
about overseas travel.

Opposition members interjecting—

Mr DOWNER—Mr Speaker, I happen to
think that the people watching question time
are quite interested in the travel advisory
system, even if the old Labor Party are not.
The Labor Party of yesteryear might have
been; the Labor Party of today are just a
party, as you can see from their badges, of
trade union hacks. There are three simple
steps that all travellers can take to make sure
they are prepared for unexpected events
overseas. The first is to subscribe to the
travel advisory service. The second is to reg-
ister their contact details with the smart
travel web site so that consular staff can con-
tact them in an emergency. The third is to
take out travel insurance. I do think that it is
a very important thing for Australians to do.
At the end of the day, it is up to individuals
to weigh the risks and to take responsibility
for their own decisions and actions. The gov-
ernment will do what it can to help but, in
the end, individuals must take responsibility
for their own decisions.

Floods

Mr ANDREN (2.46 pm)—My question is
to the Prime Minister. Given the declaration
today by the New South Wales Emergency
Services Minister that Cabonne and Parkes
shires are natural disaster areas, can the
Prime Minister assure those communities
that the special benefits available under fed-
eral social security provisions will be made
available for the flood victims, especially in
Molong, which overnight suffered its worst
flooding in 50 years, and Eugowra, which is
expecting a record or near record flood peak
by midnight tonight?

Mr HOWARD—I thank the member for Calare
for that question. Can I say in re-
response that I will obtain some information,
and I will come back to him as soon as pos-
sible after question time. I can in the interim
assure the honourable member, through you,
Mr Speaker, that if like circumstances apply
in relation to the areas that he has mentioned
to circumstances in other areas that have at-
tracted those benefits then there will be total
equality and fairness of treatment.

National Security

Mr MICHAEL FERGUSON (2.47
pm)—My question is addressed to the Minis-
ter for Transport and Regional Services.
Would the minister update the House on
what the government is doing to ensure secu-
rit y at Australia’s major airports?

Mr Martin Ferguson interjecting—

Mr MICHAEL FERGUSON—Wrong
electorate, mate.

The SPEAKER—Order! The member for
Bass has the call. The member for Bass will
commence his question again.

Mr MICHAEL FERGUSON—My ques-
tion is addressed to the Minister for Trans-
port and Regional Services. Would the minis-
ter update the House on what the government
is doing to ensure security at Australia’s ma-
jor airports? What action has the government
taken—

Opposition members interjecting—

The SPEAKER—Order! The chair is
having great difficulty hearing this question.

Mr MICHAEL FERGUSON—Minister,
what action has the government taken in re-
sponse to the review of aviation security
conducted by Sir John Wheeler?
Mr TRUSS—I thank the honourable member for Bass for his question. Isn’t it great to have a member for Bass who actually takes things like aviation security seriously instead of a union inspired, scaremongering campaign, which is all we receive from the other side? They do not understand security. They have never tried to. At the last election they made no significant commitments to security—

Mr Albanese interjecting—

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

Mr TRUSS—All they do is criticise. There are never any real, constructive contributions made to effectively deal with security.

Mr Bowen—Mr Speaker, I rise on a point of order. The minister was asked a very serious question about airport security, not about alternative policies—Labor Party policy or anything else.

The SPEAKER—The minister is just beginning his answer. I call the Minister for Transport and Regional Services.

Mr TRUSS—It is indeed a serious question. I would have thought, therefore, that the members opposite might have listened and wanted to get a few facts about what is actually happening. The reality is that the new Aviation Transport Security Act, which was put in place in March this year, has provided a framework for us to be involved in a very significant investment in new aviation security activity. Since March, 250 Australian airports and airlines have developed detailed security programs and are required to follow appropriate security procedures. There has been a constructive response from airports around Australia to their obligations in that regard—most opposite to the attitude being shown by members opposite now and in their contributions to this issue.

The government, in its response to the Wheeler recommendations, has put in place programs which will also add very substantially to the safety of people operating and needing to use our Australian airports. The counter-terrorism measures that have been proposed include new offences for leaving baggage unattended in airport precincts and greater powers for police, particularly in transport hubs and other places of mass gathering.

Mr Bevis interjecting—

The SPEAKER—The member for Brisbane is warned!

Mr TRUSS—Since September 11, the Australian government has put in place measures totalling around $500 million to improve aviation security. There is $195 million specifically in response to the Wheeler recommendations and, in addition to that, there was $93 million for the enhanced aviation security package in December 2003. There are significant investments for regional security.

I noticed the shadow minister for transport interjecting. He was making some critical comments about the roll-out of wands and security equipment for the first time at regional airports around Australia. This program will be completed ahead of schedule so that, at those airports where the risks are assessed as being lower than at capital city airports, there will be a capacity to deal with heightened threats whenever they arise. This is a government that is serious about security and serious about addressing the needs of our capital city and regional airports. We are getting on with the job. Members opposite merely criticise with union inspired scare campaigns which do not address the issues because they have no commitment to security or to spending the resources necessary to keep our skies safe.
Oil for Food Program

Mr Rudd (2.52 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. I refer to the minister’s statement to this House in September 2002, in the middle of the Wheat Board funding scandal with Iraq, when he said that the Howard government:

... actively encourages Australian companies to participate in the oil for food program and actively facilitates that participation.

When did the minister, his office or his department first have concerns conveyed to them on whether the Wheat Board’s dealings with Iraq were violating UN sanctions against Saddam Hussein’s regime?

Mr Vaille—This issue has been canvassed by the opposition, and I know that the Minister for Foreign Affairs has indicated on behalf of our department their knowledge and their involvement in terms of the contracts and their application as far as the sanctions are concerned. The allegations raised first came to my attention as a result of the Volcker inquiry.

Teacher Education

Dr Washer (2.54 pm)—My question is addressed to the Minister for Education, Science and Training. Is the minister aware of concerns about the standard of teacher training? What is the government doing to lift educational standards? Are there any alternative policies?

Dr Nelson—I thank the member for Moore for his question. He, like all of us who are parents, would know that, apart from who we are parents, the most important people in the lives of our children are their teachers. So Australians would have been quite disturbed today when they read on the front page of the Sydney Morning Herald a headline which said, ‘Teachers told: prove you can read and write’. In fact, the story reports on a national inquiry that I commissioned a year ago into the teaching of reading in Australian schools and how Australian teachers are taught how to teach our children to read. The Sydney Morning Herald today said that this report that I am about to receive is ‘scathing about the competence of student teachers, citing evidence that many lack “the literacy skill required to be effective teachers of reading”’. Annah Healy, the coordinator of literacy in primary education at the Queensland University of Technology, in the same article said:

Years ago we could give students literacy tests to work out where they stood, but we can’t now because of all these equity guidelines. We can’t be seen to be discriminating. But we’d love to do it again.

The article went on:

Dr Healy estimated 20 per cent of her students had serious literacy problems and another 10 per cent “just got it”.

This report follows a growing and substantial body of evidence that there is a serious problem in the training of Australia’s teachers. That is not a criticism of teachers, but it is a criticism of the way in which they are being trained. No teacher can teach what he or she has not been taught to do. We know that, at the moment, one in 10 people training to be a teacher at the University of Tasmania is undergoing a remedial reading program. We know that only one in six students at the Australian Defence Force Academy, who need to have very high entry scores to get in, can achieve a 70 per cent proficiency in basic grammar. We know that 56 per cent of those training to be teachers, in a study at the Queensland University of Technology, could not identify a syllable. As Dr Healy said in today’s Sydney Morning Herald article, ‘How on earth would they cope if they ever had to help a child with language difficulties?’

The battle for Australia’s international competitiveness is going to be fought, and
indeed won or lost, in Australia’s schools. We know that about 30 per cent of Australian children are leaving the school system today functionally illiterate. The government are determined to see that there will be reforms in Australian universities, particularly in education faculties. We have established, at a cost of $30 million, a national institute for quality teaching to oversee this process. By the time this government have finished with teacher training, those who go into training to be teachers not only will be tested on literacy and numeracy but will be tested on the way out. Our children need it and our country’s future relies on it.

Oil for Food Program

Mr GAVAN O’CONNOR (2.58 pm)—My question is to the Minister for Agriculture, Fisheries and Forestry. I refer to the recently released Volcker report and its findings that Australian Wheat Board International paid $300 million to Saddam Hussein. Can the minister confirm that the Wheat Export Authority has both the statutory responsibility and the power to investigate all aspects of AWB’s overseas contracts, including those for the supply of wheat under the oil for food program? What information has the Wheat Export Authority provided to the government about this scandal? Minister, have you actually asked the Wheat Export Authority to get to the bottom of this scandal and, if so, when was that done?

Mr McGAURAN—I thank the honourable member for his question. The Chairman of the Wheat Export Authority, Mr Tim Besley, answered a number of these questions at Senate estimates hearings. He advised the Senate that he and his authority have discharged their statutory responsibilities as required under the legislation. I should also stress that the Australian Wheat Board has continued to deny it had any knowledge that it was paying or entering into an agreement to pay money to the former Iraqi regime and that it followed the processes and protocols laid down by the United Nations. The honourable member will not need reminding that the Prime Minister has announced that there will be an independent inquiry to examine whether there has been any breach of Australian law by those Australian companies referred to in the Volcker report.

Education and Training: Apprenticeships

Mrs ELSON (2.59 pm)—My question is addressed to the Minister for Vocational and Technical Education. Would the minister inform the House how the government is assisting new apprentices to get a start in traditional trades?

Mr HARDGRAVE—Firstly, I pay tribute to the member for Forde who, in her time in this parliament, has been so strong on advocacy for family policy and opportunities for the next generation. All sides of this place greatly respect and appreciate her efforts. The Australian government are continuing to roll out on our election commitments. This side of politics promise and deliver. That is what we do, and we are in the process of providing additional support to new apprentices. We are providing young people in this country with real choices. Those opposite do not like the word ‘choice’. They like to show that they do not trust young people; they prefer to tell them what they have to do, or there will be no government assistance. But on this side we believe that young people can be trusted to pursue the type of career that they want.

This has led to the introduction of a number of measures, including the $1,000 Commonwealth Trade Learning Scholarship—paid in two parts—for first- and second-year apprentices, at a cost of $106 million over four years. Recently, MAS Administrative Services was the organisation selected to
manage the delivery of another government initiative: the ‘Tools for Your Trade’ initiative. More than $120 million has been allocated over four years. It will assist some 34,000 new apprentices each year over the next four years, with an $800 tool kit in trade shortage professions, which will make a real difference. The kits have been available since 1 October.

Over 10,744 new apprentices who commenced after 1 July this year are now potentially able to receive that $800 tool kit. For the information of the member for Forde, that includes 259 apprentices in her electorate alone. We are determined to continue to promote the government’s policies in assisting employers and new apprentices to get on with the job of creating the next generation of trained people. We are determined to back young Australians.

I listened to what the Minister for Employment and Workplace Relations said before. He said, ‘Not even the union movement believe what the Labor Party say, because I’ve gone to the ACTU web site and, as they say, when it comes to new apprenticeships, you now have a lot more choice.’ They have actually listed the full range of professions, including the ones that the Labor Party targeted, such as hospitality, tourism, health care, child care and retail. The ACTU are happy to endorse this government’s support for the choice that young people make, while those opposite continue to be isolated in the reality that comforts them but no-one else in this nation.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS
Workplace Relations

Mr Howard (Bennelong—Prime Minister) (3.03 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The Speaker—The Prime Minister may proceed.

Mr Howard—I was asked a question about Salmat by the member for Wills. I have been able to obtain the following information. The Department of Employment and Workplace Relations has a contract with Salmat for mail-house services. I am advised that Salmat was selected following an open tender process conducted earlier this year by the department. That decision was published on the department’s intranet, announcing the selection. It reads as follows: ‘Salmat Document Management Solutions was the successful tenderer following an open tender process to find a mail-house service provider for the department and the contract period is from 1 June 2005 to 1 June 2008.’ It was therefore a decision not in any way specific to this particular contract.

On the question of alleged political connection between the recipient of a government contract and past activity, can I point out to the House that, between 1983 and 1996, ANOP, run by Mr Rod Cameron, received contracts from the then government amounting to $2,801,600. Let me say immediately that I have quite a high professional regard for Rod Cameron. I thought Rod Cameron was a much better researcher for the Australian Labor Party than some of the researchers they have had in recent years. I thought Rod Cameron was very capable. It simply makes the point that expressions of political support should not disbar one from preferment on the merits.

Mr Beazley—Mr Speaker, I ask that the Prime Minister table the documents he was quoting from.

The Speaker—Was the Prime Minister reading from a confidential document?

Mr Howard—It is marked ‘confidential’.
Workplace Relations

Mr COSTELLO (Higgins—Treasurer) (3.05 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The Treasurer may proceed.

Mr COSTELLO—In the course of question time I said that the unemployment rate in New Zealand was lower than in Australia, where it was 5.1 per cent, and the Leader of the Opposition interjected to say that I was wrong. The unemployment rate in New Zealand is in fact 3.7 per cent. I table the press release from Statistics New Zealand, which shows that the unemployment rate was 3.7 per cent for the June 2005 quarter.

WORKPLACE RELATIONS

Mr BEAZLEY (Brand—Leader of the Opposition) (3.07 pm)—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:

(a) his refusal to agree to a televised national debate with the Leader of the Opposition on his extreme industrial relations changes;
(b) his decision to waste more than $50 million of taxpayers' money on a Liberal Party propaganda campaign;
(c) his role in the decision to pulp nearly half a million copies of the 16 page WorkChoices booklet at a cost of over $152,000;
(d) his role in the decision to not distribute some 5.8 million copies of the WorkChoices booklet but dump them in warehouses around the country because market research now shows his propaganda is not fooling the Australian public; and
(e) his knowledge of the granting of contracts for the production and distribution of the WorkChoices booklet to companies who are donors to the Liberal and National Parties.

Once again, the Prime Minister is straight out the door. The moment a debate begins on industrial relations policy in this place, the Prime Minister is out the door. He will stand here in question time and provide no answers to the questions that are asked—questions which we on this side of the House merely ask because precisely those questions are being directed to us by ordinary Australians. They want to know what it is that the Prime Minister has in mind for them. He does not have the ticker to stand in this place or to stand before the glare of the public and explain the policies that he intends to pursue. He is out of touch, he is arrogant and he intends for the Australian people with this legislation the most fiendish mischief that has been visited upon them.

Those opposite complain that we intend to tear up this legislation. They complain that we will have not a bar of a single jot of it. The reason we will not have a bar of a single jot of it is that absolutely nothing in this provides a decent safety net for Australian families. Absolutely nothing in this gives job security to Australian workers. Absolutely nothing in this provides Australian workers with what they have had for 100 years—100 years of having a fair umpire to preside over the issues between them and their employers. And absolutely nothing in this provides protection to an ordinary worker by guaranteeing them access to the assistance of a union official when they want or need that assistance. They have in fact in this legislation, behind their honeyed words, criminalised an awful lot of ordinary union activity. If that activity is pursued in negotiations with the will of the employee—or even, for that matter, with the will of the employer—many of these areas will attract for both the employer and the employee a $33,000 fine.

Finally, they say that what this is doing is letting the market run free. They have the most intrusive ministerial fiat ever granted. A minister of the Commonwealth, under any piece of Commonwealth legislation, in war
or peace, has an absolute fiat to interfere in every single agreement, of an individual or collective character, entered into in this country and to rule out conclusions. So, even if the employer and the employee, or the employer and employees collectively, agree freely to a particular outcome, the minister is capable of moving into that outcome and effectively criminalising it if they intend to pursue it. It is extraordinary legislation. It is not freeing up the labour market; it is actually bringing an iron clamp onto the labour market, the ministerial clamp that allows him to do anything he likes. The intention of the government here is not for a free market; the intention of the government here is to direct an outcome: to ensure that the weight of authority in the negotiating process on wages and conditions shifts massively across to the employer.

When this comes into place—and this is why we need a proper negotiation on this—the real outcomes will not be obvious to the Australian people. Nothing cataclysmic is going to happen overnight. When this legislation passes, the next day everything will be the same. But slowly, steadily, over the next two years, the conditions that Australians have been used to will gradually crumble underneath them, as though their working conditions have experienced an infestation of termites. Gradually, one by one, firm by firm, the workers will find themselves in a place where their capacity to earn a living wage, particularly if there is any moderation in the economy, will start to put them in the situation that they have in the United States and that they developed in New Zealand after the changes like this that they put in place over a decade ago. Large numbers of them will join that phenomenon—the phenomenon of a mass based working poor: people who cannot sustain through their lives the capacity to provide themselves with a home that they own themselves, people without the capacity to exercise choice for their kids’ education and people who will see their children deprived of a lifestyle that they themselves enjoyed as children in an earlier era. It will be a day of sorrow in many households around this country.

Mr Laming interjecting—

Mr BEAZLEY—This utter fool, this child of privilege who is interjecting over here, cares absolutely nothing for what will go on in the families and the households of his electorate. When the families and the households of his electorate experience what will happen under this, they will find when they go to their Liberal and National members—those worthless, supine idiots who have been the useful idiots of this particular transmission—a cold heart and a closed ear. They will not want to hear the reality of what is happening to ordinary Australians. This is why we need a debate, which is the first of these points; we need one so this can be clarified for the Australian people. The average across this nation of $240 a month in penalty rates—which is the difference between being able and not being able to pay your mortgage—that you earn now will not be earned. It will be gone. But you will work those hours, and you will be directed to work them. That is why we need this debate.

The second reason why we need to pass this motion is to get some explanation for the extraordinary propaganda effort, and the Orwellian language, that has been employed by the government to sell the unsellable. To absolutely everything that is claimed in that $50 million worth of advertising the opposite applies. When they say there is security, there is no security. When they say there is an opportunity to have your penalty rates protected, they are not protected. You can go through each of those propositions and you will find behind each of those advertisements a lie. We say those ads have not worked, but
they probably have. I really do believe that, if that $50 million worth of sleeping tablets had not been dumped on the Australian population, you would be seeing in the polls the Liberals not merely slightly behind; you would be seeing them crushed. Advertising works. It always does. Otherwise, there would not be a whole industry built around it.

Then we come to the leaflet that was not distributed. Didn’t we find out something today? We found out today that the initial version of that leaflet was pulped not because it failed to have ‘fairness’ on the cover—and the cover of a propaganda pamphlet is now the only part of the entire effort of the government in this legislative process to include the word ‘fair’; that word ‘fair’ was taken out of the bill—but because they objected to the content. The content that was removed was any form of guarantee of things like penalty rates and access to decent arrangements in relation to unfair dismissal. That was taken out of the earlier version for the simple reason that there was no intention on the part of the government that people should be thinking seriously about those issues when they came to consider the legislation.

The loot goes into the pockets of those Liberal Party ne’er-do-wells who support the Liberal Party campaigns. These leaflets may not have been distributed, and these ads may be only semi-effective, but what has been really effective is the loot that has ended up in the back kick of the Liberal Party’s advertising executives. The Prime Minister decided to have a lend of one of the people who from time to time had done work for the Labor Party, and his entire 13-year effort did not come up to one year of Ted Horton’s. We must have this motion passed so we can get that proper debate. (Time expired)
just going to express my deep regret—and the regret, I am sure, of the entire Australian public—that today’s Australian Labor Party does not have the intellectual courage and the intellectual honesty of the Labor Party of 1983 to 1993. It was prepared to analyse the problems of our country and, where necessary, to confront the vested interests—including the vested interests that typically supported the Australian Labor Party—that stood in the way of progress. I ask: what has happened to the men of courage and principle that were once the lions of Labor? Isn’t it sad that the once mighty Labor Party has been reduced to this? Instead of coming in here and mounting an intellectual argument, instead of having the courage to embrace necessary change, those in the Labor Party have been reduced to giggling like schoolgirls to try to disrupt the debate of this parliament and to human billboards, sporting badges rather than intelligent arguments about the long-term economic future of our country.

Let me say that this Prime Minister not only has been consistently prepared to debate the need for workplace relations reform in our country but also has allowed an unprecedented length of time to debate the workplace relations bills currently before the parliament. By tomorrow evening, there will have been some 25 hours of debate on this legislation. This is a very long debate by the standards of this parliament. From memory, we had something like 13 hours of debate on the GST legislation. From memory, under the former government, we had just 14 hours of debate on the extremely controversial Wik legislation. This government is going to allow some 25 hours of debate on the workplace relations legislation in this House, followed by a significant Senate inquiry and probably a fortnight’s worth of debate in the Senate.

Let us come to the substantive issue. The substantive issue at stake here today is the real nature of the government’s proposed workplace relations changes. Let me say that what is proposed in this House is evolutionary not revolutionary. It builds on the good work done by the former government in 1993. It builds on the courage of decent Labor men—men of greater stature than the people now occupying those opposition benches. It builds on the good work of this government in 1996—as negotiated with the then Senate. This is an evolutionary change that builds on the strengths of our existing workplace relations system.

Let us ask ourselves: what has been delivered by the current workplace relations system? Not the chaos that was warned about by Bill Kelty in 1996. What has been delivered by the current workplace relations system is what every decent Australian should want: more jobs, higher pay and fewer strikes. That has been the legacy thus far of the government’s workplace relations changes and it is to extend this impressive legacy that the government wants to bring these further evolutionary changes into our parliament.

There is a fundamental principle enshrined in the bill which has been introduced by this government: what you have, you keep, until such time as you agree to change it. That is the fundamental principle enshrined in this bill. Let there be no mistake: there is a definite intention on the part of this government to introduce further flexibility into our labour market. We do not want further flexibility in our labour market to reduce people’s existing pay and conditions. We have faith in the ability of the Australian worker to know what is in his or her best interest and not to sacrifice good wages and conditions wantonly in the face of brutish employers.
We have faith in the employers of this country. We do not believe, as members opposite so often seem to believe, that workers are fools and that employers are brutes. We do not believe that the workers of this country are idiots incapable of understanding their own best interests and that the employers of this country are monsters just waiting to exploit their workers. We believe that these are good and decent Australians—99.9 per cent of them, 99.9 per cent of the time—and we are prepared to trust them to know their own best interests and to act in accordance with their own best interests.

We need greater flexibility because, at the end of the day, the fairest and most compassionate thing that any government can do for the workers of this country is to increase their number by trying to ensure that the unemployed people of Australia have the greatest possible chance to enter the work force. That is what these changes are all about. These changes are all about giving the fair go to the unemployed people of this country so long denied them because of the inflexibility of our labour market. And I am afraid to say that fair go is now denied to them by members opposite who are much more interested in the 95 per cent of the work force with jobs than they are with the five per cent of the work force who do not have jobs. They are the people whom this government is trying to protect.

Let us get down to the fundamentals. The fundamental issue is that notwithstanding the changes that this government has made we still have, by international standards, a comparatively regulated labour market. Our labour market is more regulated than the labour markets of the United Kingdom and New Zealand. And not surprisingly both the United Kingdom and New Zealand have significantly lower levels of unemployment than Australia. All we ask of members opposite is that they—the Australian Labor Party—support levels of deregulation which are equivalent to those supported by the New Zealand Labour Party and the British Labour Party. If a more deregulated, more flexible labour market is good enough for New Zealand Labour, why is it not good enough for Australian Labor? If it is good enough for British Labour, why is it not good enough for Australian Labor? I regret to say that the tragedy of Australian Labor is the quality of its leadership. It is not currently led by people with the courage to embrace change and do what is necessary in the best interests of the Australian people.

Hovering over this parliament is the judgment pronounced against the current leader of the Labor Party by the former leader of the Labor Party, Mark Latham—no real ideas, no real energy, no real backbone. And, when it comes to labour market reform, the Leader of the Opposition is haunted by guilt that he was the employment minister who delivered us almost 11 per cent unemployment. I say he should live down that legacy and shame by supporting the sensible evolutionary changes that this government wants to put in place.

Mr STEPHEN SMITH (Perth) (3.28 pm)—Standing orders need to be suspended so that this House can consider the refusal of the Prime Minister to agree to a televised national debate with the Leader of the Opposition on the Prime Minister’s extreme industrial relations changes; the Prime Minister’s decision to waste more than $50 million of taxpayers’ money on a Liberal Party propaganda campaign; the Prime Minister’s role in the government decision not to distribute some 5.8 million copies of that booklet but to dump them in warehouses because the government’s market research says that that propaganda is no longer fooling the Aus-
Australian public; and the Prime Minister’s knowledge about the granting of contracts for the production and distribution of that booklet and the government’s advertising campaign to companies which are either donors to the Liberal Party or associated with Liberal Party campaigns.

There are a couple of essential points about the need to suspend standing orders. Firstly, why does the Prime Minister want to hide from a debate on this issue? The Prime Minister wants to hide from a debate on this issue because scrutiny of the detail exposes just how vulnerable Australians are when it comes to these extreme, unfair and divisive changes. Every time a piece of detail is examined, the more unfair and outrageous we see these proposals are.

Secondly, whether it is the advertising campaign, the pulping of documents or the warehousing and dumping of documents—all roads lead to Rome. It is a Liberal Party advertising campaign by Liberal Party agencies, by Liberal Party advertisers, by Liberal Party campaigners and by Liberal Party donors to shore up a taxpayer-funded Liberal Party propaganda campaign about these matters. Why? The government wants to slide these things through. Yesterday we saw ‘pulp fiction’ and ‘kill bill’—you will pulp the fiction, why don’t you kill the bill? Today we saw a different aspect—‘back to the future’. Last night we saw the Prime Minister on the great national public broadcaster’s 7.30 Report saying, ‘No, these things aren’t a distraction. These are issues that I have had strong views about for 20 years or more—for decades or more.’ This morning in the Australian respected former Senator Harradine is reported as saying, ‘These are remarkably similar to things that I considered when I was in the Senate back in the 1980s.’ So today we see ‘back to the future’. The government has been out there saying ‘Don’t worry about the detail. Don’t worry about how unfair these things are. Don’t worry about how un-Australian these things are. Don’t worry about the fact this will leave us with an American-style working poor. These things are absolutely essential for our economy.’

There was not one word about this in the run-up to the last election, but plenty of words in the 1970s, the 1980s and the 1990s. I will quote just a few. The Prime Minister in 1979 said:

... penalty rates ... a ridiculous impost.

The Prime Minister in November 1990, on holiday loading, said:

... a heavy and ludicrous impost.
The Prime Minister in April 1992 said:
... penalty rates, the length of the working week, overtime, holiday loadings and all of those things that are holding back the needed flexibility in Australia’s industrial relations system ought to be matters for negotiation between employers and employees.

In November 1990 he said:
I argued for the forgoing of the holiday loading ... it’s a fairly illogical benefit.

The 1970s, the 1980s and the 1990s were redolent with the Prime Minister’s long-standing ideological and political attachment to ripping away at the wages of Australian workers, ripping away at entitlements and conditions and ripping away at the independent umpire. I do not even need to remind those opposite about the Prime Minister stabbing the umpire in the stomach. (Time expired)

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

The House divided. [3.37 pm]
(The Speaker—Hon. David Hawker)
Ayes ............ 59
Noes ............ 79
Majority .......... 20

AYES
Adams, D.G.H. 
Beazley, K.C. 
Bird, S. 
Burke, A.E. 
Byrne, A.M. 
Crean, S.F. 
Edwards, G.J. 
Ellis, A.L. 
Emerson, C.A. 
Ferguson, M.J. 
Garrett, P. 
George, J. 
Gillard, J.E. 
Griffin, A.P. 
Hatton, M.J. 
Hoare, K.J. 
Jenkins, H.A. 

King, C.F. 
Livermore, K.F. 
McClelland, R.B. 
Melham, D. 
O’Connor, B.P. 
Owens, J. 
Price, L.R.S. 
Ripoll, B.F. 
Rudd, K.M. 
Smith, S.F. 
Swan, W.M. 
Thomson, K.J. 
Wilkie, K. 

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. 
Draper, P. 
Elson, K.S. 
Fawcett, D. 
Forrest, J.A. * 
Gash, J. 
Haase, B.W. 
Hartsuyker, L. 
Hockey, J.B. 
Hull, K.E. 
Jensen, D. 
Jull, D.F. 
Kelly, D.M. 
Laming, A. 
Lindsay, P.J. 
Macfarlane, I.E. 
McArthur, S. * 
Moylan, J.E. 
Nelson, B.J. 
Panopoulos, S. 
Prosser, G.D. 
Randall, D.J. 
Robb, A. 
Schultz, A. 
Seeker, P.D. 
Smith, A.D.H. 
Stone, S.N. 
Ticehurst, K.V. 
Truss, W.E. 

Lawrence, C.M. 
Macklin, J.L. 
McMullan, R.F. 
Murphy, J.P. 
O’Connor, G.M. 
Plibersek, T. 
Quick, H.V. 
Roxon, N.L. 
Sercombe, R.C.G. 
Snowdon, W.E. 
Tanner, L. 
Vamvakou, M.

Andrews, K.J. 
Baker, M. 
Barresi, P.A. 
Billson, B.F. 
Bishop, J.I. 
Broughton, J.T. 
Causley, I.R. 
Cobb, J.K. 
Downer, A.J.G. 
Dutton, P.C. 
Entsch, W.G. 
Ferguson, M.D. 
Gambaro, T. 
Georgiou, P. 
Hardgrave, G.D. 
Henry, S. 
Howard, J.W. 
Hunt, G.A. 
Johnson, M.A. 
Keenan, M. 
Kelly, J.M. 
Ley, S.P. 
Lloyd, J.E. 
May, M.A. 
McGauran, P.J. 
Nairn, G.R. 
Neville, P.C. 
Pearce, C.J. 
Pyne, C. 
Richardson, K. 
Ruddock, P.M. 
Scott, B.C. 
Slipper, P.N. 
Somley, A.M. 
Thompson, C.P. 
Tollner, D.W. 
Tuckey, C.W.
Questions to the Speaker

Contingent Notice of Motion

Ms Gillard (3.44 pm)—Mr Speaker, I refer you to the fact that on 15 September this year the Leader of the House used a contingent notice of motion to guillotine debate on the Telstra (Transition to Full Private Ownership) Bill 2005 and the Telecommunications Legislation Amendment (Competition and Consumer Issues) Bill 2005 despite the fact that the House was provided with only a few hours in which to consider these bills. I am advised that this is the first time since 1986 that a contingent motion has been used, and on that occasion it was used because leave was not granted for a bill to be read a second time. I note that the process is extremely rare; indeed, there are no examples other than these two of a contingent motion being used in the House.

Mr Speaker, can I please ask you to advise the House of your views regarding the use of this parliamentary device, which is clearly about curtailing debate and the rights of members to speak to bills before the House? Can I also ask you to advise the House if you or your staff have engaged in discussions with the Prime Minister, the Leader of the House or their staff about the use of contingent motions? Finally, can I ask you if any discussion took place before the Leader of the House proceeded with his motion on 15 September?

Mr Speaker, there is some urgency in your addressing these issues in that the opposition bench who wish to speak in that debate will be denied their rights. Then, on Thursday, it appears very likely that the contingent notice of motion will be used to guillotine debate on the Anti-Terrorism Bill (No. 2) 2005, with it having been debated possibly for as little as four hours in this House.

The Speaker—I thank the Manager of Opposition Business. That is a detailed question. I am not sure that I will be offering views, but I will give serious consideration to her question. To my knowledge there has been no discussion on the points she raised, but I will check that further and I will report back as soon as I am able to.

Availability of Chamber Documents

Question Time

Mobile Phones

The Speaker (3.47 pm)—I have three issues to raise with members. There was considerable discussion last Wednesday about the provision of sufficient copies of a bill and a specific issue was raised by the member for Calare and the member for Denison regarding the availability of explanatory memorandum. The current arrangements for the availability of bills are that the Table Office receives 100 copies for provision to members, their staff and others. Copies of the bill are available as soon as the bill is presented. A small number of bills and the explanatory memoranda are available in the chamber, having been placed on the table after presentation. Primary distribution takes place from the Table Office, and both bills and explanatory memoranda are loaded onto the web for public access via the internet.

After consideration of the expected demand for the Workplace Relations Amendment (Work Choices) Bill 2005, arrangements were made to receive an additional 400 copies of the bill and an extra 150 copies of the explanatory memorandum. In accor-
dance with standard practice, as soon as the Minister for Employment and Workplace Relations had presented the bill and the Clerk had read the title, a small number of copies of the bill and the explanatory memorandum were placed on the table in the chamber and limited additional stock was also available for distribution in the chamber.

Distribution of the bill to members and their staff was also commenced from the Table Office. Distribution of the explanatory memorandum was withheld until its presentation. When it became clear that further copies were required in the chamber, sufficient additional copies of the bill were taken to the chamber for distribution to members. The bill and explanatory memorandum were loaded onto the web. However, the explanatory memorandum was subsequently removed after a short period when it became apparent that there would be a significant delay between the presentation of the bill and the presentation of the explanatory memorandum. In view of the concerns expressed by the member for Denison and the member for Calare, I have asked the Clerk to review arrangements for making available copies of explanatory memoranda.

The second point is that on Thursday last week the member for Denison and the member for Fraser asked me questions about the management and processes of the House, such as those relating to the availability of bills. The suggestion was that these were solely within the province of the Speaker. There is a long tradition of questions on notice, now called questions in writing, about the operation of the House being addressed to the Leader of the House. I refer members to the *House of Representatives Practice*, page 538. While it is now possible for oral and written questions to be addressed to the Speaker, there remains the option that the Leader of the House or the Prime Minister is best positioned to answer particular questions.

There had been discussion on Wednesday about the provision of sufficient copies of a bill. In this regard, the Speaker’s responsibility, acting on advice from the Clerk, is whether copies of a bill are available within the chamber and from the Table Office so that the second reading can be moved immediately. It is the ministry’s responsibility to ensure that copies of the bill are delivered for the House, and it was on this basis that I permitted the question on Thursday.

The third issue is that last Tuesday the member for Prospect asked me a question about the use of mobile telephones for text messaging while other members have the call. Text messaging on mobile telephones falls within the same category of activity as sending and receiving email messages on laptops. Members and advisers have been permitted to use laptop computers and mobile telephones for text messaging in the chamber for several years now, and I propose to allow this practice to continue. However, as I indicated to the honourable member when he raised this matter, I support the prohibition, enforced by successive Speakers against members and, indeed, other persons, speaking on mobile telephones in the chamber. I would add to this a further prohibition on the use of any camera functions on a mobile telephone while in the chamber.

These practices support the orderly conduct of proceedings in the House and help to ensure that the member with the call is shown the courtesy she or he is entitled to expect and is not disturbed or interrupted by a mobile phone ringing or a person talking or filming on a mobile phone. Members should note that they must avoid having mobile telephones close to an active microphone, as this might cause disruption to the sound and broadcasting systems in the chamber. I have
not been aware of proceedings being interrupted by text messaging. Should there be interruptions from any source, I will reconsider the matter.

DOCUMENTS

Mr ABBOTT (Warringah—Leader of the House) (3.52 pm)—Documents are tabled as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

Industrial Relations Court of Australia—Report for 2004-05.

Debate (on motion by Ms Gillard) adjourned.

LEGISLATIVE ASSEMBLY OF THE NORTHERN TERRITORY

The SPEAKER (3.52 pm)—I present a letter from the Speaker of the Legislative Assembly of the Northern Territory forwarding a resolution of the assembly relating to the proposed Commonwealth legislation to make provision for a radioactive waste management facility in the Northern Territory.

MATTERS OF PUBLIC IMPORTANCE

Sustainable Regions and Regional Partnerships Programs

The SPEAKER—I have received letters from the honourable member for Cowper and the honourable member for Kennedy proposing that definite matters of public importance be submitted to the House for discussion today. As required by standing order 46, I have selected the matter which, in my opinion, is the most urgent and important; that is, that proposed by the honourable member for Cowper, namely:

The urgent need to support the Sustainable Regions and Regional Partnerships programmes for the benefit of rural and regional Australia.

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

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

Mr HARTSUYKER (Cowper) (3.53 pm)—This matter of public importance provides the opportunity to note the coalition government’s commitment to regional Australia and to highlight the outstanding successes which regional Australians have delivered for their own communities. It also represents an opportunity for all to see the Labor Party’s hypocrisy on this issue and the support that the Labor Party have received from their sidekick, the member for New England. It is apparent that when it comes to supporting regional Australia the Labor Party have their own collective commitment to what I call the ‘hypocritic oath’—not the hippocratic oath but the hypocritic oath. I say this because members opposite are happy to accept funding under Regional Partnerships on the one hand, yet on the other hand they are the most vehement critics of the use of Regional Partnerships funding in coalition electorates.

And standing just to one side of the Australian Labor Party is the member for New England, an MP who is willing to use parliamentary privilege to attack Regional Partnerships, the former Deputy Prime Minister, John Anderson, and Senator Sandy McDonald; and, as a result of all of that, to attack the achievements of community groups which have delivered so much for local towns and villages. Indeed, the cartoonist in the Daily Telegraph, Warren Brown, lampooned the member for New England and his use of parliamentary privilege on 19 No-
November 2004. In the cartoon he clearly depicts the member for New England as the ‘King of Coward’s Castle’.

The Regional Partnerships and Sustainable Regions programs have not only supported many local communities but also served to highlight the disregard that the Labor Party has for regional Australia. It is a measure of the member for New England’s confused position when he aligns himself with the Australian Labor Party. This is the same Labor Party that has deserted regional Australia for 13 years. It is the same Labor Party which has allowed Canberra to tell Condobolin what is good for their own community. It is the same Labor Party that had no Regional Partnerships or Sustainable Regions programs but gave Australia 17 per cent interest rates and 11 per cent unemployment.

Whilst we continue to see the Leader of the Opposition flipping and flopping over whether Regional Partnerships stands for good or stands for evil, today I want to bring to the attention of the House a number of key matters. Firstly, I will highlight the origins of the Regional Partnerships and Sustainable Regions schemes; secondly, I will focus on the successes of those schemes and the outcomes that are being achieved in regional and rural Australia; and, thirdly, I will record the hypocrisy of the Australian Labor Party and their sidekick, the member for New England, in opposing these programs and their advocates.

In October 1999 the then federal Minister for Transport and Regional Services, the Hon. John Anderson, convened the Regional Australia Summit. The summit’s primary focus was to address the challenges that were confronting regional Australia. A specific focus was on those regional communities which had experienced economic downturns and social disadvantage. The summit considered a number of options as to how to effectively stimulate local communities and to address the uncertainty which existed in many towns across the regional landscape. There were some who proffered the opinion that governments should simply fund more projects in regional areas. However, the overwhelming opinion of delegates was that a straight handout from government would not necessarily make projects a success and regenerate local communities. Rather, the summit recommended that we adopt a bottom-up or grassroots approach. Such an approach would allow local communities to identify their own needs and to take ownership of these projects. It acknowledges that Canberra based bureaucrats are not necessarily the best people to decide what will work in a local community and it replaces the top-down, nanny-state approach which saw funding for facilities for which many communities had no regard.

The new approach ensured that there was a genuine need in the community and passionate support for that project that was about to be undertaken. By empowering local communities to promote their own solutions, the bottom-up approach allowed government to help leverage up outcomes with a relatively smaller amount of government expenditure. Importantly, it accepts that governments, businesses and communities working together in partnership can address many of the problems facing regional Australia. As a result of that regional summit, the Regional Solutions program, which was later incorporated into Regional Partnerships, and the Sustainable Regions Program were established. Both programs were part of a vision to create a strong and resilient regional Australia by 2010 and to turn uncertainty and change into opportunity and prosperity.

While I acknowledge that there remain ongoing challenges in regional Australia, the success of Regional Partnerships and Sus-
tainable Regions is obvious for all to see. Since 2001 these programs have leveraged more than $900 million in investment, helped communities diversify and helped communities to create new opportunities. Residents in regional Australia have clearly demonstrated that they do not want a hand-out but that they will accept a hand up to achieve real outcomes. Under the Regional Partnerships and Sustainable Regions programs, 960 projects have received a total of $270 million in Commonwealth funding since 2001-02. This funding has generated an additional $640 million in partnership funding, either in cash or in kind, from all levels of government, the private sector and our strongly supported community groups. It has effectively transformed many regional economies through this very strong program.

I have enjoyed the privilege of seeing outcomes of such a program in my electorate. I am a keen supporter of Regional Partnerships and Sustainable Regions. Earlier this year, I had the pleasure of attending the opening of the patient and carers lodge at the Coffs Harbour Health Campus. The lodge provides 16 low-cost, self-catering accommodation units for outpatients attending radiotherapy treatment at Coffs Harbour Base Hospital. The project was the vision of the local Rotary Club, and the Commonwealth committed $269,000 under the Regional Partnerships program. The announcement of the Regional Partnerships grant was vital to the Rotary Club’s fundraising campaign. It was by no means the only substantial grant, but it certainly gave the project the momentum it needed. The Cancer Council committed $200,000 and Lions Clubs, both large and small, provided a similar amount. The Coffs Harbour City Council provided land and other groups raised additional funds. The North Coast CWA raised $28,000, the Quota Club $27,000, the Pink Ladies $50,000 and a range of private donors contributed. The list goes on. The total value of the project was some $1.3 million, leveraged from an initial Commonwealth contribution of $269,000. It is interesting to note that it will not be the members of the local Coffs Harbour community who will benefit but people in the surrounding regions who will be travelling to receive treatment at the hospital. I know that members of the Coffs Harbour Rotary Club were delighted when the grant funding was announced.

The coalition government is absolutely supportive of this project, as it is of many other projects. The government has provided funding in my electorate for the Woolgoolga senior citizens centre, $24,000 to upgrade Willawarrin Hall, $97,000 for a community art gallery in Gladstone, $235,000 for the Glenreagh Mountain Railway, probably one of the biggest voluntary community projects happening on the North Coast, and $148,000 for the Clarence coastal walks project.

The Labor Party and the member for New England have criticised these sorts of programs right around the country. They have criticised the keen advocacy that has been provided by the then Deputy Prime Minister, John Anderson, and Senator Sandy Macdonald and they have attempted to undermine the value and credibility of these programs. The Labor Party’s commitment to its ‘hypocritic oath’ against Regional Partnerships has served to highlight how out of touch it is with regional Australia and regional communities. This has never been more evident than in the behaviour of the Leader of the Opposition. Earlier this year, the Leader of the Opposition sucked in a deep breath and labelled Regional Partnerships as ‘rotten to the core’ and ‘corrupt’. ‘It’s terrible stuff,’ he was quoted as saying. Yet, in a true flip-flop, for which the Leader of the Opposition and member for Brand is well known, he was keen to support the Rockingham Marina Project at Mangles
Bridge in his own electorate, noting the economic development it would bring to the region. He claimed, on the one hand, that it was a terrible rort and, on the other hand, that it was going to bring valuable development to his own region.

The coalition did announce a grant of $242,000 for the Rockingham Marina Project, which I thought the member for Brand would have welcomed. Instead, he referred to this program as ‘really terrible stuff’, ‘a rort’ and ‘disgraceful’. One must wonder how genuine the member for Brand and Leader of the Opposition is in his commentary when he accepts funding for a project in his own electorate but proclaims funding provided to other projects as a rort. It is another example of the ‘hypocritic oath’.

But there are sometimes projects in seats other than Brand which deserve support from the members opposite. One project which comes to mind—and the member for Dobell is here—is the Tumbi Creek project. At last year’s election, the Labor Party candidate for the seat of Dobell said:

... Labor will fund the dredging of Tumbi Creek with a commitment of $1.3 million to continue the project.

No sooner had Labor lost their fourth successive election than their solid push for the Tumbi Creek project had gone and, all of a sudden, it became an underhand conspiracy. It had gone from being a $1.3 million commitment from the Australian Labor Party to being an underhand conspiracy. When the clock struck midnight on 9 October, Tumbi Creek became a sinister attempt to misuse funds. The member for Dobell knows how much his community supports the project and believes in the value of Regional Partnerships.

And sitting on the fringes is the member for New England. As a resident of regional Australia, the member for New England has used parliamentary privilege to bag this program. He said:

... it seems to me that there may well be some corrupt activity in relation to where some of these funds have ended up and whether they have even been found.

Given that the member for New England has failed to produce any such evidence, questions must be asked about projects in his electorate. Was it corrupt that the Glen Innes Learning Centre got $309,000? Was it corrupt that the Tenterfield Multipurpose Centre got $55,000? Was it corrupt that $8,900 was allocated to the Bendemeer Preschool? And was it corrupt that Regional Partnerships funding was used to upgrade the kitchen in the Steinbrook Community Hall? For all the merits of these projects, it has not stopped the member for New England from using parliamentary privilege to pursue his own interests and knock this very valuable program. They are very good programs indeed.

