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SITTING DAYS—2006

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- **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—SEVENTH 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 Phillip Anthony Barresi, the Hon. Bronwyn Kathleen Bishop, Mr Barry Wayne Haase, Mr Michael John Hatton, the Hon. Duncan James Colquhoun Kerr SC, 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—Mrs Kay Elizabeth Hull MP
Whip—Mr Paul Christopher Neville MP

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

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

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<tr>
<td>Vasta, Ross Xavier</td>
<td>Bonner, Qld</td>
<td>LP</td>
</tr>
<tr>
<td>Wakelin, Barry Hugh</td>
<td>Grey, SA</td>
<td>LP</td>
</tr>
<tr>
<td>Washer, Malcolm James</td>
<td>Moore, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
</tr>
<tr>
<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
<td>LP</td>
</tr>
</tbody>
</table>

**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>Minister</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prime Minister</td>
<td>The Hon. John Winston Howard MP</td>
</tr>
<tr>
<td>Minister for Trade and Deputy Prime Minister</td>
<td>The Hon. Mark Anthony James Vaile MP</td>
</tr>
<tr>
<td>Treasurer</td>
<td>The Hon. Peter Howard Costello MP</td>
</tr>
<tr>
<td>Minister for Transport and Regional Services</td>
<td>The Hon. Warren Errol Truss MP</td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>The Hon. Dr Brendan John Nelson MP</td>
</tr>
<tr>
<td>Minister for Foreign Affairs</td>
<td>The Hon. Alexander John Gosse Downer MP</td>
</tr>
<tr>
<td>Minister for Health and Ageing and Leader of</td>
<td>The Hon. Anthony John Abbott MP</td>
</tr>
<tr>
<td>the House</td>
<td></td>
</tr>
<tr>
<td>Attorney-General</td>
<td>The Hon. Philip Maxwell Ruddock MP</td>
</tr>
<tr>
<td>Minister for Finance and Administration,</td>
<td>Senator the Hon. Nicholas Hugh Minchin</td>
</tr>
<tr>
<td>Leader of the Government in the Senate and</td>
<td></td>
</tr>
<tr>
<td>Vice-President of the Executive Council</td>
<td></td>
</tr>
<tr>
<td>Minister for Agriculture, Fisheries and Forestry and Deputy Leader of the House</td>
<td>The Hon. Peter John McGauran MP</td>
</tr>
<tr>
<td>Minister for Immigration and Multicultural Affairs</td>
<td>Senator the Hon. Amanda Eloise Vanstone</td>
</tr>
<tr>
<td>Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues</td>
<td>The Hon. Julie Isabel Bishop MP</td>
</tr>
<tr>
<td>Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs</td>
<td>The Hon. Malcolm Thomas Brough MP</td>
</tr>
<tr>
<td>Minister for Industry, Tourism and Resources</td>
<td>The Hon. Ian Elgin Macfarlane MP</td>
</tr>
<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>
</tr>
<tr>
<td>Minister for Communications, Information Technology and the Arts and Deputy Leader of the Government in the Senate</td>
<td>Senator the Hon. Helen Lloyd Coonan</td>
</tr>
<tr>
<td>Minister for the Environment and Heritage</td>
<td>Senator the Hon. Ian Gordon Campbell</td>
</tr>
</tbody>
</table>

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

Minister for Justice and Customs and Manager of Government Business in the Senate  Senator the Hon. Christopher Martin Ellison
Minister for Fisheries, Forestry and Conservation  Senator the Hon. Eric Abetz
Minister for the Arts and Sport  Senator the Hon. Charles Roderick Kemp
Minister for Human Services and Minister Assisting the Minister for Workplace Relations  The Hon. Joseph Benedict Hockey MP
Minister for Community Affairs  The Hon. John Kenneth Cobb MP
Minister for Revenue and Assistant Treasurer  The Hon. Peter Craig Dutton MP
Special Minister of State  The Hon. Gary Roy Nairn MP
Minister for Vocational and Technical Education and Minister Assisting the Prime Minister  The Hon. Gary Douglas Hardgrave MP
Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence  The Hon. Bruce Frederick Billson 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  Senator the Hon. Richard Mansell Colbeck
Parliamentary Secretary to the Minister for Health and Ageing  The Hon. Robert Charles Baldwin MP
Parliamentary Secretary to the Minister for Defence  The Hon. Christopher Maurice Pyne MP
Parliamentary Secretary (Trade)  Senator the Hon. John Alexander Lindsay (Sandy) Macdonald
Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs  The Hon. De-Anne Margaret Kelly MP
Parliamentary Secretary to the Prime Minister  The Hon. Andrew John Robb MP
Parliamentary Secretary to the Treasurer  The Hon. Malcolm Bligh Turnbull MP
Parliamentary Secretary to the Minister for the Environment and Heritage  The Hon. Christopher John Pearce MP
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry  The Hon. Gregory Andrew Hunt MP
Parliamentary Secretary to the Minister for Education, Science and Training  The Hon. Sussan Penelope Ley MP
Parliamentary Secretary (Foreign Affairs)  The Hon. Patrick Francis Farmer MP
Parliamentary Secretary to the Prime Minister  The Hon. De-Anne Margaret Kelly MP
Parliamentary Secretary to the Treasurer  The Hon. Andrew John Robb MP
Parliamentary Secretary to the Minister for the Environment and Heritage  The Hon. Gregory Andrew Hunt MP
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry  The Hon. Sussan Penelope Ley MP
Parliamentary Secretary to the Minister for Education, Science and Training  The Hon. Patrick Francis Farmer MP
Parliamentary Secretary (Foreign Affairs)  The Hon. Teresa Gambaro MP
## SHADOW MINISTRY

<table>
<thead>
<tr>
<th>Role</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leader of the Opposition</td>
<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>
</tr>
<tr>
<td>Shadow Treasurer</td>
<td>Wayne Maxwell Swan MP</td>
</tr>
<tr>
<td>Shadow Attorney-General</td>
<td>Nicola Louise Roxon MP</td>
</tr>
<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>
</tr>
<tr>
<td>Shadow Minister for Defence</td>
<td>Robert Bruce McClelland MP</td>
</tr>
<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>
</tr>
<tr>
<td>Shadow Minister for Finance</td>
<td>Lindsay James Tanner MP</td>
</tr>
<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>
</tr>
<tr>
<td>Shadow Minister for Child Care, Shadow Minister for Youth and Shadow Minister for Women</td>
<td>Tanya Joan Plibersek MP</td>
</tr>
<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>
</tr>
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</table>

(The above are shadow cabinet ministers)
<table>
<thead>
<tr>
<th>Office</th>
<th>Shadow Min.</th>
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<tbody>
<tr>
<td>Shadow Minister for Consumer Affairs and</td>
<td>Laurie Donald Thomas Ferguson MP</td>
</tr>
<tr>
<td>Shadow Minister for Population Health and</td>
<td>Gavan Michael O’Connor MP</td>
</tr>
<tr>
<td>Shadow Minister for Agriculture and Fisheries</td>
<td>Joel Andrew Fitzgibbon MP</td>
</tr>
<tr>
<td>Shadow Assistant Treasurer, Shadow Minister for Revenue and Shadow</td>
<td>Senator Kerry Williams Kelso O’Brien</td>
</tr>
<tr>
<td>Minister for Small Business and Competition</td>
<td>Senator Kate Alexandra Lundy</td>
</tr>
<tr>
<td>Shadow Minister for Transport</td>
<td>The Hon. Archibald Ronald Bevis MP</td>
</tr>
<tr>
<td>Shadow Minister for Sport and Recreation</td>
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<td>Shadow Minister for Homeland Security and</td>
<td></td>
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<tr>
<td>Shadow Minister for Aviation and Transport Security</td>
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<tr>
<td>Shadow Minister for Veterans’ Affairs and</td>
<td>Alan Peter Griffin MP</td>
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<tr>
<td>Shadow Special Minister of State</td>
<td></td>
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<tr>
<td>Shadow Minister for Defence Industry, Procurement and Personnel</td>
<td>Senator Thomas Mark Bishop</td>
</tr>
<tr>
<td>Shadow Minister for Immigration</td>
<td>Anthony Stephen Burke MP</td>
</tr>
<tr>
<td>Shadow Minister for Ageing, Disabilities and Carers</td>
<td>Senator Jan Elizabeth McLucas</td>
</tr>
<tr>
<td>Shadow Minister for Justice and Customs and Manager of Opposition</td>
<td>senator Joseph William Ludwig</td>
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<tr>
<td>Business in the Senate</td>
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<tr>
<td>Shadow Minister for Overseas Aid and Pacific Island Affairs</td>
<td>Robert Charles Grant Sercombe MP</td>
</tr>
<tr>
<td>Shadow Minister for Citizenship and Multicultural Affairs</td>
<td>Senator Annette Hurley</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Reconciliation and the Arts</td>
<td>Peter Robert Garrett MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposite</td>
<td>John Paul Murphy MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Defence and Veterans’ Affairs</td>
<td>The Hon. Graham John Edwards MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Education</td>
<td>Kirsten Fiona Livermore MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Environment and Heritage</td>
<td>Jennie George MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Industry, Infrastructure and</td>
<td>Bernard Fernando Ripoll MP</td>
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<tr>
<td>Industrial Relations</td>
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<tr>
<td>Shadow Parliamentary Secretary for Immigration</td>
<td>Ann Kathleen Corcoran MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Treasury</td>
<td>Catherine Fiona King MP</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Science and Water</td>
<td>Senator Ursula Mary Stephens</td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Northern Australia and Indigenous</td>
<td>The Hon. Warren Edward Snowdon MP</td>
</tr>
<tr>
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Wednesday, 6 September 2006

The SPEAKER (Hon. David Hawker) took the chair at 9.00 am and read prayers.

FRUIT AND VEGETABLE GROWERS

Mr GA V AN O’CONNOR (Corio) (9.01 am)—I move:

That so much of standing and sessional orders be suspended as would prevent the Minister for Agriculture, Fisheries and Forestry from being required to:

(1) confirm to this House that Australian fruit and vegetable growers suffer under a tyranny of poor transparency, accountability and market returns;

(2) explain to this House the policy basis on which the government made this solemn promise to Australia’s fruit and vegetable growers that it would introduce a mandatory code of conduct within 100 days of election;

(3) confirm that even though the government made this promise to growers, it has no intention of delivering in full on its commitment;

(4) explain to this House why he has chosen to break that clear promise to fruit and vegetable growers; and

(5) apologise to all fruit and vegetable growers for this clear and serious breach of trust.

It has been 605 days since the broken promise—

Mr BALDWIN (Paterson—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (9.02 am)—I move:

That the member be no longer heard.

Question put.

The House divided. [9.06 am]

(The Speaker—Hon. David Hawker)

Ayes………… 78
Noes………… 59
Majority…… 19

AYES


NOES


CHAMBER
Question agreed to.

The SPEAKER—Is the motion seconded?

Ms GILLARD (Lalor) (9.11 am)—I second the motion. You raised it in the party room, and you are too gutless to raise it here.

Dr NELSON (Bradfield—Minister for Defence) (9.11 am)—I move:

That the member be no longer heard.

Question put.

The House divided. [9.12 am]

(The Speaker—Hon. David Hawker)

Ayes............ 78
Noes............. 59

Majority......... 19

Question agreed to.

AYES

Abbott, A.J. Andrews, K.J.
Bailey, F.E. Baird, B.G.

NOES

Adams, D.G.H. Albanese, A.N.
Andren, P.J. Beazley, K.C.
Bevis, A.R. Bird, S.
Bowen, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Danby, M. *
Edwards, G.J. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ellis, A.L.
Ferguson, M.J. Ellis, K.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Gillard, J.E. Hatton, M.J.
Hall, J.G. * Hoare, K.J.
Hayes, C.P. Jenkins, H.A.
Irwin, J. King, C.F.
Kerr, D.J.C. Lawrence, C.M.
Lawrence, C.M. Livermore, K.F.
Macklin, J.L. McClelland, R.B.
McMullan, R.F. Melham, D.
Murphy, J.P. O'Connor, B.P.
O'Connor, G.M. Owens, J.
Pibersek, T. Price, L.R.S.
Quick, H.V. Ripoll, B.F.
Roxon, N.L. Sawford, R.W.
Sercombe, R.C.G. Smith, S.F.
Snowdon, W.E. Swan, W.M.
Tanner, L. Thomson, K.J.
Vanvakiniou, M. Wilkie, K.
Windsor, A.H.C.

* denotes teller

Chamber
Wednesday, 6 September 2006  HOUSE OF REPRESENTATIVES

| Hall, J.G. * | Hatton, M.J. | Macklin, J.L. | McClelland, R.B. |
| Hayes, C.P. | Hoare, K.J. | McMullan, R.F. | Melham, D. |
| Irwin, J. | Jenkins, H.A. | Murphy, J.P. | O’Connor, B.P. |
| Kerr, D.J.C. | King, C.F. | O’Connor, G.M. | Owens, J. |
| Lawrence, C.M. | Livermore, K.F. | Plibersek, T. | Price, L.R.S. |
| Macklin, J.L. | McClelland, R.B. | Quick, H.V. | Ripoll, B.F. |
| McMullan, R.F. | Melham, D. | Roxon, N.L. | Sawford, R.W. |
| Murphy, J.P. | O’Connor, B.P. | Sercombe, R.C.G. | Smith, S.F. |
| O’Connor, G.M. | Owens, J. | Snowdon, W.E. | Swan, W.M. |
| Plibersek, T. | Price, L.R.S. | Tanner, L. | Thomson, K.J. |
| Quick, H.V. | Ripoll, B.F. | Vamvakinou, M. | Wilkie, K. |
| Roxon, N.L. | Sawford, R.W. | Melbourne, A.H.C. | |
| Sercombe, R.C.G. | Smith, S.F. | |
| Snowdon, W.E. | Swan, W.M. | |
| Tanner, L. | Thomson, K.J. | |
| Vamvakinou, M. | Wilkie, K. | |
| Windsor, A.H.C. | |

* denotes teller

Question agreed to.

Original question put:

That the motion (Mr Gavan O’Connor’s) be agreed to.

The House divided. [9.14 am]

(The Speaker—Hon. David Hawker)

<table>
<thead>
<tr>
<th>AYES</th>
<th>59</th>
</tr>
</thead>
<tbody>
<tr>
<td>Noes</td>
<td>79</td>
</tr>
<tr>
<td>Majority</td>
<td>20</td>
</tr>
</tbody>
</table>

**AYES**

| Adams, D.G.H. | Albanese, A.N. |
| Andren, P.J. | Beazley, K.C. |
| Bevis, A.R. | Bird, S. |
| Bowen, C. | Burke, A.E. |
| Burke, A.S. | Byrne, A.M. |
| Corcoran, A.K. | Danby, M. * |
| Edwards, G.J. | Elliot, J. |
| Ellis, A.L. | Ellis, K. |
| Emerson, C.A. | Ferguson, L.D.T. |
| Ferguson, M.J. | Fitzgibbon, J.A. |
| Garrett, P. | Georginas, S. |
| George, J. | Gibbons, S.W. |
| Gillard, J.E. | Griersen, S.J. |
| Hall, J.G. * | Hatton, M.J. |
| Hayes, C.P. | Hoare, K.J. |
| Irwin, J. | Jenkins, H.A. |
| Kerr, D.J.C. | King, C.F. |
| Lawrence, C.M. | Livermore, K.F. |

**NOES**

| Abbott, A.J. | Anderson, J.D. |
| Andrews, K.J. | Bailey, F.E. |
| Baird, B.G. | Baker, M. |
| Baldwin, R.C. | Barresi, P.A. |
| Bartlett, K.J. | Billson, B.F. |
| Bishop, B.K. | Bishop, J.I. |
| Broadbent, R. | Brough, M.T. |
| Cadman, A.G. | Causley, I.R. |
| Ciobo, S.M. | Cobb, J.K. |
| Costello, P.H. | Draper, P. |
| Dutton, P.C. | Elson, K.S. |
| Farmer, P.F. | Fawcett, D. |
| Ferguson, M.D. | Forrest, J.A. |
| Gambaro, T. | Georgiou, P. |
| Haase, B.W. | Hardgrave, G.D. |
| Hartsuyker, L. | Henry, S. |
| Hockey, J.B. | Hull, K.E. * |
| Hunt, G.A. | Jensen, D. |
| Johnson, M.A. | Jull, D.F. |
| Keenan, M. | Kelly, D.M. |
| Kelly, J.M. | Laming, A. |
| Ley, S.P. | Lindsay, P.J. |
| Lloyd, J.E. | Macfarlane, I.E. |
| Markus, L. | May, M.A. |
| McArthur, S. * | Mirabella, S. |
| Moylan, J.E. | Nairn, G.R. |
| Nelson, B.J. | Neville, P.C. |
| Pearce, C.J. | Prosser, G.D. |
| Pyne, C. | Randall, D.J. |
| Richardson, K. | Ruddock, P.M. |
| Schultz, A. | Scott, B.C. |
| Secker, P.D. | Slipper, P.N. |
| Smith, A.D.H. | Somlyay, A.M. |
| Southcott, A.J. | Stone, S.N. |
| Thompson, C.P. | Ticehurst, K.V. |
| Tollner, D.W. | Truss, W.E. |
| Tuckey, C.W. | Vaile, M.A.J. |
Bill and explanatory memorandum presented by Ms Julie Bishop.

Bill read a first time.

Second Reading

Ms JULIE BISHOP (Curtin—Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues) (9.19 am)—I move:

That this bill be now read a second time.

This is the second bill to implement measures recommended by the independent evaluation of the Education Services for Overseas Students Act 2000 (the ESOS Act). It also includes amendments which the government has identified as necessary to clarify provisions relating to providers’ consumer protection and reporting obligations.

Overseas students considering a study destination can be assured that the Australian international education industry is regulated by law. This is a strong consideration when students decide to study in Australia. These measures will further strengthen this regulatory framework and ensure that Australia continues to be a destination of choice for overseas students.

The ESOS Act is currently unclear regarding the refund provisions to apply when a provider excludes a student from study for non-payment of fees, a breach of a visa condition or misbehaviour. This became apparent in a recent case which involved the reinstatement of certain cancelled student visas.

The ESOS Act currently suggests that student default can only occur where a student actively withdraws from a course. Extending the concept of student default to cover those circumstances where a provider excludes a student for certain types of student behaviour will clarify a student’s rights in these circumstances.

There is, unfortunately, potential for a small number of providers in the industry to seek to take advantage of students who wish to come to Australia to study but find that they are unable to obtain a student visa. I want to ensure that refund arrangements do not punish a student who is unable to obtain a visa. This amendment will prevent withholding prepaid course fees, while still allowing providers appropriate recompense for the administrative work associated with the recruitment of these students.

While consumer protection is an essential feature of the ESOS Act, it is equally important to amend provisions originally designed to protect students, but which have subsequently been found to give students a greater refund than is justified in some cases. The fund manager will now be able to reduce the amount of a refund where it can be demonstrated that a student has received academic credit or recognition of prior learning for completed study. This is an important amendment as it will ensure that students are adequately compensated in the event of a provider failing, or ceasing to deliver a course, but will prevent what some in the industry regard as double dipping, that is, students receiving a refund for education and training which has been received and accepted as credit or recognition of prior learning for a course with a new provider.

The inclusion of a sunset clause of 12 months for calls on the fund will further enhance the fund manager’s ability to manage...
the fund’s liabilities, with an associated minimal impact on overseas students.

A strong message from respondents to the ESOS evaluation was the need to revise the student visa conditions relating to attendance and satisfactory academic performance to bring them into line with current educational practice. Currently breaches of these visa conditions must be reported, and students sent a notice of the breach.

There has been extensive consultation with the Department of Immigration and Multicultural Affairs and with industry over the past 12 months to reach an agreed approach to the visa conditions which should be monitored and reported on by providers.

The complementary changes to the national code, the migration regulations and the ESOS Act will ensure that providers’ obligations to monitor and report against student visa conditions are in line with current educational practices while continuing to support the integrity of the migration system. Amending the ESOS Act to prescribe the visa conditions which must be reported in the regulations will ensure that there is no ambiguity for providers as to the nature of their obligations and will allow for ongoing consistency with the migration regulations and the national code.

The ESOS Act and its complementary legislation ensure the quality of education and training provision to overseas students, provide overseas students with consumer protection and maintain the integrity of the student visa system. The amendments contained in the bill will further enhance and clarify the consumer protection provisions and migration integrity aspects of the legislation, as well as introduce amendments of a technical nature to streamline the administration of the act.

I commend the bill to the House.

Debate (on motion by Ms Gillard) adjourned.

HIGHER EDUCATION LEGISLATION AMENDMENT (2006 BUDGET AND OTHER MEASURES) BILL 2006

First Reading

Bill and explanatory memorandum presented by Ms Julie Bishop.

Bill read a first time.

Second Reading

Ms JULIE BISHOP (Curtin—Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues) (9.25 am)—I move:

That this bill be now read a second time.

The measures contained in this bill highlight the government’s commitment to a higher education sector based on quality, sustainability, equity and diversity.

First, this bill will implement the coalition government’s recent decision to boost training in vital health courses.

The government will fund 605 new commencing medical places and 1,036 new commencing nursing places, as well as funding a significant increase in the contribution to support clinical training for nursing students, as part of the Australian government’s contribution to the Council of Australian Governments’ health workforce package. In return, the states and territories are required to provide sufficient high-quality clinical training for these students through their hospital networks, community health, and other appropriate settings.

Some of the new medical places will be bonded to areas of workforce shortages to promote the improved distribution of medical graduates in rural and regional areas.

This bill also includes $25.5 million in capital funding to support new medical places at James Cook University, the Univer-
In addition, this bill provides funding for 431 new mental health nursing places and 210 new clinical psychology places as part of the Australian government’s contribution to the COAG mental health package. These places will help to expand the mental health workforce and ensure Australians have access to high-quality mental health services.

Further, the Australian government will also provide funding for 40 new places for a centre of excellence in Islamic studies to commence in 2007.

All of these new places will build on the new places the Australian government is already funding as part of the $11 billion in additional funding through the Our Universities: Backing Australia’s Future package of higher education reforms and other initiatives. Through these alone, around 39,000 new places will be created by 2009.

The bill will also increase the general FEE-HELP limit to $80,000 and the limit for students enrolled in a medicine, dentistry or veterinary science course to $100,000. The current FEE-HELP limit is $50,950 (2006 indexed figure). The increases will apply from 1 January 2007 to all eligible students, regardless of when they commenced their studies.

The new FEE-HELP limits will encourage greater participation in higher education.

One of the most significant budget measures reflected in this bill is a commitment of an extra $95.5 million over four years for the Capital Development Pool program. In the May budget, the coalition government announced a 50 per cent increase in base capital funding under this program, enabling universities to undertake more projects that support quality learning and teaching. This additional funding, commencing in 2007, will assist universities to provide courses in areas that have high infrastructure needs.

In separate measures, the bill will give higher education providers increased flexibility to set student contributions and tuition fees. Student contributions will remain subject to the maximum amounts and tuition fees will remain subject to the minimum amounts specified in the Higher Education Support Act 2003. This flexibility will enable fees and contributions to be set to reflect the differing costs involved in providing the same course to different types of students, for example, those at different campuses or undertaking study via different methods of delivery.

The bill will also extend the summer school provisions of the Higher Education Support Act 2003 to winter schools. This will also increase higher education providers’ flexibility in the delivery of courses and further improve study options available for students.

This bill will make very minor technical amendments to permit the Australian government to develop guidelines to regulate higher education in Australia’s external territories and set fees for such applications in the guidelines.

The bill contains other technical amendments to facilitate the administration of the Higher Education Loan Program (HELP). The bill will repeal the HECS account, round amounts used in the calculation of accumulated HELP debts and clarify the arrangements for electronic communications between providers and students.

The bill also provides $1.5 million over four years in funding for the Federation of Australian Scientific and Technological Societies (FASTS) and the Council for the Humanities, Arts and Social Sciences (CHASS). This funding will support the activities of the Federation of Australian Scientific and Tech-
nological Societies, including the federation’s role in policy formulation, raising public awareness and promoting the importance of science and technology in addressing important national issues. The funding for the Council for the Humanities, Arts and Social Sciences will help the council build the contribution of the arts, humanities and social sciences to the national innovation system.

The bill will provide funding for around 250 new postgraduate research scholarships under a new scheme called the Commercialisation Training Scheme, announced as part of the Backing Australia’s Ability—Building our Future through Science and Innovation package. The creation of these new postgraduate research scholarships will help students to develop skills in research commercialisation and intellectual property management. These scholarships will ensure the next generation of Australian researchers is equipped with the skills necessary to bring research based ideas, inventions and innovations to market.

The bill will amend the maximum funding amounts under the Higher Education Support Act 2003 and maximum amounts for transition funding under the Higher Education Funding Act 1988, to reflect indexation increases, and add a new funding year—2010.

This bill will also update annual funding caps in the Australian Research Council Act 2001 to reflect revised forward estimates.

The bill before the House is a clear expression of the Australian government’s strong commitment to higher education and will enhance the quality of our higher education system and the choices available to students. It reflects the government’s commitment to ensuring that Australia’s higher education sector continues to play a vital role in our economic, cultural and social development.

Full details of the measures in the bill are contained in the explanatory memorandum circulated to honourable members.

I commend the bill to the House.

Debate (on motion by Ms Gillard) adjourned.

SCHOOLS ASSISTANCE (LEARNING TOGETHER—ACHIEVEMENT THROUGH CHOICE AND OPPORTUNITY) AMENDMENT BILL (No. 2) 2006

First Reading

Bill and explanatory memorandum presented by Ms Julie Bishop.

Bill read a first time.

Second Reading

Ms JULIE BISHOP (Curtin—Minister for Education, Science and Training and Minister Assisting the Prime Minister for Women’s Issues) (9.32 am)—I move:

That this bill be now read a second time.

The purpose of the bill is to amend the Schools Assistance (Learning Together—Achievement Through Choice and Opportunity) Act 2004, which provides funding to states and territories for government schools and funding for non-government schools for the 2005-08 funding quadrennium. The Australian government will provide a record estimated $33 billion in funding for Australian schools over the four years, 2005-08. This is the largest ever commitment by an Australian government to schooling in Australia.

The act provides for a significant investment by the Australian government in school infrastructure for both state owned government schools and non-government schools. This will assist in improving educational outcomes for all Australian children.

Under the capital grants program an estimated $1.7 billion is being provided over 2005-08 to assist with the building, mainte-
nance and updating of schools throughout Australia. An estimated $1.2 billion will be provided for state and territory government schools over 2005-08, whilst an estimated $489 million will be provided for Catholic and independent schools for the same period.

The bill appropriates capital grants funding for the years 2009 to 2011, to include capital grant funding allocations in the act for government and non-government schools for the years 2009, 2010 and 2011. Funding amounts for program years beyond 2008 are required because capital grants are approved up to three years in advance of the current calendar year. In 2006 a capital project may be approved involving funding for program years through to 2009. Funding amounts in the bill are in initial 2005 prices, the price basis of the act. They do not take into account the generous supplementation provided annually by the Australian government.

This bill ensures that approval of Australian government capital funding assistance for state and territory government and non-government schools can continue, providing stability in Australian government capital funding to state education departments and non-government school block grant authorities.

This bill maintains the Australian government’s commitment to a strong school sector by assisting state and territory government and non-government schools with important building projects which will support improved educational outcomes for all Australian students.

I commend the bill to the House.

Debate (on motion by Ms Gillard) adjourned.
Immunisation and gave it to the Pharmaceutical Benefits Advisory Committee.

Labor supported this legislation, with some considerable reservation given the Howard government’s incredibly poor record on accepting and acting on expert advice about which vaccines should be made available on the National Immunisation Program. We would all recall that it took a huge community campaign and a huge campaign from Labor to finally get this government, particularly the current Minister for Health and Ageing, to act on listing the pneumococcal vaccine, the oral polio vaccine and the chickenpox vaccine. We need to recall that these vaccines were assessed as both cost-effective and clinically effective by the Australian Technical Advisory Group on Immunisation. But it was not a question of just months going by; it was literally a question of years going by until the Howard government finally made funding available for these vaccines. I think every member of this House would recall with some horror the callous performances of the Minister for Health and Ageing, time after time, when he was asked why these vaccines were not being funded. In what we believe to be a reprisal against the Australian Technical Advisory Group on Immunisation, in 2005 the government moved to give the responsibilities of the Australian Technical Advisory Group on Immunisation to the Pharmaceutical Benefits Advisory Committee.

Now some 12 months later we find out that the legislation which achieved that reprisal had some serious drafting errors and oversights. The amendments made by the National Health Amendment (Immunisation Program) Act 2005 failed to give the minister power under the act to continue the current arrangements with states and territories for assistance in procuring goods and services related to vaccine provision, for example vaccine storage and delivery. The 2005 amendments also failed to provide for continuing government funding for essential pre or post vaccine requirements under current arrangements—for example, the pre-vaccination screening test for Q fever vaccine.

The explanatory memorandum to this bill makes it clear that that was not the intention of the 2005 legislation—that is, the explanatory memorandum to this bill makes it clear that the government made an error when it amended the National Health Amendment (Immunisation Program) Act in 2005. We trust that the government is to be believed on that and that it was a simple error, not an endeavour to get away from funding essential vaccines. Even if the government’s version of events is accepted, it does leave you to wonder how it is possible that a government can be so unbelievably incompetent.

Here we have a government that has decided, we believe by way of reprisal, that it wants to get rid of the Australian Technical Advisory Group on Immunisation and has brought forth legislation to the parliament to achieve that result. We have a minister who is assisted by literally thousands of public servants. With all of the resources of government being brought to bear and all of the considerable resources of Minister Abbott’s office being brought to bear, how can basic errors like this be in the bill presented to the parliament? If it were not about a matter as serious as vaccines, it really would be a joke that a government can be so unbelievably incompetent in the area of health that it brings forward legislation to this parliament that forgets it has cooperative arrangements with the states and territories relating to vaccine provision, including vaccine storage and delivery, and it forgets that it is involved in funding pre or post vaccine requirements for vaccines like Q fever vaccine. You really would want an explanation of what is going on.
The Minister for Health and Ageing is clearly incompetent—it is his legislation. His office is unbelievably incompetent because the error was not picked up. And what is happening in the department that a bill so fundamentally flawed could be presented to this parliament with all of the time and resources then devoted to it that a debate of parliamentary legislation requires? So yet again in this place we are fixing up the Howard government’s incompetence—and it happens time after time—when it comes to health. We think there is a reason that the Howard government is incompetent in the area of vaccines: it has never really had a strong commitment to funding and supplying vaccines to Australians. It has been very focused on paying back ATAGI for making recommendations that embarrassed the government but it has not been focused on vaccine provision. The case that I referred to earlier of the failure to fund the pneumococcal and chickenpox vaccines for so long is evidence for every Australian of the lack of commitment of this government to the vaccination program.

The bill that is before the parliament today is a small technical amendment with no financial impact; but the fact that we are even here doing this this morning speaks volumes about the Howard government’s attitude to ensuring effective immunisation programs. They just do not care, and they are not competent to deliver on vaccines. The Howard government stand condemned for a shameful record of inaction on the funding of vaccines for Australian children.

We should remember that in September 2002 the Howard government’s own ATAGI recommended the funding of pneumococcal vaccine, chickenpox vaccine and injectable polio vaccines. What happened then? Absolutely nothing, even though the experts were saying that these vaccines were very important for children and that they were both cost-effective and clinically effective. The government received those recommendations and did nothing. In September 2003, the National Health and Medical Research Council made the same recommendation. What did the Howard government do then, having received the recommendation from a second expert group? You guessed it: absolutely nothing. So we saw Australian children going without vaccines that the experts recommended they should have, and the attitude of the Howard government was to do absolutely nothing.

In May 2004, the record changed from sins of omission to sins of commission. We know that in the process of putting together the May 2004 budget, the Howard government’s Expenditure Review Committee specifically debated whether or not to fund these vaccines and decided not to. There was no oversight or incompetence in that. There was direct consideration by Howard government ministers of funding these vaccines. They sat around a cabinet table and, faced with evidence that these vaccines would save the lives of Australian children, they said, ‘No, we won’t fund them. We just don’t care enough about them to put the dollars behind them.’

The only reason these vaccines were funded is that in the Labor budget reply speech in May 2004, Labor committed to funding these vaccines. On the same day that Labor committed to funding the vaccines, the Minister for Health and Ageing went out to a hurried and unseemly press conference and said that he would fund them as well. So the only thing that made the government fund these vaccines was its fear of political exposure. A fear about the health, safety and welfare of Australians—and Australian children in particular—did not motivate them to move at all.
Even at that stage, the minister for health refused to fund the chickenpox and injectable polio vaccines. We continued to campaign for the funding of those vaccines, and the minister for health ducked and weaved and basically did nothing. It was only in March 2005 that the minister for health finally—after an original recommendation in 2002—agreed to fund these vaccines. We need to remember that the minister for health had conceded that chickenpox killed at least 19 Australians each year and hospitalised some 3,300 people in a two-year period. So we were not surprised when the minister for health moved to gag ATAGI, the independent group on immunisation, because it had been vocal in its recommendations. It made recommendations fearlessly about the funding of these vaccines; and, when asked whether or not those recommendations stood, it always stood behind them. Of course, history has shown that, if you stand up to the Howard government, you pay a price. ATAGI paid that price in 2005 with its abolition and the movement of the assessment of vaccines to the Pharmaceutical Benefits Advisory Committee.

We have been watching since that move in 2005, and we remain concerned about the new vaccine approval system. We want to know: where are the immunisation experts on the PBAC? The 2005 legislation required the appointment to the PBAC of two additional experts in immunisation. If you were actually at a stage where you said, ‘We’re going to get rid of the Australian Technical Advisory Group on Immunisation and move its functions to the Pharmaceutical Benefits Advisory Committee,’ it would make sense that you would want to have within the Pharmaceutical Benefits Advisory Committee people who were experts in immunisation. We were told that there would be two of them. To date, only one appointment has been made. One needs to ask: why is that?

This legislation was brought in in 2005 and here we are in 2006. Vaccines are pretty important to people’s health. I do not think there would be anybody in this parliament who would contest that very basic proposition. This is a country that runs to a lot of experts in vaccines. It is not that we do not have people who can advise on these questions. We have in this country some of the world’s leaders on the question of vaccines. But the Howard government cannot, or will not, fill two expert positions on the PBAC. What could explain that degree of incompetence, that degree of neglect, and that degree of shameful inaction? Maybe we will have an explanation from the minister for health when he sums up the debate on this bill. But it is a mystery to me why there is still an appointment that is unfilled.

It is a tragedy that there is still an appointment unfilled, because we know that, at the present time, the PBAC is making some very important decisions about vaccines. Australians would have read, I think with great delight, about the pioneering work of the Australian of the Year, Professor Ian Fraser, and about what to many Australians would seem like a miracle—that is, the fact that we now have an effective vaccine against cervical cancer. Of course, it is the PBAC that is going to have to assess the clinical data and the cost-effectiveness data for the cervical cancer vaccine and make some decisions and recommendations about the way in which this vaccine should be funded and how it should be delivered to Australian women and girls.

Surely you would want that decision—a groundbreaking decision; a decision about a medical miracle—to be made by a PBAC with a complete range of advice about immunisation available to it. Why would you leave unfilled one of the spots for an immunisation expert at the time that the PBAC is considering such a groundbreaking vaccine?
And it is not the only vaccine. There is also the rotavirus vaccine. The rotavirus vaccine can prevent children getting a disease which causes diarrhoea. In some children, of course, that can be a minor issue, but I am sure the minister at the table, Dr Nelson, with his medical qualifications, would know that diarrhoea in very young children can in fact be a major medical problem because of dehydration. It is a particular problem in Indigenous communities, where children, because their health status already tends to be poor, when they get rotavirus, tend to suffer with the illness more acutely than Australian children generally. But I do not mean to say that it is not a problem amongst Australian children generally; it is.

Once again, the PBAC is there, considering a new vaccine which prevents this virus and, consequently, the diarrhoea it causes and the hospitalisation that can result from that because of dehydration. The PBAC is considering that vaccine now—once again not fully advised on immunisation questions because the government has not bothered to fill the second spot. What would explain that unbelievable act of negligence? We are in a situation where doctors know how important these vaccines are. They want them funded. They are there and dealing with the agony of seeing children in families they know would benefit from the vaccines but are unable to afford them. They are therefore waiting anxiously for the PBAC to make decisions on these vaccines, and the PBAC does not have available to it the full range of expertise.

Our second question is: where is the ongoing funding for essential vaccines? The 2006-07 budget papers show a drop in PBS funding for essential vaccines from $184 million in 2007-08 to $120 million in 2008-09 and $122 million in 2009-10. We would like an explanation of what is going on here. I am sure that the minister for health will have one of his usual dodgy explanations, but the fact is that the money should be allocated for vaccine supplies into the future and it is simply not there in the budget papers. If we had a government with a better record of delivery on vaccines, we might be less concerned, but with this government we are highly concerned that that money is missing from the budget papers.

Then we would like an answer to the question: what is going to happen with the 12½ per cent price cut policy when it comes to the application of vaccines? This is a policy where a mandatory price cut comes into play for pharmaceuticals if a generic product is listed. In the pharmaceutical manufacturing business, generic products that are chemically identical to the branded product come on the market routinely, and consequently price issues arise. But, in the world of vaccine supply, there is a difference. There tends to be one supplier of any vaccine listed on the national immunisation program—indeed, one would say that there should only be one supplier of a vaccine to the immunisation program because, with vaccines, supply issues are often difficult. Every batch of vaccine must be approved separately, and it is not uncommon for individual batches to fail because the titre—the levels of active ingredient or antibody—is not adequate. Also, if there is an outbreak of disease elsewhere in the world, supplies can be diverted. Vaccine manufacturers have written to the minister for health, asking him about this issue, but they have not had any response—and they deserve one.

The fact that the 2005 amendments also omitted to provide for continuing government funding for essential pre-vaccination screening tests for Q fever highlights the Howard government’s failures around Q fever. CSL is the only manufacturer in the world of a vaccine to protect meatworkers and veterinarians against Q fever. This vaccine was made in a small-scale, rather old-
fashioned operation and the vaccine needed to be subsidised by the government to ensure that the target population received it. However, the TGA last year required that CSL upgrade their Q fever vaccine manufacturing operations to meet good manufacturing processes. That meant substantial costs and consequently, in the absence of continuing government subsidies, the vaccine would now cost around $500 a dose. CSL announced it would stop making the vaccine. Not surprisingly, the meatworkers and veterinarians who are exposed to this disease were upset, and protested.

It is not at all clear what the Howard government is doing to address this. The simplest answer would seem to be to subsidise a new production facility at CSL, and perhaps to offset this by selling additional Q fever vaccine overseas. But instead the Howard government has put out an international tender for the supply of Q fever vaccine when the only manufacturer in the world is here in Melbourne. That seems a pretty roundabout way to get to a situation where we have a continuous and affordable supply of Q fever vaccine for workers at risk of this disease.

Once again, in addressing a health bill in this House, I am in the unfortunate situation where the health bill itself raises the continuing failures of the Howard government with respect to vaccines. We will support this legislation, but the issues dealt with in my second reading amendment are substantive and need to be answered by the Howard government.

The DEPUTY SPEAKER (Mr Jenkins)—Order! Is the amendment seconded?

Mr Laurie Ferguson—I second the amendment and reserve my right to speak.

Mr TUCKEY (O’Connor) (9.59 am)—As is typical of the member for Lalor, she has a very bad memory gap in debating the National Health Amendment (Immunisation) Bill 2006. She talks about the issues of today but forgets the circumstances that existed as to immunisation when the Australian people put the Labor Party on the opposition benches. In 1996 this Commonwealth government’s expenditure on immunisation was $13 million; today it is $285 million. Whilst I am one who says that you do not measure excellence by expenditure, I want to remind the House of why that expenditure was so low in the years leading up to 1996. The reason is the Labor Party did not approve of immunisation. They listened to a typical minority group who were associated with some of the areas from which Labor required preferences. They listened to a lobby group that opposed immunisation, and the best way that they could respond to that group was to fail to fund it. They removed the money quietly: they never advertised, they never made speeches and they never did anything to encourage the parents and elderly within Australia to take the advantages that immunisation provided. It was not until Minister Wooldridge, having recognised the extreme risk to our community of this negative policy, stood up in this parliament and raised the issue, raised public awareness and, in fact, took a measure of punishment—as these things are not necessarily vote winners—and told parents that they would lose certain welfare entitlements if they did not get their kids immunised that we turned this issue around.

I am looking, as I did last night, at the amendments proposed by the opposition. They are all negative. There is nothing in them that says we should hurry up and put the vaccine for cervical cancer through the PBAC. Instead we get a story about one vacat
cant position. As I pointed out last night, these bodies that give advice to government, particularly on the efficacy of drugs—which is most important when the taxpayer is obliged to pay for them and so needs to know that they deliver benefits—seek advice
from a broad range of experts in the community before making decisions. They do not necessarily have to be the sole source of that advice. That is something that the opposition does not appear to understand.

Furthermore, considering the predilection of the Labor Party to move pious amendments of this nature, I find it quite interesting that when the original legislation that this legislation is correcting used some fairly sensible words written by a draftsman—that the purpose of the previous legislation was to arrange the provision of designated vaccines—that suddenly, however, created the problem of what was not designated, there was not an amendment promoted by the Labor Party at the time. According to the member for Lalor, this government was unbelievably incompetent not to see that form of drafting was inadequate—but she, legally trained, did not pick it up either! Instead of writing all these negative pious amendments to somehow make it that the Labor Party has got a better strategy on this matter—withstanding their record—not the government, why not put down some positive measures? Why aren’t you doing this? Why have you got this particular restrictive description in the legislation? By so doing, the opposition probably would have got the cooperation of the government. It was equally available to the member for Lalor, with her legal training, to say, ‘Do you realise you have left out Q fever scratch tests?’ It is a funding provision, of course—it did not stop people having them—but few people might know just how important a Q fever scratch test is inasmuch as that, without it and the information that it provides, people can be made severely ill or risk death if they are immunised prior to knowing the antibodies that they already contain.

Whilst I am on my feet, let me say in respect of Q fever that it is all right for the member for Lalor to say the government has called an international tender ‘when the only manufacturer in the world is in Melbourne’. That is not correct. There is no manufacturer in the world. CSL, the only manufacturer in the world, ceased production. I am advised that CSL, having suddenly recognised their failure in that regard, are building a new facility. But if someone else in the world—some of the giants of pharmacy—could provide that vaccine quicker why shouldn’t the government test the market in that regard? Some of these people have got such huge resources, both in personnel and finance, that they might have been able to provide it more quickly.

There has been a big debate in this place in recent times about the staffing of meatworks where Q fever is prevalent. It is a very serious disease and, quite properly, OH&S conditions demand that no-one starts work in an abattoir in Australia without having been immunised—and you wonder why there is a so-called skill shortage. It takes 30 days to complete that treatment. If an Australian who had previously worked in a meatworks applied for a job and had not previously been immunised, in the present employment environment they are then told, ‘Go off and have a scratch test. After the results are available, if you require a Q fever vaccine’—it is in extremely short supply; I am constantly approaching the Minister for Health and Ageing on behalf of the meatworks in my electorate on this matter—‘and if we can get you some vaccine, you can start work X days after that.’ The person picks up the paper the following morning and sees a job—perhaps in the north-west and probably paying better money—and says, ‘I do not think I will bother.’

This is just a collateral or contingent result of a very necessary process but it is aggravated by the lack of this product because of a commercial decision of CSL, which did not think they were making enough money out
of it. For the government to test the international market is surely not a matter for criticism, but instead just shows the paucity of the debate of the member for Lalor. She sits there never arguing in the positive but only in the negative. I do not know how that sort of policy will ever qualify people to run the country. I well remember her criticism of the government for its failure to have a virtually universal immunisation policy for pneumococcal and she may be right that the government was tardy in doing so. But I also remember that at the time the advice to government was that, because of the incidence of this particular disease, it could have a targeted program—for instance, amongst Aboriginal children—and that would meet the requirements at a reasonable cost to the taxpayer.

In the end she won that argument. It is probably to her credit when one looks at the statistics because pneumococcal disease attacks have dropped dramatically as a result: by 2005 it had reduced from 213 cases to 40 cases, a decrease of 81 per cent. I am more than happy to give her credit for her campaign on that occasion because she was talking about something positive. But boy, you can go through a lot of her speeches before you find another example of that nature.

This bill deals with the immunisation legislation of 2005 which provided an arrangement whereby the states, considering their management of health services, could be funded by the Commonwealth to provide an extensive range of free immunisation services. The arrangement for the provision of designed vaccines seemed to cover that and I assume ‘designated’ meant that it could be dealt with by regulation, but it did not say ‘scratch test’ and it did not say a couple of other things. It has been pointed out, presumably by Treasury, that the Australian government has no power to pay that money, and this legislation corrects that. It is not the first time and it will not be the last when a government of whatever political colour is called upon by their departments to correct legislation drafted with goodwill. For the member for Lalor to use words over and over like ‘unbelievably incompetent’ is silly; she also did not see the mistake in reviewing this legislation. It is about time she found some reasons to do so.

I repeat that there is no government on record that had such a poor record of delivery of immunisation services than the Hawke and Keating government. Not only did they find $13 million for a $250 million need; they also had a fundamental philosophical opposition to immunisation. They listened as they always do to some minority group. They were not interested in immunisation and it is a tragedy. When they start throwing around insults and accusations, please remember the facts. If it had not been for Michael Wooldridge bringing this to people’s attention and forcing the issue with those who were frightened—as half of them were, as they get frightened in this place on other issues, such as the nuclear issue—by people seeking political advantage. They had to be forced. They had to be threatened with a reduction in some of their welfare benefits. This government stood up to that and the results are a matter of record. Yes, we are spending a lot of money but we are not measuring success by expenditure. The Hawke-Keating Labor government had no credibility on this issue whatsoever and it should never be forgotten.

I wish to return just momentarily to the Q fever issue which is mentioned as a matter that this legislation will correct. It is an extremely important issue throughout the meat industry. Lay the blame on the government, lay the blame on CSL, lay it where you like, but you cannot have a meat industry in Australia—and I would think in many other parts of the world—without immunisation against
Q fever. I think there is a member in this House who has contracted it and has advised me that it is a serious and recurring disease and, I gather, a bit like malaria in its effect and its recurrence. More particularly, it creates a huge employment problem when you cannot get the stuff on the shelf.

The response to scratch tests—and Q fever is mentioned—which are not designated vaccines, is extremely important in the vaccination program. Yes, it should have been recognised at the time, but the draftsmen did not recognise it. They thought they had covered the matter adequately, and it is no fault of the government. Furthermore, it brings no credit to the opposition when, having not noticed it themselves, they stand up here and use emotive words like ‘unbelievably incompetent’. It is silly, and it is about time they woke up. This bill should be passing through the House. It should be dealt with in the Main Committee and it should go through in a couple of minutes, as it is such a positive measure.

I also wish to take a moment to congratulate Professor Frazer for his wonderful achievement. From my understanding of what he has said, he has not found a cure or a vaccine for cervical cancer; he has found a vaccine for a virus that creates the conditions for cervical cancer. That is the technical fact and that is a great advance in pharmacology and in immunisation—looking behind the disease that kills women and finding out the cause of the disease.

I was very proud to see in the last budget the significant increase this government allocated to funding for medical research. The Labor Party amendment has no word of congratulations to the government on substantially increasing that funding. It was a huge increase and one that arguably might be funded by the sale of Medibank Private. What a good idea that would be. We have made the advance payment already; we did not wait. But these things follow, and where should a government provide assets?

The measures in this bill are best described as routine measures. They deal with areas of drafting deficiencies in the original legislation. There was a failure to include the incentive payment that we pay state governments so that they will be careful with the vaccines that we pay for. When someone pays money and another person spends it, the old saying is that it is a lot easier to spend it than it is to raise it. And it is a good policy to give an incentive to people not to overorder these vaccines and then have to throw them out because they pass their use-by date et cetera. That is another measure that is being corrected, and quite properly so.

May I say to all members of this place: I hope you are all taking the opportunity to have an annual flu vaccination and encouraging your staff to do so: (1) if I can take the commercial approach, it keeps us all at work; (2) not only does it save people from great discomfort in their younger years but also it saves people’s lives in their older years. I contacted Michael Wooldridge and he implemented the vaccination program in this place, which we members pay for. That is quite proper. It is convenient for people who work seven days a week, and I would not criticise anybody in this place for doing otherwise. If they do not find time to get vaccinated, they can be suddenly debilitated by their failure to do so and then may not be available for the efforts they so willingly make.

The simple fact is that this bill corrects a couple of drafting errors. It is not a matter of incompetence. The record of this government, measured in money—$13 million to $285 million—is clear evidence of its commitment and of the failure of the previous government in that regard. I think the bill...
should be passed with acclamation and probably should have been dealt with in the Main Committee, because it did not even need a 30-minute speech from the member for Lalor.

Mr HATTON (Blaxland) (10.19 am)—Or, therefore, the 20-minute speech from the member for O’Connor. If there was not anything to talk about, you could have simply noted it and done that.

Mr Tuckey—I spent all my time having to correct the misstatements of the previous speaker.

Mr HATTON—For the member for O’Connor’s benefit, I might spend 20 minutes doing the same thing with regard to his speech. He made a bald assertion about funding in 1996. If you look at the whole funding year for 1996, you see that part of that year—fully one-third of that financial year—included funding when the coalition came to government in March 1996, so a quarter of the time is allocated to them. But he took a point in the Bills Digest and said that funding for immunisation in that year was $13 million and that funding in 2005-06 has risen to $290 million.

The member for O’Connor argues—I think he argued it three times in his speech—that that is the fundamental pole on which you would sit Labor and the government in determining whether or not they were committed to immunisation. He does not take into account relative costs. He does not take into account that the pneumococcal vaccine was funded as a result of immense pressure from the Labor Party over a period of three years. It was only when Labor committed to that for the 2004 election that the minister, on the same day, announced that the government would do it. But, in the other two areas that we are looking at, an injectable polio vaccine and a chickenpox vaccine, he determined that the government would not go ahead. They chose pneumococcal only. The cost of the pneumococcal vaccine is very great—something in the order of $70 million a year. The cost of some of the other vaccines that will possibly be taken up—we are not sure whether they will or will not be—is also very large.

Anyone at all familiar with the Pharmaceutical Benefits Advisory Committee’s job of trying to restrain costs in the pharmaceutical area will know this. Connected to this, of course, what this government has done is to take the job relating to vaccines away from the technical advisory group, a group of experts who really knew what they were doing and who were specialised with regard to vaccination and immunology, and they have given the job to the cost cutters. As good as the PBAC are, their fundamental focus—what their driving instructions are—is to make sure that there is not only quality but also cost-effectiveness in the provision of service to the Australian public. At this point in time they have not been able to properly take account of what the theoretical and practical arguments are in regard to immunisation and the use of vaccines. Since the chair of the ATAGI cancelled himself out, we have not had a full substitution of qualified people. That continues to sit there. At this point in time, he has argued that it has not yet become a major problem. But it is indicative of this Minister for Health and Ageing and how he has treated the situation.

The fundamental reason for the difference between 1996 or 1997 and 2005-06 of $13 million is the relative cost of the new vaccine and the emphasis given to medical research in Australia and to the development of new vaccines in Australia and those that have been developed overseas. There has been a massive increase in capacity and in our ability to target diseases that research could not target previously. The cost of those, as with the cost of all major pharmaceutical provi-
sion, is very great, particularly in the period before they become generics. So it is a false argument.

I will come to the second part of the member for O'Connor's argument—apart from his not taking into account relative cost. It is not just an inflation factor over that period of time but it is the fact that, when you incorporate high-cost drugs into the system compared to what was there previously, you get a relative disparity. That disparity will grow over time as we introduce new drugs. There are those that were introduced yesterday, as the minister indicated just before this bill came into this House. He indicated that there would be funding for Herceptin—that is a major cost—and there is a series of others that will be of a large cost as well. The government, rightly, has determined to make those funds available.

There is a cost to the Australian people. It is a question of balancing up the cost of those with the benefit that will be provided. There are lots of pharmaceutical companies and other companies with vaccines that have their hands up and are demanding to be part of that program. There is always a balance necessary to what government decisions should be on the basis of the qualified advice that they get, in this case from the PBAC. Previously, it was directly from ATAGI in relation to this. Now they have just a tangential advisory role in regard to it.

The core issue in what the member for O'Connor put was the second part of it—just the most outrageously stupid argument that, in the 13 years of the Hawke-Keating government, immunisation in Australia under that government effectively did not exist. His argument was about the $13 million and that what happened for 13 years was that the Minister for Community Services and Health, Neal Blewett, and other health ministers after him were so little concerned about immunisation that they took direct note of the very small group of people who were waging campaigns against immunisation. I well remember that period. I well remember the campaigns that were waged not within the government or within the government's backbench or the government's ministerial frontbench but in the public media in regard to this and the airtime and the prominence that they were given—another case of almost complete irresponsibility on the part of our press and our media. The full story was not told—the other key side of the story: the beneficial effects of vaccination and immunisation.

I can well understand the problem that some people have with the whole idea of vaccination and I can understand that people can in fact be directly affected. I have a cousin who has had autism since she was nine months old. Up until she was nine months old, as far as we know and can determine, she was a perfectly normal baby. She got a triple antigen shot—a series of three different vaccines in one shot—when she was nine months old, when she had a cold. She was speaking—'mum', 'dad'; as much as that—at nine months. She was as advanced as that. She has never uttered a word since—total, complete autism.

It took a long time to determine it. It was in the very early days in relation to experience, in the sixties and seventies. We have much more experience with autism now than we had. But the probability—not the certainty—is that there was a conjunction. It was an immense problem for her parents. It ended up in the break-up of their marriage. It is a 24 hour a day, seven day a week problem.

If you extrapolated from that one experience, no-one would ever be immunised. But you cannot just extrapolate from the individual experience. Immunisation is about get-
ting as many people as possible, if not the whole cohort that you are dealing with, vaccinated and immunised. That is the greatest victory the world has ever seen in Jonas Salk’s development of the polio vaccine—the eradication of polio from the world—and the eradication of smallpox. Those two massive campaigns did so much to transfigure the lives of millions of people, when there had been so much transfiguring for the worse. In the case of smallpox, there had been massive infection throughout history. In the case of polio, people like Alan Marshall had their lives entirely distorted and destroyed because they got juvenile polio. Vaccination programs work; immunisation works.

The Labor government of the Hawke and Keating period was as committed to immunisation as the Menzies government was, as the Chifley and Curtin governments were and as previous governments were, from the point that the great advances in the modern era had taken place, where we had the capacity to save people’s lives. Penicillin is not vaccination, but penicillin is effectively an Australian invention. Fleming may have found the mould, but the person who developed it was an Australian.

Drugs can save lives and save them in the millions, which is what happened during World War II—we lost 30 million but millions survived. Hundreds of millions of people have survived since because of the direct effect of penicillin. In respect of vaccination, preventing the problem is fundamental to its cure.

Another point the member for O’Connor made was a bit strange. He argued how the vaccine against cervical cancer was not a vaccine against cervical cancer but a vaccine against the virus that causes it. Well, blow me down with a feather! What does he think vaccination is about? It is not about the end condition; it is about the active agents that cause the condition in the first place. To go back to Louis Pasteur and his invention of a cowpox vaccine, the whole prospect was to get to the active causative agent—not its fundamental manifestation. The modern understanding, from Pasteur on, that you can target viruses and bacteria and develop a mechanism to make the population safe from them is fundamental. For the member for O’Connor, on behalf of the government, to traduce the entire history of immunisation through that 13-year period is a vast and gross distortion that takes no account of the relative cost of modern vaccines.

I commend Minister Wooldridge for what he did in 1977 and the vigour with which he pursued a campaign which was initially focused on Aboriginal communities but which then became a broad campaign throughout the community. He was fundamentally responding to the low rates of immunisation that had developed over a period of time, not because of inertia on the part of the previous government but because of the fact that, once people become used to something and it is part of their set environment, then their level of anxiety or their level of concern about it drops off. The trajectory is very steep. In trying to get people to understand the importance of a major immunisation campaign Australia-wide so that the whole cohort was affected, Dr Wooldridge used his medical expertise and understanding to drive that campaign and to make it a signature part of what he did as health minister. I congratulate him for it. He reflected the fact that, in the modern era, since the development of the first major vaccines and during the 1950s, 1960s and 1970s in particular, vaccination became relatively low cost. Major advances such as being able to vaccinate against polio and smallpox were not low cost to start off with but the relative cost decreased dramatically, which is simply an economic function.
of ramping up production capacity. If you have a big enough group to distribute the product to, you will knock your costs down. If you are producing for only a very small group, all of the costs cannot be amortised.

It is the very success of the great immunisation and health campaigns in the 1950s, 1960s and 1970s that created the conditions for people to be certain that things would just roll through, and so they took their eyes off the ball. Rather than looking at relative cost, you should look at the attitudinal situation. In the public health area, particularly in regard to vaccination and immunisation, you have to focus on public health policy. At times you have to ramp it up, rejig it and have a fundamental focus on it. You have to work against the public campaigns that have been run and put something else in there. I think we had reached that point. Dr Wooldridge recognised that, and I congratulate him for what he did. This bill is minor, it is technical. It seeks to fix a government stuff-up—or a series of them.

When I spoke on the bill in 2005, I mostly concentrated on the fact that ATAGI had been wiped out of the picture and we had moved over to the PBAC. Most of this arose from the discomfiture of the minister for health. Labor launched a three-year campaign in regard to the pneumococcal vaccine, the injectable polio vaccine and the chickenpox vaccine and there was immense resistance to it. It finally crumbled before the 2004 election. We have a problem in putting into process a regime where there is a direct connection.

This is all about funding the states and making sure that the states have the facility to get the vaccine—to buy it in the first place—to distribute it freely and to make sure all the preceding infrastructure is in place. This bill fixes it. I support that; Labor supports that. However, the core question is a question of attitude. There is a difference in attitude between Minister Wooldridge and this minister. It concerns whether you use the media and the facilities that are available to us to advance a campaign to get immunisation to the highest levels we can across a range of fundamental diseases or whether you want to use the media in a journalistic sense simply to push a very narrow agenda. Part of the problem here and the reactive nature of what the minister has done in regard to the pneumococcal vaccine is that I do not have a clue whether in 2006 we are going to get a renewal of that pneumococcal vaccine. We know that in 2004, under Labor pressure, the minister buckled and said he would fund it. We know that it is costly, at $70 million a year. We know that, from the data that I understand has come through, it has been very effective, but when he funded it, he funded it for two years. That is up this year.

What are we going to do? I would like the minister to be able to tell us whether he is going to continue that funding, whether he thinks his advice is appropriate and whether there can be certainty for not only those people faced with the prospect of suffering from this disease but also those who have been assisted during that time. I would also like to know whether he and the government are committed to continuing this immunisation campaign or whether they have decided it has got them through the last election and that is enough. This also relates to other decisions that have been determined.

I do not say that you can give everything that people want in this area. Companies put their arguments but if they are not well founded—if, on balance or from the best advice given, people do not think a vaccination program is going to work at all or well enough or that the cost is so great that other means might have to be sought to try to fix
it—then a different set of questions is raised. But the key issue here is commitment.

For the member for O’Connor to argue that the Hawke-Keating government had no commitment to immunisation and that they were imprisoned by a very small but vocal group that did not want any immunisation at all is a complete travesty, an utter falsity and an untruth. That is not uncommon in this place of overblown verbiage, but his argument is a direct attack on the history of immunisation in Australia. Throughout the decades, you could attack any Australian government in the same way because the fundamental problem was not just the availability of the vaccines but the programs and how they were driven. We were dealing with an Australian population that had become relaxed and comfortable with the immunisation program because it had been so successful. When signals to be alert are not there, you can get significant problems. So I congratulate Dr Wooldridge for the campaign that he initiated. I also congratulate the shadow minister for health on what she did on the pneumococcal vaccine.

In response to this very small technical bill, I would like to see the minister give an affirmation that the pneumococcal program will be continued if the advice to him is that it is appropriate to do so—and it should be—and to give a better understanding of how committed the government will be. (Time expired)

Mrs MOYLAN (Pearce) (10.39 am)—I am very pleased to have the opportunity to speak on the National Health Amendment (Immunisation) Bill 2006. Before the member for Blaxland leaves the chamber, I want to say that I was very pleased to hear him acknowledge the work of the former Minister for Health and Aged Care, the Hon. Dr Michael Wooldridge, who used his fine medical experience to ensure that we returned to a strong immunisation program in this country. It is always good to hear the opposition acknowledge the particular efforts of ministers in that regard.

The purpose of this bill is to amend the National Health Act to deal with an unintended consequence of the National Health Amendment (Immunisation Program) Act, previously passed in this place, and to enable the current Minister for Health and Ageing, the Hon. Tony Abbott, to arrange for the provision of goods and services associated with or incidental to the provision or administration of designated vaccines.

Since coming to government in 1996, the Howard government has placed a very strong and major emphasis on improving immunisation rates. I understand that, prior to that, it was a responsibility of the states. Former health minister Michael Wooldridge was alarmed at the low rate—in fact, in 1989 and 1990 it fell to as low as 53 per cent of children of 12 months of age. That gave rise to considerable concern. The government recognised the failure of the states to maintain a strong and comprehensive immunisation program and the serious risk that this posed for an outbreak of preventable childhood diseases occurring.

Modern reality demands that immunisation be given priority as, apart from the usual risks to school children, more children these days are placed in child care and at increasingly younger ages. Some of the babies placed in child care are not at an age where they have received their first immunisation shots or completed them. So they are particularly at risk if other children have not been vaccinated and there is an outbreak of some of the more common childhood diseases. They are the realities that we have to deal with today. It is important that we maintain a strong immunisation program and seek the
cooperation of the state governments in doing so.

I understand, as the member for Blaxland pointed out very graphically by illustrating a case in his own family, that there are small risks involved in vaccination, and this concerns some people. I have had people in my electorate come to see me about vaccination. They do not believe that their children should be vaccinated. Although one must of course respect individual beliefs on this, there is absolutely no doubt that overall immunisation has proven to be one of the best medical interventions in our time for reducing the risk of many common childhood illnesses, which often have complications and are life threatening or, as the member for Blaxland illustrated so well, have the impact of taking away the quality of life of those who have the disease. There are occasionally risks from the vaccine—but that is fairly rare. As I said, there are many benefits provided through immunisation. These include: happy healthy children and peace of mind for mums and dads and, I suspect, for many grandparents, and a reduction in hospital visits and, therefore, a decrease in the emotional strain that many families might otherwise suffer.

Who could forget the terrible polio epidemics in the early 1950s? I am old enough to remember those, as are some others in this place. I know children from my own school who were afflicted by polio who either lost their lives or whose quality of life, particularly in childhood and later, was seriously impacted because of that disease. Today, thankfully, we have very little risk to our children from such diseases. So there are important reasons to maintain strong immunisation programs.

It has been proven worldwide that immunisation forms an important part of any health program and assists to reduce the incidence of disease, and even death, time and time again. The Australian government has had an excellent record in recent years when it comes to vaccinations, and it continues to provide adequate funding to assist people with what could be a very high-cost health care measure.