We have seen the way the member for New England has knocked a very keen advocate of this program, the member for Gwydir and former Deputy Prime Minister, John Anderson, who is absolutely committed to regional and rural Australia and Regional Partnerships. We have seen the member for New England, in double harness with the Australian Labor Party, trying to cast doubt on this program and trying to drag down the value of the contribution by many community groups in providing much needed services and programs in their communities. When people from his electorate travel to Coffs Harbour to use the services at the radiotherapy carers lodge, they will probably get a pretty good impression of the value of this program. They will probably appreciate the fact that they will be able to stay at a friendly place with good facilities whilst they are recovering from a very sinister disease.
The example of the radiotherapy carers lodge displays beyond doubt the value of this program, but the Labor Party’s constant sniping from the sidelines and constant criticism of Regional Partnerships displays their rank hypocrisy—the ‘hypocritic oath’. It was okay to spend money in Brand and it was okay to spend money at Tumbi Creek up until midnight on 9 October, but funding outside Brand is a rort and funding at Tumbi Creek after midnight on 9 October is a conspiracy. It shows a very confused logic. It shows their form. It shows a total disregard for regional and rural Australia and a total disregard for regional communities.

Regional Partnerships and Sustainable Regions are two of the flagship projects of this government, providing local communities with the ability to solve their own problems and filling in the gaps where services would not otherwise be provided. I think the display by the Australian Labor Party is a disgrace. They have got form on neglecting regional and rural Australia. The member for New England, by being associated with the Australian Labor Party on this issue, is also a disgrace. By running down the very valuable Regional Partnerships program and by running down the keen advocates of this program he has displayed his true colours and his contempt for regional Australia. He has displayed his desire to pursue a personal agenda rather than looking after the best interests of his constituents. I certainly welcome this MPI as an opportunity to showcase the achievements under the Regional Solutions and Regional Partnerships programs. (Time expired)

Mr CREAN (Hotham) (4.08 pm)—The government have dodged the opportunity today to debate another issue: the illegal fishing boats in our north. This was the proposition put forward by the member for Kennedy. Little wonder they do that, because they come into this place and trumpet their success with border security but we know it has been a complete failure. Beyond any doubt, the control of this issue has been running far in excess of anything that protects our borders. How do we know this? At last week’s estimates hearings, officials confirmed that sightings of illegal vessels averaged 22 per day and for the last financial year totalled 8,108.

The Deputy Secretary of the Department of Agriculture, Fisheries and Forestry, Mr Daryl Quinlivan, admitted that in the first seven months of this year only 227 vessels were apprehended and more than half of these were released immediately after their fishing gear was confiscated. What sort of protection is that for our north? What they have also gone on to say is that this poses a risk not only to our fish stocks but also to our marine environment, our border security and our biosecurity. The fact is that illegal fishing—particularly in our northern waters—is out of control, and it is no wonder the government do not want to debate that today.

Having said that, I welcome the opportunity to address the issue of the Regional Partnerships program and the Sustainable Regions Program. Labor are a proud supporter of regional economic development. Unlike the government, whose first act when it came in was to declare that there was no constitutional role for the Commonwealth in regional development, Labor have always held their commitment to the regions paramount. This is because we know that by empowering our regions and by ensuring that they can reach their potential not only do they benefit but the nation benefits. We support government programs to ensure the sustainable development of the regions. We even support the programs that are called Sustainable Regions and Regional Partnerships. What we do not support is the way in which they have been administered. The motion that we should be voting on today is the
urgent need to ensure that the Sustainable Regions and Regional Partnerships programs genuinely benefit rural and regional Australia by adopting the recommendations of the Senate regional funding inquiry.

That was an inquiry into the report that the member for Cowper was just applauding. Here is a member of parliament who has read none of the evidence that has come before a parliamentary inquiry which has demonstrated the way in which this program has been rorted in a number of cases. Many of these instances demonstrate that these programs are not about partnerships; they are about special deals—and many of them do not have a transparent, open approval process; they involve political fixes.

I am surprised that the minister responsible for the partnerships program, the Minister for Transport and Regional Services, is not in the House to defend it today. He made a speech at an area consultative committee a few weeks ago for which I applauded him because in it he recognised—no doubt because he had some advance warning as to what was going to come from that inquiry—that there were deficiencies in the program and they had to be corrected. Have we seen anything from the minister to make that correction? Not on your nelly. And there he was with the opportunity yesterday at the Local Government Association conference on the future of our regions where he could have identified this. There is real concern out there that there has not been transparency in these programs. The regions want access to them but they want access to them on a fair basis. They want to know, when the rules are spelled out, that there is not going to be favourable treatment given to programs through special rules and through secret rules. And that of course is what has happened.

I go to the member for Gwydir, for example, because, until a few months ago, he held the second most important position in this country—he was the Deputy Prime Minister. Members will recall, under the programs that we have just heard the member for Cowper applaud, the grant of $1.2 million to the Primary Energy ethanol project in Gwydir—a shelf company that has not produced a drop of ethanol, either when the grant was made or since. It was $1.2 million. As has been said before, we have heard that petrol is expensive, but has anyone heard of the price skyrocketing to $1.2 million and not one litre of ethanol produced? It is a disgrace and the member for Cowper should hang his head.

Due to the efforts of the Senate regional funding inquiry, we know that the Department of Transport and Regional Services did not recommend this grant. We know that the grant occurred only when the then senior adviser of the member for Gwydir intercepted the department’s brief and demanded it be withdrawn. Ultimately, it was approved not by the guidelines that had been published but by a secret set of guidelines known as SONAR—SONAR because they were under the radar. That was the only way this scheme got up: secret National Party business and guidelines known only to members on the other side of the House—in particular, in the National Party.

Another issue in Gwydir was the provision of a child-care centre that received training and accreditation funding under the Regional Partnerships program. One can argue that that is a worthy cause. But why is it that it was the only child-care centre in the country that got funding under this program? What do members of the gallery think? Isn’t it fair enough to think that, if this program can fund child-care training and accreditation, it should be made available to the whole of the country? But, no; it was only available to the former Deputy Prime Minister’s elec-
torate. Then we had the circumstances in the last election of the announcement of a sustainable regions area—a new one, a special area—that just so happened to cover part of his electorate. Wasn’t that convenient? And the member for Cowper has the gall to come into this House and say that it is a great program!

But people should not think that we are just having a go at the former Deputy Prime Minister. I make the point that his area stinks to high heaven because he held that position. But people should understand that it was not the only rorting that went on under this program. The senior minister responsible for the program spread the pork around, but he spread it around those areas that the coalition had to win. The member for New England was the beneficiary of some of it because they wanted to get him out, not because they backed him. There were a range of National Party seats.

The most egregious abuses of the Regional Partnerships program have become bywords for rorting in this country. Think about it: $5 million to fund a steam train that ran out of steam—it went bankrupt; $1.3 million for a milk company that curdled—it went bust just days after the grant was announced; and $1.2 million for an ethanol-producing company that has not produced a litre of ethanol. Also, we heard a couple of weeks ago of $50,000 for a town centre project in Mount Newman that the bureaucracy would not have a bar of—that it argued failed all of the tests and should be dropped off the list. But the Prime Minister visited this place during the election campaign. Despite all of the rejections by the department, subject to the transparency required under the rules, the project was approved within 24 hours in September. And do you know what? The initiative still has not been built. I put to the member for Cowper: you tell us that this is a decent program! He cannot even keep a straight face; he has a stupid grin on it. He is covered by guilt because of what this program represents.

Also, under the Sustainable Regions Program—this was a terrific one—there was half a million dollars for an Atherton pub that specialised in bikini babes and ‘Wacky Wednesdays’. I ask you: is that a sensible spend of Regional Partnerships money? If anyone doubts the extent to which this program had an impact on the election, have a look at the graph I have here. Mr Deputy Speaker, I seek leave to table the graph.

Leave granted.

Mr CREAN—It shows the distribution of funding of this program. It demonstrates that in June, July and August—the three months immediately before the election was called—the Regional Partnerships program doled out more than $71 million in approvals. More than half the entire distribution of this program was announced just before the election. And you tell us it is transparent, you tell us it is fair and you tell us it is designed for the whole of Australia, when some of these programs are granted by secret guidelines that came out only because of a Senate inquiry.

This is not the only program that has been subject to rorting. Today we have evidence of another scandal—a scandal in the town of Eden in the electorate of Eden-Monaro. This was the town that, in 1999, needed a structural adjustment package because of the closure of a tuna cannery. Fair enough—you need to create sustainable jobs. An industry has gone out of existence and you want to encourage others. The difference here is: why did this area get so much money? Because the member for Eden-Monaro, a Liberal member, had just been returned in the 1998 election by 266 votes. He was hanging on by his fingernails. Therefore, there had to
be a means by which this electorate got special treatment—and it did. It got something close to $4 million in grants for this adjustment package. However, we need to bear in mind that the criteria for the package included that there had to be sustainable jobs.

There were three programs. Matilda’s Bakery closed in June 2005 after 3½ years of unsuccessful trading. It received $1 million in funding and promised to create 46 new jobs. Last year the Australian Taxation Office took action against the bakery for failing to pay the GST and group tax, and the minutes of the creditors meeting show that the bakery did not own its part of the Commonwealth funded building when it fell into financial difficulty. This is scrutiny? This is transparency? The Liberal member for Eden-Monaro has conceded that the bakery was a financial risk and could not have obtained a bank loan. There is the Sea Horse Inn at Boydtown. In December 2000, it was granted half a million dollars for refurbishments, and it promised 43 new jobs. The inn was closed for refurbishment and it has still not opened. Then there is the vessel, the Spirit of Eden, which was awarded $200,000 in June 2000 for which it promised three local jobs. The vessel is no longer in Eden; it is at Airlie Beach.

So funded under this program we have a bakery with no proof, an inn with no tenants and a boat that has slipped its mooring and ended up in Airlie Beach, and not one job from any of those programs remains standing. This is a disgrace, and it has happened consistently under the watch of this government. Why? Because they are not interested in genuine regional development. They are interested in feathering the nests of their members’ seats that are in trouble, disbursing the pork and treating the Australian people as mugs.

The fact is that we do need sustainable development in the regions. We support sustainable development but we do not support waste. We say that there is a role for the Commonwealth in regional economic development. We say that functioning bodies such as the area consultative committees, established by us because we believe in regional development, should have a greater say in what gets approved. We say that the guidelines and recommendations of the Senate to clean up this rotten program and make it a genuine program should be adopted. We support the programs themselves; we do not support the way in which they have been administered. This House should be insisting upon the government adopting the recommendations, cleaning up the rorts and making the program transparent so that all regions can participate in the benefits of this money and this country can make headway, the regions can flourish and the nation can flourish. (Time expired)

Mr ABBOTT (Warringah—Minister for Health and Ageing) (4.23 pm)—The Regional Partnerships program is a good program. So far under this program some $190 million has been allocated to some 740 projects. All of the projects have been considered by the local area consultative committees and, while the area consultative committees are not perfect, they are a good way of ensuring genuine local support for these projects. As the member for Hotham has pointed out, there has been a handful of disappointing projects, but that does not invalidate an essentially excellent program that has certainly helped to boost the prospects of regional Australia.

We have had from members opposite, and indeed from members on the crossbench, a series of allegations that this program has been rorted. But they have gone beyond that to lead to a claim from the member for New England that an offence of an even more serious nature has been committed—that is, as part of the circumstances of the granting of a
Regional Partnerships program in his electorate he was offered a corrupt inducement to leave politics. That is what I wish to turn to now. I refer to a statement by the member for New England in this House. He made this statement late last year in an adjournment debate. He placed on record, as he told the House, an account of a meeting that he claimed took place on 19 May 2004 at 10.30 am in the office of Tamworth businessman Mr Greg Maguire. These are the words of the member for New England:

Mr Maguire made a number of points regarding the previous night’s meeting ... Mr Anderson asked Mr Maguire to meet with me and give me some messages, which Mr Maguire was then doing; Mr Anderson said that if I tried to get any credit for the funding of the Australian Equine and Livestock Centre the funding would not take place ...

So there was an accusation of a rort.

Ms Gillard—Mr Deputy Speaker, I raise a point of order. I refer you to page 500 of House of Representatives Practice, which says that if you wish to ‘reflect upon the character or conduct of a member’ you need to do that by way of a substantive motion and that, in speaking to that motion—

The DEPUTY SPEAKER (Hon. AM Somlyay)—Order! I am listening carefully to what the minister is saying, and the minister has not reflected on the member for New England.

Mr ABBOTT—I am simply quoting the words of the member for New England in this parliament. He went on to say:

Mr Anderson and Senator Macdonald asked Mr Maguire what it would take to get me to not stand for re-election and indicated that there could be another career for me outside politics, such as a diplomatic post or a trade appointment, if I did not stand for the seat of New England.

Mr Maguire, in the opinion of the member for New England, is such an outstanding person that he told the House:

I would like to point out that Mr Maguire is a very well-regarded businessman in Tamworth.

That is a very serious allegation made by the member for New England against the then Deputy Prime Minister of this country. People are perfectly entitled to make claims, but they should not make claims without strong evidence. They certainly cannot make claims of that nature without evidence and claim to keep their own reputation and their own honour.

Mr Katter—They don’t come in here lying either.

The DEPUTY SPEAKER—Order! The member for Kennedy will withdraw that comment.

Mr Katter—I withdraw the comment.

Mr ABBOTT—The evidence—

Ms Gillard—Mr Deputy Speaker, further on that point of order, the only natural construction of the words that the Leader of the House has just spoken is that he is alleging that the member for New England made a false claim. That is a matter that should be dealt with by way of a substantive motion. He is accusing the member of an act of dishonesty and of misleading the House. That must be dealt with by way of a substantive motion.

The DEPUTY SPEAKER—I am listening carefully to what the minister is saying, and he is in order.

Mr ABBOTT—The claims that the member for New England made were submitted to the Australian Federal Police.

Mr Price—Mr Deputy Speaker, when you are considering whether this MPI is being used as a device to traduce the reputation of the honourable member for New England—

The DEPUTY SPEAKER—What’s your point?

Mr Price—Can I point out that in the grievance debate a similar attempt was made
on the very same matter. The same points of order were taken—that is, it is perfectly reasonable for the government to move a substantive motion, and we will then have a proper debate. But this is an MPI about rural and regional Australia—

The DEPUTY SPEAKER—The member for Chifley will resume his seat. There is no point of order. I am listening carefully, and the minister has not reflected on the member for New England.

Mr ABBOTT—I simply point out that when the Australian Federal Police considered this matter they 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.

This matter was also considered by the Senate committee. The majority senators—that is, the Australian Labor Party and Democrat senators, who had no vested interest in protecting the then Deputy Prime Minister—concluded:

... the evidence—

that is, the evidence of Mr Windsor—is confused in a number of respects.

The Democrat and the ALP senators on that committee went on to say:

Without compelling and incontrovertible evidence—

evidence that the member for Windsor did not have—

a committee of the Senate cannot make an adverse finding against a senator—

or for that matter, the then Deputy Prime Minister—

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.

Here we have very serious claims made in this place by the member for New England, for which he was not able to bring strong evidence. He was not even able to convince Labor and Democrat members of a Senate committee. Independent members of this parliament like to suggest that they are not contaminated by partisanship. They like to suggest that they are in some way above the ordinary run of politics. But what we have seen in the conduct of the member for New England in this matter is a slipping of that mask. I put it to you, Mr Deputy Speaker, that Independent members, on the basis of this conduct, are no different and no better—perhaps in some ways worse—than the rest of us, because they do not have the sorts of responsibilities to a team that the rest of us have in this place.

I am perfectly prepared to concede that perhaps on this matter the member for New England had a rush of blood to the head—that is, claims by the member for New England were an aberration or a lapse. Even decent human beings can sometimes do dishonourable things. But let me say that it is a very dishonourable thing to make a most scurrilous claim against someone and not be able to back it up with hard evidence. I do not expect the member for New England to necessarily like the member for Gwydir, the former Deputy Prime Minister; I just expect him to treat him with fairness. He has fundamentally failed to do that in this matter. He has made a claim against the member for Gwydir, the most scurrilous claim that it is possible to make against an honourable man, and he has been incapable of backing it up with any serious evidence.

If the member for New England wishes to maintain his reputation as an honourable man, there is only one thing that he can do. He should apologise to the member for Gwydir and he should withdraw the accusation that he made against him, for which he
was unable to bring any substantial evidence. He could not even convince Democrat and ALP members of the Senate. I certainly do not want to stamp my feet in this place and go on with the kind of confected indignation that we see so often. I simply want to say that in this respect the member for New England has been far from his best self. He has been far from the kind of upright human being that I am sure he would wish to be and that I am sure his constituents would wish him to be as their local member of parliament. I say to the member for New England: stop the giggling, stop the interjecting, seriously reflect on what you have done—the injustice you have caused—to the former Deputy Prime Minister of this country. If you had the decency that you would like to think you have, you would apologise and you would withdraw.

Mr KELVIN THOMSON (Wills) (4.34 pm)—For the benefit of the Leader of the House and for others listening to this debate, it is worth pointing out that the Senate inquiry made no adverse finding about the claims made by the member for New England. It said it was not in a position to make a conclusive finding, and it is worth noting that the member for Gwydir—the then Deputy Prime Minister—and Senator Sandy Macdonald both declined the invitation from the Senate to appear before the inquiry, to be cross-examined by senators, unlike the member for New England, who appeared before the inquiry, gave evidence under oath and subjected himself to cross-examination. I think people are entitled to draw appropriate inferences from that set of facts.

Some days you just get lucky. On a day that is dominated by arrests in relation to terrorism and industrial relations issues, you ask: how do you raise a public accountability issue? In particular, how do you get to raise the rorting by the National Party of the public purse for its own political advantage? How do you raise an issue like that? But the National Party then goes and raises it itself. Just weeks after an extensive Senate inquiry exposed just what a National Party rort these programs are, the member for Cowper comes in here and makes an extraordinary proposition demanding that the House support more of the same. It is the first time that I have ever noticed the member for Cowper’s chin, but he is leading with it.

People should not just take my word for the idea that the National Party is rorting these programs. They should have a look at a report in the _Australian_ as recently as Wednesday, 12 October, which reports the Liberal Party meeting of the day before, when the member for Canning, Mr Randall, claimed, ‘Liberal MPs were not as successful as the Nationals in gaining access to regional grants.’ The Prime Minister could have rejected that. He could have said, ‘That’s a nonsense; that’s a crock.’ He could have rejected it, but instead he said he would arrange talks on the issue with officials from his department.

I have written to the Prime Minister about this matter requesting that an invitation to any such briefing be also extended to opposition and Independent MPs because we would also like to get in on the action. It is not good enough for the Prime Minister to say, ‘Oh dear, the National Party is rorting these regional programs; I must organise a briefing for my Liberal MPs.’ I have received no reply from the Prime Minister to my letter of nearly a month ago, asking, ‘Has this briefing happened? Why weren’t we invited? Why weren’t the Independents invited?’ Does this not mean that the Prime Minister himself is party to this program being rorted for political advantage? That is what is going on here: ‘If the program is being rorted by the National Party, let’s have a little departmental briefing and make sure that the Liberals can get in on the act as well.’ It is not
good enough. If the program is not to be about rorts, if it is to be above party political matters, then Labor Party members and Independent members ought to receive the same briefing that the Liberal Party members are receiving.

Just one week ago it was revealed that the Prime Minister had been involved again in rorting the Regional Partnerships program during the 2004 election campaign. He announced a $50,000 Regional Partnerships grant to the Western Australian mining town of Newman on 17 September last year, just 24 hours after the Department of Transport and Regional Services had written back to the applicant identifying no fewer than seven areas in which the application was defective. There was an incomplete application form, a lack of detailed costings and double counting of an in-kind contribution from BHP. The department also said, ‘We can’t make a decision on this application due to the operation of the caretaker convention during the federal election campaign.’ Yet the Prime Minister, the very next day, 17 September, announced the $50,000 grant to the Newman project. When we asked him about this last week, the Prime Minister said, ‘No, there’s no problem.’ He said:

It was an election commitment. It was during an election.

He went on to say:

The reality is that governments take decisions and they must be judged by those decisions. They cannot hide behind public servants. I have not sought to do so.

That gives the game away. The Regional Partnerships and Sustainable Regions programs are rorts. Forget about an independent process of assessment. Forget about merit. Don’t worry about that—it is all about political advantage. It is all about the election.

The misuse of Regional Partnerships for political advantage has been going on this year, despite the fact that the opposition raised this issue in detail in the parliament at the end of last year. For example, in August it was revealed that a property owned by the current National Party president, David Russell, received $157,000 of taxpayers’ money, thanks to former parliamentary secretary De-Anne Kelly. I got into trouble calling her Calamity De-Anne in this place previously; we might just stick with some initials like CDA. You might know where we are coming from when we refer to CDA. The Minister for Veterans’ Affairs, as parliamentary secretary—

Ms Gambaro—On a point of order, Mr Deputy Speaker: there are House protocols that require that members refer to members by their electorates. I ask you to bring the member to order.

The DEPUTY SPEAKER (Mr Jenkins)—The honourable member for Wills will refer to members by their titles.

Mr KELVIN THOMSON—The Jimbour property is a 4,451-hectare grazing and grape-growing property featuring a late 19th century homestead. It has been owned by the Russell family since the 1920s, and the grant of $157,000 to David Russell’s property was awarded despite the fact that the project had not received the necessary approval from the Queensland Heritage Council. The amphitheatre was already under construction when the exemption permit submitted to the Heritage Council was rejected. Despite the lack of development approval, the construction of the amphitheatre continued regardless on his property, and the council has conceded that, if approval from the Heritage Council is not forthcoming, that structure, paid for by taxpayers, will need to be demolished.

The Minister for Veterans’ Affairs—she who cannot be mentioned—is so out of touch or incompetent that she has again sacrificed prudent public administration. How could
the Department of Transport and Regional Services grant that money without ensuring that the necessary approvals had been obtained, and what did it tell the minister, CDA, once it had found out about the blunder? Just as disturbing is the fact that the minister approved this grant despite her department being in receipt of an agreement between the local councils and the Russell Pastoral Company that awards exclusive rights to the Russell family to profit from liquor sales at any event held on Jimbour station. The government wanted us to believe that this was a community based not-for-profit endeavour and said absolutely nothing about the exclusive liquor licensing arrangements. They were not mentioned at all.

When you think of the National Party, you think of the smell of the bad old days of the Bjelke-Petersen era, and this grant calls that to mind again. Earlier this year we revealed the situation concerning Minister Kelly’s staff member, the aptly named Mr Ken Crooke, who was an adviser to former Queensland Premier Joh Bjelke-Petersen and a former secretary of the National Party in Queensland. Minister Kelly managed to approve a $1.2 million grant to a company, A2 Milk, after Mr Crooke had been lobbying on behalf of that company at the same time as he had been employed by Minister Kelly as a staff member. This was clearly a breach of the Prime Minister’s code of conduct. Indeed, the Prime Minister even admitted in December last year that she had not provided, as was required by the code, a statement from Mr Crooke concerning his conflict of interest.

For as long as Minister Kelly remains on the Howard front bench, this minister is a standing rebuke to the code of conduct and a reminder to us all that this Prime Minister has abandoned all standards of ministerial probity. It does not matter what you do as a minister—you are untouchable. These are matters that need to be investigated by the Auditor-General: all those departures from the guidelines, projects approved against departmental advice or without it, projects approved against local area consultative committee advice, projects involving a significant waste of taxpayers’ money, projects approved under those secret SONA guidelines and projects going well beyond areas of departmental and area consultative committee competence. It is time for the Auditor-General to give this program a thorough investigation. *(Time expired)*

**Mr WINDSOR** (New England) *(4.44 pm)*—I am pleased to be able to speak on this matter of public importance today. I have absolutely no doubt that this is a guilt trip that the National Party has embarked on. I know that there are many, including the former minister, who do regret their activities in relation to this program. This is an attempt to reinvent history. I think what we are also seeing today is the real reason that the former Deputy Prime Minister resigned his position from cabinet. It is an attempt to reinvent history.

There has been an abuse of process in relation to the Regional Partnerships program. That is unfortunate, because when it was first promulgated it was a good program. But there has been an abuse of process in relation to the area consultative committees, the way in which the SONA program was put into place and the way in which various ministers and parliamentary secretaries interfered—the way in which they prodded at the department and some departmental people interfered.

If people really want to get to the truth of these issues—and there are a number of issues here—they should sit down and read the inquiry documents and about the way in which the department turned turtle when it was told that the evidence would be under oath. The Leader of the House came in here
just a moment ago. The Leader of the House knows more than he has let on today. He should let the House know a little bit about his trips to Hamilton Island and a few other things that have occurred in relation to some of the main players in this particular issue.

Ms Gambaro—Mr Deputy Speaker, I rise on a point of order. The member is making allegations. There are other forms of debate in the House where you can make those allegations. I call him back to order. You cannot make an allegation against a member.

Ms Gillard—On the point of order, Mr Deputy Speaker: during the contribution by the leader of government business nothing came from his mouth except allegations against the member for New England. He was ruled in order by the Deputy Speaker. It must therefore be in order for the member for New England to respond. If your tactics backfire, that is too bad.

The DEPUTY SPEAKER (Mr Jenkins)—Order! I will now be listening very carefully to the member for New England. I know that he is aware of his responsibilities.

Mr Windsor—There have been breaches of process here. There has been a politicisation of the process of Regional Partnerships. There is absolutely no doubt about that. As I said, if people really want to get to the truth of this they should have a look at the work that was done by the Senate inquiry. To get to one of the prime witnesses that the Leader of the House referred to on a number of occasions, businessman Greg Maguire, I would like to report on what Mr Maguire had to say in his own evidence. I do give Mr Maguire some credit. He did tell me and Stephen Hall that he would lie to save the Deputy Prime Minister. He was honest enough to say that. But in his evidence, talking about Mr Windsor, the member for New England, on the meeting of 19 May, which did occur, he said:

I think it is time you rolled over and went and talked to the Liberal Party or the National Party;
I think if you were to go and approach the Libs or the Nationals I reckon you could write your own deal.
I reckon you could probably get a ministry, you could probably do whatever you wanted to, even an overseas posting;
over the years, there have been deals done in politics ...

This is a couple of days after he had met with the Deputy Prime Minister and spent many hours with him and Senator Sandy Macdonald. John Anderson, the member for Gwydir, admitted in this place, after he had first refused to admit, that he did discuss my political career with Greg Maguire and that of the National Party candidate. Mr Maguire said:
... over the years, there have been deals done in politics that probably, you know, there would be jobs for the boys or whatever ... go and talk to Anderson
I did speak to John Anderson, in this very place—in fact, I sat where the member for Kennedy is sitting now, as the member for Gwydir came past me one day. I said, ‘John, I believe you’d like to speak to me; sit down.’ And he said, ‘You would mean my conversation with Greg Maguire?’ I did not mention Greg Maguire, but the member for Gwydir did.

Those are some of the excerpts from Greg Maguire’s evidence, this businessman that the Leader of the House and the National Party have attached their faith to. He has admitted that a meeting took place where he did approach me. The only thing that he has not said is that Senator Sandy Macdonald and Mr Anderson asked him to make the approach. As the member for Kennedy said a moment ago, when it is one person’s word against another it is going to be very difficult for the Australian Federal Police, who were investigating a breach of the Electoral Act,
and the Senate inquiry, to make a determination. In fact, the Senate is bound not to find a verdict if there is not incontrovertible evidence. And there cannot be incontrovertible evidence if the witnesses—in this case, the member for Gwydir and Senator Macdonald—fail to appear. The fact that they failed to appear, in my mind, and in the electorate’s mind, suggests that they were afraid of the truth. I think that has been reinforced today.

I have absolutely no doubt that the people in the New England electorate who know the history of Mr Maguire, who know the history of this matter, believe that I am telling the truth. The fact is that Mr Anderson and Senator Macdonald, other than in a private capacity—I know they have reported privately to people, who have reported back to me—have been afraid to come out and make a statement. To bring the poor old member for Cowper out today, and then the Leader of the House, to defend this issue says to me that there is great concern within the National Party about the way in which this was politicised, the way the process was abused. The Senate inquiry has reinforced some of those issues in terms of the behaviour of Senator Sandy Macdonald in relation to some of these issues.

Why did I name the names? That has been asked on a number of occasions. The Prime Minister asked me to. And on the first available occasion that came along in this place, I did. I responded to the Prime Minister, who said, ‘If Mr Windsor has names, he should name them.’ And I did. That has been the part of the process that has annoyed these people tremendously.

The witness Mr Maguire appeared before the Senate inquiry under oath. The Senate inquiry has recommended that the Australian Electoral Commission carry out a further inquiry into the breaches that he made under oath when being interviewed by the Senate committee. Mr Maguire made certain allegations that he had undertaken various things—he had made donations, he had done this and done that. He said to the Senate inquiry that he would provide evidence to substantiate those matters. He has not done so. He has been referred to the Australian Electoral Commission for further investigation.

Mr Maguire is a man who has a lot of history. If people took the time to look at various records and analyse the phone records, and a whole range of other records that are available on the players in this particular game, they would see that this man has very little credibility. He has misrepresented himself under oath. He told a Senate inquiry under oath—a very serious matter—that he would deliver certain evidence and he failed to do that. I think the Senate committee wrote to him on four occasions asking that he provide that evidence.

This is the individual that the Leader of the House and the National Party have put their faith in. Their own people—the member for Gwydir and National Party Senator Sandy Macdonald—have not bothered to appear because they knew about the clause in relation to Senate inquiries that says that if there is no incontrovertible evidence to suggest that they should take something forward then they cannot. That is a different matter from what the inquiry believes happened. In fact, if the Leader of the House and the members of the National Party read some of the transcript of the inquiry, particularly some of the speeches, they will see that that is quite a different matter. Senator Macdonald and Mr Anderson failed to appear before that inquiry because they knew they did not have to.

That says to me that those two people were very concerned that, if they appeared before any inquiry, under interrogation they
would have to misrepresent themselves to bear out the evidence that was given by Mr Maguire. But the government has come in here today—and the member for Kennedy has pointed it out quite well—and attached great faith to this witness. (Time expired)

Mr KATTER (Kennedy) (4.54 pm)—I have seen some incredibly stupid things in this place and in my 32 years in politics—but to re-raise the issue of rural partnerships! I enjoyed marvellously the opposition spokesman when he cited many cases. He left out the example, in my electorate, of the potato ‘donation’—I will use that word—which destroyed and collapsed our local potato farmers cooperative. He forgot to mention the money that went to the wild game park that was subsequently closed down. It was always going to be closed down by the state government—much to their shame. It was an excellent project but the state government was always determined to close it down, and it did. He forgot those two examples and there are probably others that I could remind you of.

They raised this issue again! I do not come into this place, as the honourable Leader of the House does, to bucket people. This is a person who remained enormously unrepentant when his own leader, the Prime Minister of Australia, said that the two years jailing of Pauline Hanson was excessive. He remained unrepentant even though he and, according to the *Australian* newspaper, Senator Boswell were responsible for the events that led to her jailing. Mr Brogden, from the state parliament of New South Wales, tried to commit suicide, and this bloke made a callous remark about it. In my experience of politics, if you use that level of brutality you will find that if you play by the sword you will die by the sword. I warn the Leader of the House, who is proceeding down that path: ‘Good luck to you, son. We’ll see how it ends up.’ In every case that I have seen, that is how it has ended up. I appeal to the Leader of the House to act in a more favourable and more sensible manner.

All right, you people over here on the government side of the chamber have raised this issue so I will wax right into it. I deeply regretted that I was not given the privilege of getting the publicity that should have come from my presentation to the Senate inquiry on the issue of regional partnerships. If the Deputy Prime Minister had not resigned at midday that day I would have had the incredible pleasure of having my submissions splashed all over the national media. But he pre-empted me.

I do not want to speak about that today. I will just say this: I put up, on the board, four electorates that were neighbouring each other. There was a difference of 75 per cent, I think, between those electorates. I then read out what the leader of the then opposition, Dr Hewson, and the then deputy leader, Mr Costello, said about Ros Kelly. The difference, in her case, was 80 per cent—they were almost identical—so I just read out what they said about Ros Kelly. I then said: ‘This is unfair because these are very different electorates. Let’s get six electorates that are identical to each other in size.’ I just picked these electorates and I put them up on the board. I said, ‘I think you will agree that those six electorates are the only ones of equal size that we can compare. One was the electorate of New England, I think. Three of them were National Party seats or National Party target seats and three were ALP or opposition seats, including the electorate of Calare. And there was a 900 per cent difference.

If they said that about Ros Kelly, what would you say about a minister who had been responsible for 10 times the difference? During questioning at the inquiry the Liberal senator said: ‘Why are you making these
terrible statements about the member for Gwydir? He has resigned and he’s sick.’ I said: ‘I didn’t make any statements about him. There is not one single statement that I made about the member for Gwydir. All I quoted were the statements made by the then opposition spokesman on Treasury, Mr Costello, and your leader, Dr Hewson.’ Those were their statements about Ros Kelly. I didn’t make any statements, but, as I had expected, he could have been forgiven for mistakenly assuming that I had.

He then said, ‘But the coalition got the same amount of money as the ALP, overall.’ I didn’t say, ‘You fool,’ but I was thinking that. I said, ‘Yes, because the Liberal Party got shafted as much as the ALP.’ I thought, ‘You very stupid fellow.’ It is pure coincidence that the member for Gwydir knew the figures I had. I do not think he is entirely to blame for this. I think he just let his department get out of control and that his extreme hatred for me and the other member carried him away. Some $9 million was administered in the Kennedy electorate before the election and a similar amount was administered in the electorate of New England.

I asked to have debated today an MPI about important matters of state—that is, border security in this country. This is the first time that the government has refused to grant an MPI. Does anyone in this House realise that, as 60 Minutes on the weekend showed for all of Australia to see, over 8,000 foreign vessels have been sighted but not caught. When there are 8,000 out there, sighted but not caught, I would hardly think it is very good to be skiting about the 200 that you have caught. They talk about getting tough on the high seas, but it is not about getting tough at all. On the 60 Minutes program I have just referred to we saw some bullets being fired at the boats speeding away. We waved them goodbye, saying, ‘I hope you make a lot of money out of your shark fins!’ Another headline reads, ‘Rabies risk from illegal fishing boats’. There is just page after page of it. No wonder they did not want to debate it—no wonder they did not want to come in here today and debate it.

If we were serious—and I am no great admirer of the Leader of the Opposition, but he talks about a coastguard—we would have a coastguard. There is no doubt that a coastguard approach needs to be adopted. That is what has to be done.

The DEPUTY SPEAKER (Mr Jenkins)—Order! I would remind the honourable member for Kennedy of his need to relate any proposal about a coastguard to the Sustainable Regions and Regional Partnerships programs so that he is relevant.

Mr KATTER—I am sorry, Mr Deputy Speaker. The MPI is granted to non-government members, and it was seized off them today because the subject of national
importance that I was to raise would have damaged the government. I did not bring it forward to damage the government; I brought it forward to try and prod them into doing the right thing, so I will continue. In actual fact, as far as my MPI was concerned, we were to debate the failure of the federal government to assert sovereignty, continuously abrogated by the increased intrusion into Australian waters, estuaries and beaches of foreign vessels, and to note the danger such intrusions pose to fish stocks, the increased likelihood by such intrusions—

Ms Gambaro—Mr Deputy Speaker, I rise on a point of order. I ask that you direct the member for Kennedy to speak on the MPI, which is what we are here for. It goes to:

The urgent need to support the Sustainable Regions and Regional Partnerships programmes for the benefit of rural and regional Australia.

The DEPUTY SPEAKER—The honourable member for Kennedy, I iterate that you have to remain relevant to the present matter of public importance.

Mr KATTER—You are trying to gag me now. I continue—the increased likelihood by such intrusions of the introduction of dangerous diseases and the increased opportunities such intrusions provide for people involved in people-smuggling, drug trafficking and terrorism.

The DEPUTY SPEAKER—If the honourable member for Kennedy is going to continue in that manner, I will deny him his last 15 seconds and he will resume his seat.

Mr KATTER—We are passing horrendous laws about terrorism but we are not prepared to do anything about terrorists—

The DEPUTY SPEAKER—The honourable member will resume his seat. The discussion is now concluded.

INTELLIGENCE SERVICES LEGISLATION AMENDMENT BILL 2005

Assent

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

MIGRATION LITIGATION REFORM BILL 2005

Returned from the Senate

Message received from the Senate returning the bill without amendment or request.

LAW AND JUSTICE LEGISLATION AMENDMENT (VIDEO LINK EVIDENCE AND OTHER MEASURES) BILL 2005

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered at the next sitting.

COMMITTEES

Selection Committee

Report

Mr CAUSLEY (Page) (5.06 pm)—I present the report of the Selection Committee relating to the consideration of committee and delegation reports and private members’ business on Monday, 28 November 2005. The report will be printed in today’s Hansard and the items accorded priority for debate will be published in the Notice Paper for the next sitting.

The report read as follows—

Report relating to the consideration of committee and delegation reports and private Members’ business on Monday, 28 November 2005

Pursuant to standing order 222, the Selection Committee has determined the order of precedence and times to be allotted for consideration of committee and delegation reports and private
Members' business on Monday, 28 November 2005. The order of precedence and the allotments of time determined by the Committee are as follows:

COMMITTEE AND DELEGATION REPORTS

Presentation and statements

1 AUSTRALIAN PARLIAMENTARY DELEGATION TO THE COMMONWEALTH PARLIAMENTARY CONFERENCE, FIJI, SEPTEMBER 2005


The Committee determined that statements on the report may be made—all statements to conclude by 12:35 p.m.

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 1 x 5 mins]

2 STANDING COMMITTEE ON AGRICULTURE, FISHERIES AND FORESTRY

Taking Control—A national approach to pest animals.

The Committee determined that statements on the report may be made—all statements to conclude by 12:50 p.m.

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 3 x 5 mins]

3 STANDING COMMITTEE ON PROCEDURE

A history of the Procedure Committee on its 20th Anniversary.

The Committee determined that statements on the report may be made—all statements to conclude by 1:00 p.m.

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 2 x 5 mins]

4 JOINT COMMITTEE OF PUBLIC ACCOUNTS AND AUDIT


The Committee determined that statements on the report may be made—all statements to conclude by 1:10 p.m.

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 2 x 5 mins]

5 PARLIAMENTARY JOINT COMMITTEE ON THE AUSTRALIAN CRIME COMMISSION


The Committee determined that statements on the report may be made—all statements to conclude by 1:15 p.m.

Speech time limits—
Each Member—5 minutes.
[Minimum number of proposed Members speaking = 1 x 5 mins]

PRIVATE MEMBERS' BUSINESS

Order of precedence

Notices

1 Mr Baird: to move:
That this House:
(1) notes with concern the:
   (a) ongoing human rights abuses in Zimbabwe;
   (b) lack of accountable government and the failure to hold free and fair elections;
   (c) ongoing suppression of opposition political parties and human rights activists; and
   (d) implementation of Operation Murambatsvina (Clean Out the Trash) which has led to the internal displacement and famine; and

(2) calls on the Zimbabwean Government to:
   (a) uphold the rule of law;
   (b) ensure that its citizens human rights are respected;
(c) establish conditions and provide the means for citizens who have been internally displaced under Operation Murambatsvina to return voluntarily and with dignity to their homes or places of residence or to resettle voluntarily in another part of the country; and

(d) respect the rights of victims of Operation Murambatsvina, including access to justice and appropriate reparations, including restitution, rehabilitation and compensation.

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

Speech time limits—
Mover of motion—5 minutes.
First Opposition Member speaking—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

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

Orders of the day

1 Trade Practices Amendment (Collective Bargaining for Small Business) Bill 2005
(Mr Fitzgibbon): Motion for second reading.
Time allotted—10 minutes.

Speech time limits—
First Member speaking—5 minutes each.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 2 x 5 mins]

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

Notices—continued

2 Mr Tuckey: to move—That the Government take an international lead in the development of hydrogen created from Australia’s renewable tidal wind and solar resources to replace costly hydrocarbon consumption in commercial and private transport.

Time allotted—20 minutes.

Speech time limits—
Mover of motion—5 minutes.

First Opposition Member speaking—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 4 x 5 mins]

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

3 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.

Time allotted—remaining private Members’ business time.

Speech time limits—
Mover of motion—5 minutes.
First Government Member speaking—5 minutes.
Other Members—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]

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

WORKPLACE RELATIONS AMENDMENT (WORK CHOICES) BILL 2005
Second Reading

Debate resumed from 7 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”.

Mr TUCKEY (O’Connor) (5.07 pm)—While speaking yesterday in this debate on the Workplace Relations Amendment (Work Choices) Bill 2005, I was at great pains to give the Labor opposition some evidence as to why the issues that they think will be of such great political importance to them are probably not going to be so. It is on their heads if they continue this campaign, and particularly their misrepresentations of the issue over time will be found to be meaningless. When the GST was implemented people said, ‘What was all the fuss about?’ People get on with their lives and look to a government or opposition to have good policy that will maintain the economy, keep interest rates down, look after their children’s health et cetera. They are the issues. But people can be frightened. I received a letter the other day from a church group saying, ‘We as employers are going to be prohibited from certain actions with respect to our employees.’ Of course, these prohibited matters are prohibitions on duress.

Mr Burke—No!

Mr TUCKEY—I thought I heard someone say no. If that member can find anything in this legislation that prohibits an employer from giving a process worker $10,000 a week, I would like to read it. There is no prohibition on an employer making generous arrangements, but on the other hand there is a prohibition on registered organisations and others seeking to include as conditions of employment that certain matters be addressed—for instance, unfair dismissal and others. It is just a silly misrepresentation of the matter, and I think this letter was probably not written by the church leader who addressed it to me. It read very much like something that some trade unionist had written on their behalf.

But there have been misrepresentations to pensioners. The opposition are crying crocodile tears about the pulping of some paper; I would like to know how much Commonwealth government paper, along with postage stamps and envelopes, has been used to write misleading letters to the pensioners of Australia saying, ‘When this comes in your pension will be reduced.’ In fact, it cannot be reduced. It will never be less than it is today, and its next adjustment will be either by a percentage of MTAWE or relevant to the consumer price index. It will go up. Why write to elderly people and make them concerned?

In the minutes I have left, I want to make a few recollections. As I reminded the House the other day, I made my maiden speech on industrial relations. Those from the union movement might be interested to read it, because I suggested 25 years ago—with Bob Hawke sitting on the front bench listening, I might add—that we could look to the Swedish system where you have powerful employer groups and powerful unions that do not fight but work things out. I do not necessarily believe in that today, but I did 25 years ago. Another remark I made then was that what was really necessary was a bit of transfusion surgery to take some bone out of the heads of trade union members and put it into the spines of employers, because I held them equally guilty for the state of affairs that existed in Australia in 1981.

My family owned its own house and a motor car while my father, who was a motor mechanic, was on six quid a week. We were a middle-class family and we did not want
for much. We did not bother about overseas trips and things like that, but we did not want for much. My mother was a heavy smoker. The reality was that six quid a week was enough. Now if you earn $1,000 a week you are probably battling. We have gone through this myth that things would be fine as long as wages kept increasing and were not matched by productivity. Of course, during the time of the Wehrmacht republic, inflation took them to the point where they needed a wheelbarrow to carry their money to buy a loaf of bread. So money is not the issue; it is purchasing power. We refer to real wages, I think unwisely. I think it is the buying power of wages that people are interested in. In fact, by keeping productivity and wages matched, we have prosperity. That is the target.

I wrote back to this church group and said, ‘What about Friday?’ If you have a genuine religious belief, such as do the Muslims in our community, you have to give them the same opportunity as you would the Christians. The Seventh-Day Adventists, of course, sit in the middle, but they get time-and-a-half. These are not issues for Australia today. Those who have strong Christian beliefs will take Sunday off. But there are a hell of a lot of people in Australia who want someone to give them service on Sunday, be it in a restaurant or elsewhere.

In Western Australia—this is a situation very close to this legislation—we had all the protest marches and everything and, when it was all over, people said, ‘What’s the problem?’ A bulldozer driver up in the Pilbara signs an AWA and gets an extra $20,000 a year and access to staff superannuation. There was just no question about it, but we are past the point where we can afford inflation as the result of industrial action that is not necessarily productivity driven. If we think we have the only natural gas and the only coal in the world, we should think again. Other countries are going to give us huge competition. We have seen a massive export of jobs to China and other parts of Asia. That is not smart if we can be competitive. *(Time expired)*

**Mr BRENDAN O’CONNOR** (Gorton) *(5.14 pm)*—I would like to spend some of my time rebutting the member for O’Connor’s contribution, but I will not spend too long because in doing so I would be deeming myself irrelevant to this debate. The one thing the member for O’Connor failed to do today and indeed last night was to actually refer to the Workplace Relations Amendment (Work Choices) Bill 2005 that is before the members in this chamber. There were a number of things he did say, though, which caused me to smile. He made comment that he supported the Scandinavian model—

**Mr Tuckey**—25 years ago.

**Mr BRENDAN O’CONNOR**—in his first contribution. Twenty-five years ago—that is an interesting confession. I am not sure whether the then Leader of the Opposition, and obviously Prime Minister some years later—

**Mr Tuckey**—Do you know who he was?

**Mr BRENDAN O’CONNOR**—the Rt Hon. Bob Hawke, agreed with those sentiments. But one thing we do know is what the Hawke government believed in relation to industrial relations, the way in which you treat people in this country and the causal link between a decent industrial relations system and productivity. It believed that you work together to reach outcomes. You do not divide this nation in the way in which the Prime Minister seeks to do with the introduction of this bill. Therefore, I am disappointed that the member for O’Connor has decided to no longer agree that there should be some collaboration or cooperation between employers and employees at the workplace.
level, because to pit employee against employee is exactly what the Prime Minister is seeking to do with the introduction of this bill. This bill seeks to force honourable employers to consider putting pressure on their own employees, as one company after another will be adversely affected and pressured into reducing conditions of employment.

What I would like to do this afternoon, which might distinguish me from the member for O'Connor, is to actually make some comment on the bill that has been introduced, because there will be some significant changes to the Workplace Relations Act 1996 if this bill is enacted. There are some significant changes and they will have adverse impact upon most working people. There is no doubt whatsoever in my mind about that. I am from the union movement—and I make no apology about that; I want to make a number of comments about that too—but that does not mean that all I did before coming to this place was represent employees, although it is a proud part of my working life to have done so. I too, like other members in this place, have worked in factories. I have worked on assembly lines, I have worked in hospitals cleaning toilets and I have filled up cars at petrol stations. I have taken on many jobs in my life—many of them while I was studying at university—and I have rubbed shoulders with ordinary workers, as most people on this side of the chamber have. Therefore, they understand the consequences of this bill in a way that is real. I was most concerned last night to hear the member for Wentworth talk in abstract terms about the need to free the market so that we can be productive and ensure employment growth. I have to say I never got the impression when listening to the member for Wentworth that he had any idea what will happen to ordinary working people and their families as a result of the introduction of this legislation.

I return to the bill specifically, which is something no member on the other side of this chamber seems to have done so far in this debate. The introduction of section 89 of the bill will effectively remove the current section 89A, allowable matters. The difference between the allowable matters in the current act and section 89 in the proposed act is fundamental. There are five minimum entitlements: basic rates of pay, maximum ordinary hours of work, annual leave, personal leave and parental leave. Those five and those five only will determine the—euphemistically called—Australian Fair Pay Commission’s standard. Currently, in the 1996 act, we have 20 allowable matters. Firstly, we have classification of employees and skill based career paths—that will be gone. That means the efforts to ensure that wage rates are commensurate with skills in workplaces across this country will disappear. As a result of this legislation, there will be no requirement for employees, employers and indeed their agents to negotiate outcomes based on skills.

There will also be a removal of ordinary time hours of work, which means the spread of hours in industrial instruments will be removed. I heard the member for O'Connor talk about Sunday. The Labor Party is not against people working on Sunday necessarily—of course people have to work on every day of the week in certain circumstances, because society demands it. But what we do expect is that, if people are working extraordinary hours or they are working at times when they would far prefer to be with their families, they receive some reward for that. That is what we say. We do not proscribe the capacity for employees to work on Sundays; what we say is that there should be an acknowledgment that they work on those days and that they receive some remuneration as a result of the sacrifice they make which many other employees might not make. But that
will be gone as a result of removing the allowable matters.

Further to that, other matters will be taken out of the act: long service leave and annual leave loadings. Public holidays will be gone from forming the minima—forming what is currently the no disadvantage test. They will be gone. I am glad the member for O’Connor can stay and listen to this. Allowances will be out of that standard and loadings for working overtime and for casual or shift work will be expressly removed, as will penalty rates, redundancy pay, notice of termination, stand-down provisions, dispute settlement procedures, jury service and superannuation. Those matters may be, and in some instances are, protected by Commonwealth or state acts, but the fact is that the majority of those provisions are not protected and will be removed upon the enactment of this bill. They will be removed from the minimum standard that most Australians and their families have come to understand to be their working, living wage. That is the fundamental problem with this bill.

Moving on from that, in the same clause the no disadvantage test is being removed. I think it is important to explain the test because I have not heard anyone on the other side of the chamber actually refer to the no disadvantage test; nor have I heard any member of the government explain what it effectively means. Either they know what it means and they do not care or they have not properly considered the bill. Let me explain, for those who do not know or do not care, that removing the no disadvantage test will effectively allow an employer to change the conditions of employment of an employee, or a set of employees, where they will be grossly disadvantaged, because the only benchmark that they will have to compare those prospective conditions of employment with are those five minimum standards that have replaced the 20 allowable matters.

I also understand—and, again, I am not sure every member of the government does understand—that the no disadvantage test is by no means perfect, because it does not necessarily protect current entitlements. But it is a much greater guarantee for employees in this country than the substandard definition that is being incorporated into this bill in clause 89A. This will be a major problem when employees are seeking to negotiate. Let us assume for a moment there is some capacity to negotiate with your employer. The fact remains that the employer has all the cards in his or her hand and the employee does not.

I refer to another provision which I believe will be a fundamental hurdle for ordinary working people in this country in trying to negotiate their conditions. I know there has been some misinformation or at least some ambiguity about the way in which this bill has been read, but when an Australian workplace agreement is introduced—that is, the individual contracts that the government is pushing down workers’ throats; unsuccessfully, I might add, and that is why only four per cent of the entire workforce have accepted them in almost 10 years—the employer will be given an exemption from a form of duress because there is a provision in the bill that will expressly allow the employer to require, as a condition of employment, a prospective employee to sign an AWA. That is unarguable; it is expressed in the bill.

What the Prime Minister says is that that does not affect current employees. Firstly, last week in the matter of public importance I made comment on why I think that is not the case. What will happen is that once a person comes into a workplace with fundamentally inferior conditions of employment than his or her colleagues then they are going to be under enormous pressure to change their conditions of employment to that lower
benchmark. Indeed, there will be a rippling effect through industry because, then, another company that is competing against the first company will have to consider doing the same—and that is even if they are decent employers. I said during my time as a union official and I have always said in this place that I believe that most employers are honourable and want to do the right thing—they have competing pressures but they want to do the right thing—but this bill, if enacted, will force honourable employers to act dishonourably to ensure their company continues operating effectively and competitively.

Further to that there is another concern I have about the way in which AWAs will be introduced which cannot occur today. An AWA, for example, cannot be imposed upon an existing employee while a certified agreement is in place. Until the nominal expiry date of a certified agreement, they cannot be offered AWAs. Whilst that agreement—it might be three years; it can now be up to five—is covering those employees in that workplace, once that agreement is done, signed, sealed and delivered, stability is supposed to exist in the workplace. You go through the argy-bargy of negotiating—it could be employees with their employer; it could include unions—and, once you reach an agreement, you are supposed to settle the place down and get on with the fundamental core business of that operation. The problem with this bill is that on Monday they could reach agreement on a certified agreement that covers the entire work force in that workplace but then on Tuesday the employer could offer an AWA to any employee in that workplace and that AWA, pursuant to proposed section 100A of this bill, will prevail over the existing enterprise agreement.

It is interesting how discriminatory the government is with respect to the two types of industrial instrument. If a later certified agreement is negotiated, it can only take effect after the nominal expiry date of the current certified agreement. However, proposed section 100A(2) says:

A collective agreement has no effect in relation to an employee while an AWA operates in relation to the employee.

As far as I can see, that provision would mean that an AWA can prevail. The government then says that you cannot force people to sign that actual agreement; you cannot force people to sign the AWA. But, unfortunately, there will be too many instances where employers will attempt to break that collective agreement by ensuring that employees sign that AWA. That is a concern I have, and that is why this bill has to be read in its totality.

Further to that, whilst it is true to say, at least on the face of the bill, that an employee can say, ‘No, I have a current arrangement; I do not wish to enter into an A W A as an existing employee and I want to wait until the nominal expiry date of the collective agreement,’ the problem is that many employees will be frightened because another provision in this bill, in the case of all of those employees in workplaces with fewer than 100 employees, gives no recourse if they are unfairly dismissed.

Never mind that there are some provisions that allow for a claim against an unlawful dismissal, no advice will be provided to an employer to give the reasons why it is unlawful to sack somebody. They will say: ‘If you want to flick somebody, just don’t use those three reasons; use all the other ones. Once you do that, there will be no capacity for people to seek recourse before the commission.’ So, whilst it is true to say that an employee need not sign an AWA whilst they are subject to a certified agreement which has not nominally expired, the fact remains that the right of defending oneself when unfairly sacked will be removed for
more than four million workers in this country and, therefore, they will feel that they have no capacity to stand up to their employer and say, ‘I don’t want to do that; I do not want to take an individual agreement ahead of a collective agreement that currently binds you, the employer, and me to a set of conditions of employment.’

When read in its totality, this bill is about frightening Australian working people into making decisions they wish they did not have to make. We know that the employers know that and we know that the government knows that. I am aware of some employers who do not support that approach, but I emphasise again that, once a critical mass of employers go down that route and start using the pernicious provisions of this bill, it is going to force honourable employers to do the same. It is for that reason and many others that I and, indeed, the Labor Party cannot support this bill.

I refer to some of the apparent reasons for which the government have introduced this bill. They have run economic arguments to advance their cause, but many economic commentators have refuted the assertions made by the government about the economic boom that will result from the introduction of this bill. Economics editor of the *Age*, Tim Colebatch, who is neither an enemy nor necessarily a friend of Labor, or indeed of the government, made it very clear in his own analysis in today’s edition when he said:

Since 1990, the OECD estimates, productivity has grown only half as much in New Zealand as here.

Why did he conclude that? His comparison is that, with some minor exceptions, the government’s efforts to bring about decollectivisation or the removal of the right to collectively bargain in the workplace are similar to the draconian laws that were introduced in New Zealand. He says effectively there has been no relative productivity gain in New Zealand when compared to the Australian economy.

Under Hawke and Keating we had a productive, collaborative approach to industrial relations which led to productivity growth—and that productivity growth has continued, although there has been some slump—but our sister country, a country close to us, chose a different path, the lower road, which led to far worse productivity gains than we have had here. So there is no economic argument for turning on our work force, our Australian working families—the greatest asset this country has in economic terms—and removing their current conditions of employment, their entitlements and therefore the way they live their lives. There is no argument that, by doing that, we will be a more prosperous country. We will not be a more prosperous country. We will be a divided country.

Mr LINDSAY (Herbert) (5.34 pm)—Writing in the *Courier-Mail* at the weekend, Chris Griffiths said:

Labor people believe Australians cherish the fair go and will be alienated by laws that put individualism and self-interest ahead of collectivism.

Equally, government’s strategists are convinced that Australians have moved beyond 1970s style us-and-them politics and have become what Howard calls enterprise workers—people who want the flexibility to get ahead and find rewards for hard work.

Clearly, one of these views is wrong ...

In the *Financial Review* on 3 November, Ken Phillips wrote:

The industrial relations system never empowered workers. It empowered unions to engage in war with employers, allegedly on behalf of workers. And have no doubt, Work Choices is a huge legal and cultural shift.

I guess that is what we are debating. We have heard a lot of debate run along the lines of scare or whatever, but we have not really
debated the philosophy of all of this and the future direction of this country and its workers. The thing the Australian Labor Party refuses to accept or recognise is this: the most important right a worker has is the chance of a job in the first place. The Australian Labor Party, in this parliament, is opposing the workers’ right to have a job.

When I was elected in March 1996, the unemployment rate in my electorate was 11.9 per cent. It came down to 5.8 per cent last year and in June of this year it was 5.3 per cent. The government’s policies are clearly working. We want to do even better than that, and we can do better than that. In the last nine years I have spoken 25 times in this parliament supporting the government’s position on freeing up the workplace and arguing that Australia can in fact do better. On 26 June 1996 I said:

Ever since the Labor Party instituted the unfair dismissal laws I wanted to become a member of parliament. I have wanted to stand in this place and I have wanted to do whatever I could do to vote those laws down because, after 25 years of running a small business, I understand exactly what damage that has done to the business community in this country. I understand exactly what it has done to jobs. I understand how the community now employs people on a casual basis and gives them no security in their jobs.

I said that in 1996. So for me today is a historic day. I am going to make my last speech supporting the government’s landmark industrial relations reforms because these reforms will become the law of Australia, and they do so with my strong support. The country will change and it will change for the better, as it has over the last nine years.

I have seen many examples of why unfair dismissal laws are bad for this country because I have been an employer for a long time. I have employed many hundreds of people. I have never been the sort of person who would use the laws improperly or seek to exploit workers. There is a fundamental reason for that and this is what the Labor Party does not seem to understand. The best asset you have in a business is your staff. Why would you seek to unfairly dismiss somebody when you need every good worker you can get? And why would the laws of this country force you to keep a person in your employment when that person does not deserve to be kept in that employment?

Yes, there are always the bad apples—but they are on both sides. No amount of laws this parliament can make can protect anybody against the bad apples. The fundamental thing is that in the economy we have today employers are bending over backwards to find people to work for them, not to sack people. We need that to continue and that is why we are having a fundamental change in industrial relations through these new IR laws.

The government, to our very great credit and with the Labor Party opposing us, introduced landmark changes to Australian taxation law. We legislated a new taxation system for the country and nobody could deny it has been an outstanding success. It was fought tooth and nail by the Labor Party but it has now been widely recognised as being of great benefit to the country. Now we are legislating a completely new industrial relations system for the country. It will go the same way: in a year’s time people will say, ‘What was that that flew across the horizon?’ But the Australian Labor Party simply oppose for opposing sake, and I think the electorate will understand that.

In relation to unfair dismissals, I know of a charitable body that were having difficulty controlling an employee. That employee went to the AGM of the charitable body with his relatives, trying to stack the meeting to overturn the management of the place, and it
caused that employee to have stress and the employee went on stress leave. Seven months later that employee was still on stress leave. The charitable body could have given the fellow notice after three months, but they persisted. They wanted him to come back to the job. But after seven months it was just too long to wait, so they made the employee redundant. Do you know what he did? He responded by claiming $6,000 for unfair dismissal. How unfair is that? He did it to a charitable body. So the charitable body said: ‘We’re not paying $6,000 in this circumstance. This is wrong.’ So the advocate for the employee said, ‘Well, we’ll take you to a five-day hearing and it’s going to cost you $10,000.’ He had a gun at the employer’s head. The charitable body paid $4,000 to settle the claim because there was no alternative. That is what is unfair.

Reliable employment is a foundation of a successful society. Nothing is more important to individual peace of mind, to family security, to vibrant local communities and to national prosperity. The best—indeed, the only—guarantor of a good, reliable job is a buoyant labour market. And the best—indeed, the only—guarantor of a buoyant labour market is a strong, growing and productive economy with laws that encourage firms to hire people, rather than discourage them. Any industrial relations system is only as good as the contribution it makes to Australia’s economic strength. All the regulations in the world will not save anybody’s job or push up wages if the economy is weak or if firms are uncompetitive.

We must take the next steps to generate jobs and wealth that will support future economic security of working Australians, and that means overhauling laws that are holding back business growth and employment. Unfair dismissal laws cannot magically preserve good jobs. High productivity is by far and away the best protection for jobs, which is why the government’s workplace relations reforms are designed to unleash a new burst of productivity growth in Australia.

While those who rely on fear and antibusiness prejudice are often quick out of the blocks in a debate like this, economic reality has a way of catching up with them. What has been so far largely overlooked in this debate on unfair dismissal laws is that economic reality offers not a threatening message but a comforting one. Economic reality says that employers need hardworking, honest staff to operate their businesses. The most valuable asset of any business is good staff.

In Australia today, we live as never before in a workers market. The biggest challenge that firms have is attracting and retaining good workers, not, ‘How do you deviously sack them?’ Small businesses, in particular, lack the commercial power to simply sack hardworking employees for no good reason. If we as a society are serious about getting more Australians into work, driving unemployment down further and creating better jobs in the future, we must face up to the fact that our unfair dismissal laws are not working. Australia’s economic strength depends on a culture of enterprise and calculated risk-taking in business.

We are keen to give more Australians a chance at a job and to drive down our unemployment rate even further. We are determined to put economic reality back at the centre of workplace regulation, where it should have been all the time. What is the Australian Labor Party’s policy? What do they stand for? Is it back to the past, the 1970s, or indeed to 1904? I was interested to read the following in The Latham Diaries:

**Friday, 25th February**

... Beazley has melted down ... he’s a windbag—he just talks too much and gets off-message.
... He is weak—he agrees with everyone and avoids conflict like the plague ... He has no interest in our policy structure and framework. He has done nothing to repair the problems of our policy culture.

Wednesday, 10th May

... Beazley ... spends too much, and he caves in to the unions.

That is interesting in terms of this debate.

The diary continues:

Tuesday, 19th June

... The public have worked out that Kim stands for nothing and he uses slogans to cover up his policy vacuum.

I am reminded here of the slogan ‘extreme industrial relations laws’. It goes on:

Monday, 11th September

... our focus group polling shows that people see Beazley as a ‘gatekeeper’—nice guy but, like the bloke in the white coat at the cricket, he only opens and closes the gate for other people, never has a dig himself.

Sunday, 11th November

After six years of Beazley’s small-target strategy, we face an identity crisis. The True Believers don’t know what we stand for and the swinging voters have stopped trying to find out.

The DEPUTY SPEAKER (Hon. DGH Adams)—Order! I remind the honourable member to be relevant to the bill. Although it is a wide-ranging debate, I ask him to be relevant to the bill.

Mr LINDSAY—Mr Deputy Speaker, it is relevant to the bill in that I began these quotes by observing that the Australian Labor Party has no policy. I will give one more explanation of that, and then I will move on.

The diary reads:

Thursday, 22nd November

... Beazley’s last report as Leader.
It was nothing to do with the company; it was a turf war between the CFMEU and the AWU. They were struggling for control of the site—four weeks. If secret ballots had been the law of the country at that time, that strike would have ended after the first couple of days.

The employees, the workers, did not want to be on strike. But because there was thuggery, intimidation and calls in the middle of the night, allegedly from union bosses, the workers were afraid to break the picket line. It is such a shame that they lost so much in that four weeks because of a union turf war. With the passage of this legislation, that can never, ever happen again.

There have been some uninformed public comments—uninformed because certain sections of the union movement particularly have been putting about misinformation. That is unfortunate. I will give the parliament some examples of emails from people in my electorate. Here is one claim:

Your legislation will allow an employer, at an interview, to state to an applicant that the job will carry only two weeks leave, no meal breaks, no overtime, no sick pay, a 10-hour shift and the salary will be—something less than is currently in the award.

It continues:
The hopeful will have to take it or leave it—especially if he/she is on the dole.

All of that is wrong, but it is the kind of misinformation floating around. You get people who say:

‘Increased productivity’ usually means produce more but pay your staff less. This is exactly what will happen if you allow the employers to force employees ... to trade off holidays, meal breaks and overtime payments for supposedly ‘increased wages’.

Again, that is wrong. You also get people who say:

Stop trying to take things away from the workers of this country just so the filthy capitalists can get even richer.

That is really wrong. This workplace relations bill, when it goes through the parliament, will be a landmark change to what this country has worked under for the last nearly 90 years. I look forward to seeing increased employment and increased security and prosperity for families, and I will take very great credit in the years ahead when I see Australia continuing to power ahead in this global village.

Ms OWENS (Parramatta) (5.54 pm)—The member for Herbert got one thing right: the Workplace Relations Amendment (Work Choices) Bill 2005 does represent profound change. And I rise to oppose it, as every fair-minded person on either side of this House must. This bill will drain the life out of the average Australian family. It is a profound change that removes, rips away, from our workplaces a large range of assumptions about the way that workplaces operate—assumptions about fairness, about a fair day’s pay for a fair day’s work, about workers sharing in prosperity, about the right to join together with workmates and bargain collectively and about there being ultimately an independent umpire. The bill rips all that away and will replace it with untrammelled power for the employer and some extraordinary punishments for anybody who dares to even try to negotiate with their employer outside of the narrow conditions set down in it.

For many workers this bill will strip away conditions that we take for granted in this country. It will strip away the safety net of awards and conditions that workers have relied on not just for fairness but for security. Overtime rates, penalty rates, skills loadings, long service leave, regular shifts, notice of change of shift—nearly everything that workers think they know about their work
conditions—are under threat in this bill. Because we did not have warning, because it was not raised before the election, it is quite fair and expected that families would take all those conditions into account in the economic decisions they make—their decision to rent a place to live or to take out a mortgage. The basic decisions that Australian families have made have been based on the reasonable assumption that the conditions we have now will continue to be at least at that level in the future.

This proposed change is massive. It is extreme. It gives our most vulnerable workers one single choice when negotiating with employers over pay and conditions: take whatever wages and conditions the boss offers or do not take the job; take it or leave it. Forget the government’s propaganda about being able to choose to bargain collectively. Maybe you will be able to do that, but only if your employer decides that is a good thing. Under this bill, an employer is able to make the signing of an AWA ‘as offered’ a condition of employment. The action of an employer saying, ‘Sign this or no job,’ has been explicitly removed from the definition of duress. ‘Take this or take off’ is allowable. We all know that AWAs have been an obsession of the Prime Minister since he introduced them in 1996, and for at least a decade before that. It must stick in his craw that only three to four per cent of workers are currently on them—the great AWA, supposedly bringing with it greater flexibility and greater productivity! Who wanted them? Not businesses and not workers—in fact, pretty much nobody. In spite of the Prime Minister’s fixation, his infatuation, with AWAs, workers and employers have not rushed to sign up—far from it.

There are many good bosses out there. Probably most try to be. Although some do not have the skills, most try. Few want conflict in their workplaces. Many businesses tell me that if they are negotiating with their staff it is easier to do that collectively: one voice speaking for the employees, not many, and a solid process that is clear and understood by all. They can do that now under current legislation. They do not need this proposed extreme law to make that possible. There are employers who will keep doing just that. There are also many employers and employees who negotiate, one on one, well above the award to make common law contracts—around one-third of the work force does that. They can do that now and many will probably keep doing that, at least as long as there is not a downturn in the economy and at least as long as their competitors do not start driving wage rates down.

The only thing they cannot do now is negotiate conditions down to below the award. Everything else can be done. That is what this bill is all about: driving wages down. If an employer is not negotiating, if they are telling, if they are laying down an ultimatum such as, ‘This is the deal; sign it or no job,’ then of course they do not want a union involved. Divide and conquer is a much better option. You want to employ one on one and sack one on one. It is for the benefit of these employers that this bill is drafted. It is the people who work for these employers, who are already vulnerable because of a lack of skills, who will be punished by this bill. Until now, under the current system, employees had some protection. Even if they were negotiating a loan, whatever was offered had to meet a no disadvantage test. That is, if the employer wanted to change the conditions of a worker for the worse, they could not do that. They had to make sure that the no disadvantage test remained.

Unfair dismissal laws prevented a boss from arbitrarily sacking an employee nine years and nine or 11 months before they were due for long service entitlements—just a few months before. And behind the scenes,
the union movement regularly worked to improve the minimum wage and conditions on a broader scale. Employers who sought to exploit their work force had quite a few barriers to overcome. This bill will change the industrial landscape to their advantage in the most appalling way. For a start, it removes the no disadvantage test. An employer can now offer a worker, on a take it or leave it basis, an agreement that reduces a worker’s pay and conditions. It only has to meet one test: the regulated minimum conditions—that is, a minimum wage; maximum ordinary hours of 38 hours per week, averaged over 12 months; unpaid parental leave, including maternity leave; and 10 days sick leave. That is it; that is the minimum.

Forget John Howard’s outrageous manipulation of the truth, when he said that conditions like overtime, penalty rates et cetera are protected. They are only protected as a default. They remain as they are if, and only if, your employer forgets to put a sentence in the AWA. Let us hope that your employer is a bit absent minded. A single sentence can remove all the allowances, penalties and loadings for no additional compensation. A single sentence can put in jeopardy the plans you have made, the mortgage you have, the place you rent and your family’s plans.

That is an incentive for an employer to move to AWAs. I imagine that we will see the most exploitative of employers move first, and there are some out there, in spite of some of the rhetoric from the other side that sees all negotiations between employers and employees as a bed of roses. We will see the most exploitative of employers moving first, all joining John Howard as new devotees to AWAs. I have met many employers who are appalled as I am by this legislation. They, too, worry that, if their competitors go down the low wage road, they might have no choice but to follow.

John Howard has been saying that this only applies to new employees. He has a rather naive theory—a theory that only a man who has been out of the work force for far too long would come up with. He believes that when Billy comes along to apply for a job—even though the job perhaps already existed before on award conditions, and even though Billy may have got that job if those award conditions still applied—he is somehow better off if he is forced to take the job on worse conditions. Remember, if Billy is unemployed, he has to take the job, whatever the conditions, or Centrelink will breach him. Billy’s choice is not take it or leave it; it is take it or lose your Centrelink benefits. It is take it or take it!

If you think that this bill will start to force wages down, consider how rapidly that will happen with Centrelink on the side of the employer. If you thought that an employee—an unskilled person seeking work—and an employer were already out of balance in terms of their bargaining position, just add the weight of Centrelink to the employer and see what you have. Then we will have a situation where the employer will think: ‘I have all the current staff on award wages, but I can pay new ones much less.’ So Billy’s acceptance of the job, under threat of Centrelink, drives down the wages and conditions of others in the workplace. It can do that as the boss now has the right to fire people at will, because it wants to—not for discrimination reasons or for refusing to sign an AWA! However, according to the bill, an employee can require the signing of an AWA as a condition of employment. Go figure—sort that contradiction out!

We will undoubtedly see sackings so that new people can be employed more cheaply. Companies that employ fewer than 100 people will now be exempt from unfair dismissal laws. Whatever job security workers thought they had will be gone. An employee of good
standing and longevity or an employee of short duration—any employee—can be fired at will without reason and replaced by a cheaper version. And employees of companies with more than 100 employees are not spared. They can now be sacked for operational reasons. An employee is able to be fired at any time for reasons of an economic, technological, structural or similar nature relating to the employer’s undertaking, establishment, service or business. That is about as broad as it can get. It can mean anything—and no doubt it will.

Workers will not automatically get redundancy, in spite of the answer of Prime Minister John Howard in question time yesterday. That is a word from the current system, not the new one. It can be signed away without compensation at the stroke of a pen, along with other conditions. It is another condition on its way out under John Howard’s reforms, along with so many other things that not only do we take for granted but fund our mortgages and feed our families: overtime, penalties and allowances.

This bill is all about driving wages and conditions down. Flexibility is all one way— flexibility for employers to remove penalty rates and overtime, pay less than award pay and conditions, and sack at will. The word ‘fairness’ is not even in the bill; it is only on the front cover of the Liberal Party propaganda. ‘Choice’, in spite of being in the title of the bill, is all on the side of the employer—‘Will I offer these conditions or those?’ There is no choice for the worker there.

The union movement has been all but gutted by this bill, along with the independent umpire, the Australian Industrial Relations Commission. In fact, there are punitive provisions in this bill that apply to what would now be legitimate union activity. These include a $6,600 fine for individuals who dare to ask for union training to be covered in their AWAs, and there is a $33,000 fine for asking to include OH&S measures in an AWA. There are also penalties for asking that a union be involved in dispute procedures and for asking for a commitment to collective bargaining. So $33,000 for the union and $6,600 for the worker.

Then, for some poor public servant working at the Office of the Employment Advocate who divulges the content of an AWA, there is six months in jail and six months jail for anybody they tell. If you are sitting on a train and some exhausted person sits down beside you and says, ‘I saw a shocker of an AWA today,’ you had better get out of there quick smart because you are in big danger. This information is so dangerous if repeated to even one person that it warrants six months jail. We have even seen the right to remain silent taken from unionists in recent bills, with jail penalties imposed for offences such as refusing to answer a question or to hand over documents.

Yet we are moving through a period in Australia’s history with an all-time low incidence of strikes. We have incredible industrial harmony and record productivity and growth—all delivered within the current industrial relations system. In fact, if you listened to the Prime Minister in recent weeks raving about how well things are going under the current system, you might be forgiven for thinking that he believes that the current industrial relations system is the best friend the worker has ever had—if it were not for the fact that, in spite of the success it has achieved, he is about to rip the whole thing up.

This is a bill that needs considerable community scrutiny and debate. Actually, it is a bill that needs to be thrown out. But, for reasons unclear to Australia’s best economists and commentators, not to mention the
working men of Australia, it is here. Because it is, and because of the changes to our way of life that will be wrought by this bill, it needs long and careful scrutiny. I condemn the government that denies us all the right to proper community scrutiny of this bill as it passes through parliament, that pushes this legislation through this House as if it had been elected to a sausage factory rather than the Commonwealth Parliament of Australia.

What is the rush? What is going on out there in our workplaces that is so dire, so dangerous to the Australian people and so frightening to the government that they have to behave in this manner and treat this parliament and the Australian people with contempt by pushing this bill through the House, this massive change that will impact on every aspect of our lives? Perhaps it is a potential outbreak of fairness. Perhaps a bit of collective bargaining is going on. Perhaps overtime is being paid. Perhaps union representatives are going onto work sites. There is no bogeyman out there. There is nothing going on out there in our workplaces so dire that it requires this government to urgently push this bill through without the scrutiny that it deserves. The real horror is in here. The real horror is the bill. The reason why they are pushing it through so quickly is that they are afraid that anybody out there might find out. The scary stuff is well and truly here.

I have been out and about in my electorate a lot. I have spent a lot of time talking to people in their homes and workplaces about their daily lives, about the things that matter. This government knows very well how much concern there is out there at the moment and it knows how ineffective that $50 million in taxpayers’ money was. The people’s concerns are more than justified. So much of the way that people live their lives is embedded in the returns from our current industrial relations system: regular hours, regular and fair pay and regular days off. So much about the way we build our lives, such as the relationships with families and friends, the plans we make, the daily commitments we make to each other to pick up the kids, to meet for a game of soccer on the weekend, to get and pay a mortgage or even to rent a place to live—virtually every aspect of the way that families and singles arrange their lives—is embedded in the conditions that we currently have thanks to our workplace relations system.

It is all possible because of the balance that our society has struck over decades between work and home. The big gains made through test cases heard before the arbitration commission and smaller specific gains—maternity leave, carers leave, the weekend, the 30-hour week, holiday loadings, skills loading, allowances and meal breaks—all result from the work of the union movement and from collective bargaining. That is because industrial relations and unions are not and never have been just about work. At the heart, they are as much about separating work and home life and making it possible for work and home life to coexist as they are about the workplace alone. At the heart, they are about making sure that people come home from work even alive and uninjured, and the safety that we have in our workplace has been fought for long and hard and should not be taken for granted. It is about getting home in a fit condition to spend quality time with your family, with enough time at home to build a meaningful family life, with enough regularity of hours and pay to be able to pay bills and perhaps get a mortgage and save for your retirement.

When I move around the electorate I find families and singles, nearly everybody, universally trying to get on with their lives and trying to do exactly the things that we, the community, need them to do: buy a house if they can, raise their children, get their chil-
children a good education, build their own careers, save for a rainy day, try to save for their retirement, commit to each other on a daily basis—all of the things that make relationships work. What I see every day is families trying to do that, yet in some areas of my electorate I see families that already do not have much of a chance, that are already at the bottom of the heap because of changes to the industrial system that have already gone through.

I see people in my electorate where both parents get up in the morning not knowing whether they are working that day, without the ability to organise child care for their children, without the ability to even know that they can pay the rent and without the ability to commit to picking up their child after school. I go to their houses. They are the houses where I find six-year-olds home alone, and it is not their fault. I do not know what option they have other than to not work at all. These are people already disenfranchised, already heading towards the category of working poor—people that I fear under this regulation will become nothing more than subsistence workers, struggling day to day, unable to commit to their families, unable to share in the nation’s prosperity.

We need families to do well, and that need is at least equal to the need for business to do well. The relationship is symbiotic. For 100 years the balance between these two entwined entities has been managed via the arbitration system and an independent umpire that balanced the needs of the business with the needs of the worker. This bill sets about destroying it all, replacing everything that we have worked for all these years and the safety net that protects the vulnerable.

I urge everybody out there to have a look at this bill. Read as much as you can and get to know what this means. You will not get any real information from the Howard government. You have seen what they did with the $50 million and the fluff they produced with your taxpayers’ money. There will be little more than spin in the booklet they have produced, which they have carefully put the word ‘fairer’ on, even though they have removed it from the bill. This government is a master of making big lies out of very small truths. Every page you turn of this bill makes the worker more vulnerable. This bill is all about forcing people onto inferior wages and conditions and removing their penalty rates, their leave loadings, their overtime and their allowances. Work Choices offers no choice at all.

Mrs May (McPherson) (6.14 pm)—I cannot help but feel a sense of history as I rise to speak on the Workplace Relations Amendment (Work Choices) Bill 2005, as I have no doubt this bill will become very much part of the history of workplace relations in this country. This is an evolutionary process, not a revolutionary process, as members on the other side would like us to believe. It is not massive or extreme legislation, as the member for Parramatta would have us believe. This is a bill, a set of reforms, for the 21st century.

The support both nationally and even internationally for these reforms is well documented. There have been some strong voices who have spoken about the need for workplace relations reform in this country. Commentators have spoken about the need for reform for many years. In its 2005 survey of Australia, the IMF particularly argued that employment and productivity can be improved by implementing proposed reforms of labour markets and welfare policies. Similarly, the 2005 OECD economic survey on Australia said:

To further encourage participation and favour employment, the industrial relations system also needs to be reformed so as to increase the flexibility of the labour market, reduce employment
transaction costs and achieve a closer link between wages and productivity.
So we have on the table a bill that will kick-start further productivity, employment growth, efficiency, innovation and, most importantly, improve household incomes well into the 21st century. Without change, without reform, Australia runs the very real risk of standing still. Our current strong economic position will stagnate. It will not grow in the future without workplace relations reform. With reform we can, as a country and for our people, build another cycle of strong economic performance and growth. We can lock in our future prosperity. Workplace relations reform is a very important part of building that cycle and locking in the prosperity, along with further taxation reform and the reform of business regulation.

The opposition will continue to run a scare campaign against these reforms. They have done it in the past and they will continue to do it in the future. There is no acknowledgment from the opposition that, over the last 20 years, real wages have increased by 25 per cent—up by 20 per cent in the last decade alone. Unemployment has fallen from around 10 per cent when Labor was in power to below five per cent, while youth unemployment improved from nearly 20 per cent to below 15 per cent in just the last decade. However, despite these impressive results, Australia cannot stand still. Our competitiveness and general economic standing have been slipping. Average yearly GDP growth has recently slowed to 2.4 per cent and our economy is facing a number of growth impediments. If reforms are not implemented, Australia could fall from eighth to 18th position on the OECD league ladder—the same place it occupied in 1983, when Australia’s economy was at a historic low.

Ensuring our workplaces are more flexible and increasing productivity are important if the economy is to continue to grow strongly. Unless we bring about change and reform in areas such as workplace relations, we will lose our economic strength in the future. Our economic strength will be eroded. The reforms being proposed by the coalition government are not extreme nor are they radical. The reforms being proposed are to ensure that our system keeps pace with the demands of a modern economy. The changes are the next evolutionary step in the process of change from a centralised award system to one based primarily on bargaining at the workplace level. This process was begun by the Keating government in 1993 and has continued under this government with its 1996 reforms. These historic measures will help modernise Australian workplaces. They will give industry the ability to achieve greater productivity and efficiency and the flow-on effect will ensure increased employment and higher wages for employees.

Under Work Choices, employers and employees will be free to enter into agreements without the bureaucratic processes that currently require a formal AIRC hearing to certify every collective agreement, even when the parties are in complete agreement. Agreement making will be simpler under Work Choices, but employees will be able to seek assistance with the process. The Office of the Employment Advocate will provide advice to both employers and employees on agreement making. Employers and employees can seek legal assistance if they so choose. An employee can have a union representative or a bargaining agent to represent them in the AWA process. Employees will not be left on their own throughout the negotiating process. If they feel they need help, help will be there.

The government will also expand the scope of the Office of Workplace Services to create a one-stop shop to ensure employers and employees know their rights and obligations and that these are fairly enforced. This
readily accessible single agency will provide further protection for all employees. The Office of Workplace Services will have the power to enforce compliance with the Workplace Relations Act, the terms and conditions of awards, agreements and AWAs, freedom of association provisions and requirements in relation to agreement making. At present, there are 90 OWS inspectors. That number will increase to 200 under this new legislation. The OWS itself will be empowered to assist, enforce and prosecute any breaches of agreement making. There are further safeguards. The legislation sets out very clearly the key minimum conditions of employment that must be included in any negotiated AWA. These minimum conditions will provide genuine protection for all Australian workers.

The Australian fair pay and conditions standards will contain minimum and award classification wages as set by the AFPC; four weeks paid annual leave, with an additional week for shift workers; the option for employees to cash out up to two weeks leave, but only at the request of the employee; 52 weeks unpaid parental leave; 10 days paid personal or carers leave, including sick leave, for employees with more than 12 months service, plus two days of paid compassionate leave, plus an additional two days of unpaid carers leave per occasion will be available in emergency situations for employees who have used up their paid leave; and a maximum 38-hour working week. Further award conditions such as public holidays, rest breaks, incentive based payments and bonuses, annual leave loadings, allowances, penalty rates and shift or overtime loadings will not form part of the standard but will be protected in the bargaining process. These award conditions may be traded off and bargained for, but only through specific reference in the new agreements. If a new agreement fails to make provision for such matters, the terms of the relevant award will continue to apply.

These standards embodied in the legislation give greater certainty about requirements to employers and employees when they sit down to negotiate an AWA. There will no longer be a hearing based approach to the adoption of AWAs; there will be a more streamlined, simpler and less costly administrative approach which will see all agreements, whether collective or individual, filed with the Office of the Employment Advocate. All agreements, both collective and individual, will take effect from the date of lodgment rather than the date of certification or approval. This will reduce delays and uncertainty and ensure that, once agreement is reached, the parties have the certainty they deserve. Each agreement will be able to run for up to five years.

There has been a lot of confusion over whether or not an employee has to switch to an individual agreement. The simple answer is no. As is presently the case, individual agreements are optional. Employees must agree to individual agreements before they can be lodged with the Office of the Employment Advocate. It will continue to be unlawful for an employer to try and coerce an employee to sign an agreement. It will also continue to be unlawful for an employer to sack an employee for refusing to accept an agreement.

This bill will simplify the complexity inherent in the existence of six workplace relations jurisdictions in Australia by creating a national workplace relations system based on the corporations power that will apply to a majority of Australia’s employers and employees. In Australia at present we have over 130 different pieces of industrial legislation and over 4,000 awards. It just does not make sense in today’s modern economy to have that much regulatory overlap and complex-
It causes too much confusion, it is bad for business, it costs jobs and it will hold Australia back from further economic and jobs growth in the future.

It is time to move towards one simpler national workplace relations system. The reforms are long overdue. Employers and employees in Victoria are already reaping the benefits of moving to a single national workplace system. Maybe their counterparts in other states will take a leaf out of Victoria’s book and work towards achieving a national approach that will yield the most benefits for all. Somehow I think the fight with the majority of the states will be a long one.

The reforms in this bill will, for the first time, properly balance the interests of employers and employees in the areas of dispute resolution, unfair dismissal and termination. Australia’s unfair dismissal laws are inherently unfair and represent an inequitable and unbalanced burden on Australian business, particularly small business. The government has moved to overcome this unfairness by providing balance and, in the first instance, by encouraging employers and employees at a workplace level to choose their own forum for dispute resolution. The government will establish a system of registered private alternative dispute resolution providers. A model dispute resolution procedure—a DRP—will be provided in the bill. It will be included in all awards and will be the default DRP for agreements which do not stipulate their own DRP.

Employees will be protected against unlawful termination regardless of the size of the employer. Unlawful termination will cover such areas as: temporary absence from work due to illness or injury; race, colour, sex, sexual preference, age, physical or mental disability, marital status, family responsibilities, pregnancy, religion, political opinion, national extraction or social origin; refusing to agree to an AWA; absence from work due to maternity leave or parental leave; or temporary absence from work due to carrying out of a voluntary emergency management activity. These are just a number of grounds that will be protected. The government will also provide up to $4,000 of legal advice to eligible unlawful dismissal applicants.

The reform measures in the Workplace Relations Reform (Work Choices) Bill 2005 are long overdue. In fact, the bill contains most of the government’s reform proposals which have stalled since it was elected to office in 1996. Since 1996 there have been 13 separate Senate inquiries into the government’s workplace relations reform proposals. Eight of these inquiries have considered reforms to the unfair dismissal system. It is time now to move forward.

The opposition to the bills from the Labor Party, and indeed the very strong opposition from the union movement, is purely political and ideologically driven. It has nothing to do with the need for this country to move forward into the 21st century with reforms that will continue to see this country prosper and grow—reforms that will take away the shackles from industry to allow them to improve their productivity and to increase opportunities for Australian workers, with more jobs and higher wages that will come with increased productivity. The opposition will undoubtedly continue to peddle the line that Australian living standards will decrease, that people will lose their jobs, and that employers will treat their employees with contempt and unfairness.

Nothing could be further from the truth. The bill before the House will encourage participation in the work force. It will increase the flexibility of the labour market, reduce employment transaction costs and achieve a closer link between wages and
productivity in this country. I commend the bill to the House.

Mr DANBY (Melbourne Ports) (6.28 pm)—It is an honour to rise to speak in opposition to the Workplace Relations Amendment (Work Choices) Bill 2005. Last week I was ejected from the chamber, along with 10 other members, for protesting against the indecent haste with which this extreme bill is being rammed through this House. Honourable members might not regard me as normally being a militant member of this House. I respect the parliament and I respect the Speaker. I have no desire to make his job more difficult but this bill, and the way this government is trampling on the rights of members of this parliament to get it passed, is enough to make a militant out of anyone. If the government persists with these tactics and will not be dissuaded from its extreme course of action then opposition members will continue to protest. If that means being ejected from the chamber again, we will wear that as a badge of honour.

It is clear that in rejecting this bill the opposition is speaking for the majority of Australians. Let me refer to the recent findings of a poll commissioned by the ACTU but carried out by an independent research company. The poll showed that 62 per cent of Australians believed that wages were being reduced under these new laws, 69 per cent of people believed that the laws will create greater fear in the workplace, 64 per cent believed that the changes will reduce job security, 82 per cent were very concerned about the reduction of the ability of workers to collectively bargain with their employer, 70 per cent thought that the reduced role of the Australian Industrial Relations Commission was a bad idea, 85 per cent believed that unions should have the right to enter workplaces to talk on behalf of their members and 59 per cent agreed that pay and conditions are generally better in a unionised workplace. In other words, the Australian people understand very clearly what the Howard government is up to with this bill. They understand that this bill is an attack on the wages, conditions and living standards of all Australian employees. They are not fooled by the government’s dishonest propaganda about this bill.

Indeed, the most remarkable thing about the state of public opinion in relation to this bill is that the government’s propaganda campaign, all $55 million worth of it, has been a total failure. It has not persuaded the Australian people that this bill is a good thing. It has been inept, boring, annoying, repetitive and fundamentally dishonest. That is because no advertising agency can persuade people that having their wages reduced, their conditions eroded, their rights in the workplace abolished and their quality of life worsened is a desirable thing. There is an old adage in the advertising industry that if you spend enough money you can sell the public a bad product, but only once. The Australian public have become increasingly cynical about this government’s bogus information campaigns and resentful of the fact that they are forced to pay for them. The return per million dollars of taxpayers’ money spent on these campaigns has declined steadily and has now apparently gone into negative territory—that is, the more governments spend on these tedious and dishonest ads, the fewer people are convinced.

Before I turn to the bill itself, I want to say something more about the advertising campaign. Not only has it been ineffective in terms of its content but it has been a total disgrace in terms of the process by which it has been carried out. There has been no transparency in the way the contracts for this campaign have been decided and no oversight of the way huge amounts of taxpayers’ money have been spent. Government members like to skite about the recent High Court
decision, but they know as well as I do that the court’s decision was based on narrow technical grounds and was not an endorsement of the ethics of the way the government is spending public money. I am reluctant to make accusations of corruption, but what other word can be used when a Liberal government hands out an enormously lucrative contract to the Liberal Party’s advertising agency Dewey Horton while other advertising agencies are given no opportunity to bid for the contract? In many countries this would be criminal conduct.