I am informed that the largest vaccination program ever undertaken in Australia was the National Meningococcal C Vaccination Program, which has achieved significant results. In 2003, before the program began, there were 213 cases of meningococcal C disease reported to the National Notifiable Disease Surveillance System. In just two years, by 2005, that incidence had reduced to about 40 cases. That is a great result—a significant decrease of 81 per cent. At this time, deaths from this disease have also been reduced further.

Funding for this and other similar vaccination programs is delivered by the federal government to the states and territories to assist them in purchasing vaccines under the National Immunisation Program, for the delivery and storage of vaccines and for pre- and post-vaccine tests. The government understands that Australia needs a strong National Immunisation Program and continues to ensure that it runs as effectively and efficiently as possible, in consultation and collaboration with the states and territories. This is evident by the considerable amount of federal government spending on vaccines, which went from $13 million in 1996, when the Howard government took office, to $285 million in 2004-05. That is a huge jump in spending, and there can be no greater priority than protecting our children in particular from these childhood diseases.

In January of this year as a result of the passing of last year’s National Health Amendment (Immunisation Program) Act 2005, as I said earlier, the Pharmaceutical
Benefits Advisory Committee now undertakes the role of recommending to the minister for health which vaccines should be funded under the National Immunisation Program. As an indirect and unintentional result of the passing of that act, I understand that certain goods and services such as the important Q fever skin tests were no longer subsidised. This bill will rectify that situation and ensure that the Q fever skin tests are covered again.

People in the electorate of Pearce, whom I represent, who live in rural and regional areas and particularly residents who work with livestock are required to have Q fever tests, and if they have not been exposed to the disease they must have a vaccination. On several occasions constituents have contacted my office to inquire about the rising costs of these necessary tests and vaccinations. Many people are aware that the Q fever program used to be covered but was stopped. I know that these people will be very pleased to know that these will be included once again. Shearers, those managing shearing teams and owners of big agricultural enterprises informed me that they could ill-afford to pay the costs for each of their workers to have these tests and vaccinations and that if workers were unable to pay for the tests themselves they would be unable to work in that job. So this further exacerbated the shortage of workers in rural areas, particularly farm workers. So I think people in the constituency of Pearce who are running agricultural enterprises will certainly welcome this amendment to the act today.

The second service to be added back onto the list is the provision of the five per cent incentive payments to states and territories. The five per cent payment is an incentive to state and territory governments to increase their immunisation rates and to reduce wastage of vaccines. Under the Australian Immunisation Agreements, five per cent incentive payments are provided if the states and territories succeed in ‘controlling leakage and wastage of vaccines and have high immunisation coverage rates’. The incentive funding can be used for activities such as cold-chain management and transportation of designated vaccines, which I guess avoids wastage and spoilage. I understand that these changes will come into effect fairly quickly after the passage of this bill, and that is very welcome.

The government acknowledges that it is also important to have a strong public information campaign to provide education and information to the community and to the professionals working in these areas so that they can take advantage of the immunisation program and make sure that people get the best information possible. It is always sobering to consider that probably fewer than 100 years ago, and certainly in my lifetime, if people did get certain childhood diseases it often meant that people died and, as I said earlier, their quality of life was interfered with to a very great extent. So immunisation protects children and others against disease, and certainly if they do get a disease there is likely to be a reduced complication rate.

We are a lucky country when it comes to health. When you look at the health systems around the world, Australia has a world-class health system. When you look at other countries—and I had the opportunity to visit Africa earlier this year—you see that some of the people in some of these countries do not have access to very basic healthcare. In some countries we know that when mothers are giving birth, often both the mother and the baby are exposed to tetanus, with devastating results. I think I spoke in this House some time ago about this particular matter, trying to get greater coverage worldwide to prevent tetanus of mothers giving birth and of newborn babies, because some doctors say it is the most painful of deaths. So we are indeed
a lucky country to have pretty much eradicated all of these kinds of diseases. In fact, I venture to say today that we have dealt fairly efficiently with the issue of childhood diseases.

The issue that challenges us today is that of chronic illness, particularly diabetes. While it is not the subject of this bill today, I am always pleased to have an opportunity to talk about it, because diabetes of course is one of the great challenges for our community, particularly type 2 diabetes, and particularly type 2 in young children. It was never seen before in young children, and it is being seen at an increasing rate, with devastating consequences. It can often—but not always—be linked back to lifestyle choices: obesity, lack of exercise, eating the wrong foods and overeating. So they are the kinds of challenges that substantially face us today.

But we cannot ever let up on making sure that we continue with a strong immunisation program against preventable diseases because, when those rates of immunisation fell to 53 per cent, it did put many people at risk. As I said, with the modern reality of children entering child care at a much earlier age and babies being cared for in centres with other children, they are particularly at risk when they are unable to be vaccinated when they are so young. So we cannot ever let up on our concerns for strong immunisation programs in this country.

The Commonwealth government continues to provide excellent healthcare to all Australians. I am confident that this bill will help us to maintain our vaccination rates through its subsidies, through the considerable educational and promotional activities of the government and through its overall health strategy and its willingness to work in partnership with the state and territory governments to ensure that we have appropriate action in regard to immunisation. I am supportive of the amendments made by this bill today.

Mrs ELLIOT (Richmond) (10.55 am)—I rise to speak on the National Health Amendment (Immunisation) Bill 2006. We have heard many speakers today talk about the importance of immunisation over the years and about many of the diseases that have been eradicated over the years, and immunisation is of course vitally important. It certainly is shameful that this government has on so many occasions really dragged its heels in getting those vaccinations out to the community, particularly with so many cases where it was so desperately needed, and much to the detriment of so many families, who were very angry that the government dragged its feet in so many areas.

I support the second reading amendment proposed by the member for Lalor:

... the House expresses its concern that the Government has:

1) consistently ignored the expert advice of the Australian Therapeutic Advisory Group on Immunisation (ATAGI) with respect to the inclusion of pneumococcal, oral polio and chicken pox vaccines on the National Immunisation Program;

2) failed to provide the Pharmaceutical Benefits Advisory Committee (PBAC) with the needed expertise in immunisation as required; and

3) failed to provide adequate ongoing funding for essential vaccines over the forward estimates of the 2006-07 Budget, leaving the Government’s long-term commitment to the National Immunisation Program in doubt.

This bill is put forth by the government to allow the provision of goods and services that are associated with or incidental to the provision or administration of designated vaccines. The bill is a necessary amendment, and one which I do not oppose.

However, it is disappointing that these matters were not appropriately dealt with
during the 2005 amendment legislation. One would assume that with all the resources of government this would have been done properly the first time. Instead, this amendment bill is now necessary as a result of the way that the government mishandled those 2005 amendments and really did manage to bungle this quite severely, because the 2005 amendments did not give the minister power to continue the current arrangements with states and territories for assistance in acquiring goods and services related to the provision of vaccines. Those 2005 amendments also went against the intention of the act by preventing the government from providing funding under the act for essential pre or post vaccine requirements.

This is just one more failure from this government in the area of immunisation. Indeed, it is one more failure in a long line of failures in the general area of health. Of course, the failure of the government in immunisation is also directly related to those failures in the area of health. When we look at the failures of the government, one of the major areas is the lack of GPs and the workforce shortage in regional areas, which causes great distress, particularly in electorates such as mine that have so many elderly people. In my electorate, 20 per cent of people are aged over 65. We have certainly seen the government’s lack of commitment to providing proper healthcare, whether it be in immunisation, in making sure that there are enough trained GPs, in providing enough funding for the PBS, or the fact that the government slashed the Commonwealth Dental Scheme. There are so many areas in health where this government has totally failed the Australian community, and certainly one of its most shameful is its record on vaccines for Australian kids. That record of inaction has been seen time and time again in a lack of funding for vaccines for our children.

In September 2002, the Howard government’s own Australian Technical Advisory Group on Immunisation recommended that the government fully fund pneumococcal, chickenpox and injectable polio vaccines. But what happened? The Howard government did nothing. That was the response in relation to it, and of course these vaccines were desperately needed in the Australian community at that time. In September 2003, the National Health and Medical Research Council made that same recommendation that had been made previously in September 2002. What happened then? Again the Howard government did nothing in relation to it, despite the fact that these two bodies had both recommended that.

In May 2004, Labor announced its commitment to fully fund these vaccines. When Labor announced that we would fund the vaccines, the government then had to play catch-up politics on this very important issue. Essentially, the government was shamed into announcing time limited funding for the pneumococcal vaccine. This was not a decision to save lives; it was purely a decision to save face. And what will happen when the time limit the government set on the funding runs out? What is the process then?

And what about what happened with the vaccines for chickenpox and injectable polio vaccines? The government received the recommendation for funding and decided at the time not to fund a vaccine that would prevent a disease that kills children. I find it utterly appalling that the government made that conscious decision to not save the lives of children. Certainly as a parent I was so concerned—and so were the many parents I spoke to—that the government made that decision to not take that action immediately. It is quite appalling to think how the government could consciously decide not to do that. It really is a reflection as to how the Howard government is not concerned about
families and is so out of touch with the needs of families. It completely ignored that advice and did not take the necessary action on it.

If this government cared about the future of our nation and the children of today who represent that future, it would have immediately complied with the recommendation of the Australian Technical Advisory Group on Immunisation and funded the vaccine. It would have taken that action immediately and made this available. Instead, the Howard government did nothing; it just sat on that recommendation and did not act on it. For two long years it sat on that recommendation, and yet again it was Labor that had to shame the government into providing funding for this.

It really is pathetic that the government has neglected for so long the needs of our children and the needs of families in our community. On behalf of the 19 Australians who died from chickenpox, the government should be ashamed that it sat on its hands and did not follow the recommendation of its own advisory board. We all know chickenpox can be fatal, and it is certainly shameful that those 19 Australians had to die while the government did nothing, took no action. It is also shameful on behalf of the 3,300 people who were hospitalised as a result of this government’s failure to act on immunisation.

This very shameful record really does give me great concern for the future of many vital vaccinations that are coming into force now and about what action this government will or will not take. We have all heard and read recently about the cervical cancer vaccine. A vaccine such as this would have a huge effect throughout the community. We know that 75 per cent of people who are infected with the human papilloma virus, HPV, will develop cancer. This virus is the predisposition for a number of cancers but especially cervical cancer. Every year in Australia 700 cases of cervical cancer are diagnosed and it causes about 270 deaths. There is a vaccine that is designed to give immunity to HPV, which causes cervical cancer, and as soon as this vaccine meets the required tests it of course should be placed on the National Immunisation Program. But I have grave concerns when we look at the history of this government failing to act on necessary vaccines. One like this, which would provide protection against cervical cancer, is absolutely necessary.

We saw the government sitting for two long years on the recommendation to add a vaccine for chickenpox to the National Immunisation Program, and in that two long years 19 people died as a result. So how many women will need to die of cervical cancer before the vaccine for the human papilloma virus is considered for the National Immunisation Program? How long are we going to have to wait until the government takes action for that? I suspect once again that it will be left to Labor to shame the government into ensuring that needed new vaccines continue to be made available in a timely fashion and that these are funded when it is considered appropriate by the medical experts. The government should be listening to those experts and taking action in relation to this. It should not always be the case that it has to take pressure from this side of the House for the government to do the right thing, for this government to reach into its pockets and save lives. These are issues that do relate to saving lives, and we need to see the government taking greater action.

The government has not given the Pharmaceutical Benefits Advisory Committee the needed expertise in immunisation as required. This is not a surprise, given that this government has a dismal record with immunisation advisory groups. Let none of us forget that this government consistently ignored the expert advice of the Australian Technical
Advisory Group on Immunisation with respect to the inclusion of pneumococcal, oral polio and chickenpox vaccines on the National Immunisation Program. When the Australian Technical Advisory Group on Immunisation gave advice that the government did not want to hear, the government sent that advice back for reconsideration. We all know that is code for: ‘You’re not telling us what we want to hear, so we are sending it back so you can tell us what we want to hear.’

But the Australian Technical Advisory Group on Immunisation retained their integrity and confirmed their original advice. This government then repaid that integrity by gagging them and giving their power to provide advice on cost-effectiveness to the Pharmaceutical Benefits Advisory Committee. And now we have the situation that this government has not given the Pharmaceutical Benefits Advisory Committee the needed expertise in immunisation as required. Surely that body needs to have that expertise. It is no wonder that the chairman of the Australian Technical Advisory Group on Immunisation resigned after these changes were made, because the 2005 amendments were basically political payback.

This government has also failed to provide adequate ongoing funding for essential vaccines over the forward estimates of the 2006-07 budget. This leaves the government’s long-term commitment to the National Immunisation Program in doubt. Where does that leave the families of our nation? Families need to be certain that they have a federal government which is committed to ensuring Australia has a long-term immunisation program, in particular to protect our kids. The entire health of our nation is in doubt because the government has failed to provide certainty, continuing the government’s lack of commitment to adequate immunisation.

When people are not being provided with vaccination against disease, that places a lot of pressure on our health systems. The federal government needs to invest in training more health professionals, particularly in regional areas where we certainly have a major shortage. It is also very difficult for many people in regional areas and for elderly people to find doctors who bulk bill. The government needs to focus on investing in more health professionals right across Australia.

The government needs to reintroduce the Commonwealth Dental Scheme, an issue I have spoken about many times in this House. We need the government to stop consistently hacking away at Medicare and the PBS, demonstrating its lack of commitment to health care right across our nation. We also need the government to abandon its plans to sell Medibank Private. Many people in the community have spoken out about their concerns about that sale and the subsequent rise in premiums that will no doubt flow from it. The government should focus on addressing the health needs of our ageing population. There are so many areas in our health system that need a commitment to proper funding. The government needs to do much more, specifically about immunisation. It needs to be serious about recommendations for immunisation that is desperately needed.

The government also needs to be continually educating the public on the necessity of vaccination. The government needs to provide publicly funded immunisation as vaccines become available for diseases identified as posing a risk. We cannot continually see the government dragging their feet on these very important issues. This government also needs to focus on raising the vaccination rate among Indigenous, low-income and rural and remote Australians.
There is no doubt that immunisation is an important aspect of our healthcare, it is so important for the children of our nation. As we have heard many speakers say, vaccination is important for disease reduction and disease control. We all know that prevention is better than cure. Being immunised is an important safeguard against many of the world’s worst diseases. We should be focusing on providing funding for their prevention. All parents should have access to vaccines to protect against diseases that can be potentially fatal for their children. The government needs to ensure that vaccinations are made available in a timely manner once they have met the test for clinical effectiveness and cost-effectiveness. I find it very disappointing to look at the very shameful history of this government as it completely disregards the advice of medical experts in relation to funding very important vaccinations and immunisation programs. The fact that they can wait two years after being told about the necessity to fund such a program I fund absolutely shameful. I cannot imagine what responses could possibly be given to that. How can you consciously decide not to take action to fund an immunisation program that will specifically benefit the children of our nation? It causes me great concern that we have seen inaction time and time again, particularly in relation to future vaccines such as the one I spoke about earlier for cervical cancer. I do not want to see the government dragging their feet on that for two years—it is too important.

The government’s record is indeed very shameful. They certainly need to be made constantly aware of the future of our children and our families. They need to be very serious about providing immunisation and vaccinations in a timely and efficient manner for the Australian community.

Mrs HULL (Riverina) (11.13 am)—One could be forgiven for being confused by the speech of the previous speaker, the member for Richmond. It might lead one to believe that Labor in government had a very good track record of being on top of the immunisation agenda, but of course we all know that that is not true. We all know that under the Labor government the immunisation coverage rate fell to as low as 53 per cent for children under or at 12 months of age. Well before I was in this parliament, when I was Wagga Wagga City Council Deputy Mayor, trying to extol the virtues and benefits of having children immunised, I was well aware that the immunisation rates were dangerously low. As a community representative and citizen at the time, I undertook many programs and promotional opportunities to encourage our young mums who had not been exposed to or seen the devastation that the very serious illnesses of polio and whooping cough bring and were more concerned about the effects of vaccines than the illnesses themselves to have their children vaccinated. At that time, under Labor, there was an extraordinarily low rate of vaccination for our children.

I am not so sure that the previous speaker has really understood the intention of the immunisation agenda, what this government has been able to achieve and the benefits that it has been able to bring about. Expenditure on vaccines has increased 22-fold from around $13 million in 1996, when this government came to power, to $285 million in 2004-05. It is obviously still increasing. We have a very good story to tell. In fact, the number of children vaccinated at 12 months has now increased to an all-time high of well over 90 per cent. I think credit needs to be given. Listening to the previous speaker, you would not believe that any credit was attributable.

The bill that we have before us today, the National Health Amendment (Immunisation) Bill 2006, focuses on an unintended conse-
sequence of the National Health Amendment (Immunisation Program) Act 2005. We passed that last year in this parliament and it came into effect on 1 January 2006. The unintended consequence was that goods and services associated with the provision or administration of vaccines could not be provided under the National Health Act. This unintended consequence needs to be rectified. In principle, it needs to be rectified to enable the provision under the National Health Act of Q fever skin tests and five per cent incentive funding to the states and territories to keep their immunisation rates high.

I want to focus particularly on the Q fever skin tests. That this amendment bill is critical to overcoming this unintended consequence is very clear to rural and regional people. We believe that a strong national immunisation program is terribly important. As new and more complex vaccines are developed, steps must be taken to ensure that the immunisation program is as efficient and effective as possible for all Australians. As I said, my focus is on one area of the bill in particular and that is Q fever—the very area that this amendment is designed to fix.

Earlier this year, a practice manager of the local doctors surgery in my electorate wrote to me with concerns about CSL Ltd’s proposal to withdraw the Q fever vaccine for people other than abattoir workers until the end of 2007. This is because of limited supply. This person was advised that CSL’s belief was that abattoir workers are most at risk. Abattoir workers are at risk. In my electorate this issue is of concern because we have Cargill Beef Australia’s processing facility, established in 1991, with a daily processing capacity of 1,200 and employing about 625 staff. The manager of this general practice indicated to me that Cargill Beef Australia do about 60 Q fever vaccinations per month for their own employees. In addition to those, Cargill require that all employees of contractors have valid Q fever vaccinations or certification of prior exposure, as they should do. Q fever is an extraordinarily difficult and dangerous disease. These persons are dealt with not by Cargill but by private medical practices. The practice that brought this matter to my attention provides most of the services within my electorate of Riverina.

There are so many other employees who need to be vaccinated or certified, including operators of livestock selling centres, stock and station agents, livestock transport carriers and local primary producers. The practice also provides Q fever services for Charles Sturt University, in Wagga Wagga, which offers agriculture courses, equine studies and the much heralded new veterinary science courses, as well as doing significant research in these areas. The issue here will only grow as more students enrol in these courses, with the state-of-the-art new facilities that were unveiled by our fantastic Minister for Education, Science and Training, the Hon. Julie Bishop, just a fortnight ago. The figures from the local practice for the period January 2005 to February 2006 show that they tested 156 people and have provided vaccine for 108 of these people. In addition, the surgery estimates that about 110 people from Charles Sturt University have been tested from January 2005 to this date.

Q fever is found worldwide in wild and domestic animals. It is an acute and occasionally chronic illness caused by infection with the bacterial organism called *Coxiella burnetii*. A number of other local medical practices in the region also provide Q fever services. I believe that it is critical that this bill, with the purpose of amending the National Health Act 1953 to allow the provision of goods and services that are assessed with the provision of administration of designated vaccines, be passed. As I said, this bill is
really about amending the Health Act to provide assistance for Q fever skin tests.

The amendments made by the immunisation act did not give the minister power under the act to continue the current arrangements with states and territories for assistance in procuring goods and services related to vaccine provision—for example, vaccine storage and delivery. The immunisation act amendments also prevent the Australian government from providing funding under the act for essential pre- or post-vaccine requirements under current arrangements—for example, the pre-vaccination screening test for Q fever vaccine. This was not the intention of that act and it is only right that this government should move to ensure that the intention of the act is maintained. The effect of the principal amendment in the bill will be to allow the minister for health to make arrangements to provide goods and services other than vaccines which are essential for the provision of designated vaccines.

The response to representations made regarding CSL Ltd was that we the government were certainly acting as quickly as we could to address the situation that the company intended to cease production of a number of injectable vaccines, including the Q fever vaccine Q-Vax. I was very pleased that the government moved very quickly on the issue of concern for the surgery that was dealing with the primary issue of Q fever across the electorate of Riverina and could see the real problem in the limited numbers of vaccines—and what that would cause in an area that has a large vaccine requirement. A tender process was initiated by the government to attract new supply of Q fever vaccine. Although, firstly, CSL was controlling distribution of Q fever vaccine to the private market until alternative arrangements are made, secondly, the government was advised that abattoir workers, trades on the abattoir campus and other people visiting abattoirs were given priority access to the remaining supplies of Q fever vaccine and, thirdly, a discretionary approach will be adopted regarding supply to other persons potentially at high risk, it is alarming—and it was alarming to the government—that this happened in the area and that the provision of vaccines through priority was recognised as clearly necessary. I applaud the government for having made a very quick and decisive move to ensure that people in my electorate and across Australia are able to access the Q fever vaccine.

This legislation shows the commitment and recognition the Australian government has given to ensuring vaccines can be more readily accessed in Australia. I have given you a prime example of what took place with Q fever vaccine. The government's expenditure on vaccines has increased. We have a very good track record and I look at what we have in place at the moment as being one of the best assets of having a coalition government.

The supply of vaccines, especially for Q fever, is an extremely important issue for the agriculture and livestock industries across Riverina. When this issue arose it was understood that peak meat and livestock industry councils and other stakeholders were analysing exposure risks, and health authorities considered what alternative management strategies could have been implemented in the short term if there were a temporary shortage. CSL advised clinicians who administer the vaccine of the supply limitations and requested the vaccine be provided to individuals with a high risk of infection, but this is a concern also. There simply should not be a shortage or limit on vaccines as significant as Q fever vaccine.

This bill preserves the current funding arrangements between the Commonwealth, state and territory governments and rectifies
the unintended consequences of previous legislation to enable the continuing provision of Q fever skin tests and five per cent funding incentive to states and territories. I believe this bill will assist in making sure that vaccines are more readily available in my electorate and across Australia. It is a very important issue with many livestock selling centres, stock and station agents, livestock transport carriers, and local primary producers needing to be vaccinated or certified. It is for this reason that I wholeheartedly support this very common-sense bill that the minister has put before us.

Ms HALL (Shortland) (11.27 am)—I will commence my contribution to the debate on the National Health Amendment (Immunisation) Bill 2006 with some comments on Q fever, following the remarks made by the member for Riverina. I was going to discuss Q fever as part of my contribution to this debate, but I think it is important that, given the comments previously made, I continue on and discuss Q fever. As I am sure all members know, Q fever is a bacterial infection which has similar symptoms to the flu, but its long-term effects can be a lot longer lasting. It can damage the liver, heart and bones.

The people who are at risk are people who work with cattle, sheep, goats and wild animals. We are faced with a shortage of Q fever vaccine. Prior to 2006, CSL manufactured a sufficient quantity of Q fever vaccine based on the historical uses. The vaccine was funded under a government program. This program will come to an end in most states and is only scheduled to continue in Queensland, Victoria and South Australia.

It was thought at the end of 2005 by the Howard government that there would no longer be a need to fund the vaccine for Q fever. I am pleased that the government has realised the error it made and is covering Q fever in the bill that we are debating today, but I think it is very important to put on the record that the shortage of the vaccine for Q fever has occurred purely and simply because of the government’s ineptitude and the fact that it was trying to save money—cost cutting—and, as such, decided that the vaccine would not continue to be produced.

I think most honourable members of this House and people in the community who have had any contact with a person that has suffered from Q fever would know of the devastating impact of the illness and how it creates quite serious symptoms that incapacitate the person that has it. This bill contains a minor administrative amendment to preserve the current funding arrangements between the Commonwealth and the states and territories with respect to the continuation of activities in the light of shortages of the Q fever vaccine, as I have just discussed, and distribution arrangements for the national immunisation program. The purpose of the bill is to amend the National Health Act 1953 to ‘allow the provision of goods and services that are associated with, or incidental to, the provision or administration of designated vaccines’. These goods and services ‘could not be provided under the act following amendments to the act made by the National Health Amendment (Immunisation Program) Act 2005’.

The amendments made by the act were enacted to change the way in which vaccines were listed under the national immunisation program as announced in the 2005-06 budget—and I will be talking a little bit more about that. The amendments made by that act did not give the minister the power to continue the current arrangements with the states and territories as to assistance in procuring goods and services related to vaccine provision—for example, vaccine storage and delivery. The amendments also prevented the government from providing funding under
the act for essential pre- or postvaccine requirements under the current arrangements, and the example that I just gave related to prevaccination screening tests for Q fever. The effect of the principal amendment in this bill will allow the minister to make arrangements to provide goods and services which are essential for the provision and designation of vaccines. The bill will have no financial impact.

It would be appropriate to refer to immunisation per se in relation to this bill. Australia has some of the highest immunisation rates in the world. The state that has the highest rate of immunisation of children between the ages of 12 and 15 months is Tasmania, where 93.8 per cent of these children are fully immunised. Since the introduction of childhood vaccinations for diphtheria—in 1932—and the widespread use of vaccines to prevent tetanus and whooping cough and poliomyelitis—in 1950—and measles, mumps and rubella—in the 1960s—the number of deaths in Australia from preventable disease has declined by 99 per cent. That is an incredible figure given that in that period of time the Australian population has increased by 2.8 per cent. There has been an absolute association between vaccination and the decline of these diseases. Diphtheria, whooping cough and tetanus vaccinations have saved a total of 70,000 lives and prevented untold life-threatening symptoms or ongoing morbidity. Poliomyelitis and measles vaccinations have prevented a further 8,000 deaths. Poliomyelitis was still common when I was young. In fact, my paternal grandfather had poliomyelitis. He was quite debilitated by it. He had a number of the problems associated with having suffered from poliomyelitis and he died at what I consider to be a relatively young age. Since that time we have learnt that there is a postpoliomyelitis syndrome. If what is now known was known then maybe he could have been treated differently.

I am examining a very interesting graph. In 1932 the school based diphtheria vaccination program commenced. At the time there were over 1,000 deaths per year. After that program commenced there was a dramatic decline—and remember that the coverage of that vaccination program would be nowhere near the level of coverage of the program that we have in Australia today. In 1939 tetanus vaccination was introduced. Once again, there was a decline in the number of deaths of children suffering from this preventable disease. It fell to around the 500 mark. Vaccination against whooping cough or the pertussis virus was introduced in 1942. Poliomyelitis vaccination was introduced in 1955. In 1970 measles vaccination became widely available. All these vaccination programs have had an enormous impact on mortality and morbidity in Australia, particularly amongst infants. No matter what political party has been in power in Australia, we have had a very strong government commitment to vaccination and research into new vaccines. So I think that governments of all persuasions, both Commonwealth and state, have been very committed to vaccination programs and to ridding our society and nation of these diseases.

In 2005 we supported the government’s new vaccine policy, but we did have some concerns at that time. The concerns related to the expanded role of the Pharmaceutical Benefits Advisory Committee and their expertise in evaluating vaccines that were to be funded under the National Immunisation Program. That evaluation had previously been performed by the Australian Technical Advisory Group on Immunisation, ATAGI. At the time, we on this side of the House were most concerned that that function was being taken away from the body that had the expertise, the knowledge and the experience
in evaluating which vaccines should and should not be listed. That role was taken away from ATAGI purely and simply because it had recommended that the government fund the meningococcal vaccination. It was pure payback. I do not believe that the government should act in such a way. It should really look at which is the best possible body to decide what should and should not be listed.

On this side of the parliament we have been very committed to funding new research into vaccines—new research that will immediately impact on those diseases that we believe can and should be prevented. While I am talking about that, I have to take to task the government for their decision in 2003 when they refused to consider the recommendation that they fully fund the meningococcal, chickenpox and injectable polio vaccinations. I think that that was a missed opportunity. The Minister for Health and Ageing dug his toes in and said that he would do nothing. It took the Labor opposition in May 2004 to announce a commitment to fully fund these vaccines for the minister to be shamed into announcing funding for the meningococcal vaccine. All members in this parliament will know the level of fear that exists in the community about meningococcal, and they will know that parents were depending on the government to announce the funding of this vaccine. It is being funded now and I believe that that is a very positive outcome. I think it also demonstrates very aptly how an opposition can position a government to change its policy. I am quite sure that without the opposition’s input into that issue the vaccine today would not be funded and all those young children would not be receiving the vaccine.

I referred a moment ago to the government’s reaction to the recommendation by the Australian Technical Advisory Group on Immunisation, ATAGI, that the government fund this vaccine. The government chose to ignore that recommendation. ATAGI are independent experts on immunisation, as I have already highlighted. I believe as a direct result of ATAGI’s recommendation, and of the government being so reluctant to fund it, the minister, in a bloody-minded action, decided to transfer many of ATAGI’s functions to the PBAC. I suppose that is fair warning to any government agency or anyone who is giving advice to the Howard government. If you give independent advice you are in danger of being punished—payback. ATAGI gave independent advice to the health minister and they suffered the consequences of his bloody-mindedness.

The vaccine manufacturers are a little bit concerned about some of the changes that are taking place, but I would like to put on record my strong support for the new vaccine against cervical cancer. I think it is imperative that the vaccine routinely be given to young women. I think it is a very important health issue and that a member’s or a minister’s personal beliefs should not influence decisions in relation to the overall good—the overall health needs—of a community. This is one vaccine that has the potential to make an enormous impact on the health of young women in this country, and older women because of its flow-through effect.

I will conclude where I started—that is, by saying that this bill makes only minor administrative amendments and will preserve the current funding arrangements between Commonwealth, state and territory governments. I would like to conclude with a very strong supportive statement for our national immunisation program. I commend all governments since 1932 for the development and implementation of vaccines, which has changed the face of our society. We have a society in which disability relating to certain childhood diseases and deaths from those diseases are no longer apparent in our com-
Vaccination programs are the best form of medication that Australians can have. Prevention beats cure any day.

Mr BARTLETT (Macquarie) (11.46 am)—I am very pleased to speak on the National Health Amendment (Immunisation) Bill 2006, because this government’s record on immunisation is a particularly proud one. It is one of the coalition government’s many achievements in the area of health policy. In contrast to the relative neglect of immunisation that we had seen under Labor, this government has been involved in a substantial and significant refocusing on this important area of preventative health. We can see that in the funding committed to immunisation, which has risen from a mere $13 million a year when we came into office in 1996 to $148 million a year in 2003-04 and to $254 million last year. I acknowledge that that was partly because of two new pneumococcal vaccination programs. Under this government there was a substantial increase in funding for immunisation, reflective of a renewed focus and commitment to preventative health via vaccination and immunisation. And we can see that in the results. It is not just a matter of money; it is a matter of significant headway and results in the whole area of immunisation.

To give one illustration, in 1995, only 52 per cent of nought- to six-year-olds in Australia were immunised and only 53 per cent of children up to 12 months old were immunised. Since this government has focused attention on immunisation under the Immunise Australia Program, we have seen a dramatic increase in immunisation levels. Immunisation levels are at an all-time high for children and are at over 90 per cent for those up to 12 months old. Because of this government’s focus on lifting immunisation levels, in the past 10 years the immunisation rates for children up to 12 months of age have increased from 53 per cent to 90 per cent. As a result, we have seen a decline in the number of vaccine-preventable diseases in Australia, and I am confident we will continue to see a decline in those diseases. For example, under the National Meningococcal C Vaccination Program, we have seen a decline in the number of reported cases, from 213 cases just four years ago to 40 cases last year. That is a substantial decrease in the number of reported cases of meningococcal C. There has been an 83 per cent decrease in deaths from meningococcal C. This government’s focus on immunisation has led to a substantial reduction in vaccine-preventable diseases and its record of reversing the relative neglect and apathy that we saw during the Labor years has been significant.

As we know, this bill constitutes a minor administrative amendment. Its aim is to tidy up funding arrangements between Commonwealth and state governments to allow for the continued storage and distribution of vaccines.

While I am on my feet, I want to put this emphasis on immunisation in the broader context of the coalition government’s focus on health policy. That focus has seen a massive increase in Commonwealth government funding on health during the past 10 years. In 1995-96, the last year of the Labor government, only $20 billion a year of Australian government money was being spent on health. We have seen a massive increase in the past 10 years: the Australian government now spends $45 billion a year on health through a whole range of programs. So there has been a massive increase in spending and a massive focus on health policy by the coalition government. We can see that in so many areas. We can see, for example, the enormous boost in funding for research, which doubled to $414 million in 1999 and was boosted again in subsequent years. Then, in this year’s budget, an extra $500 million was announced. So we are now...
spending four times the amount that was previously spent on health research into obtaining cures, into looking at new approaches to prevention and into achieving better health in Australia. There has been a fourfold increase on the amount being spent in 1996. So there is a substantial commitment to health research spending in this country.

There are many other areas benefiting as well as a result of this increased spending on health: the Stronger Medicare program, increased Medicare rebates in 2005 and the introduction in 2004 of the Medicare safety net. This has been a wonderful initiative which has added great security to the way in which Medicare operates to provide security and confidence for Australian individuals and families that their out-of-pocket bills will be capped and that they will eventually have to meet only 20 per cent of those because the government will come to the party to meet 80 per cent of those out-of-pocket expenses—a really substantial initiative to strengthen the operation of Medicare, without a doubt the most substantial initiative since Medicare was introduced.

Other areas include measures to increase aspects of health workforce shortage. For instance, there is the practice nurses initiative, which in my electorate in the Hawkesbury and the Blue Mountains is really taking pressure off the shortage of GPs by allowing them to better use their resources. The practice nurses initiative, along with other initiatives to address doctor shortages, is a wonderful initiative by this government.

There is the initiative to encourage the take-up of private health insurance: the 30 per cent rebate on private health insurance, along with those extra rebates for older Australians, to give Australians who want private health insurance that choice in order to give them the peace of mind that that option brings and also to take the pressure off the public hospital system. There are a number of other important initiatives, and I could go on all day here: the focus on mental health, with the $1.7 billion announced in the 2006-07 budget; increased funding for other priority areas, such as asthma, cancer, diabetes and cardiovascular disease; and the government’s Tough on Drugs policy, which has really focused on education and prevention to reduce the devastating impact of the abuse of both legal and illicit drugs. This is a very significant policy which contrasts markedly with the wishy-washy, weak and can I say dangerous approach of Labor’s policy on this.

In short, this immunisation program—in itself a very positive program—is to be seen in the context of this government’s very substantial progress in policy initiative areas, new measures and initiatives, backed up with massive increases in funding, as I said, from $20 billion to $45 billion a year, just over the life of this government. This government’s immunisation program is one of which we can be very proud. The program is working. It has been backed up by extra funding. The results are proof that the program is working. I strongly support this government’s immunisation program and the legislation, including this amendment, that assists the delivery of this program.

Mr BRENDA N O’CONNOR (Gorton) (11.55 am)—I rise to make some comments on the National Health Amendment (Immunisation) Bill 2006 and also to support the amendment moved by the shadow minister for health. I heard the Chief Government Whip comment on the record of the Howard government in relation to vaccination. I understand it is the obligation of a chief government whip to do all things in this place to provide the government some cover, as he did in that speech. Indeed, his own attendance and his wanting to get on to the speakers list shows that he is aware—as you
would expect other government members would be aware—that the government are failing to turn up and speak on very important matters, including the National Health Amendment—

Ms George interjecting—

Mr BRENDAN O’CONNOR—The member for Throsby is also well aware of this. The fact is that this is the closest the government has got to approaching the number of opposition speakers on a particular bill for some time. It is still half the number of speakers that the opposition has listed to talk on this matter.

Mr Bevis—Put them on performance pay!

Mr BRENDAN O’CONNOR—The shadow minister for homeland security, who is at the table, knows this only too well. In debating his amendments to a previous bill, last night 13 opposition members spoke on the bill and you, Mr Deputy Speaker Somlyay, were the only contributor for the government. Again, it does not surprise me to see the Chief Government Whip in here trying to add a few numbers, because clearly the entire government is on rostered days off with respect to this chamber when it comes to debating public policy.

This bill is under consideration, of course, after sloppy drafting of the National Health Amendment (Immunisation Program) Act 2005 disallowed the provisions of goods and services associated with the provision or administration of designated vaccines. The amendments made by the immunisation act were enacted to change the way in which vaccines were listed on the National Immunisation Program, as announced in the 2005-06 budget.

The effect of the principal amendment in this bill will be to allow the minister to make arrangements to provide goods and services other than vaccines which are essential for the provision of designated vaccines. Labor supported the original bill but with a strong second reading amendment, as you may recall, Mr Deputy Speaker, highlighting the concerns about the government’s vaccine policy. I think it is fair to say that, with the advantage of hindsight, Labor has been proven absolutely correct—there has been a failure by government to attend to the needs in this important health area.

That bill expanded the role of the Pharmaceutical Benefits Advisory Committee to include evaluating the cost-effectiveness of new vaccines for funding under the National Immunisation Program, a role previously performed by the Australian Technical Advisory Group on Immunisation. This was not opposed by any of the stakeholders. Labor contended that this action was taken to downgrade the role of the ATAGI as punishment for the advice that vaccines such as pneumococcal, oral polio and chickenpox should be funded. This opinion was widely supported by public commentators and authorities in the area.

Indeed, it was the first time in Australian history that the government refused to find money to fund the vaccine recommended by its own Australian Technical Advisory Group on Immunisation. The headline in the Courier-Mail said it all, as you might recall: ‘Children are dying but Howard refuses to help’. Pneumococcal disease is the most common bacterial cause of serious disease in Australian children, so the decision not to fund the vaccine was a complete abrogation of responsibility by the Howard government, made even more obscene since this was the year the Treasurer had bragged of record tax cuts but, indeed, the government had placed children at risk of debilitating disease, brain injury, deafness and death.

This was yet another example of the Howard government spitefully punishing the public bodies whose advice it finds embar-
rassing or politically inconvenient. We have seen this government blaming statutory authorities and other bodies rather than taking the responsibility for its own decisions. We have seen it blame its public servants and others where it finds the truth too embarrassing to admit its fault. Again, in this area we have seen an independent body punished for providing advice contrary to the intentions of the government. In this case the decision was critical. The loser was children’s health.

As Labor has repeatedly pointed out, the Howard government has a shameful record of inaction on the funding of vaccines for Australian children. This has been mentioned before by a number of members, but I want to repeat it for the record. We heard from the Chief Government Whip how proud he was of how well the government is doing in this area. I remind the House that in September 2002 the government’s own technical advisory group recommended that the government fully fund the pneumococcal, chickenpox and injectable polio vaccines, yet it refused. In September 2003 the National Health and Medical Research Council made the same recommendation. The Howard government considered this recommendation in the lead-up to May 2004 and again did nothing. After Labor announced it would fully fund these vaccines, two days after the May 2004 budget, the minister for health was shamed into announcing funding for pneumococcal vaccine. However, only two years of funding was announced. Nobody knows what will happen when the funding runs out in this important area of children’s health.

The minister for health refused to fund the chickenpox and injectable polio vaccines as Labor continued to campaign for full funding for the vaccines and again, the Howard government and the minister for health did nothing. Finally, the minister for health matched Labor’s plan to fund these vaccines in March 2005. In doing so, he conceded that chickenpox had killed at least 19 Australians and hospitalised 3,300 people in the last two-year period alone—and unnecessarily so, we would contend. So we do not want to hear the glib remarks by the Chief Government Whip about the record of the Howard government on vaccines. Clearly it is a record of neglect and contempt—contempt for the advisory bodies that recommended vaccination in these areas in the first place and contempt for the children of this nation, who of course are not in the position to advance their own interests.

In this area of health we should be doing everything as a parliament—and indeed the government should be doing everything—to protect our children from the threat of disease, but the record speaks for itself. It is a record of neglect and contempt, with little regard for the concerns raised by the families who have lobbied the government and the independent bodies that have advised the government. Whilst this bill is a rather technical bill, intended to amend the sloppy legislation that was put together by government last year, the second reading amendment moved by the shadow minister for health should be taken seriously by the government because there is no room for playing politics with children’s health. I finish by reminding the House of some of the concerns raised by the shadow minister for health in her second reading amendment to this bill. The amendment states that, whilst not declining to give the bill a second reading:

... the House expresses its concern that the Government has:

(1) consistently ignored the expert advice of the Australian Therapeutic Advisory Group on Immunisation (ATAGI) with respect to the inclusion of pneumococcal, oral polio and chickenpox vaccines on the National Immunisation Program;

(2) failed to provide the Pharmaceutical Benefits Advisory Committee (PBAC) with the
needed expertise in immunisation as required; and

(3) failed to provide adequate ongoing funding for essential vaccines over the forward estimates of the 2006-07 Budget, leaving the Government’s long-term commitment to the National Immunisation Program in doubt.

Ms ANNETTE ELLIS (Canberra) (12.04 pm)—Labor supports the National Health Amendment (Immunisation) Bill 2006 because it provides a minor amendment that preserves the current funding arrangements between the Commonwealth and state and territory governments. It will allow continuation of vital activities such as vaccine storage and distribution for the National Immunisation Program. The only reason this amendment is necessary is because there was a drafting error in the National Health Amendment (Immunisation Program) Act 2005, which now unintentionally takes away the power of the minister to continue the current arrangements with states and territories in relation to vaccine provision.

Whilst I support this bill, I would like to take the opportunity to highlight concerns I have about the Howard government’s vaccine policy, particularly on pneumococcal disease. The deadly pneumococcal bacteria causes a whole range of serious illnesses just like meningococcal, including pneumonia, meningitis and septicaemia. The vaccine protects even very young babies, those most at risk, against pneumococcal. The best age to give babies the vaccine dose is at two, four and six months. Every year around 1,800 cases of pneumococcal disease in children are reported and some 50 children die. If a child survives pneumococcal infection, unfortunately there can be serious side-effects. A significant number of children who survive are left with brain problems—cerebral palsy and epilepsy—blindness, deafness, spinal problems such as scoliosis and other side effects. This is clearly a serious public health issue that should not be ignored by any government.

Mr Deputy Speaker, you and I and other members in this place know how difficult it can be for families dealing with children who have a disability or an acquired brain injury through one form of misfortune or another. It could be because of any number of reasons. Not only is it hard on the child—let me say that straight up—but the whole situation is extremely difficult for the family concerned. The cost of living with someone with those sorts of conditions can be very high socially, emotionally and financially, so we should be encouraged wherever possible to do everything we can to avoid such things occurring.

In September 2002, the Howard government’s own technical advisory group recommended that the government fully fund the pneumococcal, chickenpox and injectable polio vaccines. To the amazement of public health officials, the government ignored the recommendation. In September 2003, the National Health and Medical Research Council made the same recommendation. This is a body whose role it is to provide expert advice on important health issues, on the allocation of government funding for health and medical research and on ethical issues in health and research involving humans. The Howard government considered this recommendation in the lead-up to the 2004-05 budget and then, unbelievably, decided to ignore it. This is what Labor’s shadow minister for health said on 16 January 2004:

This deadly disease—pneumococcal—kills and seriously disables more Australians than meningococcal C disease, for which there is a government funded vaccine.

Parents face a heart-breaking choice: do they pay the $450-500 out of their own pockets to fully
immunise their child or, if they cannot afford this bill, take the risk that their child will not contract pneumococcal disease? Doctors will tell parents that all the vaccines on the Australian Standard Vaccination Schedule are needed, but only some will be funded under the National Immunisation Program. Now even if parents are able to afford the vaccine, it may not be available.

Two days after the May 2004 budget, Labor announced its commitment to fully fund the recommended childhood vaccines, including pneumococcal, chickenpox and injectable polio. As a result of Labor shaming the Howard government, the minister for health then announced that the government would provide funding for the pneumococcal vaccine. Unfortunately, funding was announced for only two years. The Howard government still refused to fund the chickenpox and injectable polio vaccines. Labor continued to campaign for full funding for the vaccines, but the government continued to ignore the issue for almost one year.

In March 2005, the government finally matched Labor’s plan to fund these vaccines. In doing so, the minister for health conceded that chickenpox had killed—unnecessarily—at least 19 Australians and hospitalised some 3,300 people in the last two-year period alone. In another demonstration of the government’s arrogance, it gagged the technical advisory group—which had maintained that the pneumococcal vaccine should be funded by the government. This is how we see the government treating its independent advisory groups.

Vaccine manufacturers have supported additional funding of the vaccines but they are concerned that, if a second vaccine is listed, it might trigger a 12.5 per cent price cut and this would be inconsistent with the principle of encouraging security of supply. The manufacturers have asked the minister for health to clarify whether the price cut will apply, but I believe that the minister has not yet responded.

There is also a major concern that there will be unnecessary delays in the introduction of the new vaccines to the National Immunisation Program. Many public health experts are worried that the new vaccines against cervical cancer and rotovirus, which are currently under consideration by the PBAC, might not be considered for the National Immunisation Program. My Labor colleagues and I are watching this new process carefully to ensure that new vaccines become available as soon as possible and that they are funded through the National Immunisation Program when they are considered to be appropriate by medical experts.

As a result of the concerns that I have highlighted, I fully support the second reading amendment moved by the shadow minister for health. It reads as follows:

... the House expresses its concern that the Government has:

1. consistently ignored the expert advice of the Australian Therapeutic Advisory Group on Immunisation (ATAGI) with respect to the inclusion of pneumococcal, oral polio and chickenpox vaccines on the National Immunisation Program;
2. failed to provide the Pharmaceutical Benefits Advisory Committee (PBAC) with the needed expertise in immunisation as required;
3. failed to provide adequate ongoing funding for essential vaccines over the forward estimates of the 2006-07 Budget, leaving the Government’s long-term commitment to the National Immunisation Program in doubt.

In conclusion, of course we support this technical bill—a bill which is to in fact correct an error—but, in doing so, we must put on record our views and concerns about the ongoing questions about an appropriate immunisation program in Australia.
Mr PYNE (Sturt—Parliamentary Secretary to the Minister for Health and Ageing) (12.12 pm)—In summing up, I would like to thank those members who have contributed to the debate on the National Health Amendment (Immunisation) Bill 2006. They include: the members for Lalor, Blaxland, Richmond, Shortland, Gorton, and Canberra from the opposition; and the members for O’Connor, Pearce and Riverina from the government. As the member for Canberra just said, this is a highly technical bill designed to amend two unintended consequences of amendments to the National Health Act 1953 that would enable the Minister for Health and Ageing to arrange for the provision of goods and services such as Q fever skin tests and for five per cent incentive payments to states and territories that are associated with the provision or administration of designated vaccines.

In short, this bill will allow the minister for health to continue using those two facilities before they impact on the states and territories or on the provision of important vaccines. This bill ensures that the unintended consequences of those earlier amendments do not impact on consumers in particular.

The member for Lalor in typical style made an amendment to this bill, which touched on a number of issues that had no bearing at all on the National Health Amendment (Immunisation) Bill 2006. This comes as no surprise to those of us who know the member for Lalor. In the amendment, she tries to save face over the embarrassment of her health policies in the last federal election. The third aspect of her amendment, which I would like to comment on, says that we failed to provide adequate ongoing funding for essential vaccines over the forward estimates of the 2006-07 budget and that somehow this means that we have doubt about the long-term commitment of the government to the National Immunisation Program.

The member for Lalor is trying to scare the Australian public into believing that this side of the House does not have a commitment to the National Immunisation Program. The two things I would say about that are: firstly, the proof of the pudding is in the eating. This side of the House provided a 90 per cent coverage of 12- to 15-month-old children with important vaccines in 2006. When we took over 10 years ago from the now opposition, the immunisation rates were 52 per cent. In that 10-year period we have dramatically increased the number of children who are immunised. It is an embarrassment that the opposition would even seek to pretend that they have any clothes to wear when it comes to immunisation rates. We had one of the lowest immunisation rates in the Western world in 1996—an embarrassment in a country like Australia. Today, 10½ years later, we have one of the best in the Western world. So I think our record speaks for itself.

Secondly, the member for Lalor suggests that, because the figures from the 2006-07 budget are not in the forward estimates, somehow this means that we are not going to continue to fund the National Immunisation Program. The member for Lalor only exhibits her complete ignorance of governments and of budgets, which of course would come from not ever having had any experience of government, as a shadow minister who has come into this House since Labor has been in opposition. If we were to put the figures in the forward estimates for the National Immunisation Program, which we have never done, we would be flagging to the pharmaceutical companies exactly how much money we were prepared to spend. As we are trying to keep the costs of these products as low as possible in order to be responsible with taxpayers’ money, it would be irresponsible if we were to flag to the very people we would
be paying for these vaccines exactly how much we were prepared to pay and so render our negotiating position completely useless. The member for Lalor might like to spend a bit more time on how budgets work and the health portfolio, and perhaps in the future she won’t propose such embarrassing amendments to government technical bills. I thank the House.

The DEPUTY SPEAKER (Hon. AM Somlyay)—The original question was that this bill be now read a second time. To this the honourable member for Lalor has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The immediate question is that the words proposed to be omitted stand part of the question.

Question agreed to.

Original question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.18 pm)—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

FRUIT AND VEGETABLE GROWERS

Mr GAVAN O'CONNOR (Corio) (12.18 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Minister for Agriculture, Fisheries and Forestry from being required to:

(1) confirm that fruit and vegetable growers currently have to sell their product through a market system that often lacks transparency and contractual certainty;

(2) confirm to this House that on 1 October 2004, prior to the last election, the Government promised Australian fruit and vegetable growers a mandatory code of conduct for their industry;

(3) confirm that the Government has already failed to meet its self imposed 100 day deadline for delivering on this promise;

(4) explain to this House why he has failed to keep the Government’s clear promise to fruit and vegetable growers; and

(5) apologise to all fruit and vegetable growers for his failure to come into this House earlier today to vote on a motion relating to this important area within his portfolio responsibilities.

Mr Deputy Speaker, I want the minister to come into this House and vote on this motion.

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.19 pm)—I move:

That the member be no longer heard.

Question put.

The House divided. [12.24 pm]

(The Deputy Speaker—Hon. AM Somlyay)

A y e s .................. 77

N o e s ............ 57

M a j o r i t y ....... 20

AYES

Abbott, A.J. 
Andrews, K.J. 
Baird, B.G. 
Barresi, P.A. 
Billson, B.F. 
Bishop, J.J. 
Brough, M.T. 
Causley, I.R. 
Cobb, J.K. 
Draper, P. 
Elsom, K.S. 
Fawcett, D. 
Forrest, J.A. 

Anderson, J.D. 
Bailey, F.E. 
Baker, M. 
Bartlett, K.J. 
Bishop, B.K. 
Broadbent, R. 
Cadman, A.G. 
Ciobo, S.M. 
Downer, A.J.G. 
Dutton, P.C. 
Farmer, P.F. 
Ferguson, M.D. 
Gambaro, T.
The DEPUTY SPEAKER (Hon. AM Somlyay)—Is the motion seconded?

Mr SNOWDON (Lingiari) (12.30 pm)—I second the motion. Who is paying the ransom? Why won’t you protect the interests of Australian fruit and vegetable growers, you coward—

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.30 pm)—I think we need either to get an ambulance or a nurse here or to shut down the member opposite before he has a heart attack. I move:

That the member be no longer heard.

Question put.

The House divided. [12.31 pm]

(Ayes........... 77

Noes........... 57

Majority....... 20

AYES

Abbott, A.J.  Andrews, K.J.  Baillieu, A.J.G.  Draper, P.

Andersen, J.D.  Bailey, F.E.  Dock, B.K.  Elton, S.M.

Barrett, K.J.  Bishop, B.K.  Broadbent, R.  Farmer, P.F.

Cadman, A.G.  Ciobo, S.M.  Downer, A.J.G.  Dutton, P.C.

Cobham, K.  Draper, P.  Elton, S.M.  Farmer, P.F.

Dwyer, K.  Evans, A.J.G.  Fawcett, D.  Ferguson, M.D.

Georgiou, P.  Haase, B.W.  Hockey, J.B.  Hunt, G.A.

Sawford, R.W.  Sercombe, R.C.G.  Smith, S.F.  Snowdon, W.E.

Tanner, L.  Thomson, K.J.  Vamvakou, M.  Wilkie, K.

Windsor, A.H.C.  * denotes teller

* Question agreed to.

The DEPUTY SPEAKER (Hon. AM Somlyay)—Is the motion seconded?

Mr SNOWDON (Lingiari) (12.30 pm)—I second the motion. Who is paying the ransom? Why won’t you protect the interests of Australian fruit and vegetable growers, you coward—

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.30 pm)—I think we need either to get an ambulance or a nurse here or to shut down the member opposite before he has a heart attack. I move:

That the member be no longer heard.

Question put.

The House divided. [12.31 pm]

(Ayes........... 77

Noes........... 57

Majority....... 20

AYES

Abbott, A.J.  Andrews, K.J.  Baillieu, A.J.G.  Draper, P.

Andersen, J.D.  Bailey, F.E.  Dock, B.K.  Elton, S.M.

Barrett, K.J.  Bishop, B.K.  Broadbent, R.  Farmer, P.F.

Cadman, A.G.  Ciobo, S.M.  Downer, A.J.G.  Dutton, P.C.

Cobham, K.  Draper, P.  Elton, S.M.  Farmer, P.F.

Dwyer, K.  Evans, A.J.G.  Fawcett, D.  Ferguson, M.D.

Georgiou, P.  Haase, B.W.  Hockey, J.B.  Hunt, G.A.

Sawford, R.W.  Sercombe, R.C.G.  Smith, S.F.  Snowdon, W.E.

Tanner, L.  Thomson, K.J.  Vamvakou, M.  Wilkie, K.

Windsor, A.H.C.  * denotes teller

* Question agreed to.

The DEPUTY SPEAKER (Hon. AM Somlyay)—Is the motion seconded?

Mr SNOWDON (Lingiari) (12.30 pm)—I second the motion. Who is paying the ransom? Why won’t you protect the interests of Australian fruit and vegetable growers, you coward—

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.30 pm)—I think we need either to get an ambulance or a nurse here or to shut down the member opposite before he has a heart attack. I move:

That the member be no longer heard.

Question put.

The House divided. [12.31 pm]

(Ayes........... 77

Noes........... 57

Majority....... 20

AYES

Abbott, A.J.  Andrews, K.J.  Baillieu, A.J.G.  Draper, P.

Andersen, J.D.  Bailey, F.E.  Dock, B.K.  Elton, S.M.

Barrett, K.J.  Bishop, B.K.  Broadbent, R.  Farmer, P.F.

Cadman, A.G.  Ciobo, S.M.  Downer, A.J.G.  Dutton, P.C.

Cobham, K.  Draper, P.  Elton, S.M.  Farmer, P.F.

Dwyer, K.  Evans, A.J.G.  Fawcett, D.  Ferguson, M.D.

Georgiou, P.  Haase, B.W.  Hockey, J.B.  Hunt, G.A.

Sawford, R.W.  Sercombe, R.C.G.  Smith, S.F.  Snowdon, W.E.

Tanner, L.  Thomson, K.J.  Vamvakou, M.  Wilkie, K.

Windsor, A.H.C.  * denotes teller

* Question agreed to.
Question agreed to.

Original question put:

That the motion (Mr Gavan O’Connor’s) be agreed to.

The House divided. [12.35 pm]

(The Deputy Speaker—Hon. AM Somlyay)

Ayes........... 57

Noes............ 78

Majority........ 21

AYES

Adams, D.G.H. Albanese, A.N.
Andren, P.J. Beazley, K.C.
Bevis, A.R. Bird, S.
Bowen, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Danby, M. *
Edwards, G.J. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Grierson, S.J. Hall, J.G. *
Hatton, M.J. Hayes, C.P.
Hoare, K.J. Irwin, J.
Jenkins, H.A. Kerr, D.J.C.
King, C.F. Lawrence, C.M.
Macklin, J.L. McClelland, R.B.
McMullan, R.F. Melham, D.
Murphy, J.P. O’Connor, G.M.
O’Connor, B.P. Price, L.R.S.
Plibersek, T. Quick, H.V.
Roxon, N.L. Rudd, K.M.
Sawford, R.W. Sercombe, R.C.G.

NOES

Adams, D.G.H. Albanese, A.N.
Andren, P.J. Beazley, K.C.
Bevis, A.R. Bird, S.
Bowen, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Danby, M. *
Edwards, G.J. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Grierson, S.J. Hall, J.G. *
Hatton, M.J. Hayes, C.P.
Hoare, K.J. Irwin, J.
Jenkins, H.A. Kerr, D.J.C.
King, C.F. Lawrence, C.M.
Macklin, J.L. McClelland, R.B.
McMullan, R.F. Melham, D.
Murphy, J.P. O’Connor, G.M.
O’Connor, B.P. Price, L.R.S.
Plibersek, T. Quick, H.V.
Roxon, N.L. Rudd, K.M.
Sawford, R.W. Sercombe, R.C.G.
Ms ROXON (Gellibrand) (12.39 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Gellibrand from moving the following motion: That this House:

(1) notes the decision made this morning by the High Court of Australia in the case of McKinnon v Secretary, Department of Treasury;

(2) condemns the Government for continuing to hide behind legal technicalities and misuse the Freedom of Information Act;

(3) condemns the Treasurer for barring the release of Treasury documents that would reveal information that the Australian public has a right to know: relevant information on the impact of “bracket creep” and the operation of the First Home Owners Grant Scheme; and

(4) calls on the Treasurer to be accountable and table those documents in the House so that the Australian people can have access to the information contained in them.

What is the government trying to hide by refusing to table these documents?

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (12.40 pm)—I move:

That the member be no longer heard.

Question put.

The House divided. [12.41 pm]

(The Deputy Speaker—Hon. AM Somlyay)

Ayes…………… 75

Noes…………… 57

Majority………. 18

AYES

Abbott, A.J.  Anderson, J.D.
Andrews, K.J.  Bailey, F.E.
Baird, B.G.  Baker, M.
Barresi, P.A.  Bartlett, K.J.
Billson, B.F.  Bishop, B.K.
Bishop, J.I.  Broadbent, R.
Brough, M.T.  Cadman, A.G.
Causley, I.R.  Ciobo, S.M.
Cobb, J.K.  Downer, A.J.G.
Draper, P.  Dutton, P.C.
Elson, K.S.  Farmer, P.F.
Fawcett, D.  Ferguson, M.D.
Forrest, J.A.  Gambaro, T.
Georgiou, P.  Haase, B.W.
Hartgraver, G.D.  Hartsuyker, L.
Henry, S.  Hockey, J.B.
Hull, K.E.  Hunt, G.A.
Jull, D.F.  Johnson, M.A.
Kelly, D.M.  Kelly, J.M.
Laming, A.  Ley, S.P.
Lindsay, P.J.  Lloyd, J.E.
Macfarlane, I.E.  Markus, L.
May, M.A.  McArthur, S. *
McGauran, P.J.  Mirabella, S.
Moylan, J.E.  Nairn, G.R.
Neville, P.C.  Pearce, C.J.
Prosser, G.D.  Pyne, C.
Randall, D.J.  Richardson, K.
Robb, A.  Ruddock, P.M.
Schultz, A.  Scott, B.C.
Secker, P.D.  Slipper, P.N.
Smith, A.D.H.  Southcott, A.J.
Stone, S.N.  Thompson, C.P.
Ticehurst, K.V.  Tonnor, D.W.
Truss, W.E.  Tuckey, C.W.
Turnbull, M.  Vale, D.S.
Vasta, R.  Wakefield, B.H.
Washer, M.J.  Wood, J.

* denotes teller

Question negatived.

TREASURY DOCUMENTS

Ms ROXON (Gellibrand) (12.39 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Gellibrand from moving the following motion: That this House:
Ferguson, M.D. Forrest, P. Georgiou, P. Plibersek, T. Price, L.R.S.
Gambaro, T. Hardgrave, G.D. Quick, H.V. Ripoll, B.F.
Haase, B.W. Henry, S. Roxon, N.L. Rudd, K.M.
Hartsuyker, L. Hull, K.E. * Sawford, R.W. Sercombe, R.C.G.
Hockey, J.B. Jensen, D. Smith, S.F. Snowdon, W.E.
Hunt, G.A. Jull, D.F. Tanner, L. Thomson, K.J.
Johnson, M.A. Kelly, D.M. Vanvakinou, M. Wilkie, K.
Keenan, M. Laming, A. Windsor, A.H.C.
Kelly, J.M. Lindsay, P.J. * denotes teller
Ley, S.P. Macfarlane, I.E.
Lloyd, J.E. May, M.A.
Markus, L. Mirabella, S.
McArthur, S. * Moylan, J.E.
McArdle, S. Pearce, C.J.
Moylan, J.E. Randall, D.J.
Neville, P.C. Robb, A.
Prosser, G.D. Schultz, A.
Richardson, K. Secker, P.D.
Ruddock, P.M. Smith, A.D.H.
Scott, B.C. Smith, D.N.
Slipper, P.N. Ticehurst, K.V.
Southcott, A.J. Truss, W.E.
Thompson, C.P. Turnbull, M.
Tollner, D.W. Vasta, R.
Tuckey, C.W. Washer, M.J.
Vale, D.S. 
Wakelin, B.H. 
Wood, J. 

NOES

Adams, D.G.H. Albanese, A.N. 
Andren, P.J. Beazley, K.C. 
Bevis, A.R. Bird, S. 
Browen, C. Burke, A.E. 
Burke, A.S. Byrne, A.M. 
Corcoran, A.K. Danby, M. * 
Edwards, G.J. Elliot, J. 
Ellis, A.L. Ellis, K. 
Emerson, C. Ferguson, L.D.T. 
Ferguson, M.J. Fitzgibbon, J.A. 
Garrett, P. Georganas, S. 
George, J. Gibbons, S.W. 
Grierson, S.J. Hall, J.G. * 
Hatton, M.J. Hayes, C.P. 
Hoare, K.J. Irwin, J. 
Jenkins, H.A. Kerr, D.J.C. 
King, C.F. Lawrence, C.M. 
Macklin, J.L. McClelland, R.B. 
McMullan, R.F. Melham, D. 
Murphy, J.P. O'Connor, B.P. 

Question agreed to.

The DEPUTY SPEAKER (Hon. AM Somlyay)—Is the motion seconded?

Mr FITZGIBBON (Hunter) (12.48 pm)—A tax grab cover-up by the world’s highest-taxing treasurer—

Mr FARMER (Macarthur)—Parliamentary Secretary to the Minister for Education, Science and Training) (12.48 pm)—I move:

That the member be no longer heard.

Question put.

The House divided. [12.49 pm]

(The Deputy Speaker—Hon. AM Somlyay)

Ayes............. 75
Noes............. 57
Majority........... 18

AYES

Abbott, A.J. Anderson, J.D. 
Andrews, K.J. Bailey, F.E. 
Baird, B.G. Baker, M. 
Barresi, P.A. Bartlett, K.J. 
Billson, B.F. Bishop, B.K. 
Bishop, J.I. Broadbent, R. 
Brough, M.T. Cadman, A.G. 
Causley, I.R. Ciobo, S.M. 
Cobb, J.K. Draper, P. 
Dutton, P.C. Elson, K.S. 
Farmer, P.F. Fawcett, D. 
Ferguson, M.D. Forrest, J.A. 
Gambaro, T. Georgiou, P. 
Haase, B.W. Hardgrave, G.D. 
Hartsuyker, L. Henry, S.
Question agreed to.

Original question put:

That the motion (Ms Roxon’s) be agreed to.