Last week, the honourable member for Wills raised some serious questions about Dewey Horton’s principal, Mr Ted Horton. I have no personal knowledge of these matters that the honourable member has raised, but I have not yet heard any government member refuting the statements made by the honourable member for Wills. Whatever the truth of the matter may be, it is certainly true, as the honourable member for Wills said, that the Australian people are entitled to some transparency concerning the awarding of advertising contracts by the mysterious Ministerial Committee for Government Communications. Under what parliamentary authority does this committee spend $50 million of taxpayers’ money? Charles I got his head cut off for this kind of encroachment on the rights of parliament.

Mr Tanner—A good precedent!

Mr DANBY—I thank the member for Melbourne. The way in which the advertising campaign has been conducted is a symptom of the government’s increasing arrogance. After the coalition parties won control of the Senate last year, the Prime Minister told us that there would be no hubris. Maybe he even meant it, but they just cannot help themselves. A year later their hubris is out of control. Now they think they can do whatever they like. After their ‘escapes from jail’, in electoral terms, in 1998 and 2001 and after our own goal that we on this side scored in 2004, they think they are unbeatable. You can see it on the smiling faces of the members for Aston and Moncrieff. Let me remind them that, in the original Greek myth, hubris is always followed by Nemesis.

I now turn to the bill. If the Howard government’s advertising campaign is a product of arrogance, this bill is a product of ideology. We all know that this bill is being introduced into this parliament in this form, at this time, for one reason: the Prime Minister. I have a different attitude from that of most members of the opposition to the Prime Minister. I knew him in a previous life and I have a regard for him. One way or another, however, his time in power is running out. For more than 30 years his obsession has been his dislike—hatred, indeed—of the trade union movement and the values it represents. Ever since the fall of the Fraser government he has been waiting for this chance to carry out the full Thatcherite revolution in Australia. He did not expect to get the chance and, now that he has it, he is determined not to waste it. Indeed, there is a prevailing mythology in the government that the Fraser government was a do-nothing government, and they are all determined to carry these so-called reforms through to the bitter end whether or not they are the right thing for Australia. This is why I believe the Prime Minister is risking everything on the culminating chapter of his great ideological crusade.

I hope that honourable members opposite realise that the Prime Minister is now, as was once said of British Prime Minister Gladstone, an old man in a hurry. He has his eyes fixed on a place in history. He does not care what happens to the honourable members opposite in 2007 provided he can retire in triumph with his life’s work complete. He is quite willing, in my view, to drag all of them
over the edge of the cliff in pursuit of his obsession. I hope honourable members opposite enjoy their roles as foot soldiers in the Prime Minister’s great anti-union crusade while they can. I suspect some of them will have cause to rue the day they signed up for it.

Let us be clear what this bill is about. It is a frontal attack on Australian workers in the broader sense of the term. Its real objective is to drive down wages and destroy the capacity of trade unions to resist effectively abolishing all legal avenues for seeking wage justice for employees. The more subtle members of the government try to gloss over this by using the rhetoric of individual freedom and painting a rosy picture of a country where every school leaver enjoys the right and the wonderful freedom to sit down with a multinational corporation and negotiate their very own individual contract of employment, but the less subtle members of the government give the game away. And who is less subtle than the Minister for Agriculture, Fisheries and Forestry, the honourable member for Gippsland?

At several question times recently, we have seen the minister for agriculture get up and read out extracts from awards relating to agricultural workers as though they were the funniest things he had ever seen: ‘How dare these yokels demand that their employers’—the Victorian squatter class, of which some people say the McGauran brothers are fine representatives even though both of them live in Melbourne—‘be forced to pay these various trifling allowances?’ This line of heavy-handed ministerial humour is very revealing because every one of those award provisions represents a long struggle and a hard-won victory by unskilled workers—men who perform hard physical labour in the hot sun so the squatters of today, and yesterday, can live in comfort without working—towards gaining a small improvement in their working conditions and their standard of living.

By ridiculing these award protections that have been built up through a century of effort, the minister for agriculture revealed more than he intended to about the real motives of this government. I represent a largely middle-class electorate—not many people in Melbourne Ports these days earn their living by physical labour—but the provisions of this bill will still have a major impact on many people in my electorate. These are the large number of white-collar employees, many of whom are young people struggling to buy homes in suburbs where the cost of housing has risen enormously and to raise children in households where both parents work. These people are battling to find and to pay for increasingly scarce child care. Many of them are also paying school fees to give their children the education of their choice. My electorate is full of people like that, people who will lose out if this bill is passed.

This government enjoys demonising the ‘militant unionists’ of the CFMEU and MUA as a means of building support for this bill, but the irony is that these unionists are more than able to look after themselves. I do not think that anyone who knows these unions would imagine their allowing this government to drive down their wages or strip away their conditions, and I hope they do not. I have a great admiration for the blokes who work on Australia’s wharves and ships. They have great skills that are constantly denigrated by some of the people opposite. However, the people who will really suffer from this dog-eat-dog industrial relations system that this bill will usher in are not militant trade unionists but non-unionised workers; young people; unskilled people; women, including those from non-English-speaking backgrounds; people who work in shops, offices and call centres; and people who do
not have the industrial muscle or tradition of militancy of the kind that people had when I had the honour of working for one of Australia’s great white-collar unions, the SDA. These people are the real targets of this bill. Some of these are the very people who are coming back to the Labor Party—Howard’s battlers. They are being driven back by the extremity of this government’s legislation.

The Minister for Employment and Workplace Relations tells us that the Australian industrial relations system is outdated—that it is a relic of the days of HB Higgins and that it must be radically reformed if employment opportunities are to continue to expand and if incomes are to rise. Yet, while he says this, every day the Treasurer contradicts him. We just heard another contradiction from the previous speaker, the member for McPherson, who told us that unemployment is falling and incomes are rising. The Treasurer boasts about the strong and successful Australian economy. He is quite right: the Australian economy is strong, unemployment has fallen and wages have risen. These things are the result of the economic reforms of the Hawke and Keating governments, including the reform of the industrial relations system carried through by Paul Keating.

The government boast about the increase in incomes over the past decade as if it were their doing. In fact, this increase has been brought about by the sustained economic growth created by the reforms of the Hawke government and delivered to Australian workers by the industrial relations system, as reformed by the Keating government—the very system that the Howard government now tell us must be done away with. As many members on this side have pointed out, these wage rises have taken place in spite of this Liberal government and not because of it. If the Industrial Relations Commission had accepted the Howard government’s recommendations there would have been no rises in the previous years.

We have also heard a lot of cheap rhetoric from members opposite about wage rises under this government compared with the preceding Labor government. It is true that incomes have risen more rapidly over the past decade than they did in the previous decade, but that is because the Hawke and Keating governments did the hard work of basic structural reform of the Australian economy. They cleaned up the mess they inherited from the former Treasurer, John Howard. Part of that reform process was the accord with the trade union movement, which necessarily involved wage restraint and the restoration of profitability in the private sector. Now Australian workers are reaping the benefit of those reforms as a result of their earlier restraint. We make no apologies for those policies, which are the foundation of our present prosperity.

Let me remind members opposite that there was no greater urger of the need to reduce wage overhang in those days than the then opposition leader, Mr Howard. Historically the Liberal Party, whether in government or in opposition, has been opposed to wage increases, including increases in the basic or minimum wage for the lowest paid workers. The only reason the Howard government are now able to pose as a champion of the workers is that they are coasting on the prosperity and growth created by Hawke and Keating and because they have been unable to prevent the Industrial Relations Commission from providing an arena in which wage claims can be arbitrated in a civilised way and where the interests of the lowest paid workers are protected.

This arrogant government has control of both houses now. It is bent on destroying our current industrial relations system, which with appropriate reforms has served Austra-
lia well for nearly a century. The government also want to destroy the values that underlie that system—the values of social solidarity, social cohesion, support for the powerless and respect for the rights of all citizens. The government wants to destroy the institutions of Australian social solidarity and to make it impossible to ever reconstruct them by discrediting the ideas that underlie them. This is why the government plans are being opposed so firmly by Cardinal Pell, Archbishop Aspinall and Archbishop Jensen—hardly militant trade unionists but leaders of the community who understand the damaging consequences of what this government is trying to do to Australian society. I remember too the Prime Minister’s embarrassment when the member for Lowe raised with him the quotes of His Holiness, the Pope, who when visiting Australia commended the Australian industrial system to the world as an example of the way people could deal with each other in a civilised way.

Let me conclude by quoting the Anglican Archbishop of Sydney, Dr Peter Jensen, a conservative in most matters and a Christian leader whom this government has been quite happy to quote in support of some of its other policies. The archbishop said:

This nation and its political leaders must be committed to ensuring optimum working conditions for the nation’s workers; a living wage that will mean everyone has the ability to provide for themselves and their families the necessities of life, strong unions that will represent workers, and the preservation of leisure time for families to be together for rest and recreation and to maintain their relationships.

That is a pretty good summary of the system we currently have—a system which has served Australian workers, business and society very well; a system which is currently delivering record profits to Australian business, rising wages to Australian workers and falling unemployment. It is the system that the government now wants to destroy, all because of, I believe, the Prime Minister’s long obsession about—and indeed hatred of—trade unions, an obsession that was relevant 30 years ago when we had massive industrial disputation. But now we have an all-time record low of industrial disputes. The system is not broken, so why are we trying to fix it? The Prime Minister claims to be a Burkeian but in fact he is abandoning his Burkeian ideology to pursue a more extreme Thatcherite ideology with this system. Seldom has such a wide-ranging and destructive change been put forward with so little justification. This extreme legislation is the final ideological excess of an arrogant and ideologically obsessed government. It should be rejected by this House.

Mr CIOBO (Moncrieff) (6.46 pm)—It is certainly with great pleasure that I stand to speak on the Workplace Relations Amendment (Work Choices) Bill 2005. This is a monumental piece of legislation. It is monumental because it heralds a new era in Australia—a new industrial relations era which will play a pivotal role in ensuring that our nation, over the coming decades, enjoys higher productivity, increased wealth and increased security for families, employers and employees. It is an important piece of legislation because it does that whilst maintaining a framework of equity and fairness and whilst principally ensuring that employers and employees develop a relationship and negotiation style that suits the individual workplace, given the many hundreds of thousands, if not millions, that are around the country.

It has been interesting to hear the various contributions by both sides of the chamber to the debate in this place. In the main I have been particularly concerned by the manner in which the Australian Labor Party, the political wing of the trade union movement in this country, has taken a shrill, emotional and
highly jargonistic approach to this debate. I believe that in many respects the very manner in which the Australian Labor Party approaches this debate underscores the lack of any true substance in its confected display of emotion and so-called concern over the ramifications of this bill going through the parliament. In particular, I have heard the word ‘extreme’ used by members of the Australian Labor Party time and time again. In my mind’s eye, I can almost see them sitting huddled around the table and saying, ‘How will we portray this politically to ensure that we get the maximum amount of political advantage?’ I can almost hear the Leader of the Opposition saying, ‘We need to go out there and refer to these reforms as extreme.’ So the Australian Labor Party needs to go out there and continue the scare campaign that the Australian Council of Trade Unions, the trade union movement, started about six months ago. So, one after another, opposition members have come into this House and claimed all sorts of wide-ranging consequences as a result of the passage of this bill.

My principal concern has been that in most instances the claims that I have heard from opposition members have been extreme. The claims that I have heard from opposition members include that there will no longer be a right for union members to collectively bargain, that there will no longer be a right to union representation, that there will no longer be an opportunity for workers to be able to call upon the services of trade unions, that there will no longer be equity in workplaces, that there will no longer be fairness made available to families, that it will be the end of redundancy and that it will be the end of all manner of entitlements such as annual leave, holiday loadings, sick leave and carers leave. All these types of claims have been made and we have been told that all these things will be abolished, scrapped or under threat as a result of this legislation. In every instance the assertions put forward by the Australian Labor Party have been wrong. The assertions have been nothing more than a politically opportunistic point-scoring game to try to justify Labor’s role as the political wing of the trade union movement in this country.

The legislation that is currently before the House is simply an evolutionary step to ensure that this government does not sit back and rest on its laurels when it comes to economic reform and that this government continues the progress that is achieved through reform—the very reform that will be central to ensuring that our nation continues to enjoy prosperity into the future. In particular, the work choices bill that is before this chamber will provide the opportunity for those employers and employees in the vast majority of workplaces to sit down and have rational discussions about what is best for their business going forward.

As the representative of the seat of Moncrieff on the Gold Coast, I have the unique privilege of standing in this chamber and saying that my electorate and the city that I represent have the highest per capita percentage of small businesses in the country. In addition to that, the electorate of Moncrieff has the second highest percentage of people employed in the hospitality and tourism industries. In both instances this bill will play a key role in ensuring that the industrial system will be flexible enough to ensure that hospitality workers and small business owners will be able to continue finding paths that provide better services for employers and, in addition to that, better employment opportunities and environments for employees.

In particular, the work choices bill is about developing a policy framework that suits the majority of workplaces in this country. In my electorate, where the bulk of businesses are small businesses, I recognise—as I believe
most members on this side of the House recognise—that most employers say the principal asset of their business is the people they employ. Having said that, if you work on the contention that the vast majority of businesses recognise what an asset their people are, you fundamentally see the rationale as to why the work choices bill, which enables an employer to sit down and negotiate with an employee and vice versa on the best business outcome for both, is fundamentally a far superior approach to industrial relations in this country than the proposition that the Australian Labor Party put forward. Theirs is a proposition founded on an adversarial system and in the fact that the Australian Labor Party would seek to heighten the role of trade unions in this country.

The reason the Labor Party seek to heighten the role of trade unions in Australia, and the reason they would prefer a system that pitches employers against employees and vice versa, is that in that particular environment trade unions add most benefit to employees. If employees and employers are pitted against one another, and that is the view that the Australian Labor Party have of a modern Australian workplace, then you can understand why the Labor Party would be suggesting that without trade unions workers would be worse off. That is all the better to encourage the working population to join trade unions; all the better to build the strength of the Australian Labor Party—not to mention the fact that Labor members would be beneficiaries of the very generous campaign donations made by trade unions.

But my contention is very different. My contention is that the reason we have seen such significant declines in union membership over the past decade is that modern Australian workplaces are not built on the principle of employees being pitted against employers; modern Australian workplaces are built on flexibility and healthy relationships in which employees and employers devise what they believe to be the best way forward. That is the vast majority of modern Australian workplaces—even beyond small businesses. In my view, there are a vast number of large, even multinational, employers that pride themselves on being employers of choice and they will do what they can to attract and retain hard-working, diligent, good employees. They will sit down and negotiate with those employees and will develop business practices that they believe to be in the long-term interests of their employees. This policy system will enhance the benefits that flow from that type of relationship.

Unlike the Australian Labor Party, I do not believe it makes sense to develop a policy framework that really only seeks to cover and provide protection for the five or 10 per cent of employers or employees that do the wrong thing. If you have a business where an employer does not believe that his employees are an asset, then there are protections for a worker that are afforded under the work choices bill. In addition to that, where you have a system whereby employees do not do the right thing by the business, now, because of the work choices bill, there will be opportunities for the business to dismiss that person without fear of having to pay thousands of dollars of go-away money through unfair dismissal claims.

The work choices bill will ensure in the longer term that Australia continues to develop an economy that ensures prosperity, increased productivity and, therefore, economic growth. Currently, Australia has over 130 different pieces of industrial relations legislation and over 4,000 different awards across six different jurisdictions. That is the system that the Australian Labor Party claim is superior to the system the government is seeking to introduce. There are over 4,000 awards, six jurisdictions and 130 different pieces of legislation on industrial relations—
and that is somehow superior to developing one nationwide piece of legislation which deals with work choices and workplace relations into the future. For example, a national business that operates in Queensland, New South Wales, Victoria and South Australia needs to deal with potentially four different jurisdictions, and it might have a variety of staff in different roles and therefore need to deal with many different awards. According to the Australian Labor Party, that is a better system for government to continue operating by than replacing it with one central award system or one central IR system that the government is attempting to introduce through the work choices bill.

You can start to see the reason why this fundamental difference in approach between the Australian Labor Party and the Howard coalition has led to such vastly different results for the people of Australia. It underscores the reason why under the coalition we have seen unemployment rates fall to their lowest level for decades. We have seen economic growth continuing effectively for the last 15 years and interest rates and inflation rates at record lows. It stands in stark contrast to the state in which the Australian Labor Party left Australia—with unemployment rates significantly higher than they are now, with a huge multibillion-dollar deficit, with inflation running rampant at various times under the Labor administration and with workplace dispute rates much higher than they are currently. It is little wonder that we believe in and have great faith in the Australian people to be able to sit down and sensibly discuss and negotiate workplace conditions that we believe to be in the best interests of both employers and employees. Over 10 million people are in jobs in Australia now. This is a far cry from the situation that the Australian Labor Party left.

I now want to address some of the specific concerns and scare campaigns that the Australian Labor Party has been running. As I said, prosperity and flexibility are the central tenets of the new work choices bill. We are going to be implementing a system whereby minimum and award classification wages will be protected by law and where specified existing award conditions such as penalty rates, overtime and long service leave will continue to be protected. We will be introducing an exemption from unfair dismissal laws for businesses with up to 100 employees, because we are sick and tired of seeing that system rorted and seeing thousands of dollars of go-away money being paid for unjustifiable claims that are often put forward simply because due process was not followed—due process which goes far beyond natural process and actually descends into a bureaucratic nightmare. We will also see the creation of the Office of the Employment Advocate, a one-stop-shop to provide information for both employees and employers, as well as a reduction in red tape in the agreement-making process. People will retain their right to choose to join a union or not choose to join a union. Flexibility and choice will be the key tenets of the new system.

The Australian government has indicated that the no disadvantage test will be replaced by the Australian Fair Pay and Conditions Standard. This is a central part of ensuring that we have a new standard that will exist at a federal level. The new Australian Fair Pay and Conditions Standard will incorporate four key points: maximum ordinary hours of work; annual leave; personal leave and carer’s leave, including sick leave; and parental leave. Beyond that, we believe that, if people choose to make an agreement, an AWA, they should have the opportunity to sit down and work out what works best for employers and for employees. You can see the significant reduction in red tape that will be brought about because, from this point, with
the passage of this legislation, employers will have the opportunity to employ people under agreements on a basis that both the employee and the employer are happy with.

In addition to that, gone will be the mind-numbing regulation and red tape that currently stops so many Australians from being employed. Having spoken with many different small businesses in my electorate, I know the profound impact that the heavy amount of red tape has on the propensity of small businesses to employ new employees. If there is one key safeguard that needs to be maintained in the economy, it is the fact that we must ensure that businesses are in a position to go from strength to strength—to grow, to generate wealth. They are fundamentally the key drivers of ensuring that there are jobs in the marketplace for people to be employed in. The easier we make it for employers to employ people, the higher will be the level of employment in this country. That is one of the most fundamental tenets that apply under this new work choices bill.

Unlike the overly prescriptive Australian Labor Party, it is not my view that we need to step in and intervene on these matters. The vast majority of people are in a situation where they can make an informed opinion in this particular instance. Where they feel they cannot do that, the right still remains for them to call in, if they so desire, a third-party bargaining agent such as the trade union movement. Despite the fear campaign from the Australian Labor Party, we see the adoption of a better, simpler system which ensures that employees and employers can reach the kinds of workplace agreements that both believe to be in their respective best interests.

In addition to the creation of the Fair Pay and Conditions Standard, the work choices bill will establish the Fair Pay Commission. The Fair Pay Commission will play the key role in ensuring that minimum wages are determined in accordance with what is in the national interest. That approach to developing minimum wages in Australia is far superior to the previous system, which almost saw arbitrary claims achieved and balanced on the basis of some point almost midway between what a union would put in and what the government or business groups would put in.

The Fair Pay Commission will also set and adjust minimum and award classification wages for a single minimum wage; minimum wages for award classification levels; minimum wages for juniors, trainees/apprentices and employees with disabilities; minimum wages for piece workers; and casual loadings. Contrary to what we have heard from the Australian Labor Party throughout this debate, the work choices bill does not abolish awards. Awards will be rationalised under the federal award umbrella—and thank goodness for that, because pity any business that needs to operate across six jurisdictions and 4,000 different award structures. That is all the more reason for awards to be incorporated under the federal umbrella. Awards will continue to be an option that is made available. There will be particular entitlements that will be subject to negotiation if the employee chooses. Certain award entitlements will be protected under the new work choices system, although bargaining can occur on those entitlements. They include public holidays; rest breaks, including meal breaks; incentive based payments and bonuses; annual leave loading; allowances; penalty rates; and shift and overtime loadings. I think it is a positive that these award measures are also able to be negotiated should the employee choose.
Finally, I would like to touch on the issue of unfair dismissal. Unfair dismissal was introduced in 1993. Although the Australian Labor Party treats it as some kind of altar, there have been many instances of abuse of the unfair dismissal scheme that I have seen as a result of employers not being able to follow due process because of its overly complex regulatory framework and a number of instances in which unfair dismissal claims have been brought unfairly. I am glad to see it go under this system. I believe its going will lead to higher levels of employment.

In conclusion, if we are going to continue to have a modern Australian workplace, one that is flexible and that ensures Australia’s economic prosperity into the future, we need to ensure that we develop a system that is relatively simple and, most importantly, removes burdens on employers employing new staff.

Ms LIVERMORE (Capricornia) (7.06 pm)—I would hate to disappoint the member for Moncrieff, so I will start my remarks on the Workplace Relations Amendment (Work Choices) Bill 2005 this evening by joining the previous Labor speakers in this debate in condemning this extreme bill and condemning the extreme attack that it represents on workers’ rights in this country. I find it strange and a bit extraordinary that members opposite keep on accusing Labor Party members of a scare campaign. The previous speaker, the member for Moncrieff, did use the words ‘scare campaign’. It would be very simple for the government to stop that ‘scare campaign’ in its tracks. All they need to do is what we have asked them consistently to do, from the Prime Minister down—that is, to give us the guarantee that no Australian worker will be worse off under this new system. Give us the guarantee that no Australian worker will see their wages, conditions and entitlements reduced and affected unfairly by the new system that this bill will put into place. It has been some months now since we have asked for that guarantee and it has not been forthcoming. Without that guarantee, which would very simply stop any alleged scare campaign in its tracks, the Labor Party will continue to do what we were formed to do: advocate for working men and women in this country and stick up for their rights and conditions in the workplace.

I guess there is one thing that I can agree on with the member for Moncrieff. That was when he said that he took pleasure in taking part in this debate. I have to say that I do too, because I am one of the lucky ones in the Labor Party who will get to have their say on this piece of legislation. We now know that the government intend to guillotine debate on this significant piece of legislation, which represents such a massive change to the industrial relations system in this country. It is part of a pattern from this government, since they got complete control of both houses of parliament, that, when it comes to serious debate about issues in this country, when it comes to proper scrutiny of legislation—which, in this case, will affect every man, woman and child in this country—they run from that debate. They do not want to have the scrutiny; they do not want to have the debate; they do not want to defend in any substantial way what they are doing to people in this country through this legislation.

So here I am: one of the lucky ones getting to have my say on behalf of my electorate, the people who elected me to come here as their spokesperson and representative in the national parliament. I get to fulfil that responsibility, right and duty as a member of parliament and stand up for the people of my electorate in opposing this legislation. The government should really be condemned for the insult that it is giving to the people of Australia in cutting short the debate on this bill. We have seen it with Telstra; we are about to see it with the antiterrorism legisla-
tion. Time after time important legislation comes before this House and the representatives, who were elected by the people of Australia to have their say on significant legislation, are gagged and shut down.

It is important to have this debate and to have it in a proper, substantial and comprehensive way. People were given no chance to consider these very significant—and, I would say, radical and draconian—changes before the last election. The government did not campaign in any serious or detailed way on industrial relations. We saw no detailed campaign in 2004 about the measures that we now see in this bill. They did not disclose to the Australian people that they would be introducing these kinds of extreme measures, which will totally change the face of Australia and Americanise our workplaces.

In introducing this bill without that kind of exposure during the last election, giving people the chance to make an informed, considered choice about the type of government they wanted and the policies they wanted to see from that government at the last election, the government are really ambushing Australian workers. They did that, firstly, by not revealing their intentions at the last election; now they are compounding the problem by pushing this bill through parliament without proper debate. Of course, the other opportunity for debate that the Labor Party has been pushing for is the Prime Minister, who is so proud of these changes—and yet so scared of them at the same time, and seems to be running away from any kind of scrutiny—to accept Kim Beazley’s offer of a public, televised debate so that the Australian people can really have a look at what this is going to mean for them and for this nation.

Mr Dutton—Why would Kim Beazley embarrass himself?

Ms LIVERMORE—John Howard has more to answer for on that score.

The DEPUTY SPEAKER (Mr Baldwin)—Order! Members will not interject.

Ms LIVERMORE—So there is no proper debate in the parliament and the Prime Minister has squibbed any opportunity to have that debate and pay the Australian people the respect and courtesy of spelling out what this will mean for them in a way that the Australian people have not had to pay for out of their taxes.

The government is trying to shut down debate over these extreme changes by guillotining debate in parliament, but workers and members of the community are still determined to have their say. The government may have the numbers here in the parliament but it is becoming very clear that they do not have the numbers out in the community. They are not convincing people that this is good for them as individual workers or family members, and they are not convincing people that this is good, or indeed even necessary, in the interests of our country’s future prosperity.

The government do not have the numbers in the workshops, the factories, the hospitals, the offices, the staffrooms and the crib rooms around the country. Certainly, the message that I am getting is that they do not have the numbers in my electorate when it comes to these extreme measures. These are the workplaces where no amount of Liberal Party propaganda can overcome people’s legitimate demands for fairness and security in the workplace.

People in my electorate have been making their views about these changes very clear. There have been quite a large number of rallies in the last three months attracting thousands of workers and other community members who are concerned about the damage that these changes will do to their families and the way of life that we treasure in this country. There have been rallies in
Rockhampton, Blackwater, Moura, Collinsville, Moranbah and Mackay, which is not in my electorate but which houses a lot of people from the mining industry, which is in my electorate. Thousands of people have turned out to these marches and community events to send the clear message to the Prime Minister that they do not want his tired old dream of a deregulated American style industrial relations system to become their nightmare, where they no longer have the kind of security and entitlements in the workplace that they need to get on with their lives and build a future for themselves and for their families.

In his arrogance, the Prime Minister has tried to drown out the community’s voice through the absolute deluge of government advertising that we have seen about these changes, but the polling is showing that people are not fooled. The shows of solidarity in the community will continue in the coming months and years, right up to the next election. The government will tomorrow try to shut down debate here in the parliament, but they will not be able to avoid the outright rejection of this extreme package out in the community.

It is no surprise that the community’s reaction to these changes has been so strong. It is such a radical attack on the protections and entitlements that Australian workers have fought for and rightly regarded as their birthright for a hundred years. The Prime Minister knows that, or at least he used to know that back when he was in touch with the community, when he was in touch—or so he claimed—with the views and aspirations of ordinary Australian workers and their families. He clearly knew that back in 1996, when he very cleverly—and, some would say, in a typically mean and tricky fashion—made the promise that no worker would be worse off if a Liberal government were elected. He knew in 1996 that if he let the cat out of the bag and told voters what he was on about—the right-wing, Thatcherite agenda that is really at the heart of the Prime Minister’s philosophy and vision for Australia—he would not be Prime Minister. The changes in this bill are not things that Australian people support. These are things that go against the fundamental values and principles of a fair go that Australians quite rightly hold so dear. They have served us well for the last hundred-odd years.

Why has the reaction to these changes been so strong? What is in store for workers through these changes? The short answer is lower wages, poorer conditions and less job security. This will be achieved in a number of ways that all interact to strip away protections and leave workers vulnerable. First of all, there is a change to how the minimum wage is going to be set in Australia. That role, which was traditionally played by the Industrial Relations Commission, is now moving to the Fair Pay Commission. What a typically Orwellian name that is: the ‘Fair Pay Commission’. Unlike the Industrial Relations Commission, the Fair Pay Commission does not have to consider fairness in setting the minimum wage, and that has been given quite a deal of airing in question time, without much reassurance from those on the government side.

The current system requires that the Industrial Relations Commission specifically consider fairness as one of its criteria in setting the minimum wage. That is gone. It now becomes a totally economic argument. Never mind what it might take for a worker in this country to earn enough to have a decent life. The government has been so worried about putting ‘fairness’ in its propaganda that it seems to have forgotten to include fairness in its bill. The lowest paid workers in this country are going to bear the brunt of the government’s removal of that consideration.
John Howard’s defence—what he comes back to us with—is: ‘When it comes to wages, look at my record. Trust me.’ I think this Prime Minister’s record on the minimum wage says it all when it comes to understanding what he is all about. He is about driving down wages and creating a class of working poor in Australia. We see that in the government’s record. They have opposed every wage case in Australia since they took office. If the Prime Minister had had his way, the lowest paid workers would be getting $50 less per week in their pockets. He now has his way. We see the result of that in this bill. The first blow that low-paid workers are going to receive from the Fair Pay Commission is that there will be a delay in the first hearing on the minimum wage. So workers will be waiting for an extra 18 months to get any kind of pay rise—again, another example of where this government is so out of touch with the realities of life for those 1.4 million Australians who are on the minimum wage.

The second measure that is going to leave workers in a worse situation under this package is the shift to individual contracts. I use the word ‘shift’ but of course that is not really right, because workers will be forced onto individual contracts whether they like it or not. The fact is that workers could have chosen to be on individual contracts years ago, but they did not. Only four per cent of Australian workers are currently on AWAs. But that is not good enough for the government. Their ideological obsession has not been satisfied through choice, so this bill will see workers forced on to individual contracts that will cut wages and reduce conditions.

At the heart of this extreme legislation is the sidelining of the award system. The safety net of entitlements and conditions contained in the award system that workers have relied on for fairness and security will become meaningless once this legislation is passed. The government has already chipped away at the number of conditions protected by awards, but there are still currently 20 conditions protected by an award safety net. Under this legislation, those minimum standards of employment will be cut down to five, and everything else—penalty rates, overtime, leave loading, redundancies—will be up for grabs in negotiations between employers and employees.

The government keeps saying that there will still be an award safety net, but an employer will not have to be Andrew Johns to sidestep that situation. All an employer has to do is to include in the individual contract offered to a worker one sentence that says, ‘Penalty rates, overtime, leave loading etcetera are incorporated in the hourly rate of pay.’ The employer can do that because the legislation does away with the no disadvantage test. Currently, individual contracts are compared to relevant award conditions, and the conditions in a contract cannot in aggregate be less than the overall award entitlements. That ensures some fairness in the current system. But this bill does away with the no disadvantage test. You can forget about that.

Individual contracts will be used to undermine wages and conditions that employees are entitled to or were entitled to under the relevant award. A classic example of that was the situation that we put to the Prime Minister in question time a couple of weeks ago—the situation of Tancred Fresh, which is a fruit shop and a convenience store in Rockhampton in my electorate. In that situation, workers were presented with a contract, and the contract offered to employees included a clause that said, ‘Your rate of pay is inclusive of leave loading, all allowances, penalties and public holiday pay.’ So award entitlements were basically given away. In that situation, they were offered 16c extra per hour as compensation for giving away all of those award entitlements. The no disadvan-
tage test applied in that case—currently—so they in fact ended up getting $1.31 an hour more.

The point is that under this system there will not be a no disadvantage test, so you could be asked in a contract to give away all of those entitlements—penalty rates, overtime rates, leave loading and shift allowances—and be offered no compensation. No one is going to step in and say that that is not fair, that it does not stack up to the prevailing award conditions. So the bill creates a world of ‘take it or leave it’ for workers: take the lousy conditions on offer, even if they are less than you have been receiving under an EBA or the award, or you are sacked, basically. The bill makes it plain in clause 104 that it is not duress for an employer to require an employee to sign an individual contract, an AWA.

The third leg of this extreme attack on workers is the change to the unfair dismissal laws. We have heard from other speakers, and we all know by now, that there is no protection at all from unfair dismissal for workers in businesses with fewer than 100 employees. The protection that is there for workers in larger enterprises with over 100 employees is totally illusory as well. Employers are now entitled to dismiss workers for ‘operational reasons’, and that has now been drawn so broadly in this bill that it is almost meaningless. It could basically mean anything.

This legislation ultimately leaves workers incredibly vulnerable and insecure. It makes collective bargaining almost impossible. Everything is up for negotiation between employer and employee, but in a situation where the government has made sure that the worker has no bargaining power whatsoever. The worker goes in to their employer; the contract is put in front of them, and that contract can eliminate prevailing award conditions with one sentence, as we have seen in the Tancred Fresh example. The no disadvantage test will no longer exist, so there is no outside scrutiny of the contract to see whether it is in fact fair against community standards—or what used to be community standards in this country—and clause 104 says that signing an AWA can be a condition of your employment, so sign it or else. And, if you work for a business with fewer than 100 employees, even if you do sign the AWA you can be sacked tomorrow for just about anything.

That is a recipe for driving down wages and reducing conditions. It is a recipe for creating a class of working poor in Australia that we—in the Labor Party at least—have spent 100 years fighting against. Whenever the Labor Party have been in office, we have tried to ensure a situation of fairness and decency for every single worker in Australia. This bill should be condemned for the attack it represents on working people. Working people are just doing their best to create a decent life for themselves and their families.  

(Time expired)

Mr RANDALL (Canning) (7.26 pm)—In speaking on the Workplace Relations Amendment (Work Choices) Bill 2005 this evening, I do so because it provides Australians with the opportunity to ensure their prosperity for a generation. I reiterate that: this is a golden opportunity that we as the federal government will be seizing to provide an opportunity for future generations of Australians in terms of prosperity. But, not to be dismayed, the Labor Party and the opposition oppose this measure. Listening to the member for Capricornia just makes you realise how irrelevant they are in the debate and how irrelevant they are in the Australian electorate.

Ms Livermore—We’ll see about that.
The DEPUTY SPEAKER (Mr Baldwin)—Order! The member will refrain as she leaves the chamber.

Mr RANDALL—The member for Capricornia, for example, just spews out this rhetoric. Why doesn’t she stand up for her electorate? We would have been far better off having Paul Marek in this place, because at least he would have made a contribution, unlike the member for Capricornia, who just regurgitates the union line on behalf of her political masters.

Why do the ALP oppose this legislation? They oppose it for 42 million reasons—in fact, it could be far more than 42 million. It is because he who pays the piper calls the tune. And who is paying the Labor Party, who controls them, but their union masters—the ones who control their preselections.

Mr Dutton interjecting—

Mr RANDALL—Bill Shorten is on his way. Yes, we hear about that, Member for Maribyrnong. I am sorry; I should not do that, but I do—

Mr Sercombe interjecting—

Mr RANDALL—I am not allowed to bet in this House, Member for Maribyrnong; sorry.

The DEPUTY SPEAKER—The member for Canning will not respond to interjections.

Mr RANDALL—Thank you, Mr Deputy Speaker, but can I say—

The DEPUTY SPEAKER—Nor will the member for Maribyrnong make them.

Mr RANDALL—that in this House we know that the Labor Party are controlled by their masters in the union movement. Why have they gone so feral in this last week or so? Because they are trying to demonstrate to their preselectors that they are engaged on this. They want to be thrown out of the House. A record number of people have been thrown out of this House because they see it as a badge of honour. In fact, poor old Jill Hall over there from whatever her electorate is tried so hard for days to get thrown out because she wanted to go out and put out a press release saying, ‘I got thrown out because I made a noise about this issue.’ In fact, some of them are even trying to be named because they want to see in Hansard that they saw it as some badge of honour that they got thrown out on behalf of this issue—because their preselections are not far away. I know I hit a bit of a raw nerve in here the other day, mentioning some of these things.

At the end of the day the union movement are connected to the Labor Party. We know they are affiliated. We know that the front-bench of the Labor Party either have a working history with the unions or must become union members. It is mandatory for Labor Party members in this House to belong to a union. If they are not a member, they have to join one by the time they get here. They usually have a working history or a career in the union movement to get here. Nothing has changed. You saw who replaced the member for Werriwa—another union hack in this place. Instead of bringing talent into the House, they brought in another hack. They are not even trying to renew themselves; they are just putting in these stooges that have got some sort of pat on the back from the union because have been good servants over the years.

The reason the Workplace Relations Amendment (Work Choices) Bill 2005 has been brought before the House cannot be said any better than the Royal Commissioner Cole’s comments on page 13, volume 11 of the Final Report of the Royal Commission into the Building and Construction Industry. I will refer to a couple of items. This is why this bill is before the House. He said:

There is widespread disrespect for, disregard of and breach of the law in the building and construction industry. The criminal, industrial and
civil law is breached with impunity. Agreements made are not honoured. The result is that industrial power, not right or entitlement, determines outcomes. Short term commercial expediency prevails.

He goes on:
The culture in the industry is that the criminal law does not apply because industrial circumstances are involved. The attitude is that the applicability of industrial law is optional because there is no body whose function it is to enforce it, or which has the will, capacity and resources to do so.

In the following paragraph he says:
Head contractors and subcontractors are subject to severe cost penalties for delayed completion. Industrial unrest and stoppages cause immediate loss from standing charges and overheads, and prospective loss from liquidated damages.

In contrast, unions suffer no loss from unlawful industrial action. They know they will not be held accountable for unlawful industrial action by the criminal, industrial or civil law. The result is inevitable. Concessions are made based on short term, pragmatic, project profitability considerations. The result is the rule of law is diminished. Productivity is diminished to the disadvantage of the Australian economy, contractors, subcontractors and employees.

Governments of both political persuasions, and at the Commonwealth and State level have been endeavouring to change the culture of the industry for at least 20 years. The findings of this Commission make plain that those attempts have failed.

In the final paragraph on page 13 he says:
To achieve cultural change, and re-establish the rule of law in the building and construction industry, a comprehensive package of reforms is necessary.

That is what is happening. That is what this legislation is doing—‘a comprehensive package of reforms is necessary’. This government are a government of reform. We take the hard decisions. We have got a bit of ticker when it comes to taking reform decisions in this place. We are not the cowardly lion without a heart; we are the ones who do not mind actually taking on the political challenge.

I was a casualty of hard political reform when I was the member for Swan. In 1998 I lost my seat, as 19 of us did on this side of the House, because we took a tough decision. That was the price we paid. People get confused. Disinformation campaigns and negative campaigns are far more effective than positive campaigns. The people in the electorate of Swan, for example, thought the GST was going to be the worst thing that ever happened to them—that they would lose their houses and their jobs. The Labor Party ran on that for three elections. Then they went into roll-back. We know now how disingenuous that was, because the states love what is happening as a result of that tax reform package and in so many other areas.

In this bill we are taking the tough decisions for the benefit of Australia and the productivity of this country. Why is Australia in the position it is in today? Why is Australia a stellar performer in the international community from an economic point of view? It is because we have taken the decisions to deregulate and reform industry in many areas so that productivity will increase. It is no miracle that Australia has achieved this. It is not that Australia is just falling in line with world trends, as some people like to say. The French thought it was fantastic recently when they were able to go from 10.2 per cent unemployment to 10.1 per cent. The new French Prime Minister, Mr de Villepin—he had only been there a month—claimed credit for this marvellous improvement. The German government is in disarray for the same reason. It is a government in paralysis. It cannot get on with any reform because it is controlled by a severe Left agenda. The Italians are much the same. They would love to be able to get through their parliament the industrial laws that we proposing in this
country. In fact, I was able to speak to members of a recent Italian delegation. They harbour the wish to be able to do what we are doing in Australia.

Over the channel, it is no mistake that the British are so productive and are going through a huge economic boom. The real labour leader in this world, Mr Blair, decided he would retain the Conservative reforms, and he told them so right up front. As a result, the Brits have got high levels of employment and high levels of investment, and their economy is bounding along in a stellar way.

What does this bill set out to achieve? I would like to go into all the details, but because of time I will summarise the government’s main changes. The bill proposes a single national system, which 85 per cent of employees will be eventually covered by; and a Fair Pay Commission, which will see wages set in a very fair way so that people keep up. There was all that rhetoric from the member for Capricornia about wages going backwards. The best thing that has ever happened to this country is that we have had real wages growth of nearly 15 per cent in 9½ years. Under the Labor Party in 13 years they could only claim 1.2 per cent. They bragged about driving wages down. The so-called great servants of the working class, which is an absolute misnomer, claimed to have driven down the wages of the workers of this country. We have increased them by 15 per cent. All the economic indicators support that.

Other reforms in this legislation include the fair pay and conditions standards, which will include minimum conditions of employment et cetera. Employees may negotiate individual workplace agreements. We know that the Labor Party hate that. Latham said before the last election that he would wind them all back, yet in Western Australia, unlike all of the other states, 30 per cent of our work force is on an AWA. Because of the strong mining and construction industry, 30 per cent of Western Australians are on an AWA. They are voting with their feet, and I will address that in a moment when I compare AWAs with the EEAs.

Employees not covered by agreements will continue to work under awards. This is what these reforms do. On dismissal laws, instead of small businesses having to pay people go-away money—generally about $3,000 to save going to court—we are going to protect small businesses with up to 100 people so that they can get on with the business of making a profit and employing people. They will be protected with regard to the unfair dismissal laws.

In relation to industrial action, the Industrial Relations Commission will provide a remedy for unprotected action et cetera within 48 hours. Secret ballots will be required. Shock, horror! The Labor Party hate secret ballots. You have to put up your hand. Many blokes on work sites will tell you—and I doubt whether many on that side have ever been on a work site; they are generally hacks in the union office rather than workers on a work site—that they want a secret ballot because, if they stick their hand in the air, they get their windows smashed on the way home. That is the intimidation that comes your way if you identify that you are going to go against some directive that the union bosses give you. And we know the sorts of fun and games that go into that.

In 2000 only 16 per cent of Western Australians were covered by federal industrial awards. Yet, last year—this current reporting year—30.4 per cent were on those awards. Interestingly, after the previous government in Western Australia, the Court government, was sacked and Geoff Gallop’s government took power, they changed the award system
in Western Australia to what they call EEAs, employee-employer arrangements. They are a very draconian type of award and very few people in Western Australia want to be on them. This is how unsuccessful they are: in the year 2004-05, only 162 of these awards were finalised, yet at the same time 135,000 people joined a federal award. How is that? What does 135,000 compared to 162 tell you? The workers have made their choices and they are voting with their feet. They want to be involved in the federal system because of the benefits it gives. They get more money; they get more pay. They can determine their conditions and make a flexible arrangement. If you are a mum who has kids at school and you want to organise your time so that you can pick them up after school, you can. You do not have this one-off bargain that you have to take the pattern for from the union dominated award.

The CFMEU have been trying to badger their people onto this award system, but some of the elements are bizarre. That is why people do not want to be on these awards and employees just cannot work with them. These are the latest CFMEU enterprise bargaining agreement demands in Western Australia for this year, which would come into force in November. Some silly people either have been coerced into them or have just decided to join them. The arrangement they are trying to put into place goes until 2008. I do not want to take up too much time because I have far more to say, unfortunately, but I will just read some of the things they would like in this award.

They would like the award to say that you do not actually have to be sick to take sick days off; that sick leave can be converted into cash if not taken; that you get one paid rostered day off every second week—in other words, 26 a year; that there will be a reduction in the standard hours of working from 38 hours to 36; that shift work will be paid at double time; and that employers will not have the right to sack an employee who is affected by drugs or alcohol if the employee agrees to get counselling, regardless of how many times the employee attends the work site affected by drugs or alcohol. This is in the arrangement that they are endeavouring to get people to sign on to in Western Australia. Employees who are affected by drugs or alcohol will be allowed to continue to work if they can demonstrate to a committee of their peers, which includes union representatives and employee representatives, that they can work safely. You could have a bloke done up to the eyeballs on speed or something, trying to demonstrate to the blokes on site that he can work safely. I do not think so.

They also want productivity allowances of $1.20 per hour, to be paid regardless of whether or not productivity levels are good. Employers will be forced to pay $23.80 a week for fares and travel allowance, even if the employee lives next-door to the work site, and fares and travel allowance is to be paid even if the employee is on a rostered day off and does not actually travel to work. How bizarre is this? If the place were full, people would be falling in the aisles laughing about this being imposed on employers.

All employees finishing work after 11 pm must be provided with a hot meal. Too bad if it is a hot summer night. Every subcontractor on site—bricklayers, glaziers, carpenters, tilers et cetera—is to employ a union imposed safety representative, who is to be issued with one fully fitted-out office. That is a fitted-out office for each union lackey. Employers will be forced to apply union negotiated wages and conditions to non-union workers to prevent employers from paying them more than union members. And it goes on. Redundancy pay also applies to an employee if he is sacked. Insurance is to be taken out. Personal accident and sickness
income protection insurance for every employee can cost up to three per cent of your payroll. There is heaps more there. I would like to table that, but I have not got time.

Ultimately, we know that the abuse of safety issues is borne out through the Cole royal commission. Every time the union want to enter a site they talk about a safety issue, even if there is not a safety issue. There is chapter and verse in the cases that were listed in the Cole royal commission in Western Australia. I have referred to that in this House before, so you can check that in Hansard. These are the sorts of conditions the union would like to impose.

Interestingly, Australia currently has 5.1 per cent unemployment. That is a record; it has not been better for about 60 years. That is because we have taken strong reform measures, as I said earlier. Yet today in the House the Leader of the Opposition pooh-poohed the fact that, although New Zealand have taken similar sorts of reforms, they are not lower than us. In fact, he was badgering us about the New Zealand experience. But it was pointed out by the Prime Minister afterwards that New Zealand are down to 3.7 per cent.

Bizarrely—I remember these things—the former New Zealand High Commissioner to Australia came to see me once because the then Leader of the Opposition—and he is reincarnated as the Leader of the Opposition now; Kim Beazley, the member for Brand—said, ‘New Zealand have low unemployment because all their unemployed people come to Australia.’ Can you believe he said that? He said that New Zealand’s unemployment level is so low because their unemployed people come to Australia to get a job. The New Zealand high commissioner came to see me. Interestingly, his name was Randall but he was no relation. He was offended and appalled that Mr Beazley would attack New Zealand’s genuine workplace reforms like that.

To demonstrate, an article by Kim Macdonald in the West Australian headed ‘Union-deal sites hit most trouble: builders’ says: Building sites which have union agreements cop more industrial flak than those which do not, according to the Master Builders Association.

Leighton general manager Ray Sputore ... said some sites which had union pay deals were suffering.

“It’s an interesting observation—

Sputore said—

that those who enter into certified agreements with the unions are the ones that appear to be getting hurt by the unions ... Broad Construction ... Kari Rummukainen said—

he—

would not sign the new union enterprise bargaining agreement because—

he—

feared that the union would not honour the agreement and would engage in spurious stoppages.

A spokesman for John Holland ... said it would not re-sign after its existing union agreement expired in October—

for the same sorts of reasons. So the industry are waking up. They are realising that this government is going to give them protection. This government is actually interested in seeing people in jobs. It is interested in seeing a generation of prosperity by taking the necessary reforms. It will reduce the ability of union officials to stick their bibs into the minority of workplaces. In fact, it will provide people with transportable skills, it will provide them with the ability to acquire new ones and it will take them into flexible workplaces. But the Labor Party offer doom
and gloom, as they did with the GST: ‘The sky is going to fall in. The world as we know it will finish today.’ We are actually getting more people into the work force. They have more money in their pockets. We will provide a golden era for Australian workers from now on. Not only will they have jobs from now into the future but this future will be secure and the futures of their families will be secure because of these reforms, which I support. (Time expired)

Mr WILKIE (Swan) (7.46 pm)—I sincerely welcome this opportunity to comment on the government’s extreme and unfair Workplace Relations Amendment (Work Choices) Bill 2005 and its impact on workers, families and businesses in Swan and the wider Western Australian community. The member for Canning has just been talking about protecting small business. I agree with protecting small business, but what about protecting workers?

I would like to give the member for Canning and the House an example of where workers were being ripped off when he was actually the member for Swan. I was finding employment opportunities for young people at the time and actually placed a young person into a wrecking yard in the electorate. This particular person ended up getting some form of employment subsidy. Unfortunately, the employer decided, even though there was a subsidy being paid to help this young person’s employment, what they should in fact do was pay them less than the subsidy that was being provided. I raised this with various people and ended up getting this changed. But the worker was told that if he did not accept the lower wage being offered by the employer, even though the employer was getting more by way of subsidy, he was going to get sacked. Under this legislation that is fine; they can sack them.

Mr Randall—It’s illegal.

Mr WILKIE—I just think that is a joke.

Mr Randall—No, it’s not.

Mr WILKIE—A member of the Liberal Party in Swan, a particular person who was one of Mr Randall’s supporters in the 1996 election, actually told me it was fine to pay them less.

Mr Randall—You know it’s illegal, and you should tell the truth.

The DEPUTY SPEAKER (Hon. BC Scott)—The member for Canning was listened to in silence.

Mr WILKIE—‘It is okay to pay them less. At least the young bloke’s got a job.’ I thought that was a disgrace. This bill encourages that sort of practice. If nothing else, this bill exposes the stark differences between the conservative and Labor members of this place when it comes to valuing Australian workers and their families. It prompts members on this side of the House, at least, to reflect on, be reminded of and acknowledge the achievements of workers and their trade unions in our great history. Most importantly, it allows us to debate the legacy we would like to leave our children and our grandchildren when they enter adulthood and take on the responsibilities and privileges of jobs of their own.

This side of the House will never succumb to the conservative ideology that workers should be treated as economic units in the pursuit of capital. The Labor Party and Australian employees have worked hard—too hard—for the respect deserved by our nurses, teachers, public sector employees, miners, bush labourers, computer operators and child-care providers to let it be destroyed by right-wing ideologues in the Liberal Party. For 100 years we have maintained these principles and earned the respect of nations throughout the world. At the end of the day, of course, the Howard government may succeed in usurping the Australian Constitution
and its own liberal traditions of federalism and states' rights and in guillotining these obnoxious and extreme laws through this parliament. At that hour business councils will no doubt pop their champagne corks, and 'the silks' along avenues like Perth’s St George’s Terrace will start planning their next overseas holiday on the back of their union-busting court appearances.

But, if government members think the fight against this draconian and extreme bill will go away after it is passed, after the rallies are held and after families settle down to enjoy perhaps their last holiday period together, they are deluding themselves. This is a fight that will continue until the next election and it is a fight we will win.

How could workers and families in the federal electorate of Stirling, for example, not be outraged by the comments of its Liberal representative in this place? I was shocked to read in last week’s community news that at a recent meeting with workers from his electorate the member said he would rather workers be unfairly dismissed than see businesses burdened by unfair dismissal laws. What a travesty. What an insult to workers and families in his electorate. What did one of those workers who met the member for Stirling have to say? This is what a 25-year-old child-care worker who felt strongly enough over the government’s bill to visit her local member of parliament said: ‘I was really disappointed at Michael Keenan’s attitude. He just didn’t seem to care what these laws are going to mean for people who work.’

Of course, the member for Stirling does not care what these laws mean for people who work. Nor do the member for Canning, the member for Hasluck, the member for Higgins or, most definitely, the member for Bennelong. The Prime Minister would have us all believe he is a friend of Australian workers. He claims personal credit for the increase in the minimum wage under his rule. I can only say that William Shakespeare must have been looking 500 years into the future when he wrote: ‘God has given you one face, and you make yourself another.’ The minimum wage has indeed increased since the election of the coalition in 1996—despite John Howard, not because of him. If Mr Howard and his corporate mates had had their way, the minimum wage would currently be $50 a week, or $2,600 a year, lower than it is today. Maybe the Prime Minister would be happy if the average wage was $2,600 a year. I was in China two weeks ago, and I noted that some of the poorer people were lucky to be receiving $US200 to $US400 a year. I wonder whether that is the sort of system the Prime Minister would like to see in place in Australia.

Let me remind the House that had the Howard government’s submissions to the Australian Industrial Relations Commission from 1997 through to 2005 been accepted there would have been a real reduction in the minimum wage, not the increase granted by the commission—which, in any event, the Prime Minister opposed. Even now, the Prime Minister refuses to guarantee that the value of the minimum wage will be maintained in real terms. He refuses to guarantee that all Australian families will be no worse off under his industrial regime. Privately, the Prime Minister knows that, in the long term, workers will be ripped off.

The Howard government is so concerned with the welfare of the Australian family that it will not even honour a commitment given to the Family First Party that it would properly assess key legislative changes and how they might impact on families. In fact, the Prime Minister ‘conned’ Family First—and I hope this will be remembered come the next federal election. These reforms are considered so fundamentally important to the future
of Australia’s economy and so crucial to improving working conditions for workers and profits for business that the Prime Minister will not even agree to publicly debate his case with the Leader of the Opposition. What is he afraid of? He sat here yesterday in question time and refused to debate these issues on national television, even though he was so enamoured with them. There is a word for the Prime Minister but, unfortunately, I cannot use it in this place.

The truth of the matter is that we have a Prime Minister who is bereft of ideas and bereft of initiatives. When it comes to industrial relations, he is stuck in the 1970s and his ideas are as stale as last week’s bread. If attacking working families in Swan is the Prime Minister’s only plan for increasing Australian competitiveness and productivity, then it is definitely time for him to pull on his slippers and head off to his retirement home—if, in fact, there is a place available, because we also know that under this government there is a shortage there as well. His Treasurer refuses to release modelling from his own department that would indicate the government’s extreme reforms, at best, would have little impact on productivity.

Let us not forget the Minister for Employment and Workplace Relations. This minister roams the country like some western movie snake oil salesman, his wagon being steered by the member for Goldstein in case it falls into a ravine. Sadly, this bill drives the wages and working conditions of all Australian workers into the crevasse. If the Minister for Employment and Workplace Relations were forced into an AWA based on his productivity, he would be lucky to be paid enough to afford an Amanda Vanstone style milkshake.

I have been reading some insightful comments this week from Queensland’s Social Action Office, a Christian based organisation. I was prompted to visit its website after receiving postcards at my office imploring me to act against the government’s extreme industrial relations changes. The Social Action Office makes a number of powerful points in relation to the bill we are discussing tonight and I would like to share them with the House. It states:

These changes have the capacity to fundamentally alter the fabric of Australian workplaces and society at large.

Until now employers have been urged to follow certain steps – ‘procedural fairness’ - in dismissing an employee.

With the proposed changes there will no longer be access to low or no cost independent umpires in the Australian Industrial Relations Commission (AIRC) for workers in companies with less than 100 employees. Although all employers will still be bound by anti-discrimination and unlawful dismissal laws (for example, a worker cannot be sacked while on leave) the reality is that workers on minimum wage levels are highly unlikely to have the financial resources to privately challenge a dismissal, unlawful or otherwise, in the legal system. The changes remove the legal requirement upon the employer for the fair treatment of workers. This means that employers could effectively dismiss workers at will with no recourse for the vast majority of workers.

The AIRC is already required to take into account the size of a business in considering unfair dismissal claims and compensation.

Let us look at what the Social Action Office has to say about awards, AWAs and the no disadvantage test. It states:

Australia’s IR system has evolved over the past 100 years and has been quite unique in the world through its recognition of unions as bargaining parties with legal rights and awards that comprehensively fixed wages and conditions. This system has moved since the late 1980s toward greater flexibility, with industry and workplace agreements. Enterprise Bargaining Agreements (EBAs) are collective, certified agreements most
often negotiated with support from unions. The Federal Government preferred Australian Workplace Agreements (AWAs) are, theoretically, more individualised agreements between employer and employee but workers under these agreements have also had the safety net of the “No Disadvantage Test”. This means that, under the present system, no worker can be forced to work under an agreement that would see them, on balance, worse off than their current industry award.

Under the Coalition Government’s IR changes the “No Disadvantage Test” will be scrapped.
While the Government claims no workers already employed by an organisation or company will be forced to sign AWAs that lower their wages and conditions the reality is that this is already occurring in the current system that still has reasonable protections for workers. This would likely worsen under the new IR regime.

The scrapping of the “No Disadvantage Test” will leave workers vulnerable to exploitation and, if they work for a business with less than 100 employees, without recourse to conciliation and arbitration.

One inherent problem with AWAs is that, while they are marketed by government and business groups as providing freedom for individuals to negotiate their employment contract, AWA negotiations are not played out on a level playing field. The only option and ‘freedom’ may be to accept a standardised AWA already worked up by the company/employer: to accept wages and conditions well below what is currently maintained under the No Disadvantage Test and award system or no job at all.

One causal effect of this in the ‘marketplace’ may be ‘churning’ at the bottom of the employment pond: a significant turnover of staff, particularly of those without skills, experience or the ability to negotiate a beneficial contract and who are now more vulnerable to unfair dismissal.

When I was finding employment opportunities for people, I actually experienced that. A company in Maddington, which made ladders, could not work out why it had gone through 200 employees in six months because: ‘Well, we are paying the award wage.’ But the work was filthy, so people deserved to get a little more by way of wages and conditions. But the employer just could not work it out and thought, ‘Well, the guys had a job; they should be grateful.’ But, unfortunately, the conditions were so bad that people would not stay. Again, this bill will encourage that sort of behaviour by employers. The Social Action Office goes on to say:

Domestic evidence and international experience has shown that AWA type agreements are ‘rarely beneficial for the vast bulk of employees’.

The Social Action Office also points to the research conducted by 17 of Australia’s top IR and labour market academics who have compiled a report card on the proposed changes. In their overview, they list four critical labour market challenges facing Australia: labour and skill shortages exacerbated by an ageing population; productivity slowdown; work-family tensions; and the growth of low-paid, precarious employment. As the Social Action Group states, this group believes that on all the available evidence there is no reason to believe the proposed changes will do anything to address these issues. They agree, however, that the government’s proposals will undermine people’s rights at work; deliver flexibility that is most likely to be one-way—in favour of the employer; do, at best, nothing to address the key challenge of work-family issues; have no direct impact on productivity; and disadvantage individuals and groups already most marginalised in our society.

In my home state of Western Australia, the Gallop government has won the past two elections on the promise of a fair industrial relations system that reconciles the interests of business with the rights of workers. Central to this commitment was the abolition of the system of individual contracts initiated by former Premier Richard Court and his industrial relations minister, Graham Kierath.
I would like to convey to the House and to members who may not have the experience of this individual contract regime that, under Mr Court and Mr Kierath, the average minimum wage in Western Australia fell behind that of workers in other states. That is right; the very same system lauded by the Prime Minister actually resulted in WA falling behind in terms of the minimum wage. Equally frightening is that the wage disparity between men and women also increased markedly. One of the most sinister aspects of the system in Western Australia was the use and abuse of labour hire companies to get around the minimum protections—and I mean minimum—offered by Mr Court and Mr Kierath.

It is equally clear that the bill we are currently debating does nothing to stop corporations establishing an intricate spider’s web of associated companies to ensure employee numbers fall under the 100-strong threshold. As some businesses devise elaborate ways of reducing employee costs and conditions, even well-meaning and employee-friendly businesses will be left with no option but to adopt a similar tactic in order to remain competitive. Tenuous employment conditions will leave many employees and their young families unable to get mortgages and loans. Working parents will face greater pressure to work long hours. This will impact not only on relationships but also on children.

Last Sunday morning, I had the pleasure of being part of the opening of the Belmont Little Athletics centre. This is a fantastic effort, with hundreds of young children from around the area competing in games. But it can only work when they have the support of families and of volunteers. Under the sort of legislation being introduced by this government, these people will be forced to work longer, so how are they supposed to take their children to practice? How are they supposed to volunteer their time to make these things happen? This is the sort of impact in the long term that this government’s industrial relations measures will have. The Minister for Workforce Participation, who is at the table, laughs. He laughs because he thinks that that will be good; it will be good because employers will be able to do that sort of thing to employees. It is a disgrace, and I intend to oppose it.

My message on behalf of the constituents of Swan is: kill this bill. I am joined in this message by the member for Victoria Park, the Premier Geoff Gallop; the member for Belmont and Deputy Premier, Eric Ripper; and the member for Kenwick, Sheila McHale. All those state electorates are in my electorate of Swan. Families do not want to see balaclava-clad henchmen and rottweilers standing in front of businesses in Swan to carry out laws based on the Prime Minister’s antiquated views. On Tuesday, 15 November, thousands of workers and their families in Western Australia will be taking part in a national day of community protest. Meetings will be taking place in WA from Kununurra in the north to Albany in the south. I urge all Western Australians to attend one of these events. I certainly look forward to joining community members, church leaders and workers and their families on the shores of the Swan River on that day, when Western Australians will voice their disdain for this government, its out-of-date leader and, particularly, this bill.

Mr BRUCE SCOTT (Maranoa) (8.05 pm)—The Workplace Relations Amendment (Work Choices) Bill 2005 takes the modern approach to industrial relations in this country. This bill will move Australia towards a single national system of industrial relations, a single system which has been needed for a long time and which is absolutely essential to ensure a stronger economy, a secure future...
and a fairer and simpler system for all Australians.

Since Federation, Australia has managed to accumulate something like over 130 different pieces of industrial relations legislation, more than 4,000 different awards and six different state-based workplace relations systems operating across the country. This current system is holding Australia back. It is holding us back from being able to realise our full potential as a country able to grow and as workers able to mix their family and work responsibilities, and it is holding us back from growing our great nation’s wealth. It is also holding back business and workers alike from achieving their full potential. It was that great Premier of Queensland Sir Joh Bjelke-Petersen who summed up the reason for this statement a long way back in 1987 at the HR Nicholls Society conference, and I will quote from his speech. He said:

At the heart of the problem of Australian industrial relations lies the extraordinary power of the ... trade unions.

It is unfortunate that nothing much has changed with the approach of the unions to industrial relations since that date. They have an extraordinary foothold on the Labor Party across Australia. This has recently been illustrated in this place by the bandwagon approach that Labor have taken to dealing with these industrial relations reforms.

The union said no to the Labor Party even before the legislation was produced. The Leader of the Opposition, as weak as he is, could have at least stood up to the unions and said, ‘We will have a look at this legislation,’ but he decided immediately to step into line with the unions and to march with them. The Labor Party’s policy approach to these modern industrial relations amendments that we have brought forward in this bill is dictated to them by people not elected to this parliament. That is the way the Labor Party make policy. The people in the constituencies of Labor members would want them to look at each piece of legislation and then decide their approach rather than to take their marching orders but, obviously, many Labor members have been threatened with their preselection if they do not step into line.

The Labor Party—I should say the unions, through the Labor Party—are running a misleading and dishonest scare campaign. The Labor Party have, once again, all stepped in behind this funded unions campaign. They have exposed the public to a dishonest campaign. They are causing confusion across the nation. It is dishonest and it is misleading. They stand condemned for those television, radio and newspaper ads that they are running across Australia, because they are misleading the people of Australia. To set the record straight, this legislation will protect workers’ rights. We are not taking them away. If the Labor Party had bothered to look at what we will protect, what will remain, in this legislation then they would understand. If they were thinking for themselves, rather than letting their union bosses think for them, they would see that we are offering more flexibility. Workers will be able to negotiate an agreement, or use a union to negotiate an agreement, which will assist them to manage both work and family commitments in our modern world.

The world has changed since Federation, but the Labor Party has not. Unions have played a role in the past and, under this legislation, they can play a constructive role in the future. But that will be at the will of the worker—if the worker wants the union to be involved in negotiating their wage outcomes. It is undeniable that this government has achieved a great deal for the Australian economy since we came to government a little over 9½ years ago. We have put the economy into one of the strongest positions it has been in for 30 to 40 years. We have
one of the lowest unemployment rates since man walked on the moon. Interest rates are at historically low levels, and we want to keep them there. As a reform measure this legislation will ensure that the economy will grow and that we can keep downward pressure on interest rates with the productivity gains that can be shared between workers and businesses.

We stand by our record since coming to government. Members on the other side of the House ask us, ‘Can you guarantee that workers will not be worse off under this legislation?’ The Prime Minister’s and my answer, and I am sure all members on this side of the House’s answer to that, is that we stand by our record. We will compare our record of the last 9½ years with the record of the 13 years of Labor when they had the Treasury benches in this place prior to 1996. That measure of our success—our record—is demonstrated by the fact that, since we came to government, real wages in this country have risen by 15 per cent above the CPI. If you compare that with the real wage increases for workers in Australia when Labor was in government for 13 years, you will find that it was a little under two per cent above the CPI. Those figures speak for themselves.

Unemployment is currently at historically low levels. However, some of the highest unemployment that we have seen in this country since the Great Depression was the result of the then Labor government’s policies. We all remember the high interest rates and the recession that the country had to have. Then Treasurer Keating brought on a recession that destroyed many small businesses in this country. The dream of many Australians to own their own home was destroyed by the Labor Party and the recession that the Labor Party said that this country had to have.

I mentioned earlier that there are some 4,000 award conditions in Australia which workers have to try to interpret. Some of these are nothing more than ridiculous. In this House the other day, some of the award conditions relating to the pastoral industry were mentioned by the Minister for Agriculture, Fisheries and Forestry. Given my electorate and my background, I am pretty well qualified to make comments about the ridiculous nature of some of those award conditions under the pastoral award.

Mr Deputy Speaker Causley, you and I have just come from the launch of Beef Australia 2006. Next year those beef producers will hold an expo in Rockhampton to demonstrate the modern approach that the beef industry is taking to genetics, marketing, breeding and processing.

I will read some of the provisions of the pastoral industry awards into the Hansard tonight. Under the federal award, for instance, you would get an allowance for a horse of $5.30 per week and an allowance for a saddle of $4.23 a week. Under a pastoral award in South Australia, you would access a similar allowance of $5.03 per week for supplying a horse and $4.02 for supplying a saddle. However, if you are employed by the Queensland Rabbit Board, you get only $3.16 for a horse and $2.50 for a saddle. Why are there different rates of remuneration between the South Australian award, the federal award and the Queensland Rabbit Board award for supplying a horse or a saddle or both? It is different under the cattle industry award in the Northern Territory; the saddle allowance is only $3.70 per week, yet in South Australia it is worth $4.02 and under the federal award it is worth $4.23. But in the Northern Territory, while you get $3.70 a week for your saddle, you get nothing for your horse. These are ridiculous, outdated award conditions that should no longer apply. They could be negotiated in a voluntary
work agreement between the employer and employee. That agreement would reflect an outcome that would be agreeable to both the employer and the employee.

Having come from the wool industry, I remember the wide-comb dispute in this country’s shearing industry. I will never forget the bans that the Australian Workers Union put on shearers, their own union members, preventing them from using wide combs in shearing sheep. In simple terms, these combs would have allowed shearers to shear more sheep in a day and, because each shearer is paid on the number of sheep that they shear in a day, they would have earned more money in a day. But, no, the AWU—the unions again—banned the use of wide combs in the industry, even to the point of sending union officials out to shearing sheds to make sure that no-one was using them. It was the eventual arrival of New Zealand shearers in Australia—to the frustration of many Australian shearers and encouraged, of course, by wool growers wanting to increase basic productivity within their industry—that ultimately broke the back of the union’s stranglehold on a measure that would have led to greater productivity and greater take-home pay for the shearers themselves. It is yet another example of the Labor Party and the unions being in a time warp. They are in another time in history.

The pressing need for Australia to have one industrial relations system can be illustrated by a real-life example from the Chief Executive Officer of Golden West Training Solutions in my home town of Roma, Bob Fulton, who is well known in the community. In a recent conversation that I had with Mr Fulton, he informed me he has to pay 500 employees of the Golden West Group Training Scheme under 60 different awards. That is obscene in itself. But even more frustrating for Bob was having to purchase a computer and computer program worth $30,000 just to handle the sheer volume of different pay awards and entitlements. He believes that with a single national award system he would have saved thousands of dollars and would have been able to put more people into work. He went on to explain to me that he has available 118 apprenticeship places that he cannot fill at the moment. He believes that the sole reason for this is that would-be apprentices are deterred by the low base salary and the highly complex and complicated system of additional entitlements. If only the Labor Party would listen to the people who are really at the coalface trying to put people into jobs, connecting workers to employers! They should listen to people like Bob Fulton of the Golden West Group Training Scheme. I repeat: Bob has to pay 500 employees of the Golden West Group Training Scheme under 60 different awards.

Another key significant figure in my electorate who has publicly declared his support for the legislation and highlighted how it will have a positive and strong effect on people right across Australia, although he was talking about south-west Queensland, is Ken Murphy, the Chairman of the South-West Region of Commerce Queensland. He stated on 28 October this year: “Implementing the WorkChoices package will benefit the South West Region through higher productivity, more job opportunities, and scope for more productive and secure work which generates higher living standards.”

It is all about profits for the employer, because profits will create more job opportunities which will create a stronger economy. The current 4,000 different award conditions are complex and complicated and do not allow the flexibility that a modern worker wants. I think what Bob Fulton and Ken Murphy have said openly and publicly in my electorate has adequately illustrated how the current industrial relations system is redundant in a modern Australia.
Workers in a modern Australia want to be able to negotiate conditions which will allow them to easily manage work and family responsibilities. It is important to remember that the Australian family of yesteryear is now a moment in history and that, as family responsibilities and expectations change, so too do the working requirements of employees. The government recognise this fact, and the bill allows for the flexibility today’s modern workers desire—flexibility to negotiate their working agreement. In turn, business employees will assist in improving and growing their employer’s business and, equally, improving their personal wellbeing by having work conditions which they negotiated to suit their position and, importantly, their work location.

Before I conclude, I would like to quote some statements from the great former Premier of Queensland and former National Party leader, Sir Joh. He said at the HR Nicholls Society conference that he spoke at in 1987, which I mentioned at the start of my speech:

We will never increase our productivity whilst our industrial relations machinery is built upon foundations of an earlier age whose structures are now irrelevant ... entrenched opposition to change is a relic of the past which will continue to drag us down unless we outgrow it.

He went on to say:

I know that, in the future, we will stand shoulder to shoulder in this great endeavour to restore our nation’s future.

Back in 1987 he was talking about people standing shoulder to shoulder to restore this great nation’s future. At that stage, the Labor Party had governed in this place for almost four years. Tragically, they went on to govern through until 1996. They brought on the recession. We saw the highest interest rates this country has ever seen and had record unemployment. Sir Joh was right then and he would be right if he were with us again today.

It is a travesty that the unions and the Labor Party are standing miles away from us in a bid to have the ingrained and outdated present system continue to hold Australia back from achieving its full economic potential. I commend the bill to the House. It has my strong support. I know that Australia will be a stronger and better place when this legislation is implemented across Australia.

Mr GEORGANAS (Hindmarsh) (8.25 pm)—I rise to speak on one of the most fundamental issues facing Australian society today—this coalition government’s industrial relations policy. I oppose the Workplace Relations Amendment (Work Choices) Bill 2005. Regardless of what the previous speaker, the member for Maranoa, had to say, of course the unions are fighting. They are fighting the fight of their life: they are fighting to maintain workers rights; they are fighting to ensure that they keep leave loading, overtime pay and everything else that they have fought for for the Australian public for well over 100 years.

This bill is specifically designed to drastically curtail the working conditions and undermine the living standards of ordinary Australian working people. It constitutes an unprecedented class offensive being waged against the working men and women of Australia. It is nothing less than an attempt to turn back the clock to the 19th century and reinstate a master-servant approach to industrial relations in this country.

Before turning to some of the more controversial components of the government’s package, I would like to briefly touch upon two matters that highlight the contempt with which this government is prepared to treat the Australian public. The first concerns the Orwellian language that it has shamelessly
employed. Over and over again the government has resorted to falsehoods and deceit in the lead-up to the introduction of this legislation. Just like in Orwell’s classic Nineteen Eighty-Four, key words and phrases used to support this draconian bill mean exactly the opposite of what the government claims they mean.

Two examples will perhaps suffice to illustrate this point. The Prime Minister and his workplace relations minister incessantly claim that this legislation is all about providing workers and employers with choices and have gone to the extent of labelling the bill Work Choices. In fact, the bill is all about strengthening the bargaining position of employers at the expense of working people. For many millions of Australian workers, the only real choice they will have once this legislation is passed is to accept exactly what their employer decrees or lose their jobs.

The other example concerns the new body to be set up to determine minimum wages—the so-called Australian Fair Pay Commission—which the government wants to use not to increase the real value of the minimum wage but instead to reduce it in line with its far right ideology. In Britain, at least the government had the honesty to label such a body as the Low Pay Commission. The hypocrisy and dissembling which have characterised the Howard government’s handling of the industrial relations debate have debased the English language and, in the process, further eroded public confidence in the parliament.

The second preliminary matter I feel obliged to raise involves the obscene haste with which the government has sought to rush this legislation through the parliament. The bill is almost 700 pages long. It is the most radical raft of industrial relations changes that have been introduced in this nation in more than 100 years, and it will have a profound impact on the economic wellbeing and job security of our fellow Australians. Yet this government is hell-bent on pushing the bill through as quickly as possible and with as little debate as possible.

With an issue of such importance to the entire community, you would have thought it essential that sufficient time be made available to provide the community and the parliament with the opportunity to digest the government’s proposals and to come to grips with their far-reaching implications. At the very least, two or three months should have been put aside to enable full public consideration of this very important bill. That the government is prepared to use its numbers to force the bill through with only a minimum of scrutiny highlights the contempt with which it is prepared to treat both the public and the parliament.

A key aim of the legislation is to shift workers from industrial awards and collective enterprise agreements onto Australian workplace agreements, known as AWAs. The government’s rationale is that this will enhance workplace flexibility, stimulate productivity growth and, in turn, lead to higher wages. While the legislation may result in increased flexibility, this is likely to be a one-way street. Employers will be able to demand greater flexibility from their workforce, but only under exceptional circumstances will it be possible for workers to benefit from any increased flexibility.

Penalty rates, rostered hours, overtime payments and other allowances are all at risk under this government’s brave new world of flexible working arrangements. Most at risk will be the lower paid, particularly women workers, who already bear the brunt of the work-life collision. We should all be working to improve the balance between work and our family lives—not making it worse as has been the case under this government.
Nor is the government’s package likely to increase productivity. Profits might increase, but there has been no evidence put forward by this government that suggests that its draconian proposals will improve productivity. On the contrary, the low-wage philosophy which underpins its proposals runs the risk of locking Australia into a low productivity economy. At a time when we should be building the skill base of the Australian workforce in order to improve our international competitiveness and paying people a decent wage in the process, this government has embarked on a divisive campaign to roll back the hard-won gains that have made Australia a great country and a land of opportunity.

The government’s claim that the AWAs will result in higher wages is also false. Average full-time adult non-managerial hourly ordinary time earnings are higher for workers employed under collective agreements than for those employed under AWAs. Women on AWAs have been particularly hard done by, earning 11 per cent less than their counterparts on collective agreements. And while workers on AWAs experienced an 11 per cent drop in earnings between 2002 and 2004, those on collective agreements had an average increase of six per cent.

The most vulnerable workers, however, under this government’s package will be young workers. The Prime Minister has yet to explain how a 16- or 18-year-old can possibly bargain on an equal footing with BHP Billiton, Holden, Woolworths or, for that matter, medium-sized or small employers. They will simply be told: ‘Take it or leave it. There’s a hundred people waiting at the door to sign that very contract that you won’t sign.’ Young people are going to be ripe for exploitation of the worst kind. It is already happening—we know that—but under this government’s package exploitation will be institutionalised. The government has even gone to the extent of legally sanctioning the use of duress by employers to force young workers, and for that matter any other workers, onto AWAs.

This government’s proposals will also result in the stripping of industrial awards: existing conditions will, over time, be eliminated or cut back to the bare minimum. No longer will the award system provide a safety net. Award conditions will no longer be protected by law.

What is worse, Mr Howard’s legislation provides employers with numerous options for removing workers’ existing conditions, even where they have expressly chosen to work under collective agreements. This may not happen overnight; it is likely to be a slow burn. It is, nevertheless, central to the government’s agenda. For instance, once a collective agreement has expired, all an employer has to do is give the workers 90 days notice in order to declare the workplace award free and collective agreement free. Once this is done, the only obligation on the employer is to comply with the government’s minimum employment conditions. These so-called ‘guaranteed’ conditions are four weeks annual leave, personal leave, parental leave, a limit on the number of ordinary working hours and the minimum wage. But even here all is not what it appears to be. The government has made it clear that it is prepared to allow annual leave to be reduced to two weeks a year and has already flagged its intentions to reduce the real value of the minimum wage. This is a government ideologically committed to institutionalising unfairness.

This is also evident from the government’s proposals for the treatment of unfair dismissal. Protection for workers from arbitrary dismissal has been a feature of Australia’s industrial relations landscape for many decades. It is integral to any sense of industrial
fairness. Despite this, the government has decided to proceed with a platform of extremely regressive proposals. For several years, the government has indicated its intention to limit unfair dismissal protection to workplaces with more than 20 workers. Prior to the introduction of this bill, it declared that unfair dismissal protection would be available only for workers who had an employer with a workforce with more than 100 workers. This proposal apparently did not go far enough. We now find that even in the case of employers with more than 100 workers it will be possible to also dismiss people on the grounds of so-called ‘operational’ necessity. This is an incredibly elastic formula that will essentially allow employers to sack workers on the flimsiest of pretexts provided it can be dressed up as an ‘operational’ requirement. At the stroke of a pen, millions of Australian workers will be disenfranchised from protection against arbitrary dismissal.

The government claims that its unprincipled position on unfair dismissals is designed to assist small business, although it now looks as though this claim will have to be amended to include the big end of town as well. Do not get me wrong: Labor is not opposed to a review of procedural fairness in relation to unfair dismissal legislation. But this government’s jackbooted approach will set job security in this country back 100 years—and along with it the quintessentially Australian notion of what we have all known as a fair go. This government seems determined to throw out the baby, the bathwater and the bath when it comes to unfair dismissal law.

The government also claims that existing unfair dismissal provisions discourage employers from employing more workers. Estimates by members opposite vary, but figures as high as 80,000 have been bandied around. Empirical evidence to back up these claims, though, has been conspicuous by its absence. Hardly surprisingly, the claims have been dismissed out of hand by serious commentators. As expressed by one leading researcher, Dr Paul Oslington, who has attempted to model the government’s claims:

Even if we do the simulations as optimistically as we possibly can, you can’t get any substantial impact on employment.

By any objective standard, unfair dismissal legislation is an industrial relations issue in need of some tweaking here and there. That this government is prepared to jettison any sense of even-handedness in this area is a reflection of its ideological obsession and the lengths it is prepared to go to to placate the more reactionary elements within the business community.

Almost two million workers, approximately 20 per cent of the Australian workforce, depend on the minimum wage. Historically, increases in the minimum wage have been set by the Australian Industrial Relations Commission. Since coming into office in 1996 this government has consistently argued for minimal increases in the minimum wage. The minimum wage is currently $25,188 a year. If the government had had its way, the minimum wage would only be $22,500 a year. That is $50 a week, or $2,600 a year, less than what has been awarded by the Australian Industrial Relations Commission. Over the period from 1997 to 2005 the minimum wage increased by 9.2 per cent in real terms. Had this government’s approach been adopted by the Australian Industrial Relations Commission the minimum wage would have fallen by 1.6 per cent in real terms.

The government argues that the increases awarded by the Industrial Relations Commission have priced the unemployed out of the labour market. Its solution is lower minimum wage increases and, in real terms, a decrease in the minimum wage. Yet during
this period jobs have continued to grow. In the last five years, for example, jobs growth has been in the order of 10.4 per cent. In other words, although there have been real increases in the minimum wage there has also been an increase in employment and a fall in unemployment. The government has chosen to ignore these inconvenient facts. Instead, it has opted to shoot the messenger by removing the Australian Industrial Relations Commission from its traditional role in wage setting. It will be replaced by the mis-named Australian Fair Pay Commission. Although nominally independent, members of this commission will be determined by the government and will have fixed terms of appointment. From the outset, the commission will be under pressure to adopt the government’s position on minimum wage increases. If the government’s track record is anything to go by this is likely to result in reductions in real terms in the minimum wage. Once again, fairness will be sacrificed on the altar of ideological obsession.

The damage will not, however, stop there. A lower real minimum wage will inevitably have a spillover effect on other wage earners, since it is the base upon which many other wage levels are set. This in turn, over time, may well have the effect of reducing the real value of wages for workers who earn more than the minimum wage. In doing so it may also reduce in real terms average weekly earnings. In addition, as increases in the old age pension are linked to increases in male average weekly earnings, any reduction in the value of male average weekly earnings is bad news for pensioners. As you are aware, Madam Deputy Speaker, I have the honour of representing the people of Hindmarsh, which has the oldest age profile of any electorate in Australia. If we go through the same experience as New Zealand did when it deregulated its labour market in the 1990s then we can expect the living standards of pensioners to be adversely affected. For Labor it is totally unacceptable that older Australians should end up as collateral damage in this government’s reckless campaign to cannibalise Australia’s industrial relations system.

Trade unions have played a vital role in our society over the last 100 years. They have made a major contribution to raising the living standards of ordinary working people in this country. The trade union movement is still the largest voluntary organisation in Australia. Trade unions have acted to curb the worst excesses of our industrial society and have sought to enshrine human dignity as a right for all, not just for the rich and privileged. Many of the human rights and industrial conditions we take for granted are the direct result of many struggles over many decades by many working people committed to building a better society. These gains have now been placed in great jeopardy.

This government has an ideological hatred of trade unions and in this bill has gone to great lengths to shackle their ability to act on behalf of Australia’s working men and women. This government’s legislation is nothing less than a full-frontal assault on the rights of working people to organise in defence of wages and working conditions. It seeks to make access to workplaces by union representatives much more difficult, it seeks to curb the right of workers to take legitimate industrial action, it seeks to provide the minister with extraordinary powers to interfere in industrial disputes—which, incidentally, are at a historical low—and it seeks to impose harsh penalties for even the slightest infractions by workers or their representatives. In short, this bill is an attempt to get rid of unions while not actually prohibiting them outright.

This policy is as short-sighted as it is vindictive. Increasingly, public policy in Australia has been dominated by corporate business
interests. If we are to have a vibrant democratic society it is absolutely essential that we have countervailing forces that can challenge the dominance of the big end of town. The trade union movement has been an important part of this countervailing coalition. If we truly value our freedoms and our way of life we need to defend trade unions. Not only are trade unions necessary to protect and advance the interests of ordinary working Australians, they are also essential to ensuring that our society does not end up simply being an adjunct of big business.

This bill is without doubt the most nasty and divisive legislation that has been introduced into this parliament in living memory. What makes matters worse is that it is as unnecessary as it is regressive. The government’s industrial relations program is at best a fourth-rate issue that has been shoved up the public policy agenda because of a 20-year ideological obsession nurtured by the Prime Minister and his acolytes. The government has at no stage put forward a coherent and reasoned case that would warrant such a drastic overhaul of this country’s IR laws. Much of its argument for change is premised on the simplistic view that a deregulated labour market is the best, indeed the only, way forward for Australia in terms of employment growth and prosperity. This is despite the fact that there are many countries, particularly in Europe, which have more regulated labour markets but which also have higher living standards and better employment outcomes than is the case in Australia. In this respect we could learn much more from countries such as Norway, Sweden, Denmark and the Netherlands. This would be much more preferable than continually seeking to impose the worst aspects of the American system on the Australian community.

Madam Deputy Speaker, when I made my first speech in this place I referred to the ever-increasing pressures that Australian families have to contend with. In doing so I also called for a return to the traditional Australian ethos of a fair go. With this bill this government has made it abundantly clear that it is not interested in the welfare of ordinary Australian families or in the fairness that in the past has helped make Australia such a great place to live. While we may lose the vote on this bill in this place I can assure you that Labor will repeal this odious piece of legislation at the first opportunity. With the support of the Australian people, this could be as early as 2007.

Mrs GASH (Gilmore) (8.44 pm)—I rise to speak in support of the Workplace Relations Amendment (Work Choices) Bill 2005. It was the Hon. Justice Michael Kirby who, in an address to the Industrial Relations Society in Victoria, late in 1996, said:

I think it is fair to say that, over the course of the century, the High Court has, by almost imperceptible steps, taken in a multitude of decisions, gradually enlarged the power of the federal Parliament to enact laws with respect to conciliation and arbitration of industrial disputes. The recognition that other heads of federal power, notably the corporations power, could be used to sustain laws on industrial relations, clearly circumvented many of the problems that had bedevilled governments, and industrial relations in Australia, during the first half of the century.

Justice Kirby was acknowledging that, like everything else in this world, nothing stands still but continually evolves. This legislation is a part of that evolutionary process as much as the record of ‘wins’ by the ACTU of ever increasing employment conditions. I went to the ACTU web site where even they proudly claim ‘a new era of industrial relations’. They said:

The web site goes on to list the achievements of the ACTU where amongst the milestones are the words ‘the right to be given notice and to be consulted about changes at work such as new technology, planned retrenchments, new working arrangements’. This effectively signals a new phase of domination in the workplace by groups who do not have to invest one brass razoo in a capital venture.

I well remember several years ago reading about an industrial dispute at Sussex Street, where a couple of workers were retrenched by the Labor Party. When the shoe was on the other foot, there was deafening silence from the unionists—no grandiose rhetoric about fairness and the right to work or whether the dismissal was unfair. No, the hard men of the Labor Party, pragmatic as ever, put the lid on the matter and moved on without a care in the world for the workers who were claiming they were unfairly dismissed. Even in one of their union-held forums I recently attended in Kiama, there was a former ALP worker speaking about how unfairly he was treated by his own union—to be very quickly silenced by the union leader, Bill Shorten. Seldom will the union movement have to make such a decision, but when they did they were found wanting.

Mind you, I need to give credit where credit is due. Many of the concessions extracted from employers by the standard of the day were fair and reasonable. But that does not mean that they must be set in concrete until the end of time. Many concessions were clearly very generous, some won at a time when the bargaining power of the employer was clearly stacked against them. Whilst certainly not unique, Australia’s experience was one where over time the industrial laws aggregated to favour the employee and their organisations. One could argue that the domination of the union movement over the last three decades has brought about some of the changes we see in this bill. If we are to encourage further job growth, create more taxpayers and discourage dependency on our social security system, we need to reappraise those elements that have been holding us back.

I have been on both sides of the fence, both as employee and employer, so I can claim to have a balanced view. Many in the trade union movement have not been in that position yet persist in arguing that they should dictate terms to the industrial relations landscape in Australia. You need only look at the Labor Party benches in parliament to see the monopoly of union workers and members, whereas we on the government side have a wide range of business experience.

Australia’s industrial relations system has been a strange mix of free market economics embedded with a regulated labour market and, depending on which side of the fence you are standing on, has been described as ‘successful’. But it is only successful when the economy can afford to absorb some of the counterproductive aspects of these arrangements. There is little flexibility in the current arrangements because they are based on precepts built upon from the time of Federation. Now it is necessary to adjust to the reality of contemporary society.

I acknowledge the expressions of concern that are out in the electorate but in a way they are reminiscent of the events surrounding the introduction of the GST, which you would well remember, Madam Deputy Speaker Bishop, being in Gilmore at that time. So you do not have to go too far back to see the ‘chicken little’ strategy of the Labor Party unfolding. “‘We’ll all be rooned,’” said Hanrahan’, to paraphrase a famous poem. But, as events turned out, we were not, and the ‘roll-back’ commitment soon went out the window like a puff of smoke.
But I hear that the Leader of the Opposition has again said that if he wins the next election he will roll back these reforms.

The emphasis of the argument against this bill has focused on the concept of ‘fairness’ but surely that depends on where you are standing. Is it fair to expect that, with economic fluctuations, wages and conditions should not move and should remain fixed in the face of falling profits? If a component of business is not performing effectively, should it not be replaced? There are many businesses out there doing it tough right now, none more so than what is described as a microbusiness, one that is a family-run business with a handful of employees. With profits falling, they still have to meet their obligations, with wage costs being the biggest component. Little wonder that industry has progressively increased the amount of casuals it employs, simply to retain some degree of flexibility in a volatile environment. Yet the unions and the Labor Party continually bemoan the casualisation of industry. They cannot see that it is primarily their efforts that have contributed to this outcome.

And what of the employee? Surely they also deserve to have enough confidence in the future as a casual to invest in a mortgage. This bill has attended to that by providing a safety net of uniform standards, protected by legislation, guaranteeing a number of basic conditions, called the fair pay and conditions standards. So, whilst the inflexibility of the award system has been removed, there are still provisions in place to protect the worker.

It has been said that there is no redress for unfair dismissal, yet that is not entirely true. Since the inception of unfair dismissal legislation, the test of what constituted unfairness has been subjective, dependent very much on the opinion of who was hearing the case rather than being guided by legal principles. So, whilst the intention may have been good, the actual practice soon became discriminatory in favour of the person bringing the complaint, in a lot of cases much to the costly detriment of the employer. Instead, this bill has provision for unlawful dismissal—specific provisions spelt out so that it is not open to bias based on opinion.

In a way, it is a response to the very policies of the labour movement that is being reflected in this legislation. The inflexibility of conditions has forced employers into casualisation at the expense of membership of the union movement. It is no surprise that, over time, union membership has plummeted, to the degree that small business owners now outnumber trade unionists.

With Australia competing in the global market more so now than ever before, how relevant is it to retain provisions more suited for a time long gone? We need to be ready to meet the economic contingencies thrown up by a volatile world and, with the present industrial laws, we are not well placed. There has to be a greater degree of flexibility, purpose-built to suit specific industries. That might mean that the conditions of employment might vary from one workplace to another, even though they may appear similar in practice. After all, the health of a business predicates employment potential, and no-one can disagree with that.