The House divided. [12.53 pm]

(The Deputy Speaker—Hon. AM Somlyay)

Ayes............ 58
Noes............ 75
Majority........ 17

AYES

Adams, D.G.H. Albanese, A.N.
Andren, P.J. Beazley, K.C.
Bevis, A.R. Bird, S.
Bown, C. Burke, A.E.
Burke, A.S. Byrne, A.M.
Corcoran, A.K. Danby, M. *
Edwards, G.J. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Grierson, S.J. Hall, J.G. *
Hatton, M.J. Hayes, C.P.
Hoare, K.J. Irwin, J.
Jenkins, H.A. Kerr, D.J.C.
King, C.F. Lawrence, C.M.
Livermore, K.F. Macklin, J.L.
McClelland, R.B. McMulan, R.F.
Melham, D. Murphy, J.P.
O’Connor, B.P. O’Connor, G.M.
Owens, J. Plibersek, T.
Price, L.R.S. Quick, H.V.
Ripoll, B.F. Roxon, N.L.
Rudd, K.M. Sawford, R.W.
Snowdon, E.W. Smith, S.F.
Thomson, K.J. Tanner, L.
Wilkie, K. Vamvakou, M.

* denotes teller

NOES

Abbott, A.J. Andrew, J.D.
Andrews, K.J. Bailey, F.E.
Baird, B.G. Baker, M.
Barresi, P.A. Bartlett, K.J.
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Billson, B.F.  Bishop, B.K.
Bishop, J.I.  Broadbent, R.
Brough, M.T.  Cadman, A.G.
Causley, I.R.  Cioobo, S.M.
Cobb, J.K.  Draper, P.
Dutton, P.C.  Elson, K.S.
Farmer, P.F.  Fawcett, D.
Ferguson, M.D.  Forrest, J.A.
Gambard, T.  Georgiou, P.
Haase, B.W.  Hardgrave, G.D.
Hartsuyker, L.  Henry, S.
Hockey, J.B.  Hull, K.E. *
Hunt, G.A.  Jensen, D.
Johnson, M.A.  Jull, D.F.
Keenan, M.  Kelly, D.M.
Kelly, J.M.  Laming, A.
Ley, S.P.  Lindsay, P.J.
Lloyd, J.E.  Macfarlane, I.E.
Markus, L.  May, M.A.
McArthur, S. *  Mirabella, S.
Moylan, J.E.  Nairn, G.R.
Neville, P.C.  Pearce, C.J.
Prosper, G.D.  Randall, D.J.
Richardson, K.  Robb, A.
Ruddock, P.M.  Schultz, A.
Scott, B.C.  Secker, P.D.
Slipper, P.N.  Smith, A.D.H.
Southcott, A.J.  Stone, S.N.
Thompson, C.P.  Ticehurst, K.V.
Tollner, D.W.  Truss, W.E.
Tuckey, C.W.  Turnbull, M.
Vale, D.S.  Vasta, R.
Wakelin, B.H.  Washer, M.J.
Wood, J.  

* denotes teller

Question negatived.

AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION AMENDMENT BILL 2006

Second Reading

Debate resumed from 5 September, on motion by Ms Julie Bishop:

That this bill be now read a second time.

upon which Ms Macklin moved by way of amendment:

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

“whilst not declining to give the bill a second reading, the House condemns the Government for:

(1) its extreme and arrogant imposition of a nuclear waste dump on the Northern Territory;

(2) breaking a specific promise made before the last election to not locate a waste dump in the Northern Territory;

(3) its heavy-handed disregard for the legal and other rights of Northern Territorians and other communities, by overriding any existing or future State or Territory law or regulation that prohibits or interferes with the selection of Commonwealth land as a site, the establishment of a waste dump, and the transportation of waste across Australia;

(4) destroying any recourse to procedural fairness provisions for anyone wishing to challenge the Minister’s decision to impose a waste dump on the Northern Territory;

(5) establishing a hand-picked committee of inquiry into the economics of nuclear power in Australia, while disregarding the economic case for all alternatives sources of energy; and

(6) keeping secret all plans for the siting of nuclear power stations and related nuclear waste dumps”.

Mr HENRY (Hasluck) (12.56 pm)—

Nuclear technology and its place in the Australian community have received a lot of attention in recent times. The Australian public has a range of strong and often conflicting views on nuclear energy. Local residents in my electorate of Hasluck hold a wide variety of opinions, from abject fear of nuclear technology to enthusiastic advocacy of nuclear technology as a solution to all of our problems. For that reason it is important for the government to ensure that policy and legislation regarding nuclear technology in Australia are sensible, responsible and clear.

With that in mind, I am pleased to speak in support of the Australian Nuclear Science and Technology Organisation Amendment Bill 2006 today. The Australian Nuclear Sci-
ence and Technology Organisation, or ANSTO, as it is more commonly known, is the nation’s leading nuclear research and development organisation and the centre of our nuclear expertise. The facility operates under a 1987 act of parliament and is responsible for delivering specialised advice, scientific services and products to not only government but industry, academia and other research organisations.

The infrastructure includes the research reactor known as HIFAR, particle accelerators, radiopharmaceutical production and a range of unique research equipment. As HIFAR reaches the end of its productive life it will be replaced by ANSTO’s open pool Australian light water reactor, or OPAL. This is a more modern reactor which will soon be online. This reactor has a larger capacity and a longer life span and makes use of new technologies. ANSTO also operates the National Medical Cyclotron at Royal Prince Alfred Hospital which produces short-lived radioisotopes for our medical purposes. The ANSTO board currently and typically comprises some of the nation’s leading scientists, medical doctors, engineers and business experts. More than 800 staff work within ANSTO. Together the board and the staff represent the nation’s nuclear leadership and have done an outstanding job.

I take the time to mention these benefits because I believe that they are underrecognised and because they are relevant to the rationale of this amendment bill. These examples clearly demonstrate the extraordinary level of expertise, infrastructure and leadership that Australia has in ANSTO and why this government believes it is sensible and reasonable to correct anomalies in the act that restrict ANSTO’s operations, to the benefit of our nation. These benefits are significant and far reaching, covering health, environmental, industrial and strategic issues. For example, each year ANSTO products treat over half a million Australians who have serious illnesses such as cancer. Unfortunately, the demand for this type of assistance grows each year and currently, on average, every Australian will have at least one radioisotope procedure in the interests of their health.

Research is continuing into new nuclear treatments not only for cancer but also for conditions such as Alzheimer’s disease. ANSTO’s environmental research work includes crucial issues such as climate change, water management, pollution tracking, erosion and salinity. Across the fields of industry, ANSTO products are used for agriculture, mining, construction and manufacturing and in the areas of non-nuclear power generation. Strategically, ANSTO’s leadership and expertise ensure that Australia has both a voice and a place in international decision making on nuclear issues. ANSTO’s track record of acting in Australia’s best interests is clearly exemplary.

This amendment bill is needed for two reasons: firstly, Australia will soon have a state-of-the-art nuclear waste facility in the Northern Territory; and, secondly, the world we live in has changed. The 1987 act places restrictions on ANSTO that are outdated and will be more so when the planned Commonwealth radioactive waste management facility in the Northern Territory becomes a reality. For example, there are currently around 30 Commonwealth sites other than Lucas Heights where radioactive waste is produced and/or stored. The new facility in the Northern Territory is designed to provide long-term storage for nuclear waste, but that waste has to be conditioned and repackaged first. The current legislation prevents ANSTO from doing so. It makes no sense to create new legislation only to duplicate services already available at Lucas Heights. This bill includes amendments designed to remove these outdated restrictions. It allows ANSTO
to participate fully in establishing and operating the new facility in the Northern Territory.

Amendments to the ANSTO Act in 1992 restricting ANSTO’s powers to hold radioactive waste were prompted by fears that Lucas Heights may become the site of a national nuclear waste repository. These concerns were justifiable at the time given the Labor government illegally stored some 10,000 drums of low-level radioactive waste on the site. Given the Commonwealth’s decision to establish a new facility for the responsible management of all Commonwealth radioactive wastes, there are no longer any grounds for such concern. The Commonwealth government is proceeding to establish its own radioactive waste management facility in the Northern Territory under the Commonwealth Radioactive Waste Management Act 2005. The radioactive waste currently stored at ANSTO includes waste stored since the 1960s. It will be transferred to the radioactive waste facility in the Northern Territory once it is operational.

Spent fuel from ANSTO’s HIFAR research reactor is currently being processed under contract in expert facilities in both Scotland and France. These facilities will convert the spent fuel into intermediate level waste ready for safe long-term storage and eventual safe disposal here in Australia, as is our national responsibility. This waste will start returning to Australia from 2011. The bill includes amendments intended to put ANSTO’s authority to accept this reprocessing waste beyond doubt. It makes sense that ANSTO should play the lead role not only in an emergency but also in the prevention of emergencies by working with state and federal police or other agencies that may require help and advice on radiological issues, such as dealing with radioactive evidence.

Whatever the scale or specifics of a radioactive situation, we would all want those with the nation’s best expertise and best facilities to be able to respond quickly to protect our citizens and environment. We would need them to work as effectively and as efficiently as possible with state and federal police and other agencies which may require their assistance. This may involve storage of radioactive material gathered by police or Customs services. The last thing we would want at such a time would be for ANSTO’s actions to be hampered by restrictions on what they were and were not allowed to handle and who they were or were not allowed to assist. These amendments will ensure that ANSTO will not have to rely on parliament at such a time. This is clearly important for public health and safety, but it is also important to ensure that Australia is in line with the standards set down in the United Nations International Convention for the Suppression of Acts of Nuclear Terrorism and to allow us to properly consider our response to this convention.

Nuclear technology is a complex issue which deserves better than scare tactics and rhetoric. There are serious concerns and safety issues which I would never attempt to trivialise, and neither would the experts who know far more than me on this topic. However, I do know that they wish the community understood more about the contribution nuclear technology makes in all of our lives and that the safety issues are seen in context. For example, the vast majority of our nuclear waste is low level, which is less dangerous to transport than more commonplace substances such as fuel or fertiliser. In fact, you could stand beside a transport vehicle for two hours and receive less radiation than if you flew from Sydney to Los Angeles and back.

I have information from ANSTO regarding the safety of various methods of power generation as measured by the number of
severe accidents—that is, accidents with more than five fatalities. In OECD countries there have been no accidents and obviously no fatalities in the nuclear power industry. This compares with 75 accidents resulting in 2,259 fatalities in the coal power industry and 165 accidents resulting in 3,789 fatalities in the oil and gas industry. These figures indicate that our concerns regarding nuclear energy are often grounded in emotion and not necessarily in fact. In particular, research reactors have been operating around the world for many decades with no external public health or safety incidents. ANSTO’s main site at Lucas Heights is located 40 kilometres south-west of Sydney’s central business district. It occupies 70 hectares and is surrounded by a 1.6-kilometre buffer zone. This is far more than is commonly found in other countries. ANSTO’s performance record is something to be extremely proud of.

The Howard government’s approach to nuclear issues is sensible and responsible. Perhaps more importantly, our approach has been consistent. This is in stark contrast to that of members opposite. Not only are their ranks fundamentally divided on the issue of nuclear power, but also the Leader of the Opposition changes his own mind at a moment’s notice—three mines, no mines, as many mines as you like.

The member for Grayndler is not the only one confused by the Leader of the Opposition’s rollover. Only two months ago, the Leader of the Opposition and Senator Sterle were in my electorate of Hasluck, telling the 23 people attending a morning tea in High Wycombe that the Howard government had secret plans to build a nuclear reactor in Hasluck. Can you believe it? It is this sort of scaremongering and opportunism which has become the hallmark of Labor’s contribution to policy debate in this country, particularly regarding nuclear energy.

I am pleased that the Prime Minister has initiated debate in this country on our future use of nuclear energy by establishing a task force to investigate uranium mining, export and nuclear energy issues in Australia. This is a national debate that we must have. We can no longer fool ourselves that oil and gas will keep our society going forever. It is clear that dwindling reserves and financial and environmental costs will bring an end to the days of fossil fuels in the near future.

It is also clear that our energy demands cannot be met purely by solar panels, biofuels and wind farms. I have no doubt that they can, and do, make a valuable contribution to our energy supply, but as Allan Patience argued in the *Age* newspaper in June last year ‘they simply cannot meet our demands for energy’. This view is indicative of almost every opinion I have seen regarding renewable energy sources. In that same article, Allan Patience offered us the stark choice we must make, and make soon: do we embrace nuclear power generation or do we drastically reduce our per capita energy consumption? I would suggest that, while there are many innovations and programs which will reduce our energy use, these reductions will not be sufficiently significant to release us from our difficult choice.

David Noonan, the campaign officer for the Australian Conservation Foundation, unsurprisingly is a dissenting voice in this debate. Mr Noonan maintains that ‘there is no economic or environmental case for Australia to build nuclear power plants’. I disagree, in that I believe every option should be explored and that nuclear power has significant advantages. Mr Noonan, and many other members of the environmental lobby, cling to an unrealistic belief that a renewable energy source that will satisfy all our needs is just around the corner, if not already here.
The simple fact is that viable renewable energy may never be achievable. Reality must be taken into account at some point. We cannot go on believing in a fairytale. ANSTO must be given a more free hand to be involved in our nuclear future, whatever it may be. ANSTO are the experts—they have been dealing with nuclear energy safely and sensibly for 20 years. Who better to guide us on this journey?

The people at ANSTO deserve our respect and our gratitude. They make important contributions to Australia’s wellbeing every day, with little recognition, never mind understanding. This bill will enable them to do their job even better than before. It will ensure that their role and expertise are given the authority they need to ensure that Australia’s management of the risks and benefits of nuclear technology is second to none. I commend this bill to the House.

Mr MELHAM (Banks) (1.11 pm)—The electorate of Banks is adjacent to the seat of Hughes where the Lucas Heights nuclear reactor is located. I was asked to visit ANSTO on 28 April 2005 by a scientist who lives in my electorate and who works at ANSTO. I was impressed by the professionalism and the commitment of the people I met. The visit certainly gave me an insight into the work which is done on the site and which assists ordinary Australians.

I can say with some confidence that changes to the Australian Nuclear Science and Technology Organisation’s responsibilities impact directly on my constituents. Certainly, my constituents do raise the issue with me occasionally. Our local newspapers maintain a watching brief on the activities at Lucas Heights. The St George & Sutherland Shire Leader ran an article as recently as 6 July reporting the launch of a partnership between ANSTO and the CSIRO which is aimed at delivering better foods to combat colorectal cancer and diabetes. The bill that is before the House today, the Australian Nuclear Science and Technology Organisation Amendment Bill 2006, expands those responsibilities in relation to the handling, management and storage of nuclear waste.

At the outset, I wish to declare that I have the highest respect for the work in medical science, environmental science and industrial applications carried out by ANSTO. A brief reference to the ANSTO Fifty years report provides some idea of the research activities carried out by ANSTO. From 1958, when the high flux Australian reactor went critical, isotopes were being produced. Radioisotopes are invaluable as they allow scientists to see inside solid objects and are used in agriculture, industry and medicine. ANSTO now produces 98 per cent of the isotopes used in Australia, as well as exporting to South-East Asia and the UK.

Diagnostic radioisotopes are used in radiotherapy to treat cancer. These release their radioactive payload directly into the tissue being targeted. ANSTO, in partnership with Australian Surgical Design and Manufacture, produces prosthetic devices such as knee and hip joints. A radioisotope labelled ‘sand tracer’ is being used to study the impact of storms on our coastline. ANSTO is working on this project in conjunction with the New South Wales Department of Land and Water Conservation at McMasters Beach.

With the Olympic Park Authority, ANSTO is working to provide a tool for sustainable management of the wetlands surrounding Homebush Bay, given the contamination of the mud over many years. The impact of air pollution on climate change is another project undertaken by scientists at ANSTO where, by using their facilities, accelerator based nuclear techniques of analysis are being applied to obtain over 25 different ele-
mental and chemical species from hydrogen to lead.

The list goes on to outline the varied activities carried out by ANSTO which directly impact on the day-to-day activities of our community but of which little is known. I make this point because it is important for people to understand the breadth of tasks, beyond processing, that are undertaken by ANSTO. It is worthwhile noting the safety arrangements in place at ANSTO as these have pertinence to the bill before the House today. I quote the safety objectives from the ANSTO annual report 2004-05:

1. protect human health and safety – this is the organisation’s highest priority
2. develop and maintain safety systems and assessment procedures that comply with national and international standards
3. create and promote a positive safety culture
4. strive for continual improvement in safe work practices so that any risk to staff and the public from ANSTO’s operations is as low as reasonably achievable.

There is no doubt that ANSTO, of all organisations in this country, is the best placed to deal with safety matters relating to waste treatment.

The bill is to allow ANSTO to fully participate in actions which may be required to assist the Commonwealth and its agencies in the management of nuclear materials and waste beyond those which relate to its own operations. Currently ANSTO is unable to make its expertise available to owners of nuclear waste who may be required to send that waste to the proposed storage facility in the Northern Territory. This legislation will allow ANSTO to provide its assistance and advice to these departments and agencies. In addition, ANSTO will be able to provide assistance to state and Commonwealth authorities in the storage and disposal of nuclear materials which may be obtained in the course of law enforcement operations.

In its submission to the Senate Employment, Workplace Relations and Education Legislation Committee, ANSTO welcomed the amendments to the act:

In the course of its operational, research and production activities, ANSTO necessarily generates small quantities of solid, liquid and gaseous radioactive wastes on a daily basis. ANSTO has the specialised skills, equipment and facilities that enable it to condition, manage and store these wastes safely. No other organisation in Australia has comparable capabilities.

Certainly ANSTO is best placed to handle radioactive waste and ensure it conforms to the Commonwealth radioactive waste management facility standards for packaging. ANSTO noted in its submission that it is presently unable to assist other organisations to package their waste to the appropriate standard. This legislation will allow ANSTO to do so.

The original ANSTO Act did not envisage that ANSTO may ever be required to assist law enforcement agencies by taking charge of radioactive materials which may be part of ongoing investigations. The Senate committee investigating this bill found that state emergency services had approached ANSTO for assistance and advice in relation to the storage of nuclear materials. Under the current act ANSTO was not in a position to assist. This legislation will empower ANSTO to provide such advice and assistance in the storage and disposal of nuclear materials. I note that this amendment will also ensure that Australia is aligned with the standards set out in the UN International Convention for the Suppression of Acts of Nuclear Terrorism.

The Labor Party have no argument with the specified direction of this bill. What we must have emphatic reassurance on is an iron plated guarantee that Lucas Heights will not
become the de facto nuclear waste dump for Australia. I note that the Minister for Education, Science and Training, in her second reading speech, said that in providing this authority to ANSTO:

... does not mean that Lucas Heights will become the Commonwealth’s radioactive waste store. In fact, the Commonwealth has absolutely no intention of establishing the ANSTO Lucas Heights premises as the main radioactive waste storage or disposal facility ...

I wish to remind the minister of these remarks and warn her that they will come back to haunt her if Lucas Heights does take on this role, intentionally or otherwise.

My concern is that this government will continue in the opaque manner in which it has operated for its term of government. The Northern Territory is a victim of this approach. The government has imposed the establishment of a nuclear waste facility in the Northern Territory. One might ask whether the Northern Territory government agreed with this decision or, in fact, whether the Northern Territory was even consulted—not an unreasonable query under the circumstances. The announcement by the federal government was made by the then Minister for Education, Science and Training, Minister Nelson, in July 2005. Three potential sites were identified, all in the Northern Territory: Mount Everard, Harts Range and Fishers Ridge.

The previous year saw the introduction of legislation by the Northern Territory government to prevent radioactive waste from outside the Northern Territory being transported into and stored within the Northern Territory. The Nuclear Waste Transport, Storage and Disposal (Prohibition) Bill was enacted in the Northern Territory in November 2004. This arrogant and conceited federal government has seen fit, once again, to override the rights of a jurisdiction because of its own short-term political needs. Since all three of the sites are on Commonwealth land the government does have the right, legally, to legislate with respect to the sites—the legal right but, emphatically, not the moral right.

The Commonwealth Radioactive Waste Management Act 2005 explicitly overrides the operation of both state and territory laws that ‘regulate, hinder or prevent’ the facility’s development and operation. The act also overrides the application of various state and territory laws that may present any procedural delays in progressing the development of the facility. In the parliamentary Bills Digest No. 59 produced prior to the enactment of this bill the concluding comments succinctly summarise the position of this government:

The Bill makes it clear that the Government’s decision on the preferred site is not disallowable by Parliament, is not reviewable under the Administrative Decisions (Judicial Review) Act 1977, and the Government owes no legal obligation of procedural fairness towards anybody affected by the decision.

We have no guarantee that this arrogant government will not overreach yet again if there are delays with the establishment of the waste facility. If that were to occur then Lucas Heights will inevitably become the waste management facility for the Commonwealth. I remind the minister that the electors of Banks and, perhaps more importantly to her, the electors of Hughes will not tolerate such a move. As a consequence of this bill all Commonwealth radioactive waste from across Australia could be taken to Lucas Heights for processing. I seek assurances from the minister that Lucas Heights will not become the de facto dumping ground as a result of the provisions of this bill.

Mr SOMLYAY (Fairfax) (1.22 pm)—Mr Deputy Speaker, I will be as relevant to the Australian Nuclear Science and Technology Organisation Amendment Bill 2006 as I can.
The purpose of this bill is to amend the Australian Nuclear Science and Technology Organisation Act 1987 to allow Australia’s pre-eminent nuclear science and research agency, ANSTO, to have a fully effective and practical role in managing all radioactive materials in Australia. The member for Banks spoke passionately about the future of Lucas Heights, and I remind the member for Banks that the reactor at Lucas Heights has been there for a very long time. As Chair of the House of Representatives Standing Committee on Health and Ageing, I led a delegation to visit the Lucas Heights facility earlier this year. We had a first-hand look at their work and contribution to medical science and practice in Australia. As you walk into Lucas Heights there is a plaque saying ‘Opened by Sir Robert Menzies in 1962’. The previous time that I had visited Lucas Heights was in 1962 as a senior science student in my final school year at Richmond High School. Lucas Heights has been there for many years, under many governments. It started under the Menzies government, then we had the Whitlam government, the Fraser government, the Hawke government, the Keating government and now the Howard government. The expertise that they have accumulated in nuclear technology and medicine is probably second to none in the world.

Under the existing act, ANSTO is only authorised to prepare, manage or store those radioactive materials associated with the organisation’s own activities. It cannot prepare, manage, handle or store any other radioactive materials unless specified by regulation. However, there is already radioactive waste stored at around 30 Commonwealth sites and there is no sense in making separate regulations for each shipment to Lucas Heights for conditioning and repackaging for storage. This bill gives ANSTO, the expert in the field over many years, the authority to condition, manage and store radioactive waste produced by other Commonwealth agencies and also to participate in the establishment of the radioactive waste storage facilities in the Northern Territory.

Not only does the act currently restrict ANSTO from making its expertise and facilities available to assist other government agencies—Commonwealth, state or territory—in the management of their radioactive wastes, it also prevents it from assisting in potential emergency terrorism situations. Under the existing act, ANSTO cannot assist any law enforcement agency that may have to deal with radioactive materials in the course of an investigation. I am sure that every member of this House hopes that Australia never has to face such a terrorist threat; but if we do—if the unthinkable should happen—then we want to have the expert available immediately to deal with any radioactive material, and the expert is ANSTO.

ANSTO has the experience, the established infrastructure and, more importantly, the qualified personnel to assist in such situations, but current legislation prevents it from using them. Even if it is only precautionary to consider such a terrorist situation, the Commonwealth has an obligation to be prepared. Australians have the right to believe that this parliament will ensure that the expertise of Commonwealth agencies can be drawn on immediately in an emergency. It would be appalling if such a terrorism situation should arise; but even more appalling if we fail to deal with it appropriately because our parliament was too short-sighted or complacent to trust ANSTO with the authority to deal with the threatening material immediately.

Nothing in this bill extends the production of nuclear material in Australia. There is nothing in it to alarm even the most nervous of those concerned about nuclear power. This bill is about ensuring that the expertise and
experience we have accrued at ANSTO is available to safeguard our management of all radioactive material in Australia, whether that material is produced by another arm of government or presents through criminal activity.

ANSTO operates Australia’s only research reactor at Lucas Heights, and radioactive waste arises from this and associated facilities. The entire Australian community benefits from the radioisotopes produced by ANSTO, as other speakers have said. Unfortunately, the word ‘nuclear’ is linked in many people’s minds in a negative way to the words ‘bomb’, ‘power’ and ‘waste’. While I agree that people are right to be aware of and concerned about these matters, I also believe that nuclear science is much like the motor vehicle. If it is not well designed and maintained and if it is negligently driven then a vehicle can be a lethal weapon. On the other hand, a well-designed vehicle, properly maintained and carefully driven, is a wonderfully useful tool.

I know from speaking to people in my electorate that many do not understand the benefits of radioisotopes and the positive work being done through our nuclear research and production in Australia. Each year over 400,000 doses of these radioisotopes are used in nuclear medicine in our hospitals to diagnose medical conditions and to treat patients. Doctors use them to picture and ascertain what is happening within bones, organs and soft tissue, and then sometimes to treat the problem.

In industry the radioisotopes are used in a variety of ways to improve productivity and gain information that cannot be obtained in any other way. Just as X-rays show a break in a bone, gamma rays show flaws in metal castings or welded joints. The technique allows critical components to be inspected for internal defects without damaging the component. An example of this use would be in aviation safety. Unlike X-ray equipment, radioactive sources are small and do not require power. This means they can be transported to remote areas where there is no power.

There are many and varied uses for radioisotopes, including in simple things like smoke alarms or estimating the age of water from underground bores. I notice that the Parliamentary Secretary to the Prime Minister, who is responsible for water, is at the table. I think he is nodding in agreement with me. Radioisotopes are also used to measure and trace the movement of soil, water, gases or even insects; to track sewage dispersion; to trace small leaks in complex systems such as power station heat exchangers; and to accurately measure the flow rates of large rivers and of liquids and gases in pipelines. They are further used to measure the extent of termite infestation in a building and for mineral analysis, such as determining element concentrations in slurry streams.

The reason I mention all these examples is to demonstrate that, when we talk about ANSTO, we are not talking about a nuclear power plant or about a bunch of scientists just sitting around conducting physics experiments. We are talking about the production and management of radioisotopes essential to medicine and industry in Australia. They are essential for our health and our economy. We are not talking about the misuse of power or expertise. We are talking about making existing expertise available when necessary and about safe and effective management of the radioactive waste resulting from medical and industrial processes such as those I have mentioned. We have to accept that radioisotopes have important uses in our society, that they do produce radioactive waste and that, no matter how low-level that waste is—and some only remains radio-
active for hours—we need to ensure that it is managed expertly, securely and responsibly.

This bill was referred to the Senate Employment, Workplace Relations and Education Legislation Committee, which reported on it in May this year. The majority report recommended that the bill be passed. The committee listed the three main elements of the bill as being the management of Commonwealth radioactive waste, the management of radioactive waste at the request of law enforcement and emergency services authorities and the management of waste following the reprocessing of spent nuclear fuel. The majority report said that the committee regarded the bill as important and essential legislation. It said that passage of the bill would ‘significantly improve levels of protection from radioactive contamination in routine management of waste, and in the event of criminal or terrorist activities involving radioactive materials’.

I think the opposition’s reservation about the committee’s report was very interesting. The two Labor senators emphasised strongly their concern that the government may use this legislation to allow the Lucas Heights nuclear facility to become a de facto national waste repository. That concern was also echoed by the member for Banks. They said they were opposed to Lucas Heights being used as such a repository. I find their concern quite interesting because the good senators are also opposed to the establishment of the secure, remote, geologically sound nuclear waste repository the government is planning—after extensive investigation—to build in the Northern Territory. The reason the government planned and legislated for this site to be built is that we do not want nuclear waste to continue to accumulate at Lucas Heights, in Sydney, or in any other city for that matter. We want to ensure its security. This government has no desire to use Lucas Heights as a national waste repository—although it has been used as such in the past, under a Labor government, when 10,000 drums of low-level radioactive waste were illegally stored there. In its 13 years in office the Labor government did nothing to establish suitable radioactive waste management facilities. The problem was too difficult; it did not want the responsibility. The Howard government is doing it. It has shouldered the responsibility.

If you read the Australian Democrats’ minority report you will not learn much about this bill but you will understand why the Democrats are such a small minority. Their minority report is wordy, confused, a touch hysterical and very short on substance. For instance, it says that the bill opens the door for the government to import foreign nuclear waste—not just low- or intermediate-level waste, which is all we currently have in Australia, but high-level waste—and dump it on unsuspecting states and territories. That, of course, is an absurd hypothesis. Not only does the government have no such intention but such an idea certainly would not be supported by the Australian people. I certainly would not support it.

This bill aims to give ANSTO the authority it needs to securely manage our radioactive waste, but most of our radioactive waste is low-level. ANSTO and its associated facilities, including the research reactor, HIFAR, do produce some intermediate-level waste but do not produce any high-level waste at all. I repeat: ANSTO does not produce any high-level waste, so why would we import high-level waste, with the enormous problems associated with its disposal? The bill puts beyond any doubt ANSTO’s authority to accept back and to manage radioactive waste from spent nuclear fuel from its research reactor—material it previously sent overseas for reprocessing. This waste will be returned to Australia from 2011, when the Commonwealth Radioactive Waste Man-
agement Facility is scheduled to commence operation.

This bill gives authority and certainty to the leading scientific body, ANSTO, in the management of radioactive waste in Australia. As the Senate committee majority report says:

It will significantly improve levels of protection from radioactive contamination in routine management of waste, and in the event of criminal or terrorist activities involving radioactive materials. This bill aims to ensure that our radioactive waste materials are managed expertly, securely and responsibly. I commend the bill to the House.

The DEPUTY SPEAKER (Mr Hatton)—I thank the member for Fairfax. He gave an indication at the start of his speech that he would speak relevantly to the bill. I must say that I thought it was a model speech, entirely contextually relevant.

Mr ALBANESE (Grayndler) (1.36 pm)—The Australian Nuclear Science and Technology Organisation Amendment Bill 2006 is a timely reminder of the dangers of the nuclear fuel cycle and the Howard government’s extreme approach to nuclear power. The bill serves three main purposes. Firstly, it allows ANSTO to assist Commonwealth, state and territory governments in responding to a nuclear accident or terrorist incident. Secondly, it allows ANSTO to manage or support the establishment of an intermediate-level nuclear waste dump. Thirdly, it clarifies arrangements for the storage of spent nuclear fuel from the Lucas Heights reactor.

While the Labor Party support this bill, we remain extremely concerned about the Howard government’s extreme approach to nuclear power. That is why the Deputy Leader of the Opposition has moved the amendment standing in her name. I intend to speak in support of that amendment. The bill amends the ANSTO Act 1987 to deal with the consequences of an accident or terrorist attack involving radioactive materials. Let us hope and pray that this never happens and let us make sure that every conceivable step is taken to prevent it from becoming a reality. But the truth is that, in proposing this legislation, the minister is explicitly acknowledging the cold, hard reality that must shape the nuclear debate—that is, that any further involvement in the nuclear fuel cycle involves Australia further in potential nuclear terrorism.

The Nobel Peace Prize winner Mohamed ElBaradei, the head of the International Atomic Energy Agency, has warned about the dangers of nuclear terrorism. He said this:

Our fears of a deadly nuclear detonation—whatever the cause—have been reawakened. In part, these fears are driven by new realities. The rise in terrorism. The discovery of clandestine nuclear programmes. The emergence of a nuclear black market.

We know that there have been arrests in Australia of people allegedly plotting a terrorist attack on Lucas Heights. That is one of the reasons Labor is opposed to Australia becoming further involved in the nuclear fuel cycle and building nuclear reactors, which are a terrorist target.

According to the Oxford Research Group, a nuclear weapons designer could construct a nuclear weapon from just three or four kilograms of reactor grade plutonium. About 250,000 kilograms of civil plutonium has been reprocessed worldwide. This is enough to generate 60,000 nuclear weapons. The Oxford Research Group has also suggested that two or three people with appropriate skills could design and fabricate a crude nuclear weapon using a cricket ball sized sphere of reactor grade plutonium.

It is a fact of life that the production of uranium and its use in the nuclear fuel cycle
present unique and unprecedented hazards and risks. We cannot resile from that. You can guarantee that uranium will create nuclear waste but you cannot guarantee that it will not create nuclear weapons. That is precisely why I strongly believe that Australia is as far into the nuclear fuel cycle as Australians want to be.

The provisions in the ANSTO bill which allow ANSTO to assist in the response to a terrorist attack are sensible and they should be supported. We must, however, do everything we can to stop such an incident occurring, and that includes limiting our involvement in the nuclear fuel cycle. The Howard government, however, takes a different view. It has an extreme agenda. It has a nuclear obsession that is putting Australia at greater risk of terrorist attack. ANSTO has said we need four or five nuclear reactors along our coast to make the industry viable in this country. Make no mistake: that means four or five potential terrorist targets.

The French terror suspect Willie Brigitte allegedly told investigators he was part of a cell planning to blow up the Lucas Heights reactor. According to an article in the Australian Financial Review on 12 November 2003, Australian authorities who searched Mr Brigitte’s flat found photos of Lucas Heights and a list of materials needed to make the explosive TATP.

The then Acting Prime Minister John Anderson said that security around potential terrorist targets such as Lucas Heights was broadly adequate. The truth, however, is very different. The Weekend Australian reported on 19 November 2005:

The back door to one of the nation’s prime terrorist targets is protected by a cheap padlock and a stern warning against trespassing or blocking the driveway.

This is typical of the Howard government’s approach to security issues: big on rhetoric but lacking in substance and action.

We also know that a number of other possible sites for nuclear reactors have been considered by the Howard government. In 1997 the Howard government compiled a shortlist of 14 possible sites but kept the list secret from the public. The confidential briefing, which was signed ‘good work’ in the handwriting of former science minister Peter McGauran, said the short list should be kept secret because ‘release of information about alternate sites may unnecessarily alarm communities in the broad areas under consideration’.

Just think about that. The cabinet was considering 14 potential sites for a nuclear reactor and making a conscious decision to keep those sites secret from the public because it may alarm communities in the areas under consideration. Communities were not even given the right to know that their areas were being short-listed. Those areas included: Goulburn, Holsworthy, Lucas Heights and Broken Hill in New South Wales; in South Australia, the Mount Lofty Ranges, the river and lakes region 50 kilometres east of the Mount Lofty Ranges, Woomera and Olympic Dam; in Western Australia, sites in the electorates of O’Connor, Pearce, Brand and Canning; in Queensland, Mount Isa; and Darwin in the Northern Territory. What that document showed was that the Howard government has now had 10 years of secret planning and keeping information on these issues from the public.

I put a question in writing to the Prime Minister on 31 May 2006. The Prime Minister is given 60 days to answer questions in writing. It was a very simple question: will he rule out locating a nuclear reactor in each of the 150 federal electoral divisions? The
Prime Minister has refused to answer that question, contrary to the rules of this parliament, because he does not want to rule out any sites because that will narrow where potential nuclear reactors will go.

He did provide an answer to a second question, question No. 3591, placed that day, asking him to rule out a high-level nuclear waste repository in the 150 federal electoral divisions. His answer to that was to refuse to rule out a single potential site but to indicate that he has established his nuclear energy review committee. That, of course, is a committee stacked with proponents of the nuclear industry. There is no-one on that committee who has ever expressed any scepticism about nuclear energy and furthering Australia’s involvement in the nuclear fuel cycle. Indeed, a prerequisite for being appointed to that committee would appear to be support for the nuclear fuel cycle. That, of course, is a prerequisite for being appointed to that committee would appear to be support for the nuclear fuel cycle. It is being chaired by Ziggy Switkowski, who, of course, was the chair of ANSTO. He has stepped aside—he has not resigned—from his position as the head of ANSTO while the inquiry is going on, but as soon as it is over he will go back as the chair of ANSTO.

It is a bit like having an inquiry into what the best football code is for Australia and asking the AFL commissioners to conduct it. It is absolutely absurd. But it gets worse because this inquiry will not look at the sites where nuclear reactors will go. So we have an inquiry which is going to examine the economic cost of Australia becoming further involved in the nuclear fuel cycle without looking at the sites where nuclear reactors will be located. It is like a ‘virtual’ debate. You cannot have a nuclear energy industry in this country without having the nuclear reactors somewhere. They have to be somewhere. It is a bit like asking for the price of a pie without the pastry and the meat. It is absolutely absurd. What is more, this inquiry specifically will hold no public meetings whatsoever. There will be no public process whatsoever. There will be no opportunity to have a serious examination of the issues. Everyone knows that, whether you are establishing a residence to live in or a business to operate from, location is a key component of cost. It is like a real estate agent advertising a house without saying where it is and how many rooms it has. It is absolutely absurd. The government does not want a transparent debate on involvement in the nuclear fuel cycle.

At the place where there is a facility, at Lucas Heights, there have been significant concerns about how the Howard government has dealt with these issues. On 1 May 2006 ANSTO ceased having health physics surveyors, who monitor radiation levels and safety measures, on site between 11 pm and 7 am. What that means is that firefighters may not be able to immediately enter the premises during an emergency. The New South Wales Fire Brigade may be unable to fully respond to an emergency at the reactor unless these health physics surveyors are present on site to brief those officers. Let us be honest: that decision could put at risk the safety of employees and those in the local community. The Lucas Heights nuclear reactor has recorded 13 safety breaches in the past 18 months. It is in that context that I want to talk about what ANSTO’s response is to that.

The head of safety at Lucas Heights spoke to 2SM on 20 June this year and responded to the fact that Labor had raised questions on the floor of this parliament which the science minister had no idea about and no capacity to answer. The response was this:

... the fact they get into the press worries us because our local community starts to get concerned for no good reason.

I actually think that, if there is a problem at the Lucas Heights reactor, the community
around it has an absolute right to know what is going on in their local community, just as it is an absolute right of this parliament to be told about these occurrences. The Howard government is seeking to expand ANSTO’s role. I think it needs to have a good hard look at how ANSTO is operating because the culture of incompetence and secrecy must end and it must end now.

The arrogance of the Howard government is also seen in its contemptuous approach to the establishment of a nuclear waste dump in the Northern Territory, and this bill reinforces that arrogance. This bill reinforces ANSTO’s ability to operate the Commonwealth nuclear waste dump should the government decide to transfer overall responsibility to ANSTO. This essentially fast-tracks the imposition of the nuclear waste dump. It is worth recalling the extreme approach the Howard government took towards the establishment of this dump. The Commonwealth Radioactive Waste Management Act is an extreme piece of legislation which was rammed through this parliament in March 2006. State and territory laws prohibiting nuclear waste dumps were overridden. Environmental protection and Indigenous heritage bills were overridden. The Native Title Act was overridden. The Lands Acquisition Act was overridden. Procedural fairness was removed.

It is an extreme act built on broken promises. Just before the last federal election, the Minister for the Environment and Heritage stated:

The Commonwealth is not pursuing any options anywhere on the mainland. So we can be quite categorical about that because the Northern Territory is on the mainland.

In June 2005 the member for Solomon also ruled out a nuclear waste dump in the Northern Territory. The member for Solomon said: There’s not going to be a national nuclear waste dump in the Northern Territory ... That was the commitment undertaken in the lead-up to the federal election ... We know that the Howard government’s promises, when it comes to all issues relating to the nuclear fuel cycle, are not worth the paper they are written on. The government simply breaks promise after promise.

As the minister’s second reading speech acknowledges, this bill allows ANSTO to:

… condition, manage and store radioactive waste produced by other Commonwealth agencies and to fully participate in the establishment and operation of the—

nuclear waste dump—
in the Northern Territory.

Under this bill, ANSTO will be given responsibility for storing all Commonwealth radioactive waste, not just its own. Two facts are important to note here. Firstly, the Northern Territory nuclear waste dump will not be operational until at least 2011, if it operates at all. Secondly, the environmental impact statement for the nuclear waste dump states the disposal of nuclear waste ‘would occur at intervals of between two and five years’.

Given these two facts, the inevitable conclusion must surely be that Lucas Heights will operate, at best, as an interim store for all Commonwealth nuclear waste. Under this bill, Lucas Heights will also be the interim storage site for the spent fuel rods which are currently sent to France for reprocessing. Further, the bill provides for nuclear waste from Commonwealth sites around the country to be transported to Lucas Heights—that means the regular transport of nuclear waste through Sydney.

The science minister, in her second reading speech, stated:

… the Commonwealth has absolutely no intention of establishing the ANSTO Lucas Heights prem-
ises as the main radioactive waste storage or disposal facility for the Commonwealth.

Given the Howard government’s appalling record in breaking promises relating to nuclear waste, it is hard to take this commitment seriously. Because, while this bill does contain some practical measures which are worthy of support, Australians are right to remain extremely concerned about the Howard government’s extreme approach to nuclear issues.

This is a government that is determined to involve Australia further in the nuclear fuel cycle. This is a government that is determined to promote uranium enrichment here in Australia and to impose nuclear reactors on the community. It is ironic that, at the same time as it does that, it has knocked off the member for Tangney for being honest. The member for Tangney, a nuclear advocate, had the honesty to say a nuclear reactor has to go somewhere, and he would welcome it in his electorate. So what has it done? It knocked him off in a preselection, because he at least had the decency to acknowledge you cannot have a nuclear energy industry without having nuclear reactors, and you cannot have nuclear reactors without having high-level nuclear waste. For his sins, an honest man has been rubbed out after just two years in this parliament. The member for Tangney is the first victim of nuclear fallout from the Howard government. (Time expired)

Mrs VALE (Hughes) (1.56 pm)—This bill, the Australian Nuclear Science and Technology Organisation Amendment Bill 2006, is vital to ensure the continued security of Australia. This amendment will enable ANSTO to provide greater assistance to government in managing the Commonwealth’s radioactive material and to assist in the event of a radiological incident in Australia, including the possibility of a terrorist radiological incident—known as a ‘dirty bomb’.

Such was ably described by journalist Jim Dickins in an article in the Sunday Telegraph on 13 August 2006 entitled ‘Australia prepares for dirty bomb’, in which he reported:

Authorities have a plan to cope with one of the worst terrorist threats imaginable: a ‘dirty bomb’ attack on Australian soil.

Sydney’s Lucas Heights nuclear facility would play a crucial role in the emergency response. It would provide a safe location to stabilise and house volatile radioactive waste from the bomb site.

Under legislation before Federal Parliament, the Australian Nuclear Science and Technology Organisation (ANSTO) will be given power to take charge of such hazardous material.

At present, it is restricted by law from processing anything other than its own waste. This legislation will address that restriction.

ANSTO is Australia’s national nuclear research and development organisation and the centre of Australian nuclear expertise. It is the largest corporate employer in my electorate, employing around 800 local residents and providing income for several hundred local tradespeople and industry suppliers. As a matter of fact, ANSTO contributes over $40 million to our local electorate economy. ANSTO is responsible for delivering specialised advice, scientific services and products to government, industry, academia and other research organisations.

ANSTO’s nuclear infrastructure includes the research reactor, HIFAR, particle accelerators, radiopharmaceutical production facilities and a range of other unique research establishments. HIFAR is Australia’s only nuclear research reactor. It is used to produce radioactive products for use in medicine and industry, as a source of neutron beams for scientific research and to irradiate silicon for semiconductor applications. A replacement for HIFAR, the OPAL reactor—the open pool Australian light-water reactor—is in its final stages of construction on the same site.
at Lucas Heights in my electorate. This is one of the areas of the so-called secret report that was cited by the member for Grayndler for Australia’s new reactor. Indeed, it was the search for Australia’s new research reactor. The site has already been chosen; the site is Lucas Heights.

The new OPAL reactor is of profound significance for those at the leading edge of science and research. The new reactor will be a world-class neutron source, capable of supporting up to 17 neutron beam instruments. The scope of research that these instruments will allow is tremendous, from research on advanced materials through to molecular biology.

Why does the Prime Minister allow this exploitation and why does he persist with this deliberate plan to drive down Australian wages?

Mr HOWARD—There is no plan to drive down Australian wages. It is very interesting that I am asked this question today, when the national accounts for the June quarter show that wages under this government, since March of 1996, have risen by 16.4 per cent in real terms. The only time in recent recorded history that wages have been driven down was the period between March 1983 and March 1996, when the Statistician records that real wages actually fell by 0.2 per cent.

As to the particulars of that individual case, I am not personally aware of it. I do not know who that man’s employer was; it may even have been a state government agency.

Ms Macklin interjecting—

Mr HOWARD—I will get some information and, if there is anything I can inform the House of, I will be happy to do so.

QUESTIONS WITHOUT NOTICE

Skilled Migration

Ms MACKLIN (2.00 pm)—My question is to the Prime Minister. Is the Prime Minister aware of the case of Jack Zhang, a printing worker from China working on a 457 visa in Victoria, who was forced to pay two fees of $10,000 to buy a job in Australia, who was underpaid by around $400 a week and who was then sacked and evicted as soon as he had paid off his $10,000 fee?

Mr HOWARD—There is no plan to drive down Australian wages. It is very interesting that I am asked this question today, when the national accounts for the June quarter show that wages under this government, since March of 1996, have risen by 16.4 per cent in real terms. The only time in recent recorded history that wages have been driven down was the period between March 1983 and March 1996, when the Statistician records that real wages actually fell by 0.2 per cent.

As to the particulars of that individual case, I am not personally aware of it. I do not know who that man’s employer was; it may even have been a state government agency.

Ms Macklin interjecting—

Mr HOWARD—I will get some information and, if there is anything I can inform the House of, I will be happy to do so.
with real gross domestic income rising by
0.7 per cent in the June quarter, to be 3.3 per
cent higher than a year ago.

Compensation of employees—in plain
language, wages—grew by two per cent in
the June quarter. Very interestingly, this is
the first quarter under Work Choices, and
wages have risen by two per cent. In the pre-
vious March quarter, they rose by 1.2 per
cent and in the December quarter they rose
by 1.8 per cent. I do not notice any evidence
yet of those wages having been driven down
as a result of Work Choices.

New business investment grew by 2.6 per
cent in the June quarter, to be 11.8 per cent
higher than a year ago. Growth has been par-
ticularly strong in engineering construction,
which grew by 4.8 per cent in the June quar-
ter, to be 21.6 per cent higher than a year
ago. Dwelling investment rose by 3.7 per
cent but remains four per cent lower than a
year ago.

As I indicated, falls in inventories sub-
tracted 0.8 of a percentage point from growth
in the June quarter, and that run-down was
very broadly based. Given the fall in the June
quarter, it is fair to say that inventories are
likely to add to growth in the next quarter.

We still have a very strong economy. The
benefits of it are spreading all around the
country—and nowhere more so than in elec-
torates like Stirling. Unemployment is at a
30-year low. Wages remain strong. Job op-
pportunities are there in abundance in many
parts of Australia. I know the opposition will
be disappointed, but more Australians have
job opportunities now than in the lifetime of
just about anybody in this House.

Skilled Migration

Mr BURKE (2.05 pm)—My question is
to the Prime Minister. I refer the Prime Min-
ister to the shocking treatment received by
Jack Zhang, a 457 visa holder, the latest in a
long line of examples of workers being ex-
plotted and abused on these temporary visas.
Can the Prime Minister confirm that Mr
Zhang was sacked as soon as his $10,000 fee
had been paid and that his employer, Mr Tu,
has already been approved by the Depart-
ment of Immigration and Multicultural Af-
fairs to sponsor another worker from China
on a 457 visa to begin at the company next
week? Will that new visa be immediately
revoked and will his employer be immedi-
ately barred from sponsoring any more 457
visas? Prime Minister, three months ago the
opposition asked for urgent action on these
rorts. How much longer will it take to clean
up this mess?

Opposition members interjecting—

The SPEAKER—Order! The member for
Lingiari.

Mr RUDDOCK—I am happy to provide
members who are interested in the matter
with a substantive answer. I am told Mr
Zhang first approached the Department of
Immigration and Multicultural Affairs on 22
August this year. Mr Zhang was interviewed
on the same day and the Office of Workplace
Services was contacted on 23 August. The
department interviewed Mr Zhang again on
28 August and the Office of Workplace Ser-
vices in attendance. The Office of Workplace
Services conducted a site visit this morning.
The department also attempted to visit A-
Print this morning to confirm the allegations.
These site visits may provide a basis for im-
posing sanctions.

Many of the issues raised in the allega-
tions are not permissible under 457 visa
regulations and other Australian laws and, if
proven, may have serious consequences for
the employer. But, at least until the allega-
tions are resolved, A-Print will not be per-
mitted to sponsor any further workers. An-
other worker at A-Print had been sponsored.
That person is overseas and the visa has been
cancelled.
Mr Zhang will be given a reasonable opportunity to find another sponsor and, if he is unable to find another sponsor, his costs of return would be met by A-Print. Under the sponsorship undertakings, A-Print is responsible for minimum salary levels being met 28 days after notifying the department of cessation of employment. If there has been any underpayment, A-Print will need to make good those wages. A-Print remains responsible for a range of his further costs. The department has referred the allegations relating to rental arrangements to the Victorian office of fair trading.

Drugs: Bali

Mrs MOYLAN (2.08 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister update the House on the appeals processes of the nine Australians sentenced on heroin trafficking charges in Indonesia? What is the government doing to assist these Australians?

Mr DOWNER—I first thank the honourable member for her question and for her interest. I think the House would be aware that there were some reports in newspapers this morning which, I must admit, very much surprised me that the Indonesian Supreme Court had increased the sentences of four of the Australians who were amongst the nine. Those sentences have been increased to the death penalty. The reports relate to Scott Rush, who was sentenced to life—he had been appealing for a reduction in that sentence; to Si Yi Chen; to Tan Duc Nguyen; and to Matthew Norman. They were all first sentenced to life by the Denpasar District Court. On appeal to the Bali High Court, they had their sentences reduced to 20 years. The prosecution had then appealed to the Indonesian Supreme Court to have the original sentence reinstated.

I understand that in none of these four cases had the prosecution at any of these stages asked for the death penalty. Having said that, the House would be aware that the death penalty had been applied in two cases. The reports suggest that those two death penalties have been upheld as well.

Since we heard of these reports, the embassy in Jakarta has been doing everything it can to try to establish whether these reports are correct or not. Let me tell the House I do not know, even at this time, whether these reports are correct or whether they are not correct. The embassy has spoken to the Minister for Law and Justice, they have spoken to the Attorney-General, they have spoken to their departments, and they have spoken to people in the Indonesian Supreme Court—all of these—in the course of this morning, and still they have been unable to establish whether these reports are correct or not.

I am not suggesting that these reports are wrong; I am not suggesting they are right. At this time we simply do not know. When we get confirmation one way or another, the government will approach the families involved first, and subsequently we will make some public comments about it. It is important to remember—as I know all members of the House will remember and do remember—the sensitivities of the families and obviously those directly affected. I know all members of parliament respect that.

In conclusion, let me make the point that, in the event of Australians being sentenced to death, it is the policy of the Australian government and has been for many years to appeal for clemency. If these reports are correct, we will appeal to President Susilo Bambang Yudhoyono at the appropriate time for clemency for these Australians who may be sentenced to death. But let me say, finally, that Australians should never forget that drug trafficking—particularly trafficking in heroin—in Asian countries, with very few exceptions, brings with it the death penalty.
While we do not have the death penalty in this country, many countries in the region do. Although we do not approve of the death penalty, we certainly take the view that countries that take strong action against drug trafficking, above all into our own country, are countries that are doing the right thing.

Skilled Migration

Mr BEAZLEY (2.13 pm)—My question is to the Prime Minister. Given the Prime Minister’s refusal to take the previous question, I ask him: Prime Minister, who decided that Mr Zhang would come to this country, and the conditions and circumstances in which he would work?

Mr HOWARD—That decision would have been made in accordance with the operation of a policy which has been more widely used by the Labor health department in New South Wales than any other organisation in the country.

Japan: Trade

Mr SECKER (2.14 pm)—My question is addressed to the Deputy Prime Minister and Minister for Trade. Would the Deputy Prime Minister outline to the House how trade between Japan and Australia is creating jobs and keeping our economy strong, particularly in my electorate of Barker? Are there any plans to further strengthen our economic relationship?

Mr VAILE—I thank the member for Barker for his question. Japan is Australia’s best customer as well as the largest economy in East Asia, and therefore incredibly valuable to Australia’s export industries. Many of those emanate from the member’s electorate. Next year, 2007, will be the 50th anniversary of the signing of the commerce treaty between Australia and Japan. Since that treaty was signed the economic relationship between our two countries has grown dramatically, and that has helped underpin a lot of the jobs growth in Australia. It is a well-known fact that one in five jobs across the economy relies on an export industry for its creation and existence. Just out of interest, in the 2005-06 year merchandise exports to Japan rose by 24 per cent to $30.98 billion, underpinning many Australian export industries and jobs in the Australian economy. For example, Japan is our largest market for coal and aluminium, our largest market for beef, our largest market for dairy products, our second largest market for horticulture, our second largest market for seafood and our third largest market for manufactured goods and tourism. As you can see, over the 50 years of that relationship the Japanese market has continued to grow and provide many jobs in our economy.

Inbound Japanese investment in Australia is also quite significant. It directly provides employment for about 50,000 Australians and indirectly provides employment for about 200,000 Australians. Members may be aware that the government has been in consultation and has been engaged in a feasibility study with the Japanese government into the prospects of launching a negotiation on a free trade agreement between our two countries. We have agreed to move this process forward a little bit faster so it can be concluded by the end of this year, at which time both governments can make a decision whether to move ahead with the FTA negotiation. It is not just about improving and providing new market access into an incredibly valuable market for Australian exporters but it is also about consolidating our position in that market.

Members may like to know that for the last year or so Australia has exported about 91 per cent of all Japanese beef imports. We have dominated that part of the Japanese market for a range of reasons, but underpinning all that have been a lot of the reforms that we as a government have introduced, whether they have been waterfront reforms,
taxation reform, removing $3 billion worth of taxes off the back of our export products or reforms in the workplace that have made us more competitive and more efficient in the international marketplace and have helped maintain our presence in that market. The government will continue to pursue every opportunity we can to expand our economic relationship with Japan so that it delivers as it has done over the last 50 years.

Asylum Seekers

Ms MACKLIN (2.17 pm)—My question is to the Minister for Vocational and Technical Education, and I refer to the minister’s statement today in relation to training colleges in Africa. If the minister has no intention of building anything resembling a TAFE facility in Africa, why did he tell the Australian newspaper that he did? Given the government’s ongoing refusal to address the skills crisis by training Australians, why should we believe the minister’s statement?

Mr HARDGRAVE—I thank the member for Jagajaga for her question. The Australian government has absolutely no intention of establishing a TAFE facility, or indeed anything resembling it, in Africa. However, it is desirable that as much English and other instruction relating to the Australian lifestyle as possible is provided to refugees chosen for resettlement in our country before they arrive here. We believe they deserve the very best set of opportunities that they can possibly get once they are in this country.

Iran

Mr JOHNSON (2.19 pm)—My question is to the Minister for Foreign Affairs. Would the minister inform the parliament and the Ryan electorate of the government’s position on Iran’s failure to implement UN Security Council resolution 1696?

Mr DOWNER—First of all I thank the member for Ryan for his question, and for asking not just for the interest of the House but on behalf of the constituents of Ryan.

Mr Bevis—They talk about it a lot in Ryan.

Mr DOWNER—I am sure they do. The government is seriously concerned that Iran has chosen to defy the clearly expressed views of the international community—through the United Nations Security Council—that it should suspend its uranium enrichment related activities by a deadline which was the end of last month. The International Atomic Energy Agency’s Director-General’s report at the end of last month confirmed that Iran had not taken any steps to adhere to the Security Council resolution’s demands and that it has also continued to defy the International Atomic Energy Agency by denying it full access and the transparency required to verify its previous nuclear declarations. The report also uncovered a further, as yet unexplained, incident of highly enriched uranium contamination. Australia shares the disappointment of the P5—the five permanent members of the Security Council—and Germany, who have worked so hard to try to persuade Iran to accept an incentives package and to understand the possible consequences of not adhering to the demands of the international community.

In conclusion, we hope that over the next few weeks it will be possible for the international community to persuade Iran to adhere to the demands of the international community, but if Iran refuses to do so there is no doubt that some kinds of sanctions will be introduced by the international community in one form or another. I do not want to speculate at this stage on what those sanctions may be, but it is a matter of grave concern to us that Iran is not listening to the IAEA or to the United Nations Security Council, and it is a matter of grave concern that a country which has been supporting Hezbollah and Hamas
with weapons and money, and which has a president who says that Israel should be wiped off the face of the earth, could have plans to develop a nuclear weapons capability. That is deeply destabilising, and Iran should fulfil its obligations of responsible behaviour to the international community.

**Interest Rates**

Mr MELHAM (2.22 pm)—My question is to the Prime Minister. Is the Prime Minister aware of figures from the Supreme Court of New South Wales that show mortgage repossessions have more than doubled since 2002 and are now 50 per cent above levels recorded in 1991? Prime Minister, isn’t it the case that your seven back-to-back interest rate rises are sending thousands of families to the wall?

Mr HOWARD—The short answer to the question is no. The longer answer, because I have considerable regard and affection for the member for Banks—

Honourable members interjecting—

Mr HOWARD—I do; the member for Banks has many qualities, and I treat any question he asks very seriously, as I do questions asked by the gentleman who sits immediately in front of him on the other side.

Mr Hatton interjecting—

Mr HOWARD—Immediately in front of him, I say to the member for Blaxland—don’t get excited. I am quite interested in Sydney house prices, as I know the member for Banks is, and I have done a little research.

Ms Gillard—Thinking about retiring? Secret retirement plans?

Mr HOWARD—No; I am enjoying it. I have done a little bit of research—

Mr Fitzgibbon interjecting—

The SPEAKER—Order! The member for Hunter!

Mr HOWARD—and do you know what that research tells me? The research tells me that in real dollars in Sydney between 1973 and 2003—and, I say to the member for Banks, both of us remember 1973; it was not a very good year for the Australian economy. Gough Whitlam was seeing to that.

Mr Albanese—Mr Speaker, I rise on a point of order. This is a question about the doubling of repossessions since 2002.

The SPEAKER—The member for Grayndler will come to his point of order.

Mr Albanese—It is relevance.

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

Mr Albanese—2002 is 29 years in advance of 1973 or whatever year it is—

The SPEAKER—The member for Grayndler will resume his seat or I will deal with him.

Mr HOWARD—Between 1973 and 2003 housing affordability declined because over that period of time the cost of land rose by 700 per cent. The member for Banks has asked a question about a very important issue, and that is housing affordability for young Australians. I am glad he asked it because the reason, more than anything else, why it is hard for young people to buy their first home is that the price of land in outer metropolitan areas of Australia has gone up. In Sydney it has gone up by 700 per cent.

Opposition members interjecting—

The SPEAKER—Order! The level of interjections is far too high.

Mr Price—Mr Speaker, I rise on a point of order. The question was about mortgage repossessions.

Mr Truss—What is it?

Mr Price—Relevance. The question was about mortgage repossessions.
The SPEAKER—The Chief Opposition Whip will resume his seat. I will rule on his point of order. The Prime Minister is in order.

Mr HOWARD—Fifteen years ago interest rates in this country were double what they are now, yet housing was more affordable. That, as a matter of logic, must mean that there are reasons other than interest rates why housing is now not affordable for young Australians. The reason is that the cost of land has gone up astronomically because state governments will not release enough land for young homebuyers. That is the reason.

Mr Wilkie interjecting—

The SPEAKER—the member for Swan is warned!

Mr HOWARD—The other reason is that state governments around Australia have used the development process—

Mr Fitzgibbon interjecting—

The SPEAKER—the member for Hunter is warned!

Mr Albanese—Mr Speaker, I rise on a point of order. The Prime Minister has not mentioned mortgage repossessions. That is the basis of the question.

The SPEAKER—the member will resume his seat. The Prime Minister’s response is relevant to the question.

Mr HOWARD—The reason why housing is now so hard for young people to get into is that the cost of buying a house has gone up dramatically due to the cost of land having gone up—in the case of Sydney, by 700 per cent—and also due to the fact that state governments are using a development process as a money-making exercise.

Mr Price interjecting—

The SPEAKER—Order! The Chief Opposition Whip!

Mr HOWARD—It is not due to interest rates. It is overwhelmingly due to the factors I have mentioned, and it is about time that the inner-urban elites that dominate the urban consolidation policies of state Labor governments were put aside in the interests—

Mr Price interjecting—

The SPEAKER—the Chief Opposition Whip is warned!

Mr HOWARD—of young homebuyers who want to have a home of their own on the outer periphery of our great cities.

DISTINGUISHED VISITORS

(2.27 pm) I inform the House that we have present in the gallery this afternoon Councillor Paul Bell, President of the Australian Local Government Association. On behalf of the House I extend to him a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Workplace Relations

Mr SLIPPER (2.28 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Is the minister aware of new evidence of deceptive claims being made in relation to Australia’s workplace relations debate? What is the response of the government to these deceptive claims?

Mr ANDREWS—I thank the member for Fisher for his question. It is true that there are misleading and deceptive claims that are being made, in particular by the union movement and by the Leader of the Opposition.

To give you another example of this misleading and deceptive campaign, in January this year the Leader of the Opposition established a task force to seek out the so-called adverse impact of the Work Choices legislation, even before it came into operation on 27 March. That task force reported back to
the Leader of the Opposition in June of this year and so-called evidence from this report was then used to ask a question of the Prime Minister in this place in June by the member for Gorton. The basis of the question put to the Prime Minister was that this was evidence from an ordinary Australian worker. In the list of witnesses in the report this so-called ordinary Australian worker is listed as a local sporting coach, and elsewhere in the report it is said that he is an electrical worker.

With some investigation, it turns out that the facts are somewhat different to what the member for Gorton put to the Prime Minister on that day. In fact, this so-called ordinary Australian worker turns out to be an official of the Electrical Trades Union. If you go to the website of the Electrical Trades Union, not only is this official listed but there is a colour photograph of him. But this of course, according to the member for Gorton and the task force, is an ordinary Australian worker. I table that website from the Electrical Trades Union. This is just one of a series of similar descriptions that are made in this bogus report from the Labor Party’s task force, where they have union officials—

Mr Brendan O’Connor interjecting—

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

Mr ANDREWS—is a pathology of behaviour that makes the Leader of the Opposition unfit for high office in this country. That is what it does. Let us not forget that the Leader of the Opposition has never condemned the campaign of Sharan Burrow, the President of the ACTU, who said, ‘We want the family of a dead or injured worker to help our campaign.’ That has never been condemned by the Leader of the Opposition. He can carry on with this silly laughter here, but if he had any fair dinkumness about him he would come out and condemn Sharan Burrow for this distasteful, in fact disgusting, comment that she made.

Opposition members interjecting—

The SPEAKER—Order! The level of interjections is far too high.

Mr ANDREWS—He has never condemned the ACTU for their false and misleading campaign. Indeed, when the independent Office of Workplace Services comes out and shows how false and misleading this campaign was, all we get from the Leader of the Opposition is a comment about snivelling little liars. That is how he describes public servants in Australia who are doing their jobs. This is an indictment once again on the Leader of the Opposition. It shows once again that he is totally unfit for high office in Australia.

House Prices

Mr SWAN (2.33 pm)—My question is to the Prime Minister. Can the Prime Minister
Mr HOWARD—When addressing in his then shadow capacity a national summit on housing affordability, this is what the then opposition spokesman had to say:

We need to increase the availability of affordable land for the construction of new housing.

Medical Registration

Mr NEVILLE (2.36 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister update the House on the progress made in the development of a national medical registration scheme? Have state based registration schemes led to problems in the past? How might this new scheme ensure that doctors practising in my electorate are appropriately qualified?

Mr ABBOTT—I thank the member for his question. I know how concerned he has been about ineptitude by doctors registered by the Queensland Medical Registration Board. In July, at the Council of Australian Governments meeting, the Prime Minister and the premiers agreed to establish a single national body to register health professionals for practice here in Australia. The precise model for this national health registration board will be finalised by July next year and the new national health registration scheme will be operational by July 2008.

A national health registration scheme is necessary to allow competent doctors to practise anywhere in Australia, and it is also necessary to ensure that the doctors practising anywhere in Australia are in fact competent. In Queensland in particular, as the member for Hinkler knows only too well, the state Medical Registration Board has sometimes failed to check doctors’ credentials, with disastrous results for patients, such as occurred in Bundaberg, where some 13 deaths have been attributed to botched operations performed by an incompetent doctor. In the notorious Dr Death case, the Queensland
board did not check for outstanding negligence claims and did not ensure that Dr Patel was working under supervision, as he was supposed to be working.

I am confident that the national health registration board will not repeat these mistakes. But no registration system is proof against an institutional culture of coercion and intimidation, such as has existed in Queensland Health. When Dr Patel was first exposed in parliament, the Bundaberg Health Service appointed by the Queensland government not only wrote a letter of support to Dr Patel but began a witch-hunt against whistleblowers. The person who seconded the motion to gag whistleblowers and to try to prevent further revelations in parliament is now the Labor Party’s candidate for Bundaberg in the state election. If Premier Beattie were serious about fixing problems in Queensland Health, he would disendorse this candidate, who is part of the Dr Death cover-up scandal. Mr Speaker, I table documents relevant to the case.

Medibank Private

Ms GILLARD (2.39 pm)—My question is to the Minister for Health and Ageing. I refer to today’s newspaper column by respected economic commentator Terry McCrann, who states:

... a company listed on the stock exchange ... would have to make a profit for shareholders.

In contrast the entire private health insurance sector is today at least nominally non-profit.

So what does the introduction of a profit-based player in the private health insurance sector mean?

They all switch to profit-making? Or Medibank Privatised can’t compete?

Minister, isn’t Terry McCrann right—won’t the sale of Medibank Private inevitably lead to higher premiums?

Mr ABBOTT—The privatisation of Medibank Private is no more likely to lead to higher insurance premiums than the privatisation of Qantas led to higher airfares and the privatisation of the Commonwealth Bank led to higher interest rates. The best guarantee of low premiums is competition, not government ownership. That is the best guarantee of low premiums. Let me quote someone who knows something about health insurance:

The pressure on premiums will be reduced if Medibank goes private. We expect much more aggressive competition from a privately owned Medibank.

That person, who does know something about private health insurance, is the chief executive of NIB. He should be respected by members opposite because the member for Hunter is his brother, and I prefer on this subject the view of the chief executive of NIB to that of any newspaper commentator, however distinguished.

Ms Plibersek interjecting—

The SPEAKER—Order! The member for Sydney!

Ms Plibersek—What does Tim Costello think of it?

The SPEAKER—The member for Sydney is warned!

Roads

Mrs MAY (2.41 pm)—My question is addressed to the Minister for Transport and Regional Services. Would the minister update the House on recent developments in funding allocations from the Australian government to road projects in Queensland, particularly in my electorate of McPherson.

Mr TRUSS—I thank the honourable member for McPherson for her question and recognise her keen advocacy for upgrading the road infrastructure in her fast-growing part of Queensland. Indeed, the Australian government has allocated over $3 billion to Queensland for road construction projects.
and other infrastructure in the AusLink program. It is a very substantial investment and includes over $1 billion worth of road construction projects in south-east Queensland alone. We have a real commitment to building some of the vital infrastructure that is necessary in Queensland. Indeed, our funding to Queensland under AusLink represents a 119 per cent increase over the previous five years. So that is a very substantial investment.

The honourable member asked what other road projects are under consideration in south-east Queensland. At this time, when political parties are putting their manifests to the Queensland people as to what they are going to spend on roads, I thought I would turn to the Labor Party’s policy statement in relation to roads for Queensland. In it, the Queensland Labor Party boast that they have had a capital works increase of a massive 58 per cent. Well, if 58 per cent is massive, what is our 119 per cent? I do not think they could find words to describe that. If you took our 119 per cent increase out of the amounts that Labor are claiming credit for in Queensland, there would be very little left indeed. Labor have never had any commitment to roads in Queensland and over the years they have allowed the infrastructure to fall away.

They have listed four projects that are currently underway in Queensland. The biggest of these is the $1.6 billion Gateway duplication. Actually, I do not think it has started yet but they have put this on their list of projects that are underway. They did not bother to mention, of course, that it is going to be fully funded by tolls. In fact, the Queensland government will actually make a profit out of this $1.6 billion worth of expenditure. But this is how they manage to boost their road expenditure to get a massive 58 per cent figure.

They also frequently refer in their policy document to the Tugun Bypass—a project that I know the honourable member for McPherson is keenly interested in—never again mentioning the fact that $120 million of the cost of that project is actually being provided by the Australian government. Even though it is a Queensland government road, we are contributing $120 million, but in the Labor Party policy document there is no acknowledgement whatever of the contribution of the federal government towards that project.

Of course, that is fairly typical. In fact, I am a little surprised that the Labor Party would even want to mention the Tugun Bypass in the context of an election, because at the last election we all remember when Premier Beattie went down on the eve of the election breathless and announced a new route for the Tugun Bypass which was going to clean up a score of houses along the edge of the airport. The people of Currumbin remember the Beattie drive-pass. It was bye-bye to the infamous Merri Rose and welcome to Jann Stuckey as a result of that commitment to the Tugun Bypass. The reality is that here we have a Labor government that has failed Queensland on road infrastructure and has nothing to offer for new road infrastructure when they go to the people on Saturday. All it does is seek to take credit for the roads that the Commonwealth is funding and providing as a part of our AusLink network.

Water

Mr WINDSOR (2.46 pm)—My question is to the Prime Minister and relates to the ongoing debate about the taxation treatment of compensation payments to groundwater users for the loss of water entitlements in New South Wales. Is the Prime Minister aware of a taxation ruling dated 24 August 2006 concerning a similar adjustment pack-
age for the timber industry in the Brigalow bioregion, where compensation for loss of timber entitlements is going to be treated under the capital gains tax arrangements and not as income in the year of receipt, as is currently being applied to water entitlement holders? Prime Minister, will you intervene, as you did a couple of weeks ago in terms of the allocation of water entitlements, and put in place a consistent taxation policy so that those individuals being impacted by adjustment packages to achieve sustainable use of resources in Australia are not penalised unfairly by the taxation system?

Mr Howard—I thank the member for New England for that question. I have got very involved in this largely as a result of representations made to me by the member for Gwydir, the former Deputy Prime Minister. I did meet a delegation from the National Farmers Federation and from some of the irrigators. The problem here is the way in which the payments are currently structured by the New South Wales government. I understand that. I understand the point that the member for New England is making in relation to timber. The New South Wales government thus far have represented to us that they want the payment treated as income because, apparently, they are fearful of a precedent being established whereby such payments are seen as truly they are, and that is as compensation for the withdrawal of a previously conferred water right. It is my view that these payments are in the nature of compensation for the withdrawal of the previously conferred water right.

I myself do not believe that you can regard these payments as being in the character of income. I do not believe that. So, in that sense, the law is not wrong. What the law says at the present moment is that if you get a payment which is in the nature of income then it is assessable but that if you get a payment which is in the nature of compensation for a capital loss then it is treated under the capital gains tax provisions of the law.

I have discussed this matter with the member for Gwydir and with the irrigators. I have asked my parliamentary secretary, the member for Wentworth, to discuss the matter with the New South Wales government. I take the opportunity, because it is an important issue, of saying very plainly, and I think factually, that what has happened here is that the New South Wales government have in reality compensated irrigators for the withdrawal of their water entitlements, and we have provided some top-up funding, but they are wanting to treat the payment as income lest it be regarded as some kind of precedent for the future.

I would say to the New South Wales government, through the vehicle of your question, that it would be a very good idea if you treated the payment for what it is, and the true nature of it is a capital compensation for the loss in value of a capital entitlement. That is what the tax act says. So it is not the tax act that is wrong and it is not the Australian Taxation Office that is wrong. I think the way in which this payment is being treated by the New South Wales government is wrong. I would appeal, even, to the New South Wales government to see the sense and the fairness of treating this as a capital payment. It is, and I think it is unfair to the irrigators and it would be wrong of us to twist the tax law to accommodate a payment that has been improperly described by the New South Wales government.

Superannuation

Mrs Bronwyn Bishop (2.50 pm)—My question is addressed to the Minister for Revenue and Assistant Treasurer. Would the minister advise the House how the government is helping self-employed Australians to save for their retirement, and is he aware of any alternative policies?
Mr DUTTON—I thank the member for Mackellar for her question. I recognise and thank her for the contribution she has made to the government’s deliberations off the back of the announcements that we made on 9 May to revolutionise superannuation in this country, to make it more available to young people, and to remove the complexity to make it more understandable and marketable as a savings investment vehicle for the future of this nation. The great attribute of this package is that it provides support to the self employed. Self-employed Australians under this package will be able to contribute up to $1 million over their lifetime from the sale of a small business asset which has been held for 15 years. This is over and above the announcements that we made on 9 May, and it meets some of the requirements and suggestions that were put forward by the industry and by the representatives of people who want to save for their future.

From 1 July 2007, for the first time the self-employed in this country will be able to claim the same deductions for contributions made on their own behalf as contributions made on behalf of an employee by an employer. Like other Australians who have already taken advantage of the government’s generous co-contribution scheme, the self-employed will also get access to the scheme, which delivers up to $1,500 into the super accounts of low- and middle-income earners as an incentive to save for their retirement.

I am also asked about alternative policies in this area, and this is the most difficult part of this question because there are no alternative policies. It is happy anniversary to the Leader of the Opposition today because it is 120 days since the government made the announcement in relation to superannuation and still there is no decision from an indecisive Leader of the Opposition. There is still no decision from a person who has had four months to decide whether he is going to support people into retirement. He still has not had the ability to make up his mind. Australian people ask themselves why, after 20 years, the Leader of the Opposition stands for nothing. They still have no idea what he stands for. This is a prime example of his indecisiveness and inability to deal with economic matters.

Distinguished Visitors

The Speaker (2.53 pm)—I inform the House that we have present in the gallery this afternoon the Prime Minister of the Kingdom of Tonga, the Honourable Dr Feleti Sevele. On behalf of the House I extend to him a very warm welcome.

Honourable members—Hear, hear!

Questions Without Notice

Daintree Rainforest

Mr ALBANESE (2.53 pm)—My question is to the Minister representing the Minister for the Environment and Heritage. Has the minister seen the full-page advertisement by the Commonwealth funded Australian Rainforest Foundation featuring Peter Cosgrove calling for the buyback of Daintree property, ‘to protect this magnificent rainforest’? Is the minister aware that Lawrence Springborg, the Leader of The Nationals in Queensland, supports additional development rights in the Daintree? Does the minister agree with Peter Cosgrove that the Daintree should be protected or with Lawrence Springborg that the Daintree should be developed?

The SPEAKER—Order! The last part of the question is not necessary.

Mr Albanese—Why?

The SPEAKER—The member was introducing debate.

Mr TRUSS—I am not sure whether the Minister for the Environment and Heritage has seen the advertisement concerned; I have seen the advertisement. I think it is reason-
able that we should do what we can to pre-
serve the precious environment in the Dain-
tree and other parts of Queensland. On the
other hand, it is also reasonable to undertake
development in appropriate places so that we
can obtain the commercial benefits associ-
ated with tourism and growth in our econ-
omy.

Opposition members interjecting—

The SPEAKER—Order! The minister
will resume his seat. Has the minister com-
pleted his answer? The minister has the call.

Mr TRUSS—The two are not mutually
exclusive.

Perth to Bunbury Highway

Mr RANDALL (2.55 pm)—My question
is addressed to the Minister for Local Gov-
ernment, Territories and Roads. Would the
minister update the House on the status of
the Perth to Bunbury highway project? Has
the Western Australian government con-
firmed that work will commence before the
end of 2006? If not, what effect is this likely
to have on project costs and road safety?

Mr LLOYD—I thank the member for
Canning for his question and for his out-
standing efforts in ensuring the constituency
in his electorate receive the benefit of this
project. In fact, all the government members
from Western Australia have supported the
start of this very important project. The Aus-
tralian government is firmly committed to
the Perth to Bunbury project and had $150
million on the table for this project. The
Prime Minister in fact announced an addi-
tional $20 million to ensure that this project
started in 2006, and if the member for
Brand wants to assist his constituents he
ought to pick up the phone, ring Alannah
MacTiernan and his Labor mates in Western
Australia and say, ‘Let’s get on with this pro-
ject; let’s get on with building the Perth to
Bunbury highway; let’s get on with saving
lives on Western Australian roads.’

Workplace Relations

Mr BOWEN (2.57 pm)—My question is
to the Prime Minister. Is the Prime Minister
aware of the case of my constituent Omir
Majstrovic who had been employed by
Formbrace Pty Ltd since 1998 but was dis-
missed after lodging a workers compensation
claim? Is the Prime Minister further aware
that Formbrace is claiming to have 97 em-
ployees and therefore to be exempt from un-
fair dismissal laws? Is the Prime Minister
also aware that Formbrace has offered just
one week’s salary as compensation to this
father of three for the loss of his job? Isn’t
this another example of the government’s
extreme industrial relations policy in action?

Mr HOWARD—I am not personally
aware of those circumstances. If the honour-
able member wants to provide me again with
what he has put to me and anything extra I
will have the matter investigated and I will
give him a reply because he is entitled to it.
It may well be that there has been an unlaw-
ful termination. I do not know and until I get
all the details of the case I am not going to
offer a view.
I make two other comments. Sometimes cases of this nature that have been raised by the opposition have on closer examination turned out to be at teeny-weeny bit astray from the facts. I am not making that allegation in relation to this particular case but I was taught a long time ago ‘show me your company and I will tell you who you are’ in terms of political affiliations.

The other point I would make is that it is now 6 September, and Work Choices was introduced on 27 March. Two predictions were made about Work Choices. One prediction was that wages would be slashed. We have seen the first returns. The early returns on that are not too encouraging for the opposition. They show that wages have gone up by two per cent over the last quarter. The second, even more important, return that has come in is that thus far we have seen 159,000 new jobs generated—the largest job generation for any quarter of the 10 years that this government has been in office. There are some employment figures coming out tomorrow. I do not know what is in them, and I will not speculate. Let me simply say that we have had three months, with 159,000. Five and a half months have now gone by and the world has not come to an end. The sky has not fallen in. Most of the claims made by the opposition have turned out to be wrong. Wages have not been driven down—in fact, they have gone up. In other words, nothing has worked out for the opposition but a lot has worked out for the people of Australia.

QUESTIONS WITHOUT NOTICE

Mr Bowen—Given the Prime Minister’s invitation to me, I seek leave to table the sworn affidavit of my constituent relating to his dismissal.

Leave granted.

Health: Disability Services

Mr ANTHONY SMITH (3.05 pm)—My question is addressed to the Minister for Community Services. Would the minister inform the House how the government is assisting business services to provide jobs and job security for people with disabilities?

Mr JOHN COBB—May I thank the member for Casey for his question, for his commitment to community organisations in his electorate and also for his commitment to our government’s policy of providing work opportunities for all Australians and in particular for Australians with a disability. It is all part of our policy of supporting communities and keeping the economy strong.

There are 232 disability services in Australia. They provide work for over 17,000 Australians with a disability, and they do it in around 380 locations. Our government is committed to assisting those services to continue to provide employment for people with disabilities, to be viable and to expand. We do that by way of the Business Assistance Program, which is worth $99 million. We do that by way of equipment upgrades, process improvements, product development and business plans. Along with the one billion dollars which we put towards the employment of people with disabilities, it is money very well spent.

Not many people would realise that the jobs people do in business services include things like packaging, assembling, gardening, manufacturing and, in particular, skills which not very many Australians gain, such as welding and the use of precision machin-
ery. I point out to the employers of Australia that the safety and attendance records of people with disabilities are second to none.

Recently I travelled to Melbourne to Waverley Industries, a business service in the electorate of the member for Chisholm, where they do precision carpentry and joinery manufacturing for use in a major chain. They won this contract because they could meet deadlines and they could deliver a finished product. Our government is helping people move from welfare to work through various ways, one of which is disability business services. Another one is the Job Network. I am very happy to be able to say that, in the last 12 months, 11,000 Australians with disabilities have been moved into open employment, which is a record—and I must congratulate the Minister for Workforce Participation. These are all part of our economic and workplace reforms—reforms which the members opposite oppose. Disability business services are enabling people with a disability to learn skills, which helps their families and certainly helps the Australian community. This builds the confidence of people with disabilities. It builds their self-esteem and enables them to go home with a pay cheque instead of a welfare cheque.

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

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**

**Interest Rates**

**Mr Howard** (Bennelong—Prime Minister) (3.05 pm)—Mr Speaker, I want to add to an answer I gave to the member for Banks, who asked me a very important question relating to issues of housing and land affordability.

**Mr Albanese**—Mr Speaker, I raise a point of order. Is it in order for the Prime Minister to add to an answer to a question that he was not given—to a question that he was not asked?

**The Speaker**—The member for Grayndler will resume his seat. I call the Chief Opposition Whip.

**Mr Price**—Mr Speaker, the question was about the rate of mortgage repossessions—

**The Speaker**—The member will resume his seat. He knows that the Prime Minister is in order in adding to an answer to a question. The Prime Minister is in order. I call the Prime Minister.

**Mr Howard**—I am trying to help the member for Banks.

**The Speaker**—The Prime Minister has the call. I call the Chief Opposition Whip on a further point of order.

**Mr Price**—I apologise, Mr Speaker. I welcome the Prime Minister adding to an answer, but the question was not as he described it. It was about the rate of mortgage repossessions.

**The Speaker**—The Chief Opposition Whip would be well aware that I have given the Prime Minister the call. It is an indulgence that the Speaker gives. The Prime Minister is in order. I call the Prime Minister.

**Mr Howard**—In adding to the answer that I gave to the member for Banks, I want to draw on some comments made by a person whose comments have been described as ‘golden’ by the Leader of the Opposition—namely, the retiring Governor of the Reserve Bank of Australia, Mr Ian Macfarlane. Mr Macfarlane, in giving testimony to the House of Representatives Standing Committee on Economics, Finance and Public Administration, was asked a number of questions about housing affordability. He was asked one question by the member for Moncrieff, and in part answered—
Mr Albanese—Mr Speaker, perhaps for your benefit, I seek leave to table the question that was asked. I am seeking leave.

The SPEAKER—The member for Grayndler is warned that if he does not resume his seat immediately, I will deal with him.

Mr Albanese—I can’t seek leave?

The SPEAKER—The member for Grayndler will resume his seat. The Prime Minister is in order and the member for Grayndler will not continually interrupt him.

Mr Albanese—I seek leave.

The SPEAKER—If the member wishes to seek leave, he will do it at the end of the Prime Minister’s answer, not before. The Prime Minister has the call.

Mr HOWARD—In answering the question asked by the member for Moncrieff, the governor had this to say:

The second question—

Opposition members interjecting—

Mr HOWARD—and I think the member for Banks is interested in this—is a more interesting one—that is, why has the price of an entry-level new home gone up as much as it has? Why is it not like it was in 1951—

Opposition members interjecting—

Mr HOWARD—They laugh; 1951 happened to be the year of the highest home ownership—

Mr Beazley—Mr Speaker, I rise on a point of order which goes to the question of relevance. This is adding to an answer.

The SPEAKER—The Leader of the Opposition will resume his seat. The Prime Minister has been called on indulgence to add to an answer. He is speaking to matters related to mortgages and repossessions, which I believe were the thrust of the question. The Prime Minister is in order.

Mr HOWARD—the governor said:

The second question is a more interesting one—that is, why has the price of an entry-level new home gone up as much as it has? Why is it not like it was in 1951 when my parents moved to East Bentleigh—

Mr Swan—you stuffed it up.

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

Mr HOWARD—I will repeat that sentence:

Why is it not like it was in 1951 when my parents moved to East Bentleigh—

Mr Albanese interjecting—

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

The member for Grayndler then left the chamber.

Mr Swan—he now gets to ask the questions and answer them.

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

Mr Swan—he stuffed up and he’s abusing the procedures—

The SPEAKER—The member for Lilley is named!

Mr ABBOTT (Warringah—Leader of the House) (3.10 pm)—I move:

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

Question put.

The House divided. [3.14 pm]

(The Speaker—Hon. David Hawker)

Ayes.............. 83
Noes.............. 56
Majority........ 27

AYES

Abbott, A.J. Anderson, J.D.
Andrews, K.J. Bailey, F.E.
Mr HOWARD—Mr Speaker, I resume that sentence:

Why is it not like it was in 1951 when my parents moved to East Bentleigh, which was the fringe of Melbourne at that stage, and were able to buy a block of land very cheaply and put a house up on it very cheaply? Why is that not available? Why is that not the case now?

And the governor went on to say:

I think the answer to that one is what you are alluding to. I think it is pretty apparent now that reluctance to release new land plus the new approach whereby the purchaser has to pay for all the services up front—the sewerage, the roads, the footpaths and all that sort of stuff—has enormously increased the price of the new, entry-level home. That is a supply-side issue, not a demand-side issue. I think there is a lot of evidence that, at the moment, those factors are becoming very important.
They are the words of the retiring Governor of the Reserve Bank of Australia, somebody whose words, according to the Leader of the Opposition, were golden. That goes to the heart of one of the most difficult issues facing young Australians today, and that is the cost of the entry-level home. I believe very strongly that the failure over the years of state governments of both political persuasions to release enough land and the current fascination of state governments with using the development process as a revenue-raising device and approach are imposing a crushing burden on young Australians. I will continue to argue this case on behalf of young Australians at every available opportunity, and I thank the member for Banks for asking the question.

HOUSE OF REPRESENTATIVES PROCEDURE

Ms GILLARD (Lalor—Manager of Opposition Business) (3.24 pm)—Mr Speaker, in accordance with page 485 of House of Representatives Practice, I seek your indulgence to make a comment or raise a matter concerning the conduct of proceedings. It is specifically referred to as a matter on which indulgence can be sought.

The SPEAKER—The Manager of Opposition Business.

Ms GILLARD—Thank you very much, Mr Speaker, for your indulgence. Could I ask you to review page 485 and page 552 of House of Representatives Practice, which deal with the question of ministers and prime ministers adding to answers. Can I suggest to you, Mr Speaker, that the conduct of the Prime Minister today was an abuse of your good grace in granting indulgence—

The SPEAKER—The member is not to reflect on the chair! Mr Speaker—

Ms GILLARD—It is a reflection on the Prime Minister, Mr Speaker. I am on indulgence.

Mr Abbott—Mr Speaker—

The SPEAKER—Order! The Leader of the House will resume his seat. The Manager of Opposition Business would be aware that I have ruled on the Prime Minister’s opportunity to add to his answer, and I ruled that he was in order.

Ms GILLARD—I understand that you ruled that he was in order, and I know that that indulgence is at your discretion and an exercise of your good grace. On that basis, I am suggesting to you, Mr Speaker, that the Prime Minister did go further today than is normally the case in adding to an answer. I think that would be an undesirable practice should it become common in this place, and I certainly think it is inappropriate that a member of the opposition was excluded for an hour and then one was named on the basis of raising this to your attention.

The SPEAKER—The member is now reflecting on the chair. I will consider her request.

QUESTIONS TO THE SPEAKER

Rulings

Mr TANNER (3.26 pm)—Mr Speaker, I have a question to you. During question time, the member for Grayndler asked the Minister representing the Minister for the Environment and Heritage a question in which he referred to two conflicting views with respect to the future of the Daintree rainforest and then concluded by asking the minister which of these two views he agreed with. You then ruled out the last part of the question on the grounds that it was unnecessary. I ask whether you could advise the House under which standing order this part of the question was ruled out.

The SPEAKER—I thank the member for Melbourne. He would be well aware that the last part of that question was asking for an opinion.
Opposition members interjecting—

The SPEAKER—I have ruled on the matter.

Mr Tanner—Mr Speaker, with respect, the question did not ask for an opinion; it asked whether the minister agreed with one statement or another.

The SPEAKER—The member for Melbourne is debating his point. I have ruled on the matter.

Ms Gillard—Mr Speaker, I raise a point of order. Can I ask you to clarify on what basis it is then ruled in order for the government to conclude questions: ‘Are there any alternate views?’

The SPEAKER—The Manager of Opposition Business would be well aware that I think she has raised a different matter. I ruled on the question, and I am not revisiting that ruling.

Ms Gillard—On the point of order, Mr Speaker: I am not raising a different matter. If it is hypothetical to ask for commentary on views then it must be hypothetical and seeking an opinion when asked by all sides. We cannot have a circumstance where questions asking ‘Are there any alternate views?’ are ruled in order and questions from this side that canvass alternate views are ruled out of order.

The SPEAKER—I thank the member for Fremantle. Can I make the point that it is always the discretion of the chair as to when to recognise someone. There are other ways—and I believe that the member for Fremantle has in fact exercised those ways—for recognising someone in the galleries.

Parliament House Security

Dr Lawrence (3.28 pm)—Mr Speaker, today you recognised in the gallery the President of the Local Government Association, as I believe is entirely appropriate. You recently failed to recognise the Vice-President of the European parliament, Mr Edward McMillan-Scott, and when I questioned you at the time about this omission you indicated that you were acting on ‘clear rules’—and that is to quote from your response—and precedents. I want to take this opportunity to ask you whether you could please advise the House of what these rules are and detail the precedents on which you relied.

The SPEAKER—I thank the member for Fremantle. Could I make the point that it is always the discretion of the chair as to when to recognise someone. There are other ways—and I believe that the member for Fremantle has in fact exercised those ways—for recognising someone in the galleries.

Audit-General’s Reports

Report No. 2 of 2006-07

The SPEAKER—I present the Auditor-General’s Audit report No. 2 of 2006-07 entitled Export certification—Australian Quarantine and Inspection Service.

Ordered that the report be made a parliamentary paper.

Documents

Mr McGauran (Gippsland—Deputy Leader of the House) (3.31 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.

MATTERS OF PUBLIC IMPORTANCE

Class 457 Visas

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

The Government’s failure to prevent the use of skilled temporary sub class 457 visas to exploit foreign workers and drive down Australian wages.

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 BEAZLEY (Brand—Leader of the Opposition) (3.31 pm)—This government exploits foreign workers and turns all workers into unwilling participants in the Prime Minister’s wages race to the bottom. It is a government that will go to any lengths to avoid its responsibilities when it comes to training Australian kids.

Today we have heard the shameful story of Jack Zhang—exploited, cheated and now dumped by his employer. He is the latest victim of the Prime Minister’s immigration industrial relations one-two punch on Australian values, Australian jobs and Australian wages. He will not be the last. This is just a beginning. Make no mistake: the shameful treatment of Jack Zhang is no accident. The Prime Minister knows exactly what he is doing here, no matter how he might seek to evade the questions identifying him as the minister responsible for these particular events. He is deliberately using 457 visas to drive down everyone’s wages and to strip all workers of their rights and conditions.

Australians reading these stories that appeared today in the Age newspaper and others will be rightly horrified by the exploitation of this man. But there is something else at work here. These shocking cases have implications for Australian families. These shocking cases are all part of John Howard’s wages race to the bottom. The visas are the second line of attack in the campaign to destroy Australian values at work.

The Prime Minister’s industrial relations laws and now this shameful manipulation of our immigration system are working hand in glove to bring workers down. The rorting of the government’s 457 visas leaves foreign workers wide open for exploitation, and it threatens the wages and jobs security of all working Australians. When you take away all Jack Zhang’s rights and his conditions, you strip the rights and conditions of every worker. When Jack Zhang is cheated, robbed and exploited, you leave the door wide open to cheat, rob and exploit every other employee.

This is not about rogue bosses. This is all about the Prime Minister’s wages race to the bottom. He does not have any plan for the future other than exploiting overseas workers and driving down everyone’s wages. That is the only answer he has to Australia’s crippling skills shortage after 10 years in office and after repeated warnings not simply from the Labor Party but also from the Reserve Bank. He is uniquely responsible for that crippling skills shortage.

The government is so out of touch that the Minister for Vocational and Technical Education thinks the solution to Australia’s skills shortage is to build TAFE colleges in Africa. I see he is rushing to deny it. It is a story that he deliberately planted in the Australian newspaper; therefore I do not believe his
denial. For 10 years this government has demonstrated such reluctance to train Australians, it is simply capable of anything. If he is not going to do it, why did he tell the Australian that he was?

In the last 10 years the Howard government has turned away 300,000 Australians from TAFE, so when these 300,000 Australians try to get the skills they need to be the smart, skilled workers that our country is crying out for, what does this Prime Minister do? He slams the door in their faces and he imports foreign apprentices. He gives Australia a massive skills crisis, high teenage unemployment and dog-eat-dog workplaces. When is this Prime Minister going to wake up? Australian parents want TAFE courses for their kids in Narrabri, not in Nairobi; in Bendigo, not in Botswana; and in Katoomba, not in Khartoum. Our economy demands that the skills crisis is solved on the New South Wales North Coast, not on Africa’s Ivory Coast.

Parents in Middle Australia must be wondering today what sort of Australia the Howard government wants to pass on to their kids. The Prime Minister has changed. He used to say he cared about Middle Australia. It is absolutely clear now that he does not care about Middle Australia. We in the Labor Party say, ‘Train Australians first and train them now.’ I say to the Prime Minister, ‘Stop turning your back on young Australians.’ Sadly Australian families are having to endure a Prime Minister who is wrongly caught up in the Middle East, when he ought to be focused on Middle Australia, and a training minister who is delivering ideas from middle earth, when he should be delivering for Middle Australia.

In the last six months, I have visited numerous workplaces around this nation. When I have gone to those workplaces, either in my own remarks or in questions asked of me, two areas have been mentioned: firstly, the impact of the industrial relations laws on workers and, secondly, the impact of 457 visas. I can tell you that in every workplace in Australia that I visit now, 457 visas are a matter of scandal. Everybody has a story of exploitation. Everybody has a story of manipulation and many Australians are fearful of the consequences for them.

I always preface my remarks in answer to any question or in directly addressing the matter with the commitment that I am a very strong supporter of the migration program in this country. I believe strongly that we need migrants, including skilled migrants. Australia was built on the hard work, determination and dreams of men and women born in other countries, but the migrants we need are those who sign up to Australian values, including Australian values and rights in the workplace. Migrants need to be empowered to sign up to Australian values and rights, including values and rights in the workplace. When they choose to leave a job, like any other Australian, they need to be able to leave that job without being expelled from the country. When they choose to approach their employer and demand that they get paid their proper award penalty rates, they must be paid the proper rates.

These to me are all central features of Australian values. They ought to apply to us whether or not we come from seven or eight generations of Australians or whether we arrived here yesterday. That is the sort of Australia we want. That is the sort of Australia there must be. But today the 457 visa system is undermining the migration program. It is undermining workplace relations in this country. It is undermining fundamental Australian values. It is utterly hypocritical of the Prime Minister to be out there saying that he thinks all people in this country should speak English while they import bushels worth of workers who have absolutely no understand-
ing of the language and pose for themselves and their coworkers the most direct possible threat to their safety in the workplace. Through no fault of their own, they are in a position where they can deliberately be exploited, used as cheap labour and be dispensed with. It is extraordinary. I will say more about that later.

There has been a massive surge in the number of 457 applicants and entrants. We are beginning to see why this particular migration category is being perverted when we look at what happened to Jack Zhang. To get his job at a Melbourne printing company he paid almost $10,000 to an employment agent in China and another $10,000 was deducted from his pay packet by his employer. He was paid $751.92 a week; the award is $1,140. He worked 60 hours a week and received $60 overtime; under the award he should have been paid $152.00. On top of that he paid rent to his employer. Now, having paid off his $10,000 debt, he has been sacked and evicted, and his boss, apparently adopting the attitude that there are plenty more where Jack Zhang came from, has another worker already on his way from China.

This case has serious implications for Australian workers because it sets a new low benchmark. It drives down wages and conditions for everyone in the workforce. It means that every other Australian worker has otherwise to compete at these rates. Understand this—

Mr Ruddock—These are isolated cases. You should rewrite your speech to take into account correct information!

Mr BEAZLEY—You will get your chance. Any person who permits this as a minister ought to be ashamed of himself. He says, ‘These are isolated cases.’ We are hearing of cases like this day after day!

Mr Ruddock—Why aren’t you recording them?
their workmates to come into this country! We discovered that in the same workplace in Sydney up to 50 Australian tradespeople were stood down without pay while temporary foreign workers were kept on and continued to be paid. Australian fitters, welders, boilermakers and electricians were stood down in the week of 18 August 2006 and the site was shut down for around two weeks, but the temporary foreign workers were kept on pay the whole time. It is unfair that local tradespeople on higher wages are stood down while cheaper temporary foreign workers keep their jobs.

The Prime Minister has no shame on these matters. He will stop at nothing. When some journalist or the Labor Party or the trade union movement exposes one of these atrocities, we get the minister, full of unction, up here talking about how an investigation is going to take place into all of that. Exposed, it will be dealt with; not exposed, it just continues its insidious work, backing up the efforts that this government is now making to undermine the wages and conditions of all Australians, particularly entry-level Australians who are entering the workforce for the first time. We are on to this government and we will deal with this government in our campaigning around the country. As I have occasion to know—

Mr Ruddock (Berowra—Attorney-General) (3.46 pm)—The first point I would make in relation to this matter of public importance, in which the opposition alleges the government’s failure to prevent the use of skilled temporary subclass 457 visas to exploit foreign workers and drive down wages, is that that proposition has not been proven. The Prime Minister dealt with that very clearly today when he made it clear that the objective evidence is that wages are not being driven down—that, in fact, there was a two per cent increase in wages in the last quarter. I think that puts paid to that proposition immediately. In the context of employment in Australia, there has been substantial employment growth. Unemployment is at the lowest level it has been at in over 30 years. That is a substantial record of achievement, but it also means that there are circumstances in which you might reasonably expect that there will be some growth in visa entries for people who have skills that are in demand in the Australian labour market.

The point I wanted to start with was to explain the genesis of the skilled temporary subclass visa 457. This visa class arose as a result of an inquiry initiated by the former Labor government, which handed down a report known as the Roach report on business temporary entry. The report was accepted by the former Labor government and these visa classes were implemented. The fact is that the Labor government at that time was strongly of the view that we needed to have streamlined access to skilled temporary workers from overseas. The then minister, Senator Bolkus, said in the Senate:

The policy objective for this government is to place Australia, through our rules and regulations in this temporary migration area, in a position to benefit both now and into the future.

He went on to say:

... it is crucial that we ensure the smooth movement of key personnel into and out of this country.

The report was handed to the government and accepted in 1995. Labor did not remain in office for much longer. In fact, as Minister for Immigration and Multicultural Affairs, I implemented that report in the terms of the recommendations made.

It is interesting that, in the eight years of the operation of the recommendations of that report and of the measures under the new regulations, the Leader of the Opposition
said he had no complaint. What he said today was that, in the last two years, he has had some complaint. That is what he is suggesting. I ask myself: what were the changes that were made by the government in relation to the rules and regulations for 457 visas that have generated this possibility of potential for complaint? The reality is that there were no changes. Yes, in the economic circumstances that we are in, there has been a substantial increase in the number of visas issued, but that is taking place in the context of the lowest unemployment rate in 30 years, jobs growth of 180,000, the longest period of sustained economic growth that Australia has experienced, the baby boomer generation reaching retirement age and projections of a slowing growth rate in the Australian working age population. It is against this background that Australia and Senator Bolkus argued for visa class 457. He was arguing for it in the context of the expectation that, in the following five to 10 years, we would have a critical need to attract skilled workers.

The 457 visa is a demand driven program, so its size does fluctuate with the strength of the economy. Research shows that the program has been highly positive in terms of its impact on the living standards of Australians and on Commonwealth and state budgets. Access Economics has done a considerable amount of work in relation to that visa class and has been able to substantiate those benefits. Sponsored temporary business workers raise the average productivity of Australian workers. They provide fiscal benefits to the Commonwealth, state and territory budgets. The intake of about 37,100 persons a year—that is, 22,000 principal applicants and their dependants—benefits the living standard of existing Australian residents by about $43 per head per year.

So what we see is a business class that benefits the Australian economy very substantially and that is significantly used by state and territory governments to meet their skill needs. Yes, there has been an increase, but it has brought people with skills that we need that are benefiting Australia quite significantly. The source countries are primarily: the United Kingdom, 24 per cent; India, 10 per cent; and South Africa, eight per cent. Managers, professionals and associate professionals continue to represent the largest user groups in the 457 class and registered nursing remains the largest nominated occupation.

So I think it is important to recognise that in context this visa system is working particularly well; it is working for the benefit of Australians generally. If you look at the administration of this visa class, which is closely monitored by the government, the fact is that there have been something of the order of 6,471 business sponsorships monitored to test their compliance with sponsorship undertakings during 2005-06. Of those, 1,790 business sponsors were also site visited based upon targeted risk profiling and random samples—not on the basis of complaints, I might say. If you look at the numbers of complaints that are made, they are relatively minor in the context of the numbers of visas that are issued.

Since December 2005, 15 allegations have been finalised, with four of the investigations finding that allegations were proven. The department is currently investigating some 200 employers in relation to potential issues of abuse in the 457 class—and this includes the allegations received from the Department of Immigration and Multicultural Affairs and from community sources—and other issues identified during regular monitoring activities. In other words, if you look at the community complaints, as well as the issues identified by the department’s own monitoring activities, you have investigation of some 200 employers out of something in the order
of 10,000 business sponsors. I think it is important to put that in context.

The facts are that there is labour testing in relation to these visa classes and, notwithstanding the allegations, this system has worked well for eight of the 10 years it has been in place. The early testing that was accepted by Minister Bolkus in 1995—that is, that it be for key activities—was the subject during the late 1990s of a review by government. To clarify matters, key and non-key activities were replaced on 1 July 2001 by minimum skill and salary thresholds in order to more tightly administer the program. That has meant that, while Australia's unemployment rate is highly polarised, with low rates of unemployment for skilled people and relatively higher rates of unemployment for the unskilled, new regulations stipulated that, for highly skilled positions gazetted by the minister for immigration on advice from the minister for employment—that is, professionals, managers, associate professionals and tradespeople—no labour testing would be required. Certification by a regional certifying body that the position cannot be reasonably filled locally would be required for semi-skilled positions. So there is enhanced testing that was put in place by this government to ensure that the system would operate more effectively.

In relation to English language, many occupations sponsored under the 457 program are subject to licensing and registration. English language skills are mandatory requirements for many of them. Nursing, which is the largest occupation, is a group where that is required. English is not an issue for around 75 per cent of the 457 visa holders in the professional, managerial or associate professional jobs. But for other skilled occupations the employer is best placed to determine whether a person has the right English or other skills for the job. For lesser skilled occupations, there is a case for the introduction of an English language requirement, and that is why on 1 May the minister, Senator Vanstone, announced an English language requirement would be introduced subject to consultation with industry, and those consultations have been underway.

On issues in relation to wages: 457 visa holders are not a cheap option given the costs of recruiting from overseas. Professor Peter McDonald found that 36 per cent of surveyed 457 employees either were promoted or obtained better jobs with another sponsor. Market forces ensure that people holding such visas are paid market rates, and average salaries for 457 visa holders are around $65,000 a year. I think it is better to allow the market to set those rates than to try and regulate them. Minimum salary levels, which have been increasing at 4.6 per cent per annum, provide the floor for 457 visas.

In relation to training issues, employers seeking to sponsor workers for 457 visas must demonstrate that they have a satisfactory record or demonstrated commitment to training Australians. In 2004-05, around 650 sponsor applications were refused. Some 75 per cent were refused on grounds of inadequate commitment to training. The government's commitment to vocational training has grown steadily over the past 10 years. In 1985 there were 36,500 apprenticeships and traineeships completed; in 2005 this number had grown to 134,900. I think it is important to recognise that.

These positions under section 457 are not the guest worker arrangements which we see in other parts of the world. The skill levels of workers under the 457 visa class are significantly higher. 457 visa workers receive average salaries above the Australian average, while guest workers in Europe and North America receive low salaries. 457 workers are not tied to a single employer and there
are often pathways here in relation to residence.

If I may, I would like to speak briefly about compliance because it is important to recognise that the allegations against those people who use the 457 class of visa have been quite limited. I mentioned before that allegations about 200 employers within a program of 10,000 participating employers is an indication of the extent to which these matters are the subject of irregularities. Allegations against 200 sponsors represent about two per cent of the employers using the visa class.

In relation to those who misuse the 457 class of visa, there are severe sanctions. The Migration Act provides for sanctions to be applied where a sponsor breaches undertakings with regard to their workers. The sanctions can include cancellation of sponsorship and barring the sponsor for a specified time from being a sponsor. The Migration Act provides for recovery of debts to the Commonwealth with a limit of up to $10,000, including where we have to locate a sponsored person, detain a sponsored person and remove a sponsored person from Australia, including airfares. The new employer sanctions bill, which is presently before the parliament, will further strengthen available sanctions where an employer misuses the 457 class of visa. In addition, Minister Vanstone has announced that there will be consultations on possible fines.

I would mention the fact that temporary visa holders do save and create jobs for Australians. This is highly beneficial. The irregularities are not substantial in the context of the whole scheme. If skills are lacking in regional areas that prevent the creation or continuation of jobs, the 457 visa class gives you the opportunity to obtain people with appropriate skills that will create opportunities for other Australians.

The minister has produced a table of good-news stories in relation to 457 visa holders and employers. I suspect that, if I ask for leave to table that statement, I would probably be denied it. But I do not have to seek leave to table it and so I do table—

The DEPUTY SPEAKER (Hon. IR Causley)—You do require leave outside of question time.

Mr RUDDOCK—I seek leave to table it, if that is the case.

Leave granted.

Mr RUDDOCK—These are good-news stories of 457 visa holders.

Mr Burke—You see, we gave permission.

Mr RUDDOCK—Thank you. In conclusion, I want to mention the issues involving my colleague the Minister for Vocational and Technical Education. The references to him have been quite unreasonable. He referred to the very large refugee program that we have and the desirability of ensuring that those people who do access Australia—(Time expired)

Ms Macklin—Your time has expired.

The DEPUTY SPEAKER—The member for Jagajaga does not have to help the chair. If she does, she might be dealt with very severely. I closed the minister’s speech down. If the member for Jagajaga wants to stay in the House, she will behave herself.

Mr BURKE (Watson) (4.02 pm)—The Attorney-General has just given a good speech on a different MPI. He has just created a very good case for why 457 visas should not be entirely abolished—a good case for it. The problem is that Labor does not think the 457 visa should be abolished. We have never called for that and we never will. You need to have a system of temporary work visas. You do not need a system that is managed—or mismanaged—in the way this
one is. You do not need a system where you do not have to advertise a job locally. You do not need a system that allows some people to work side by side with others, doing an identical job to theirs, and to receive half their pay. You do not have to have a system that exploits people.

The situation of Jack Zhang, which has brought us here today, is nothing but exploitation. I find it extraordinary that, in response to our comments, today of all days the Australian Chamber of Commerce and Industry condemns trade union scaremongering on skilled migration. There is a problem with bringing that out on the day that the case of Jack Zhang is exposed. His employer confirmed every detail. Every detail that the Leader of the Opposition went through a couple of minutes ago was confirmed by the employer. What did the employer then do, having confirmed to a journalist from the Age every one of the details of the exploitation of this worker on a 457 visa? The employer then walked down the road. The journalist followed at a distance and watched as the employer evicted Mr Zhang then and there from his home. That is not some scaremongering campaign. Jack Zhang is a victim of the way the government wants 457 visas to work.

I really wish that I could use the line—because it is not a bad line—that the 457 visa system is out of control. The problem is that it is not. It is doing exactly what this government wants it to do. This government wants to have a system where people are being paid massively less than what current Australian market rates are. The Attorney-General commented just previously, ‘What’s changed in the last two years?’ Have a look at Misha Schubert’s column in the Age today entitled ‘457 visa numbers jump 66 per cent in three years’. We have had a massive increase in the number of people coming in on 457 visas at the same time that the government has ransacked the industrial relations system. These things have happened at the same time in order to open up a huge gap between the market rate being paid in Australia and the new minimum legal rate.

The minimum legal rate under a 457 visa goes at around the $42,000 mark. But the $42,000 mark, in the case of Mr Jack Zhang, is then further cut back. It is $42,000 less the $10,000 you pay to the agent in China and less a further $10,000 that you pay to your employer—to buy a job. $10,000 to buy a job. So, before he starts, already he is not at the $42,000 mark but effectively at the $22,000 mark—only to then find, when it comes to paying for his accommodation, the landlord he is paying is his employer.

What is going on here is a rort from beginning to end. The government wants to have arguments about why we should not get rid of all 457 visas because it wants to keep the whole package. What Labor wants to do is keep the genuine situations of need. It wants to keep the situation where nurses who come in on 457 visas are paid the same as the nurses they are working side by side with, where they are not exploited and where there is a genuine skills shortage—a skills shortage, I might add, that has happened to the states after years of asking and pleading for the federal government to provide more nursing training positions, which the federal government has refused to fund, and then ending up in a situation of having no choice—and, in those circumstances, to use these visas in a way that is not exploitative.

But the visas are open to exploitation and there are employers using them in that fashion. It is bad for the workers who get exploited on those visas. It is bad for the way it drives wages down for the people they are working side by side with. And it is bad for the mainstream, decent Australian employers who will not do that but who find their com-
petitors are behaving that way. They then have to compete in an unfair market because, although they do not want to exploit people from overseas, to get a share of the market they are competing with companies that will.

There are three ways this visa is open to exploitation. The first is the inadequate policing. There is no effective policing at the time of application and, when it comes to the workplace, what policing does occur is completely scattergun. We hear about investigations that are done by the government. When does the investigation happen? When it is raised in parliament by the Labor Party, when it turns up in the mainstream media or when it is raised by a trade union. We do not hear about the cases coming up that have occurred through the normal policing methods of the department of immigration checking on the treatment of people on 457 visas.

The Attorney-General referred to the fact that there are not that many reported cases of abuse. That is not surprising. You do not have to speak English to be able to get the visa—and how likely are you to report exploitation if you are paid even less than what you are legally entitled to and if you believe that your employer has not only a right of dismissal but also an effective right of deportation? You are not going to complain. For the number of cases that get raised in this parliament or get reported to the media, there are many more that come to us anecdotally, come to us from people who work side by side with people who are scared and terrified that if they make a report—if they stand up—they will lose their jobs.

And you wonder why they are scared? Look at what happened to Mr Zhang. Within two minutes of his employer being interviewed by a journalist, he had lost his home. And the Attorney-General says, ‘We can all rest a little bit easier, because not that many cases of abuse get reported.’ That is part of the plan. That is part of the problem. That is why it is just as important for someone to have an English speaking test when they come on permanent migration as it is when they come on temporary migration. You cannot say it is important to get a job one week and the next week turn a blind eye to people who are brought in here without English skills when you know that it is part of the plan to stop them reporting abuse—to turn a blind eye to that when your real excuse is you want this sort of behaviour to occur to drive wages down.

The second problem with this visa goes beyond all issues of policing. There are things which are absolutely unacceptable to the Australian community that are legal under 457 visas. It is completely legal for a job to be advertised only in another country. You can have a job that is never advertised in Australia but is advertised overseas, and someone can come in on a 457 visa claiming shortage of local workforce without there ever being effective labour market testing. There are no effective tests done on skill. Mr Jack Zhang was brought over, and what skill did the employer end up getting him to perform? He was sweeping the floor! It is not being used by unscrupulous employers as a genuine attempt to fill skills shortages.

The third way in which this is being abused is it only respects the new minimum rates under either the immigration system or the new minimum lower rates, without penalty rates, allowed under Work Choices. The Australian market rate is well above that, and it does not take much to work out what happens when you introduce to the workforce some people working at half the rate of others. You do one thing: in those industries and at those workplaces, you drive wages down.

Mr Zhang was evicted, but there is another eviction that should take place. This government will not fix this visa system for
the simple reason they believe in how this is happening. They believe in the abuses that are occurring; they want them to happen. Until we get the eviction from this place of the people who sit in the front row on the other side, this problem will not be fixed.

Mr Wilkie interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Swan not only is in the wrong seat but has already been warned.

Mr BARRESI (Deakin) (4.12 pm)—I am pleased to be able to make a contribution to this matter of public importance on 457 visas, which was brought in today by the opposition. It is another MPI that is based on a false premise. It is a lot of hysterical claims with two objectives: to create fear in the public’s mind and to exploit those very people whom they claim they are attempting to protect through this MPI. Members on the other side cite the case of Mr Jack Zhang. They know all too well that this case is being investigated as we speak. They also know all too well that, if there is anything untoward in this case—if any illegal activity has taken place—then the law will come down against those who perpetrated the illegality.

We find ourselves today with an opposition that has the idea that, if you perpetuate a myth, people will believe it. (Quorum formed) The Leader of the Opposition during this matter of public importance said he wanted to make a commitment that we need migrants in this country who are willing to sign up to Australian values in the workplace. ‘Migrants who are willing to sign up to Australian values in the workplace’ is code for, ‘We need migrants who are willing to sign up to and be exploited by the union movement and be gullible to the exploitation evident there.’ I know this is the case because right now around Australia the Your Rights at Work campaign is out there targeting new migrants. At citizenship ceremonies all around this country, they have decided that they are going in to sign these people up to exploit their fear of coming into a new country by peddling the myths and the fears, something which they do all too well. That is what the Beazley commitment is all about.

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Deakin will refer to members by their correct title.

Mr BARRESI—The Leader of the Opposition’s commitment is not about signing migrants up to Australian values in the workplace; it is signing them up to the union movement to be exploited. It is a patronising stance by the Leader of the Opposition and the Labor Party and we have seen far too much of it—going back 50 or 60 years, even going back to the days when my own father came out to this country and in successive generations. It is a relationship which is built on a form of legal servitude in the workplace. Unions are threatening these new citizens to sign up, with the promise of bluer skies if they do so.

The Leader of the Opposition is out of touch on the 457 visa. He has come into this place and attempted to discredit the visa category and yet he is out of touch with his own state and territory colleagues over this particular visa. He claimed on the Sky News Agenda program that states and territories are actively questioning the use of temporary overseas skilled worker visas. That does not stand up to scrutiny. I am informed by the Minister for Immigration and Multicultural Affairs that less than two months ago all states and territories, along with the Commonwealth, discussed 457 visas at the ministerial council and, in fact, they resolved to support the visas. The council noted in its resolution:

- the critical role of sub-class 457 visas in addressing national and regional skill shortages
in some areas and the importance of further developing measures that, while improving protection for temporary skilled migrants, would not materially add cost and delays for employers; and

- the important role of the Regional Certifying Bodies in some jurisdictions in the operation of regional concessions in Sub-Class 457 visa.

The states and territories have been some of the biggest users of 457 visas. As the Prime Minister mentioned yesterday during question time, since January of this year the largest single user of 457 visas was the New South Wales Department of Health. Recently the New South Wales Minister for Health issued a statement where there was a proud declaration made that almost three-quarters of the 1,000 nurses to join the New South Wales health system were as a result of their overseas recruitment drive and 457 visas. We have seen South Australia more than quadruple its state-sponsored skilled migration intake since 2002. Queensland has more than tripled it. And the New South Wales and Victorian governments have almost doubled it. The ACT, Tasmania and the Northern Territory have increased their skilled migrant intake by 70 per cent, 50 per cent and 30 per cent respectively.

There is support for this visa classification all around Australia. It is only the Leader of the Opposition who is beating this issue up into a scare campaign. If there are cases where people are being exploited, then refer them to the authorities and have those cases investigated. Rather than bringing it in here, dragging the person’s name into this chamber and using them for political purposes, pick up the phone and call the respective state or Commonwealth agency to carry out the investigation. That is what the opposition should be doing if they are genuinely interested in the welfare of these migrants who are coming to Australia on these temporary visas. That is what they should be doing rather than exploiting the situations taking place.

Why do we have such a high uptake in the visa classifications these days? The answer is pretty simple. In this country we are going through economic growth which is unprecedented, with the lowest unemployment rates in 30 years and jobs growth of around 180,000 per annum. We know that not only do we have skill shortages but also we are going to have a shortage in available people to fill jobs in due course. The demographics of this country are changing. We are in the same market as every other nation in the world in attracting skilled labour. We are no different.

Are we turning our back on young people and their training? No, we are not. The Leader of the Opposition got up and started talking about providing training programs for nurses and doctors. I am proud to say that only this year the Prime Minister and the Minister for Health and Ageing were able to announce a boost in the number of places for the training of nurses and doctors in my own state of Victoria, at the university just down the road from me, Deakin University, which has a partnership with Box Hill Institute to provide increased training for those in health and paramedical professions. That is why we have had this big uptake of 457 visas. We have a demand for skilled labour and we need to fill that demand today—not in three or four years time when the training has taken place, but right now. (Time expired)

The SPEAKER—Order! The discussion is now concluded.

LOCAL GOVERNMENT

Mr LLOYD (Robertson—Minister for Local Government, Territories and Roads) (4.22 pm)—I move:

That the House:
(1) recognises that local government is part of the governance of Australia, serving communities through locally elected councils;
(2) values the rich diversity of councils around Australia, reflecting the varied communities they serve;
(3) acknowledges the role of local government in governance, advocacy, the provision of infrastructure, service delivery, planning, community development and regulation;
(4) acknowledges the importance of cooperating with and consulting with local government on the priorities of their local communities;
(5) acknowledges the significant Australian Government funding that is provided to local government to spend on locally determined priorities, such as roads and other local government services; and
(6) commends local government elected officials who give their time to serve their communities.

I am honoured to introduce into this House today a historic motion recognising the integral role of local government and the role that it carries out in our system of government. This motion flows from the work of the House of Representatives Standing Committee on Economics, Finance and Public Administration in their report which has become known as the Hawker report. Mr Speaker, I am very pleased that you are in the chair today to see the fulfilment of one of the recommendations of the Hawker report. The government provided its response to the committee’s report in June 2005. Proposing a motion recognising local government as an integral level of governance in Australia was one of the initiatives it agreed to pursue. I am pleased to move this motion here in the House today which honours that commitment given by the Howard government. I am also pleased to acknowledge in the gallery today Councillor Paul Bell, the President of ALGA, the Australian Local Government Association, and I would also like to thank him personally for the assistance that he has provided to the Australian government in getting this motion into the House. (Quorum formed)

This motion has a number of objectives, including recognising and celebrating the role and importance of local government. Local government is an integral part of the governance task in Australia. This motion acknowledges the huge diversity of local government. We have large urban councils, small regional councils and very small and remote Indigenous community councils all operating under the local government model. For example, Brisbane City Council, covering nearly all metropolitan Brisbane, services a population of almost one million people and has a budget of $1,600 million. At the other extreme, we have councils such as the Aramac Shire Council in Central Queensland, which services a population of just over 700 people and maintains its local road system of nearly 1,200 kilometres within its budget of $4 million. Of course, we have a contrast in Western Australia as well.

The Australian government is committed to cooperating with and consulting local government. The Australian Local Government Association is a member of the Council of Australian Governments, COAG, as well as many of the ministerial councils which operate under the COAG umbrella. The Australian government has supported the addition of local government representations at these councils, and ALGA has been very active in representing the interests of local government on these councils.

This motion also gives due recognition to the contribution made by the elected local councillors throughout the country for their community service. They carry out their duties in a spirit of community service and in most cases provide their time and skills for little or no monetary reward.
In its response to the Hawker report, the Howard government also agreed to do a number of things, including developing with the state and territory governments and local government an intergovernmental agreement on relations with local government, developing a new national principle under the Local Government (Financial Assistance) Act 1995 specifying that financial assistance grants for amalgamated councils would be maintained for four years after amalgamation and reviewing the interstate distribution of the roads component of the financial assistance grants through the Commonwealth Grants Commission. I am very pleased to report that there has been significant progress on all these undertakings.

I am very proud to have been able to assist in the securing of the recent intergovernmental agreement on local government relations with local government and the governments of the states and territories. I thank the local government and planning ministers from the states and territories for their cooperation in signing up to this historic agreement, which provides, for the first time, a national framework with local government so that they can negotiate with other governments on the arrangements for service delivery that the governments require of local governments. This was a historic outcome where all three levels of government came to an agreement involving a vexed issue like financial relations.

The objectives of the intergovernmental agreement include providing greater financial transparency between three spheres of government in relation to local government services and functions. The agreement also aims to improve the relationship by increasing consultation between governments on local government matters. The agreement addresses cost shifting by obtaining in-principle agreement from governments that, when a responsibility is devolved to local government, local government is consulted and the financial and other impacts on local government are taken into account.

The new national principle maintaining funding for amalgamating councils came into effect on 1 July 2006. The Commonwealth Grants Commission report on the interstate distribution of road funding was completed on 30 June 2006, and the government is now considering the report’s recommendations.

Importantly, while there are many in the local government sector who want formal recognition of local government—that is, constitutional recognition—this proposition has been unsuccessful in two previous referendums, and the government and I as minister are not convinced that another referendum at this stage would have a different result. This parliamentary motion, which is being put to both houses of the federal parliament, recognises the vital role that local government plays in the great democracy that we enjoy in Australia. Local government has long ceased to deal solely with roads, rates and rubbish. The range of services provided by local government throughout Australia is very wide and can include such things as childcare services, health and welfare services such as immunisation clinics and meals on wheels, programs for settling migrants into their communities, environmental services, and sport and recreation services and facilities such as football and hockey fields, swimming pools, learn-to-swim classes, parks and gardens, and indoor sport centres. There are also, of course, emergency services; local government is at the front line of those defences when we have tragedies. There are examples of that, such as the services that were provided in Beaconsfield in Tasmania, with the mine collapse, and in Innisfail in Queensland following Cyclone Larry.

Local government often comes in for criticism, but what go unreported are the
many times local government succeeds and provides excellent service to its constituents. Unfortunately, good news does not sell newspapers. In truth, the overwhelming majority of councils operate effectively, and their councillors and council employees operate transparently and honestly. The Australian government has been a very strong supporter of local government since 1974-75, when for the first time direct financial assistance grants to local government were introduced. In 2006-07, this current financial year, the financial assistance grants will be almost $1.7 billion. The total of the financial assistance grants provided since 1974-75 is over a staggering $25.7 billion.

In addition to the financial assistance grants, which are untied and can be used by local governments on their own priorities, the Australian government provides the very popular and successful Roads to Recovery funding program directly to local councils; $1.2 billion was provided from 2001 to June 2005 for local roads. The Howard government has extended the Roads to Recovery program for a further four years to June 2009 with a further commitment of some $1.23 billion, which includes $30 million for roads in the unincorporated areas. I was very pleased that we were able to announce an additional $307 million for this program which was provided up-front to every council in Australia as an advance payment in June of this year for expenditure over the next three years. It now brings the total commitment under the Roads to Recovery program to over $1.7 billion.

In addition, the Howard government is also providing some $220 million for land transport infrastructure projects of regional importance under the AusLink Strategic Regional Program. The successful projects will be funded from the unallocated funding under this program and will be announced later this year. In recognition of the program’s success, the government has extended the AusLink black spot program for a further two years, from 2006-07 to 2007-08, at a cost of $90 million. Half of this funding will be spent in regional Australia. Since the black spot program was reintroduced by the Howard government in 1996, approximately $450 million has been allocated to eliminating almost 3,900 dangerous crash locations around Australia. The Australian government’s commitment direct to local road improvements from 2001 to July 2009 amounts to a massive $2.9 billion, which includes the Roads to Recovery program, the supplementary Roads to Recovery payment and the AusLink Strategic Regional Program. This commitment to investing in Australia’s local government transport infrastructure shows this government’s continued interest in working in partnership with local government. Having viable local transport infrastructure is an investment in Australia’s future and is vital for our continued economic and social prosperity. I would also like to pay tribute to former Deputy Prime Minister John Anderson for his role in securing, introducing and developing the Roads to Recovery program while he was the Deputy Prime Minister.

Local government also receives significant proportions of the funding available through a number of grant programs offered by the Australian government. Councils have been very successful in applying for funding through Regional Partnerships, the Natural Heritage Trust, the Natural Disaster and Regional Flood Mitigation programs, and the Bushfire Mitigation program, just to name a few. The government believes that local governments are in the best position to determine what projects, programs and initiatives will work best in their local areas and for their local communities. The Australian government strongly supports local governments in making important decisions that affect their residents. There are other direct pay-
ments to local government from the Australian government. In 2006-07 these payments, which are mainly for children’s services and disability services and from the Regulation Reduction Incentive Fund, will total more than $92 million.

As the commitments that I have listed confirm, the Australian government has made a substantial contribution to local government through the provision of the financial assistance grants and through reforms of the environment that local government operates in. The new national principle gives surety of funding for councils prepared to amalgamate, and the new intergovernmental agreement gives local government a framework in which it can negotiate with other governments on fair funding deals for services it delivers on behalf of those governments. I will certainly continue to look at ways we can increase the direct funding to councils and look at innovative programs, because it is a very effective way of delivering services to the community.

Despite this generous assistance, there are indications that many councils, particularly in rural areas, are still struggling to provide basic services to their communities. Recent reports from several states have shown that many rural and regional councils may not be sustainable in the long term. It is time for the states to look seriously at what services and functions they expect local government to provide and to ensure that local governments are properly resourced to carry out these tasks. The Australian government is doing its fair share to support local government, and the states and territories need to step up to the mark to also support local councils.

There are of course important tasks for local government itself to address. Local government needs to ensure that proper asset management systems are in place and that it adequately plans for infrastructure renewal and replacement. Councils need to have a medium- to long-term budgetary focus. Expenditure decisions by councils that are more strategic and lower the cost of providing core services are vital for local government to improve its financial governance. We need to encourage those that are lagging behind to take note of the best practice being demonstrated by leading councils.

Best practice is recognised by the Australian government through the National Awards for Local Government, and this year is the 20th anniversary of these awards. Since 1986 the awards have recognised, rewarded and promoted innovative and leading practices of local government. They highlight the outstanding achievements of local government across the country and demonstrate the important role undertaken on a daily basis by local governments in supporting and sustaining their communities. Each year the awards provide evidence of the great work being done by local government every single day for all Australians. The national award winners for 2006 will be announced on 27 November 2006. When I attend these awards, as I have done in the previous two years, the diversity and the innovation that so many councils come up with and the exciting programs for best delivering services to their communities never cease to amaze me.

The Australian government has forged a strong partnership with local government. It has demonstrated its willingness to work with local government in the past, and I can assure you that it will continue to do so in the future. In moving this motion the government is continuing to deliver on the commitments that it made in response to the Hawker report, and a similar motion will also be brought before the Senate.