Already there is ‘black money’ out there, where people enter into an arrangement to do work without entering into an employment contract. That is a high-risk proposition in the face of a myriad of employment laws that businesses have to contend with, but people are prepared to take the risk. They weigh that up against the fact that they cannot enter a formal employment contract because of the high cost involved relative to the profit of their business. So it is manifestly unfair to impose conditions whereby people have to take these risks: the employer, with the pos-
sibility of being discovered bypassing their legal obligations; and the employee, deciding that cash money suits their purposes better, because at least they have some income and will not pay tax.

In my role, I am aware of episodes where employers have been threatened by unionists—industrial blackmail and standover tactics made possible by the dominance of the trade union power under present laws. I myself have been threatened, and this is just not on. Some sanity has to be brought back to the Australian industrial relations system, including the many different awards that exist, especially in the hospitality and retail industries, the backbone of small business.

This bill seeks to standardise provisions where at present there are overarching agencies whose role and power are lost on most people in the street. They are also lost on many employers, who are not lawyers but largely simple people with simple notions as to how things ought to work. Yet here they are, every day at risk of prosecution for failure to comply with something that takes a court of law to decipher. Where is the justice in that?

The thrust of this bill is long overdue. I am confident that, in time, the fears being enunciated by the other side will be allayed. I concede that there may be cases of unscrupulous employees, as there are unscrupulous employers. But, to those in fear for their jobs because of what they have heard, I can only echo the statement by one representative of a peak employers federation, who observed that no employer wants to get rid of a good employee, and no employee wants to work with a bad employee and carry a disproportionate share of the workload. Who does? I commend this bill to the House.

Ms PLIBERSEK (Sydney) (8.55 pm)—Why is Work Choices bad for families? Australian workers have been crying out for a change to their ability to balance their work and family responsibilities. Our population is ageing, our birth rates are low and relationships between men and women are changing, so women are seeking to play a greater role in workplaces, and men are expecting to spend more time raising their children. Our economy is relatively strong after 14 years of good growth. We have low unemployment, but taxes are at unprecedented levels. Our foreign debt is dizzyingly high, and the Howard government’s refusal to invest in education, training and infrastructure is a real block on our economy. All of this means that work does have to change, but this is not the change we need.

The extreme legislation the government is proposing will not lead to productivity increases but will trash family living standards and workers’ pay and conditions. It is all pain and no gain, except perhaps for the worst employers, who think that they can compete with China and India on wages. These changes will affect the most vulnerable workers the most, but our whole society will change over time as work becomes a seven-days-a-week activity, with no time left over for volunteering, sporting commitments or family life.

The government’s extreme Work Choices legislation is bad for families, because individual contracts are not family friendly. Longer hours and ad hoc work timetables do not work with family schedules. Flexibility is necessary, but this has to be two-way flexibility which takes account not only of employers’ needs but of workers’ caring responsibilities. Barbara Pocock, a well-known author and academic in this area, says:

Workers with family responsibilities need a secure living wage; adequate, predictable common family time (including social work time and holidays); flexibilities that meet their needs, including the opportunity for leave and to work part time;
protection for excessive hours; and quality, accessible affordable childcare.

This legislation of course delivers none of these. On top of that, it delivers none of the economic benefits that the government is claiming.

The Prime Minister, the Minister for Employment and Workplace Relations and $55 million worth of advertising propaganda keep telling Australians that Work Choices will be good for families, but no-one who has seriously looked at this legislation believes that. The government’s argument is that workers will be able to negotiate terrific new family-friendly conditions into their individual contracts. I can just picture a cleaner at a school walking in to the boss of the cleaning business and saying, ‘Listen, I won’t be able to work overtime on Thursdays. That’s the day my little boy plays soccer, and I have to drive him to soccer.’ There are plenty more cleaners out there to take that person’s place.

The notion that vulnerable workers will be able to negotiate family-friendly provisions into their individual contracts is just nonsense, and it is not borne out by research in this area. Many people with caring responsibilities already have minimal bargaining power. They will not be able to individually negotiate good working conditions without the minimum protections that they are currently relying on.

Under Work Choices, there are a number of areas which could previously be included in awards and which will now be excluded. Someone with caring responsibilities will have no guarantee of starting or finishing times; no legal guarantee of minimum or maximum hours; no legal protection as to notice for changes in working time initiated by the employer, including when they might be antisocial hours; no legal support for flexibility for them to achieve variations; no guarantee of not being unfairly sacked because of caring responsibilities; and no guarantee that their wages will rise with the cost of living.

The government will tell you that it will still be unlawful to dismiss someone for their caring responsibilities. That is cold comfort to someone who is told that they are no longer required for ‘operational reasons’. They may think that it is because they have had to take time off to look after their child who has been home sick with chickenpox, but unless their employer is stupid enough to say, ‘That last bout of chickenpox was the thing that did it,’ they have no protection from being unfairly sacked.

I said before that the evidence does not bear out the fact that individual contracts can be family friendly. It does not. Research from the Department of Employment and Workplace Relations that came out in 2004 showed that 92 per cent of all AWAs did not provide paid maternity leave, 95 per cent did not provide paid paternity leave and 96 per cent did not provide unpaid purchased leave—the ability, for example, to buy extra leave during school holidays by taking a reduction in your pay. The same data showed that penalty rates were lost in more than half of individual contracts; that annual leave was lost in more than one in three, 34 per cent, individual contracts; and that sick leave was traded away in more than one in four, 28 per cent, individual contracts. Employees should have the right to choose to be covered by a collective agreement. The attempt by the government to encourage more employees onto AWAs does not bode well for these ‘family-friendly’ provisions that the government claims employees will be able to negotiate into their AWAs.

It is not just the pay and conditions that workers will lose that is the problem; it is also the job insecurity. Other Labor speakers
have told the parliament about the problems with unfair dismissal and what that will mean for Australian workers, so I do not intend to cover that area in any great detail. I want to focus on the insecurity of hours that workers face. Family budgets and family timetables depend on predictable hours of work and predictable take-home pay. Making home arrangements—who is going to pick the kids up from child care, how many hours they will spend at child care, who is going to cook dinner for grandma, who is going to take the kids to soccer or who is going to play netball on a Wednesday night—all depends on some predictability. On top of that, unpredictable hours mean unpredictable income. If a person does not know what they are going to be earning next week, it is very difficult to get a car loan, let alone a mortgage. The unpredictability that workers are looking at in this area is certainly going to affect not just their family arrangements but, in the long run, also their income.

Penalty rates for working weekends, public holidays, shiftwork and nights are all up for grabs. The difference this is going to make to the family budget is substantial. We are looking at an average of $240 a month in penalty rates for workers. Believe it or not, I say to some of the members opposite: $240 a month for ordinary families is a great deal of money out of the family budget. It can make the difference between being able to afford a mortgage or not.

Longer hours and ad hoc work timetables do not work with family schedules. Longer hours, in particular, are having a dramatic effect on Australian families. We are amongst the longest working people in the OECD. Data from the Office of the Employment Advocate shows that one in three workers on individual contracts last year was working more hours than they did two years previously. Of course, some people do not mind that. They like the extra hours and they like the extra income. That is terrific. The thing is that those extra hours have to have some predictability and they have to be properly compensated. If people are giving up time with their family then they should be properly compensated for doing that, particularly if that is on Sundays, public holidays and late nights.

A recent report published by Professor Michael Bittman from the University of New England, *Sunday working and family time*, says that people working on Sundays generally work a full day and do not make up that time with their families later in the week. This is a very significant finding, because it is not as if people will be working the extra hours on Sunday but, gee, they will have Wednesday off to spend with the kids. It does not work that way. People are working Sundays and they are giving up time with their families. Sure, flexibility is necessary, but that is not simply flexibility for the employer to say, ‘I’ll have you on Sunday and I will have you here till 10 o’clock on a Tuesday night.’

In regard to leave arrangements, the proposal from the government for workers to be able to sell annual leave or cash out their lunch hour is extremely worrying, not just for the effect it would have on family lives—I do not know how, with four weeks each of annual leave, the majority of parents cover 12 weeks of school holidays as it is—but also for the significant effect it would have on the health and morale of Australian workers. If we are going to have people working through their lunch hour and not taking any annual leave, we are not going to have a particularly happy or healthy work force in future years.

The notion of the 38-hour cap under Work Choices is, of course, absolutely fanciful. Government advertising says that the 38-hour week is guaranteed, but almost com-
plete flexibility is given to employers. The 38-hour week is averaged over a year. You could be working 70 hours for 10 weeks and you have got to take it on trust that sometime down the track in the year your employer is going to make this up to you by giving you time off. What will happen with pay? Will you be paid for 70 hours one week and for only 10 hours later in the year? What does that do to the family budget?

Young people starting out in the labour market, in particular, and anyone who is unable to bargain with confidence will have their working times set at the whim of the employer. Workers will not know when their employer is breaching these conditions because, without a whole year’s worth of hours accurately recorded, they will not be able to judge whether the 38-hour average has been met. So they could work 70 hours a week for 10 weeks, taking it on trust that later in the year they will be working less—and consequently losing money—or they could work for 70 hours a week for 10 weeks and then get the sack. What would happen in those circumstances?

Section 91C of the Workplace Relations Amendment (Work Choices) Bill 2005 says that an employee must not be required to work more than 38 hours on average and ‘reasonable additional hours’. What does that mean? Does that mean that the 38-hour average actually applies at all? Does it mean the annual average could exceed 38 hours a week? What are the ‘reasonable additional hours’? This, in combination with the potential to abolish penalty and overtime rates, means that apprentices or workers could be working 70 hours a week for 10 weeks at a time with no penalty rates for that sort of work. I think most Australians would see this as completely unreasonable.

The government keeps talking about how we compare with countries overseas. We heard a lot today in question time about how the changes in New Zealand that this government is lauding have led to very low productivity growth, half the rate that we have in Australia under the current workplace arrangements. The government also talks about how terrifically flexible the United Kingdom is. It is curious that the government does not look at what is happening with family-friendly workplaces in the United Kingdom. In the UK, the laws give employees the right to request different hours, a different arrangement of hours and a different place of work. For example, people can request the ability to work from home, rather than at the employer’s workplace.

The government is quite keen on quoting Tony Blair, talking about fairness starting with access to a job. I agree: fairness does start with access to a job, but it does not finish there. We should not say that people should be so desperately grateful for any job with any conditions that they have no right to have a life outside of work, yet this is what the government is suggesting. In the United Kingdom employees are able to make reasonable requests and employers are expected to consider reasonable requests. Even these very weak statutory protections—the right to make requests and the expectation that the employer will consider these requests—have meant that workers seeking to vary their conditions to meet their care needs have actually had a pretty good hearing from employers and there has been a substantial increase in positive employer responses to these requests. It is actually not that hard to arrange work to take into account people’s caring responsibilities. With a bit of creativity and a bit of intellect, most employers can do it. But the legislation that has been placed before us by the government makes this much harder. It takes us back to the 1970s, when these sorts of provisions were unthought of.
Australia has a very poor record when it comes to legislated paid maternity leave and this legislation does absolutely nothing in this area. I know, Madam Deputy Speaker Bishop, that lately you have been giving a great deal of consideration to issues such as paid maternity leave and how to make it easier for families to balance their work and caring responsibilities. Here we have this major rewrite of Australia’s industrial relations universe and, instead of improving conditions for Australian families and making it easier for them to balance their work and caring responsibilities, we have a government that is taking us backwards to the 1970s.

I have spoken a little about the difference that forcing people onto AWAs will make, and I have talked about the difficulty for employees in balancing work and family when their work is unpredictable. There are also some curiously idiotic provisions in this legislation which I would like to draw the House’s attention to. Other countries are improving their family-friendly labour provisions, Norway is looking at extending their year of paid parental leave by another week so that it will be over a year, but what are we doing? We are actually making it harder for people to take time off at the birth of their baby.

The work and family test case run in the Australian Industrial Relations Commission provided that Australian workers would be able to make reasonable requests to their employers for a doubling of unpaid parental leave from 12 to 24 months and for a return to work part time after parental leave until the child is school aged. The employer can consider the request and can refuse on reasonable grounds, such as cost, lack of adequate replacement staff, loss of efficiency or the impact on customer service—pretty broad grounds.

Another provision was that up to eight weeks of unpaid parental leave after the birth of the child would be available for parents to take simultaneously. But this Work Choices legislation says that Australian fathers have no choice to take more than a week of leave at the same time as their partner after the birth of the baby. What nonsense is this? We are talking about greater choice for Australian families and terrific flexibility, yet we are writing into legislation provisions that make it harder for families to spend time together at the birth of a new baby. What sort of industrial relations provision is this? What sort of a country is this where we, in 2005, are making it harder for families to spend time together at the birth of a child?

Some of the quotes that we have heard about this legislation are phenomenal. Dr Jill Murray warns that this will turn parents’ rights back to the 1970s. She says:

"It’s a tragedy for families. It is going to be desperately hard for them to achieve a work-family balance because they are in a situation of basically unregulated bargaining."

Rosemary Owens from Adelaide university says:

"The five basic standards do not include any of the protections and it is very possible under the new regime that employers will override the standard set by the— Australian Industrial Relations Commission in the family-friendly test case. Instead of abolishing the independent umpire, the government should have been looking to incorporate the principles of the work and family test case into our workplace relations environment so that families would find it easier to balance their work and family responsibilities. (Time expired)"

Mr Michael Ferguson (Bass)
(9.15 pm)—I rise to speak in favour of the Workplace Relations Amendment (Work Choices) Bill 2005 tonight not because I am
a member of the Liberal Party but because I believe this great country deserves and needs the benefits that workplace relations reform can bring. My support for Work Choices is informed by being a member of the Howard government, which has demonstrated year after year since 1996 its authentic commitment to the true welfare of ordinary Australians. After all, this government has built an economy with the strength to withstand some major crises, with the ability to deal with social problems and with the ability to live up to community aspirations.

These include returning the annual government budget from a $10 billion deficit to consistent surpluses; the repayment of nearly all of Labor’s $96 billion national debt; magnificently withstanding the Asian economic crisis; reducing unemployment to a 28-year low of five per cent; real tax reform, opposed by Labor, then promised to be rolled back by Labor and today supported by Labor; substantial income tax cuts, most recently opposed by the opposition; new and more generous family benefits, most of which have best assisted lower and middle-income earners; historically, the highest ever government spending on family assistance, public health, education and national security; and containing inflation to ensure an environment which can reduce interest rates to the ones families enjoy today. There are many more examples I could give. But the point that I am trying to make tonight is that the Howard Liberal government understands this country and its people and knows that it does have a duty to govern in the national interest without being sold out to sectional interest groups.

The Liberal Party has as a central belief that it should not be beholden to any single interest group. This could never be said about the Labor Party, which is constitutionally controlled by the thuggish union bosses, who have a major say on Labor Party preselections and major policy decisions. This is something which is not well understood by a majority of Australians. However, I can assure the House that the old-timers who voted Labor in the fifties, sixties, seventies and eighties are as unimpressed with today’s Labor as the young Tasmanian timber workers who rallied for fair timber policies in 2004. I support this legislation because I believe Australians deserve an economy that will be strong enough to remain competitive in a global market for decades to come and to maintain a decent standard of living.

The federal Liberal government has already significantly reformed the federal workplace relations system to introduce flexibilities. That these reforms have brought increased productivity and economic prosperity is, I think, beyond doubt. However, further reform is needed. The current process for reviewing the minimum wage is known as the annual wage case and is settled by the Australian Industrial Relations Commission. Unions invariably make an excessively high claim in the knowledge that they have to ask for much more than they really want. Employer groups invariably argue for the lowest amount possible. The AIRC invariably chooses a number somewhere in between. There is no sense in having such a confrontational approach on an issue of national importance which will directly affect both low-paid workers and the national economy.

With regard to awards generally, there is still a need for establishing genuine minimum standards over and above which employers and employees at workplace level should be free to negotiate further wages and conditions through a simplified agreement-making process. The existing system of six different industrial relations systems does create confusion for enterprises with workplaces in more than one state, resulting in compliance obligations under different industrial laws. The limitations of operating
with six different systems have been recognised by numerous stakeholders and commentators from a wide political spectrum for many years.

May I say that having separate industrial relations systems has already been recognised by the state of Victoria, which joined a federal system years ago under Jeff Kennett. Now in its second term, Steve Bracks’s Labor government has not taken back those powers. I think this puts paid to any suggestion that the states must resist the new system in order to protect workers’ entitlements. We have six different industrial relations systems, over 130 different pieces of employment related legislation and over 4,000 different awards operating across this country. Quite simply, there are too many rules and regulations that make it excessively hard for many employees and employers to get together and reach an agreement. Again this makes no sense. Why such suspicion for an agreement between a boss and a worker?

The reforms in this bill will move Australia toward one simple national system of workplace relations, establish the Australian Fair Pay Commission to protect minimum and award classification wages, enshrine minimum conditions of employment in federal legislation for the first time ever, introduce the Australian fair pay and conditions standard to protect workers’ wages and conditions in the agreement-making process, simplify the workplace agreement-making process, provide modern award protection for those not covered by agreements, provide a more flexible framework for dispute resolution, better balance the unfair dismissal laws and, importantly, expand and improve the federal union right-of-entry regime. There is a case for change, and that change must occur in a way that does protect both workers’ and employers’ rights and does put the needs of politicians and big unions second.

I also believe very strongly that Australians deserve better than to be lied to. When people in my community of Northern Tasmania have come to me with their concerns, I have listened. But what they have been dishonestly told about these reforms by the government’s critics disappoints me beyond words. There has been a dishonest smear campaign by people who oppose this bill. The Labor Party and the unions are making much of their fabricated claim that people would be worse off under these new laws. They grin from ear to ear at their success in raising alarm in the community. They should instead hang their heads in shame for deliberately lying to people.

Like many of my colleagues, I have had correspondence on this issue from local people in my electorate. I am concerned that many of my electors in Bass have been lied to. The perpetrators will not correct the record, so tonight I will try to do it. I have proof, for example, that the Australian Education Union has told my constituents that the federal government will be stripping away holiday pay, long service leave and even superannuation; none of this has any truth to it. Labor and the unions have told my constituents that the reforms will result in lower wages; this too is wrong. Labor and the unions have told older people in Bass that the reforms will result in the age pension being decreased. I heard that stated in this place only last night by a member opposite. That false claim fills me with disgust. Unlike the previous Hawke and Keating governments, the Howard government has guaranteed, by law, automatic increases in the age pension linked to inflation or to increases in male wages, whichever is the higher. Linking the pension to the state of the economy has been a wonderful initiative to assure our older Australians that their pension will keep pace.
It has also been claimed that the objective of Work Choices is to allow the business community to unilaterally determine people’s pay and conditions. It is interesting to note that this is the same claim about workplace agreements that the unions made almost 10 years ago in a bid to scare workers into thinking they would be forced to work for lower wages. The truth is that workers on AWAs today earn more than 13 per cent more than those on collective agreements and a whopping 100 per cent more than those on awards. It also has to be said that, under this legislation, a worker is very much entitled to continue with the relevant award and not enter into an agreement, if that is what they want. The point of this legislation is not to force agreements on to people but to respect an agreement made in the workplace, if it can be amicably reached.

Concern has been expressed about Work Choices as it relates to the unemployed. The Howard government has a strong track record in keeping the economy strong while at the same time reducing unemployment. I am particularly proud of the reduction in unemployment in my electorate of Bass, in Northern Tasmania. In March 1996, the unemployment rate, at 9.9 per cent, was almost 10 per cent. At that time, there were 4,439 people unemployed. By June 2004, that rate had been reduced to 7.9 per cent; and, by June this year, it had been slashed to 5.6 per cent—a long way from those worrying days of almost double-figure unemployment.

Critics of this government’s agenda never, ever mention unemployment. In my time here, neither did I hear Mr Latham nor have I heard the current Leader of the Opposition make reference to falling unemployment. I have never heard any Tasmanian Labor identities make reference to the remarkable employment achievements occurring in Northern Tasmania. How then do they explain themselves to the 1,807 people in Bass who were unable to find a job in March 1996 but who are in gainful employment now? Silence.

Since 1996, the government has been able to create the right economic conditions for as many Australians as possible to get a job. I want to say to the people of Northern Tasmania that, although our employment situation is much better, many people still want a job. How do we help the 2,632 people in Bass who are still out of work? Do we ignore them and leave the present system as it is? Do we remind them repeatedly that there is a skills crisis, a skills shortage and ‘There are plenty of jobs out there. Just go and get one’?

I say to the union bosses, the spin doctors, the Labor machine and the small band of campaigners in Launceston handing out their deceptive brochures, ‘Stop manipulating the facts.’ Let us have a debate on this important issue. But all sides of this debate must tell the truth about these proposals and about each other’s alternative or lack of alternative. They must not make false claims. They must not alarm the public with well-thought-out lies. If there are faults with the legislation, point them out. Let us debate them. Let us take them to the Senate committee that will be examining the bill next week. May I say how poorly the Australian public are served by politicians who are less than honest and sneakily acting as puppets for an outside organisation.

The main way to create jobs is to encourage the business sector to do well, to grow and to employ more staff. Anyone with a genuine interest in helping to create the right conditions knows this. By reforming the economy in line with previous reforms, business can get on and do its thing, knowing full well that there are plenty of safeguards for their workers that they must obey. If you believe in creating more jobs with the oppor-
tunity for higher wages, then you must vote for this bill.

In less regulated countries, the employment outcomes are bright. In the United Kingdom, the unemployment rate is closer to four per cent, while in New Zealand it is less than that. No comparisons with China or India are needed or warranted. The United Kingdom and New Zealand are our Western less-regulated cousins, both under Labour governments. Here in Australia we too clearly are making the right decisions. With the growing use of Australian workplace agreements, there is strong productivity growth. Industries that are still locked into the old award system have had little or no productivity growth in recent years.

Work Choices will create a simpler and fairer system, with more flexibility and more job opportunities. It will also provide effective protections for employers and employees. The new and totally independent Fair Pay Commission will be established to deal with such matters as minimum and award wages. Under Work Choices, unlike what we have heard from the government’s critics, federal awards will not be abolished. In fact, the government will protect a number of award conditions, such as long service leave, to ensure that award reliant employees now and in the future continue to enjoy the benefits of those provisions in their current awards.

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views, union membership or even refusing to agree to sign an AWA. If an employer has a staff of more than 100, an employee retains the right to claim unfair dismissal if necessary in the Australian Industrial Relations Commission.

It is my strong conviction that, overall, Australian families, including those in my electorate of Bass, will be better off under Work Choices. There will be more job opportunities; greater workplace flexibility; new, real jobs for those on the margins of employment; and stronger protections for workers with family responsibilities. I look forward to watching the economy benefit from the necessary reform, particularly in regional areas of our great country. I will be voting for this bill because I take my responsibility as a passionate advocate for Northern Tasmania very seriously. Industry and those who agree with the government need to appreciate and properly respond to any concerns which may be expressed by their workers or members of the community. Also, I trust that those who disagree with my position will at least know that, in reaching this decision, I have taken the time to listen to the views of my community, and I am confident that this is the right way to go. We have a duty to properly balance the rights and responsibilities of all parties in a workplace and a duty to ensure that our national economy and labour market remain strong. I commend the bill to the House.

Ms BURKE (Chisholm) (9.33 pm)—I rise to condemn these appalling laws before the parliament today, but I have this horror, this nightmarish feeling of déjà vu, because we have been here before—yes, we have—time and time again. Finally, this tired government, with no vision or sense of direction for our country, our nation, can impose on the populace its ideology, the articles of Liberal Party faith—no more, no less, just the articles of Liberal Party faith. Here at last this government can wind back the clock and create the class divide it believes to be right and proper, with the rich to get richer, the poor to get poorer, the boss with total control—managerial prerogative, to the uninitiated—and the worker alone with no voice or a means of uniting against the unlimited power of those in control: the bosses. I ask: for what? Why are we doing this? I cannot see any reason. I cannot see any justification for this load of tripe before the parliament today. It is not even new tripe. It is merely a case of old wine in new bottles—rehashed legislation, rehashed ideas from a government and a Prime Minister bent on destroying our very way of life to see his ideological obsession realised.

I did a search on workplace choice on the ParlInfo database earlier today, and what came up? Information not on the Workplace Relations Amendment (Work Choices) Bill 2005 but on the bill with the best Orwellian name that I have ever come across in this joint—the Workplace Relations Legislation Amendment (More Jobs, Better Pay) Bill. That is right; that is what ParlInfo actually came up with: the Reith dogs and balaclava number of 1998. That is fantastic. That is what ParlInfo comes up with. A press release on this bill said:

The central tenet of the Coalition’s workplace relations policy “More Jobs, Better Pay” is to give employees and employers more rights to determine their own future to their own mutual advantage.

The evolutionary reform proposed in “More Jobs, Better Pay” builds on the advances in workplace relations that have been achieved since 1996. By fostering a cooperative model employees can develop a workplace environment where they have more control over their wages and conditions, where they can develop a team approach involving employers and workmates and have a sense of accomplishment and pride in knowing they are doing their job well.
These steps are aimed at ensuring employees and employers determine their own future without the unnecessary interference of third parties. That was in 1998. It sounds vaguely familiar when we consider what is going on today, but I think that if we go back further it will all sound very familiar. A line I like best from some of Mr Reith’s material was that ‘it’—‘it’ being the IR system under Labor—‘was a paternalistic system devised in another era, for another time’. The bill before the House today has some of the most paternalistic white-picket-fence stuff I have ever seen from this government. It is some of the most appalling paternalistic stuff this parliament has come up with: ‘Yes, dear little workers, you do not know what is best, so the bosses can tell you what to do, what to be paid, when to work, whether you can have leave and when you get to take it et cetera.’ There is no choice for the worker but flexibility for the boss.

The choice and flexibility of a worker can be exercised easily, and the Prime Minister said this on national television: ‘There’s the door. Get another job.’ Choice is not that easy, and it is particularly not that easy if you are a male with low skills who is employed in a low-skill area. It is an option if you are happy to take a casual, precarious job, because, when you finally get there, you will sign onto an AWA which strips away all the vestiges of hard-won conditions the Australian work force has won over the last 100 years.

Andrew Stewart, Professor of Law at Flinders University, has a nice turn of phrase and summed up well this debate in an article in the Sydney Morning Herald:

Voltaire once said of the Holy Roman Empire that it was not holy, nor Roman, nor an empire. Critics of the Howard Government might say the same about its plans to create a “simpler, national, fairer system” for regulating workplace relations. Judging by the legislation placed before Parliament yesterday, the new WorkChoices system—as the Howard Government’s spin doctors have decreed it be called—certainly won’t be simple, nor truly national, in its coverage. And as for “fair”, well, we’ll come back to that.

It will shift the focus of the system more firmly towards individual contracts. But the Government has been keen to preserve the illusion there will still be awards, that workers will not be worse off, that the commission is still there to protect them.

I say “illusion” because buried in the fine print of the new legislation are many different ways in which employers will be able, if they want to (and some will), to avoid or remove the operation of awards—and without necessarily having to put workers on Australian Workplace Agreements.

Nevertheless, the need to preserve an appearance of continuity from the old regime has greatly added to the volume of the new legislation, much of which is devoted to provisions that purport to protect existing entitlements.

So it is not going to be simple, and it’s not going to be a truly national system either. But will it be fairer? Well, the Government is proposing to remove existing references to setting “fair” employment conditions. Even if you buy the economic arguments about creating new jobs and improving productivity (and that’s a big if), there are likely to be a lot of social costs in this package—more working poor, less job security and an even bigger squeeze on family and leisure time.

And for the businesses that will otherwise benefit from the reforms, how fair is it to burden them with laws that are lengthy, indigestible, inefficient—and that create as many legal problems as they will solve?

As I said, I think Professor Stewart summed up the debate very well. Where is the justification for this bill? The government seems to think that by lowering wages to a similar level to those in, say, India and China, it will create jobs and this will produce growth.
This reminds me of other articles of faith: the notion of the trickle-down effect—and we know how efficient that was—and the notion that there is no such thing as ‘society’. They are just not true and, like this legislation, they are merely articles of faith. Lower wages will not increase the productivity output which drives the economy and produces wealth; it will just create an American-style working poor. Australia has had an economic boom without job growth for many years now. The trend has been slightly reversed in recent times because we have had a win out of commodities that we have exported to China as a result of China’s growth. But most of our economic fortunes have been driven by consumption—yes, on the back of that credit card that one day we all have to settle up—and not through improved productivity. Our productivity has not increased.

On a recent Four Corners program, leading academics and economists could not find one shred of evidence to support the government’s claim that this legislation will boost productivity. Dr John Buchanan said:

If you look at the data on the US, productivity growth in the services sector in the US has been close to zero for the best part of 10 years because labour is so cheap. Employers have no incentive to get rid of it down market and I think the real, the cruellest irony of these changes is that it will in fact retard productivity growth, it takes away the incentive for employers to think about other ways of using their labour more efficiently.

Professor David Peetz said:

It doesn’t matter how much you cut penalty rates. It doesn’t matter how much you cut overtime rates. It doesn’t matter what you do to flexibility of working hours, what you do to wages. You’re never going to be able to compete with China and India on wages, on labour costs, it’s as simple as that. The way you compete with these countries is you compete on skill, you compete on innovation, you compete on quality. What are these changes going to do to promote skill, innovation and quality?

I echo that: what is this bill going to do to promote skills, innovation and quality? Data from the Groningen Growth and Development Centre’s research, which measures output as GDP, does not demonstrate that countries with lower regulation regimes produce greater outputs. They may produce lower unemployment but they do not necessarily produce greater output. Indeed, in 2004 France, Luxembourg and Norway were miles ahead of the USA and Australia in GDP output.

I was recently part of a delegation to Denmark and Sweden, two of the most highly regulated economies out there, with some of the highest wages not only in the OECD but in the world. Australia’s current productivity output is at 35.18; Denmark, 41.65; and Sweden, 39.24. But the winner is Luxembourg, at 56.84. The economies in Denmark and Sweden are also beating us hands down in exports. So it is not all about a race to the bottom; it is actually about a race to be clever—to be smart. None of this legislation is doing that.

So we have a bill which is not new, which is not fair and which will not increase productivity. What will it actually do? It will ensure that 3.7 million workers will lose unfair dismissal rights, with employers able to dismiss workers for no given reason. The laws will mean that any worker at any time can be put onto an individual contract which can undermine their present wages and conditions. Conditions that can be undercut by individual contracts include penalty rates, overtime pay, control over the roster, redundancy pay, meal breaks and public holiday pay. Even four weeks annual leave can be traded away. These conditions will not be protected by law. They can all be removed or undercut by individual contracts. Awards will be stripped back and will lose many core conditions. Many families are only just keep-
ing their heads above water, and losing their rights at work will make it even harder.

The legislation will make it much harder for workers to collectively bargain, and it will limit the abilities of unions to visit workplaces and represent members. Under these laws, unions can be fined $33,000 just for asking for workers to be protected from unfair dismissal or individual contracts. The independent umpire, the Australian Industrial Relations Commission, will be stripped of its power to set minimum wages. That power has gone to a board appointed by a government that has consistently said that minimum wages in Australia are too high. These laws will not be good for workers, their families or Australia. These laws mean that it will be harder for ordinary working families to share in the benefits of the economic good times and that they will have no protection in times of economic downturn.

There is no benefit for workers—none. We might not see the erosion of hard-won conditions overnight but it will happen. For me the dismantling of the Australian Industrial Relations Commission, taking away its role as the independent umpire and simply leaving it to police unions, is the hardest thing to bear. The AIRC was a great institution, a place where all parties could go to get a fair and free hearing to resolve disputes, to find solutions that all sides could live with—and now it has gone. Other countries would come to look at our system, which has served all sides fairly for a century, from the landmark Harvester judgment of 1907—a fair day’s pay for a fair day’s work—to judgments on the right of women to equal pay and to maternity leave. All these things are gone as there simply will be no need for an umpire in a unilateral working world. I have appeared before the commission on numerous occasions, for both the unions and the bosses, because I have worked for both. I have always found that it was one of the best avenues to which everybody could go to get a fair hearing. It is a tragedy that this bill will dismantle that great institution.

I like the claim that this government has produced real wages growth—maybe for some but certainly not if you are lowly paid. The creation of the Fair Pay Commission will enshrine the government’s desire for low wages. Low-paid workers will have to wait 18 months for the next pay increase but, looking at current government form, I do not think an increase will be coming. The government has opposed all national wage cases since it came to office. If the commission had listened to it, workers on minimum wages would be a massive $50 a week worse off.

The endless claims that those on AWAs earn more is simply a lie. Research has shown that for casual workers AWAs paid 15 per cent less than registered collective agreements. For permanent part-time workers, AWAs paid 25 per cent less. Indeed, amongst permanent part-time employees, even award-only employees—those who received exactly the award rate—were earning an average of eight per cent more than AWAs workers. For female part-time workers AWAs paid seven per cent less than collective agreements. Only for male, permanent, full-time workers did AWAs have higher average hourly earnings than those under registered collective agreements—by just four per cent. About 13 per cent more goes to managers in massive pay rises—and they are not on AWAs; they are on individual contracts. So the claim is a complete furphy.

Where is the vision to really fix our economy, for investment in skills and infrastructure, and to stop our manufacturing base bleeding? Where is the plan to value-add to create real jobs, not just have duplication through lower wages? On Friday I learnt that yet another car component plant in my electorate is to close. Will this bill help its workers to find work? No, it will not. Is there a
rescue package out there for my workers in downtown Chisholm? No, there is not. There is nothing but the prospect of unemployment, because these are males predominantly of a low-skill nature. Silcraft will be axing 460 jobs between now and 2007 and will shut a plant that has been servicing Ford for many years. Only three months ago, Icon, an automotive supplier, went into liquidation, also forcing redundancies and adding to the 14,000 job losses in the automotive sector since 2002. But where is the answer in this legislation for this sector of industry as to jobs?

I suppose the government will say jobs will be protected and even created because Australia will have lower wages and will be able to compete with cheaper imports because companies’ cost-to-income ratios will improve. So all workers must do is take a massive pay cut so that they are earning wages equivalent to those in China and the jobs will be saved—terrific! All the workers and their families will be homeless and will starve because they will no longer be able to afford to pay, on that amount of money, their mortgages, rent, food, petrol or education costs. The economy will dry up because they will not have any money to spend and consumption will go down. But that will be okay as they will have a job! How absolutely ludicrous is this argument!

What is the government’s plan? The government’s plan is to drive down wages, but that is not going to create jobs. Where is the plan to increase our global competitiveness? It is not in this bill and it will not help the hundreds of manufacturing workers in my seat keep or get a job. Did anyone here spare a thought for the Arnott’s workers in my electorate who also lost their jobs? Five hundred people went when the factory closed. No longer are biscuits baked behind my mother’s home. Biscuits were baked there when it was owned by Brockhoff and then Arnott’s for well over 60 years. Gone are all those jobs. Now it is a lovely housing development site. Where did these workers get jobs? Most still have not because they were in the manufacturing sector.

This bill would not have protected their livelihoods. This bill does nothing for the working men and women of Australia whom John Howard said he was here to look after. Remember that? He was going to govern for all of us. As a local constituent asked me recently, who is looking after small business in this debate? He writes a fairly lengthy essay stating that, if it is going to be easier to sack a skilled worker from a small business, what skilled worker is going to stay working in a small business? It is going to be fairly attractive to go and work for a big business knowing that your job is stable and secure with it.

In his speech to the parliament last year, the Governor-General described Australia as ‘a beacon of democracy and tolerance underpinned by a prosperous economy and a fair society’. Over the last nine years of Howard government rule, the light from the beacon has faded because every time the coalition takes a swipe at the good things that define our country—harmony, equity and a fair go for all—the light grows a little dimmer. And now the government, with its radical industrial relations legislation, is trying to snuff it out altogether. But, as much as it tries, the Howard government will not be able to extinguish the beacon of light that is Australia. I know that the people of this nation will keep it burning. They cherish harmony, equity and a fair go for all—the qualities that are inherent in the nature of the Australian people, their psyche and their way of life. Indeed, these are the very basis of our original industrial relations system introduced by a Liberal government, which a Liberal government is trying to destroy today.
The Australian people will not accept a government that legislates away fairness and justness, the very foundations of a democratic nation. This radical industrial relations bill is the beginning of the end for the Howard government. Labor will fight these laws every step of the way. We will fight to protect Australian workers and we will not allow the government to stamp out fairness in the workplace and destroy the Australian way of life. Blinded by arrogance and ideology, the Howard government can no longer see where it is going. As it steers the nation into the rocks, that beacon, Labor’s light on the hill—no matter how dim the light, no matter how badly the coalition has battered its flame—will guide us to victory in two years time.

Mr PROSSER (Forrest) (9.53 pm)—I am delighted to be speaking on the Workplace Relations Amendment (Work Choices) Bill 2005. This bill has great significance to me, because it goes back to what spurred my interest in federal politics. I was a very young employer in the days when the Fraser government gained office and had control of both houses of parliament, and in those days the BLF particularly was out of control. Working on building sites and trying to get building projects finished was nothing short of a nightmare.

The bulk of men and women who worked for me—men particularly—were employed under the Metal Trades Employers Association and the AMWSU, but the BLF would come onto a site and claim that site. In those days, to get the job done, you would have your men on a dual ticket, because it was not their fault. They had to put up with the thuggery of the BLF.

We have evolved a lot since then. My father was a carpenter, and in those days carpenters put the sole plates down, put in the stumps, did the bearers and joists, laid the floors, put up the stud work, pitched the roof and put on the weatherboard siding—they worked every trade except that of plumber and electrician. The building trades have moved on dramatically since those days. These days the building trade mainly uses subbies—a granite worker drops the slab down; brickies do the brickwork; there are internal fixers, roof pitchers, roof sheeters, finishers, tilers and those sorts of things; and, of course, the traditional trades of electrician and plumber still remain. We still have an industrial relations system stuck in the trades of the past. We need a modern system to realise and keep up with the modern way of doing things. In commercial building, tilt slab construction is a great way to work.

I have a background in automotive engineering. The first time we used a CNC lathe—a computerised lathe—there was a question as to whether a machinist or computer technician programmed the lathe. The award did not recognise the technician; the award recognised a metal machinist. We need a modern industrial relations system and a modern awards system that will recognise and reward modern-day work practices. We are a country that trades globally; we are a great trading nation. We have to have a system that will not only reward the people involved but compete with the rest of the world.

AWAs have been mentioned here tonight. It is interesting to look at that in the context of the debates surrounding airlines. In my view, the world changed substantially in the 1960s with the advent of jet aircraft. You could leave London and less than 24 hours later be in Australia. That broke down all sorts of trading barriers. Gone were the days when we were protected by distance, when we could live our life over here and not have to compete. We did not have to produce cars or other goods that were as good as those from the rest of the world. We did not have
to front up to the fact that we were at the leading edge. Jet aircraft meant that we needed to compete, but our awards system stayed behind. It would be crazy for airlines such as Qantas to have employees from Western Australia on a Western Australian state award, employees from Victoria under a Victorian state award and employees from Queensland under a different award. It is one company—it is one industry—so you need an IR system that recognises that sort of thing.

When I grew up, shops opened 5½ days a week. Then they opened all day Saturday—that was a major step forward, but the awards system did not recognise that. Now they trade six and seven days a week. Why? Because we have workers who will work 12 days on and 12 days off—workers on oil rigs, for example—or fly in and fly out to work for mining companies. Under this legislation, workers are guaranteed four weeks annual leave, but, if they have just worked two weeks on and two weeks off, why on earth would some of them want to take another four weeks holiday? Doesn’t it make sense to give them the opportunity—not compel them, but give them the opportunity—to cash in two weeks leave if they want to go on an extended holiday somewhere?

The old system served us very well. I had no problems working under the awards system. In fact, I dealt a lot with Jack Marks and, surprisingly enough, I got along very well with him; you could deal with him. If you had a large job, you could work something out with him and get it done. I cannot say the same for the BLF. It was a system that served us well in the past, but we now have an economy that is moving into the future. A lot of people do not like rigid working hours. My daughter is one case in point—she likes to work nights and weekends and have days off. The awards system does not recognise those sorts of arrangements that many young people particularly want to have.

The line that has been run is a scare tactic, unfortunately. I accept that that happens. But I mention leave provisions. I mention that in this award there will be guaranteed provisions of four weeks annual leave. I mention annual leave, carer arrangements, parental leave and maximum ordinary hours worked in addition.

What about this line that wages will go down? The award classifications will be protected by the levels set by the Australian Industrial Relations Commission in the 2005 safety net review. At this stage of the game—I know other members have mentioned this—we have jobs chasing workers, not the other way round.

This is really a new system, a system that finally matches the way the economy is now working. I can understand the reluctance of many to change. Change is threatening to many people. But you cannot keep putting off change, because the rest of the world is changing. We have to have a system that is dynamic enough to reward those who want to work hard and reward those who want to drive our economy. We need a workplace system that will allow us to compete with the rest of the world. We should not be in any doubt that we must compete. We are a great trading nation and we will compete.

At times there is a view put forward that Australians are not very productive workers. As a very young man, I had a very large job. I had no partners; I was not married. The contractors were Bechtel Pacific. Bechtel Pacific has a schedule for the productivity of workers in every single country. We have the view that we are getting beaten by workers from cheap labour countries. India and China were mentioned earlier. But when you get them going, Australians work very hard and
very productively. In those days the dollar exchange rate proved that.

I really do think we need an industrial system that will reward those workers but give us an arrangement that will allow us to compete with the cheap labour countries that were mentioned earlier. This is about greater flexibility. This is about giving workers and families the flexibility that they are looking for in their working lives and the working lives of their children.

In 1993, the unfair dismissal legislation was introduced. That meant that small businesses sometimes found it very difficult to dismiss employees who did not suit their business—who did not suit their business at all. What happened? Many businesses were contracting out rather than having people work in their business and learn the trade or learn how the business operated. I always thought that that was a great shame. To really train people, to let them know how business operates, it is better to have them work with you. They can learn the business, and they can then become very, very valuable employees.

I am delighted to see that the unfair dismissal arrangements have been addressed in this legislation. The new arrangements will drive greater employment growth and greater productivity, particularly in the small business sector. Small businesses do not have human resource managers. Small business people have to run the business, get the orders, get the contracts, send the bills out and run the whole kit and caboodle. In the old system they had to try to work out what the award was and what the arrangements were. They did not need lobbed on top of all of that the spectrum of unfair dismissals when someone did not really work out in their business.

This is a much better system. This is a system that is fairer for employees. This is an arrangement that is much fairer for small businesses. This is a system that will drive the productivity of the Australian economy and allow us as a country to compete against the cheaper imports that the member for Chisholm was talking about earlier. If we want to compete, we have to keep up with the game. Part of that is not to use golf ball typewriters and so on. Yes, I can remember the golf ball typewriter coming in. That was a you beaut thing. We have now moved to computers and a whole range of other things. We need to move in this area too. I commend the bill to the House.

Ms KATE ELLIS (Adelaide) (10.04 pm)—On behalf of the people of Adelaide I rise tonight to place on the record my staunch opposition to the government’s Workplace Relations Amendment (Work Choices) Bill 2005. I rise tonight to tell this government to back off and stop their attacks on Australian workers. Speaking against this legislation tonight is just one step in what will be a long and relentless battle by me and my colleagues to fight this government on this matter every single step of the way. We will fight these measures until we can tear this legislation apart and ensure that Australians have the fair rights at work that they deserve.

This legislation and the government’s arrogance in pushing it upon the Australian people must be rejected as the extreme, mean and ideological rubbish that it is. It must be rejected because the government has no mandate to force this overhaul on the Australian people. It must be rejected because, rather than addressing the crucial issues that face our great nation today, this legislation does nothing but create more problems. Most importantly, this legislation must be rejected because it punishes those who can least afford it. It strips millions of workers of protection and it sets Australia up for a race to the bottom.
The government has absolutely no mandate to push these changes upon the Australian people. Where were these plans during the election campaign? I for one was listening pretty carefully during the campaign and I did not hear a word about them. What a disgusting abuse of our democratic institutions and—even more importantly—what a disgusting abuse of the faith of the Australian people.

About two weeks ago I was approached by a woman in my electorate at Unley Park. She stated to me: ‘Kate, I did not vote for you. The reason that I did not vote for you was that I was relatively happy with how things were going and I thought that a vote for the government would be a vote for the status quo. I would most certainly have voted differently if I had known of all these radical plans the government has since pursued.’ Whilst at times it may pain me, I certainly accept that not everybody voted for me. Perhaps I even accept that not everybody will in the future. But what I will not accept is this government deceiving voters and abusing their trust, saying one thing before an election and something quite different afterwards.

What an absolute nerve this government has. Let us not forget that this government ran its last election campaign based on a scare campaign on interest rates. This government gained re-election by scaring the most economically vulnerable in our community into believing that they would be better off under a coalition government. What a disgraceful nerve it now has in turning around and robbing these very same Australians of their fair pay, their conditions and their rights in the workplace and in hurting the workers who rely most upon protection.