**Mr ALBANESE (Grayndler)** (4.39 pm)—Labor supports this parliamentary motion on local government. This motion is a step in
the right direction towards recognition for the important role that local government plays in the delivery of services at the local level. However, at the end of this speech I will be moving an amendment to this motion because I do not believe that it goes far enough in recognising local government.

Mr Speaker, you will recall as the chair of the committee that produced the report that has been referred to by the minister that I was a member of the committee as well. At that time I argued very strongly that we needed to have constitutional recognition for local government in Australia. It is true that it has been put to a referendum twice. It is true that it has been defeated twice—the last time due to a dishonest campaign run by the coalition, including the then leader, the member for Bennelong, John Howard, in his first time as Leader of the Opposition.

I believe very strongly that it is now appropriate that we have bipartisan support for constitutional recognition for local government. After all, the Constitution is the document that defines us as a nation. With that bipartisan support, Labor is pledging through this amendment here in the House of Representatives and also through an amendment that we will move in the Senate through the shadow minister for local government, Senator Kim Carr, that it would be successful whenever it was put before the people of Australia.

It is time that local government was recognised in the Australian Constitution, given the particularly important role that local government plays. Local government is of course the level of government that is closest to the people. It is able to respond directly to people’s needs. It allows for democratic participation, which enriches the democratic life of the nation.

As federal members of parliament we would attend more activities and functions organised by local government wherever we represent around the nation than we would events organised by state or federal government. That is certainly overwhelmingly the case in my electorate of Grayndler, where we now have magnificent festivals, including the Marrickville Festival, which is a multicultural celebration, and the Norton Street Festival, which pays particular attention to the contribution of the Italian community in Leichhardt. Canterbury Council holds a festival which is very much Korean based. We also had this year a return of the Cooks River Festival in my electorate, emphasising important environmental values, with an emphasis on protecting our river system and also on improving sustainability in housing and in water.

I want to particularly commend through this motion paragraph 6, which pays tribute to local government elected officials. People who are elected to this House are well remunerated for the work that we do. Many local government officials would work almost as hard as federal members of parliament and yet they receive by and large very small monetary compensation. Indeed, I believe there is a fair case to say that it costs many of them money because the time they spend in an effectively voluntary capacity doing building inspections, going to functions and speaking to constituents in their particular council area is time they are not spending earning an income for themselves and their families. It is important that we pay tribute, and I commend the minister for doing so in this motion before the parliament today.

This motion is largely a symbolic statement, but symbols are important and it is important that we give that recognition. However, in my amendment I am arguing that, while symbols are important, we need to go that step further than symbolism and have a practical impact, which enshrining local government in the Constitution would
do. Were we the founding fathers of the nation—which is largely what they were, rather than fathers and mothers—we might have structured government here in Australia in a different way. There is certainly an argument in my view for two tiers of government: the Commonwealth government and regional government, in the form of an expanded local government. I think that larger councils are able to provide better services, and in my area I have argued for council amalgamations in some areas, which is not necessarily a popular step, but to do it in a way which is voluntary and brings the community along rather than it being imposed by another level of government.

Labor is united in its support for local government. The same cannot always be said for government members. The Minister for Local Government, Territories and Roads has been fulsome in his stated support for local government, including his words in the chamber today. But the Minister for Transport and Regional Services takes a very different view. In March 2006 the Minister for Local Government, Territories and Roads rejected an Audit Office audit of the Roads to Recovery program. The local government minister stated that only a handful of councils had failed to comply with program rules, including the maintenance of council funding for local roads. The Minister for Transport and Regional Services has taken a very different view. Following the National Local Roads and Transport Congress in July 2006, the minister’s office issued talking points to government members, senators and staff which said:

Local government is not keeping up the task of funding its infrastructure, including roads.

The talking points go on to ridicule local government capacity to substantiate funding demands, saying:

Local government has no reliable data available on the road maintenance task.

And this:

Local government has no comparable data on its expenditure on roads, road condition or road usage—all the key information items needed to assess road funding needs.

Either you support local government or you do not. Clearly, this memo from the Minister for Transport and Regional Services indicates a lack of support for local government and an undermining of it.

I note that this motion is the result of a key recommendation of the 2003 report by the House of Representatives Standing Committee on Economics, Finance and Public Administration, chaired by the Speaker, which was known therefore as the Hawker report. I sat on that inquiry, and we had substantial public hearings in preparation for that report. I note that it was a unanimous report, and one of the key points made in many submissions to the inquiry was the need for constitutional recognition, hence I am moving the amendment today.

The last referendum was in 1998, and my friend and mentor Tom Uren was the Minister for Local Government and Administrative Services in the Hawke government. I worked for him at that time and well recall campaigning very strongly for a yes vote. Those on the other side, including the current Prime Minister and Peter Reith, pushed a no vote and ensured that we did not get that progress. It should not be forgotten that it was the current Prime Minister who delivered the kick in the teeth to local government. If government members are serious about recognising the role of local government—

Mr Lloyd interjecting—

Mr ALBANESE—The minister for local government asks, ‘What would constitutional recognition of local government achieve?’ He undermines his previous speech in sup-
port of local government by putting that forward and shows contempt for the overwhelming majority of local governments around this nation, which argue for constitutional referendum.

Mr Lloyd—I have made it very clear that I do not support it.

Mr ALBANESE—The minister is making it clear that he does not support it. He is moving a motion in recognition of how important it is, but it is not important enough to go in the Constitution. That is very disappointing and contradicts the evidence that we received during that inquiry, at which there were not people making submissions saying, ‘We don’t want constitutional recognition.’

Finally, I want to take this opportunity to talk briefly about the important role local government plays in tackling climate change. Around the nation, the Australian Local Government Association is playing an important part in raising awareness about climate change and about the potential impacts that it will have. It is also playing an important role in raising awareness about the opportunities that arise from efforts to reduce greenhouse gas emissions. I was very pleased to hear that the International Council for Local Environmental Initiatives has been chosen as a partner and collaborator with the Clinton Climate Initiative to tackle climate change.

I was particularly pleased to hear that Melbourne has joined 21 cities from around the world in taking action to avoid dangerous climate change. Foundation cities in the partnership include London, New York, Los Angeles, Seoul, Berlin, Buenos Aires, Cairo, Caracas, Chicago, Delhi, Dhaka, Istanbul, Johannesburg, Madrid, Mexico City, Melbourne, Paris, Philadelphia, Rome, Sao Paulo, Toronto and Warsaw. I very much welcome that. What we are seeing here is local government getting together to pool their purchasing power, lower the price of energy-saving products and adopt energy efficiency programs. With regard to Melbourne City Council, I certainly encourage anyone to visit the Szenorc Building in Port Melbourne to see what can be done with the support of local government in terms of having buildings that not only are energy efficient but, when fully functional, can contribute energy back to the grid and thereby make revenue for their owners. The environment minister made an interesting observation when he said on 8 November 2005:

Australian local governments lead the world when it comes to taking action to reduce greenhouse gas emissions...

That is right, because there is not much happening from the federal government in terms of initiative. I congratulate local government for taking a leadership role and I certainly look forward, in a year’s time, to joining with them to provide some national leadership because of the action that the federal government is failing to take and in support of the action that local government is taking.

With regard to the greatest challenge facing the global community, the action being taken by local government gives us a reminder of how broad the role and impact of local government can be and of the vital role that it plays. I commend to the House the amendment I will now move to the motion. I ask the government to reconsider its position, adopt Labor’s amendment and have a bipartisan approach to giving local government the recognition that it truly deserves. I move:

That paragraph (1) be omitted and the following paragraph substituted:

“(1) supports a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia.”
The SPEAKER—Is the amendment seconded?

Mr McClelland—I second the amendment and reserve my right to speak.

Debate (on motion by Ms Gambaro) adjourned.

MAIN COMMITTEE
Local Government Reference

Mr Lloyd (Robertson—Minister for Local Government, Territories and Roads) (4.55 pm)—by leave—I move:

That the resumption of debate on his motion in relation to Local Government be referred to the Main Committee.

Question agreed to.

ABORIGINAL LAND RIGHTS (NORTHERN TERRITORY) AMENDMENT BILL 2006
AGRICULTURE, FISHERIES AND FORESTRY LEGISLATION AMENDMENT (EXPORT CONTROL AND QUARANTINE) BILL 2006
AUSTRALIA-JAPAN FOUNDATION (REPEAL AND TRANSITIONAL PROVISIONS) BILL 2006
THERAPEUTIC GOODS AMENDMENT BILL (No. 3) 2006

Assent

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

BUSINESS
Orders of the Day

Ms Gambaro (Petrie—Parliamentary Secretary (Foreign Affairs)) (4.56 pm)—by leave—I move:

That Main Committee orders of the day Nos 6 to 9, government business, order of the day No. 1, private Members’ business, and orders of the day Nos. 13 to 22, committee and delegation reports, be returned to the House.

The orders of the day are shown on the list which has been circulated to members in the chamber.

Question agreed to.

Withdrawal

Ms Gambaro (Petrie—Parliamentary Secretary (Foreign Affairs)) (4.57 pm)—by leave—I move:

That those orders of the day returned to the House in accordance with the resolution agreed to this day be discharged.

I do not propose to read the titles from the list which has been circulated to members in the chamber. Details will be recorded in the Votes and Proceedings.

Question agreed to.

Mr Price—Mr Deputy Speaker, could I seek your indulgence. Where are these lists that have been referred to which have been circulated?

The DEPUTY SPEAKER (Mr Jenkins)—The chair is in the position of having a copy for the chair. They have been circulated or they are available upon request. There is one coming your way.

Mr Price—I sincerely thank you for your intervention. It is very helpful. But could I say that when motions are moved on the basis of information having been circulated to honourable members and the information has not been circulated to honourable members, then I would believe that is unintentionally misleading the House. Could I request that, in future, for those honourable members in the chamber, such a list be provided.

The DEPUTY SPEAKER—I am sure that the honourable member’s comments have been well and truly noted.
PROTECTION OF THE SEA
(HARMFUL ANTI-FOULING SYSTEMS) BILL 2006

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Ms GAMBARO (Petrie—Parliamentary Secretary (Foreign Affairs)) (5.00 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

MIGRATION AMENDMENT (EMPLOYER SANCTIONS) BILL 2006

First Reading

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

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

COMMITTEES

Public Works Committee

Report

Mrs MOYLAN (Pearce) (5.02 pm)—On behalf of the Joint Standing Committee on Public Works I present the 13th report for 2006 of the committee, relating to the proposed Australian Institute of Police Management redevelopment at North Head, Manly, New South Wales.

Ordered that the report be made a parliamentary paper.

Mrs MOYLAN—by leave—The report examines the proposal to redevelop the Australian Institute of Police Management site at North Head, Manly. The estimated cost of the proposed works is $16.224 million. The AIPM is located on 1.7 hectares of harbour-front land at the end of Collins Beach Road, Manly, and has operated from this site since 1960. The AIPM provides senior management and executive development, education and consultancy services for Australasian and international law enforcement agencies and public safety agencies.

The Australian Federal Police submitted that the aim of the redevelopment is to improve the operational efficiency and the long-term sustainability of the AIPM, to expand its functional capacity and to modernise security. According to the AFP the redevelopment will consist of: the replacement of residential accommodation blocks, administrative and academic office accommodation and senior common room facilities; the refurbishment of existing library, teaching, dining areas and specific heritage buildings; the construction of soft and hard landscaping to various areas of the site including consolidation of car parking; the removal of existing barrack style accommodation buildings and miscellaneous stores areas; and landscaping works to improve the environment for both the human and native fauna occupants of the site.

On 2 June 2006 the committee inspected the site and the environs of the proposed works. The committee also received a confidential briefing from the AFP and held a public hearing in Manly later that day. At the public hearing the committee heard of large-scale community concerns with the proposal, and acknowledges the receipt of a 366-signature petition opposing the works. Much of the community concern related to the culturally and environmentally sensitive nature of the site. The committee feels that had the AFP undertaken to consult early with the local community and in a transparent way then many of the concerns that were raised by community groups could have been addressed and, indeed, alleviated.
The site provides a habitat for a number of endangered populations. Of particular importance are the little penguin and long-nosed bandicoot populations. The whole of the North Head, which includes the AIPM site, was placed on the National Heritage List on 12 May 2006. As a result, any works that proceed on this site need to give consideration to the environmental and heritage impacts that they may have, and the current proposal has been referred to the Department of the Environment and Heritage for its consideration. The committee recommends that the AFP supply it, and the local council and community, with copies of the construction environment management plan, the conservation management plan and the traffic management plan once these plans have been fully formulated. These plans should not only address but therefore alleviate many of the negative impacts that the development would otherwise have had on this site.

The committee recognises the benefits of integrated management of the North Head. As a result, the committee recommends that the AFP works with the Manly Council, as well as other North Head stakeholders, to ensure integrated management of the North Head. At the hearing the committee also heard of community difficulty with accessing the 1979 land use agreement which allows the Commonwealth to use the site as a police college until such time as it is deemed to be surplus to Commonwealth requirements. The committee is satisfied with the legal advice, received from the AFP and communicated to the committee, that the Commonwealth retains control and administration of the site, and accepts the AFP’s preference for the 1979 land use agreement to be accessed through the New South Wales state parliament.

The local community raised concerns that the redevelopment was commercially driven and that potential existed for the site to be commercially let. The committee questioned the AFP as to the extent of commercial use of the site, and was informed that commercial use amounted to 16 per cent of the total use. The committee was assured that large-scale commercialisation at the site would not occur. Having given detailed consideration to the proposal, the committee recommends that the Australian Institute of Police Management redevelopment, North Head, Manly, proceed at an estimated cost of $16.224 million. In closing, I once again thank all those who assisted the committee with its inspection and public hearing, those who took an interest in making submissions, my committee colleagues, the secretariat staff and Hansard. I commend the report to the House.

AUSTRALIAN NUCLEAR SCIENCE AND TECHNOLOGY ORGANISATION AMENDMENT BILL 2006

Second Reading

Debate resumed.

The DEPUTY SPEAKER (Mr Jenkins)—The original question was that the bill be now read a second time. To this the honourable the Deputy Leader of the Opposition has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The question now is that the words proposed to be omitted stand part of the question.

Mrs VALE (Hughes) (5.08 pm)—To resume my comments, I point out that the scope of research that these 17 neutron beam instruments will allow is tremendous—from research on advanced materials through to molecular biology—using technologies that were unknown at the time the current reactor was opened by Prime Minister Robert Menzies, later Sir Robert Menzies, on 18 April, 1958.

As well as opening up new areas of research, ANSTO is well known as the principal producer and supplier of radioisotopes
for medical diagnoses, treatment and pain relief in Australia. Last year, approximately 550,000 patient treatments were transported from ANSTO to hospitals around Australia and increasingly into South-East Asia as well. Nuclear medicines are chiefly used for diagnosis, but increasingly also to treat disease and for pain relief. For example, bone scans can now detect the spread of cancers six to 18 months sooner than X-rays. ANSTO also continually conducts new research aimed at developing new radiation treatments for different types of cancer and other medical conditions.

With additional capacity, ANSTO will also be able to expand its support of the Australian manufacturing, minerals and agricultural industries. (Quorum formed) The estimated gross benefit of support to the minerals industry, for example, currently exceeds $100 million annually. The replacement reactor will give us significantly more. This modern high-tech research facility will attract eminent foreign scientists to work in Australia and provide Australian scientists with greater reciprocal access to complementary, first-class research facilities around the world. Indeed, the return to Australia from the new research reactor will be significant in attracting to Australia the greatest scientific minds of our age. We will be truly beaming up Australia with the brightest lights in the international scientific community whereas Labor would seek to dumb us down.

The amendments in this bill will enable ANSTO to treat and appropriately package Commonwealth radioactive material before eventual storage or disposal at the Commonwealth radioactive waste management facility to be established in the Northern Territory. The act already permits movement of non-ANSTO radioactive material to the Lucas Heights site on a case-by-case basis under the regulation-making power of the act. This amendment in no way implies that Lucas Heights is now intended as the Commonwealth’s radioactive waste management facility. This government, unlike the previous Labor government, has a clear policy, backed by legislation, that the Commonwealth’s radioactive waste management facility in the Northern Territory will be the destination for Commonwealth radioactive material.

That legislation is the Commonwealth Radioactive Waste Management Act 2005, which I spoke on last year. It was welcomed by the people in my electorate of Hughes because this government is getting on with the job of bringing a Commonwealth radioactive waste management facility into creation. The idea of a national approach to radioactive material management originated in 1978, but, through careless inaction and indifference by the previous Labor government and the stonewalling by state Labor governments, this responsible national approach had been scrapped. It has taken this government to put in place a facility to manage this Commonwealth material in a suitable location.

The fact is that the Australian Radiation Protection and Nuclear Safety Agency, otherwise known as ARPANSA, would not issue an operating licence for the new OPAL research reactor until an appropriate site for the national repository had been identified. This was a condition of the operating licence. Dr John Loy, CEO of ARPANSA, had made it clear that, if the establishment process for a radioactive waste management facility had not advanced to his satisfaction, he would not issue the licence for ANSTO to operate OPAL. Therefore, last month, when ARPANSA granted ANSTO a licence to operate OPAL, Dr Ian Smith, Executive Director of ANSTO, welcomed the decision. He said:
The granting of the licence takes us one step closer to the start of a new era in Australian science.

Not only will OPAL increase ANSTO’s capacity to supply Australia and the region with critically important radiopharmaceuticals, it will provide world leading capability for our scientists to apply nuclear research to such areas as biotechnology, food and molecular biology, nanotechnology, health, environmental management processes and engineering.

This research will result in tangible social and economic benefits for Australia.

I have been assured that the licence was granted following an exhaustive examination of all the evidence presented by ANSTO, including cold commissioning tests. ARPANSA were also advised by overseas consultants, including an International Atomic Energy Agency review team—all experts in the field of nuclear reactor engineering. OPAL has met the highest possible standards imposed upon the nuclear industry. The granting of the licence will now allow ANSTO to load nuclear fuel and begin its second commissioning phase, when further testing will take place to ensure OPAL’s performance meets expectations. When this is complete, it is proposed that the current ANSTO reactor, HIFAR, will shut down early next year.

The amendments will also permit ANSTO to manage radioactive materials in an emergency situation where ANSTO’s specialist expertise might be called on—for example, in the aftermath of a terrorist incident in Australia involving radioactive materials. Numerous recent attacks and attempted attacks on Western targets all over the world underline the emergence of the use of terror by radical extremists as a major threat to Australia’s security. This threat is serious and enduring. This terrorist phenomenon is new in scale, method and ambition.

Al-Qaeda and similar networks have demonstrated both the willingness and the capability to inflict massive casualties on civilian targets, and they display no concern for the loss of innocent life. We are also led to believe that they have an active interest in obtaining chemical, biological and even radiological weapons. Unlike the terrorist groups of the last century, the al-Qaeda fundamentalists embody extremist terrorism that is uncompromising.

Australia is a Western democratic nation. Where previous forms of terrorism barely touched us, this new form of extremist terrorism has declared its aim to inflict damage on Western liberal democracies. It is indeed global in scale. No nation can afford to ignore such threats. I welcome more powers being given to ANSTO because, if the unthinkable were to happen, I know I would want the experts rendering all assistance possible to Commonwealth, state or territory law enforcement and emergency agencies.

After all the benefits that ANSTO and the nuclear industry in general have brought to Australia, I find it very difficult to understand why Labor attack ANSTO at every chance they can get. Clearly, the nuclear industry in Australia is one of the most highly regulated industries, with the greatest of safety records.

When I first entered parliament in 1996, I was approached by Dr Garry Smith, an environmental scientist from Sutherland Shire Council, to lobby our government on behalf of the council for the establishment of an independent oversight agency for Australia’s nuclear activity, including that of ANSTO, to assure Australians generally and local residents in particular that world’s best practice was the driving principle at this important research facility.

The establishment of an independent oversight agency was achieved in 1999, with
the successful passing of the Australian Radiation Protection and Nuclear Safety Act 1998. This created ARPANSA as the Commonwealth’s licensing agency for nuclear facilities and radioactive waste materials management and disposal in Australia. Like the Sutherland Shire Council, I considered it imperative for the assurance of my constituents that such an independent oversight agency of appropriately accredited scientific professionals existed to undertake this oversight responsibility.

I continue to be grateful to a previous minister for health, the Hon. Dr Michael Wooldridge, and his parliamentary secretary, the Hon. Trish Worth, the then member for Adelaide, for their work and commitment in bringing forth the legislation that created the vital, independent oversight agency that is ARPANSA. I was very proud to have been part of that process. This organisation has the statutory responsibility for, and the accountability to, the people of Australia for the activities of ANSTO and all Commonwealth nuclear activity across Australia.

ARPANSA’s specific responsibilities include: promoting uniformity of radiation protection and nuclear safety policy and practices across jurisdictions of the Commonwealth, state and territory governments; providing advice to government and information to the community on radiation protection, nuclear safety and related issues; undertaking research and providing services in relation to radiation protection, nuclear safety and medical exposures to radiation; directly and significantly reducing the risk and impact of a radiological attack by improving the physical security of all radioactive sources; enhancing Australia’s capability to undertake comprehensive in-field analysis and provide expert advice in the event of a radiological attack; and regulating all Commonwealth government entities, including departments, agencies and bodies corporate involved in radiation or nuclear activities or dealings.

It is appropriate that the activities of ANSTO are the subject of the utmost scrutiny by the world’s best scientists under a legislative regime. However, it should be of grave concern to the members in this House that other industries in Australia also come under tight scrutiny. One industry which appears not to be sufficiently regulated and which receives little publicity in the media is the toxic chemical industry.

In June this year, the television program 60 Minutes reported that in Sydney there are storage sites of dangerous toxic chemicals which cannot be described in any terms other than environmental vandalism on a monumental scale. This report informed the nation that a huge stockpile of around 15,000 tonnes of highly toxic industrial chemical waste called hexachlorobenzene, known in the trade as HCB, is stored only 12 kilometres from the Sydney CBD. This dangerous stuff causes cancer and reproductive abnormalities, as well as skin, nerve and liver damage. But that is not the worst of it.

The Daily Telegraph, in an article by David Fisher and Larissa Cummings on 23 August entitled ‘Poison in the water’, reported that a cocktail of toxic chemical waste that includes arsenic, lead, nickel, benzene, chlorinated hydrocarbons and solvents is slowly poisoning the vast watertable that lies under the Sydney area. This has resulted in a ban on the domestic use of bore water in Sydney suburbs that range from Surry Hills in the west, to Coogee in the north, to Tempe in the south and to Phillip Bay in the east. The good citizens of Sydney should be contacting their local state members of parliament and asking: ‘What in the world is the state government doing about this alarming situation?’ As the member for Grayndler expressed before, he should be advising his
constituents that this exists. As he said earlier, constituents have a right to know.

I am also aware that Sutherland Shire Council have expressed their concerns to the government that, while they understand the need for ANSTO to have the ability to deal with the possibility of a dirty bomb in the event of a terrorist activity in Australia and that it is necessary for ANSTO to be able to deal with such a situation, retrieve any such radioactive material and take it back to the ANSTO site, they seek the government’s assurance that no other waste will be brought to the site for storage. I can assure the council that, while 95 per cent of the Commonwealth’s radioactive waste material is already stored at the ANSTO Lucas Heights site and a remaining five per cent may also be stored there sometime in the future, this provision will cease immediately when the national waste repository in the Northern Territory comes on line. The federal government has given a clear commitment to the establishment of this national waste repository and I will continue to take an active personal interest in its progress. I refer my constituents and the council to my record and success in bringing ARPANSA into existence. Indeed, I consider ARPANSA to be one of my most important achievements during my time here in parliament. (Time expired)

Mr HATTON (Blaxland) (5.24 pm)—I am happy to speak in this debate on the Australian Nuclear Science and Technology Organisation Amendment Bill 2006. This is an important and significant bill. The Labor Party supports its passage and I personally support its passage, as I do the work of the people at ANSTO. It is an extremely important facility and one that I have visited a number of times with a number of different committees, including the Standing Committee on Industry and Resources, to look at the work that is being done there and to speak to the individuals who have done such great work and given such sterling service to the Australian people.

The other members in this debate have canvassed the current functions of ANSTO and canvassed from the materials available to them—on the website, in the Bills Digest and elsewhere—just how broad the activities of ANSTO are. They have indicated that providing radiological isotopes for the treatment of a series of conditions has been one of the fundamental activities of ANSTO over many years. According to the argument by the government and a number of people from industry, one of the reasons it is located at Lucas Heights and not further from Sydney’s CBD—and why the replacement reactor OPAL, which will be replacing HIFAR, has been located there—is that there is a necessity to get those radioisotopes into the major hospitals in the Sydney region as quickly as possible, and also to access Kingsford Smith airport as quickly as possible in order to get those materials interstate because their useful life is relatively short.

This site in itself is significant—and the work that is done there is extremely so. It covers not only those health areas but also areas that are extremely significant in environmental terms. The work that is being done by their specialists on using nuclear facilities, trace elements and so on to look at the movement of clouds and river flows, to investigate the landscape and its formation and the way in which the environment has been impacted upon by various activities is a testament not just to what is being done now and what has been done in the last few years but also to the future importance of ANSTO and the fact that the broader range of applications is potentially much greater in the future than it was in the past.

The member for Hughes has the facility within her electorate. The member for Banks in his contribution indicated that he was not
too far away. Given he is in the lower part of Bankstown and I am at the top, I am not too far away either. The placement of the facility in the middle of Sydney, as I have said, has been key in terms of radiological isotopes. There have been a series of concerns addressed in the past over the many years of the operation of ANSTO at Lucas Heights about the fact that it has been placed in the middle of Sydney. Of course, that did not stop Frank Walker, when he was the state Minister for Housing, locating housing in a ring around Lucas Heights. The safety record over the period it has been in operation has been particularly strong, as has been the case in most of the other similar nuclear reactors around the world.

The people who work there are dedicated to ensuring a safety environment for their coworkers and to minimising impact on the community, but this bill also extends the powers of ANSTO to deal with material that is produced by Commonwealth agencies or contractors and to then take material in from overseas. The amendment relating to that deals with fuels that have been sent to France which are due to come back here by 2011 or 2015. Having been reprocessed, it will then be the responsibility of ANSTO to see to their successful management. In doing so the particular problem is—and the amendments are there to deal absolutely with this risk—that, when those materials come back, there can be no guarantee that they are just reprocessed ANSTO material; they can in fact be mixed with some other materials and that intermediate waste can have been generated from uranium from elsewhere. So, in order to cover that possibility, that is dealt with by one of these amendments.

It is very interesting that one of the other amendments this government has done—it would not have been so surprising if we had done it—concerns the extension of the defence power to cover certain activities. The relevant section of the Constitution, which is section 51(vi) and covers the defence power, has been used to govern the way ANSTO can have its resources called upon in the event of a terrorist act or other acts that relate to the defence forces or emergency areas and, further, to ensure that its activities could not be invalidated as a result of that. Mr Deputy Speaker McMullan, I simply point out—as you would know from your experience as a minister in our government—we actually used the foreign affairs power fairly effectively.

As far as I know, apart from its use of the defence power, the only other power this government has used has been the corporations power, which is used to bring in its industrial relations legislation—and we will find out what the High Court thinks about that in due course. This is an unusual use, but I think here it is an appropriate one. The elements dealt with here and in some of the other amendments are that it is not just Commonwealth entities and agencies that can have material but also state and territory governments or local authorities, if there is a terrorist incident or other happening—and the emergencies that relate to this are not strictly defined. One of the questions for the minister that should arise with regard to this is that such emergencies are not actually specified or defined within this act and it should be asked how that would come into being. But the key here is that it is necessary to make these changes because of the changed environment we are in.

Further to that, if you look at the broader questions, the member for Hughes quite correctly said that 95 per cent of the waste that the Commonwealth has is already stored on site. Under this bill, there will be an extension to ANSTO’s capacity to store such waste. Until this amended bill goes through, ANSTO’s capacity to deal with material from other Commonwealth agencies is nil.
So what has been happening to the rest of that material? It has just been sitting at those Commonwealth agencies, just as the material that is produced by state hospitals that is radioactive in nature—most of it is low-level radiation—is stored at those facilities. It is stored there because there is nowhere for it to go, which has been the case throughout our history. We know that will change in the future. Looking at the opposition’s amendments—and remembering the manner in which the Commonwealth, in pushing through the relevant bill last year in terms of waste management, opposed itself to the Northern Territory and so on—we know they will be contentious; that issue has been and will be. But the fundamental fact is that Australia has to do something about its waste management.

One of the activities that ANSTO have been involved in for a very long-time—30 years plus, given they invented it—is developing a method of dealing with medium- to high-grade radioactive materials and encapsulating that material so that it is not a danger to anyone. We have only flogged the product synroc to one other country so far. The British are using it at their facility at Sellafield. It was 30 years in the making. The Americans are the biggest market and the French have not taken it up yet. At this point, the Americans and the French are using vitrification. So they lock up these materials, which are either medium or high grade, into glass. However, synroc is a much better process. Vitrification does well enough in order to stabilise the materials, although that is after they have been left out for a considerable time in order to degrade. But we argue—and certainly the people in ANSTO have argued, although they have not been able to commercialise this until now—that synroc is much more capable. The fundamental reason is that it is a ceramic waste where the radioactive material is mixed in with the very ceramic. So, at a molecular level, you get a binding into the synthetic rock that you can then place in a repository.

We know that in Norway and the other Scandinavian countries they are already depositing their material deep underneath the earth. Where they are using vitrification there or in other places where they will be producing radioactive material, there is potential for Australia. But we also know that a whole range of other things need to be looked at to identify the problems with the development of this.

I am proud of the fact that our shadow minister in this area, Martin Ferguson, has really led the field in the last year or year and a half in this debate. He is the one who initiated the parliamentary committee’s investigation of this issue. That has helped to kick-start the whole process of a re-examination of not only the mining of uranium in Australia but also its use. Part of the key approach that he put in a significant speech in March of this year—and that speech was given to one of Australia’s key bodies—was to underline Australia’s pivotal role in the global nuclear cycle. In that speech made at Paydirt’s uranium conference in 2006, he pointed out:

After a period of 25 years when not only Australia, but the rest of the world, has let its nuclear skill base decline, there is a serious shortage of skilled people at the same time as global demand for reactors is at unprecedented levels.

He then talked about the fact that Singapore and Vietnam are the only countries in our region that do not have research reactors—and approval now has been given to Vietnam to develop one. He then talked about the use of synroc and so on and then went on to make this point:

... we have to get serious about increased support for nuclear science and technology research and capacity building.

The logical focus for that increased support is the Australian Nuclear Science and Technology Or-
ganisation (ANSTO) where facilities, equipment and knowledge are already concentrated and highly specialised.

I can see considerable merit in establishing and properly funding a post graduate nuclear technology school under the auspices of the Australian Institute of Nuclear Science and Engineering, a cooperative venture between ANSTO and all the Australian universities.

An annual intake of 10 to 12 science and engineering graduates from Australian universities would be a big step forward in building Australia’s nuclear knowledge and skills base for the future—a skills base that is essential for Australia to properly engage with the UN, its allies and the region to make the world’s nuclear industry even safer.

Those comments are encapsulated in a broader series of comments where he and the Leader of the Opposition have argued that the current situation of non-proliferation treaties is, in a word, parlous. It has been broken in one part of the world after another; it is disintegrating. There is a tremendous amount of work that needs to be done to put that back together. Part of Labor’s program is to kick-start the process under a diplomatic initiative—using the core work done by the Canberra commission in the last Labor government—to put nuclear non-proliferation at the very core of the world’s concerns and to toughen up those provisions.

That is extremely important, but the broader context here is it is only now that the demand is becoming increasingly evident for Australia’s uranium. We produce 38 per cent of the world’s uranium as it is, but with the further extension of Roxby Downs and others it will become greater. If you look at the 10- or 20-year period they are running on from here, the production of Australian uranium is not our only concern. If you look backward—and the fresh look at this that has been taken in the last year has been quite extraordinary—we have had 30 years that have effectively been a dark night in terms of looking at these things in any really fundamental, rational, dispassionate way.

This is a dangerous process to try to harness some of the fundamental forces of power within our universe. We cannot pull the sun in too close because it will just crisp us; it is a nuclear furnace. What was tapped at the end of World War II to be used as weapons of mass destruction eventually gave rise to the nuclear industry that we have. The first major installations built in the United States in 1962 or so were big, dirty, nasty, energy-hungry nuclear facilities whose by-products could potentially last for a half-life of 10,000 years plus, and in some cases hundreds of thousands of years. Their reputation, quite rightly, was really bad.

But we also had a period of intense emotional reaction to and debate on the very idea of these things—and it is still a condition today; it is here in the debate we have seen in this chamber—rather than a balanced and scientific approach to it and a recognition of the fact that the damage done to the world by our other technologies is absolutely immense. You have to put some comparators into place. But, because there has been that dark night where it has not been looked at clearly or cleverly enough, people working for ANSTO have not stood up and argued publicly for the validity and the significance and the power and the utility of their work. They have been too afraid to do it. They got stomped on by the media because of Dr Helen Caldicott leading a campaign that focused on nuclear residue, its poisonous nature, its waste, the four minutes to midnight argument and so on. At the time she effectively sent a message—although she denied it in evidence to the committee—to the young Australian people that they really had nothing to do but to prepare to fight against nuclear weaponry and so on.
The change in making those facilities safer in the last 30 years has been enormous, but Australia, by and large, has simply been a backwater with regard to this. That is why the member for Batman put forward the proposal, which I understand has now been taken up, to build that engineering facility. It is a case of trying to rebuild capacity that we will need if we are to have a bigger role in the world and if we are to ensure that the nuclear non-proliferation treaty is as operative and as effective as we can make it. We also asked to ensure that we push along innovation and research in this area on a fundamental basis. If you are not in it, you cannot control it, which is the whole basis of the nuclear non-proliferation treaty. We also ask those countries which did not take the nuclear weapons route but were able to use nuclear capacity or supply it to do so in a responsible way.

We are now at the stage where we have got generation 3 reactors worldwide. The fourth-generation and fifth-generation reactors are coming into play. We know that the problem in fourth-generation reactors of a meltdown from the core can be contained within the vessel. We know that in fifth-generation reactors, particularly in pebble-bed reactors, you simply do not have that problem at all. There has been an immense march forward.

We also know that because of the increased demand for nuclear generation—an industry which, and this is not well appreciated under the current manner in which it operates, will only run for about 60 years, given world resources in uranium because of the use-once approach—two things of great significance have happened. The first is something the Russians have done. They have used plutonium, including from the warheads they demolished, as part of SALT II. They have taken that and they have been reprocessing and reusing that plutonium, effectively gobbling it up. In waste management terms, that is enormously significant. Here are a series of proposals put forward by the Americans which open up the way in which that can happen. Effectively, they say that one of the ways forward to make this a more sustainable industry over time, and a more effective and safer one, is to allow not only the reprocessing of that plutonium material but also the reutilisation of it.

Therefore, the second thing of great significance is to do with the major waste problem. Through advances that have been made for clients with regard to the waste generated from existing reactors, the fundamental thing is this: instead of 10,000 years or a couple of hundred thousand years, we are looking at a development where we need to store this material, and we can store it in synroc, for 200 or 300 years. The parameters of what is happening because of the technological changes are great. I support the work that ANSTO has done, and the extension of its capacity to be our safety insurer Australia wide. I hope it will develop to become a stronger organisation that is wider and deeper for the benefit of the Australian community as a whole. (Time expired)

Dr WASHER (Moore) (5.45 pm)—I compliment the member for Blaxland on an excellent speech on synroc new reactor technology. I hasten to add that his knowledge in this field is admirable. He knows a lot more about this than he does about changing tyres, which I discovered on the way to ANSTO where we had a good time looking around.

The Australian Nuclear Science and Technology Organisation Amendment Bill 2006 will amend the Australian Nuclear Science and Technology Organisation Act of 1987, enabling the Australian Nuclear Science and Technology Organisation to condition, manage and store radioactive material and waste other than that associated directly with its...
own activities. The Australian Nuclear Science and Technology Organisation, ANSTO, is Australia’s national nuclear research and development organisation and the centre of Australian nuclear expertise. This bill will enable it to utilise this expertise in the management of radioactive material and waste in the possession or under the control of any Commonwealth entity. It will also enable ANSTO to assist law enforcement or emergency response agencies in incidents involving radioactive material, helping to ensure public health and safety. This could be a terrorist incident or a criminal one, such as undeclared materials intercepted by the Australian Customs Service. The bill also clarifies ANSTO’s authority to deal with intermediate level waste returned from the overseas reprocessing of its spent nuclear fuel.

So what exactly are we talking about when we refer to radioactive materials and waste? Nuclear radiation was discovered in 1896 by Henri Becquerel. Nuclear radiation is emitted by certain types of atoms, known as isotopes, which contain more neutrons than protons in their nucleus. All atoms of a particular element have the same number of protons in their nucleus. This determines the atom’s identity as one element or another. For example, every atom of carbon has six protons. Protons and neutrons have about the same size and mass and together make up most of the mass of the atom. The number of neutrons in the nucleus may vary. Additional neutrons do not change the atom’s chemical properties; however, for some elements the extra neutrons make the nucleus unstable and it eventually undergoes spontaneous radioactive decay. As this decay produces nuclear radiation, these unstable elements are known as radioisotopes. For example, the radioisotope carbon-14 has six protons, like any other carbon, but it has eight neutrons—the number 14 referring to the mass number, which is the total number of protons and neutrons in the atom’s nucleus.

When a radioisotope decays, it not only releases radiation but also changes the number of protons in its nucleus and becomes a different element. The radioisotope keeps decaying into other radioactive elements until a stable isotope is produced and the decay series stops. For example, when uranium-238 decays, 14 different radioactive elements are produced before the series finally ends with stable lead-208. The average amount of time that it takes for the radioisotope to decay is referred to as the half-life. This is the time taken for half of the atoms in a sample to decay. This length of time can vary widely for different radioisotopes and it greatly affects their use and disposal. For example, it takes 4.5 billion years for an atom of uranium-238 to decay through all 14 isotopes into lead. However, more than 99.99 per cent of this time is taken up with waiting for the first decay to occur. The other steps in the series are much faster, some taking millions of years and most taking just days or minutes.

The radiation released from unstable atoms as they go through decay may be made up of alpha particles, beta particles and/or gamma rays. These forms of radiation have different levels of energy and need to be managed in different ways. Alpha radiation is made up of streams of particles consisting of two protons and two neutrons—essentially a helium atom without electrons. This radiation is highly charged and is referred to as ionising radiation, as it knocks electrons from atoms. This causes these atoms and surrounding molecules to become charged particles, or ions. Beta radiation also has an ionising effect, as it is made up of electrons being ejected from the nucleus. Gamma radiation is also an ionising radiation but is uncharged. It interacts with ions already present, rather than creating them, and causes
changes in the materials it passes through. It is not made up of particles but is an electromagnetic energy wave, like light or X-rays. There are gamma rays from space that are passing through our bodies right now.

Elements that have these unstable atoms are naturally occurring and have been created by the formation of the earth and cosmic radiation. Every day we are exposed to the radiation given off by these elements, as they are in our soil, rocks, the air we breathe, the water we drink and the food we eat. They are also in our muscles and bones. Living and working in buildings built from bricks, mortar, concrete and tiles increases our exposure, as they all contain radioactive elements. We have learnt how to use radioactive elements to our benefit and utilise them in medicine, industry, agriculture and other scientific fields. One of the most common uses of radioactive material in the home is the smoke detector. Ionisation smoke detectors contain the radioactive element americium and are extremely sensitive to particles of smoke. The alpha radiation given off by the americium ionises the oxygen and nitrogen particles in the air. The positive and negative charged particles created from this enable an electrical current to flow between two plates. If there are smoke particles present in the air, this current is disrupted and the alarm goes off. The radiation levels are extremely small and it is predominately alpha radiation, which is unable to penetrate a sheet of paper or even a few centimetres of air.

Our homes also contain many products which have been sterilised by radiation, such as disposable nappies and first-aid products like bandages and cotton wool. In Australia around 550,000 people benefit from medical procedures involving radioactive materials every year. Two of the major tools used in nuclear medicine are radioisotopes, and energy and particle beams.

Radioisotopes can be used as tracers to diagnose medical problems or to treat certain illnesses. The radioisotope can be traced through the body by detecting the radiation it gives off. The tracers used in medicine give off gamma radiation as this is less biologically damaging than alpha or beta radiation. Gamma radiation is also able to pass through the body to be detected by the measuring instruments outside.

The imaging process known as positron emission tomography, or PET, uses radioisotopes for this purpose. When disease strikes, the biochemistry of your tissues and cells changes. In cancer, for example, cells begin to grow at a much faster rate, feeding on sugars like glucose. PET works by using a small amount of isotope chemically attached to glucose or other compounds. It travels through your body and collects in the organs targeted for examination. If an area in an organ is cancerous, the radiation being given off in this area will be stronger than in the surrounding tissue. A scanner records this and transforms the signal into pictures showing chemistry and function.

Many isotopes used in this process have short half-lives. Fluorine-18, which is commonly used, has a half-life of 110 minutes. Because of this, hospitals which have PET facilities need to be within one or two hours of a cyclotron which generates these isotopes.

Gamma radiation energy beams are also used in radiotherapy to destroy cancers located in places that cannot be accessed easily with surgery. In order to spare normal tissues, several angles of exposure are utilized such that the radiation beams overlap each other at the tumour site, providing a much larger absorbed dose there than in the surrounding healthy tissue.

Another form of radiotherapy cancer treatment that is much more specific at tar-
Targeting cancer cells is the proton particle beam. Proton radiation therapy is also an ionising radiation like gamma radiation but is made up of proton particles. When they first enter the patient, the protons do no damage to the healthy tissue as they are moving at half the speed of light. As they penetrate tissue and slow down, an increasing dosage of ions is generated and the cells which have been targeted are killed. When the protons have slowed down to around half the speed, they absorb an electron to become a hydrogen atom and ultimately join up with another hydrogen atom and an oxygen atom to form water. This is carefully tuned to occur at the back side of the tumour.

The ionising effect of the radiation kills the cancerous cells. The ions damage molecules within the cells, particularly the genetic material, DNA. Damaging the DNA destroys specific cell functions, particularly the ability to divide and proliferate. Enzymes develop within the cells to attempt to rebuild the injured areas of DNA. However, if the damage is too extensive, the enzymes fail to adequately repair the injury. While both normal and cancerous cells go through this repair process, a cancer cell’s ability to repair injury is inferior. As a result, the cancerous cells sustain more permanent damage and die. This allows the selective destruction of cancerous cells growing amongst our good cells. Hadron beams, which are beams of atomic nuclei, can complement proton beam therapy for tumour treatment. We certainly need these facilities in this country. We do not have these facilities.

Radioactive tracers are not used just in the field of medicine; they are also used in many other situations where one wants to track a particular particle in a system. A range of environmental measuring processes detecting stream flows, sedimentation rates, water quality and soil and water salinity use radioactive tracers. For example, ANSTO has been investigating the long-term sustainability of irrigation practices in New South Wales. This is something the member for Blaxland and I witnessed when we went to the facility. Scientists have labelled trace amounts of water molecules with radioactive tritium. This enables them to track these molecules and understand the subterranean water flows between the Macquarie River and the bores. Scientists can then advise on where, when and how much water can be used sustainably. Radioactive materials used for environmental measurements have short half-lives and decay to background levels in a matter of days.

Radioactive waste in Australia is produced as a consequence of these beneficial uses of radioactivity. At present low- and intermediate-level radioactive waste is stored by Commonwealth, state and territory agencies at over 100 locations around Australia. Many individual waste producers currently have the responsibility of looking after their own radioactive waste. This bill will enable ANSTO to make its expertise and facilities available to assist these agencies. (Quorum formed) With the establishment of the Commonwealth radioactive waste management facility, it will be important for ANSTO’s capabilities to be available for conditioning and repackaging waste from agencies prior to transport to the facility.

This bill will enable efficient and responsible handling of radioactive waste, enabling Australians to continue utilising the benefits of radioactive materials in their lives. I commend the bill to the House.

Mr KELVIN THOMSON (Wills) (6.00 pm)—I was pleased to have the opportunity to hear the member for Moore complete his remarks. I wish to speak to the Australian Nuclear Science and Technology Organisation Amendment Bill 2006 and, in particular, to the clause of the amendment moved by the
member for Jagajaga that proposes that the government be condemned for:

... establishing a hand-picked committee of inquiry into the economics of nuclear power in Australia, while disregarding the economic case for all alternative sources of energy.

I am very pleased to support that amendment and speak in favour of it. I think that it is astonishing that the Prime Minister, having turned his face against the issues of global warming and climate change for many years, could remarkably decide, ‘Yes, there is a problem and we need to do something; the something we need to do is nuclear power,’ and institute a committee of inquiry to investigate nuclear power and nuclear energy. If the Prime Minister was serious about this matter he would have had an inquiry into the real problem, which is global warming and climate change. The real problem is how we get on a sustainable energy path for the future.

I had the good fortune last Monday night to be one of quite a number of MPs who saw a screening of the film An Inconvenient Truth, which talks about Al Gore’s post-2000 journey around America and beyond talking about the issue of climate change. It is a remarkable film, and I urge everyone who can to have a look at it. Some scientific pieces of data concerning global warming emerge from the film. Recent data from Antarctic ice cores indicate that carbon dioxide concentrations are now higher than at any time during the past 650,000 years, which is as far back as measurements can reach. 2005 was the warmest year on record since atmospheric temperatures have been measured, and the 10 warmest years on record have all been since 1990. In the summer of 2005 heat records were broken in hundreds of United States cities. Over the past 50 years the average global temperature has increased at the fastest rate in recorded history. In 2003 heatwaves caused over 30,000 deaths in Europe and 1,500 deaths in India. Since 1978, arctic sea ice has been shrinking by about nine per cent per decade, and the snows of Mount Kilimanjaro, at their current rate of melting, may be gone by 2020.

Some of the predicted effects as global warming gathers momentum are that we will have an increase in the intensity of hurricanes. Hurricanes are a function of the temperature of water; as the temperature of water increases both the severity and the frequency of hurricanes are apt to increase. Over the past several decades the number of category 4 and category 5 hurricanes globally has almost doubled. Because the ocean is getting warmer, tropical storms can pick up more energy and become more powerful. It is just over a year since Hurricane Katrina, which was truly shocking both in what occurred and in the inadequate response to it, but that is the kind of thing which is predicted to happen in future. Indeed, in Australia we had Cyclone Larry just earlier this year. On the one hand we will get severe storms, but we will also get other severe and extreme weather events; things like droughts, bushfires and the like. We in Australia, and particularly those of us who live in southern Australia, have been experiencing drought after drought and declining water availability. The statistics show that Perth has had a dramatic fall in water availability over something like 20 years. My own city of Melbourne is experiencing it and many other cities and towns in the southern part of the continent are experiencing water crises as well.

In other parts of the world, due to rising sea level, low-lying islands will no longer be habitable. Al Gore’s film talks a lot about the impact on the Arctic and the Antarctic. That is for two reasons; one is that it is very easy to measure what has been going on with temperatures and the like in the Arctic and the Antarctic because they are in such pris-
tine condition. They have not had the influence of human habitation, so they are great places to measure things. The second is that global warming and climate change are most dramatic at the polar caps. The effects are being magnified in those areas. The prospect of the arctic shelf disappearing altogether is one which the film and indeed many other scientists have canvassed. Al Gore talks about polar bears, for the first time on record, drowning because they are simply unable to find ice on which to shelter.

Forests, farms and cities will face troublesome new pests and more mosquito borne diseases, and the destruction of habitats such as coral reefs and alpine meadows could drive many plant and animal species to extinction. In Australia, areas like the Great Barrier Reef stand to be greatly affected by things like coral bleaching, for example. It is said that the low-lying islands of the Pacific or low-lying places like Bangladesh will experience the most extreme impacts of global warming and climate change, but Australia will just about come next in terms of the impact of drought and bushfires and things like the adverse impact on the Great Barrier Reef.

A whole series of things are being brought to our attention that are incontrovertible evidence of global warming: the 10 hottest years on record having occurred in the last 14 years, the rapidly-rising incidence of severe tropical storms and hurricanes, changing rainfall patterns and temperature related habitat loss leading to the extinction of some of the world’s wild creatures.

On the other hand, we have indications that many people simply are not getting the message. One of Al Gore’s observations is that a study of all peer-reviewed scientific studies on climate change found that of some 928 papers—and this is fascinating—the number which supported global warming was 928 and the number which denied it was zero. So in terms of scientific consensus it is absolutely clear. But, in a sampling of stories from the United States mass media, some 53 per cent suggest that global warming is unproven. The message that people are getting is absolutely different from the scientific consensus and the actual evidence before us. Indeed, climate change events are kicking in in ways which are more severe and more spectacular than scientists were predicting some 20 years ago, when these sorts of issues were first raised. The problem appears to be more serious than previous predictions would have suggested.

In response to this the government has embarked on an inquiry into nuclear energy. I believe that that is a missed opportunity and it will delay the deployment of low- and zero-emission electricity generation. It is regrettable that throughout its time in government this government has done nothing to promote the renewable energy industry. The mandatory renewable energy target is simply too low to genuinely promote renewable energy, and the government has set its face against any actions which might have spurred us on in the renewable energy direction. Internationally, it has been completely irresponsible in its response to the Kyoto protocol. To our embarrassment, the film has Al Gore talking about the United States’ position on Kyoto, saying, ‘And there is one other developed country in the world which has not ratified the Kyoto protocol,’ and of course going on to mention Australia.

Here in Australia the government has not been willing to take action on emissions trading, to take action to lift the renewable energy target or to include greenhouse gases as a potential trigger in the Environment Protection and Biodiversity Conservation Act. It has cut funding in various renewable energy projects. As a result, Australia, which was something of a world leader in solar technologies in the order of 20 years ago, has
essentially been running on the spot or even going backwards. The challenge for the government is to identify and develop appropriate market based technologies and incentives that will enable all the low- and zero-emission technologies to compete on a level playing field.

When you consider these matters it seems that the role of nuclear energy is not likely to be growing and that other energy technologies will prove to be more important. Over the past 50 years nuclear power has received pretty generous subsidies. For example, in the United States it has received $US115 billion in direct subsidies compared to less than $US10 billion for wind and solar combined. That pattern is repeated in Europe. According to the *Economist*, more than half of the subsidies in real terms ever lavished on energy by OECD governments have gone to the nuclear industry. Despite that intensive taxpayer funded development, there is not a single nuclear reactor built without government covering the risks. Often when people raise issues of renewable energy and alternative energy technologies you have people screaming ‘subsidy’ and saying that they oppose this, but it is quite clear that nuclear power cannot exist without significant state subsidies.

A report was put out by ANSTO suggesting that nuclear power was price competitive with coal generated electricity, but that report shows that, unless the government was prepared to take on more than half the financial risk of building a first-of-a-kind reactor, nuclear energy would not be viable. It says the nuclear power generated would cost twice as much as coal fired power and any private operator that took on the costs and risks would quickly go into liquidation. That contradicts the claims that nuclear power is cheap or cost effective and viable. It does show that very large subsidies would be necessary, would be required, if it were to be introduced in Australia.

I think that the prospect of having nuclear energy in this country any time soon is pie in the sky and that debate and discussion about it is largely a distraction from the real urgency of the need for action concerning global warming and climate change. It is yet another example of this government postponing action when action is needed.

It has also been pointed out that you cannot have nuclear power without nuclear waste. Every state and territory in Australia opposes the transport, storage and disposal of nuclear waste. There is no safe, long-term disposal or storage in sight anywhere around the world. The other significant point in relation to nuclear power is that we live in the modern age of terrorism, and we are better served in this age by decentralising our energy production. More nuclear reactors mean more nuclear materials and more chance of nuclear weapons proliferation. Mohamed ElBaradei highlighted a number of risks of this kind last year when he said:

In five years, the world has changed. Our fears of a deadly nuclear detonation—whatever the cause—have been reawakened.

In part, these fears are driven by new realities. The rise in terrorism. The discovery of clandestine nuclear programmes. The emergence of a nuclear black market.

At the present time, the international community is displaying great concern because Iran is seeking to produce nuclear energy. That concern is based around the idea that there is a link between nuclear energy and nuclear weapons, and so in the modern age it seems to me that nuclear energy is not the safe path to be proceeding down.

In this context I also note that there was a Gary Morgan poll recently with the heading ‘More Australians approve than disapprove of nuclear power plants’. As an example of
push polling, it is pretty hard to go past this one. The actual question people were asked was:

Following much debate on the Australian uranium industry, more Australians (49%) approve than disapprove (37%) the introduction of nuclear power plants to replace coal, oil, and gas plants to replace greenhouse gas emissions.

Do you approve or disapprove of nuclear power plants replacing coal, oil, and gas power plants to reduce greenhouse gas emissions?

The question came after an affirmative, did not ask about Australia and was predicated on the idea that nuclear power was the only way in which we could reduce greenhouse gas emissions. I do not think polling of that kind ought to be taken too seriously.

In closing, I note that the legislation’s intention is to extend the power of the Australian Nuclear Science and Technology Organisation to handle, manage or store radioactive materials from a wider range of sources and circumstances than it is able to do at present. Currently, ANSTO is limited by legislation to dealing with its own radioactive materials, including waste, and in a number of ways it is argued—and I agree that this is right—that it would be sensible and practical for ANSTO to be able to handle, manage or store a wider range of materials. For this reason, the opposition supports the bill. The bill allows ANSTO to have a direct role in managing radioactive material involved in terrorist or criminal incidents, and at the moment the act limits the assistance that ANSTO can provide in an emergency to only providing advice to Commonwealth, state and territory agencies. This would mean that, in the circumstances of a terrorist group gathering material for and assembling the components of a radioactive dirty bomb, ANSTO personnel could advise other Commonwealth officers about handling the radioactive material but they would be restrained by law from handling the material themselves, from making that material safe, from transporting that material in safe containers or from safely storing that material at an ANSTO facility. It seems reasonable that these additional powers should be made available to it.

The other aspect of the opposition amendment, which I will briefly refer to, is that we have said that the government ought to be condemned for its arrogant imposition of a nuclear waste dump on the Northern Territory. This breaks a specific promise made before the last election to not locate a waste dump in the Northern Territory, and the member for Solomon was on record prior to that election saying:

There’s not going to be a national nuclear waste facility in the Northern Territory ... That was the commitment undertaken in the lead-up to the federal election and I haven’t heard anything apart from that view expressed since that election.

It is outrageous, though regrettably all too common, for this government to be saying one thing before the election and one thing after the election. The government stands condemned for breaking this promise and now saying, ‘We are going to impose the nuclear waste dump on the Northern Territory,’ irrespective of their local views and concerns.

Mr FORREST (Mallee) (6.20 pm)—It is nice to have the opportunity to make a contribution to a debate in this House in which I have an active interest and to not be distracted by running around organising other people to speak. Coming from my background, I am delighted, contrary to the member for Wills, to see us engaging in an active debate on the possibility of nuclear power being utilised in Australia. I note that as a result of the opposition’s amendment there has been a very wide-ranging debate. I have heard contributions talking about global warming, greenhouse, waste disposal and
even terrorist risks. I hope that you will allow the broad discussion to continue to occur. The Australian Nuclear Science and Technology Organisation Amendment Bill 2006 addresses what I suppose, in the great concept of things, is the small although significant matter of broadening the storage of nuclear waste at ANSTO, and I will speak about that shortly.

I go back to my early formative years as a young engineer out of university. I started my career with the State Electricity Commission of Victoria. I have to say, my first view of the Morwell open cut shocked me with its sheer size. The first project I was engaged in was to shift the Morwell River—it was an environmental challenge, even in those days—not just a few feet but three kilometres out of the way, including four kilometres of 3½-metre-diameter pipe. After that I worked on the first stages of the Loy Yang open cut with the construction of reservoirs, storages, settling ponds and so forth, which has subsequently gone on and required as much as a billion dollars of investment. Then there is the Yallourn open cut in Victoria, now completed.

Even in those days I realised that the use of such a dirty, inefficient material—not having access to good, clean coal is Victoria's challenge, unfortunately—was a very inefficient process by which to create electricity. So in the mid-seventies I set off with great hopes and expectations, because the great challenge was hydro-electric power. Off I went to Scotland, which was the home of hydro-electric power generation. I did some work at the North of Scotland Hydro-Electric Board and completed a Master of Science in what I thought was the latest, state-of-the-art, 'come back to Australia and be part of development of hydro-electric power generation in Australia' area. What I did not realise was that I was at the end of the time, the end of the era. Australia's capacity for ongoing hydro power generation was already then at its zenith. It had had its peak. Of course, we have moved on now. We have now got national grids connecting Snowy Hydro and Tasmanian hydro, which gives us the capacity to meet that peak power requirement, but we are still left with the challenge of meeting an ever-increasing demand for base power.

As much as the member for Wills can complain about what he alleges is the method by which this debate is now being discussed or the mechanisms the government has chosen to create greater discussion, the sheer reality is that, with the size of the demand, the renewable energy that has been encouraged, including wind turbines and solar power, just does not have the capacity to meet the target. Even with the current emphasis on greater conservation, we are prolific consumers of power in Australia. The same could be said about our prolific consumption of water. The nature of the population of this country means that this is a serious question we need to have a mature discussion about.

In speaking to my own constituency on this matter, I have the capacity to have greater faith in the engineers and scientists that develop the complexity of a nuclear power station. I can remember in my university years being completely fascinated by nuclear physics and even then what was emerging as high-tech development of nuclear power stations. I am a lot more comfortable with the focus on not just one failsafe but multiple failsafe mechanisms to cope with the risk of dealing with such an awesome source of power and I am prepared to lead that discussion in my own constituency. It seems that most of the discussion that prevents progress on any matter is always the suggestion of fear or—ignorance is the wrong word—uncertainty and lack of trust.
The member for Wills even made mention of the word ‘fear’. I think people need to be better focused on the use of this power source in a constructive way, to be less influenced by what they see in Hollywood and to put some faith in the capacity of international scientists and engineers and Australian engineers to construct these facilities in a safe way. Fear is a very powerful emotion, and it is very sad that the politics we allow in our country feeds on that. That is not just with regard to the discussion we are having now. I see it happen on so many occasions.

I am very proud of the activities of the Australian Nuclear Science and Technology Organisation, ANSTO. My first detailed exposure to their activities was when serving on a Public Works Committee a couple of terms ago when we conducted an inquiry into the provision of the new OPAL light water reactor at Lucas Heights. I can remember having a discussion with one of the witnesses who was giving evidence. I asked the question: were they aware of the actual size of the reactor? Of course, they responded by talking about a building that is 200 feet high and 150 feet square. I said: ‘No, that is the building. Could you tell me how big you think this new OPAL reactor is?’ They were quite surprised to realise that the physical dimensions of the reactor itself—that is, the real hotplate—would fit in a small domestic fridge. But such was the emotive nature of the evidence we were hearing. We cannot afford to allow that to happen if we are going to have a mature discussion about the potential for the development of nuclear power in this great country.

It is a sheer reality that we have to meet our greenhouse targets no matter what the cost. What we see happening in Victoria is the development of what is a filthy source material in brown coal—it is not much better than petrified mud. The disposal of ash waste from those power stations was the thing that staggered me in my early years building the ash disposal ponds. They are enormous. The size of the ash disposal facility at Morwell is bigger than the surface area of the open cut itself, and then there is the added overburden. Nowadays it is a mature discussion we are having about our urgent need to meet greenhouse targets.

The member for Wills is partly right in his contribution here this evening as one who, like me, has taken a great interest in the weather activity over the last 25 years—there have been some dramatic changes. Where once my constituency could boast an average annual rainfall of between nine and 10 inches a year we are now struggling to grow grain crops down in the Mallee on four inches. Thankfully, owing to the investment from levy based research funds in creating varieties of barley and wheat that can still produce a yield from low rainfall, we are still able to produce grain crops. But the pattern of rainfall that I have observed over the last 30 years has been ever-increasingly depleted.

(Quorum formed) Thank you, colleagues—I was actually spending considerable time establishing my credentials to speak about the need for nuclear power in Australia and I had not realised it was such a painful thing for the opposition to hear.

This bill, as I said earlier, addresses a significant but minor matter in relation to utilising the expertise and facilities that ANSTO provides. With the establishment of the Commonwealth radioactive waste management facility in the Northern Territory, it will be important for ANSTO’s capabilities to be available for conditioning and repackaging waste from other Commonwealth agencies prior to transport to this facility. ANSTO may also be charged with the management and operation of the facility. In that case it will obviously be necessary for it to have the authority to manage radioactive waste other than from its own Commonwealth sources.
I was mentioning how proud I am to record the activities that ANSTO engages in. Over the last 30 years it has been using the high flux Australian reactor at Lucas Heights. They also have access to particle accelerators, radiopharmaceuticals production facilities and a range of other unique research facilities. HIFAR is Australia’s only nuclear reactor and a considerable amount of Commonwealth investment is now being made to bring it into the 21st century with a replacement open pool Australian light water reactor. It is in its final stages of construction. ANSTO also operates the national medical cyclotron, an accelerator facility used to produce certain short-lived radionuclides for nuclear medical procedures. It is the advances that are being made in that particular area of medicine that all persons across Australia, including us here in this chamber, will one day enjoy the benefits from.

It is a good bill; it is worth supporting. I have appreciated the wide-ranging debate that has occurred. I am looking forward to a responsible discussion occurring from here on about where this country goes to meet the sheer demand for power generation and, at the same time, to make a significant contribution to those important greenhouse targets. It is not too late. I am well aware that there are some people around who have not yet accepted the inevitable about what is happening to the global environment, but it is very real in my electorate and it is already here. I am quite willing to engage in a constructive debate with my constituents on the matter. I commend this bill. It has been a worthwhile discussion and I am pleased to have been a part of it.

Mr WILKIE (Swan) (6.36 pm)—I am delighted to be able to offer my contribution in the debate on the Australian Nuclear Science and Technology Organisation Amendment Bill 2006, which will allow the Australian Nuclear Science and Technology Organisation, ANSTO, to condition, manage and store radioactive material and radioactive waste other than that which may arise directly from ANSTO’s own activities. For the member for Mallee, who just spoke: the reactor he was referring to is operational now. The OPAL reactor at Lucas Heights is working; it is not just in the developmental stages.

This bill extends ANSTO’s powers to handle, manage and store radioactive materials from a broader range of sources and in a wider range of circumstances than it is currently allowed to do under the ANSTO Act 1987. ANSTO is perfectly placed to conduct this activity. In fact, ANSTO has been storing waste at its Lucas Heights facility for some 50 years.

I would like to draw the attention of members to Australia’s long involvement in nuclear science and technology despite the fact that we do not have a domestic nuclear power industry, and in fact would probably not need one given our vast reserves of natural gas—in your own electorate, Mr Deputy Speaker Haase—coal and other reserves of fuel across the country.