The seat that I represent is a wonderfully diverse seat. It covers extremely varied areas—both inner city and suburban; both rich and poor. As I move around the electorate I am often amazed at the variety of issues that are raised with me and again with the variety of views. But I have not seen a single issue that has been so universally opposed across my electorate as this one.

It is of no surprise that concerns should be so widely shared across the community, especially when one considers the incredibly broad range of people who will be affected by this legislation. This legislation will affect millions of Australia’s most vulnerable workers. It will affect workers who will be punished by unfair Australian workplace agreements which they have no choice but to sign up to. It will affect union officials, punished so severely under this legislation for going about their rightful business. It will affect the millions of pensioners, whose pension is set in relation to average male earnings, now threatened by the establishment of the so-called Fair Pay Commission. It will affect our society as a whole and the fair go that we have afforded each other for so long.

I want to share just one of the many examples within my own electorate of those who are concerned with this legislation. I will share with you part of an email that I recently received. It states:

One of my “burning issues” on a Federal level is the new Industrial Reforms. I have always been a Liberal Supporter/Voter, but after Howard’s new reform I, and many of my friends will not and never will support this reform and will vote with our “pens” at the next election, even though that is some time away. We will not forget what Howard is trying to do in undermining the very essence of what we hold dear.

I shall repeat that last part: ‘We will not forget what Howard is trying to do in undermining the very essence of what we hold dear.’ These are not my words, they are not the words of the Labor Party and they are not the words of the trade union movement. These are the words of a Liberal supporter urging
this government to scrap these extreme proposals. Unfortunately, I fear that these calls are falling on deaf ears with this government, which will stop at nothing and listen to no one in its efforts to secure the Prime Minister’s long-held dream in this area. At a time when the people of Adelaide urgently need a government to tackle the real issues facing them and their families, this government instead produces this ideologically-driven rubbish.

Let us examine the government’s public rationale for this legislation. I say ‘public’ because we know that the real rationale is based on the Prime Minister’s ideological desire to make his mark in industrial relations. The public argument put forth by the government, on the other hand, is supposedly about the economy; it is supposedly about achieving higher productivity. If this government were serious about raising levels of productivity it would have invested in training and educational institutions. It would have supported Australians who sought further education and skill development. It would have realised that reducing the opportunity for young Australians to attend TAFE colleges and squeezing the funding from Australian universities would have a negative effect on productivity growth. It would have urgently sought long-term solutions to address this nation’s skill shortage and to invest in the infrastructure that is required by our private industry to aid their future growth.

We need a government that will enhance our prosperity by tackling these issues, not a government obsessed with making workers cheaper to pay and easier to sack. But I think we all know that the government is not taking these measures for economic reasons. This is the reason why every government member that I have had the misfortune to hear contribute to this debate has focused solely on rabbiting on about what Labor did in the eighties and the early nineties rather than even attempting to make the economic case for these changes.

It is outrageous to suggest that the only way Australia can compete in the international labour market is by cutting pay and creating a low-skilled, low-wage and transitional work force. There are smarter options—options that treat workers with the dignity and respect they deserve, options that aim to improve the quality of living of Australian workers and options that maintain the notions of equality and fairness.

Another issue, which I believe is one of the pressing issues that governments in this country must address, is the struggle that so many Australians are facing to balance their work and family commitments. This is a serious issue and not one that should not be ignored. We are facing a crisis in this nation where we have the combination of an ageing population, a sustained decline in the fertility rate, a rise in the median age of childbearing and a host of mixed messages from the government. On the one hand we have a government telling young families to have one for the mum, one for the dad and one for the country. At the same time we are telling women that we need them in the work force to address work force shortages. Yet we are not addressing the crisis in child-care shortages or listening to the pleas of young mothers seeking to re-enter the work force but finding a lack of rewarding part-time work or being forced into unreliable casual jobs.

This is a time when we need to be focusing on encouraging family friendly work practices, not discouraging them. The Australian economy cannot be sustained on a growth trajectory without women playing a major and increased role in the workplace. This is a serious enough issue that one of our parliamentary committees has established an inquiry into it—an inquiry that has curiously
now been put on hold. But what is this legislation doing to address these crucial issues? The answer: absolutely nothing except exacerbating the problem.

These laws will in fact make the juggling act of work and family so much harder for millions of Australian families. Where previously parents had some confidence in their hours of work, they will now face the prospect of their work hours being averaged over a 12-month period, which effectively means that they may have to work punishing hours one week and absolutely none the next. Where couples relied on unfair dismissal legislation for security and confidence in planning their lives and families, they will soon be without this protection. Where many parents relied on collective bargaining to deliver the flexibility and concessions that they require to address their family responsibilities, now many will be forced to take harsh and uncompromising Australian workplace agreements, agreements that have been demonstrated to be less friendly to family responsibilities.

We have seen here what this legislation does not do. It does not address the pressing issues facing the Australian people, the issues that this mob were elected to address. It does not help or prosper the Australian people at all. So perhaps we should look at what it does do in hurting, punishing and bullying the Australian people.

Currently, the Australian Industrial Relations Commission, when making determinations in wage cases, takes into account effects on employment as well as the broader economy. Its decisions are based on fairness, as required by section 88B of the current legislation. Under this proposed legislation, the Fair Pay Commission is not required to take fairness into account. Fairness has been blatantly cut out as a consideration, as evidenced by section 7J of this bill. Although the government asserts that this legislation will lead to higher wages, these are deceitful claims and nothing short of Liberal propaganda.

The establishment of the Fair Pay Commission is John Howard’s instrument of inequality. Instead of having an independent arbiter to mediate and determine fair and appropriate wage levels, the Fair Pay Commission is designed to force down the real value of wages. The Fair Pay Commission is designed to ensure that any wage increases are limited and inadequate for working Australians. In every single year since it came to power in 1996, this government has fiercely opposed minimum wage claims put to the Industrial Relations Commission. If the government’s claims had been accepted by the Industrial Relations Commission, since 1997 the country’s lowest paid workers would today be $44 a week worse off, while families with two parents battling on the base rate would be $4,600 a year worse off.

Through this government’s Work Choices legislation, this is the kind of position that will guide and bind the so-called Fair Pay Commission—a mean, unreasonable, unfair and unjustified approach that aims to kick workers down and to keep them down. Both the Prime Minister and the Chairman to be elected, Mr Ian Harper, when questioned on the operations of the commission, assured us that the Fair Pay Commission intended to be consultative. Where was the consultation at the last election? Where is the community debate on making such extreme changes to our workplaces? When were the people of Australia given the opportunity to consider these changes before they elected this government? The fact is, this government does not believe in consulting anyone. It would rather deceive the people of Australia. It would rather spend millions of dollars to hide the real truth that lies behind this legislation.
Here is an exercise in consultation, Prime Minister. A recent poll found that just 23 per cent of Australians agreed with your industrial relations reforms. In fact, since the beginning of the Prime Minister’s disgraceful so-called educational Work Choices campaign—the multimillion dollar campaign released at the expense of the Australian taxpayer—public satisfaction with the Prime Minister has started plummeting. An exercise in consultation, Mr Howard, would tell you loud and clear that Australians do not want this legislative change. They want you to back off their rights at work.

What else does this legislation do? It strips millions of Australians of any sense of job security. This legislation abolishes the right of millions of employees to access unfair dismissal provisions. It deprives workers of the right to access a fair and affordable remedy when they have been procedurally or substantively unfairly dismissed. It is here where the government, through its sneaky, dishonest, taxpayer funded advertising campaign, have again been amongst their most deceitful. The government have continued to claim that workers’ rights will be protected through unlawful dismissal laws.

The Prime Minister has cunningly portrayed the belief that the same rights accorded to workers now will still be available to them but through the unlawful dismissal provisions. What the Prime Minister will not tell you, what he has not told the Australian people, is that the unlawful dismissal process is very different. The Prime Minister is counting on people not knowing the difference between unfair dismissal and unlawful dismissal and he has tried to make it confusing and tricky because that is his method of leadership—confuse, divide and deceive.

The truth of the matter is that unlawful dismissal is a common-law remedy that requires legal action in the Federal Court, where the employee must hire a lawyer to have much chance of success. It is costly and it is time consuming and the grounds of unlawful dismissal are limited to only certain forms of discrimination. Since 1996, there have only been 147 unlawful termination claims to the Federal Court—fewer than 25 a year—in contrast with the 50,000 unfair dismissal applications the Industrial Relations Commission has processed in the same period. The figure of 147 encapsulates the kind of protection workers can expect from this government.

The fact is that, when unfair dismissal laws are abolished by this government, workers can expect to be sacked for an assortment of unfair and unreasonable reasons, but, unless it can be linked to the narrow definition of unlawful dismissal, workers will be left unemployed and without legal remedy. If there is a problem with our current unfair dismissal laws, surely the government should attempt to address that problem, not scrap the whole protective mechanism.

In 1996 the government introduced the country to Australian workplace agreements in an effort to single out workers and split united workers from their collective bargaining strategies. It was a blatant attempt to weaken workers’ rights. Divide and conquer was the strategy then and, surprisingly enough, that strategy has not changed. The government wants to achieve now what it could not achieve in 1996 without full control of the Senate. When referring to AWAs you hear the government throw around positive words such as ‘choice’, ‘flexibility’ and ‘negotiate’. In reality, they are standardised contracts that come straight off the employer’s printer into the hands of an employee, accompanied by the line, ‘Take it or leave it.’
Now, with the removal of the no disadvantage test and the new provisions in this bill relating to AWAs, Australian workplace agreements will be an instrument designed to fiercely undercut fair and reasonable pay and working conditions. New provisions in this bill—clauses 104(5) and 104(6) to be precise—do not consider that an employer is applying duress when requiring an employee to make an AWA a condition of employment. This means that employers are now legally entitled to force individual contracts on employees.

This legislation is no solution to Australia’s need to be economically competitive. I have already outlined tonight the strategies the government should be looking towards for this means. This bill is harmful and socially destructive. It will evolve into a downward spiral of living standards, a race to the bottom, as the member for Gorton so aptly described it. By stripping allowable matters from awards, by forcing workers onto unfair individual employment contracts, by stripping workers of their rights to penalty rates and to access unfair dismissal laws—by doing all of these things and more—the government is producing a system that will undoubtedly substantially lower the benchmark of wages and conditions in this country.

The pressure on employees to undermine their conditions of work in order to maintain employment will be considerable, and the pressure on employers to offer substandard contracts in order to compete with the market will be considerable, particularly if there is an economic downturn. And so the ‘race to the bottom’ begins. Is this the Australia that we want? There is no choice but for any fair-minded member of this House to oppose this draconian legislation. This legislation is un-Australian. It is the Americanisation of our work force—the establishment of a working poor in this nation. This legislation is also a kick in the teeth to the Australians who fought for the rights in the workplace that we enjoy today.

Just a couple of weeks ago, I met Mr Schulze, an 84-year-old constituent of mine who came along in his wheelchair to one of my street corner meetings in Prospect. Mr Schulze came out because he wanted me to know how upset he was about these attacks on workers’ rights. He was visibly upset as he told me that no-one who was there in the 1930s battling for many of these rights, as he was, would ever even dream of stripping them away in this manner.

I tell Mr Schulze, and indeed I tell all of those brave Australians who fought and won the rights and conditions in the workplace that we enjoy today, that we on this side have not forgotten their battles, and we will not forget them. On this side of the House, we pay tribute to these Australians. We thank them for their contributions, which have helped shape this great nation—which have instilled the principles of egalitarianism, equality and the right to a fair go. And the people on this side of the House pledge to build on these achievements, to continue to work to improve the lives of working Australians.

It is not just our elderly Australians, though, who have fought to protect rights in the workplace. This government does all in its power to demonise the trade union movement in this nation. It has saved a special amount of the venom in this bill for the unions and it outlaws legitimate union activities. I am proud of the union movement in this country. I am proud of what they have achieved. I think it is an honourable profession to dedicate yourself to fighting for the wages and conditions of the workers of our nation. This is in stark contrast to this government which, drunk on its own power, aims to kick working Australians in the face and wind back the clock by stripping work-
ers of the rights they have fought so hard to secure. This is not progress.

I am proud to stand here and oppose this legislation on behalf of the people of Adelaide. We will oppose it in this chamber. We will oppose it in our communities, in the shopping centres and the workplaces. But, most of all, we will work for the day when, proudly, we will oppose this legislation as we tear it up from that side of the chamber, following the next election.

Mr SCHULTZ (Hume) (10.24 pm)—It is with a great sense of enthusiasm and achievement that I rise today and add my support to the government’s Workplace Relations Amendment (Work Choices) Bill 2005. For the record, this Mr Schultz has bloodlines and views that are entirely different to those of the Mr Schultze who has just been quoted. As we all know, a modern and responsive workplace relations system is vital to ensure high productivity and a strong and prosperous Australian economy. Having set the wheels of change in motion back in the 1990s, it is now time to complete the picture to ensure that the forward progress made during the past nine years will continue well into the future.

One of interesting things about this industrial relations debate is that you hear one view from members opposite one year, and then the next year, or a few years later, you hear an opposing view in stark contrast to the original. I will just quote from the member for Perth in the Hansard of 17 October 1995. He said:

The Howard model is quite simple. It is all about lower wages; it is about worse conditions; it is about a massive rise in industrial disputation; it is about the abolition of safety nets; and it is about pushing down or abolishing minimum standards. As a worker, you may have lots of doubts about the things that you might lose, but you can be absolutely sure of one thing: John Howard will reduce your living standards.

Interestingly enough, on a Sunday Sunrise interview on 20 February 2005, the same member, the member for Perth—and this is the hypocrisy of the members opposite—said:

It is possible to consider, in the abstract or hypothetically, a single or a unitary system. It’s not a novel policy idea, and you can contemplate a whole range of efficiencies that would occur in the economy and in the system if that were to take place.

I also take the opportunity to quote a well-known trade union figure, Mr Bill Shorten. At an address to the National Press Club on 20 February 2002, he had this to say:

Variations in state laws are also time-consuming and frustrating for employers. It is ridiculous there are more than 130 pieces of state and federal legislation pertaining to industrial law.

I go on to quote another well-known Labor entity with whom I had the pleasure of sitting in the New South Wales parliament. I am referring to Jeff Shaw, the former New South Wales Attorney General, now engaged by Unions NSW to organise a High Court challenge against this bill. In the Business Council of Australia IR forum in the year 2000, he said:

... the Corporations power has been liberally interpreted by the High Court and can sustain legislation designed to regulate the employment relationships between a corporation and its workforce.

Industry and commerce increasingly crosses historically determined state boundaries. The wages and conditions of employees are relevant to national economic considerations and it will often be convenient for both employers and unions to have uniform national conditions.

So, once again, we have well-known Labor Party figures saying one thing on one day and saying another thing on another. Then, when you go back in history, you have people involved in speaking against the legisla-
tion today being quoted as saying that they were in favour of a national system. Mr Speaker, I know the hour is getting short. I seek leave of the House to continue my remarks tomorrow.

Leave granted; debate adjourned.

ADJOURNMENT

Mr NAIRN (Eden-Monaro—Parliamentary Secretary to the Prime Minister) (10.30 pm)—I move:

That the House do now adjourn.

Telecommunications

Mr CREAN (Hotham) (10.30 pm)—I rise tonight to talk about a pressing issue in regional Australia—the appalling state of telecommunications in the bush. Today the government had the opportunity to spell out its commitment to regional development. It actually placed the issue as a matter of public importance on the Notice Paper. But all it did in that exercise was to defend a scheme which was rorted by the National Party to prop up seats in the last election. Even the Liberal Party was unable to defend this scheme. The seconder in that debate, the Leader of the House, admitted to disappointing outcomes under the Regional Partnerships program. It was an unbelievable defence in a matter of public importance initiated by the coalition itself to argue the case for regional development.

What is even more staggering, however, is their failure on the key issue of regional telecommunications. It is very instructive that yesterday the Local Government Association released the 2005 State of the regions report. It delivers a message that Australia’s regions need quality telecommunications infrastructure to play their part and participate in the modern economy. The report spells out the stark reality that regions with broadband access are doing well while those regions without it are being left behind. It is clear that a high-speed internet connection today is essential for regional development—it is just as important today as the plain old telephone service was in years gone by.

The State of the regions report also shows that vastly improved access is not only necessary but feasible and affordable. It puts the cost at around $3 billion. There are other reports that cost it at less. But what is the government’s response? It fails on the financials, because basically its plan when it sells Telstra is for a trust fund that will yield just $100 million a year, which, we are led to believe by the government, will plug the gaps. No-one who knows anything about telecommunications in the regions believes that it will plug the gaps. It is a $1 billion fund, well short of the $3 billion that is needed.

Labor, on the other hand, proposed seven years ago that a proportion of the dividend stream from Telstra be set aside into a fund for reinvesting in the telecommunications infrastructure. Had that fund been established, it would have been worth in excess of $5 billion today. In other words, the concern can be met without selling Telstra.

The nation does need a national telecommunications plan—one that recognises that broadband access in all of our regions is essential. It is also true that, if we do it properly for the regions, it will benefit the nation as a whole. We need a plan that would rival the Snowy Mountains Scheme as an iconic commitment to our nation’s future. Not only has the government not provided this plan, not only has it provided insufficient funds, but it also has a huge problem with access and affordability in the regions with the ACCC’s proposal to allow wholesale price deaveraging of the Telstra network. This decision may make sense to a market economist. But it makes no sense if it forces rural consumers to pay 20 times more to access a
basic telephone service. This is unacceptable. How can the government allow this to happen? We are sick of hearing the spats between Telstra and the ACCC. What regional Australia need is a commitment to affordable, accessible telecommunications. If they do not get it, they will be missing out. *(Time expired)*

**Forde Electorate: Community Awards**

*Mrs ELSON* (Forde) *(10.35 pm)*—Tonight I bring to the attention of the House an outstanding achievement by a young constituent of Forde. I would like to take this opportunity to congratulate Mark Hammel, who was recognised with a Gold Coast Youth Achiever Award last Friday night. Mark was nominated by the Beenleigh Chamber of Commerce in recognition of his leadership of the Beenleigh Junior Chamber of Commerce and the huge role he played in the beautification of the Beenleigh railway precinct.

Mark led a team of 80 young people in the junior chamber by example. To ensure that the job was completed he was involved in every facet of the project from the initial meeting with QRail staff and council personnel to the planning, logistics and purchasing. He communicated with people at all levels. All the young people did a fantastic job. The community is so very proud of Mark Hammel’s leadership and his brilliant team’s achievement.

Mark is also a member and treasurer of the Beenleigh Police-Citizens Youth Welfare Association youth management team. Mark is involved in the running of various PCYC fundraising ventures and numerous functions as well as PULSE activities—all, I would like to add, in a voluntary capacity.

PCYC manager, Senior Sergeant Mark Dufficy, and his PCYC panel said of Mark Hammel that his respect and acceptance of others, his strong sense of responsibility and his well-balanced temperament are apparent throughout all his activities and involvements. Mark shows a very high standard in his work. He is diligent and puts in a conscientious effort, which is reflected in his perseverance to always achieve the very best possible outcome. Even while Mark is completing year 12 at school and having to concentrate on his studies, his determination to make this local community a better place and to afford the young people of this community the opportunity to participate in clean, healthy recreational activities is very apparent. He is selfless in his efforts to assist others, to improve and foster good community spirit and to encourage interaction between young and older communities, awakening their responsibilities towards adolescents and encouraging the principle of good citizenship in our younger community.

Mark is also the school captain at the Beenleigh State High School. He is a brilliant sportsman, especially in cricket and indoor cricket. He operates a local business with his father part time, as well as coaching an indoor team. Mark is truly a remarkable and outstanding young man for whom I have enormous admiration. I would like to congratulate him on his award and thank him for all he does to make our community a great place to live in. He is a great role model for our younger citizens.

I would also like to congratulate the Beenleigh PCYC. In partnership with Civic Solutions, they won the Prime Minister’s Work for the Dole Achievement Award, which I proudly presented to them at a chamber breakfast recently. It is not an easy award to receive. There were 370 program finalists running for the award, and so everyone involved should be very proud that they have achieved so much. I congratulate them for the wonderful work they have been doing at the historical society to restore the build-
ings and do the landscaping, administration and historical research and promotions.

I also thank a great supporter of our PCYC. Many years ago, when our PCYC were having problems and looked as though they may have to close down, a gentleman by the name of Brian Gassman stepped in. He gained the support of all levels of government and built the PCYC up to be one of the best in Queensland. I would like to congratulate Brian Gassman and Gassman Development Perspectives. At the chamber awards for Queensland business achievers the other night, he won the prestige award for chamber excellence. I congratulate him on his 2005 chamber excellence award and wish him every success in the future.

**Glebe School Child-Care Centre**

Ms PLIBERSEK (Sydney) (10.39 pm)—I rise tonight to speak of the Glebe School Child-Care Centre, which I visited in my electorate of Sydney a couple of weeks ago. I want to tell my colleagues about the wonderful work that is being done in Glebe. This child-care centre located in the Glebe Public School provides vital support during school term and holiday breaks to about 120 children, most of whom live on the Glebe Housing Estate. This is a part of Sydney which is particularly disadvantaged. Sometimes when people hear of Glebe they think of the beautiful houses in the Glebe mansions area. But there is also another part of Glebe, the Glebe Housing Estate, where a lot of families live in terrible hardship and disadvantage.

Taking a snapshot of the kids who attended the Glebe School Child-Care Centre in 2004, we see that 47 per cent of the children are Aboriginal or Torres Strait Islanders, 26 per cent are from non-English-speaking backgrounds, 62 per cent live in a sole-parent family, 10 per cent live with either a grandparent or carer, 29 per cent have had a death in the family in the past year—an extraordinarily high figure—14 per cent have a family member in jail, 20 per cent live in families dealing with drug and alcohol abuse, 24 per cent live in families dealing with violence, 13 per cent have a family member with a mental health issue, 28 per cent live in families where all the carers are unemployed, 10 per cent have had DOCS involved with their family, 20 per cent are at risk through poor parenting and five per cent live in families where parents have recently separated or divorced. In addition, 74 per cent of families receive the maximum amount of child-care benefit, which shows they have an income of less than $18,000 per annum. So you see the picture of the community that this child-care centre serves.

The Glebe School Child-Care Centre is actually only funded to provide before and after school care and vacation care, but it has developed a wide range of programs in addition to the out of school hours care that it provides. Under the dynamic and vibrant leadership of Kerrie McGuire and Maria Bamford, who have been the co-coordinators over the last eight years, the service has focused on a number of programs which benefit not just the kids who are attending before and after school care but a number of families in the Glebe area.

There is a real emphasis in the before and after school care and vacation care programs on positive adult role models. Unfortunately, some of these kids do not have a lot of positive adult role models in their homes. The conflict resolution skills that are being taught as an alternative to violence and the firm and consistent discipline policies, which help children to take responsibility for their behaviour problems and accept that they need to control their behaviour, have made a real difference to the kids and how they relate to one another.
The staff work on team building and group work, and they also provide about 500 meals a week. Most mornings they have about 40 kids for breakfast and about 60 for dinner, and all of those meals are provided at an average cost of 20c per meal. They also provide welfare support to families. They are a very stable component in the lives of children who often lead very chaotic lives otherwise, with parents moving around and losing work and so on.

Since 1998 the service has taken a really active role in community capacity building, through parent support, employment of Indigenous staff at the centre and developing networks with other welfare groups. These positive links have really improved the status of the centre and its ability to help the whole community.

They also have a terrific Active After-School Communities program. It is something I would like to congratulate the government on. They are a part of this trial, and I hope that the trial will be extended to other schools in other areas because it certainly has had a benefit for these kids. They have been able to have access to coaches that they would never otherwise be able to afford. Their parents do not have the money for sports coaching or coaching in arts, dance and so on, so it has made a great difference to these kids.

Glebe School Child-Care Centre have a great multicultural program and an opportunity program. They have had enormous success in increasing attendance at school because, if the kids do not attend school, they cannot attend before and after school care. The attraction of the out of school hours care program has meant that kids have started to love to go to school. (Time expired)

**Organ Donation**

Mrs MAY (McPherson) (10.44 pm)—The gift of life is the ultimate gift one human being can give to another, and we can all give that ultimate gift by registering as an organ and tissue donor. Organ donations save lives. Registering as a donor is something many of us think about but often do not act on. I recently launched a campaign on the southern Gold Coast to raise awareness of organ and tissue donation. The response to that launch has been amazing.

Chris Wills, a young man who received a heart-lung transplant several months ago, became the face of the launch. He shared his story with Gold Coasters and encouraged people to sign on for the gift of life—and sign on they did. Chris Wills is 38. He has cystic fibrosis, a degenerative medical condition. Prior to receiving his new heart and lungs, Chris could not get very far without his oxygen bottle. He could not even walk 50 metres. He was so short of breath that he had to walk around in thongs as he did not have the energy to put his work boots on.

Today it is a very different story. Today Chris is back to coaching and playing cricket and hopes to travel to England in July next year as part of the Australian transplant cricket team. Before the operation Chris only had 22 per cent lung capacity. He now tells me he has 110 per cent. His lungs no longer produce mucus and, since he has received his new set of lungs, he has acquired a taste for beer for the first time in his life—not a bad taste for someone living in Queensland, particularly during our long, hot summer months. Only in hospital for 10 days, Chris has made a fantastic recovery. Two months post-op, Chris walked 7.5 kilometres in the Gold Coast marathon, coming second in his field.

This young man has been given a second chance at life. He is humble in his gratitude to the family who gave him that second chance at life. Their decision to support their loved one’s decision to donate his or her or-
gans will be felt long after that person has passed away. Chris stressed that if you sign up to the Organ Donor Register you should talk to your loved ones and let them know your wishes so that that wish to donate will be carried out in the event of your death. The more family members who know of your decision to donate, the more likely it is that it will occur and the more reassured your loved ones will be by your decision.

Organ donors are treated with utmost respect. The donor’s body is always treated with dignity and respect. There are 1,600 people on the national organ donor waiting list at the moment, and 50 of those on the waiting list are children—children like young Brent Reidlinger, a young five-year-old from the Gold Coast who was diagnosed 12 months ago with restrictive cardiomyopathy, a disease of the heart muscle. Brent will undergo his transplant in Melbourne at the Children’s Hospital because it is the only one that does heart transplants on young children.

One organ donor has the potential to help 10 people through organ transplants such as heart, lungs, liver, pancreas and kidneys or tissue transplants such as bone and eye tissue, heart valves and skin tissue. There is no age limit on the donation of some organs and tissue. People should never think they are too old. You are never too old for anything in life, and you are certainly not too old to register on the Organ Donor Register. A number of people have said to me that their intention to donate is noted on their driver’s licence. But I want to say tonight that that is not good enough. It is necessary to sign on to the Australian Organ Donor Register if you want to give someone the gift of life.

I want to thank all the people who rallied behind the push to raise organ donation awareness on the Gold Coast. It was a real team effort. A big thank you to Victoria Cameron from the Medicare office at the Pines Elanora; Keith Williams from the Gold Coast City Council, who arranged for thousands of donor registration forms to be distributed to employees; Palm Beach Centrelink manager, Mark Lloyd, and Alison Lyon, Centrelink’s liaison officer, who also provided support and attended the launch; Melissa Cutajar, who attended the launch and does an absolutely fantastic job as the Gold Coast’s hospital organ donor coordinator.

Over five million Australians are registered on the Australian Organ Donor Register, and yet a person has 10 times greater chance of requiring an organ or tissue transplant than of becoming a donor. Therefore, I urge people to register at their local Medicare office, because by world standards we have a very low donor rate. Again I stress that the low rate is attributed to the fact that we do not talk openly about such things as death and organ donation. Yet by talking about such things it helps prepare us, so I urge all Australians to consider registering as a donor and, very importantly, to talk to your loved ones about it. If in doubt, talk to your doctor so that you can be reassured about what happens.

To my colleagues here in the House, I ask you to take up the challenge in your electorates to promote the organ donor program, distribute the application forms and ensure that your communities are aware of what people need to do to become a donor, to give that ultimate gift of life.

Hallam Country Fire Authority

Mr Byrne (Holt) (10.49 pm)—One of the great privileges of being a member of parliament is that you have the opportunity to go to community based organisations and organisations that make substantial differences to people’s lives—in fact, save people’s lives. On Sunday last week, 6 November, I was honoured to attend the Hallam fire brigade open day. This is a very important
facility that is based in the south-eastern suburbs of Melbourne. The background to
the station is that originally the Doveton fire brigade was located in Doveton; it shifted to
Hallam about a year ago. It is an integrated station, which means it is a combination of
paid staff and volunteers. In fact, it has 25 paid staff and 30 volunteers, and it also has a
junior brigade component and auxiliary. This station is located in the heart of a
growth belt corridor. The brigade had been called to attend over 1,700 call-outs in a
year. It is one of the busiest brigades in the state.

On Sunday, on a very fine day, they in-
vited people from the community to attend
this fire brigade and understand a bit more
about what they do. I am pleased to report to
this place that over 500 people attended from
the community. What they saw was a chil-
dren’s smoke house, which is a structure
which teaches children to, in the event of
fire, crawl at fairly low levels to escape the
smoke; and fire safety in the home displays.

There is also a hazmat vehicle. This vehi-
cle, which is 20 years old, would be called in
the event of a chemical, biological or radio-
logical attack to be one of the front-line ser-
vice that would be used to decontaminate and to assess what was actually going on in
the event of, say, a terrorist incident or some
event of that nature. It takes very special
people to be attending and servicing those
sorts of accidents. But also required in this
set of circumstances is the most up-to-date
vehicle available. Unfortunately, the hazmat
vehicle at the Hallam CFA does need upgrad-
ing. I was very pleased to see that the state
Minister for Police and Emergency Services,
Tim Holding, attended this particular brigade
open day. This matter was drawn to his atten-
tion. I am also happy to report that I and his
office will be looking into this particular
matter. When you ask people to put their
lives on the line to protect the community,
they deserve the best equipment and they
deserve the best support from governments. I
am going to make sure that they actually get
it, particularly with respect to this vehicle.

I was shown a trench rescue display by
Fire Officer Greg ‘Chappy’ Chapman. While
that sounds very simple, in actual fact it is
not. I was shown the situation of a gravedig-
ger caught in a grave, and what had to hap-
pen to extract that particular individual was
quite astounding. A heck of a lot of work
goes into that. I was also shown by brigade
volunteers a full decontamination zone exer-

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biological, chemical or radiological attack.

Given that it was a 30-degree day and that
these volunteers were out in the open for
some period of time, it was a great effort on
their part. It showed the amount of work and
equipment necessary, regarding the suits and
the breathing apparatus officers are required
to put on—and these pieces of equipment are
not light.

I would particularly thank the officer in
charge, Cliff O’Connor; 1st Lieutenant Lee
Austin; 2nd Lieutenant David Miller; 3rd
Lieutenant Michael Tiberi; the president,
Arthur McMullan; the secretary, Max Rae-
burn; Fire Officer Michael Lia and the C
Shift, in particular, for allowing me to take
part; Denis Vlug, who was in the gas suit and
the breathing apparatus; and Ashley Lovett,
who was in the splash suit and the breathing
apparatus also.

It was a great honour to be amongst peo-
ple, as I have said, who put their lives on the
line for our community to make it safe and to
save lives. The Hallam fire brigade is a great
example of an organisation that contributes
to and benefits our community. I certainly
hope that they have the best equipment required; and, as the federal member who represents that area, I will be doing all I can to make sure of that. As I have said, these people put their lives on the line; they deserve the best because they are the best.

**Australian Flag**

**Australian National Anthem**

Mr SLIPPER (Fisher) (10.54 pm)—One of the proudest achievements of the coalition government, in my view, is the fact that we now require a plebiscite before the Australian flag can be changed. We all recall the situation prior to our election in 1996, when the Australian flag could be changed by an act of the executive council. The Governor-General sitting with any two ministers could have signed away the Australian flag, which very much should be and is now the property of the Australian people and not the playing field of politicians.

We all know that our Australian flag has the three Christian crosses of St George, St Andrew and St Patrick—being the flags of England, Scotland and Ireland—superimposed, one on the other, to symbolise our nation’s inheritance of Christian values. On our flag we also have the seven-point star, with six of those points representing the six states of Australia and the seventh point representing the Australian federal territories. On our flag we also have the Southern Cross, which indicates our geographic position in the world. Our federation indicates that we have a system of government that denies to any level of government too much power and ensures the maintenance of ongoing democracy. On our flag we have lots of blue, which is because Australia is an island continent.

However, I now wish to raise another issue that has been of concern to me for several years, which relates to Australia’s national anthem, *Advance Australia Fair*. I believe that it is a matter of concern that Australia, as a Christian country, does not mention God in our anthem in the same way God is mentioned in the anthems of other countries and, indeed, in the same way as God is mentioned in the royal anthem, which was formerly the national anthem of Australia.

The current anthem, *Advance Australia Fair*, was written over 100 years ago and its first public performance was in 1878. *Advance Australia Fair* was adopted as Australia’s national song I think during the years of the Fraser government. Subsequently, without a referendum, it was proclaimed by the Hawke government in April 1984 not merely to be the national song but also to be the national anthem.

Our Australian national anthem currently does not mention God in any way. Most people, whether practising Christians or not, would accept that Australia is a Christian country and that, as a nation, we have our roots in the Christian faith. Our values are Christian values, our laws are derived essentially from Christian laws and, on our flag, the Union Jack is testimony to our Christian heritage; yet our national anthem is completely devoid of any reference to God.

In comparison, New Zealand’s national anthem has no fewer than 10 references to God in five verses. In the fourth verse of the United States national anthem are the words ‘in God is our trust’. On 10 occasions reference to God is made in the anthem of the United Kingdom, our former anthem and currently our Australian royal anthem, *God Save the Queen*. I believe that, as a nation, we ought not to run away from the fact that we are based on Christian values and that essentially we are a Christian nation. That is not to deny that, as a nation, we are particularly proud of our multiculturalism—the fact that we have been able to welcome people from all around the world to become part of our Australian family. But we ought not to
run away from the fact that, as a nation, our values are built on Christian values. Moreover, we ought not to deny, in my view, what I think is appropriate—and that is that God in some way should be mentioned in Australia’s national anthem.

Various suggested changes to the wording of *Advance Australia Fair* have been made and I do not presume to advise the nation or the parliament of what ought to be the appropriate form of words in Australia’s national anthem. However, having said that, I do believe that it ought not to be beyond our collective wisdom to bring forward a form of words that properly and appropriately recognises the key role of God in our nation’s national anthem so that, like the New Zealand national anthem and indeed like the UK national anthem, we can recognise the importance of God, our nation’s Christian values, our nation’s Christian foundation and what is visible from our national flag: the important role of the Christian religion. *(Time expired)*

**Organ Donation**

Mr SLIPPER (Fisher) *(10.59 pm)*—In the few remaining seconds before the House adjourns, I want to associate myself with the comments made by the honourable member for McPherson. I think it is tragic that, in Australia in 2005, we have so many people who are awaiting transplant operations simply because of people not having put their names on the organ register. I would just say how important I believe it is that all Australians look at whether, in the event of tragedy, they are able to help their fellow Australians. I want to endorse the comments by the member for McPherson.

*House adjourned at 11.00 pm*

**NOTICES**

The following notices were given:

Dr Nelson to present a Bill for an Act to amend the Anglo-Australian Telescope Agreement Act 1970, and for related purposes. *(Anglo-Australian Telescope Agreement Amendment Bill 2005).*

Mr Andrews to present a Bill for an Act to amend the social security law, and for other purposes. *(Employment and Workplace Relations Legislation Amendment (Welfare to Work and Other Measures) Bill 2005).*

Mr John Cobb to present a Bill for an Act relating to Australian citizenship. *(Australian Citizenship Bill 2005).*

Mr John Cobb to present a Bill for an Act to provide transitional and consequential matters relating to the enactment of the Australian Citizenship Act 2005, and for other purposes. *(Australian Citizenship (Transitions and Consequentials) Bill 2005).*
QUESTIONS IN WRITING

Veterans: Gold Card
(Question No. 1405)

Mr Murphy asked the Minister for Veterans’ Affairs, in writing, on 23 May 2005:

(1) Did the Prime Minister say that the Government would grant a Gold Card to all ex-servicemen who served in Japan with the British Commonwealth Occupation Forces (BCOF) after the cessation of hostilities following World War II; if so, what are the details; if not, why not.

(2) Will the Government grant a Gold Card to the ex-servicemen who served in Japan with the BCOF after 29 October 1945; if so, when; if not, why not.

Mrs De-Anne Kelly—The answer to the honourable member’s question is as follows:

(1) and (2) Please refer to the answer provided to question number 1404, asked of the Prime Minister on 23 May 2005.

Port Hedland Detention Centre
(Question No. 1701)

Mr Laurie Ferguson asked the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs, in writing, on 15 June 2005:

(1) Can the Minister explain what happened during the incident that has been characterised by some sources as a riot at Port Hedland Detention Centre in December 2003.

(2) Can the Minister confirm that a group of school students were present that day and were refused visiting rights; if so, was it the refusal by the department and detention centre officials to grant visiting rights that sparked the riot.

(3) Were police officers present during the incident; if so (a) how many and (b) what did they do to combat the riot.

(4) Can the Minister confirm that the school children were present and witnessed the alleged display of violence by guards and police officers combating the riot.

(5) Did a number of detainees climb the roof of the detention centre in protest; if so, how many (a) detainees in total and (b) women and children were involved.

(6) What happened to the detainees involved in the riot.

(7) Was physically and excessive force used against the detainees.

(8) What items were used to combat the detainees and did this include batons and tear gas.

(9) Were any detainees injured; if so how many (a) in total and (b) were women and children.

(10) Did any detainees require medical attention; if so, (a) why and (b) was it provided and what was the nature of the treatment provided.

(11) Were any detainees (a) handcuffed and (b) refused food and water after the incident; if so, for how long in each instance.

(12) Is it the case that a female guard at the detention centre was suspended after protesting about the handcuffing of a detainee not involved in the protest.

(13) Were any detainees put into isolation or management support units; if so, for how long in each instance.

(14) How many detainees put into management support units were (a) directly involved and (b) not directly involved in the riot.
(15) Can the Minister confirm that the Commonwealth Ombudsman suggested that the department write ‘letters of regret’ to detainees who were allegedly put into these units but later identified as not being involved in the riot.

(16) Was any video footage taken of events.

(17) Was there any written correspondence about or record of the incident.

(18) Was an investigation carried out by (a) the department, (b) the contractor and (c) any other organisation; if so, what were the findings, are they documented and will the Minister make them available.

(19) Was it suggested that some officers and guards should be charged with offences; if so (a) what are the details and (b) what action was taken.

(20) Was any disciplinary action taken against the officers and guards involved; if so what are the details.

(21) Is it the case that the department denies the incident took place.

(22) Was an initial investigation carried out by the Commonwealth Ombudsman into the incident; if so, did the Ombudsman require the department to appoint an investigator to further examine the incident.

(23) Did the department refer the incident to (a) Australian Federal Police, (b) WA Police Service, and (c) WA Corruption and Crime Commission; is so what was the outcome of investigations.

(24) How many investigations have been conducted in relation to this incident and what are the details of each.

(25) Which investigations have been completed and what is the status of those investigations which have not been completed.

(26) Has a report on the incident been completed; if so, will the Minister make it available.

Mr John Cobb—The Minister for Immigration and Multicultural and Indigenous Affairs has provided the following answer to the honourable member’s question:

(1) A serious disturbance arose at the Port Hedland Immigration Reception and Processing Centre (IRPC) on the afternoon of 4 December 2003. During the incident, a violent rooftop demonstration took place where detainees threw objects at Detention Services Provider (DSP) officers and several detainees self harmed. The DSP at the time was Australasian Correctional Management (ACM). The disturbance ended that evening after ACM deployed a Centre Emergency Response Team who used tear gas to disperse the detainees and gain control of the centre. ACM officers were assisted by Western Australian Police Service officers in re-gaining control of the situation. A number of detainees were subsequently removed to the Management Support Unit (MSU) for varying periods of time.

(2) A group of school children from Perth (who were hoping to visit Port Hedland IRPC as part of a program of visits in the region) were in the town of Port Hedland on that day, but were not at Port Hedland IRPC.

It was not the refusal that sparked the riot, but misinformation surrounding that refusal. An independent investigator engaged by my Department found that the catalyst for the riot was the (incorrect) claim that my Department had refused the visit because of concerns that the students would be “raped” by the detainees.

(3) Following the commencement of the incident the WA Police Service attended the IRPC and aided in quelling the disturbance.

(a) There were 19 police in attendance.
(b) The police officers aided ACM officers in bringing the situation under control through dispersing detainees and helping to move those detainees involved to the MSU.

None of the school children were present in the IRPC on the day of the disturbance.

(a) Twelve detainees climbed onto the roof at the IRPC.

(b) There was one sixteen year old male in this group and no women or other children.

The detainees identified as involved in the disturbance were placed in the MSU and gradually returned to the general centre population. Some detainees moved to the MSU were later found not to have been involved and the Department wrote letters of apology to them.

(a) Twelve detainees climbed onto the roof at the IRPC.
(b) There was one sixteen year old male in this group and no women or other children.

The detainees identified as involved in the disturbance were placed in the MSU and gradually returned to the general centre population. Some detainees moved to the MSU were later found not to have been involved and the Department wrote letters of apology to them.

(6) The detainees identified as involved in the disturbance were placed in the MSU and gradually returned to the general centre population. Some detainees moved to the MSU were later found not to have been involved and the Department wrote letters of apology to them.

(7) Physical force was used in restoring order to the IRPC. The independent investigator found that, in his opinion, this force may have been excessive in some instances and recommended that these matters be referred to the appropriate law enforcement agency. The Australian Federal Police (AFP) found insufficient evidence to support any charges and the WA Police Service inquiry failed to sustain any of the allegations raised.

(8) Chemical restraints were utilised in quelling the disturbance in line with the operational procedures for use. The independent expert found that the use of chemical restraints was justified. The WA Police Service possessed batons and the WA Police Force inquiry found the use of police batons appropriate.

(9) There were detainees injured. The investigator found that it was difficult to estimate the number of detainees that were injured during the riot.

(a) The investigator found that ACM records showed that three detainees were injured in the disturbance, and the investigator identified three (other) cases of detainees self harming. All were male.

(b) My Department understands from video footage that there was at least one minor injured, a male who was 16 years old at the time, who self harmed.

(10) Detainees were examined by the centre nurse with none found to require further medical attention.

(a) All detainees relocated to the MSU were handcuffed for varying amounts of time ranging from removal on arrival in the MSU to one hour and nineteen minutes.

(b) No detainees were refused food and water.

(12) No, this is not the case.

(13) Twenty two detainees were placed in the MSU. The length of time for each varied from one night to 14 days.

(14) There were 22 detainees relocated to the MSU following the disturbance.

(a) Of these, 14 detainees had been directly involved in the disturbance.

(b) Of the 22, there were eight detainees subsequently found not to have been involved.

(15) The Commonwealth Ombudsman did not suggest that my Department write letters of regret to detainees placed in the MSU who were subsequently found not to be involved in the disturbance. In the recommendations of the independent report, commissioned by my Department to review the incident, it was suggested that these letters be considered. The Contract Administrator acted immediately upon receiving this recommendation.

(16) Yes, video of aspects of the riot and close circuit television (CCTV) footage of the events was taken.

(17) Written correspondence about the incident was received from the Human Rights and Equal Opportunity Commission (HREOC), the Office of the Commonwealth Ombudsman (the Ombudsman), members of Parliament and the public. Written incident reports were prepared by ACM.
(18) (a) My Department appointed an independent consultant to investigate and provide a report to address Terms of Reference which were developed by my Department in consultation with the Ombudsman and HREOC. I will be in a position to provide a copy of the report once I have received advice from the Australian Federal Police that this would not jeopardise any prosecution activity.

(b) In January 2004, ACM advised it had undertaken an internal investigation into this matter and had developed a draft report. However, my Department has no record from ACM that an ACM investigation report was finalised or provided to my Department. My Department’s focus was on the independent investigation.

The Terms of Reference of the independent investigation included identifying and critically analysing ACM’s handling of the circumstances leading up to the incidents, ACM’s handling of the disturbances and ACM’s management following the disturbance. The investigator had unfettered access to ACM personnel and records. Also, ACM had the opportunity to consider and comment on the independent report prior to its finalisation.

(c) HREOC and the Ombudsman also instigated inquiries. The President of HREOC has recently advised my Department that he has come to a Tentative View in relation to the complaints made about the incident at Port Hedland IRPC. My Department is currently preparing a response to this Tentative View. As far as my Department is aware, these inquiries have not yet been finalised.

(19) It was not suggested by DIMIA that any officers should be charged with offences.