Soon after the discovery of X-rays and radioactivity in 1895 and 1896 respectively, Australian universities started to use these technologies in research. Australian doctors also started to use X-rays for clinical purposes at around the same time. As usual with new technologies, Australians took up the opportunities offered by radioactivity and X-rays very quickly. Indeed, there is evidence that X-rays were being used in Albury and Wilcannia in New South Wales during 1896. Radioactivity was first used in Australia for clinical purposes to treat tumours, and in dermatology, in 1938. So we have a remarkably long history in applying nuclear technology to medical and scientific uses in
this country. In 1929 the federal government set up the Commonwealth Radium Laboratory, which subsequently became the Commonwealth X-ray and Radium Laboratory, which was located at the University of Melbourne. The laboratory was established to safeguard radium purchased by the government and to distribute it to treatment centres in the capital cities. It eventually became the Australian Radiation Laboratory in 1973. The laboratory also collected radioactive waste, including X-ray tubes and other medical and scientific waste, from hospitals and scientific institutions.

In terms of investigating nuclear energy and power, the federal government enacted the Atomic Energy Act in 1946 to establish an Atomic Energy Advisory Committee to assist the government with nuclear issues. The act also asserted Commonwealth ownership and control of the minerals from which uranium, plutonium and thorium are derived. The successor to the advisory committee, the Australian Atomic Energy Commission, was created in 1953 and was later replaced by the Australian Nuclear Science and Technology Organisation, ANSTO, in 1987.

As we know, during the 1950s the British government conducted nuclear weapons tests on the Montebello Islands off Western Australia and at Maralinga and Emu in South Australia. It is a matter of record that these tests caused significant radioactive contamination and these locations remain affected today.

In 1958, the high flux Australian reactor, HIFAR, was opened at Lucas Heights in Sydney’s south west and subsequently the AAEC’s small MOATA 250kw argonaut research reactor commenced operation in 1961. During the 1960s, the use of the HIFAR reactor to produce radioisotopes for use in nuclear medicine commenced.

Only a few weeks ago I had the pleasure of attending Lucas Heights facilities at ANSTO. I want to thank the staff for the innovative and informative tour of the facilities. It was absolutely fantastic. I was able to view the new OPAL reactor at the very point where they were inserting the rods into that reactor to bring it onstream. I understand that process is going very well. I also had the pleasure of looking at where they produce the radioisotopes for medicine, and was very impressed with the professionalism of the staff, the facilities, what they produce and the importance it has for medicine in this country.

I also looked at a fabulous product being developed at ANSTO called synroc, which uses rock type substances which you combine to put nuclear waste in, such as plutonium. Once it sets into a rock like substance it locks up the radioactivity for thousands of years. The main problem with synroc is that it is so effective in locking up waste that if you wanted to reprocess that waste you would not be able to because the technology would prevent that from happening. It would cost a fortune to achieve that. I was also very impressed with the new particle beam accelerator that is coming online next to the reactor. The possibilities are endless for the sorts of developmental programs we can run involving not just Australia but other countries around the world in looking at the various uses for that particular piece of equipment.

The next major milestone in Australia’s consideration and use of nuclear technology came in the early 1980s with Professor Ralph Slayter’s report on Australia’s role in the nuclear cycle. That report made a number of recommendations, including one which is most pertinent to the House’s consideration of this bill. The report called for the identification of sites suitable for the disposal of low-level radioactive waste and the development of facilities for interim storage and
disposal of low- and intermediate-level radioactive waste. This recommendation was endorsed by the Commonwealth State Consultative Committee on Radioactive Waste Management in 1985. Since then we have seen a plethora of committees examining appropriate and safe nuclear waste storage and handling. Many of these inquiries were held in the context of the need to rehabilitate the former nuclear test sites which were so badly contaminated by the British in the 1950s. Other inquiries were held to anticipate Australia’s needs for waste storage in the future.

But let us fast forward to the issues raised in this bill. These issues are undoubtedly difficult and challenging for all governments. Today we are still facing the serious issue of the storage and handling of nuclear waste. Given that Professor Slayter’s report recommending the identification of sites for the storage of low-level waste was released in 1984, it is a sad indictment that we have not made the progress which we should have done in dealing with this challenge.

As I said at the beginning of my speech, the ANSTO Amendment Bill 2006 will extend the powers of ANSTO to handle, manage and store radioactive materials from a broad range of sources and circumstances. The opposition will support this legislation as it is essentially a sensible approach to Australia’s current needs in dealing with nuclear waste. But I firmly believe that Australia needs to debate the issues surrounding nuclear energy. In many countries around the world, nuclear power is being re-assessed, not just as a source of energy but as a source of power generation capable of meeting vast energy requirements in the future without producing vast quantities of greenhouse gases.

With increasing concern about climate change, nuclear power is being reassessed and, in many countries, it has become a viable option. As I said earlier, Mr Deputy Speaker Haase, I do not believe that Australia needs to go down that path for the very obvious reason that we have an abundance of natural gas and LPG in your electorate and in my state of Western Australia. We also have vast quantities of gas to our north and vast quantities of coal in Queensland and in other states. So the issue of nuclear power generation in Australia should not be a consideration. But, certainly, supporting other countries that want to go down the path of developing nuclear programs by selling them the means to achieve that energy is, I think, very important—particularly when you consider that, today, 31 countries operate 440 commercial nuclear power reactors and generate a total capacity of around 369 gigawatts of electricity.

While it is true that nuclear power is being reconsidered in some countries in Western Europe, it has experienced something of a renaissance in other regions of the world. According to the OECD in its publication Uranium 2005: resources, production and demand, nuclear power generation in East Asia is projected to increase by between 90 and 115 per cent by 2020. Overall, it can be reasonably expected that nuclear energy will play an important and significant role in meeting the world’s future energy needs.

Twenty-four new reactors are under construction and plans for a further 40 are in advanced stages. China alone plans to have 27 new reactors operational by 2020, while Japan is planning to increase its reliance on nuclear energy from 30 per cent to 41 per cent by 2014. When I was in Great Britain recently, I heard an announcement by Tony Blair that Great Britain intended to expand its nuclear power capacity and to upgrade its existing reactors.
The simple fact is that, in this era of high oil prices and with the continued strategic uncertainty looming over much of the world’s fossil fuel production, many companies are seeing nuclear energy as both economic and secure. The world’s significantly increased demand—perhaps it could be described as an almost insatiable demand—for nuclear energy will inevitably require a consideration of issues related to uranium mining.

In 2004, Australia produced almost 20 per cent of the world’s trade in uranium for fuel in nuclear power reactors. Considering that Australia is believed to possess 24 per cent of known uranium reserves and 40 per cent of reserves that can be mined at low cost, it is timely that we consider how Australia will deal with increased demand for its uranium. The market for uranium is changing significantly. Until recently, uranium was a buyers’ market. For the past 25 years, the uranium market has been oversupplied and nuclear power has been out of favour.

In addition, the existence of large stockpiles of secondary nuclear fuels—that is, those derived from decommissioned warheads, depleted uranium tails and reprocessed uranium—has dampened demand for newly mined uranium. Since 2001, the spot price for uranium has increased nearly fivefold from around $US9 per pound to $US43 per pound as of June this year.

With demand to outstrip supply for the next 10 years at least, industry experts suggest that these historic prices are here to stay and may possibly rise significantly higher in the years ahead. These developments have transformed the dynamics of the Australian uranium industry, and they have changed the dynamics in which approval for new mining operations must be considered. Now more than ever Australia is in a unique position to reap the economic benefits of our current uranium capacity and to play a lead role in ensuring that uranium can be used only for peaceful purposes.

As a major seller of uranium in world markets, we must also accept responsibility for ensuring that uranium, wherever its source, is not diverted into the production of nuclear weapons or used for other military applications. This is a responsibility that Australia, as holder of the world’s largest reserves of uranium, must take a lead role in. For this reason, uranium is more than simply a commodity export; uranium policy is a fundamental aspect of foreign policy. As the member for Batman recently said in an excellent speech on the subject, Australia and the world cannot afford a ‘no holds barred’ approach to the sale of uranium. Our policy needs to balance all of the various economic, security and environmental concerns surrounding uranium exports. To get this balance wrong would be grossly damaging to Australia’s national interest and, indeed, to that of the world.

There are significant and substantial concerns about security and safety issues. As many members of the House would be aware, the global non-proliferation regime is in disarray. Much of this disarray stems from the failure of the world’s five recognised nuclear weapons countries to uphold their commitments under article 6 of the non-proliferation treaty to disarm. As the years since the signing of the NPT—back in 1968—have demonstrated, whenever countries are in possession of nuclear weapons, other countries will also feel compelled to possess nuclear weapons. The equation is that simple.
If Australia is to be a reliable and, most importantly, a responsible supplier of uranium to the world, then clearly we will need to exercise leadership in getting the global non-proliferation regime back on track. Sadly, the Howard government has been sorely lacking in this regard. I would like to draw the attention of the House to a recent report by the Australian Strategic Policy Institute on Australian uranium exports and security. In this report, ASPI examines in some detail the safety and security issues surrounding uranium exports. The report notes that Australia has for decades been a responsible exporter of uranium and a very strong advocate of international controls on nuclear technology and materials. The report also notes that any increased role in the nuclear industry will be via an approach that also emphasises security. As the Leader of the Opposition has stated:

Australia has no greater obligations and no greater international opportunities than those granted by a position as a nuclear supplier. Australia must now work to ensure that it is well understood that our reliability as a supplier of uranium is contingent on all of our customers pulling their full weight in strengthening the integrity of the non-proliferation regime. As the Leader of the Opposition and the member for Batman have made clear, Labor’s uranium export policy will have three simple tests: first, potential buyers must accept the nuclear non-proliferation treaty; second, they must accept the world’s strongest safeguards and the peaceful use of uranium; and, third, Australia must lead a new diplomatic initiative against nuclear proliferation, which includes a review to strengthen the NPT.

Australia stands in unique circumstances to influence and enhance the effectiveness of the nuclear non-proliferation treaty. Australia should aim to do nothing less than apply the leverage over the global non-proliferation regime that our resources have afforded us. In this way, we can honour our obligations and advance our opportunities. The bill deserves support, but the issues canvassed in the bill are but the tip of the iceberg of the challenges faced by Australia in dealing with the issues of nuclear waste and our uranium exports. I know that in coming months there will be many opportunities for all members to participate in debates and discussions on these issues. As we all achieve a greater understanding of the topic, the interests of Australia can be advanced and protected.

Mr TOLLNER (Solomon) (6.52 pm)—It is a great pleasure for me to rise tonight to speak on the Australian Nuclear Science and Technology Organisation Amendment Bill 2006. I do not think it will come as any surprise to anybody in this chamber that I am wholeheartedly supportive of this bill. I think the measures that are outlined are worth while and they are a requirement in Australia.

A couple of weekends ago the Country Liberal Party of the Northern Territory had its annual conference. At that conference I was very pleased to support a motion that was put to the conference to assess the viability of uranium enrichment in the Northern Territory. I will read part of that motion:

The Country Liberal Party condemns the NT Branch of the Labor Party for its point blank refusal to examine the viability and economic benefits of a uranium value adding industry.

The Country Liberal Party supports development of industries that add value to raw produce and mining from the Territory.

This Central Council calls for the CLP Policy Committee to undertake research on the costs and benefits to the Northern Territory of establishing a local Uranium enrichment industry to produce power generation grade rods.

The Policy Committee research should look at:

- The local and whole of Territory economic benefits of such an industry
The type and quantity of waste products of such an industry
The jobs created by such an industry
The viability of such an industry
The potential customers of such a facility
The process to move the debate forward
The regulation that could or would be applied to such an industry
Possible locations for such a facility here in the Territory
Any security issues in respect to such an industry
The findings of the Federal Government’s current inquiry and the impact of those on the Territory
International nuclear non-proliferation considerations
Any other issues relevant to the debate.
The Policy Committee to report by the first Central Council meeting of 2007.
The Country Liberal Party opposes any and all moves to supply unprocessed uranium ore to any country that is not a signatory to the nuclear non-proliferation agreement.
The Country Liberal Party reaffirms its opposition to supply of uranium to any country for any reason other than power generation and scientific/medical research.
I think most reasonable people would say that that is a reasonable motion. They are questions that should be answered before committing to such an industry. But I was quite surprised that the Chief Minister of the Northern Territory rejected that out of hand. I was also quite surprised to read Labor Senator Trish Crossin in the Northern Territory News saying that ‘Mr Tollner wanted to trash the NT with nuclear waste’. I have also seen a transcript of an interview that the member for Jagajaga did on TopFM in Darwin on 25 August, where she said, speaking about Territorians:
They don’t want the nuclear waste dump that Dave Tollner and John Howard are currently imposing on the Northern Territory. And they certainly don’t want any more that might come out of uranium enrichment or nuclear power.
I find those comments alarmingly ignorant of what enrichment is all about. It is my understanding from information that I have received from the Uranium Information Centre that the process of enrichment does not create nuclear waste—or what is termed or deemed to be nuclear waste. It does produce waste. It produces toxic wastes which are dangerous and have to be managed correctly. Some of the waste is of a very high density, with a specific gravity of around 18.7, and some of this waste is used in keels of yachts and aircraft control surface counterweights. So it is not the sort of stuff that you would typically deem to be nuclear waste. For the deputy opposition leader and Senator Crossin to run around scaremongering on that issue I think just highlights their lack of information and credibility.
I have been listening carefully to this debate and I have noted that speaker after speaker on the other side has jumped up and accused me of all sorts of misinformation in the past on this issue. Just to clarify the record, in relation to the storage of nuclear waste in Australia, the national nuclear waste repository, it has always been my view that this country needs to store its nuclear waste in a particularly safe and secure manner. The best way of doing that is to have one single national nuclear waste repository. That was always considered to be the right thing to do.
Even the previous Labor government held the view that waste should be stored in a single national nuclear waste repository. To that end, the previous Prime Minister, Paul Keating, worked to find a suitable location. After much consultation and a lot of scientific research, the most suitable location in Australia was found to be outside of Woomera in South Australia. In readiness for the use of that location, Mr Keating had several
thousand drums of waste transported to South Australia for storage at that facility. As we all know, the South Australian Labor government bucked the system. It decided that it would protest and take the matter to court. The Federal Court upheld their right to oppose that facility.

So, in reality, the federal government was left with very few places to store national nuclear waste. In fact, I find the hypocrisy of the Labor states quite amazing. They all say that we need a national nuclear waste facility and that it should be in the safest possible location. But none of them, to a man or a woman, agrees that that location exists in their particular state.

In the lead-up to the last election, there was a lot of debate about where this would go. Our environment minister, Senator Ian Campbell, I believe, shot off his mouth a bit early and said that there would be no waste facility located on mainland Australia. I naively believed him at that time and, as nobody told me anything to the contrary, it was my belief that an offshore location would be found. That did not happen. No place offshore was deemed suitable to take such waste. The federal government had to do something. We had to act in the interests of all Australians, because failing to act would have put pressure on the facility at Lucas Heights and could have meant its closure. That would have had devastating impacts on the health of many Australians who suffer from various cancers and need radioactive medical isotopes in the treatment of those diseases and on a whole range of other wonderful uses for the wonderful products that ANSTO at Lucas Heights produces. (Quorum formed)

Thank you very much, colleagues, for your support. I am pleased that you made it to the chamber so quickly. As I was saying, the Commonwealth was forced into the situation of finding a nuclear waste repository in the safest possible location. You will note the emphasis placed on the word ‘possible’, because it quickly became apparent that none of the states would allow the construction of a national nuclear waste repository in their territory. So the Commonwealth’s choice was really between an offshore location and the Northern Territory; there was nothing else available at all—and, as I said previously, an offshore location was not possible. So the safest possible location where the Commonwealth could possibly act would have to be somewhere in the Northern Territory.

Immediately, the usual scaremongers came out, screamed blue murder and accused the Commonwealth of all sorts of nasties. But what is interesting—and I do not think it has surfaced greatly—is that not so long ago the Northern Territory government commissioned a paper to be written by a fellow called Dr Brad Cassels. That report was entitled Some aspects of a low level radioactive waste repository site selection and was quite lengthy. In that report Dr Cassels identified that 300 to 400 clients in the Northern Territory produced medium- or low-level waste and simply put it into containers with no real checking on how it was stored. We received a lot of feedback from the Chief Minister of the Northern Territory, saying that all of the Northern Territory’s waste was actually located in the hospital, which was not true. But the Commonwealth had to act, the Commonwealth did act and the Commonwealth will allow the Northern Territory government to store its waste in this repository when it is constructed.

Members here will recall that, when that bill was being debated, I moved amendments which allowed the Northern Territory government to also identify possible sites as well as allow Indigenous land councils the same right. The two major landholders in the
Northern Territory would have the ability to identify locations for a particular site. I have to say there was a bit of an outcry amongst sections of the community, but overall the community supported this particular route. I note the Northern Territory Cattlemen’s Association chairman at the time, John Armstrong, said on ABC radio:

The low level waste that they are talking about, really, the radiation coming out of that low level stuff would amount to significantly less than your very average bedside alarm clock with alumina sands on it.

That’s not an issue at all. And the storage facilities that they put up and build are just so secure that radiation can’t possibly be allowed to penetrate outwards into the local areas.

So we just want to check that that is true, and it shouldn’t have any impact on carrots being grown right next door I would imagine.

There is a man from the cattlemen’s association who did not have many great fears about it.

Of course, I surveyed my electorate quite heavily and found a majority of my constituents did not take great issue with the siting of a repository in the Northern Territory. They understood that it was better to have nuclear waste stored in one single safe location than it was to have it scattered all about the countryside. Additionally, I have a media release here from the Gumatj Association, and its chairman, Galarrwuy Yunupingu. In it he says:

Each year 400,000 Australians, including many Aboriginal people, safely receive radioactive medical treatment for cancer and scans. Of course, radioactive medical waste should be safely stored in one national location rather than left in hospitals and a hundred other places.

I would be happy to consider any offer to safely locate a waste facility on Gumatj land. This could mean sealed roads, infrastructure and other long-term benefits for Aboriginal people.

And in a slap to the Northern Territory Chief Minister, Clare Martin, he said:

This is not about statehood. This is a national interest issue. The Chief Minister must publicly admit that a radioactive waste facility may be safely built in some parts of the Northern Territory.

So there are even Indigenous people in the Territory who support this facility.

I am running out of time, but the last word should go to Ian Duncan, who was quoted in the Australian on 13 October 2005 in an article headed ‘Labor MPs duck for cover on nuclear waste’. It said:

Ian Duncan, a fellow of the Australian Academy of Technological Sciences and Engineering, said state Labor governments could soon be forced to abandon their policies on nuclear waste, or lose office. The expert consultant on radioactive material warned public opinion on nuclear waste storage was becoming increasingly informed, endangering the parties that continue to oppose it.

“The electorate is not stupid,” Dr Duncan said.

“To those who advise political parties on this issue, I point out that the electorate is changing and it may not be long before an unthinking party becomes unelectable.”

I think that says it all, and that members opposite should take note. We are not living in an era of fear and loathing, as we used to. People are becoming informed. They understand the benefits that nuclear science can bring. (Time expired)

Mr SNOWDON (Lingiari) (7.13 pm)—It gives me pleasure to contribute to this discussion on the Australian Nuclear Science and Technology Organisation Amendment Bill 2006. I am pleased that I have followed the member for Solomon, for a number of reasons, especially because he has acknowledged that he lied to the Northern Territory community prior to the last election.
Mr Tollner—Mr Deputy Speaker, I rise on a point of order. I find that is an offensive comment and I think he should withdraw it.

The DEPUTY SPEAKER (Mr Haase)—I ask the member for Lingiari to withdraw that statement.

Mr SNOWDON—With great respect to you, Mr Deputy Speaker Haase, I do withdraw it. Let me put it another way then, shall I? Prior to the last election, the member for Solomon said these words:

There’s not going to be a national nuclear waste dump in the Northern Territory … That was the commitment undertaken in the lead up to the federal election …

He said that prior to the election. After the election, he advocated the nuclear waste repository in the Northern Territory. I am not sure what a lie is to you, Mr Deputy Speaker, but if someone tells you something one day and then the following day says something entirely different, you would perhaps surmise that that was an untruth. In another language, it could be a lie.

The member for Solomon can have it whichever way he likes but the bottom line is that prior to the federal election he gave an undertaking—anticipating an election result and hopefully encouraging the Northern Territory community to vote for him—that there would be no nuclear waste facility in the Northern Territory. He knew at the time that the community was very much concerned about the proposition that there should be a nuclear waste facility in the Northern Territory. He knew at the time that the community was very much concerned about the proposition that there should be a nuclear waste facility in the Northern Territory. He knew at the time that the community was very much concerned about the proposition that there should be a nuclear waste facility in the Northern Territory. The then Minister for the Environment and Heritage said:

The Commonwealth is not pursuing any options anywhere on the mainland, so we can be quite categorical about that, because the Northern Territory is on the mainland.

Our friend over here, the member for Solomon, says that the minister shot off his mouth. He may well have shot off his mouth, comrade, but the fact of the matter is that you were suckered right into it. You believed it. The Northern Territory community were told they should believe it because you told them to. And then after the election you have the temerity to get up and say, ‘Hang on. We need a nuclear waste facility and it is going to be in the Northern Territory.’ Your words were that it should be in ‘the safest possible location’. Let us describe how these locations in the Northern Territory were selected. I ask the member for Solomon: how were they selected? You have got no bloody idea. They were selected by pulling names out of a hat. The Commonwealth asked the defence department to do a desktop survey of what available land there might be in the Northern Territory for such a facility. That is how it was done—no science to it.

The government then located three pieces of country—two near Alice Springs and one near Katherine—and said to the Northern Territory community, ‘These are the proposed sites for the nuclear waste facility.’ There was no process of consultation, discussion or inclusion. There was no process of bringing the community along with them by saying, ‘We have got a problem and we would like to sit down and solve the problem with you. We would like to use defence department land in the Northern Territory as a possible solution to the problem of storing nuclear waste.’ That did not happen. Instead we had a piece of legislation pushed through this parliament imposing the government’s will on the people of the Northern Territory and interfering in their day-to-day affairs. That is what happened in this place. What did the person who told the untruth prior to the election do? The member for Solomon, this great advocate for the Northern Territory, what did he do? Did he defend the interests of the Northern Territory? He rolled over like a sick puppy. He got in here and voted for legislation to override the interests of the
people of the Northern Territory; that is what he did. That is what this great advocate and defender of the interests and the rights of the people of the Northern Territory did.

Let there be no illusion about the view of the people in the Northern Territory on this particular action. I acknowledge that there is a good argument for a single national facility. That is not an issue and it never has been an issue, but that is not what we are talking about here. What the member for Solomon is talking about is imposing the will of this government on the people of the Northern Territory by arbitrarily selecting three sites—without any scientific basis—and then telling those communities that they are going to have to accept the possibility of a nuclear waste facility. Where I come from, that is dishonest and disrespectful. I was brought up by parents who were very strong on discipline and telling the truth. If I did not tell the truth to someone I would be asked to apologise to them. I am sure you were brought up the same way. The member for Solomon has not apologised to anyone. What he has done is to sell them out and then he has the temerity to say that he has done a survey of his electorate.

He talked about the CLP, an organisation whose effectiveness is perhaps best evidenced by their representation in the Northern Territory parliament where they have four members—alongside two Independents and 19 Labor members. When they have their little meetings in the coffee shop or in the telephone booth to discuss policy for the Northern Territory they might reflect upon the fact that one of the reasons they do not represent a greater proportion of people in the Northern Territory Legislative Assembly is that they do not represent the people’s interests. I am absolutely certain that, when the question of whether or not the member for Solomon has integrity in representing the people of the Northern Territory by forcefully advocating and defending their interests comes to be judged, they will make the same judgement. To use the language of the people of the Northern Territory, he has dogged it. When someone dogs it, they know what they have done—they have scarpered and that is what he has done. He ran out of here like a ferret up a drainpipe.

It gives me no pleasure to be arguing this way. There is one part of what the member for Solomon said that I agree with. He talked about the hypocrisy of some of the Labor states. Indeed there has been hypocrisy and, indeed, he is right that the previous Labor administration undertook a process to define a site, and that site was determined to be Woomera. I regard it as hypocrisy for the South Australian government to be advocating the expansion of uranium mining in the way they are doing and at the same time say that they refuse to accept any responsibility for nuclear waste. They want to be in one part of the nuclear fuel cycle but not in another. It seems to me that, once you go down that path, you are making it easy for people like me to say to them that they are being dishonest. I think that they have an obligation. In this case it is clear that there should be a national process and that process should be based on the best science, not on a desktop survey of available land in the Northern Territory.

I say to the member for Solomon: there was one part of your contribution which was absolutely 100 per cent correct. That was fingerling the hypocrisy of some people in the Labor Party across Australia. They need to understand that hypocrisy. They need to understand that the Northern Territory has been lumbered with this because of that hypocrisy. In that he is right. But he did nothing to defend the interests of the people of the Northern Territory, and now he is becoming the sublime advocate for the nuclear power industry and nuclear enrichment for not only
the Northern Territory but indeed Australia, without any mandate from anyone.

This is particularly so given the fact that he went to the last Territory election saying that there would be no nuclear waste facility in the Northern Territory. So he has gone to the election holding a flag for no nuclear waste facility in the Northern Territory, he has won the election, he has come out of the election and now he says, ‘Not only do I believe that there should be a nuclear waste facility; I believe we should have nuclear enrichment in the Northern Territory.’ Pff! You have to think that he might be a little confused. Certainly the Northern Territory community are confused. You either have a position or you do not have a position. But, if you have a position and you have gone and changed it, why have you changed it? Because of political expediency, and no other reason—because of his inability to defend the indefensible. I say to him that that does not bode well for him.

But I can understand his dilemma. What we have here is a process whereby the Northern Territory is now going to suffer the consequences of decisions taken by this government which will inevitably mean either one of two things: either we end up with a nuclear waste facility which will house not only low-level nuclear waste but medium- and higher-level nuclear waste into the future, or we will have that stuff stored back at ANSTO. That is what we are going to have.

The nuclear waste facility in the Northern Territory, we are told, will be functioning by 2011—or will it? We have not chosen a site yet. We are not sure what will happen. We are not sure whether any of the sites will be appropriate. You would have to say that there is no real hurry, and people acknowledge there is no real hurry. I was delighted when the member for Solomon registered the voice of the then chairman of the Northern Territory Cattlemen’s Association. I can tell him that I have spoken to cattlemen who know the country around where these nuclear waste facilities are being proposed, and they are not too happy about it. They are not too happy about it at all.

I have also spoken to the Northern Territory Agricultural Association. What have they said about the prospect of having a nuclear waste facility in their backyard? I quote something I have quoted previously in this parliament:

The Northern Territory Agricultural Association expresses grave concern regarding the Australian Government’s proposal to position a radioactive waste facility south of Katherine in the Northern Territory.

You would only have to have some knowledge of the Northern Territory and some knowledge of this region of Katherine to realise that this is an inappropriate place. It goes on:

The Australian Government’s ‘silver bullet’ proposal is insensitive to local needs and devoid of accountability.

We know that from what has been said already. What we are told by the Agricultural Association, in case of the site which has been proposed near Katherine, at Fishers Ridge, is:

Placement of the facility in close proximity to the region’s Tindal, Oolloo and Jinduckin aquifer system is fraught with danger.

They understand the implications of what has been going on here. It is a pity that the member for Solomon does not.

As we know, this legislation deals with the radioactive material or waste arising from incidents, including terrorist or criminal acts, in line with the United Nations Convention for the Suppression of Acts of Nuclear Terrorism. It will give ANSTO powers to manage radioactive waste that is in the possession or control of any Commonwealth entity.
This includes material designated to be stored at the proposed Commonwealth radioactive waste management facility in the Northern Territory. The government is concerned that the nuclear waste dump in the Northern Territory could be challenged based on ANSTO’s powers to participate in management of waste that has not been generated by ANSTO. Why wouldn’t the Northern Territory community be concerned a little by this? They are told on the one hand—

Mr Gibbons interjecting—

Mr SNOWDON—He doesn’t know—well, he wouldn’t! They were told on one hand that this is waste material stored at ANSTO. Now they are being told they have to house all of the Commonwealth nuclear waste. We know that that will mean eventually that those spent fuel rods which are in France will come back and will have to be stored somewhere. We know where that will be.

We know also that the bill will reinforce ANSTO’s ability to operate the Commonwealth nuclear waste dump, should the government decide to transfer overall responsibility to ANSTO. They will have carriage of and responsibility for this dump in the Northern Territory. ANSTO are currently licensed to operate a separate storage facility for its own waste.

This legislation will ensure that nuclear waste that is handled by contractors is considered to be Commonwealth waste under the ANSTO Act. They believe this is because the Commonwealth has a view that the extension of this immunity to contractors will limit potential legal action by the Northern Territory government. So here we have another attempt to circumvent any potential threat or challenge by the people of the Northern Territory to this legislation and to the prospect of having nuclear waste facilities in the Northern Territory.

I ask you, Mr Deputy Speaker Haase: in all fairness, do you think that is reasonable? You may not wish to answer me right now, but I am sure you will at some later point. I know, given what your understanding is of people living in remote communities, that you know they like to be treated fairly and reasonably. They are not being treated reasonably or fairly by the propositions which have been put forward in this legislation or by the government in relation to the nuclear industry.

I was going to canvass issues relating to nuclear enrichment. We know now that we have encouragement from the member for Solomon to anticipate that we should have a nuclear enrichment facility in the Northern Territory. I understand that my time is going to be limited and I will have an opportunity at some later point to resume my contribution, even though it will only be a short one at that point. But I will continue on at the moment.

One of the issues which I think we need to understand is the implications of this bill for a nuclear energy future including the possibilities of uranium enrichment and the impact on the nonproliferation of nuclear weapons. George Bush is pushing the Global Nuclear Energy Partnership, GNEP, which some observers—notably George Perkovich of the Carnegie Endowment for International Peace—view as an act of welfare for the nuclear industry that far outweighs welfare for the poor. I think that there is a fair assessment and a fair conclusion to be drawn from that.

President Bush believes the industry to be over-regulated and is talking about tax incentives and indemnity from legal action to get the industry moving. He sees nuclear energy as safe and environmentally clean and as a sure foundation of the continuing growth of
the US economy. The US industry has a problem disposing of nuclear waste.

Debate interrupted.

**ADJOURNMENT**

The DEPUTY SPEAKER (Hon. IR Causley)—Order! It being 7.30 pm, I propose the question:

That the House do now adjourn.

**Skilled Migration**

Mr GIBBONS (Bendigo) (7.30 pm)—The Prime Minister is on the record as saying he wants immigrants to adopt Australian values and learn to speak English, but as usual the reality of his actions illustrates the opposite. His policies are bringing in foreign workers who do not speak English, let alone sign up to Australian values. In fact, his 457 visa policy is specifically designed to prevent foreign workers from signing up to one essential Australian value that this country was founded on, and that is a fair day’s pay for a fair day’s work. The Prime Minister’s rorted foreign worker visas are being used to undermine pay and conditions for all Australian workers.

There were media reports on Monday that a building site in Sydney has had to be closed down because workers brought in via the much-rorted foreign worker visas are not able to speak English and therefore pose a serious health and safety risk. One building worker told the *Sydney Morning Herald* the Chinese labourers were importing unsafe work practices. He said, ‘We’d see people on the roof, 20 metres up in the air, and you couldn’t even yell at them to get down.’ The Prime Minister’s 457 visas have brought in Chinese workers with no English who are working for Chinese wages. They are part of the coalition’s wages race to the bottom; low-wage workers threatening the wages and conditions of all workers in this country.

The Liberal-National coalition wants Australia to compete with China and India on wages. Labor says we must compete with these countries on high skills not low wages. That is why, on top of ripping up his extreme IR laws and ending these visa rorts, Labor will also abolish the Prime Minister’s trade skills training visas, which give apprenticeships to unskilled migrants rather than young Australians. The biggest threat to Australian values right now is the coalition’s one-two punch to working Australians on immigration and industrial relations. If the Prime Minister really wants to maintain and strengthen Australian values, he should start with fair reforms in our own workplaces. The government’s hypocrisy has been exposed. He says one thing about immigrants and does another. The Prime Minister must be judged on his actions not his words.

The Prime Minister’s hypocrisy on English was exposed in federal parliament on Monday when he denied that temporary foreign workers coming to Australia need to speak English. The Prime Minister was asked if he thought that being able to follow site safety instructions in English was a critical requirement for foreign workers at the ABC Tissues construction site in Sydney. His response was:

I am not suggesting for a moment that everybody who comes to this country should be able to speak the English language when they arrive. I have never suggested that.

But on the Saturday previously the Prime Minister said:

Simple tasks like securing a job ... would be so much harder in Australia without a working knowledge of English.

The Prime Minister has refused to apply the same standard to temporary foreign workers on a work site. The coalition government’s 457 visa scheme has no specific requirements for the ability to speak English. There has been a 66 per cent increase in temporary
skilled migrants since 2003-04. The Prime Minister does not seem to care whether foreign workers coming to Australia can speak enough English to work safely. How can the Prime Minister think that it is okay for construction workers not to be able to read and follow safety instructions in English?

Reports today from an ACTU media release show the tragic story of a temporary worker from China who has been sacked and now faces deportation after being severely exploited by a Hawthorn printing company. That is further evidence that the Federal Government’s temporary worker visa program is creating a new tier of second-class workers in Australia. This temporary worker came to Australia almost one year ago to seek a better life. He states that he paid an employment agent in China $10,000 for a position in the Australian printing industry and agreed to pay another $10,000 ‘lawyer’s fee’ in weekly instalments of $200 from his wages to his employer in Australia. These payments are reported to be illegal. He was told he had a job in Australia for up to 4 years. For the last year he has worked 60 hours a week as a printer, guillotine operator and labourer while being paid around $12 an hour; less than the legal minimum wage and hundreds of dollars a week under the award.

Now that the $10,000 ‘lawyer fee’ has been repaid his employer has terminated his employment and has evicted him from the unheated, company owned house he shares with three other men and for which he pays his boss around $120 a week rent. Under the terms of his federal government 457 visa, he has up to four weeks to find another job or face deportation back to China. This is just another example of gross exploitation of overseas workers under the federal government’s 457 visa program.

On Monday this week unions also exposed unsafe and exploitative working conditions for around 50 Chinese workers at the $60 million Wetherill Park tissue paper mill construction site in Western Sydney. The workers used equipment that did not meet safety specifications. They did not have the appropriate licences to operate vehicles and were allowed to carry out dangerous tasks. There were reports of a man welding a pipe as he was tied to it while swaying high in the air. (Time expired)

Lebanese Community

Mr BAIRD (Cook) (7.35 pm)—Thank you for the opportunity to speak tonight, Mr Deputy Speaker, and I thank my colleagues also for their assistance tonight. I wish to inform the House of recent developments in strengthening relationships between Sydney’s Lebanese community and the Sutherland shire. Since the disturbing incidents in Cronulla last December, a great deal of progress has been made to build bridges between these two groups. Immediately after the riots and subsequent revenge attacks, I set up the intercommunity dialogue. This group comprises representatives of surf lifesaving clubs, businesses and community groups in the Sutherland shire, and representatives of the Lebanese community and harmony officers from the Department of Immigration and Multicultural Affairs. This group oversees and develops a range of strategies and programs aimed at breaking down cultural barriers and building mutual respect and understanding.

A major facet of this approach is the On the Same Wave project, a partnership between Surf Life Saving Australia, Sutherland Shire Council and the Department of Immigration and Multicultural Affairs. The program aims to enhance awareness of surf lifesaving and beach safety amongst the multicultural community and increase the capacity of surf lifesaving to diversify its membership. In practice, commencing the project has
involved extensive consultation with council youth workers, community leaders, targeted schools, youth centres and PCYCs, government departments and Islamic associations. Project officers have conducted focus groups with young people to ascertain their views on the incidents in December as well as feelings about surf lifesaving and beach culture.

Some key points have been taken from this research. Firstly, to address the underlying problems that have brought about this project, some groups need to be engaged away from the beach environment, particularly some Muslim women’s groups. As a result, women-only CPR courses will be conducted in November. I applaud Surf Life Saving New South Wales for responding so quickly to this concern because it is important to engage with young people and all communities in a way that is culturally appropriate. The project is in the process of developing cultural awareness training for officers and lifesavers initially in the four clubs at Cronulla, to ensure that surf lifesaving is open to diversity. It is hoped that this training will eventually be used in all clubs around New South Wales and nationally. The project will work with culturally diverse groups at the beach. It will also take young people from beach areas out of their comfort zones and expose them to new environments. I believe that when we get young people from the surf environment together with young people from other cultural backgrounds, we will begin to overcome some of the stereotypes that these young people may harbour.

I would like to acknowledge the very good work of Vanessa Brown and Suzie Stollznow from Surf Life Saving New South Wales, who are doing an admirable job in driving this project. I would also like to thank the Parliamentary Secretary to the Minister for Immigration and Multicultural Affairs, Mr Robb, whose very keen and ongoing support and interest in this project has been invaluable. I am also very pleased to say that the Muslim community have been highly complimentary of the role of Mr Robb in attempting to understand the challenges that face the community and the problems that beset them day by day, especially with a group that feel themselves marginalised within the Australian community.

There is little doubt that almost a year after the appalling scenes at Cronulla and throughout the shire on subsequent nights, significant and positive steps have been made to ensure that no similar episodes are likely to occur in the future. We are addressing the very root of the sentiments expressed on those occasions in the wider community.

Problems to do with race related violence in my electorate have in the most part been caused by simple fear and ignorance. I believe that by building cultural awareness and understanding amongst people of the Sutherland Shire these sorts of problems can be eliminated altogether. By building a strong and open rapport with those who visit our beaches, whether they be Lebanese, Vietnamese or Sudanese, and by diversifying activities like surf lifesaving, we will find that residents and visitors alike will be on the same wave.

I would like to particularly congratulate those people involved in this dialogue—the Sutherland council and the mayor; Mr Robert Redfern, the area commander of the police; the president of the Sharks, Mr Barry Pierce; the presidents of the four surf clubs in my area; Surf Life Saving Australia; the Lebanese Christian association; and the Lebanese Islamic association—for their very positive approach to addressing the problems that have developed between the two communities. We are working on it positively and we hope that by the anniversary of these unfortunate events in Cronulla we will have
a positive outcome in the community which will be an example for the rest of Australia.

**Skilled Migration**

Mr BOWEN (Prospect) (7.40 pm)—You really have to go out of your way to come up with a policy which disadvantages foreign workers and disadvantages Australian workers, but this government has found a way to do it. The 457 visa scheme has been changed by this government from a scheme which allowed a small number of justified and specific skilled migrants into this country into one which allows the wholesale importation of unskilled labour and drives down wages and conditions.

In 1996 the Howard government abolished certain safeguards, meaning that an employer could sponsor an unlimited number of skilled workers regardless of whether local workers were available. But worse was to come. In 2002 the government changed the scheme again. This time employers in designated areas were allowed to import so-called semiskilled labour as well. ‘Semiskilled labour’ is a euphemism for ‘barely skilled labour’, and the results are there to see. In 2000-01, 21,000 people came into Australia under this scheme. In 2005-06 that number will rise to 40,000.

But the human misery is not told by the figures. The human misery is told by the case study of Mr Jack Zhang, which the House heard about today. He came to Australia under a 457 visa. He had to pay $10,000 for the privilege. He was paid below award wages, and the $10,000 was taken out of his wages at $200 a week. As soon as the $10,000 was paid off, he got the sack. What is even more disturbing is that, when a journalist went to interview his employer and the employer confirmed that this was the case, the employer immediately left the interview and, after not only sacking Mr Zhang, he evicted him from his house. This is a telling point.

Nick O’Malley wrote in the *Sydney Morning Herald* earlier this week:

> Because workers are dependent on their employer not only for their wage but also for their visa, some - especially those who don’t speak English - are vulnerable to exploitation.

What does it mean? It is bad for foreign workers and it is bad for Australian workers. It brings a new edge to this government’s race to the bottom when it comes to wages.

But you need not take our word for it. Dr Bob Birrell, Centre Director of the Monash University’s Centre for Population and Urban Research, had this to say about this government’s scheme:

> There is no question the goal is to restrain wages ...

Why do we have this preponderance of 457 visas? It is because of this government’s neglect of skills and training, and this visa policy will make it worse. Dr Phil Toner, the Senior Research Fellow at the University of Western Sydney’s Centre for Innovation and Industry Studies, said this scheme is:

> ... a disincentive for employers to spend money on training, exacerbating the existing skills shortage ...

There have been categories of skills shortages on the list under this government for 10 years, and this government has done very little. We have seen expenditure on tertiary education go down by eight per cent while in every other OECD nation it has increased by an average of over 30 per cent. We have seen the policy of Australian technical colleges, which duplicate the TAFE system, and we have seen a college in Queensland with just one employee.

But that is not good enough for the Minister for Vocational and Technical Education. He wants to duplicate the state system not only in Australia but in Africa as well. A couple of weeks ago in this chamber, I called Minister Hardgrave, the Minister for Voca-
tional and Technical Education, the most incompetent minister in this government. He is not satisfied with that record; he wants to be the most incompetent minister in Africa as well. This is an outrageous scheme. I almost choked on my Weet-Bix this morning when I read the minister’s scheme; he said that he wants to open a college in Africa. Then today we have seen him running a million miles from it, despite the fact that he placed the story in the Australian yesterday, thinking it was a winner. He obviously had a call from Minister Bishop or from the Prime Minister’s office and was asked: ‘Have you been drinking? What’s the story with this outrageous story you’ve got in the Australian?’

In the time I have left available to me, I want to talk about the government’s $5,000 bonus scheme for people to move from areas of so-called high unemployment to low unemployment. In Western Sydney, we see high unemployment and we see a high vacancy rate. The unemployment rate in my electorate is still 10 per cent, but I have the biggest industrial estate in the Southern Hemisphere, and they are crying out for skilled employees. (Time expired)

Northern Territory: Law and Order

Mr TOLLNER (Solomon) (7.45 pm)—I rise tonight to advise the House that on Wednesday, 30 August I convened a community crime forum for residents of Malak and Karama in Darwin’s northern suburbs at O’Loughlin Catholic College gymnasium. There were almost 200 people in attendance. The community in Malak and Karama is made up mostly of families where both parents work, and to get 200 people to turn up on a busy weekday means that the issue of law and order is very strong there. I would like to thank the organising committee, particularly Ken Mildred from Neighbourhood Watch and also Bill Turner from the Aboriginal Medical Services Alliance of the Northern Territory, who had put his support behind the initiative. The committee organised a speaking panel that included Senator Chris Ellison, the federal minister for justice; Peter Adamson, Lord Mayor of Darwin; Paul Henderson, a Northern Territory government minister; Delia Lawrie, the local Labor MLA; Paul Wyatt from Neighbourhood Watch; and Bill Sommerville of Offenders Aid and Rehabilitation Services.

Why did the group come together? The hard truth is that the community came together to discuss law and order problems because they do not feel safe and secure in their own homes. In these times, not feeling safe and secure in your home in the Top End shows that we have moved somewhere, somehow, that we should not have. Not long ago you could leave your back door wide open and your car unlocked on the street and still feel pretty safe. In Malak, Karama and other parts of the northern suburbs there are young gangs that roam the streets at night. Astoundingly, they are generally underage kids who should be at home under the safety and protection of their parents and fast asleep.

Mr Laurie Ferguson interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Reid!

Mr TOLLNER—In these areas at 3.30 in the morning there are children as young as seven, eight and nine years old roaming the streets, drinking alcohol, creating a mess, vandalising, destroying people’s property, breaking into shops and smashing up cars—not the sorts of Territorians we are proud of.

Only two weeks ago a juvenile was apprehended in relation to property offences dating back to 3 September last year, when it is alleged he unlawfully entered the Karama Primary School. On 3 March this year it is alleged the youth and co-offenders broke into the Karama Tavern, stealing a considerable
amount of alcohol. Over a month later, on 26 April, the youth is alleged to have been involved in the unlawful entry of a unit in Leanyer and a home in Palmerston. Several items were stolen from the Palmerston residence while a Holden Commodore station wagon was taken from the unit in Leanyer. The car was later located dumped and burnt out. And this is typical of the situation in Malak and Karama—not the sorts of Territorians I am proud of.

The lack of police on the beat was a major concern of the residents at the meeting, and something has to be done. Despite the NT government saying that there will be an extra 200 police on the beat by the end of the year, that is simply not the case. The fact is that, if the NT government were doing its job properly, residents would not be in arms, crime would not be of such concern and I would not have residents ringing me up and telling me how they continue to suffer as victims of crime.

Mr Laurie Ferguson—And vicious dogs!

The DEPUTY SPEAKER—The member for Reid will be thrown out if he is not careful.

Mr TOLLNER—I will be working with the community to develop an action plan for the Karama and Malak suburbs in an effort to tackle crime. A task force will be formed and there are already several volunteers. Considering the number of incidents that take place, it might well be worth expanding the community crime forum idea to other parts of my electorate. I wish to thank the local residents in particular for their positive turnout and their keenness to be involved. I would also like to thank the local community organisations that gave up their valuable time to attend the meeting. It is very difficult to organise any sort of forum these days, and to get the sort of turnout we did that night shows that there is a real problem in the northern suburbs. But there is only one way we will solve this, and that is by working together. The federal, Territory and local governments need to work together to combat this problem simply because we have to.

Skilled Migration

Mr RIPOLL (Oxley) (7.50 pm)—I want to make some comments tonight about the government’s use of 457 visas, and I want to make it clear from the outset that Labor not only supports the 457 visa class as an instrument to fill skills gaps but also supports companies and organisations that use 457 visas to fill legitimate skills shortages and gaps. It also needs to be noted that we would not need 457 visas beyond the normal course of business if the Howard government had actually been dealing with the skills crisis from day one. For 10 years we have had the skills crisis, and this government has refused to acknowledge it or to do anything about it. The Labor Party has been beating a drum—it has been almost a lone voice on this issue for many years in this place—warning the government of the dire consequences of not dealing with the skills crisis and the use of 457 visas.

The fact is that 457 visas have a very useful purpose if they are used for the right reasons. Unfortunately, the government has moved over recent years, in conjunction with its extreme industrial relations changes, to also change the way foreign workers can be employed and used to fill so-called skilled jobs. The rules that cover this vital area of employment have been so relaxed of recent times that there are literally no checks and balances on the use of 457 visas and on how they can be exploited by unscrupulous employers. This has led to massive abuse and exploitation of not only foreign workers but also Australian workers. 457 visas, under this government, have become an instrument for unscrupulous employers to drive down...
wages and to reduce working conditions of both foreign and Australian workers.

Under this government 457 visas are synonymous with exploitation and abuse. They have driven down wages, they are reducing conditions and they are replacing existing Australian workers with foreign workers, often with less or no skills at all. The impact this is having on Australian workers and Australian companies is profound. Those Australians who find themselves refused a job or replaced by a foreign worker are devastated and often left without any recourse because of this government’s coupling of these visas with the extreme industrial relations legislation changes that it has made.

For those Australian companies that want do the right thing—that want to continue down the high-skill path, the high-productivity path, the road along which they negotiate in good faith with their unions and their workers in enterprise bargaining and collective bargaining—those organisations and those workers find themselves in an unenviable position of having their competitors drive down wages through the use of 457 visas. This is a disgrace and something this government should deal with, address and do something about. This means that good companies that want to do the right thing are being left with very few options. That saddens me.

I have a number of companies in my electorate who have made it very clear to me that they are being left with few options. They want to continue down the high-wage, high-skill road and the path of high productivity but they are being driven literally out of business by unscrupulous employers in the same industries using uncompetitive tactics such as 457 visas to drive down wages and conditions.

It may be okay for the government to talk about the need for the 457 visa class. We agree there is a need; there is no doubt. This government created the problem and then tried to fill it in a short-term way through the use of 457 visas. What does it do in its response to deal with this issue? Nothing. It just blames the states. It blames the states for everything it does. But the Commonwealth cannot extricate itself out of its role in 457 visas in the way that it has made it so easy for them to be abused and to exploit workers, be they foreign or Australian. It is certainly the case that these visas are not being used for what they were intended to be, and that is to fill skilled jobs that cannot be filled by an Australian worker.

The perfect example of this government is the ill thought out promise that it made in terms of Australian technical colleges that will not even deliver their first graduate for many years to come and will not even make a small dent in the skills gap we have in this country. What this government should be focused on is training young Australians today, training them now and dealing with the long-term issue of the skills crisis in this country. This government should be condemned not only for the way it has used its extreme industrial relations legislation to drive down wages and conditions but also for the way it has coupled that legislation to this visa class of 457s and exploiting Australian— (Time expired)

Germaine Greer

Mr KEENAN (Stirling) (7.55 pm)—I am sure that almost all Australians have taken offence at the latest outrage from one of Australia’s least favourite exports, Germaine Greer. She has published a tasteless diatribe attacking Steve Irwin in the Guardian newspaper. Sadly, this is exactly what Australians have come to expect from Greer. However, this is unforgivable, even for her, and all for the sake of giving her another 15 minutes of media attention. Her comments about Steve
Irwin, whose passing on Monday has been widely mourned around the country, deserve to be condemned by everyone in this chamber. To attack a man who has so recently died in a tragic accident is grossly disrespectful to his surviving wife, two children and other family and friends.

Greer is not a wildlife or nature conservationist, or a leading environmentalist, and her remarks have merely added to the many pointless rants she has made over the years. She seems determined to continually increase the sheer lunacy of her public behaviour. She strikes me as being very similar to the naughty child who acts out when craving attention—the more they are ignored the worse their behaviour gets. Her comments attacking Steve Irwin are the latest in a long line of such curious behaviour. Her courting of controversy appears to be compulsive and, like an addict, she needs a bigger and better controversy to satisfy her growing appetite. This leads her to be more outlandish and more outspoken and to act with increasing stupidity over time.

She recently attacked Monica Ali, the author of the critically acclaimed _Brick Lane_, which deals with the Bangladeshi community in London. She supported the protesters who had threatened to use violence to stop the film adaptation of Ali’s book. Salman Rushdie, the distinguished author, characterised this as ‘philistine, sanctimonious and disgraceful’ but ‘not unexpected’. Greer had previously attacked him at the height of the controversy over his book _The Satanic Verses_ as a megalomaniac and an Englishman with dark skin. She suggested to him that it was not so bad for him to end up in jail because at least there he could write.

She savaged reality TV as being ‘about as dignified as looking through the keyhole in your teenage child’s bedroom door’ and said getting hooked on it was ‘downright depraved’. In the same article she said that those who appeared on celebrity TV ‘risked the wreck of their pampered egos by humiliation’. Yet, lo and behold, last year in what was certainly the most cringe-worthy television you will ever witness, Greer became a housemate on _Celebrity Big Brother_, joining an underwear model, a teenage musician, a drug-loving dancer and the ex-wife of Sylvester Stallone. She tried to convince the other housemates to stage a naked sit-in protest before storming out of the house after four days, after repeatedly clashing with all the other housemates.

Greer belongs to that strange group of self-styled expatriate intellectuals who appear to have nothing but distaste for their homeland and spend a lot of their time patronising us with their wisdom about our shortcomings. It is difficult for these elitists to hide their contempt for ordinary Australians that they claim to understand and interpret.

I normally would not consider it to be particularly good practice to single out a particular individual for criticism in this House, and it is not something that I would normally do. Neither would I normally be concerned about just another Greer outrage, as they occur with monotonous regularity. But I think that her comments yesterday, which have generated many complaints to me from my constituents who share my concerns, deserve to be repudiated for the rubbish they are. Germaine Greer once said that Australians are ‘too relaxed to give a damn’. But I can say that, from the correspondence I have received today on her editorial attacking Steve Irwin, this is definitely not the case. They do care when the feelings of a grieving family are so wilfully disrespected so a second-rate expatriate can insert herself, yet again, into the media spotlight.
The DEPUTY SPEAKER (Hon. IR Causley)—Order! It being 8 pm, the debate is interrupted.

House adjourned at 8.00 pm

NOTICES

The following notices were given:

**Mr Ruddock** to present a bill for an act to give effect to the Convention on the Marketing of Plastic Explosives for the Purpose of Detection, and for other purposes. (Law and Justice Legislation Amendment (Marking of Plastic Explosives) Bill 2006)

**Mr Ruddock** to present a bill for an act to amend the Customs Act 1901, and for related purposes. (Customs Amendment (2007 Harmonized System Changes) Bill 2006)

**Mr Nairn** to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Australian Institute of Police Management redevelopment, Manly.

**Mr Nairn** to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Tactical Unmanned Aerial Vehicle facilities project, Enoggera.

**Mr Somlyay** to move:

That the House:

(1) commends the people of Hungary as they mark the 50th anniversary of the 1956 Hungarian Revolution, which set the stage for the ultimate collapse of communism in 1989 throughout Central and Eastern Europe, including Hungary, and two years later in the Soviet Union itself;

(2) expresses condolences to the people of Hungary for those who lost their lives fighting for the cause of Hungarian freedom and independence in 1956, as well as for those individuals executed by the Soviet and Hungarian communist authorities in the five years following the Revolution, including Prime Minister Imre Nagy;

(3) welcomes the changes that have taken place in Hungary since 1989, believing that Hungary’s integration into NATO and the European Union, together with similar developments in the neighbouring countries, will ensure peace, stability, and understanding among the great peoples of the Carpathian Basin;

(4) reaffirms the friendship and cooperative relations between the governments of Hungary and Australia and between the Hungarian and Australian people; and

(5) recognises the contribution of people of Hungarian origin to this nation.
Wednesday, 6 September 2006 | HOUSE OF REPRESENTATIVES

The DEPUTY SPEAKER (Hon. IR Causley) took the chair at 9.30 am.

STATEMENTS BY MEMBERS

Wills Electorate: Mobile Phone Tower

Mr KELVIN THOMSON (Wills) (9.30 am)—I wish to speak in support of the community campaign against the mobile phone tower planned for the corner of Kent and Cumberland Roads, Pascoe Vale, in the electorate of Wills. In 2004 I supported and participated in the community campaign against Hutchison 3G erecting a mobile phone tower in Cole Reserve, also in Pascoe Vale. That tower required council permission because it was on council land, and the council, to its credit, did not give permission. Unlike the 2004 situation, there has been no application to council for a permit for the mobile phone tower planned for the corner of Kent and Cumberland Roads. Telstra says that this tower is a low-impact facility as defined in the Telecommunications (Low-impact Facilities) Determination 1997 and does not need a permit.

In my view, the local community should have the final say on whether mobile phone towers are installed. At the last election, Labor took a stricter mobile phone tower policy to the electorate. This policy was designed to strengthen the regulatory regime governing mobile phone towers. The focus of the policy was giving local communities a greater say on phone tower planning decisions and closing loopholes in the existing phone tower regulations. Under the policy, Labor committed to: empowering local councils to make planning decisions with respect to all facilities located in close proximity to schools, kindergartens or hospitals; tightening the definition of ‘high-impact facility’ to include the replacement of existing facilities used for other purposes; and requiring the Australian Communications Authority to provide expert advice on requests to local councils on whether or not a proposed facility is high impact.

Of course, we were not elected, and the Minister for Communications, Information Technology and the Arts, Senator Helen Coonan, has, unfortunately, ruled out any legislative change on this issue by the Howard government. By contrast, Labor’s shadow communications minister, Stephen Conroy, has stated that Labor will be reviewing its policy on mobile phone towers and improving it by seeking feedback from interested parties in the lead-up to the next federal election.

I want to congratulate those responsible for the community campaign. For example, they organised a rally on 15 July, which was very well attended—notwithstanding the miserable weather at the time. This is a situation where telecommunications carriers should not simply pat councils and local residents on the head and say, ‘We know best,’ in this area of safety. They need to do the hard yards of persuading local residents that these facilities are needed, warranted and justified. They will be required to do the hard yards if residents have an effective power of veto through their local councils—and this is the direction in which we need to move.

Homeownership

Mr KEENAN (Stirling) (9.33 am)—Most Australians, especially younger families, aspire to the great Australian dream of owning their own home. Owning a little piece of Australia
gives families security and stability to plan for the future. It is so important that we encourage this aspiration to homeownership, because the benefits that it creates are more than just economic. It also creates real social benefits and a real sense of community. Owning their own home gives people a stake in the area in which they live.

However, in my home state of Western Australia, and particularly in my electorate of Stirling, the WA Labor government’s policies have created serious barriers to housing development and have created a housing crisis that is making the dream of owning their own home a nightmare for many Western Australians. The issue is a lack of available land. Given the sheer size of Western Australia, this is particularly galling. What is often referred to as ‘urban consolidation’ is in reality a way of packing more people into existing services and thereby short-changing those who need the most help. The availability of land, the price to develop that land and the cost of transferring that land are absolutely critical to preserving every family’s dream. There is so much room for reform in Western Australia.

The WA Labor government have made no changes in policy, have not reduced barriers to development, have made no process reforms and, worst of all, have given no tax relief. Since taking office they have jacked up stamp duty to one of the highest levels in the country, and they have raised it three budgets in a row. This has resulted in a windfall of money for them and, when the stamp duty receipts are added to the increasing GST receipts, they are literally swimming in cash.

Yesterday’s announcement that the state government had finally decided to appoint a so-called land release coordinator comes as too little too late for thousands of Western Australians, and it comes only after the immense pressure that has been placed on the Labor government by my state Liberal colleagues, who have been vocal in protecting the homeownership dreams of Western Australians. I am very pleased to see that the Leader of the Opposition, Mr Paul Omodei, has now commissioned a task force to review the WA housing market. It will look at landownership and the right to develop; the planning system and processes; house building codes; approval requirements; the charging of developers; the taxation of land, including transfer fees; and assistance to first home buyers. This report will expose the WA Labor government’s failed housing policy and will hopefully push for policy change.

Thirty years ago, the average house price in Australia was approximately three times the level of median family income. Today, the average house price is nearly nine times that level. While the cost of housing construction has remained relatively static in real terms, it is the cost of land that has dramatically increased. I call on the WA state Labor government to do something about it by reducing outrageous transfer fees. (Time expired)

Gorton Electorate: Education

Mr BRENDAN O’CONNOR (Gorton) (9.36 am)—Last week, I had the good fortune of meeting with school captains and teams leaders from Copperfield College in my electorate. I also met with Tony Simpson, the principal of that college. That experience was indeed a rich one. The interest and concern that these year 7 to year 12 students showed and expressed to me about all manner of things—including the environment, our involvement in Iraq and local public transport—showed that, if you want to engage fully in civic life in this country, it does not matter what age you are and that you cannot start early enough.
While speaking about educational matters in my own electorate, I also wanted to make a particular reference to Stacey Nguyen, who was a recipient of an Australian Students Prize. Stacey completed her VCE in 2005, obtaining a score of 99.35. Stacey completed her primary school education at Taylors Lakes Primary School and her secondary education at Niddrie Secondary College. All five study scores were over 40. She obtained a study score of 50 for both literature and studio arts, placing her in the top five in the state. In April this year, she received two Premier’s VCE Awards for these subjects at the Melbourne convention centre.

Stacey was involved in many aspects of school life, including debating, participating in school musicals, learning three instruments and being a member of the senior band, contributing to the school yearbook and other publications, having her artwork exhibited at a local gallery and attending leadership forums. I should add that she also had time to be school captain. In June, she was awarded this prize, which was announced by the Minister for Science, Education and Training and which included a $2,000 award and a certificate normally presented by the federal member.

I had the great honour—along with my colleague the shadow minister for foreign affairs, Kevin Rudd, who happened to be visiting my electorate at the time—to present her with that award. I know she was very happy to attend the lunch we held on 19 August at the Taylors Lakes convention centre. She was accompanied by her brother, Michael, and her proud mother, Meni Malkos-Nguyen. I know they enjoyed themselves; they conveyed that to me on the day. I look forward to following her progress at the University of Melbourne, where she is now already a very successful student.

James Cook University

Mr LINDSAY (Herbert) (9.39 am)—James Cook University is in my home city of Townsville. The majority of the current councillors of the James Cook University Student Association were elected last year on a campaign platform of ‘Save Our Services’. That was based on an anti-VSU perspective. Their smear and scare campaigns, in true Labor/union style, unfortunately resulted in their election. But they have not done anything to save the services; just the complete reverse.

The ‘Save Our Services’ team, headed by president Karla Willis, vowed to fulfil the promise of their team name. Upon election this president and the majority of council have consistently shown a complete disregard and lack of understanding of corporate governance. Their approach to many extremely important issues has been completely unprofessional—none more so than their recent handling of leases within the university.

The association developed a business plan to restructure the association at a cost of tens of thousands of dollars of student fees. But unfortunately they produced two different versions of the business plan. One of the versions, showing reduced profit margins for the commercial sector, was provided to the university. That is outrageous. After email dialogues and meetings with the university, the council resolved at a special meeting on 15 August 2006 to cease trading and existence on 1 December 2006. This resolution is in direct contradiction to their campaign title ‘Save Our Services’. They should have called it ‘close our services down’. It is another example of Labor hypocrisy. I find it appalling that this student association did not exhaust the bargaining process with the university. This council has given up, and the ramifications for the students are very significant.
I have seen emails confirming that the ‘Save Our Services’ team were working with local state members Lindy Nelson-Carr and Mike Reynolds. The hypocrisy of that is that Lindy Nelson-Carr is on the council of James Cook University. So on the one hand Lindy Nelson-Carr is working to look after the university and on the other hand she is working to remove the student services that are currently provided. The outcome is most unsatisfactory for the tertiary students within my electorate. The team elected under the ‘Save Our Services’ umbrella has displayed a complete disregard for any form of corporate governance, any form of responsibility and standard business practice and behaviour. It is a dismissal of the opportunities created by voluntary student unionism, a misappropriation of student fees towards a business plan that was not even executed and shows absolute contempt for the students they were elected to represent. I want all of the tertiary students in Townsville and Thuringowa to know that this is how the current Labor aligned committee runs the university student association.

(Time expired)

Drugs: Bali

Mr MURPHY (Lowe) (9.42 am)—I was horrified this morning to read page 1 of the Sydney Morning Herald and the report titled ‘Death for four more Bali mules’. Inter alia, the report from Mark Forbes reads:

Four more of the Bali nine drug mules have been sentenced to death after Indonesia’s Supreme Court issued shock verdicts on their appeals for lighter jail sentences—meaning at least six of the Australian heroin smugglers now face execution.

… … …

The only hope for the convicted is an extraordinary appeal for a judicial review, which must be based on new evidence or significant error in law, or a pardon from the Indonesian President, Susilo Bambang Yudhoyono. Dr Yudhoyono has never pardoned a convicted drug trafficker and his office has indicated he will not.

This is chilling news for all of us. In relation to Matthew Norman, Scott Rush, Si Yi Chen and Tan Nguyen, I draw to the attention of the parliament what I said in this place on 23 May this year about Myuran Sukumaran and Andrew Chan, who are also on death row. I repeat the plight which now lies before these young Australians:

In Indonesia the death sentence is carried out by a firing squad of 10 to 12 men, all of whom simultaneously fire a shot at the victim’s heart. Only two members of the firing squad fire bullets, while the others discharge blank cartridges. It is not known to the marksmen which of them fired the bullets. This ensures that none of them has to live with the horror that they are responsible for such an inhumane act. This reveals the ultimate inhumanity of the act of capital punishment—that the person responsible for the extinguishing of a life be removed from the death that he or she has caused and all the normal emotions that would accompany such an act. Thus the wrongness of the act of capital punishment is revealed dramatically by its process. Execution by a firing squad is one of the most barbaric forms of killing. Rarely does the victim die quickly. It normally takes the victim three to five minutes to die, sometimes longer. Sometimes the victim does not lose consciousness during this time. Accuracy of the firing squad cannot be assumed, nor can an assumption be made that the death will be quick or free of enormous pain.

Should these young men be executed by a firing squad, they will be taken to a secluded forest. It will be at night, and there will be little warning. Their families and friends and legal representatives will not be notified and have no right to be present. They will not even have the dignity of an opportunity to say goodbye. Once at the place of execution, they will be blindfolded and, more than likely, restrained to a
tree. A mark will then be placed on their heart as a target for members of the firing squad. They will then be shot and their bodies released to their families for their tragic return to Australia. Capital punishment is fundamentally contrary to all that is human. I call on all members of this House to speak out and condemn capital punishment and do everything to spare the lives of these young Australians.

Mr Steve Irwin

Mr SLIPPER (Fisher) (9.45 am)—I rise in the Main Committee today to express my condolences in relation to the sad passing of Steve Irwin, whom I have known for many years. In particular, I would like to pass my best wishes on to his wife, Terri, and to his two children, Bindi and Bob, and to other members of his family.

I have known Steve ever since he employed maybe three or four people, and I have spoken to him over the years. He gave my son Nick work experience at the Australia Zoo. My most recent contact with Australia Zoo was when Terri Irwin took strong exception to some comments I made in relation to the culling of crocodiles and the possibility of bringing in big game hunters to pay a bounty on crocodiles that were to be culled anyway, with the $25,000 bounty to be spent on Indigenous Australians. My view was that, if the crocodiles were to be culled anyway, if they could be culled in a way that benefited Indigenous Australians, that would be a positive thing. Terri rang me to summon me down to Australia Zoo to dress me down, provide me with lunch and take me on a tour to show me what they had recently achieved. Sadly, Bob, their boy, was ill and Terri and I did not get to catch up, and we have not caught up since.

A few years ago I bought an acreage block at Buderim and a rather large carpet python came and consumed three of my ducks and then got caught in the wire. I did not know that Steve Irwin was as famous in America as he was, because he was not at that stage as famous here in Australia. That happened at about the end of 1997 or 1998. I rang Australia Zoo to get a bit of help and Steve Irwin turned up with his truck to take away the snake. He caught the snake very quickly. I was very impressed with how he did that. But he only took it a kilometre away, and the snake came back and got some more ducks, so I had to catch it myself the next time. I drove it off and released it 20 kilometres away in the electorate of Longman, very close to Australia Zoo—and, because of the way their reptiles were looked after, maybe the snake got inside.

Having said that, Steve Irwin was an Australian icon. He was someone who I have supported publicly, and someone who has been a victim of the tall poppy syndrome. He has been criticised on occasions quite wrongly. He was a passionate environmentalist. He spent huge amounts of money looking after our flora and fauna, and he never advertised the fact that he did so much. I think his loss is one of the greatest tragedies that we have experienced in recent times. I was very pleased that both the Prime Minister and the Leader of the Opposition yesterday, on indulgence, passed their condolences on to the family.

Superannuation

Mr PRICE (Chifley) (9.48 am)—I want to raise what I think is a serious issue in regard to superannuation. It involves a scam. I think all members of parliament admire those people who work very hard and honestly to earn a living. This particular scam involves train drivers and guards in New South Wales. A Mr Gus Marques, also known as Gus Hassan, has been
approaching guards and train drivers, saying that he is able to access their superannuation from First State Super.

A number of constituents have raised this matter with me. What he does is to approach First State Super, get the superannuation funds, charge a fee of five per cent and then assure those people on whose behalf he has acted that he will pay the 15 per cent tax involved in collecting that super. Of course, he does not do that. Two hundred people have been caught out in this way; yet, as I understand it today, Mr Marques is still living a life of luxury in Queensland.

One particular constituent who approached me—and I have had a number approach me—I am going to call Michael Mendoza. That is not his real name. He applied for his superannuation because his wife was suffering from cancer. In fact, he received the superannuation in November 2004 and tragically she passed away in July 2005. Here is the rub: he has a debt to the Australian Taxation Office of $25,706.80 because he believed that Mr Gus Marques was paying the taxation component to the tax office.

I say to the taxation commissioner that I do not understand how an individual can act on behalf of 200 superannuants and claim their superannuation. What standing did he have that allowed him to do this? Clearly he is not a registered agent or a tax accountant. Under our superannuation laws, is this a door that is wide open? Why is the Taxation Office failing to track down, to hunt down, this evil man, Mr Gus Marques? He is a crook, and when people legitimately believe they had paid that money he should be in the gun, not them. (Time expired)

Mr Steve Irwin

Petrie Electorate: Education

Ms GAMBARO (Petrie—Parliamentary Secretary (Foreign Affairs)) (9.51 am)—I would also like to add my condolences on the tragic and sad passing of Steve Irwin. My condolences go to his wife, Terri, and children, Bindi and Bob. Australia Zoo is only a short distance away from my electorate office. I remember the absolute delight recently of my nephews and nieces when they visited it. Steve Irwin brought vitality, colour and the great educational attributes of the animal kingdom to both adults and children alike around the world. He will be sadly and sorely missed. He is one of our great sons in Queensland and a great Australian icon. I would like to express my deepest condolences to all at Australia Zoo—it is a very sad time for them—and to all his family.

Today I also wish to speak about two very important developments in education in the Petrie electorate. I had the honour and the pleasure of opening the first stage of the refurbishments for the technical college on 3 August. Many thanks must go to chairman Les Bradshaw and his very capable and talented team of local businesses and education authorities. Recently, they were also awarded another $3.1 million for the extensions and capital works for the hospitality section.

This is a fantastic opportunity for the north of Brisbane. We have had skill shortages in a number of areas, particularly skilled tradespeople. If anyone has been trying to get home improvements done lately, they will have seen the amazing skill shortages particularly in that industry. There has also been a longstanding skills shortage in the hospitality industry. For as long as I can remember, going back 25 years, there have never been enough chefs and quali-
fied cooks in the hospitality industry, and the industry can never have enough of those people. With tourism growing the way it is in Australia at the moment, the demand for them will only increase.

The college has set itself a very ambitious projected target of 150 students, and enrolment is rapidly projected to grow to 350 by 2009. Some of the things that will be taught at the technical college will be building and construction, metal and engineering, automotive, electrotechnology, commercial cookery and hospitality. They will be able to get an Australian school based apprenticeship at certificate 3 level so that they will be well advanced towards completing their apprenticeship by the time they leave the college.

The Australian technical college will operate from two campuses. I want to congratulate all at Southern Cross for the wonderful and supportive work they have provided. It will also have a satellite campus at St James College at Fortitude Valley, and it is believed that the hospitality section will be largely based in Fortitude Valley. This is a very strong initiative. It came about as a collaborative work with Commerce Queensland and the Redcliffe City Council, and they need to be congratulated.

(A Time expired)

Australian Labor Party Family Watch Task Force

Cost of Living

Mr RIPOLL (Oxley) (9.54 am)—I want to put on the record the fine activities of the Australian Labor Party Family Watch Task Force. It has been travelling around the country, and we have been meeting and talking with people about the pressures that their families face on a daily basis. It should be of no surprise to members or senators that families are doing it tough, regardless of what the government says about a great economy. It is true that most people have a job—in fact, most of them have several jobs—but they are too busy to stop and breathe, and they have a number of significant issues that this government simply does not understand.

Mr Hunt interjecting—

Mr RIPOLL—Maybe members interjecting could have a bit of a think about this: families are now paying more for petrol than they have ever paid before. They are paying more in school fees, public or private, than they have ever paid before. They are paying more in health care costs than they have ever paid before. They are paying more in childcare fees—if they can get a place to start with—than they have ever paid before. They are paying more in grocery and household bills than they have ever paid before. This is all supposedly under the best possible economic circumstances that this country has ever had—at the very peak. If we are at the peak—and things are about to start to get worse—then you do not need to be Einstein or an economist to work out what will happen to these people already paying record bills for all of their utilities and day-to-day living.

Worst of all, they are paying the highest amounts in mortgage interest rate payments that they have ever paid in their lives—in Australian history, in fact. And those are increasing. We had good news today: the Reserve Bank of Australia did not raise interest rates. That is good news, but it will be of little comfort to people who are struggling to meet their current payments. They have been dunned by this government. They were dunned in the false sense that because of rising house prices—something that this government pushed higher and higher—they were much wealthier and therefore could borrow more money. That was the clear mes-
sage, just like the financial advice given by this government to ordinary mums and dads about buying Telstra shares in the T2 sale at $7.40. That was very good financial advice! I am sure all of those mums and dads who bought shares back then will have a different view of the T3 shares.

The reality about what this government have done in economic terms is that they are driving up inflation. They are driving up interest rates. They are putting pressure not only on the economy and on our foreign debt but also on ordinary mums and dads, who are finding that meeting the cost of living today and buying a house is almost out of reach. This government will have a legacy after 10 or 11 years in government, but it will be a sad legacy. They will be the first government in history to put a whole generation of young people out of even dreaming of owning a home at all. As I have moved around the country and have asked people, they have told me that they do not even consider it as a possibility, because this government have made it out of their reach—and the government should be ashamed. (Time expired)

Flinders Electorate: Seniors

**Mr HUNT** (Flinders—Parliamentary Secretary to the Minister for the Environment and Heritage) (9.58 am)—I want to speak, firstly, about the contribution of seniors in the electorate of Flinders and, secondly, about a particular initiative we are taking to host a free seniors forum on 6 October 2006, to which all seniors in the electorate of Flinders are invited. There are approximately 32,000 people over the age of 65 who live on the Mornington Peninsula and around Western Port in the electorate of Flinders. It is the oldest demographic in Victoria. Amongst the 37 seats, Flinders has the highest average age. Of those 32,000 people, 19,000 are age pensioners. Across that group, they have made an extraordinary contribution to Australia. Their service has been deep and it has been lifelong.

In recognition of that service, one of the things that I am doing—and I acknowledge the precedent set by Margaret May, the member for McPherson, and other members of this House—is hosting a free seniors forum and expo on 6 October 2006. It will be held from 9 am to 1.30 pm at Rosebud RSL, and I want to take this opportunity to invite all seniors within the electorate of Flinders to attend this forum. It will take two parts. It is to be both a discussion forum and an expo, or an exhibition.

In the discussion forum, we have a range of people who will be speaking. We have my state counterpart, Martin Dixon; Centrelink; the Clean Ocean Foundation; and Diabetes Australia. We have a focus on tourism for seniors. We have the Australian Federal Police, the Alzheimer’s association, Extended Families Australia, the Victoria Police, Arthritis Victoria and the RSPCA, talking about pets as therapy—extremely important for seniors. We have an estate planning section, we have Volunteering Australia and we also have Kevin Bailey from the Money Managers—he is quite a significant figure in Australia who deals with seniors and their estate planning. All of those things are there to help seniors plan and look for opportunities in their lives.

In addition to that, we have a permanent expo which will be on site throughout the day, with over 30 different services available to seniors—things as diverse as the peninsula diabetes support group, State Trustees, the Pharmacy Guild, Lions Club, Mornington Peninsula Shire and Centrelink. I invite everybody to come along. It is a recognition of the work of the seniors. They do a great job for our community. Lastly I want to thank my chief of staff.
Katrina Flannery, who has put endless hours into helping bring this all together. *(Time expired)*

**The DEPUTY SPEAKER** (Hon. IR Causley)—Order! In accordance with standing order 193 the time for members’ statements has concluded.

**PROTECTION OF THE SEA (HARMFUL ANTI-FOULING SYSTEMS) BILL 2006**

**Second Reading**

Debate resumed from 22 June, on motion by **Mr Truss**:

That this bill be now read a second time.

**Mr RIPOLL** (Oxley) (10.01 am)—I rise today to speak on the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006 and offer Labor’s support to the measures being proposed in this bill. I will not be speaking for long. This is a very straightforward bill. It is something that is eminently sensible and obviously needs to be done. It is a technical change and something that the Labor Party supports. The bill will implement the International Convention on the Control of Harmful Anti-fouling Systems on Ships, the AFS convention, to prohibit the use of harmful organotins in antifouling paints used on ships. It will also establish a mechanism to prevent the potential future use of other harmful substances in antifouling systems.

Amendments to the AFS convention will be implemented through amendments to the act. Under the terms of the AFS convention, a party to the convention is required to prohibit or restrict the use of harmful antifouling systems on ships flying its flag as well as ships not entitled to fly its flag that operate under its authority and all ships that enter a port, a shipyard or offshore terminal of the party. There are two main prohibitions in the AFS convention. Firstly, the application of harmful antifouling systems or compounds, HAFCs, to relevant ships is prohibited as of 1 January 2003. Secondly, from 1 January 2008 no relevant ship may have an HAFC on its hull or external surfaces, except if it is coated with a barrier that prevents the HAFC from leaching into the water. Floating or fixed platforms completed before 2003 which have not been dry-docked since are exempt from this last requirement. Article 4 of the AFS convention requires parties to take effective measures to ensure all relevant vessels comply with the convention.

Australia signed the AFS convention back in 2002, subject to ratification. The Australian Shipowners Association, Shipping Australia Ltd, the Association of Australian Ports and Marine Authorities, the Australian Paint Manufacturers Federation and environmental non-government organisations were all consulted in respect of the convention. Consultation with the states and territories was undertaken through premiers, and chief ministers’ departments and through the Australian Transport Council, the ATC. The ATC recommended ratification of the convention at its meeting on 8 November 2002. According to the national interest analysis, the Australian Shipowners Association, Shipping Australia Ltd, the Association of Australian Ports and Marine Authorities, the Australian Paint Manufacturers Federation and environmental non-government organisations were all consulted in respect of that convention as well. Consultation with the states was also undertaken.

When the Joint Standing Committee on Treaties, JSCOT, considered the AFS convention back in mid-2003, government officials anticipated that the present bill would be introduced later that year. This was presumably based on the expectation at the time that the convention
would come into force in 2004-05. As at 30 June this year, only 16 countries have actually ratified the convention, which represents only 17.3 per cent of the world’s merchant shipping by tonnage. As the AFS convention will commence only in 12 months time after ratification by 25 states—representing 25 per cent of the world’s merchant shipping tonnage—entry into force will be no earlier than the latter part of 2007. So it has taken quite some time for this to make its way through the political, bureaucratic and policy-making process into the Australian environment as well as into the rest of the world.

Australian domestic policy regarding harmful antifouling paints is important in terms of protecting our sea, our marine life and other matters associated with that. The use of HFACs, antifouling paints, on ships less than 25 metres in length has effectively been banned via state and territory legislation since the mid-1990s anyhow. In 2003 the Commonwealth phased out the use of tributyltin, TBT, paints in Australia—which is in reference to the HFACs. The use of environmentally harmful TBT based antifouling paint compounds on ships has largely been phased out with respect to Australian ships, which is a good thing.

When it comes into force, the AFS convention and the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006 will reinforce this position by effectively prohibiting almost all ships and floating platforms with such compounds from Australian ports, shipyards and offshore terminals. However, the AFS convention and the main provisions of this bill are unlikely to come into force until at least late 2007. But they will come into force, which is positive for Australian waters, marine life and the protection of our beautiful, pristine coastline. The Labor Party gives its support to the measures proposed in this bill.

Mrs MOYLAN (Pearce) (10.07 am)—I am very pleased to have the opportunity to participate in the debate on the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006. I support strongly the main thrust of this bill, which is to protect the marine environment via the implementation domestically of a significant international initiative—the International Convention on the Control of Harmful Anti-fouling Systems on Ships 2001, known as the AFS convention.

Protection of our environment must be paramount to ensure the survival of flora and fauna and endangered species for conservation reasons for future generations to enjoy and for recreational purposes. Our marine environment is no exception. Combining education and regulation can empower people to save and protect the delicate ecological systems from disaster. I am reminded of a saying by John Muir, which I will now quote: ‘When one tugs at a single thing in nature, he finds it attached to the rest of the world.’

I spoke recently in this chamber on another bill and talked about the current catch cry, which is climate change. I have to say that, while we are all talking about climate change—which is undoubtedly a very important subject and should engage every one of us—we are continuing to foul our waterways and our land. Many millions of people around the world rely on the sea as their main source of food. Many of course rely on fish and other marine life, including seaweed, as a staple diet. There are many reasons why we need to protect our seas, and this bill in part addresses some of the concerns.

I understand that, through the bill, Australia will introduce into our law the international convention. The various regulations that form the convention will be implemented through the bill. They are in addition to and more comprehensive than the current state and territory laws in this area. The 1998 Australia’s Oceans Policy also addressed these issues.
Implementation of the 2006 bill will mean, under the terms of the AFS convention, that a country which is part of the convention is required to prohibit or restrict the use of harmful antifouling systems on ships flying its flag or entering its ports. All Australian ships of 400 tonnes or more will be looked over before the ship is put into service. All ships of gross tonnage of 400 tonnes or more will be asked to carry an antifouling certificate, and ships of 24 metres or more but weighing less than 400 tonnes which are engaged in international voyages will have to carry a declaration of antifouling systems signed by the owner or by an authorised agent. Toxic compounds such as tributyltin, otherwise called TBT, and the application or reapplication of all organotin compounds that act as biocides in antifouling systems will be banned. In simple terms, this convention will prohibit the use of harmful antifouling paints which are prone to killing off delicate marine life and can also negatively affect and impact human health.

In order for ships to travel efficiently through the water, though, their hulls must be free of barnacles, algae and other marine growth. These things are always a matter of balance. In the past, though, this build-up of unwanted sea organisms was prevented through the use of antifouling paints which were applied to the ships’ hulls. Although they were deemed safe at the time, it was later discovered that these paints continued to exist in the water and were harmful to and even killed sea life. Further, people who consumed large quantities of seafood were at times being adversely affected. It is unacceptable that this toxicity would be a threat to the ecological environment and to human health, and of course it could lead to very negative economic factors. Here in Australia, although we have an abundance of different kinds of foods, fishing is a very important industry and one that we need to continue to protect. On the north coast of my electorate, we have a very significant industry exporting live crayfish overseas. To continue to have good catches we must make sure that the environment allows these creatures to thrive and, indeed, to survive.

So protection of our marine life is vital not only for reasons of conservation—just to make sure that the species continue—but also for the many people who rely on the sea for their food source, for the many in Australia who rely on the sea for their income production and for tourists who enjoy regular boating and outings such as fishing, scuba diving, snorkelling and swimming. Most of us in Australia at some stage participate in the variety of wonderful water sports that is available to us. Our tourism, particularly in Western Australia, is reliant on our natural beauty, the ruggedness of our natural landscapes and the wonderful oceans that surround us. One boat passing through water near our protected Ningaloo Reef at Exmouth or at Australia’s great pride the Great Barrier Reef could have detrimental effects on the natural beauty of those areas. In many cases, once the damage is done it cannot be reversed.

I support the fact that this sanction would apply not only to Australian ships but to any ships that choose to enter Australian waters and dock at our ports. Australian ships and their owners would have a national code to follow, making the rules strict but simple, and there is no doubt that everyone would benefit. The worldwide decision to ban harmful paints is based on scientific evidence, on factual evidence, and it has been investigated, I understand, by the government departments responsible and international organisations. Based on the evidence of these findings, Australia must adhere to this decision in order to keep up with the increasingly high international standards in this area. I am told that many other countries are going to follow Australia’s example and consider signing up to this convention, which is good news.
The electorate of Pearce, which I represent, is a large electorate, part of which runs along the Western Australian coast from Lancelin down to Mindarie Keys, and all along that coast there is significant marine life and significant marine and water based activities. Lancelin is a major centre for export crayfishing, and that industry is very profitable for people in my electorate. We need to make sure that we continue to protect those species.

Two or three years ago, I had occasion to move a motion in this House to protect the patagonian toothfish. On that occasion the risk was that it would be fished out by illegal fishing activities in the Southern Ocean, and I am pleased that the government and the minister took steps to address that matter. We would not want to see that industry threatened by the use of harmful paints and harmful antifouling methods.

As a nation, we always need to be mindful of our role in doing more to save and protect our environment, particularly our oceans, and to conserve energy and resources. Within the electorate of Pearce, down those coastal strips we have a number of volunteers who work to preserve the vegetation along the dunes—again, a very sensitive area. I am grateful to the many volunteers within the electorate of Pearce who take great interest and care in looking after the natural environment, whether it is the sea, the many rivers within the Pearce electorate or the land itself.

I am always pleased to see schoolchildren participating in these projects, and the government’s Green Corps program is well supported within the electorate of Pearce. In that program people are working to make sure that the care of our environment is something that is undertaken by all citizens. So it is very much a partnership between government and the communities. With measures like this, it takes government to lead, it requires government action and it requires us to bring forward legislation, so today I am very pleased to support wholeheartedly this measure involving conservation of our water and marine life, and trust that the importance of their conservation will be recognised as this bill passes through both houses.

Mr GEORGANAS (Hindmarsh) (10.18 am)—I rise to speak in support of the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006. I am pleased to be able to support this bill because it affects the electorate that I live in. The electorate of Hindmarsh is bordered by the Gulf of St Vincent, and many ships come and go on a regular basis from that gulf. In the last few years the gulf has been contaminated with everything from water run-off from the plains of Adelaide to pollution through shipping and many other areas. A lot of fishermen make their living from that gulf, through the beautiful seafood that we have in South Australia, but in the last few years we have seen the seagrass being eradicated through pollution; therefore the breeding grounds of the fish are producing fewer fish in the gulf and there are fewer fish for the fishermen to catch.

The purpose of the bill is the implementation of the International Convention on the Control of Harmful Anti-fouling Systems on Ships, to which Australia became a signatory some four years ago—in August 2002. Antifoulants are paints used to prevent marine organisms from attaching themselves to the surfaces of boats and aquaculture farming equipment. They contain various compounds, many of which are highly toxic. These compounds leach slowly from the paint and accumulate within living organisms. They have substantial adverse effects on organisms’ growth and reproduction and the overall population of marine organisms, and hence the health of marine environments.
TBT is a highly toxic chemical used in antifoulants. It accumulates in the food chain and can occur in concentrations up to 250,000 times higher than other areas surrounding the sediment or seawater. It can actually even force a sex change and infertility in female snails. The presence of TBT has been observed within Adelaide’s port river in the gulf, where 100 per cent of populations of the gastropod Lepsiella vinosa have shown severe reproductive abnormalities in recent years.

This has been of direct and substantial concern within South Australia—at least in certain sectors, as substantial fish stocks are sourced in the Gulf St Vincent that borders the Adelaide metropolitan area and, as I said earlier, borders the seat that I represent, the seat of Hindmarsh. Apart from large-scale shipping, human transport and industrial fishing, this stretch of water also contains many thousands of recreational fishing boats and other recreational vehicles. That TBT accumulates within the food chain would always have been of concern to residents who enjoy local seafood produce and those involved in the substantial industry exporting their product around the country and beyond.

Responsibility for TBT and its availability and use within Australia has been split between federal and state. The National Registration Authority for Agriculture and Veterinary Chemicals, a federal body subject to federal legislation, has had the responsibility for the supply of agricultural and veterinary chemicals and products, including TBT, up to the point of wholesale. The Australian Pesticides and Veterinary Medicines Authority adopted the practice of labelling TBT paint products in such a way as to exclude their use on small vessels—that is, those less than 25 metres long—unless otherwise permitted by the South Australian government. Many countries around the world reportedly implemented a ban on the application and the reapplication of TBT on small vessels as early as the early 1990s. State and territory governments have had all other responsibilities.

It has been the case that South Australia has allowed vessels to be painted with a TBT product through licensed boat yards and slips on the proviso that national criteria are observed limiting use to products that leach TBT into the marine environment at no greater rate than five micrograms per painted square centimetre per day. The South Australian Environmental Protection Agency has been party to a national TBT survey monitoring stored paints and the environs around vessel maintenance areas and slipways.

The International Convention on the Control of Harmful Anti-fouling Systems on Ships was, as I have previously stated, signed by Australia on 19 August 2002. The Australian government drafted a bill to implement the convention in 2003. The convention was expected to come into force internationally in 2005. Australian industry anticipated the convention’s implementation and ceased the manufacture of any new TBT based antifouling paints. A formal ban came into place when the APVMA banned the sale and application of the paints in Australia by cancelling the registration of antifouling paints containing organotin biocides on 31 March 2003 and ceasing supply of the existing product on 31 July 2003.

We now have a bill before us. I understand that the convention will not be in effect triggered and become operational until 12 months have elapsed after 25 countries representing 25 per cent or more of the world’s merchant shipping tonnage have ratified the convention. Australia’s actions over recent years and our reliance on other countries’ actions to invoke the convention may make this bill largely academic from South Australia’s point of view, given the surface area of so many local vessels’ outer hulls and their time in local waters compared
with that of overseas ships. Nevertheless, I fully support the removal of toxic pollutants from our national waters, whatever the toxin and whatever the source, and I hope the Australian government will encourage and support those within the international community working toward ratification of this convention—especially those countries upon whose ratification the convention most substantially depends.

The removal of toxic paints from use on or underneath port and seagoing vessels was one recommendation put forward by the 2000 Senate inquiry into the health of the Gulf St Vincent. It was not an insubstantial inquiry, receiving a myriad of submissions and making 15 recommendations, of which, as I said, at least the partial removal of TBT was one. But there is a greater threat to the Gulf St Vincent that has not been addressed to the same extent as that posed by TBT—a threat that the gulf has been suffering for many years and I feel will continue to suffer for many years to come—and that is the impact and continued threat of 174,000 megalitres annually of nutrient rich stormwater surging down from the Adelaide Hills and over the Adelaide Plains into the gulf, carrying all the pollutants that destroy the environment within the gulf on which so many of the creatures potentially affected by TBT rely.

The effect of TBT on the native fish stocks and the overall health of the gulf environment, including that of the Port River, is quite minor from many people’s perspective compared to changing the area’s water composition, underlying sea flora and, ultimately, the seabed itself. The prevention of run-off from the Adelaide Plains is probably the greatest environmental challenge facing the South Australian coast, the residents of Adelaide and our governments in this and the next decade. The ongoing construction of wetlands in Adelaide’s northern suburbs, both adjacent to the Parafield Airport and beyond, and associated aquifer storage, replenishment and initiatives—of which there are now about two dozen in the greater Adelaide area—have been encouraging for quite a few years, and ongoing research by the South Australian Department of Water, Land and Biodiversity Conservation should entice most sceptics to take a closer look at this as a substantial element of our future supply of water.

In areas other than the northern suburbs, there has been substantial energy applied to similar projects, such as within the Patawalonga Catchment at Morphettville—about which I have spoken here before. I support the initiatives within the northern suburbs—as I would in the southern suburbs—to source investment from wherever they can get it for these areas. In the northern Adelaide and Barossa catchment and the Onkaparinga catchment, aquifer storage capacities in place are expected to exceed the supply of available stormwater. A tremendous amount of highly positive work can be done in these two catchments to improve the health and the environment of the Gulf St Vincent in South Australia and to secure a substantial supply of water for industrial, horticultural and recreational use, and even for human consumption for many years to come.

I also support the use of the aquifer storage and replenishment schemes being pursued throughout the Adelaide Plains wherever there is stormwater available. There has been work over the last year or two that has investigated the possibility of using fractured rock aquifers in the Golden Grove Embayment—which covers part of the northern and eastern suburbs, through the area adjacent to Adelaide’s eastern parklands—and testing is under way. There is also substantial capacity within my own electorate of Hindmarsh, whether it be through utilising the first or second tertiary sediment aquifers.
We should be doing what we can to improve the quality of our ports and coastal waters. The removal of toxic TBT is a good measure which has broad support. We should also be looking at other areas. We are pursuing other measures; some have become well advanced. The strategy of minimising unnatural stormwater flow into the gulf is advancing steadily in terms of outcomes in some areas and continued research in others. This strategy will require additional investment from all players—local industry, local government, state government and federal government. For this investment, I am sure that the rewards will be—maybe now and certainly in the not too distant future—well worth the time, energy and opportunity costs they require. Labor certainly believes so.

Labor is not only much more concerned than the current government about the impact of development and expanding populations based on coastal strips but also more determined to make Australia as a nation more water savvy, more water wise and more water secure. At the same time, these measures would enhance the protection of the sea, especially in my electorate of Hindmarsh, as I said earlier, that borders the Gulf St Vincent. With the scientists working away in South Australia—and I hope around the country—and the prospect of a constructive government beyond the next election leading Australians towards responsible water resource and coastal protection initiatives, whatever the local geology, rainfall or local considerations may be, I am confident that we can compliment the intention of this bill and leave a better nation for our children and grandchildren. I am happy to support this bill.

Mr MARTIN FERGUSON (Batman) (10.29 am)—I welcome the opportunity to make a few remarks on the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006. In doing so, can I say that the opposition believe that this bill presents Australia—and appropriately so—with the opportunity to significantly improve our nation’s marine environment. It is about implementing domestically the outcome of international processes. In that context, the legislation reflects a very public statement about the importance of the United Nations processes. What we are effectively doing through the legislation that is before the House this morning is enabling us to put in place a unilateral regulatory regime which is not, in essence, an Australian initiative but one which reflects the success of the United Nations with respect to the establishment of conventions which try to make sure that across the world we are doing a better job of protecting the marine environment. I say that because the bill effectively bans the use of toxic compounds found in antifouling paints on ships. I also note in the background material that Australian paint manufacturers were consulted with respect to the legislation and the outcome of the United Nations processes.

Pursuing this legislation is exceptionally important to Australia, an island nation, because it is about trying to prevent the growth of algae, barnacles and other marine organisms, thus enabling a vessel to travel faster through the water. While this practice provides an economic gain, it also comes at a substantial economic cost. Australia should pay strict attention to these issues because of the importance of our commercial fishing industry. Also, one of the service sectors, the tourism industry, creates huge numbers of jobs domestically and also huge export earnings.

For that reason, over the last 20 years, with the full support of Australia, there has been continued scientific research. We have some very valuable scientific institutions in Australia. I refer not just to those in universities but also to CSIRO and ANSTO, which require and deserve government support. Those organisations create a capacity for us as a nation to partici-
pate in international processes which pursue scientific research. Such research has shown that antifouling paints pose a substantial risk of toxicity and other chronic impacts on marine species and habitats as well as the food chain as a whole.

Therefore, it must be understood that in some ways legislation is the end result of a lot of hard work, both domestically and internationally, which leads to our putting in place reasonable standards with respect to the operation of the shipping industry—in the context not just of our own coastal activities but of international activities. The effects of these paints have been reported on such ecologically and economically important marine organisms as oysters and molluscs.

As the shadow minister for tourism can I say that this matter is exceptionally important to the tourism industry. Just think about our coastal tourism opportunities and the need to make sure that antifouling paints, which are highly damaging, do not destroy our marine reef environment. That is one of the selling points not only in terms of domestic tourism but in terms of international tourism. Unfortunately, at the moment we have to make sure that we preserve our tourism opportunities because we are operating in a very tough global market. Recent indications suggest that the Australian tourism market is a little bit flat. We obviously have the difficulties of long haul and how we actually attract tourists to Australia. One of the biggest challenges coming out of Tourism Australia’s promotional advertising at the moment is not just attracting additional numbers but attracting the high-yield, wealthy tourists who are prepared to spend big dollars in some of the key tourist attractions around Australia.

That takes me to our world famous Great Barrier Reef. Interestingly, it was estimated in a report by the Queensland Tourism Industry Council two years ago that it contributed in excess of $5 billion to Queensland—and that is $5 billion out of an annual $11 billion annual Queensland tourism industry. So it can be seen why this legislation is important when almost half of the annual Queensland tourism dollars come from areas such as the Great Barrier Reef, which must be protected.

I also welcome the announcement by the government yesterday—and I note that the Minister for Transport and Regional Services is in attendance—with respect to improving our salvage capacity in Northern Australia. I think this also represents a statement of the success of our committee processes in the House of Representatives. Some years ago the transport committee had a reference on the issue of salvage in Australia. It was about trying to make sure, because of the high cost of maintaining these large salvage vessels, that there was government support to enable us to keep these vessels in operation around the Australian coast.

I acknowledge the implementation by the government of those recommendations as reflected in the minister’s statement to the House on this initiative during question time yesterday. It is about protecting our coast and it is also about protecting the Australian tourist dollar. When you consider these issues, we obviously as a nation have a lot of tourism assets. Therefore, it is imperative that we use legislation like this, which builds on international initiatives, to remove from use all antifouling paints. As far as I am concerned, that has to be an unquestionable objective.

It is not just an objective that we, Australia, as an island nation have to pursue. It is also a responsibility in our own backyard. We, with New Zealand, largely have responsibility for the Pacific region. We also have to make sure that similar legislation and standards are pursued in areas such as Papua New Guinea, the Solomon Islands and Fiji—just to name a few of those
nations which we have to assist, through Pacific forum activities, in implementing similar standards. I ask the minister for transport to pursue the capacity of his department to assist these island nations in the Pacific to achieve similar standards and regulation.

The issue of the marine industry has been identified as important. We have to make sure that we avoid worldwide and national pollution from toxic antifouling paints in the globe’s oceans by implementing a ban through international activity and cooperation. It is for that reason that we now have the International Convention on the Control of Harmful Anti-fouling Systems on Ships of October 2001. The convention can only commence 12 months after ratification by 25 states. That reminds me of the operation of the ILO in that, unfortunately, all too often nations, including Australia in more recent years, are a bit slow in ratifying ILO conventions.

I remind the minister that there is a very important ILO convention going to standards of seafarers on ships and to their conditions of employment and entitlements with respect to decent places of employment. It was approved by the ILO just over 12 months ago. The Australian government voted in support of that ILO convention, and I seek information from the minister and his response today as to where his consultation with state and territory governments is up to in respect of the implementation and ratification of that new ILO convention. The convention brought together a range of other seafarers’ conventions into a modern, forward-looking convention, approved by the ILO, as a result of decent tripartite work by workers, government and employer representatives. It is a statement of why nations such as Australia have to be active participants in United Nations activities.

The convention can only commence after ratification by 25 states. Unfortunately, as of 30 June 2006 only 16 countries have ratified the convention, representing 17.3 per cent of the world’s merchant shipping by tonnage. Perhaps we can do something in our own backyard with regard to assisting in the eventual ratification by getting some of the smaller Pacific islands to do something about implementing this legislation in their own parliamentary processes.

It should be noted that the use of environmentally harmful antifouling paint compounds on ships has largely been phased out with respect to Australian ships, and I congratulate industry on that achievement. The convention and the Protection of the Sea (Harmful Anti-fouling Systems) Bill 2006 will reinforce this initiative by effectively—and appropriately so—prohibiting almost all ships and floating platforms with such compounds from Australian ports, shipyards and offshore terminals.

The issue of platforms is important when you think about the importance of the oil and gas industry and the need for us to go offshore more than ever and do deep sea exploration, which is highly expensive. In pursuing this exploration and hopefully creating a sense of security with further downstream processing to create synthetic diesel through the conversion of gas to liquids, we also have to be aware of potential harmful effects of these paints on our coastal environment.

I also note that the bill implements an agreement with the Australian Transport Council, which is a body comprising state and territory and Commonwealth ministers, on emergency response arrangements that provide for the Australian Maritime Safety Authority to be a single national decision maker in intervening on incidents involving threats of significant pollution, covering all ship types and all waters. This is a welcome achievement. It is about a
greater sense of cooperation at state and territory level with the Australian government. There
must always be a coordinated national response so as to make sure that all available resources
are devoted to attending to these incidents, should they occur at some unfortunate point of
time in the future. This obviously will strengthen Australia’s capacity to respond to serious
pollution threats. It goes hand in glove with the government’s initiatives on the issue of sal-
vage because it is about also trying to minimise the impact of marine incidents, which is ob-
viously welcomed by the opposition. In fact, it is something we have campaigned for through
our parliamentary activities.

Yet what is concerning from the opposition’s point of view—and this is a very serious issue
because I think it is related not only to the potential problems of pollution of our seas but also
to terrorism—is that the Howard government has done nothing to abandon its anti-Australian
shipping policy framework, and this is a challenge to the government. The bill does not
strengthen in any way the safety standards of vessels of foreign nonparties that are transiting
Australian waters. We have raised this in the past and we will continue to raise it because it
says to us that the government has weaknesses in this fight to protect our environment and
there are potentially serious gaps in our important campaign to protect Australian borders in
the fight against terrorism.

Under the coalition—and I think the minister is aware of our view—the use of single and
continuous voyage permits has skyrocketed so that the risk to the Australian marine environ-
ment posed by poorly maintained, rusted vessels plying the Australian coastline is as bad as
ever. These vessels, known as flag of convenience vessels, fly the flags of other nations be-
cause it is cheap: there are low registration costs, low or no taxes—sometimes subsidised by
government—poor standards and cheap crews. On the issue of crewing, I am reminded again
that, as I have said earlier in this debate, we need to expeditiously ratify the new ILO conven-
tion setting out a user-friendly statement of the modern requirements of the seafaring work-
force—what any decent nation like Australia would expect not only for our own seafarers but
also for seafarers coming from overseas plying the Australian waters, more than ever not just
on international trade but also on our local coastal trade. We expect those standards for Aus-
tralian seafarers; we also expect them for international seafarers, more of whom are now actu-
ally being trained in our own Maritime College, in the seat of Bass in Launceston in Tasma-
nia. This is imperative. Even though, because of government policy, we now have to cop flag
of convenience processes, we have to put in place the convention to at least try to guarantee
decent working conditions for these workers from beyond Australian shores.

About one-fifth of the world’s 83,000 ships fly a flag of convenience, but this flag of con-
venience shipping represents more than half of worldwide ship losses. That is an interesting
statistic. On the basis of international statistics, these flag of convenience ships are clearly a
challenge to protecting our marine environment and to protecting Australia in the fight against
terrorism. The time has come to suggest to the Australian government that they have to raise
the white flag on their silly shipping policy in Australia. They have to stop the misuse of the
continuous and single voyage permit provisions of the Navigation Act and do something
about opening up the trade to Australian coastal vessels. Many of these vessels which are
from beyond Australian shores are held together by little more than rust and the ingenuity of
their underpaid crews, and I challenge the Minister for Transport and Regional Services to
suggest otherwise. The facts speak for themselves.
The pillaging of threatened fish stocks and global pirate fishing operations worth more than $1 billion were documented in a report sponsored by the Australian government, the International Transport Workers Federation and the WWF, the global conservation organisation. This report, entitled *The changing nature of high seas fishing: how flags of convenience provide cover for illegal, unreported and unregulated fishing*, identifies a link between illegal global fishing operations and nations offering cheap registration services or flags of convenience to fishing vessels. I urge the minister to have some regard for this report.

Interestingly, in addition to threatening the world’s fisheries by catch, the incidental capture of non-targeted species by pirate fishing operations is a serious threat to sea turtles, albatross, sharks and a range of other species, according to the report. As has been said by previous speakers, the overfishing of the world’s marine resources should be of concern to the government. It should also be of concern economically—for example, in our northern waters—because of the activities of a range of shipping operations from countries such as Indonesia.

The opposition support the bill. It is a sensible measure. I condemn the government for administering antishipping policies in Australia that favour foreign flag of convenience vessels and put Australian marine environments at unnecessary risk. As I said earlier, I request that the minister advise us as to where the ratification is up to with respect to the new ILO convention on the rights of seafarers which was supported by Australian government employers and unions in the ratification process of the ILO. I thank the committee for the opportunity to contribute to this debate.

Mr TRUSS (Wide Bay—Minister for Transport and Regional Services) (10.46 am)—in reply—Firstly, I thank honourable members who have made a contribution to this debate, and I recognise the bipartisan support for this legislation. Most members confined their remarks to the content of the bill. The honourable member for Batman strayed a little wider, but I know that a number of his colleagues have been raising issues about maritime security in a debate in the other chamber over recent times; so I suspect he did not get his chance—

Mr Martin Ferguson—I did it there too.

Mr TRUSS—You did it there too, did you? Then I would have hoped that you might have read my response, because I noted that you were not in the House yesterday when I outlined what we are doing to ensure that foreign flag vessels are appropriately checked and that appropriate security arrangements are in place.

I will not take the time of the committee to repeat what I said yesterday, but I invite honourable members who have concerns about that issue to read the *Hansard* record. However, the honourable member did raise a second issue, which I did not refer to yesterday, and that is the single voyage permits. The issue of single voyage permits is not something that was invented by this government; it has been around for a very long period of time.

Mr Martin Ferguson—Under strict conditions.

Mr TRUSS—And there are still strict conditions, I might say to the honourable member for Batman. In fact, those conditions give priority to an Australian vessel wherever it is available to perform the task in reasonable circumstances. So, in that regard, we will always give priority to a suitable Australian vessel if it is available to undertake the task, and that has, of course, caused a degree of controversy within the shipping industry. However, it would be a nonsense to seek to create additional jobs in the Australian shipping industry if it were at the
expense of additional jobs in Australian industries and factories. That is because the cost of
Australian shipping is often so high that it becomes attractive for an international company to
bring in goods from overseas on ships rather than to actually use the Australian product. That,
to me, does not make much sense.

*Mr Martin Ferguson interjecting—*

**Mr TRUSS**—When you are addressing the maritime unions you might be very keen to de-
defend the role of Australian shipping, but I wonder how on earth you can carry that argument
when you are saying to workers at mainland or land based factories that their jobs will be lost
because it is cheaper to bring the product in by ship on an international vessel. That does not
make sense. It is logical that we should seek to have a balanced policy in place that favours
Australian shipping but does not disadvantage our industry.

**The DEPUTY SPEAKER (Hon. DJC Kerr)**—Is the honourable member for Melbourne
Ports seeking to ask a question?

*Mr Danby—I am.*

**The DEPUTY SPEAKER**—Will the minister allow a question?

*Mr TRUSS—I will allow a question; I will not promise to answer it.*

**Mr Danby**—Can the minister comment on the fact that, as the member for Batman pointed
out yesterday, LNG ships coming into Japan, Korea et cetera must have very strict security
guidelines for the seamen that are on those ships, but that is not the case in Australian LNG
shipping?

**Mr TRUSS**—The reality is that we do have strict requirements in relation to security and
checking of the seamen on vessels coming to this country. I outlined in detail those require-
ments yesterday, and again I invite you to refer to those comments which identify the notice
required and also look forward to the new maritime visas that will be required in the next few
months, which demonstrate that not only do we have practices in place now but also we are
seeking to strengthen those practices to ensure there are no unacceptable risks associated with
the crews who are on board those vessels.

However, if I may return to the bill at hand—

**The DEPUTY SPEAKER**—Does the member for Batman seek to ask a question?

*Mr Martin Ferguson—Yes.*

**The DEPUTY SPEAKER**—Will the minister allow a question?

*Mr TRUSS—On the same terms and conditions as the last one.*

**Mr Martin Ferguson**—Given the minister’s answer to the question of the member for
Melbourne Ports, can he give an undertaking to this House today that, at the moment, all ships
berthing in Australia do supply their crew manifests prior to the berthing?

**Mr TRUSS**—There are requirements that information be provided over the period of time.
If that information is not provided, there are penalties associated with it. The government will
take appropriate action to enforce penalties where there are circumstances that the regulations
may not have been complied with. We are moving to further strengthen those arrangements in
the period ahead.

Turning to the bill—

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The DEPUTY SPEAKER—Does the member for Batman seek to ask a further question of the minister?

Mr Martin Ferguson—Yes.

The DEPUTY SPEAKER—Will the minister accept a question?

Mr TRUSS—Lucky last!

Mr Martin Ferguson—Given the minister’s response to my previous question and his inability to guarantee that all ships berthing have supplied the manifest of crew prior to berthing, can he advise the House what successful prosecutions have been pursued of shipping companies not meeting the necessary legislative requirements and what fines have been imposed on those shipping companies?

Mr TRUSS—Obviously I would have to take a question of that detail on notice, but I remind the member the regulations have been recently amended and changed. Because of the tightening of recent rules and the relatively recent action of that, it would not surprise me if there had not been any prosecutions yet because those rules have not had time to take effect. But I will certainly take the question on notice, and, if there is anything useful that I can convey to the honourable member for Batman, I will be happy to do so.

Returning to antifouling systems on ships: I am pleased to see there was a high level of unanimity. I agree with those members who spoke about the importance of this legislation and its capacity to help improve and maintain the pristine quality of our marine environment. Scientific studies have shown that some antifouling compounds used on ships pose a substantial threat to marine organisms and human health as a result of the consumption of seafood. The bill addresses those concerns and recognises the importance of protecting the marine environment and human health from the adverse effects of harmful antifouling compounds. The measures in the bill will protect Australia’s marine environment and human health from the pollution caused by organotin compounds used in antifouling paints through the application of current and advanced environmental standards.

It will also fulfil the government’s commitment in Australia’s Oceans Policy to ban the application of tributyltin, or TBT, to vessels being repainted in Australian docks and will support the International Maritime Organisation in promoting an international ban on the use of TBT in antifouling paint. Ratification by Australia of the IMO’s International Convention on the Control of Harmful Anti-fouling Systems on Ships is dependent upon the passage of this legislation. The bill has general support from industry and other stakeholders and demonstrates the government’s continuing efforts to enhance Australian marine pollution prevention regime.

Again, I thank those members who have contributed to the debate on this bill and recognise the support it has in the community and amongst members of parliament. I commend the legislation to the committee.

Mr Martin Ferguson—What about the ILO convention?

Mr TRUSS—That is outside my portfolio area, but I will get back to you on that too.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

MAIN COMMITTEE
Mr TRUSS (Wide Bay—Minister for Transport and Regional Services) (10.56 am)—I move:

That this bill be now read a second time.

The Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005 amends the Civil Aviation Act 1988 to put into effect an historic joint Australian and New Zealand commitment to mutually recognise each other’s aviation related safety certification.

The bill has been developed in close consultation with New Zealand. New Zealand’s corresponding legislation was introduced and passed by their parliament in March last year.

This bill and its associated regulations represent the first step in mutual recognition of aviation safety certificates between Australia and New Zealand. The bill permits the mutual recognition of air operators certificates for operation of aircraft of more than 30 seats or 15,000 kilograms, as issued by the Civil Aviation Safety Authority in Australia and the Civil Aviation Authority of New Zealand.

Extension of mutual recognition of certificates beyond AOCs will be effected through amendments to legislation. This follows the recommendation made by the Rural and Regional Affairs and Transport Legislation Committee in June 2004.

This provides for a safe and measured introduction of the initiative that can gradually be extended, as both countries consider appropriate. This also provides parliament with a level of transparency that is fitting to such an important initiative.

AOCs permit a person or organisation to conduct commercial activities and are issued only if the aviation safety regulator is satisfied about the matters specified in the legislation. On that basis, under the new mutual recognition arrangements, CASA will be able to approve an AOC for an Australian operator that will authorise operations in both Australia and New Zealand and will be accepted for use by New Zealand authorities. This particular AOC will be termed an Australian AOC with ANZA privileges, where ANZA means Australia and New Zealand Aviation.

The aviation authority that issues the AOC with ANZA privileges will be the one to regulate its use by the operator, whether its operations are in Australia or New Zealand. This means that Australian operators opting to hold an AOC with ANZA privileges issued by CASA will be subject to regulatory oversight by CASA even when operating in New Zealand, and vice versa.

It is important to note, however, that, although the operator will be overseen by the authority that issues the AOC, it will also be required to comply with the general laws and rules of the air applicable to operations in the country in which they are operating. For example, New Zealand operators conducting passenger services in Australia using an AOC with ANZA privileges issued by the Civil Aviation Authority of New Zealand will have to comply with Australian laws with respect to the environment, curfew, aviation security and the carrier’s liability.
The New Zealand legislation has a similar provision in relation to the ability of the Civil Aviation Authority of New Zealand to issue an AOC with ANZA privileges to New Zealand operators that wish to operate in Australia as well as New Zealand.

There are three important aspects of this proposal.

The first and most important is that there will be no effect on the safety of aircraft operations in either Australia or New Zealand.

The second is that mutual recognition is expected to reduce administrative costs of airlines, because they will no longer have to hold and comply with dual certification issued in both countries. This in turn will remove a barrier to airlines taking up commercial opportunities available under trans-Tasman air services arrangements.

The third is the fact that this initiative is a major step forward in the integration of the trans-Tasman aviation market and marks an historic development in the aviation relationship between Australia and New Zealand.

With regard to safety, consideration has been given to the issue of whether safety would be compromised by the adoption of mutual recognition. It has been concluded that it will not, because it has been recognised and accepted that Australia and New Zealand have aviation safety standards that are consistent with the International Civil Aviation Organisation standards for airline operations using large capacity aircraft.

It is also important to note that mutual recognition is not about harmonisation of Australian and New Zealand safety standards. Australia and New Zealand recognise that there are differences between our two systems, including particular standards, but these can be accepted, as it is the overall safety outcome achieved by each system that is being recognised.

Notwithstanding this, by way of added guarantee, further measures have been built into this bill to ensure that safety is maintained at current high levels. One example is a provision that ensures that the regulator most effectively able to monitor the activities of the operator will be the one to issue the AOC with ANZA privileges. In nearly all cases this will, of course, be the operator’s home regulator as determined by a number of set criteria.

Another provision allows a regulator to issue a temporary stop notice to an operator holding an AOC with ANZA privileges issued by the other regulator who is normally responsible for regulating the safety of its operations. Temporary stop notices would only be issued if the safety regulator considered there was a serious risk to flying safety. The provision builds in a strong safeguard that may never be needed but is nevertheless available to both regulators. The temporary stop notice will be in force for a maximum period of seven days, during which time the regulator that issued the AOC will consider what action should be taken in relation to the operator in question.

Strong communication and cooperation between CASA and the Civil Aviation Authority of New Zealand will underpin mutual recognition and are provided for by the provisions of this bill. Indeed, mutual recognition has only been possible because of the joint understanding and commitment of the two regulatory agencies to continued safe practice.

An advantage of mutual recognition is the fact that operators will be able to use both Australian and New Zealand registered aircraft, regardless of which authority provides their AOC with ANZA privileges, providing the aircraft is included on the certificate. This will allow airlines to cross-utilise their aircraft and will provide increased flexibility for their operation.
These efficiencies are likely to have flow-on savings to the wider community through the airlines concerned, either by reduced fares or through greater choice as a result of competition.

Mutual recognition arrangements will, however, remain optional. An operator will therefore have the flexibility to hold two separate AOCs if they wish.

This said, operators who do opt for an AOC with ANZA privileges from its home regulator will not be able to hold an AOC issued by the other. This is because it is important that all parties understand what AOC is in force and which regulator is ensuring compliance with it.

Mutual recognition is an undertaking by both governments that arose as a result of the Open Skies Air Services Agreement between Australia and New Zealand.

The Open Skies Agreement was itself an important step in the further development of closer economic relations with New Zealand, intended to promote competition and build upon the principles contained in the Australia-New Zealand single aviation market arrangements.

When the Open Skies Agreement was negotiated in November 2000, the overall value of the Australia-New Zealand single aviation market was estimated at $6.8 billion—NZ$8.7 billion. Mutual recognition will create opportunities for our airlines that will add further value to the relationship between our two countries.

It will help to ensure that the benefits of the integration of our two aviation markets continue, making it easier for Australian and New Zealand airlines to operate services in both countries, to integrate their fleets and achieve operating efficiencies.

Australia is committed to the implementation of this important initiative.

I commend the bill to the chamber.

Mr RIPOLL (Oxley) (11.05 am)—I rise to speak in the debate on the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005. Unlike the previous bill, the antifouling bill, the Labor Party does not support this one; we oppose it.

Mr TRUSS—That is so unwise.

Mr RIPOLL—No, it is not unwise. In fact, we oppose it for good reason. Labor’s position on this bill is very clear. We do oppose the measures being put forward and we believe that the introduction of a new aviation regulatory regime, in the absence of an assessment of the likely safety and economic outcomes, is not a sound approach to this area of critical public policy. The minister would be wise, I think, rather than criticising the Labor Party, to look at two critical issues: the issue of security and the issue of safety. Everything that is done in terms of civil aviation should be couched within that framework. That should be the basis and the starting point. That has not been the case in terms of this bill. The absence of that assessment which I referred to could have safety, economic and security outcomes. We certainly do not believe it is a sound approach for the government to be taking in this critical policy area.

Australians do expect and demand the most rigorous approach to aviation policy in terms of safety and security. That is very much a front-of-mind issue because of terrorism and activities around the world, and also because the government makes it a front-of-mind issue. That is okay with me, but if the government is going to do that then it must take the necessary steps and precautions, make assessments and make any changes to legislation in line with those proper assessments.

MAIN COMMITTEE
It seems that the Howard government does not do this. If it did, it would understand that the measures being proposed may have serious consequences for safety in our skies, and they may cost Australian jobs as well. As Labor’s shadow transport minister has said in the other place, Labor’s principal objection to this bill is that we believe it has the potential to undermine aviation safety standards in this country. This is not something that is done lightly. This is not something said lightly. This is something that is very important, and it should be something that the government looks at very carefully if it is serious about not just the rhetoric and facade of aviation security and safety but its practical implementation as well.

I will talk about this a little more in a moment, but I want to say right now that the government has a very poor track record on aviation security and safety. While it has talked about a lot of things since the events that occurred on 11 September 2001—and the anniversary of that tragic incident is only a few days away now—the government has done very little to act and has acted only very recently in addressing some of those concerns that were raised in late 2001 and early 2002 by members of the public as well as by members of parliament and other authorities.

This bill substantially replicates the provisions of the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003, which related to the mutual recognition of certain aviation related safety certifications. The proposed amendments will mean that the holder of an air operators certificate, an AOC, for operation of an aircraft of more than 30 seats or 15,000 kilograms, issued in New Zealand, will be able to conduct operations in Australia without having to obtain an equivalent AOC issued in Australia, and vice versa.

This in itself should be enough to highlight the obvious gap in safety measures and sound alarm bells within the office of the Minister for Transport and Regional Services that this legislation is deficient. I do not think that in an ever-increasing environment of safety and security concerns and terrorism we should relax the measures and barriers to a point where it just becomes easier and easier for pilots to be able to access different regimes.

The Howard government first attempted to legislate for mutual recognition of AOCs through the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003, which was introduced into the House in June 2003. As we now know, the introduction of this bill led to a Senate Rural and Regional Affairs and Transport Legislation Committee inquiry, and the committee’s final report was never responded to. I think it is a poor indictment of the minister and his office that that report was not either responded to or acted on.

The government has not responded to concerns raised in the course of the previous committee inquiry, with the exception of its decision to omit provisions providing for the extension of mutual recognition by regulation. Outstanding concerns related to this bill are many. They include such things as the absence of a comparative assessment of safety systems operating in Australia and New Zealand. I think making that assessment as to what can be transferred across and what cannot be would be an important starting point—what has a matching principle in Australia and New Zealand. I do not think it is acceptable that this bill does not do that and that the government has not looked at this. I assess that if the travelling public were to understand it they would have concerns. They would say, ‘Hang on, if we’ve got those rules here in Australia then why isn’t a proper assessment made between the Australian stan-
It seems obvious to me that this is an area that the government could move into to ensure that there is compliance between the two regimes.

The other area of concern, of course, is direct safety related to lower cabin crew ratios in New Zealand, which in fact is one cabin crew member per 50 seats compared to Australia's one cabin crew member per 36 seats or passengers. Again, if Australia has a standard whereby it is determined that the proper safety cabin crew ratio ought to be one to 36 then it ought to be one to 36 as a standard. It should not be relegated to the lowest common denominator—that being the ratio used in New Zealand of one to 50.

Another area of concern is direct safety related to the prohibition of sky marshals on aircraft operating under a New Zealand AOC. This one is obviously something the government should look at. What I suspect will happen—and I have a couple more concerns—is that the government, after using its strength in numbers in both houses, will pass this legislation and then be forced to come back to the table and the parliament with further amendments and changes to make amends for the things that it has not done properly in the first instance, which is always a disappointment, given the length of time that the government takes to act on safety and security concerns in the civil aviation area, unlike the speed with which it acts in pushing through legislation in other areas.

Another area which concerns the ALP is the absence of a regulatory analysis of the two systems. Without question the government needs to look at the two regulatory environments. Just like a comparative assessment of safety systems, I think it is imperative that we look at where there may be some overlap, omissions or contradictions within the regulatory environments between the Australian and New Zealand systems. We are also concerned at the absence of a cost-benefit analysis, including the impact on the economy from a shift of airline operators, including through subsidiary operations from Australia to New Zealand. Our aviation industry is under a lot of pressure, as is our economy. It would be prudent for the government and for the department involved to do a cost-benefit analysis looking at the impact this will have on industry and the economy and then to report back to the parliament as to what that assessment is.

Understanding the history of the Howard government’s approach to aviation security reveals why there are so many deficiencies in this bill. This is not a reference to this bill, but there is this desire to rush bills through at the end when they have already been sitting on the table for years not being acted on. They may have had committee reports and inquiries where extensive efforts and work have been done by members and senators, only to be ignored. Years can go by and then there are these rushed bills which get rammed through this parliament in a less than sound manner without proper scrutiny or proper analysis.

We should also have a very close look at the issue of security at regional airports. I could not speak on a bill such as this without making a big issue of regional airport security. It is one of the greater concerns that I have in all of our airports in Australia. There are some 66,707 regional flights a year which go unchecked at regional airports right around the country. That is a lot of flights. That is a lot of air time, a lot of passengers, a lot of aircraft, a lot of different pilots and a lot of air movements.

In the five years—almost to the day, as I said—since the tragic incidents of September 11, 2001, the Howard government has refused to take airport security seriously. While we see in some cases even over-the-top security at Sydney, Brisbane or other major capital city airports,
we hear very little about what is going on at regional airports. There has been a lot of talk from the government about airport security, but we have seen very little action. We have seen fridge magnets and PR campaigns but we have not seen the sort of action on the ground that the flying public deserve.

The Howard government’s failure to implement the expert recommendations of the Wheeler report in regional airports is leaving more than 3.9 million passengers a year at serious risk. The Minister for Transport and Regional Services has admitted that no baggage screening—that is right, none whatsoever—was done at major regional airports such as Launceston, Townsville, Maroochydore and Alice Springs. It poses the question, certainly in my mind: is it the view of the minister that these airports are somehow less valued or less worthy or that the passengers who fly from these regional airports are less valued or less worthy than passengers from major airports around the country?

An even more serious question for the minister would be a very simple one about those who want to do harm to us. As security tightens up at our major airports, wouldn’t it be normal to make an assessment that people who want to do harm to us, people such as terrorists, will look at easy targets, easy pickings? You cannot find any easier than our regional airports. That is the unfortunate outcome of this. As we tighten up security ever more at Brisbane, Sydney and Melbourne airports, we are finding our regional airports have got huge gaping vacuums of security, where people can literally walk in with anything they like. Their baggage is not checked at all.

If an aircraft takes off from Sydney and flies over Sydney, we know that the aircraft is clean, that it has been fully screened and checked, but an aircraft coming from a regional airport and flying into Sydney airport has not been screened. It is flying over the same city and could have some device or dangerous person on board. It could be the subject of a hijacking. The possibilities are there. If we are serious about airport and aviation safety and security then without doubt all of our airports must be included and not just our capital city airports.

Last year tens of thousands of passengers travelled from 11 regional airports around the country directly into Sydney with unscreened bags. This is not good enough. If planes are taking off from Sydney and they are fully screened because we believe that is the right thing to do for security—for the passengers on board, for the people on the ground, for safe skies—then surely a plane coming from a regional airport and landing in Sydney must have the same rules applied to it. It does not make sense that the government would have one rule for a major city airport and not apply it for a regional one.

I would be very happy to hear a full explanation from the minister—and I know he will be reading this—as to why he values the life of passengers on aircraft travelling from Sydney airport more than he does the life of passengers travelling to Sydney, because their bags are not screened. In fact, the people on board would not have any screening either. When Sir John Wheeler reviewed Australian airport security last year, he said:

Regional and smaller airports demand more attention.

They demand more attention because they are not getting any. There is no investment in their security from this government. I suspect—only a little bit, but I suspect—it is because they are not front of mind; they are back of mind. They are hidden away in regional Australia.
They are almost insignificant. This is what the government must be thinking to itself. This is not part of its PR campaign to keep winning elections and keep people frightened.

Government members might not like to this, but I cannot find any other plausible reasons why the government would travel down this path. If these regional airports were somehow front of mind, in the media, right up there and were the very public face of this government’s electoral concerns, I think we would see a different scenario. If the government is serious about security—and it claims to be the great protector and all of these things—then why is it not doing something about regional security? The questions must be asked.

Government members must ask themselves the question: if somebody were going to do harm to an aircraft, to passengers on an aircraft or to a building—to do something with an aircraft—why would they choose to do it out of Sydney airport? Why would they not just choose to do it out of a regional airport? They could still target Sydney but do it on the way into Sydney, not on the way out of Sydney. It seems pretty obvious to me. I am not a security expert but I am sure security experts have looked at this, and they would be very concerned. I am sure that just as security experts would have looked at this, so would people who mean to do us harm.

The figures are evidence that the Prime Minister is misleading people in this arena when he claims that his government is doing everything it can to protect the travelling public. The figures do not bear that out; it is just not the truth. The truth is that we have security at major airports but we do not have security or screening at regional airports. At a whole range of major regional airports there is no baggage screening at all. I have personally travelled through regional airports—and I am sure other members of this House have—and I was frightened because I was not checked at all. It left me with an absolutely uneasy feeling that I managed to get on an aircraft with all of my hand luggage—no in-aircraft baggage, just hand luggage—without being screened, checked, asked a question or anything at all.

I checked in, I got on the aircraft and I could not help but think that in this current environment of terrorism and all those things that frighten all of us that that aircraft was heading into Sydney. If somebody had wanted to do harm on that aircraft, to the people on board, or to make a statement to people living in Sydney or to Sydney airport or whatever—a multitude of things could happen—then that would have been the perfect avenue to do it. I did not feel comfortable on that aircraft because of the potential that somebody else on that aircraft could have been carrying something that should not have been on there.

So when the Prime Minister talks about these issues, I think he has very little credibility. And when the minister talks about these issues, I think he has no credibility. If this government is serious about protecting the travelling public then it ought to get serious in practice rather than just in rhetoric. Millions of Australian citizens are moving around our country in aircraft that are carrying unscreened baggage. I think I have made this point clear, but I cannot stress it enough to the government. It is an extremely dangerous mistake for the government to make in the current climate, and one that a Labor government would immediately rectify. That is part of our policy and part of something that we believe should be at the forefront.

It may not be so attractive and it may not have all the bells and whistles and the PR campaigns that the Prime Minister might so desire in an election. Nonetheless, it is important if we are to be serious about national security. This shows that the Prime Minister cannot look Australians in the eye and tell them he is doing everything he can to protect them from terror-
ism. He is only doing some things he can to protect us from terrorism—those things which are the most electorally attractive.

Whenever I speak about this in public arenas or if I am ever asked about this, I say, ‘You do not have to go very far beyond just a fridge magnet to show you that it is all about PR and glossy pamphlets.’ With the fridge magnet and all the rest, you can throw good money after bad. I am sure the fridge magnets are still around on some fridges holding up kids’ school results. They have come to great use. I think that is what they do in my house. I cannot see them being of too much other use.

Mr Georgiou—You still have one?

Mr RIPOLL—Actually, I am not sure that I have. I think it was a very poor quality one and it fell off the fridge. What the ALP want to see, though, rather than fridge magnets and fancy campaigns—which, in the end, is all it boils down to—is baggage on domestic and international flights screened at every Australian airport. I think that it is sensible and would be a better use of taxpayers’ money. I would like to see government members disagree with that, just to see what their personal views are.