(a) The independent investigator found that, in his opinion, force used to quell the disturbance may have been excessive in some instances and recommended that these matters be referred to the appropriate law enforcement agency.

(b) The AFP found insufficient evidence to support any charges and the WA Police Service inquiry failed to sustain any of the allegations raised.

(20) Any disciplinary action would have been a matter for the WA Police Service or ACM. The DSP contractor changed ten days after this incident, and as previously stated the WA Police Service conducted an investigation into the actions of its officers and found no case for disciplinary action.

(21) No, this is not the case. My Department commissioned an independent inquiry into the incident.

(22) The Ombudsman carried out preliminary inquiries into this matter but when my Department established an independent inquiry, the Ombudsman acted upon the complaint it had received by temporarily deferring to and having input into the independent inquiry. The Ombudsman has recognised that it is a matter for my Department to establish an independent inquiry into any issue. The Ombudsman has stated that on occasion, the Ombudsman has responded to my Department’s initiative by forestalling an inquiry that it might otherwise undertake into the same issue.

(23) (a) The incident was referred to the AFP, who declined to accept the referral on the basis of there being insufficient evidence to support charges.

(b) The incident was referred to the WA Police Service. The WA Police Service inquiry failed to sustain any of the allegations raised and noted the intent not to investigate the matter further.

(c) The incident was referred to the Corruption and Crime Commission of Western Australia. The Corruption and Crime Commission of Western Australia referred the matters to the WA Police Service and has reviewed their findings, concluding that the WA Police Service’s investigation was adequate. The Corruption and Crime Commission of Western Australia has decided not to take any further action in relation to this matter.
The following investigations into the incident have been conducted:

- an independent investigation commissioned by my Department with input from my Department, the Ombudsman, HREOC and ACM;
- an Ombudsman inquiry;
- a HREOC inquiry;
- an ACM internal investigation;
- AFP and WA Police Service inquiries into certain aspects of the incident; and
- a review of the WA Police Service investigation by the Corruption and Crime Commission of Western Australia.

The independent investigation commissioned by my Department was completed on 7 May 2004. The AFP, the WA Police Service and the Corruption and Crime Commission of Western Australia have also concluded their investigations. I understand that the HREOC and Ombudsman inquiries are still ongoing.

The independent investigator’s report has been finalised. It was commissioned to independently assess the incident and to make recommendations for improvements to processes, procedures and practices in case of similar incidents in the future. Copies of the report were provided to ACM, the Ombudsman and HREOC, as well as police authorities.

Once I hear from the AFP and am certain that releasing the report would not jeopardise any prosecution activity, I intend to release the report publicly.

**Service Fees**

*(Question No. 1883)*

Mr Fitzgibbon asked the Minister for Revenue and Assistant Treasurer, in writing, on 9 August 2005:

In respect of the Commissioner of Taxation’s statement to Senate Estimates on 2 June 2005 where he said “...where the service fees are over $1 million, for example... If in addition to that...we are seeing 50 per cent or more of the gross income of the firm being directed into service fees, they are probably the ones we would want to have a look at now”, can he clarify whether, in relation to audit of service trusts, the 50 per cent threshold figure relates to gross income of the firm or to the net profit of the firm or service entity.

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

The 50 per cent threshold figure relates to gross income of the firm or service entity.

However, analysis has shown that within the group of taxpayers presenting as a material risk it has been possible to identify those cases where the net profit in the service entity may represent more than 50% of the total profit of the professional firm. In these circumstances, the Commissioner has decided that this test will be added to the >$1M and >50% gross income tests. It should also be noted that the Commissioner will continue to audit those cases where he has concerns about whether the services have actually been provided.

**Australian Technical Colleges**

*(Question No. 1979)*

Ms Macklin asked the Minister for Vocational and Technical Education, in writing, on 9 August 2005:

(1) What indicators did he use to determine the (a) level of youth unemployment, (b) significant industry base, and (c) significant skill shortages for each of the 24 regions in which an Australian Technical College is proposed to be located.
(2) What is the level of the indicators identified in part (1) for each of the 24 regions in which an Australian Technical College is proposed to be located.

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

(1) Information on (a) and (b) was obtained from the 2001 Census conducted by the Australian Bureau of Statistics (ABS) and (c) from the National and State Skill Shortage Lists, based on labour market intelligence, prepared by the Department of Employment and Workplace Relations (DEWR).

(2) The key data for each of the 24 regions is summarised in the attached information.

ATTACHMENT FOR HOUSE OF REPRESENTATIVES QUESTION 1979

New South Wales - Dubbo
Key labour market data (2001 census)
Working age (15 –64) population: 24,095
Total Employed:16,630
Total Unemployed (15-24): 440
Unemployment (15-24) rate: 13%
Employment in trades as a per cent of total employment: 13.6%
Per cent of tradespersons and related workers 45 years or older: 26.3%

Age Profile
0-14: 9,350
15-24: 5,102

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New South Wales - Gosford
Key labour market data (2001 census)
Working age (15 –64) population: 172,222
Total Employed: 110,544
Total Unemployed (15-24): 3,358
Unemployment (15-24) rate: 15.4%
Employment in trades as a per cent of total employment: 14.5%
Per cent of tradespersons and related workers 45 years or older: 27.7%

Age Profile
0-14: 183,774
15-24: 115,038
INDUSTRY AND EMPLOYERS

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New South Wales - Hunter

Key labour market data (2001 census)
Working age (15 -65) population: 301,351
Total Employed: 184,688
Total Unemployed (15-24): 7,918
Unemployment (15-24) rate: 19.3%
Employment in trades as a per cent of total employment: 14.6%
Per cent of tradespersons and related workers 45 years or older: 25.9%

Age Profile
0-14: 97,964
15-24: 62,798

INDUSTRY AND EMPLOYERS

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New South Wales - Illawarra

Key labour market data (2001 census)
Working age (15 -65) population: 184,576
Total Employed: 114,708
Total Unemployed (15-24): 4,262
Unemployment (15-24) rate: 17.1%
Employment in trades as a per cent of total employment: 14.8%
Per cent of tradespersons and related workers 45 years or older: 25.9%

Age Profile
0-14: 61,358
15-24: 39,552
INDUSTRY AND EMPLOYERS

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New South Wales - Lismore/Ballina

Key labour market data (2001 census)
Working age (15 -65) population: 68,821
Total Employed: 40,752
Total Unemployed (15-24): 1,713
Unemployment (15-24) rate: 22.3 %
Employment in trades as a per cent of total employment: 11.7 %
Per cent of tradespersons and related workers 45 years or older: 31.8%

Age Profile
0-14: 22,555
15-24: 13,632

INDUSTRY AND EMPLOYERS

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New South Wales - Port Macquarie

Key labour market data (2001 census)
Working age (15 -65) population: 79,440
Total Employed: 44,839
Total Unemployed (15-24): 1,663
Unemployment (15-24) rate: 21.1 %
Employment in trades as a per cent of total employment: 13.3 %
Per cent of tradespersons and related workers 45 years or older: 34.2%

Age Profile
0-14: 28,276
15-24: 13,556
INDUSTRY AND EMPLOYERS

**New South Wales - Queanbeyan**

Key labour market data (2001 census) (ACT and region)

- Working age (15 -65) population: 245,910
- Total Employed: 181,147
- Total Unemployed (15-24): 4,190
- Unemployment (15-24) rate: 11.2%
- Employment in trades as a per cent of total employment: 8.5%
- Per cent of employed tradespersons and related workers 45 years of age or older: 25.6%

**Age Profile**
- 0-14: 75,164
- 15-24: 55,266

INDUSTRY AND EMPLOYERS

**New South Wales - Western Sydney**

Key labour market data (2001 census)

- Working age (15 -65) population: 843,777
- Total Employed: 517,433
- Total Unemployed (15-24): 13,945
- Unemployment (15-24) rate: 13.3%
- Employment in trades as a per cent of total employment: 13.4%
- Per cent of tradespersons and related workers 45 years or older: 29.3%

**Age Profile**
- 0-14: 276,377
- 15-24: 181,217
Secondary Students in the State
Year 11: 68,259
Year 12: 59,943

INDUSTRY AND EMPLOYERS

Major industries include:
Manufacturing (this is considered to be the largest industry in the region as it accounts for 16% of the total employment)
Property and business services
Finance and insurance
Construction (will remain one of the major industries due to the growth in population)

Major growth industries include:
Information and communication technologies
Advanced manufacturing (including biotechnology industries)
Tourism and recreation
Business services
Retail

The region’s other industry sectors include:
Education
Health
Agriculture
Defence and aerospace

Key employers include:
State Government, in particular Health and Education
Retailers Woolworths and Coles Myers
Advance Metal Products
Broens Engineering
Nepean Engineering

Victoria - Bairnsdale

Key labour market data (2001 census)
Working age (15 -65) population: 93,836
Total Employed: 57,264
Total Unemployed (15-24): 2,025
Unemployment (15-24) rate: 18.5%
Employment in trades as a per cent of total employment: 14.7%
Per cent of employed tradespersons and related workers 45 years of age or older: 30.5%

Age Profile
0-14: 33,068
15-24: 18,681
### Victoria - Bendigo

**Key labour market data (2001 census)**

Working age (15 -65) population: 96,752

Total Employed: 62,546

Total Unemployed (15-24): 1,948

Unemployment (15-24) rate: 15.8%

Employment in trades as a per cent of total employment: 13.0%

Employed tradespersons and related workers 45 years of age or older: 27.5%

### Victoria - Eastern Melbourne

**Key labour market data (2001 census)**

Working age (15 -65) population: 693,722

Total Employed:498,347

Total Unemployed (15-24): 9,878

Unemployment (15-24) rate: 10.8%

Employment in trades as a per cent of total employment: 10.5%

Per cent of employed tradespersons and related workers 45 years of age or older: 31.1%

**Age Profile**

- 0-14: 189,768
- 15-24: 146,291

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### QUESTIONS IN WRITING
Tuesday, 8 November 2005

Houses of Representatives

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Victoria - Geelong

Key labour market data (2001 census)

Working age (15 -64) population: 127,358
Total Employed: 82,490
Total Unemployed (15-24): 2,715
Unemployment (15-24) rate: 15.9%
Employment in trades as a per cent of total employment: 14.8%
Per cent of employed tradespersons and related workers 45 years of age or older: 27.9%

Age Profile
0-14: 40,952
15-24: 26,682

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Victoria - Sunshine

Key labour market data (2001 census)

Working age (15 -65) population: 460,111
Total Employed: 295,997

QUESTIONS IN WRITING
Total Unemployed (15-24): 8,635
Unemployment (15-24) rate: 14.6%
Employment in trades as a per cent of total employment: 13.0%
Per cent of employed tradespersons and related workers 45 years of age or older: 27.5%

Age Profile
0-14: 150,332
15-24: 96,360

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<td></td>
<td>FOXTEL</td>
</tr>
<tr>
<td></td>
<td>WINDSOR CARAVANS PTY LTD</td>
</tr>
<tr>
<td></td>
<td>SOMERVILLE RETAIL SERVICES PTY LTD</td>
</tr>
<tr>
<td></td>
<td>SCHIAVELLO (VIC) PTY LTD</td>
</tr>
</tbody>
</table>

Victoria - Warrnambool

Key labour market data (2001 census)
Working age (15 -65) population: 37,449
Total Employed: 26,766
Total Unemployed (15-24): 539
Unemployment (15-24) rate: 11.4%
Employment in trades as a per cent of total employment: 12.1%
Per cent of employed tradespersons and related workers 45 years of age or older: 25.9%

Age Profile
0-14: 14,098
15-24: 7,313
Queensland - Gladstone

Key labour market data (2001 census)

Working age (15 -65) population: 27,758
Total Employed: 18,389
Total Unemployed (15-24): 655
Unemployment (15-24) rate: 17.2%
Employment in trades as a per cent of total employment: 18.3%
Per cent of tradespersons and related workers 45 years or older: 27.0%

Age Profile
0-14: 10,534
15-24: 5,538

INDUSTRY AND EMPLOYERS

Queensland - Gold Coast

Working age (15 -65) population: 250,156
Total Employed: 161,119
Total Unemployed (15-24): 5,144
Unemployment (15-24) rate: 15.7%
Employment in trades as a per cent of total employment: 13.3%
Per cent of tradespersons and related workers 45 years or older: 29.6%
Age Profile
0-14: 71,087
15-24: 48,780

INDUSTRY AND EMPLOYERS

<table>
<thead>
<tr>
<th>Major Industries</th>
<th>Key Employers</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACCOMMODATION</td>
<td>GOLD COAST CITY COUNCIL</td>
</tr>
<tr>
<td>SCHOOL EDUCATION</td>
<td>SEA WORLD THEME PARK</td>
</tr>
<tr>
<td>CAFES AND RESTAURANTS</td>
<td>BILLABONG INTERNATIONAL</td>
</tr>
<tr>
<td>SPECIALISED FOOD RETAILING</td>
<td>HOTEL CONRAD JUPITERS</td>
</tr>
<tr>
<td>GAMBLING SERVICES</td>
<td></td>
</tr>
<tr>
<td>OTHER RECREATIONAL SERVICES (INCLUDING AMUSEMENT PARKS)</td>
<td></td>
</tr>
</tbody>
</table>

Queensland - North Brisbane

Key labour market data (2001 census)
Working age (15 -65) population: 103,387
Total Employed: 73,220
Total Unemployed (15-24): 2,014
Unemployment (15-24) rate: 13.5 %
Employment in trades as a per cent of total employment: 11.8%
Per cent of tradespersons and related workers 45 years or older: 29.7%

Age Profile
0-14: 31,501
15-24: 21,498

INDUSTRY AND EMPLOYERS

<table>
<thead>
<tr>
<th>Major Industries</th>
<th>Key Employers</th>
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</thead>
<tbody>
<tr>
<td>EDUCATION (UNIVERSITY OF QUEENSLAND)</td>
<td>BRISBANE AIRPORT</td>
</tr>
<tr>
<td>HEALTH AND BUSINESS SERVICES</td>
<td>MAJOR ARMY BASE AT ENOGGERA</td>
</tr>
<tr>
<td>MANUFACTURING (PRINTING AND PUBLISHING, METAL PRODUCTS, FURNITURE, MOTOR VEHICLE AND INDUSTRIAL MACHINERY)</td>
<td>BP OIL REFINERY AT PINKENBA</td>
</tr>
<tr>
<td>TRANSPORT, FREIGHT AND WHOLESALING</td>
<td></td>
</tr>
</tbody>
</table>

Queensland - Townsville

Key labour market data (2001 census)
Working age (15 -65) population: 98,483
Total Employed: 66,041
Total Unemployed (15-24): 2,444
Unemployment (15-24) rate: 15.3%
Employment in trades as a per cent of total employment: 16.3%
Per cent of tradespersons and related workers 45 years or older: 21.5%

Age Profile
0-14: 31,808
15-24: 23,545

QUESTIONS IN WRITING
INDUSTRY AND EMPLOYERS

**MAJOR INDUSTRIES**
- Raw Sugar Production, Grazing and Beef Processing
- Public Administration and Defence Manufacturing
- Mineral Refining
- Tourism
- Fishing
- Education, Research and Tertiary Services

**KEY EMPLOYERS**
- Theiss (Construction)
- Xstrata Copper (Mining)
- Jupiter's Casino
- Woolworths, Coles-Meyer
- QLD Nickel Refinery
- Sun Metals Zinc Refinery

South Australia - Adelaide
Working age (15-65) population: 225,516
Total Employed: 140,659
Total Unemployed (15-24): 5,268
Unemployment (15-24) rate: 17.1%
Employment in trades as a per cent of total employment: 14.4%
Per cent of tradespersons and related workers 45 years or older: 29.4%

**Age Profile**
- 0-14: 72,994
- 15-24: 48,286

INDUSTRY AND EMPLOYERS

**MAJOR INDUSTRIES**
- Automotive
- School Education
- Defence
- Rubber Plant Manufacturing

**KEY EMPLOYERS**
- Holden
- Defence, Science and Technology Organisation (DSTO)

South Australia - Whyalla/Port Augusta
Key labour market data (2001 census)
Working age (15-65) population: 23,088
Total Employed: 13,215
Total Unemployed (15-24): 536
Unemployment (15-24) rate: 21.1%
Employment in trades as a per cent of total employment: 15.3%
Per cent of tradespersons and related workers 45 years or older: 30.4%

**Age Profile**
- 0-14: 8,014
- 15-24: 4,440

QUESTIONS IN WRITING
INDUSTRY AND EMPLOYERS

<table>
<thead>
<tr>
<th>MAJOR INDUSTRIES</th>
<th>KEY EMPLOYERS</th>
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<tbody>
<tr>
<td>MANUFACTURING (WHYALLA)</td>
<td>CORPORATION OF THE CITY OF WHYALLA</td>
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<td>RETAIL TRADE (WHYALLA, PORT AUGUSTA)</td>
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<tr>
<td>HEALTH AND COMMUNITY SERVICES (WHYALLA, PORT AUGUSTA)</td>
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</tr>
<tr>
<td>METAL ORE MINING (PORT AUGUSTA)</td>
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</tr>
</tbody>
</table>

Tasmania - Northern Tasmania

Key labour market data (2001 census)

Working age (15 -64) population: 94,285
Total Employed: 58,112
Total Unemployed (15-24): 2,263
Unemployment (15-24) rate: 19.0%
Employment in trades as a per cent of total employment: 13.0%
Per cent of tradespersons and related workers 45 years or older: 29.5%

Age Profile

0-14: 31,192
15-24: 19,536

INDUSTRY AND EMPLOYERS

<table>
<thead>
<tr>
<th>MAJOR INDUSTRIES</th>
<th>KEY EMPLOYERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>MANUFACTURING</td>
<td>COMALCO</td>
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<tr>
<td>PROPERTY AND BUSINESS SERVICES</td>
<td>ACL BEARINGS</td>
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<tr>
<td>WHOLESALE AND RETAIL TRADE</td>
<td></td>
</tr>
<tr>
<td>AGRICULTURE</td>
<td></td>
</tr>
<tr>
<td>TOURISM</td>
<td></td>
</tr>
</tbody>
</table>

Western Australia - Perth South

Key labour market data (2001 census)

Working age (15 -65) population: 209,894
Total Employed: 138,289
Total Unemployed (15-24): 4,396
Unemployment (15-24) rate: 14.9%
Employment in trades as a per cent of total employment: 12.6%
Per cent of employed tradespersons and related workers 45 years of age or older: 28.1%

Age Profile

0-14: 64,775
15-24: 46,708
Western Australia - Pilbara

Key labour market data (2001 census)
Working age (15 -65 population: 20,429
Total Employed: 13,993
Total Unemployed (15-24): 246
Unemployment (15-24) rate: 10.2%
Employment in trades as a per cent of total employment: 19.5%
Per cent of employed tradespersons and related workers 45 years of age or older: 25.1%

Age Profile
0-14: 7,216
15-24: 3,713

### Industry and Employers

<table>
<thead>
<tr>
<th>Major Industries</th>
<th>Key Employers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manufacturing</td>
<td>Austal Ships Pty Ltd</td>
</tr>
<tr>
<td>Retail Trade</td>
<td>Motor Industry Training Association of WA</td>
</tr>
<tr>
<td>Horticulture</td>
<td>Western Power Corporation</td>
</tr>
<tr>
<td>Fishing</td>
<td>Woolworths</td>
</tr>
<tr>
<td>Oil and Gas Extraction</td>
<td>Hungry Jack's Pty Ltd</td>
</tr>
<tr>
<td>Metal Ore Mining</td>
<td>Department of Justice - Custodial</td>
</tr>
<tr>
<td>School Education</td>
<td>Spotless Services Aust Ltd</td>
</tr>
<tr>
<td>Other Business Services</td>
<td>Image Marine</td>
</tr>
<tr>
<td></td>
<td>Prestige Property Services</td>
</tr>
</tbody>
</table>

Northern Territory - Darwin

Key labour market data (2001 census)
Working age (15 -65 population: 76,686
Total Employed: 52,530
Total Unemployed (15-24): 1,149
Unemployment (15-24) rate: 11.8%
Employment in trades as a per cent of total employment: 14.2%
Per cent of employed tradespersons and related workers 45 years of age or older: 22.1%
Age Profile
0-14: 24,084
15-24: 15,217

INDUSTRY AND EMPLOYERS

<table>
<thead>
<tr>
<th>MAJOR INDUSTRIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>MANUFACTURING</td>
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<tr>
<td>AGRICULTURE, FORESTRY AND FISHING</td>
</tr>
<tr>
<td>CONSTRUCTION</td>
</tr>
<tr>
<td>WHOLESALE AND RETAIL</td>
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<tr>
<td>TOURISM</td>
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<tr>
<td>HEALTH AND COMMUNITY SERVICES</td>
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Skill Shortage List – Trades - December 2004

<table>
<thead>
<tr>
<th>ASCO</th>
<th>Occupation</th>
<th>AUST</th>
<th>NSW</th>
</tr>
</thead>
<tbody>
<tr>
<td>4112-11</td>
<td>Metal Fitter*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4112-13</td>
<td>Metal Machinist*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4113-11</td>
<td>Toolmaker*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4122-11</td>
<td>Metal Fabricator*</td>
<td>N</td>
<td>M-D, R*</td>
</tr>
<tr>
<td>4122-15</td>
<td>Welder*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4124-11</td>
<td>Sheetmetal Worker*</td>
<td>N</td>
<td>M-D, R*</td>
</tr>
<tr>
<td>4211-11</td>
<td>Motor Mechanic*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4212-11</td>
<td>Auto Electrician*</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4213-11</td>
<td>Panel Beater*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4214-11</td>
<td>Vehicle Painter</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4311-11,13</td>
<td>Electrician*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4312-11</td>
<td>Refrigeration and Airconditioning Me-</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4313</td>
<td>Electrical Powerline Trades*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4314</td>
<td>Electronic Instrument Trades*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4315</td>
<td>Electronic Equipment Trades*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4315-13</td>
<td>Business Machine Mechanic*</td>
<td>N</td>
<td>D*</td>
</tr>
<tr>
<td>4411-11</td>
<td>Carpenter and Joiner*</td>
<td>N</td>
<td>Se*</td>
</tr>
<tr>
<td>4412-11</td>
<td>Fibrous Plasterer*</td>
<td>N</td>
<td>Se*</td>
</tr>
<tr>
<td>4414-11</td>
<td>Bricklayer*</td>
<td>N</td>
<td>Se*</td>
</tr>
<tr>
<td>4415-11</td>
<td>Solid Plasterer*</td>
<td>N</td>
<td>Se</td>
</tr>
<tr>
<td>4431-11</td>
<td>Plumber*</td>
<td>N</td>
<td>Se*</td>
</tr>
<tr>
<td>3322</td>
<td>Chef*</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4512-11</td>
<td>Baker*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4513-11</td>
<td>Cook</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4512-13</td>
<td>Pastrycook*</td>
<td>N</td>
<td>R*</td>
</tr>
<tr>
<td>4911-11</td>
<td>Graphic Pre-press Trades</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4912</td>
<td>Printing Machinist</td>
<td></td>
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</table>

QUESTIONS IN WRITING
QUESTIONS IN WRITING

<table>
<thead>
<tr>
<th>ASCO</th>
<th>Occupation</th>
<th>AUST</th>
<th>NSW</th>
</tr>
</thead>
<tbody>
<tr>
<td>4913-11</td>
<td>Binder and Finisher</td>
<td></td>
<td></td>
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<tr>
<td>WOOD TRADES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4921-11</td>
<td>Wood Machinist*</td>
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<td>S*</td>
</tr>
<tr>
<td>4922-11</td>
<td>Cabinetmaker*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>OTHER TRADES</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4931-11</td>
<td>Hairdresser</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4942-11</td>
<td>Furniture Upholsterer*</td>
<td>N</td>
<td>S*</td>
</tr>
</tbody>
</table>

N = National shortage
S = State-wide shortage
M = Shortage in metropolitan areas
R = Shortage in regional areas
D = Recruitment difficulties
R-D = Recruitment difficulties in regional areas
M-D = Recruitment difficulties in metropolitan areas
* = See comments on specialisations
E = Shortage easing over the next 12 months
na = not assessed

Comments on trade specialisations in NSW

- **Metal Fitter**: NSW: shortages are evident for basic skills but especially for hydraulics and for shut-down and maintenance work.
- **Metal Machinist**: NSW: shortages are especially for Metal Machinists with skills in CNC machinery and hand operated heavy industrial machinery.
- **Toolmaker**: NSW: Shortages are particularly for Toolmakers with broad trade skills, hand operated tooling, CNC machining, plastic injection moulding, precision jobbing.
- **Metal Fabricator**: NSW: shortages are especially for Metal Fabricators with ability to work from plans, multiskilled tradespersons and those with experience in weld purging.
- **Welder**: NSW: shortages are especially for Welders with skills in stainless steel, aluminium, MIG and TIG welding.
- **Sheetmetal Worker**: NSW: shortages are especially for Sheetmetal Workers with welding skills.
- **Motor Mechanic**: NSW: shortages are especially for Motor Mechanics with specialist skills and experience in suspension, wheel alignment, engine reconditioning, used car dealerships and four wheel drives.
- **Panel Beater**: NSW: recruitment is particularly difficult for panel beaters with skills in prestige vehicle repairs.
- **Auto Electrician**: na
- **Electrician**: NSW: shortages are apparent across most sectors including commercial and industrial work, domestic building maintenance, communications cabling and electrical fitting.
- **Refrigeration and Airconditioning Mechanic**: NSW: shortages are apparent across most sectors but especially for commercial airconditioning in Sydney.

Electrical Power Line Tradesperson: NSW: shortages are evident in maintenance and new supply work in both the power generation and distribution sectors.
Electronic Instrument Trades: NSW: shortages are especially being experienced for positions requiring highly specialised experience in specified types of PLCs and control systems and positions requiring dual qualifications in electrical and instrumentation work.

Electronic Equipment Trades: NSW: shortages are mostly for repairers experienced in specific makes and models. VIC: shortages are restricted to radio and TV repair. SA: shortages are restricted to radio and TV repair.

Business Machine Mechanics: NSW: isolated recruitment difficulties exist for positions requiring experience in particular business machinery makes and models.

Communications Trades: NSW: shortages are less severe for cabling technicians.

Carpenter: NSW: shortages are most apparent for new residential building, residential maintenance and formwork carpentry.

Fibrous Plasterer: NSW: shortages include plasterboard fixing, cornice and ornate plastering.

Bricklayer: NSW: shortages are restricted to trade-level bricklayers.

Solid Plasterer: na

Plumber: NSW: shortages are evident in both the commercial and residential sectors and for roof plumbers.

Chef: na

Baker: NSW: shortage is mainly confined to broad trade skills, hand moulding skills and experience in specialised breads such as sourdough and gluten-free etc.

Pastrycook: NSW: shortage is mainly confined to broad trade skills and experience in making pastries from scratch.

Wood Machinist: NSW: shortages are especially for CNC skills, a range of experience with panel saws, spindle moulders, also experience in solid timber, laminated wood or composite material.

Cabinetmaker: NSW: shortages are especially for the detailed joinery and fine furniture sector. VIC: shortage is of specialist furniture makers.

Furniture Upholsterer: NSW: shortages are for especially for positions requiring quality re-upholstering/re-covering experience; also short supply of skills requiring combination of tasks like re-covering/automobile trimming and making custom built furniture for refurbishments.

**Skill Shortage List – Trades December 2004**

<table>
<thead>
<tr>
<th>ASCO</th>
<th>Occupation</th>
<th>AUST</th>
<th>VIC</th>
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<tbody>
<tr>
<td>4112-11</td>
<td>Metal Fitter*</td>
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<td>S</td>
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<tr>
<td>4124-11</td>
<td>Sheetmetal Worker*</td>
<td>N</td>
<td>S</td>
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<tr>
<td>VEHC1E1ER TRADES</td>
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<tr>
<td>4211-11</td>
<td>Motor Mechanic*</td>
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<tr>
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<td>Auto Electrician*</td>
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<td>4214-11</td>
<td>Vehicle Painter</td>
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<tr>
<td>ELECTRICAL/ELECTRONICS</td>
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<tr>
<td>4311-11,13</td>
<td>Electrician*</td>
<td>N</td>
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QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>ASCO</th>
<th>Occupation</th>
<th>AUST</th>
<th>VIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>4312-11</td>
<td>Refrigeration and Airconditioning Mechanic*</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4313</td>
<td>Electrical Powerline Trades*</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4314</td>
<td>Electronic Instrument Trades*</td>
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<td>S</td>
</tr>
<tr>
<td>4315</td>
<td>Electronic Equipment Trades*</td>
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<td>S*</td>
</tr>
<tr>
<td>4315-13</td>
<td>Business Machine Mechanic*</td>
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**CONSTRUCTION TRADES**

<table>
<thead>
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<th>Occupation</th>
<th>AUST</th>
<th>VIC</th>
</tr>
</thead>
<tbody>
<tr>
<td>4411-11</td>
<td>Carpenter and Joiner*</td>
<td>N</td>
<td>M-D, R</td>
</tr>
<tr>
<td>4412-11</td>
<td>Fibrous Plasterer*</td>
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<td>M-D, R</td>
</tr>
<tr>
<td>4414-11</td>
<td>Bricklayer*</td>
<td>N</td>
<td>M-D, R</td>
</tr>
<tr>
<td>4415-11</td>
<td>Solid Plasterer*</td>
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<td>M-D,R</td>
</tr>
<tr>
<td>4431-11</td>
<td>Plumber*</td>
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<td>M-D, R</td>
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**FOOD TRADES**

<table>
<thead>
<tr>
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<th>Occupation</th>
<th>AUST</th>
<th>VIC</th>
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</thead>
<tbody>
<tr>
<td>3322</td>
<td>Chef*</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4512-11</td>
<td>Baker*</td>
<td>na</td>
<td></td>
</tr>
<tr>
<td>4513-11</td>
<td>Cook</td>
<td>N</td>
<td>S*</td>
</tr>
<tr>
<td>4512-13</td>
<td>Pastrycook*</td>
<td>N</td>
<td>S*</td>
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</table>

**PRINTING TRADES**

<table>
<thead>
<tr>
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<td>Binder and Finisher</td>
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**WOOD TRADES**

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<tr>
<td>4922-11</td>
<td>Cabinetmaker*</td>
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<td>M-D,R</td>
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**OTHER TRADES**

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<td>4942-11</td>
<td>Furniture Upholsterer*</td>
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</table>

N = National shortage  
S = State-wide shortage  
M = Shortage in metropolitan areas  
R = Shortage in regional areas  
D = Recruitment difficulties  
R-D = Recruitment difficulties in regional areas  
M-D = Recruitment difficulties in metropolitan areas  
* = See comments on specialisations  
E = shortage easing over the next 12 months  
na = not assessed

**Comments on trade specialisations in VIC**

Electronic Equipment Trades: VIC: shortages are restricted to radio and TV repair.  
Chef: VIC: shortage is especially evident in Asian cuisines generally and Indian cuisine.  
Pastrycook: VIC: shortages are especially for skills in European and Asian pastry.  
Cabinetmaker: VIC: shortage is of specialist furniture makers.
### Skill Shortage List – Trades December 2004

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<td>Furniture Upholsterer*</td>
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* = See comments on specialisations
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Comments on trade specialisations IN QLD

Metal Fitter: QLD: Fitters who have skills to work underground on mining equipment and who have high skill levels in parts replacement for heavy earthmoving equipment are in particular shortage.

Metal Machinist: QLD: Metal machinists who have high level CNC machine operating skills are in particularly strong demand.

Sheetmetal Worker: QLD: shortages are particularly evident in the manufacture of aluminium hull boats, switchboards and stainless steel fittings.

Electrician: QLD: shortages are particularly acute for electrical appliance servicing and industrial electricians.

Carpenter: QLD: shortage is particularly for carpenters specialising in building staircases and balustrading.

Plumber: QLD: Mechanical Services Plumbers are particularly hard to recruit.

Cabinetmaker: QLD: shortages are most evident for Cabinetmakers in high quality or meticulous and visible craftwork.

Skill Shortage List – Trades December 2004

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<th>Occupation</th>
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<td>Fibrous Plasterer*</td>
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### ASCO Occupation  AUST SA

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#### FOOD TRADES

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#### WOOD TRADES

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<tr>
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<td>Cabinetmaker*</td>
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#### OTHER TRADES

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<td>4942-11</td>
<td>Furniture Upholsterer*</td>
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</tbody>
</table>

N = National shortage  
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na = not assessed

**Comments on trade specialisations in SA**

Electronic Equipment Trades: SA: shortages are restricted to radio and TV repair.

### Skill Shortage List – Trades December 2004

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<td>Welder*</td>
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<td>S*</td>
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#### VEHICLE TRADES

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<td>Panel Beater*</td>
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<td>Vehicle Painter</td>
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**Comments on trade specialisations**

Metal Fitter: WA: shortages are especially for heavy duty fitters.
Welder: WA: shortages are most evident for coded welders highly skilled in specialist procedures.
Motor Mechanic: WA: shortages are particularly evident for truck and diesel mechanics.
Auto Electrician: WA: shortages are particularly evident for auto electricians experienced in working with heavy equipment in the mining industry.
Electrician: WA: shortages are evident for electricians with cabling licenses and data/communications experience.

Plumber: WA: shortages are especially evident for roof plumbers.

Chef: WA: in metropolitan areas, the shortage is restricted to some Asian cuisines, particularly Indian, Japanese and Thai, although more general shortages are evident in regional areas.

### Skill Shortage List – Trades December 2004

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<th>Occupation</th>
<th>AUST</th>
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<td>Welder*</td>
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<tr>
<td>4124-11</td>
<td>Sheetmetal Worker*</td>
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<tr>
<td><strong>VEHICLE TRADES</strong></td>
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<tr>
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<td>Motor Mechanic*</td>
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<tr>
<td>4212-11</td>
<td>Auto Electrician*</td>
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<td>Carpenter and Joiner*</td>
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<tr>
<td>4412-11</td>
<td>Fibrous Plasterer*</td>
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<td>S</td>
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<tr>
<td>4414-11</td>
<td>Bricklayer*</td>
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<td>S</td>
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<tr>
<td>4415-11</td>
<td>Solid Plasterer*</td>
<td>N</td>
<td>S*</td>
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<tr>
<td>4431-11</td>
<td>Plumber*</td>
<td>N</td>
<td>S</td>
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<td><strong>FOOD TRADES</strong></td>
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<tr>
<td>3322</td>
<td>Chef*</td>
<td>N</td>
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<tr>
<td>4512-11</td>
<td>Baker*</td>
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<tr>
<td>4513-11</td>
<td>Cook*</td>
<td>N</td>
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<tr>
<td>4512-13</td>
<td>Pastrycook*</td>
<td>N</td>
<td>S*</td>
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<td><strong>PRINTING TRADES</strong></td>
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<td>Graphic Pre-press Trades</td>
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<tr>
<td>4912</td>
<td>Printing Machinist</td>
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<tr>
<td>4913-11</td>
<td>Binder and Finisher</td>
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<td><strong>WOOD TRADES</strong></td>
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<td>4921-11</td>
<td>Wood Machinist*</td>
<td>na</td>
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<tr>
<td>4922-11</td>
<td>Cabinetmaker*</td>
<td>N</td>
<td>S</td>
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<tr>
<td><strong>OTHER TRADES</strong></td>
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<tr>
<td>4931-11</td>
<td>Hairdresser</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4942-11</td>
<td>Furniture Upholsterer*</td>
<td>N</td>
<td>S</td>
</tr>
</tbody>
</table>
N = National shortage
S = State-wide shortage
M = Shortage in metropolitan areas
R = Shortage in regional areas
D = Recruitment difficulties
R-D = Recruitment difficulties in regional areas
M-D = Recruitment difficulties in metropolitan areas
* = See comments on specialisations
E = shortage easing over the next 12 months
na = not assessed

Comments on trade specialisations in TAS
Toolmaker: TAS: Toolmaker is a very small occupation in Tasmania.
Refrigeration and Airconditioning Mechanic: na
Solid Plasterer: TAS: solid plastering is a very small occupation in Tasmania.
Pastrycook: TAS: shortages are particularly for specialist dessert chefs, specialist patisserie pastry cooks.

### Skill Shortage List – Trades December 2004

<table>
<thead>
<tr>
<th>ASCO</th>
<th>Occupation</th>
<th>AUST</th>
<th>NT</th>
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<tr>
<td>4112-11</td>
<td>Metal Fitter*</td>
<td>N</td>
<td>S*</td>
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<tr>
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<td>Metal Machinist*</td>
<td>N</td>
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<tr>
<td>4113-11</td>
<td>Toolmaker*</td>
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<td>na</td>
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<tr>
<td>4122-11</td>
<td>Metal Fabricator*</td>
<td>N</td>
<td>S*</td>
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<td>Welder*</td>
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<td>Vehicle Painter</td>
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<td>4311-11,13</td>
<td>Electrician*</td>
<td>N</td>
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<td>4312-11</td>
<td>Refrigeration and Airconditioning Mechanic*</td>
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<td>Electrical Powerline Trades*</td>
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<td>4314</td>
<td>Electronic Instrument Trades*</td>
<td>N</td>
<td>M-D,R</td>
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<tr>
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<td>4414-11</td>
<td>Bricklayer*</td>
<td>N</td>
<td>M*</td>
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<tr>
<td>4415-11</td>
<td>Solid Plasterer*</td>
<td>N</td>
<td>S</td>
</tr>
<tr>
<td>4431-11</td>
<td>Plumber*</td>
<td>N</td>
<td>S*</td>
</tr>
</tbody>
</table>
### ASCO Occupation AUST NT

#### FOOD TRADES
- **3322 Chef* N S**
- **4512-11 Baker* na**
- **4513-11 Cook N S**
- **4512-13 Pastrycook* N D**

#### PRINTING TRADES
- **4911-11 Graphic Pre-press Trades**
- **4912 Printing Machinist**
- **4913-11 Binder and Finisher**

#### WOOD TRADES
- **4921-11 Wood Machinist* na**
- **4922-11 Cabinetmaker* N S**

#### OTHER TRADES
- **4931-11 Hairdresser N S**
- **4942-11 Furniture Upholsterer* N na**

N = National shortage  S = State-wide shortage  
M = Shortage in metropolitan areas  
R = Shortage in regional areas  
D = Recruitment difficulties  
R-D = Recruitment difficulties in regional areas  
M-D = Recruitment difficulties in metropolitan areas  
* = See comments on specialisations  
e = shortage easing over the next 12 months  
na = not assessed

**Comments on trade specialisations in NT**

- **Metal Fitter:** NT: shortages are especially evident for Metal Fitters with heavy duty and underground experience.
- **Metal Fabricator:** NT: shortages are particularly evident for fabricators with new construction (setting and mark out skills) and aluminium and stainless steel experience.
- **Welder:** NT: shortages are particularly for welders with TIG welding experience.
- **Refrigeration and Airconditioning Mechanic:**
- **Carpenter:** NT: shortages are particularly evident for carpenters skilled in large scale construction projects.
- **Bricklayer:** NT: shortages are evident for bricklayers skilled in large scale construction projects.
- **Plumber:** NT: shortage is particularly apparent for plumbers skilled in the maintenance of existing domestic plumbing.

### Australian Technical Colleges

(Question No. 1980)

**Ms Macklin** asked the Minister for Vocational and Technical Education, in writing, on 9 August 2005:

What are the (a) registered schools, (b) registered training organisations, and (c) other partners in each of the successful consortia which will operate the Australian Technical Colleges in the locations announced on 15 July 2005.

### QUESTIONS IN WRITING
Mr Hardgrave—The answer to the honourable member’s question is as follows:
As negotiations are currently underway with successful organisations (a) registered schools, (b) registered training organisations and (c) other partners have not yet been confirmed.
The information can be made available once agreements are finalised.

Australian Technical Colleges (Question No. 1981)

Ms Macklin asked the Minister for Vocational and Technical Education, in writing, on 9 August 2005:
Who are the members of the industry advisory boards or interim industry advisory boards for each of the successful consortia which will operate the Australian Technical Colleges in the locations announced on 15 July 2005.

Mr Hardgrave—The answer to the honourable member’s question is as follows:
As negotiations are currently underway with the successful organisations the members of the industry advisory boards or interim advisory boards for each of the Australian Technical Colleges have not yet been confirmed. This information can be made available once the agreements are finalised.

Australian Technical Colleges (Question No. 1982)

Ms Macklin asked the Minister for Vocational and Technical Education, in writing, on 9 August 2005:
(1) How many students is it anticipated will be enrolled at each Australian Technical College in 2006.
(2) How many students will each proposed College enrol when it is operating at full capacity.
(3) In what year is it expected that each of the proposed Colleges will be operating at its full capacity.

Mr Hardgrave—The answer to the honourable member’s question is as follows:
(1) As negotiations with the successful organisations are currently underway the number of students to be enrolled in 2006 has not yet been confirmed.
(2) As negotiations with the successful organisations are currently underway the number of students to be enrolled when the College is operating at full capacity has not yet been confirmed.
(3) As negotiations with the successful organisations are currently underway year that the Colleges will be operating at full capacity has not yet been confirmed.
The information can be made available once the agreements are finalised.

Coaching Services (Question No. 2039)

Mr Bowen asked the Treasurer, in writing, on 11 August 2005:
(1) Did the Australian Tax Office engage 6E Leadership Coaching at a cost of $49,500 to conduct executive coaching services.
(2) What are the names of the executives who participated in this program and what form did the coaching take.

Mr Brough—The Treasurer has referred this question to me as it falls within my ministerial responsibilities. The answer to the honourable member’s question is as follows:
(1) Yes the ATO did engage the services of 6E Leadership Coaching. The maximum possible value of the services provided is $49,500 inc GST.
(2) It is not appropriate to name individual ATO officers. I can confirm that there are currently six staff members at the Executive Level 2 level involved in the coaching. The coaching addresses and is consistent with the development needs identified through the Australian Public Service Commission Career Development Assessment Centre process.

Talent Pool Program

(Question No. 2415)

Mr Bowen asked the Minister for Revenue and Assistant Treasurer, in writing, on 10 October 2005:

Did the Australian Taxation Office extend the contract of The Leading Factor Pty Ltd to develop, implement and maintain a development program for the SES Leadership Talent Pool at a cost of $593,570; if so, what was the value of the original contract, for how long has it been extended and what specific services are provided under the terms of the contract.

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

Yes. The Australian Taxation Office took up the 2nd and final option term provided in the contract with the Leader Factor Pty Ltd with a commencement of 1 July 2005 and an expiry date of 30 June 2006.

The original contract commenced 4 April 2003 with an expiry of 31 March 2004, which included the initial development of the SES Talent Pool. The value of the original contract was $330,000. Services provided included the initial design and development of the SES Talent pool program, conducting assessments and executive coaching. 21 members were originally included in the SES Talent Pool.

The first option term of the contract commenced 1 July 2004 with an expiry date of 30 June 2005. This term included work on the SES and EL2 Talent Pools, along with other ad-hoc leadership development projects. The value of the first option term was $459,277. Services provided included the further design and development of the SES Talent Pool and ad-hoc support for the EL2 Talent pool program, conducting assessments and executive coaching of SES Talent Pool members.

The final option term includes work on the SES Talent Pool and EL2 Talent Pool programs, along with other ad-hoc leadership development projects. The value of the second option term is $593,570. Services provided include the further development of the SES and EL2 Talent pool programs along with conducting assessments and executive coaching of SES Talent Pool members.

Currently, 25 members of the SES Talent Pool and 44 members of the EL2 Talent Pool are participating in this program.

Consultancy Services

(Question No. 2416)

Mr Bowen asked the Minister for Revenue and Assistant Treasurer, in writing, on 10 October 2005:

Did the Australian Taxation Office engage Cognos Pty Ltd to provide consulting services at a cost of $44,335; if so, what are the consulting services provided under the terms of this contract.

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

Yes. Cognos is a supplier of online analytical processing software, budget planning & reporting software and enterprise reporting software to the ATO.

Since 1998 the ATO has spent a total of $8,233,300 with Cognos. This comprises $5,883,800 for software licence fees, $2,059,200 for software maintenance & support, $261,800 for services related to the use of that software and $28,600 for training related to that software.
Consultancy Services
(Question No. 2451)

Mr Bowen asked the Minister representing the Minister for Immigration and Multicultural and Indigenous Affairs, in writing, on 11 October 2005:

Did the Minister’s department engage Alliance Consulting Group at a cost of $31,072; 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:

Yes. The Department engaged the services of Alliance Consulting Group to a maximum cost of $31,072 (GST inclusive). Alliance Consulting Group are contracted to advise on an approach to the market for a Portfolio Management Software Tool and to prepare procurement documentation. As at 17 October, no monies have been invoiced under the contract.