The ALP also wants every staff member at every Australian airport to have an ASIC with adequate background security checks—proper security checks. These are very important passes, and we need to make sure that everyone who has one of these passes is a person of the right character, a person who ought to have one of these, a person who is allowed to work in security sensitive areas. From time to time, there will be breaches and I am sure there will be mistakes, but it is important that the government does everything it can through legislation and through its will, through the minister and the department, to make these things happen—to actually use its strength in terms of ensuring that these security checks are done and that only the right people of the right character have an ASIC.

Australia also needs a full-time Inspector of Transport Security. You cannot be serious about transport security if you have somebody who is a casual. It is like a lot of things in life—if the government wants to be serious, then it will pay, and pay for properly, for the right person to work full time to look after transport security. You cannot get somebody for whom it is their third or fourth job and they are doing it to fill in time, they have got more important, pressing things to do with other businesses or they are front-of-mind focused on things other than transport security. If we employ the right person, we may not have some of the problems that we currently have.

Tasks like regional airport security need to get full attention from the government and full attention from a full-time Inspector of Transport Security. Again, I do not know why I even need to explain this to the government. If you are serious about transport security, you need a serious full-time inspector. Somebody who is working part time or has other things to do or someone who may or may not get to work, depending on what is required, is not what I see as a commitment from the government on security issues. A Labor government’s department of homeland security would have the capacity to coordinate Australia’s security arrangements, including security at our regional airports—an important part of our national security. Regional airports are just as critical as our major airports.

In parliament recently, the Minister for Transport and Regional Services compared aviation security identification cards, ASICs, with Parliament House staff passes. I will not spend a lot
of time on this except to say how ridiculous and how demeaning to himself it was that he would even compare the two. This is not a ‘get out of jail free’ card or some sort of joke. An ASIC is a very important aviation security pass checked by the Federal Police. It has a heap of high-level security checks. This is not something you can compare to thousands of Parliament House staff passes. The two are just not in the same ballpark. But I suppose for the minister it was something to try to get out of hot water on the day.

In the last sitting fortnight, the minister defended the one-day-a-week status of the Inspector of Transport Security and then compared 384 lost or stolen ASICs with misplaced Parliament House passes. Again, the minister was really digging deep, scratching at the bottom, to try and find any excuse to save his own bacon. Three hundred and eighty-four stolen or lost ASICs is a very serious issue and one that deserves the full attention of not only an Inspector of Transport Security but also the minister. I do not think I would be overly concerned about somebody losing their staff pass to get into this place, especially given that we have heard recently that we have a senator running around this place with a bone-handled knife he likes to keep in his wallet just in case he needs to use it on someone. I think a much important issue would be the types of people who have been issued with ASICs.

In contrast to aviation security card holders, holders of Parliament House identity cards do not undergo criminal history checks or detailed background checks conducted by the Federal Police or ASIO. In the end, I suppose all staff come under the auspice and the protection of the people who employ them here. We all take responsibility for the people we employ and we ensure that they are of good character. We all ensure that we have done our own checks and we know the types of people we employ, and in the end we would be responsible for their actions.

A lost ASIC pass is extremely dangerous in the hands of a terrorist or an organised criminal syndicate. We have heard over recent years many instances of organised criminality at our airports. Labor has called for a full Senate inquiry into the Civil Aviation and Safety Authority, CASA, and is motivated by the release of the second interim report into the May 2005 Lockhart River crash, which resulted in the death of all 15 people on board. The circumstances surrounding the tragic incident are under continuing investigation, but it is clear that there is a serious concern over CASA’s ability to ensure the safety of the Australian public, particularly with regard to the agency’s regulatory oversight. There needs to be a Senate inquiry to ensure that this is done properly.

In conclusion, I just want to make a couple of points. The Howard government’s approach to aviation policy replicates its approach to industrial relations, and it is not a good comparison. It is a race to the bottom with the consequence that the security and safety of the industry and ultimately the travelling public is being jeopardised. Consider the decision by Jetstar recently that flight attendants will be forced to supplement their salaries by selling sandwiches, pillows, drinks and other items on a commission basis to passengers. This is simply not good enough for either safety on aircraft or the way that people receive remuneration for the work they do. Labor has made the point that this is short-sighted and does not bode well for passengers or employment conditions in the aviation industry. Well-trained and dedicated flight crew are essential to the safety and comfort of all passengers.

Australian passengers want to see a safe, healthy, vibrant aviation industry. I think Australians actually like to fly around. We live in a really big country. The tyranny of distance—
much spoken about in Australian folklore—is real, and that is why we fly so much. We love to fly—mostly up and down the east coast, but occasionally across to the west coast as well—but we expect good quality, high standards. We expect safe aircraft and good, well-trained aircraft personnel and crew, people who know what to do in case there is an emergency on board, people who have been given the right training and instruction, people who can speak English properly, people who understand safety instructions, people who know how to read the safety cards.

All of those are little things which go unsaid, but when you hop on board there is an expectation that the person giving you the instructions knows what they are doing because they have been properly trained. Time and money have been spent on that person to ensure they are looking after your best interests, looking after your safety, and that they know what to do if a red light comes on in the aircraft—not just the pilots but also the crew. It is a whole team. When I sit on an aircraft I still feel confident that the crew and the pilots are of the highest standard in the world, that they have been paid properly and that they are focused on their jobs. I do not want them to be focused on trying to sell me an extra can of soft drink or something like that when they should be doing something else; I want to feel secure into the future that those standards are still met and that the focus of aircrew is about safety first and comfort second, and ensuring that we all make it from point A to point B in the best possible condition.

That should also be the way that this government approaches the airline industry. That should be the front-of-mind issue for them. But I am concerned that not only in this legislation but also in recent years there has been a shift away, and now we are seeing some more shifting away from those most important issues to other issues. That will diminish the security and safety of our industry in Australia.

As I said at the outset, Labor opposes this bill and we cannot understand why the government continues to ignore our concerns and those of the public when it comes to maintaining our enviable record in the aviation industry. It is a record envied by the rest of the world, and it has not happened by accident. Our good safety and security records have come about through a lot of hard work from a lot of people in the industry who deserve a lot of commendation—the airlines themselves, the airports and everybody involved doing a really good job, but based around some sound legislation and principles, codes of ethics and regulation.

This government should be very careful about watering that down or diminishing that area. So Labor does oppose this bill. The principal aim of aviation policy is to deliver safe and secure air travel for the public. Unfortunately, this bill ignores those basic principles and the government should simply go back to the drawing board, do a proper job and come back to the House with a bill that does what it is meant to do.

The DEPUTY SPEAKER (Hon. DJC Kerr)—During the member for Oxley’s remarks, the member for Oxley made a comment regarding a senator—that the senator was carrying a bone-handled knife just in case he wanted to use it on somebody. No objection was raised by the government—

Mr RIPOLL—I will withdraw that comment. It did not quite come out the way I wanted it to come out.

The DEPUTY SPEAKER—Thank you very much, Member for Oxley.
Mr FAWCETT (Wakefield) (11.34 am)—I also rise to address the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005. I note with interest that the member for Oxley said that the Australian Labor Party will be opposing this bill but then proceeded to spend the vast majority of his time talking about other issues not at all associated with this bill. The comments he made about why the bill should not be supported were not well developed and not based on fact. I look forward to addressing some of those comments as I speak.

This bill is looking to achieve a number of outcomes to do with reducing red tape and making it easier for airlines to operate safely, effectively and efficiently in both Australia and New Zealand. I will quickly run through the outcomes before giving a little history of the bill and particularly addressing some of the issues that have been raised as areas of concern.

One outcome of this legislation will be to see operators based in either Australia or New Zealand—who, currently, if they wish to operate in both countries, are required to have two air operator certificates—being able to operate on the basis of their home approving authority’s certificate, whether that be CASA or CAA New Zealand. That home regulator will be determined as who is best placed to have safety oversight of the operations. There will also be powers for the host regulator to, essentially, issue a red card or a temporary stop notice if they believe that aspects of an operation are unsafe. So there is a check and balance there already in terms of outcomes.

There are also obligations on CASA to consult with New Zealand, and a reciprocal obligation, before developing new parts of regulations that would affect the ANZA activities and the ability for the disclosure of information for any purposes associated with the mutual recognition. That is an important step. Importantly, also as part of this process there has been a deal of consultation to check that the outcomes of this legislation will not adversely affect operators.

In June 2003 this bill was introduced into parliament for the purpose of mutual recognition. The principle underlying this—the recognition of aviation related safety certification—is the same principle that was behind the Trans-Tasman Mutual Recognition Act 1997 and the Mutual Recognition Act 1992. One of the important things to recognise here is that we are talking about mutual recognition and not harmonisation. In the aviation world, there have been a number of attempts within Europe, between Europe and the United States and between the United States and other parts of the world to achieve harmonisation in certain areas. Harmonisation is where various parties come together and agree that they will have exactly the same requirements and regulations for each of their aviation operations.

Mutual recognition, however, recognises that the actual wording or, indeed, sometimes the process or some requirements in isolation may differ between authorities but the outcomes, particularly with respect to safety, are comparable. So it is really looking at a whole-of-system approach to the outcomes achieved by a given set of regulations. Mutual recognition is really about having a look at how we can achieve an understanding of each other’s systems and asking: are we happy that the outcomes are equivalent in terms of safety; and, obviously, from a cost-benefit perspective will they deliver a benefit to operators and to the travelling public? This process is taking forward the principle of the single aviation market, which was established in 1996 and in some ways even goes back to building on some of the air services agreements which date back to the 1960s.
In terms of standards, the member for Oxley’s comment that tried to underpin why the ALP were opposing this bill was that he was concerned, on the basis of safety, that there had not been a review and a comparison of the regulations. One of the things he overlooks is that both CASA and the CAA New Zealand operate and have done for many years in accordance with ICAO and their requirements for air operations, particularly international air operations. ICAO not only set out standards and guidelines but, importantly, they also do safety oversight audits. The last two audits of Australia and New Zealand were undertaken in August 1999, with follow-ups in September 2001.

What has been done as part of this process, given that both countries already operate within the general framework laid out by ICAO, is to try to drill down and find out where there are differences between the rules of the air and the rules of operation. A detailed review has in fact been conducted where there is an interaction between these two areas. That detailed review looked at where the equipment facilities were required to operate in each piece of air space—things like ground proximity warning systems et cetera were reviewed. The review covered Australian rules, making sure there was going to be no conflict by the application of Australian rules within New Zealand air space. It also reviewed the past experience of the interaction between the two regulatory authorities to make sure that a mutual recognition agreement would be workable in both establishment and ongoing support. Following the review, it was found that only minor adjustments to respective rule sets were required. There was acknowledgement on the part of CA New Zealand of some mandatory equipment, which in fact ICAO had due in 2004. The two sets of regulations, whilst differing in detail, would then both be compliant with ICAO and bring out comparable safety outcomes for the operation of large capacity airline aircraft.

One of the concerns raised by the member for Oxley was that of safety. He made a number of comments about trusting this other set of regulations to deliver a safe operation. I believe it is worth having a look at the fact that not only ICAO audit countries around the world but also the FAA, in particular, do their own assessment on a country’s ability. So they are not looking at the individual airline but looking at a country’s ability to adhere to international standards and recommended practices for aircraft operations and maintenance. They give New Zealand exactly the same rating as they do here in Australia.

A number of other bodies around the world accept New Zealand’s input in the same manner as they accept the input from countries in the European Union, including the United Kingdom, and from Australia. The European Confidential Aviation Safety Reporting System, for example, is based in Europe, and it is looking particularly at the human factor issues of aviation operations, liaising with both the regulator and airlines—and they cite New Zealand as one of its collaborative partners.

The Royal Aeronautical Society, which are well renowned around the world for their expertise on aviation systems and aviation safety, wrote in June of this year of their support for the civil aviation safety system which exists in New Zealand. They highlight in some of their letters of support the fact that the US Federal Aviation Administration have demonstrated their confidence in the New Zealand system by accepting New Zealand design and certified repair schemes on part 25 aircraft, which is a transport category. As well, they accept New Zealand’s supplemental type certificates for transport aircraft. That is significant because only two other countries in the world—Canada and Germany—have currently been recognised in this way by
the FAA, according to the Royal Aeronautical Society. That demonstrates that a third party who is renowned around the world for having a high level of expertise in the regulation and certification of aircraft operations recognises the New Zealand authorities.

We can also look at some of the things the New Zealand authorities do and compare them with our own. For example, their Transport Accident Investigation Commission is structured and operates in a broadly similar manner to our own ATSB. It is interesting going through some of its reports to identify that it has a very similar approach to its level of reporting and its kind of follow-up to aviation incidents that may occur. It is also worth noting that within the ICAO structure, in the management of aviation safety, New Zealand has been recognised as one of the first countries to implement a safety regulatory approach based on effective safety management.

So there are a number of endorsements of their system which give the lie to the claim that the New Zealand system is somehow inferior to ours and that the public has any cause to be fearful. The other thing that I think is worth mentioning is that we like to look at our own aviation industry and to say that our safety record has come about because of the people and the quality of training et cetera. I believe it is really important that a number of these people who facilitate the ongoing development of Australia’s safety record have very strong links with New Zealand.

The Aviation Safety Forum, something which operates here in Australia, has members like Mr John Bartlett, who is currently head of the safety systems of Virgin Blue. For three years he was general manager of airlines for the New Zealand Civil Aviation Authority. Prior to that he worked for some 15 years with Ansett New Zealand, including in the role of flight operations manager. Mr Owen Batchelor is also on the Aviation Safety Forum. He was general manager of Pearl Aviation. Incidentally, I have flown their aircraft under their AOC and have a high regard for their attention to detail and their safety processes. He had 25 years with the New Zealand Civil Aviation Authority. At one stage he was in fact the acting director at civil aviation.

Mr Rob Graham, retired director of safety investigation at the ATSB, came from the Civil Aviation Authority of New Zealand, where he was the general manager of aviation services. Mr Ken Keech, who is the Chief Executive Officer of the Australian Airports Association, previously worked for both Ansett and Air New Zealand. Mr James Kimpton, one time deputy chairman of the CASA board, received the OAM for services to aviation, including editing briefs for the law associations of both Australia and New Zealand. So you can see that there is a broad range of areas where we can point to the fact that the New Zealand system of regulation is in every way comparable to the Australian system in terms of the outcomes with aviation safety.

The other issue that has been raised both during the inquiry and by the member for Oxley is looking at a potential safety issue of cabin crew to passenger ratio. The two countries do have different ratios. The base ratio they talk about is one to 36 under the CASA system, which is specified in Civil Aviation Order 20.16.3.6.1(b), versus the New Zealand ratio, which is one in 50. But that simple statistic is quite misleading. If you go into the annexes from both civil aviation safety authorities and look at how they work out their numbers, you see that they have a sliding scale. We base our ratio per passenger and they base theirs per seats. For example, for your typical domestic type airline, the outcome is broadly comparable with six flight
attendants required for around 200 passengers in New Zealand and six flight attendants for around 200 passengers in Australia.

The interesting part is that the one in 36 and one in 50 are minimum requirements. Back in 2002 when Qantas were criticised for looking at requesting a move to align Australia with international standards—which, by the way, includes Cathay Pacific, Malaysia Airlines, Singapore Airlines and British Airways as well as Air New Zealand—they highlighted the fact that they were looking to meet the safety standards but had increased the number of flight attendants required as a function of the level of service they wished to provide. They actually work on a ratio of one to 25. They do not anticipate this changing because part of them winning business and providing service is having those staff on board. I think the combination of the reality of those sliding scales and what is done in practice gives the lie to the fearmongering that we will suddenly see a great drop-off in standards.

The other thing that is worth pointing out is that the ATSB has done a number of reviews and has issued reports around the whole issue of flight attendants and their training. What they highlight, which is similar to the ICAO, is that the outcome in terms of the safety and effectiveness of the role of flight attendants is a result of a combination of factors, including the technology of the aircraft, the number of flight attendants and, in large part, the quality and frequency of training for flight attendants.

It is interesting to note that Australia’s one in 36 requirement—which is basically where you get to the end of the sliding scale for numbers of passengers—comes from quite an old technology base in terms of aircraft whereas many of the other standards are based on newer technology. If you look at that interaction, you can see that it is not necessarily a dangerous thing depending on (a) which aircraft you are operating in, (b) the design and technology of the aircraft and (c) the level of training provided. Having said all that, I go back to the point that Qantas highlighted in some of their statements, in 2002, that they actually operate on a ratio of one to 25.

Lastly, looking at the impact on industry, there was a large consultation period and one of the key things that came out of that is that the smaller operators were concerned that there be no extension to this mutual recognition, except via legislation. The larger operators, both main airlines, were at the roundtable that was done as part of the consultation and they recognised that the main savings to them would be administrative, not operational, and they do expect cost savings through it. The smaller operators were concerned that this may not apply to them and they may face additional competition, so they were concerned to make sure that there could be no extension of this to smaller operators, either by weight or capacity of aircraft, and this has been implemented as a result of the recommendations of that committee.

It is interesting to note that operators at a number of levels have identified significant savings if mutual recognition increases in the future to things related to airworthiness certification from both a technical and an operational perspective. My own consultation with a number of operators, from the major airlines down to regionals and charter or specialist operations, indicates that they have no concerns with the bill. They believe that safeguards, particularly the no extension via legislation, are absolutely fine. Given that we have demonstrated that New Zealand has a system of air regulation and safety which is equal to ours in world terms, there should be absolutely no reason for the travelling public to have any concern about the safety of these operations.
If we can remove some red tape to make operations more effective and efficient—which will, in the end, benefit the industry, those who work in it and the travelling public—then I believe that the ALP should reverse their position, since they have been unable to substantiate the basis of their concerns around the safety of New Zealand’s airworthiness and air regulations. They should support the bill.

Mr HATTON (Blaxland) (11.53 am)—I have here the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand and Other Matters) Bill 2003, but we are not discussing that, because that got the flick. It did not get through the previous parliament. Although it was initiated, it was discussed, there were two inquiries into it and there were some different provisions, the key different provision here is that there could be changes to the regime in terms of the interaction of the safety regimes between Australia and New Zealand on the basis not of legislation—but of regulation.

It took two inquiries, and it took the Labor Party and the other parties in the Senate pinging the government, but the government blithely said: ‘Don’t worry about it; you’ll all be safe. There’s some difference, but we’re not actually going to do all the analysis that we need here. It is unnecessary. You should not worry about it.’ They did make one change in the Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005. They said, ‘We won’t do it by regulation now; we’ll do it by legislation and there is a protection in that.’

The two inquiries in the Senate helped to determine Labor’s position. We did not just come to this position from an a priori approach. Who did we listen to? We listened to flight attendants and pilots in Australia. Some of their concerns do not really have any foundation. The mutual recognition proposed in this bill covers a broad range of areas. In the two Senate inquiries Labor came to the point of view that we would, as we did last parliament and as we are doing here, be in opposition to this bill. The fundamental fact is that the government has not taken the necessary steps to ensure not only that safety standards will be met but also that there is a complete confluence so that mutual recognition is not a mutual recognition of differences, such as in the differential approach in the number of staff to seats—one to 36 versus one to 50.

The member for Wakefield pointed out that can be a sliding scale. I wonder whether his in practice example of one to 25 applies to JetConnect, Qantas’s operation in New Zealand; to Jetstar, Qantas’s operation here; to Jetstar Asia; and to their competitors, such as Tiger Airways in Singapore. I wonder if it applies to award conditions, because that is another part of this and was a concern expressed by pilots and flight attendants. If you look at the comparability of how they are dealt with between Australia and New Zealand, you see that the Australian people are on an award at this moment in time and they have the protections of that award. But under the Workplace Relations Act we know that, as that award comes up for renewal, the foot will be pressed to the floor to change that to either a contractual basis or under Australian workplace agreements. That would then put these employees on exactly the same footing as the people in New Zealand, who are on single contracts.

Their concern is not just a question of safety; it is a question of the industrial relations implications of this approach. If you look at the history of what has happened with Qantas, its staffing and its approach to the future of the airline industry in Australia and its place in it, what you get is a concentration on cutting costs, paring back and arguing that it needs protection by the government within Australia, domestic protection of the Pacific route and other
areas where it argues things are tilted and weighted against it. Over a number of years now I have been to briefings with Geoff Dixon when it was a question of Qantas versus Ansett; there were differences between the two and Qantas was having a difficult time. We know that in the end Ansett was managed by a number of people from New Zealand and Ansett bit the dust. Since that happened, the fundamental structures in Australia’s domestic airline industry have changed, despite the introduction of Virgin Blue. If you look at where it has gone, you see that we have people on awards with certain conditions including certain existing safety provisions and manning capacities in Qantas aircraft in Australia.

It is not the same with Qantas aircraft in New Zealand. There is a different standard. If those aircraft are registered in New Zealand, as are Qantas’s JetConnect aircraft, they operate under New Zealand circumstances. Part of the concern here is the impact of the acceptance of this regime and the fact that there is an enticement for people if they want to cut their costs or change the way in which they deal with it to register in New Zealand rather than registering in Australia. The majority report of the government last time they looked at this—when they blithely said: ‘Don’t worry about it, everything will be okay. All of that will be fixed up later’—proposed a review 12 months down the track. If you go to page 8 of the explanatory memorandum, on the implementation of this bill, you get the guts of what the fundamental problem is here. It is tucked away in the explanatory memorandum—that is, ‘a further agreement will need to allow practical implementation of the aims of the bill.’

What is Labor’s fundamental problem with this? It is that the practical steps with regard to the different safety regimes in both countries, and the safety and economic implications, have not been taken into account, despite the fact that we had the 2003 bill in train for two years or so, from 2001 to 2003—and it is about five years now. We have had plenty of time to undertake that comparison. Instead of that, we have a bill that the government want, one they are going to run through with. When they get to the practical implication—in another bill that we will deal with later, maybe after the 12-month review—what do we get? A new overarching intergovernmental agreement on aviation mutual recognition is under development—that is nice—which, when completed, will set out the principles, objectives and joint understandings between Australia and New Zealand in relation to the mutual recognition of aviation related safety certification. Annexed to the new agreement will be an operational agreement between the two aviation safety regulators, CASA and CAANZ, which will establish working arrangements between the two. Only those Australian and New Zealand operators covered by the air services agreement will be eligible for mutual recognition. This is a case of putting the cart before the horse. Here we have the legislation, and we have not had the investigation of what the impact will be, despite the length of time it has been available. We also do not have the full plan and preparation for the practical implementation of what is in the bill. So why is the bill before us now? We have not had the prior work; we have not had the post work. What is the agenda here in sticking to this approach?

If you go back to the Senate committee inquiry—and it was one of the benefits in the past, before the government controlled the numbers in the Senate, that a Senate inquiry could look at this independently and come up with a different point of view—and look at their concerns and what they were saying, you see that they outlined that the evidence they took indicated there was a complete difference between CAANZ, the New Zealand regulator, and CASA, in terms of their interpretation of mutual recognition. CASA say that Australian standards are
still going to be maintained absolutely: ‘We will rigidly stick to those. If you primarily operate in Australia, then you will stick to all of those safety provisions.’ What do the New Zealand regulators say? ‘No, it is not going to work like that. What we are going to do is to harmonise.’ The shadow minister, Senator Kerry O’Brien, said in the Senate on 10 May:

… the committee established that Australian and New Zealand regulators have entirely contradictory views on the impact of mutual recognition. The Civil Aviation Safety Authority of New Zealand gave evidence that mutual recognition would lead to the harmonisation of safety standards; the Department of Transport and Regional Services firmly repudiated that view. This left the committee questioning, not unreasonably, the inconsistency between Australia and New Zealand on this critical issue.

This is critical and entirely central to a determination of what this is about. If you have the two safety regulators completely at odds in terms of what this means, it is obvious that the work has not properly been done previously—unless the New Zealanders are really onto something, unless this is really about harmonisation, unless this is really not just about safety but about cutting costs, cutting wages and cutting conditions and utilising this mutual recognition package to run an industrial relations agenda.

This is John Howard, the Prime Minister, writ large. This is what he has been about since 1974. This is what he is doing in the Workplace Relations Act. Day after day, when questioned about it, his response is: ‘Oh, people will get jobs. They’ll have jobs. Isn’t that terrific? They’ll have jobs.’ There will be lower wages and conditions for the majority of people—not in the booming mining areas of Western Australia, not in the parts of the economy that are ripping on, but in New South Wales, in Victoria and in other parts of the economy that do not have that engine serving them. What is in it for the majority of normal punters out in the electorate? The cutting of their provisions.

In the Prime Minister’s mind is the ‘Thailandisation’ of Australia’s workforce. Why is that the case? I know he has had that idea since 1974, but he also has had a bit of experience. This bloke has got form in terms of the problems he experienced as Australia’s federal Treasurer—in my experience, the worst—when on, I think, 10 January 2003, he reached a position where he actually achieved the trifecta: double-digit inflation, double-digit unemployment and double-digit interest rates. If you think about what the conditions were of the 1982-83 recession—the member for Bennelong’s recession; the one where he was Treasurer of Australia and responsible for those conditions—you see that that recession arose because of a wages breakout on an expectation of $29 billion worth of expansion in the minerals sector which did not happen. There was a 20 per cent to 30 per cent wage increase demanded by the ‘metallies’. These are the things that conditioned the Prime Minister.

The reason this is all material is very simple. There is an agenda here that goes beyond safety and safety standards. It is an agenda to actually change the structure of Australia’s aviation industry. We had Dick Smith, when he was put in a position of significant power in CASA, dramatically changing the safety standards for the whole of Australia for light aircraft, just pursuing his wont. But the agenda here is very clear. It is determined by the condition of the Prime Minister’s approach to this is and what drives the Workplace Relations Act. For me, it explains why this kind of bill can get up without proper reference and without the fundamental problems being looked at.

The key is given in terms of harmonisation. Next week—I think on Monday—we will be dealing with the Independent Contractors Bill. The Independent Contractors Bill will actually
have a provision where people currently on awards in New South Wales and Victoria will have a 12-month period of grace. They will keep the conditions they have at the moment, but then there will be a national review. For people on contracts in other states that do not have award provisions, guess what is going to happen. Harmonisation is going to happen. The government will move to where it wants to go: to have one nationally harmonised approach. That is fundamentally what we are going to get here.

This is approach is not about closer economic relations; this is about utilising a situation where you have got a confluence between the New Zealand and the Australian systems—not to make sure that the thing really works to the advantage of everyone but to run an industrial relations agenda. When the unions, flight attendants and pilots gave evidence about other parts of the legislation where they are affected—not just on the safety stuff, even though they primarily concentrated on that—they properly said that they were fundamentally concerned about the impact of this on them and on their industry. They said it would be understandable that the New Zealand conditions could be used as a wedge.

That is not without background when you consider what has happened with Qantas. The member for Wakefield told us at some length that Qantas had a better ratio in terms of staff, that Qantas would up their number of staff in order to please their clients and that sort of stuff. Anyone flying on Qantas—as every member and senator here has done since Ansett plummeted into oblivion—knows of Qantas’s tremendous reputation. The regard that I and others had for Qantas plummeted because they did not deliver to the customers in the way that they had before Ansett plummeted and they took advantage of that situation to dramatically cut their costs.

There was also an associated safety problem. It was an amazingly stupid approach to take, but there are plenty of precedents—name every state government across Australia; name this federal government. Are people interested in maintenance issues? Are they interested in investing in keeping things running properly? The answer will be found if you look at Qantas’s broader operations and Qantas’s safety concerns. They decided to save a lot of dough and they moved their engineering facilities—or the bulk of them—to new facilities in Brisbane and in Melbourne. They moved a hell of a lot to Melbourne. It just so happened that, in the provision of that service, not one of the people going through and checking all the parts and doing all the work on them was safety certified.

So what happened? They had to send all the work, after they had completed it in this new facility, back to Sydney for the Sydney engineers to have a look at. If those Sydney engineers had not been concerned about the fact that they could be up on manslaughter charges if there was a failing within an individual part, they could have simply signed off on that—as people could sign off on this bill—and said: ‘The AOC is involved here. New Zealand’s a little bit different to us; Australia is slightly different, but we’ll just tick it, say it’s okay and just believe that everything will work out right.’

The people in the maintenance facilities in Sydney did not do that because their careers, their reputations and the lives of passengers were at risk. The result of that was pretty simple: a hell of a lot more money was spent on maintenance, and the cost savings that Qantas expected to make were not made. I know this because my nephew has spent close to 20 years as a Qantas maintenance engineer and he is now out working in the mines because, throughout Qantas, with those moves to Melbourne and to Sydney, they would not give him a redundancy.
package because he was too good an employee. But he and the others could see the writing on the wall.

The stupidity of this approach to put safety at risk because you are trying to make economic savings! In the broader picture, if you look at the transition from Qantas and the kind of service they had through to Jetstar, Jetstar Asia and JetConnect, what is driving it at the bottom is to make the savings, bring their costs down but still demand that, as a government, we support them as much as we can. That is part of what is driving this as well. The dynamics of the Australian industry are changing and I predict they will change in the future. It will be the ‘Jetstarisation’ of Qantas’s operations in Australia.

The stupidity of not reinvesting in yourselves is probably outlined by the fact that Singapore Airlines, which Qantas has held out of the Pacific route, is now looking at doing its maintenance work on its A380 aircraft—guess where? In Australia. Why? The airport is not big enough and they cannot get enough sand out of Malaysia. It is harder to extend it, but they know there is quality engineering. So Qantas has been trying to reshuffle stuff over to New Zealand and to Singapore, where they have in fact got Jetstar Asia registered in Singapore. The question is, as David Jull pointed out to the committee yesterday: what kind of airline is it? Is it a Singaporean airline or an Australian one? While they have stripped away our capacity to deal with our situation, the Singaporeans are saying that more can be done. The Singaporeans know that our safety standards are good. But, in terms of this mutual recognition thing, if the government had been utterly determined to do this in the proper way, they would have had all of the investigation before and that impractical implementation would have been organised and done now—not at the end of a 12-month review, not at the finish of the thing. But the explanation for this, I think, resides not just within the parameters of this bill but within the industrial relations agenda of the government. (Time expired)

**Mr NEVILLE (Hinkler)** (12.13 pm)—The Civil Aviation Legislation Amendment (Mutual Recognition with New Zealand) Bill 2005 heralds a new era for aviation arrangements between Australia and New Zealand. It gives effect to a joint commitment between Australia and New Zealand for mutual recognition of air operator certificates, AOCs, for aircraft with more than 30 seats or weighing more than 15,000 kilograms. It also fulfils a joint commitment made under the 2002 Australia-New Zealand open skies agreement. In a nutshell, this bill nullifies the requirement for airline operators to hold an airline operator certificate in both Australia and New Zealand if they want to operate services in both countries. To my way of thinking, that makes eminent sense. I am a bit perplexed at why the opposition is so concerned about it. Australia and New Zealand have long enjoyed a shared history, a shared sense of values and a shared commitment to a future partnership, and that has a lot to do with trade—

**Mr Hatton**—And they destroyed Ansett.

**Mr NEVILLE**—I do not know that they destroyed Ansett; I think Ansett’s own fairly opulent behaviour was what sunk Ansett in the end.

The essayist Dr Johnson once said that we should keep our friendships in good repair, a notion which is illustrated by the close bilateral relationship between Australia and New Zealand. That is reflected in many things, like CER. The bill before the House today is in no small way built on that relationship. The seeds of Australia and New Zealand’s economic relationship were sown many years ago, but it was not until 1996 that the two nations signed an arrangement establishing a single aviation market. That makes eminent sense.

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**MAIN COMMITTEE**
The single aviation market arrangement allows Australian and New Zealand airlines to operate domestic services in the partner country and to fly without restriction across the Tasman, subject to safety and other operational regulatory requirements. Mutual recognition, which this bill addresses, is a natural progression from a single aviation market arrangement. The bill has a pivotal role to play in integrating and consolidating the trans-Tasman aviation market by putting into effect a memorandum of understanding on open skies signed by Australian and New Zealand transport ministers in November 2000.

The previous opposition member who spoke on this bill seems to think that we are not ready for this and that because we are going to have a joint working party to look at things—I imagine such things as transitional matters—that somehow indicates that this bill has not been thought through. If you look at the steps that have been taken since 1996, this is a natural progression. No-one says that when you try to harmonise things it might not be that one country will have regulations based on a financial year and another on a calendar year. There all sorts of minor things that need to be harmonised. That does not necessarily imply that there is a lack of preparedness.

At the time of the negotiations back in November 2000 the overall value of the Australian and New Zealand aviation market was estimated at about $7 billion. This piece of legislation is a key step in releasing some of the shackles attached to an increasingly valuable sector. It does so by providing for mutual recognition of aviation related certification—in particular, safety certification for New Zealand airline operators. I have been associated with Jabiru Aircraft. I will touch on that later in my speech, but they used to have the devil’s own job with certification. We did not even have the provisions in Australia to test one aircraft, and we used the British standard.

I do not doubt for a minute that for aircraft carrying above 30 passengers and travelling 15,000 kilometres there will be very strict rules in both countries. I cannot see any danger in them being harmonised. It will mean that New Zealand airlines no longer have to hold and comply with dual certification in both countries. While streamlining the administrative processes for eligible airlines, mutual recognition is also expected to deliver significant savings to both airlines in terms of operations.

In Australia, the Civil Aviation Safety Authority, CASA, is the relevant aviation regulator. The Civil Aviation Authority of New Zealand is charged with the same responsibility. As it stands, an airline wishing to operate services in both countries needs to hold an air operator certificate from both CASA and CAANZ and comply with both certificates according to where its operations are being conducted. But this piece of legislation negates such unnecessary duplication and means that airline operators will now need to hold only one air operator certificate from their home base regulator, be that CASA or CAANZ. The efficiencies are likely to flow on to the wider community, if they are passed on by the relevant airlines through either reduced fares or increased competition.

A division having been called in the House of Representatives—

Sitting suspended from 12.20 pm to 12.59 pm

Mr NEVILLE—Before the suspension, I was speaking about the air operator certificate. Perhaps most importantly, there is no requirement for Australia to change its own regulatory standards. Air operator certificates, which allow an individual or organisation to operate air-
craft, are issued only where the relevant aviation safety regulator determines that the operator has the ability to conduct its operations safely. In other words, neither the Australian nor the New Zealand regulator is likely to do that, so the airlines that do comply in Australia and New Zealand will be much of a muchness. The safety of Australian travellers will not be compromised by this bill, because Australia and New Zealand have systems in place which achieve an equivalent level of safety for high-capacity operators. Further on this point, amendments to this bill will see a post facto safety assessment carried out by CASA 12 months after the commencement of these arrangements. This assessment will involve consultation with New Zealand, including the appointment of an independent assessor. The results of this assessment will be tabled in parliament within 18 months.

Some concerns have been expressed about the different aircrew-passenger ratio which is currently in place under New Zealand’s regime. But this is only a minor consideration when looking at the bigger picture, including the critical factors of aircraft maintenance, training and safety procedures. The member for Wakefield covered this fairly thoroughly in his presentation. The numbers on the larger aircraft may vary slightly here and there, depending on which regime you are operating within; but, with the smaller sized aircraft that we operate in Australia, the Australian standard requires two attendants above 36 seats. So I do not think there would be an appreciable difference.

Interestingly, recent statistics indicate that the overall rate of accidents in New Zealand has reduced by 30 per cent in the last three years while, in the same time frame, the number of registered aircraft has increased by 13 per cent and the number of hours flown has increased by 23 per cent.

My chairmanship of the House of Representatives Standing Committee on Transport and Regional Services has given me a particular insight and interest in the development of our aviation sector, whether it be our international carriers or our smaller regional operators. When I was speaking earlier, I pointed out that Jabiru Aircraft in Bundaberg had trouble getting an assessment on its aircraft when it wanted to enter the English market.

Australians have always led the way in aviation. We have produced such legends as Bert Hinkler, after whom my electorate is named, and Sir Charles Kingsford-Smith. We are the birthplace of the Royal Flying Doctor Service and we are the home of Qantas, a world-class airline. We have an unrivalled reputation for safety and we would not compromise that in any way, shape or form.

On a smaller scale, but most importantly for me at the local level, Bundaberg’s Jabiru Aircraft Pty Ltd is growing its investment in the Bundaberg region after receiving Commonwealth support for its type certification. The company has been able to proceed with certifying its own aircraft and engines thanks to a $480,000 grant under the Sustainable Regions Program in 2003. That funding has allowed Jabiru to cement its position in the international aviation industry with its renowned two-seater and four-seater aircraft and its 3,000 or so engines have also been developed in Bundaberg and are an international standard for light aircraft engines.

Since Jabiru made its first sale in 1991, it has produced countless spin-off benefits for Bundaberg and the Wide Bay regions—chiefly job creation, wealth building and a growing export market in these light aircraft and their parts. Jabiru’s ability to undertake type certification was a landmark achievement for the company, and this was a crucial step in keeping it at
the forefront of light commercial and recreational aircraft. I have long been a supporter of the
local aviation industry and its development, and a company like Jabiru, which has a demon-
strated faith in the Bundaberg district, deserves encouragement.

The size of our nation and our relative isolation in the world makes flying a matter of
course for most Australians. We are a nation which leads in many fields in aviation. We are
people who embrace new opportunities, and the facts and figures back this up. There is a great
logic behind the introduction of these measures with New Zealand, given that our two nations
enjoy increasingly close links and strong trading partnerships.

We are also traditional allies, and New Zealand has been Australia’s No. 1 tourism source
market since 1999. According to Avstats, the statistical branch of the Bureau of Transport and
Regional Economics, the figure for international scheduled aircraft passenger traffic from
Australia in April 2006 was 1.17 million compared with 1.6 million in April of 2005—an in-
crease of 6.8 per cent. While these figures indicate the general public’s increased ability to
access flights, they also show a more outward looking Australia—a nation which has em-
braced its position in the global community and is looking to engage more actively with for-
eign countries. The bill will allow us to do so.

In the past decade, airline passenger numbers between Australia and New Zealand have
boomed—increasing by 77 per cent in that time. In that time frame, Australia has experienced
an annual increase in inbound passengers from New Zealand of 5.8 per cent, and outbound
passengers to New Zealand have increased 5.9 per cent.

Following through on this: in terms of international airline pairs—that is, the most frequent
points of departure and destination—New Zealand cities feature twice within the top five in-
ternational destinations. The routes between Sydney and Auckland and Brisbane and Auck-
land accounted for 10.5 per cent of passenger traffic in the last year.

So you can see, Mr Deputy Speaker, there is a great relationship with New Zealand. We
have common goals and common objectives. We share a vibrant family, business and tourism
market. We have been progressing over a number of years, firstly through the harmonisation
of creating a single aviation market. We are now moving towards this landmark case of hav-
ing the airline operator certificate recognised in each other’s country. It will be good for New
Zealand, it will be good for Australia and it will be good for aviation. I commend the bill to
the main chamber.

Debate (on motion by Ms Hall) adjourned.

Main Committee adjourned at 1.07 pm
QUESTIONS IN WRITING

Unlawful Detention
(Question No. 3075)

Mr Georganas asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 27 February 2006:

(1) How many cases of wrongful detention are currently being investigated by the Ombudsman.
(2) How many of the cases involve wrongful detention commencing since the Cornelia Rau incident became public.
(3) How many cases of wrongful detention involve people with mental illness.
(4) How many cases of wrongful detention involve Australian citizens.
(5) What are the nationalities of people wrongfully detained which are currently being investigated by the Ombudsman.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) The Ombudsman is currently investigating a number of cases with the descriptor ‘released not unlawful’. The Ombudsman investigates the administrative actions of departments and can report on actions that he believes were unlawful. Accordingly, the Ombudsman may report on whether or not the ‘released not unlawful’ cases involve “wrongful detention.” To date, the Ombudsman has only reported on the Mr T case, in which he found that (paragraph 2.4): “It is probable - though only a court of competent jurisdiction could conclusively determine this issue after a proper trial of the matter - that Mr T’s detention for at least part of the overall period of detention was unlawful, lacking any reasonable suspicion to support the view that he was an unlawful non-citizen.”

(2) to (5) Any instances of “wrongful detention” will be considered by the Ombudsman, so answers to these questions are not yet available.

Detention Centres
(Question No. 3179)

Mr Burke asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 27 March 2006:

What are the revised forward estimates concerning the likely number of people to reside in each detention centre in 2006-2007 following the changes in immigration policy announced in 2005.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

The number of people estimated to reside in each detention centre in 2006-07 is difficult to predict with certainty. This is due to detainee populations and demographics being subject to rapid changes and external factors. However, the Department of Immigration and Multicultural Affairs estimates that around 9,800 people will need to be accommodated in the onshore detention network during 2006-07.

This detention caseload is expected to comprise:

- Illegal Foreign Fishers (IFFs) - approximately 6,000;
- visa overstayers and breaches - approximately 3,000;
- people refused entry at air or sea ports - approximately 700; and
- other unauthorised arrivals including via sea – approximately 100.
IFFs will be accommodated in the Northern Immigration Detention Centre (IDC) with the overflow going to Baxter IDC. Visa overstayers and breaches and those refused entry will be assessed individually and appropriately accommodated within the onshore detention network. This will be in an IDC or a Residential Housing Centre. In some cases, a residence determination may be granted by the Minister to allow women, children or families to live in the community with non-government agency support.

The detention network has the capacity to respond to the accommodation needs of detainees at this level of predicted demand and provide sufficient contingency capacity should there be a surge in detainee numbers.

Chifley Electorate: Programs and Services
(Question No. 3208)

Mr Price asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 27 March 2006:

(1) What programs and services do the department and each agency in the Minister’s portfolio provide for indigenous communities and individuals in the electoral division of Chifley.

(2) In respect of each program, (a) what sum is spent annually (i) nationally and (ii) in the electoral division of Chifley and (b) how many people is it intended to assist (i) nationally and (ii) in the electoral division of Chifley.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) and (2) The Department of Immigration and Multicultural Affairs has a nil response as the Department does not provide any programs or services for indigenous communities or individuals.

Asylum Seekers
(Question No. 3247)

Mr Georganas asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 28 March 2006:

(1) What sum has been spent to 28 March 2006 associated with processing the claims of the 43 West Papuan asylum seekers who arrived in Cape York in January 2006.

(2) What proportion of this sum is associated with processing of their claims on Christmas Island.

(3) Can the Government give an assurance that foreign policy considerations and Australia’s relationship with Indonesia will play no part in the assessment of further West Papuan asylum seekers’ claims.

(4) In respect of all persons who arrived in Australia seeking asylum between 1 January 1996 and 31 December 2005, what was the average number of days taken for the claims to be processed and decisions made.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) Costs to 28 March 2006 associated with the processing of the claims for protection made by the 43 Indonesians from Papua Province, who arrived in Australia at Cape York in January 2006, amounted to some $270,000, including associated travel costs.

(2) Around 29 per cent of the expenditure of processing the claims for asylum set out in (1) above can be attributed to conducting the process on Christmas Island.

(3) All asylum claims are judged on their merits and are not influenced by other considerations.
(4) The Department of Immigration and Multicultural Affairs (DIMA) commenced systems-generated reporting of time taken to process initial protection visa applications from 1 January 1999. DIMA records as at 24 March 2006 indicate that the average number of days taken from lodgement to primary decision of all initial protection visa applications lodged during the period 1 July 1999 to 31 December 2005 was 83 days.

Consultancy Services
(Question No. 3269)

Mr Bowen asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 29 March 2006:

(1) Did the department or any agency in the Minister’s portfolio engage the services of a public relations, public affairs or media management consultancy in 2005; if so, what was the (a) purpose; and (b) cost of each engagement.

(2) What was the name and postal address of each company engaged for these purposes.

(3) For 2005, what sum was spent on public relations, public affairs or media management consultancies by the department and each agency in the Minister’s portfolio?

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) Yes. The Department did engage the services of a public relations consultancy in 2005.

(a) The purpose of the engagement was for media and development services for the Living in Harmony Public Information Strategy, incorporating Harmony Day 2006.

(b) The cost of the engagement was $72 690.

(2) The name and postal address of the company is Maine Street Marketing, 10 Leist St, Weston, ACT 2611.

(3) For 2005, the sum spent on public relations consultancies by the Department was $72 690.

Recruitment Agencies
(Question No. 3288)

Mr Bowen asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 29 March 2006:

(1) Will the Minister provide a list of the recruitment agencies which were used by the Department and each agency in the Minister’s portfolio in 2005.

(2) What sum was paid to each agency identified in (1).

(3) For 2005, what sum was spent on recruitment agencies by the Department and each agency in the Minister’s portfolio.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) (2) and (3) The sum paid by the Department and agencies in the Minister’s portfolio to recruitment agencies in 2005 is listed below. The payments recorded include salary and administration payments for IT contractors, non IT contractors, short term employees, placement fees and recruitment/scribe costs.

Agencies generally invoice a sum total, rather than an itemised account, which is then entered into the financial system under relevant general ledger codes. This prevents the Department from being able to distinguish between salary and administration costs paid to recruitment agencies. In the example of Paxus the bulk of the figure reported comprises IT contractor salaries.
### DIMA including OIPC

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<td>Drake Australia</td>
<td>71.50</td>
</tr>
<tr>
<td>Drake Australia</td>
<td>$136,412.15</td>
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<td>Effective People</td>
<td>110,576.97</td>
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<td>Effective People</td>
<td>6,611.44</td>
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<td>Effective People</td>
<td>$117,188.41</td>
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<td>Green and Green</td>
<td>35,917.54</td>
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<td>Green and Green</td>
<td>22,821.36</td>
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<td>Green and Green</td>
<td>$58,738.90</td>
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<tr>
<td>Greathorn P/L</td>
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<tr>
<td>Hays Personnel Services</td>
<td>59,610.61</td>
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<td>Hays Personnel Services</td>
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<td>Hays Personnel Services</td>
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<td>Hudson Global Resources</td>
<td>$224,094.35</td>
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<td>Icon Recruitment</td>
<td>78,464.10</td>
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<td>Icon Recruitment</td>
<td>13,303.13</td>
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<td>Icon Recruitment</td>
<td>$91,767.23</td>
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<td>Kowalski Recruiting</td>
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<td>Paxus Australia P/L</td>
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<td>Paxus Australia P/L, Braddon</td>
<td>$36,099,742.39</td>
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<td>Paxus People, Macquarie Park</td>
<td>50,623.65</td>
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<td>Peoplebank Recruitment P/L</td>
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<td>Peoplebank Australia P/L</td>
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<td>Peoplebank Australia P/L</td>
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<td>Professional Careers Aust P/L</td>
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<td>Public Relations Placements</td>
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<td>Quadrate Solutions</td>
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<td>Quadrate Solutions</td>
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<td>Recruitment Management Co.</td>
<td>67,456.40</td>
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<tr>
<td>Name of Recruitment Agency</td>
<td>2005 Payments</td>
</tr>
<tr>
<td>---------------------------</td>
<td>---------------</td>
</tr>
<tr>
<td>Recruitment Management Co.</td>
<td>2,295.98</td>
</tr>
<tr>
<td>Recruitment Management Co.</td>
<td>69,752.38</td>
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<tr>
<td>Select Appointments P/L</td>
<td>11,550.00</td>
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<tr>
<td>Skillsearch Contracting P/L</td>
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<tr>
<td>Staffing and Office Solutions</td>
<td>21,112.82</td>
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<tr>
<td>Staffing and Office Solutions</td>
<td>8,684.08</td>
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<tr>
<td>Stratagem Computer Contracting P/L</td>
<td>29,796.90</td>
</tr>
<tr>
<td>The One Umbrella</td>
<td>10,176.32</td>
</tr>
<tr>
<td>The One Umbrella</td>
<td>-</td>
</tr>
<tr>
<td>Wizard Personnel &amp; Off Serv P/L</td>
<td>4,094,505.27</td>
</tr>
<tr>
<td>Wizard Personnel &amp; Off Serv P/L</td>
<td>198,714.21</td>
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<tr>
<td>Wizard Personnel &amp; Off Serv P/L</td>
<td>4,293,219.48</td>
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<tr>
<td>Wizard Scribe Services</td>
<td>24,866.33</td>
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<tr>
<td>Capital Recruitment Services</td>
<td>11,907.50</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$ 44,402,497.67</td>
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Migration Review Tribunal (MRT)/Refugee Review Tribunal (RRT)

<table>
<thead>
<tr>
<th>Name of Recruitment Agency</th>
<th>2005 Payments</th>
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</thead>
<tbody>
<tr>
<td>Migration Review Tribunal</td>
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</tr>
<tr>
<td>Pro Solutions</td>
<td>27,405</td>
</tr>
<tr>
<td>Hudson Global Resources</td>
<td>4,069</td>
</tr>
<tr>
<td>Drake Australia</td>
<td>82,410</td>
</tr>
<tr>
<td>Lester Partnership</td>
<td>8,274</td>
</tr>
<tr>
<td>Spherion Recruitment</td>
<td>20,446</td>
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<tr>
<td>Sub - total</td>
<td>$142,604</td>
</tr>
<tr>
<td>Refugee Review Tribunal</td>
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</tr>
<tr>
<td>Drake Australia</td>
<td>83,592</td>
</tr>
<tr>
<td>Link Recruitment P/L</td>
<td>52,806</td>
</tr>
<tr>
<td>Candle Australia</td>
<td>16,674</td>
</tr>
<tr>
<td>The Lester Partnership</td>
<td>8,274</td>
</tr>
<tr>
<td>Hayes Personnel Services</td>
<td>15,775</td>
</tr>
<tr>
<td>Hudson Global Resources</td>
<td>26,569</td>
</tr>
<tr>
<td>Julia Ross</td>
<td>1,464</td>
</tr>
<tr>
<td>Pro Solutions</td>
<td>5,000</td>
</tr>
<tr>
<td>Sub - total</td>
<td>$210,154</td>
</tr>
<tr>
<td>TOTAL MRT/RRT</td>
<td>$352,758</td>
</tr>
</tbody>
</table>

Opinion Polls
(Question No. 3306)

Mr Bowen asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 29 March 2006:
(1) Did the department or any agency in the Minister’s portfolio conduct or commission an opinion poll, focus group or market research in 2005; if so, what was the (a) purpose and (b) cost of each opinion poll, focus group or market research survey conducted.

(2) What was the name and postal address of each company engaged to conduct the poll, focus group or research identified in (1).

(3) For 2005, what sum was spent on conducting or commissioning opinion polls, focus groups or market research surveys by the department and each agency in the Minister’s portfolio.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

(1) to (3) The details of opinion polls, focus groups or market research commissioned or conducted by the Department of Communications, Information Technology and the Arts is as follows:
<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Data collection (broadband)</td>
<td>Research into connectivity matter.</td>
<td>Management Effect, GPO Box 1269, Brisbane, QLD 4001</td>
<td>$38,754.10</td>
<td>$38,754.10</td>
</tr>
<tr>
<td>Data collection (broadband)</td>
<td>Research into internet and broadband take-up.</td>
<td>Roy Morgan Research, 2nd Floor, 232 Sussex Street, Sydney NSW 2000</td>
<td>$76,029.80</td>
<td>$76,029.80</td>
</tr>
<tr>
<td>Market research (broadband)</td>
<td>Research- telecommunications.</td>
<td>dandolpartners Pty Ltd, Level 2, 50 Market Street, Melbourne VIC 3000</td>
<td>$23,628.00</td>
<td>$23,628.00</td>
</tr>
<tr>
<td>The Australian software industry and vertical applications markets:</td>
<td>Research- ICT industry.</td>
<td>Whitehorse Strategic Group Limited, Level 3, 45 William Street, Melbourne VIC 3000</td>
<td>Cost of focus groups was not charged separately to the Australian Government</td>
<td>$218,400</td>
</tr>
<tr>
<td>Old Parliament House Functions Review</td>
<td>Telephone surveys of organisations using OPH as a Functions Venue, June 2005</td>
<td>Adecco Australia Pty Ltd, GPO Box 3228PP, Melbourne VIC 3001</td>
<td>$493</td>
<td>$986</td>
</tr>
</tbody>
</table>
Wednesday, 6 September 2006  HOUSE OF REPRESENTATIVES

<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Old Parliament House café patrons satisfaction</td>
<td>Exit survey of Café in the House patrons, Dec 2005</td>
<td>Adecco Australia Pty Ltd GPO Box 3228PP Melbourne VIC 3001</td>
<td>$493</td>
<td></td>
</tr>
</tbody>
</table>

The details of opinion polls, focus groups or market research commissioned or conducted by portfolio agencies are in the following tables:

### National Library of Australia

<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Website user research</td>
<td>market research (user demographics etc.)</td>
<td>Nielsen/NetRatings 59 Wentworth Avenue Sunny Hills NSW 2010 Leapfrog Research 14 Raynor Street Leichhardt NSW 2024</td>
<td>$17,215</td>
<td>$39,215</td>
</tr>
<tr>
<td>Onsite visitor research</td>
<td>Qualitative and quantitative research of visitors to the Library.</td>
<td></td>
<td>$22,000</td>
<td></td>
</tr>
</tbody>
</table>

### National Archives of Australia

<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recordkeeping Capability Framework Project</td>
<td>Develop recordkeeping capability frameworks for National Archives and Australian Public Service (APS) staff.</td>
<td>Solved at McConchie PO Box 880 Belconnon ACT 2616</td>
<td></td>
<td>$84,978.50</td>
</tr>
<tr>
<td>User-centred evaluation of National Archives website</td>
<td>User-centred evaluation of recordkeeping content on the National Archives of Australia corporate website</td>
<td>United Focus Pty Ltd PO Box 3215 Unley SA 5061</td>
<td>$54,830</td>
<td></td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research—including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Formative evaluation of National Archives website.</td>
<td>Formative evaluation of the redesign of the National Archives of Australia corporate website.</td>
<td>Ipsos Consultants 28-30 Station Street, Sandringham VIC 3191</td>
<td>$24,998.50</td>
<td></td>
</tr>
<tr>
<td>National Museum of Australia</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name of opinion poll, focus group or market research</td>
<td>Purpose</td>
<td>Name of company and postal address</td>
<td>Cost of each opinion poll, focus group or market research—including GST</td>
<td>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</td>
</tr>
<tr>
<td>National Museum of Australia National Museum of Australia – Brand Audit</td>
<td>Audience segmentation Brand Audit</td>
<td>Colmar Brunton Social Research PO Box 2212 Canberra ACT 2601 Colmar Brunton Social Research PO Box 2212 Canberra ACT 2602 Newspoll Market Research Level 5 Newspoll House 407 Elizabeth Street Surry Hills NSW 2010</td>
<td>Cost $169,778.40 for both projects as they were done together</td>
<td>$203,559.40</td>
</tr>
<tr>
<td>National Museum of Australia – Canberra Venue Study</td>
<td>Canberra venue study</td>
<td>Newspoll Market Research</td>
<td>$33,781</td>
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<tr>
<td>Australian National Maritime Museum</td>
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<td></td>
<td></td>
<td></td>
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<tr>
<td>Name of opinion poll, focus group or market research</td>
<td>Purpose</td>
<td>Name of company and postal address</td>
<td>Cost of each opinion poll, focus group or market research—including GST</td>
<td>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</td>
</tr>
<tr>
<td>ANMM ongoing internal visitor services evaluations</td>
<td>To gauge visitor reaction to Museum programs, events and services</td>
<td>N/A</td>
<td>N/A</td>
<td>$40,000 for a staff evaluation officer</td>
</tr>
<tr>
<td>Name of opinion poll, focus group or market research</td>
<td>Purpose</td>
<td>Name of company and postal address</td>
<td>Cost of each opinion poll, focus group or market research-including GST</td>
<td>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</td>
</tr>
<tr>
<td>----------------------------------------------------</td>
<td>---------</td>
<td>-----------------------------------</td>
<td>-------------------------------------------------</td>
<td>-------------------------------------------------</td>
</tr>
<tr>
<td>Visitor Surveys</td>
<td>Market research and audience evaluation.</td>
<td>Market Attitude Research PO Box 214 Miranda NSW 1490</td>
<td>$17,810.65</td>
<td>$17,810.65</td>
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<tr>
<td><strong>Film Australia</strong></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Name of opinion poll, focus group or market research</td>
<td>Purpose</td>
<td>Name of company and postal address</td>
<td>Cost of each opinion poll, focus group or market research-including GST</td>
<td>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</td>
</tr>
<tr>
<td>Group discussions and focus groups conducted for the Learning at Film Australia evaluation</td>
<td>Research purposes</td>
<td>Blue Moon Qualitative Research Level 2, 71-73 Chandos Street, St Leonards, 2065</td>
<td>$22,627</td>
<td>$22,627</td>
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<tr>
<td><strong>Film Finance Corporation Australia</strong></td>
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</tr>
<tr>
<td>Name of opinion poll, focus group or market research</td>
<td>Purpose</td>
<td>Name of company and postal address</td>
<td>Cost of each opinion poll, focus group or market research-including GST</td>
<td>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</td>
</tr>
<tr>
<td>FFC Brand and Communications Strategy</td>
<td>Market research- corporate communications</td>
<td>de Luxe &amp; Associates 7 Ivy Lane, Darlington Sydney NSW 2008</td>
<td>$14,686.85</td>
<td>$14,686.85</td>
</tr>
<tr>
<td><strong>Australian Sports Commission</strong></td>
<td></td>
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</tbody>
</table>
### ASC Awareness Research
- **Purpose**: The research aimed to determine public awareness of the ASC and its programs.
- **Name of company and postal address**: Merchantwise Pty Ltd, Level 1, 627 Chapel St, South Yarra Vic 3141
- **Cost of each opinion poll, focus group or market research-including GST**: $81,543
- **Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST**: $81,543

### Australian Sports Anti-Doping Authority (ASADA)
- **Online survey**: Online survey of stakeholders (National Sporting Organisations and elite level athletes) in preparation for the development of the ASADA strategic plan.
  - **Name of company and postal address**: CPM Solutions, Suite 1303, 15 Bent St, SYDNEY NSW 2000
  - **Cost of each opinion poll, focus group or market research-including GST**: $10,000
  - **Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST**: $15,918

- **Opinion poll**: Opinion poll to seek feedback from athletes.
  - **Name of company and postal address**: Moray & Agnew, GPO Box 3925, SYDNEY NSW 2001
  - **Cost of each opinion poll, focus group or market research-including GST**: $5,918

### Australia Post
- **Post regularly uses market research to assist with a range of commercial activities including product and brand awareness, retail positioning, demand drivers in the letters and parcels markets, small/medium enterprises and major customers.**
  - **Name of company and postal address**: AC Nielsen, 1/479 St Kilda Road, MELBOURNE VIC 3004
  - **The cost of each market research activity is considered commercial-in-confidence.**
  - **Post spent a total of $2.6m on market research activities in 2005.**
<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chant Link and Associates 610 Glenferrie Road HAWTHORN VIC 3122</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Open Mind Research Group 68 Drummond Street CARLTON VIC 3053</td>
<td></td>
<td></td>
<td></td>
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</tr>
<tr>
<td>Research International 2/180 Albert Road SOUTH MELBOURNE VIC 3000</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Sweeney Research 170 Bridgeport Street ALBERT PARK VIC 3206</td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>TNS 290 Hawthorn Road HAWTHORN VIC 3122</td>
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<td></td>
<td></td>
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<tr>
<td>Ipos/TQA Research 28-30 Station Street SANDRINGHAM VIC 3191</td>
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<tr>
<td>Wallis Consulting 25 King Street MELBOURNE VIC 3000</td>
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<tr>
<td>Worthington DiMarzio 3/52 Albert Road SOUTH MELBOURNE VIC 3205</td>
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<tr>
<td>Roberts Research 6/333 Collins Street MELBOURNE VIC 3000</td>
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QUESTIONS IN WRITING
### Telstra

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<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
</table>
| Not Available                                      | Telstra regularly conducts market research (including focus groups) to assist in the development of new products and marketing campaigns or improvement of existing services. Opinion polls and customer surveys are also conducted with Telstra’s customers to monitor customer service satisfaction and performance. | Added Value  
Level 4, 414 Kent Street  
SYDNEY NSW 2000  
AMR Interactive  
Level 14, 235-243 Jones Street  
ULTIMO NSW 2007  
Chant Link & Associates  
610 Glenferrie Road  
HAWTHORN VIC 3122  
Colmar Brunton  
80 Waterloo Road  
NORTH RYDE NSW 2113  
PO Box 1384 Macquarie Centre  
NORTH RYDE NSW 2113  
DBM & The Navis Group  
5-7 Guest Street  
HAWTHORN VIC 3122  
Jigsaw Strategic Research  
Levels 4 & 5, 22 Benny Street  
NORTH SYDNEY NSW 2060  
Q2  
Level 11, 153 Walker Street  
NORTH SYDNEY NSW 2060  
Research International  
Level 3, 67 Albert Avenue  
CHATSWOOD NSW 2067  
Sweeney Research  
Level 1, 30-32 Market Street  
SYDNEY NSW 2000  
TNS | Telstra contracts external companies to assist in the development, operation and assessment of these activities. However as these companies and Telstra operate in a competitive market Telstra’s commercial arrangements with them are commercial-in-confidence. | NA |
<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>290 Burwood Road HAWTHORN VIC 3122 Powell Research and Planning Level 4, 491 Kent Street SYDNEY NSW 2000 Axiom Consulting Australia PO Box 156 CANTERBURY VIC 3126 Newton Waymen Chong Level 4, 171 La Trobe Street MELBOURNE VIC 3000 Inside Story Level 5, 2 Barrack Street SYDNEY NSW 2000 Roy Morgan Research 411 Collins Street MELBOURNE VIC 3000</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>SBS Regional Community Consultations 2005 Market and audience research in regional areas Cooper Symons &amp; Associates Level 1, Glenthurny Road, Elsternwick VIC 3185</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**QUESTIONS IN WRITING**
## SBS

<table>
<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
<th>Purpose</th>
<th>Name of company and postal address</th>
<th>Cost of each opinion poll, focus group or market research-including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
</tr>
</thead>
<tbody>
<tr>
<td>Connecting Diversity: Paradoxes of Multicultural Australia</td>
<td>SBS commissioned eighteen focus groups to explore the role media plays in the lives of young people from culturally diverse backgrounds.</td>
<td>Cultural &amp; Indigenous Research Centre Australia (CIRCA) Level 1, 93 Norton Street, Leichhardt NSW 2040</td>
<td>$3,990.55</td>
<td>$71,830</td>
</tr>
<tr>
<td>Insight</td>
<td>News and current affairs program related market research.</td>
<td>A Cast of Thousands PO Box 711 Haberfield NSW 2045</td>
<td>na</td>
<td>$59,400</td>
</tr>
<tr>
<td>Market research</td>
<td>National survey - news and current affairs.</td>
<td>Newspoll Market Research Level N 407 Elizabeth St Surry Hills NSW 2010</td>
<td>na</td>
<td>$8,316</td>
</tr>
<tr>
<td>SBS Radio – Audience Surveys</td>
<td>SBS Radio conducted in-language audience surveys in Hindi, Urdu, Sinhalese and Tamil.</td>
<td>McNair Ingenuity Research PO Box 898 Crows Nest NSW 1585</td>
<td>na</td>
<td>$55,550</td>
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### ABC

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<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
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<tr>
<td>&quot;Behind The News&quot; School Survey</td>
<td>Examine awareness, usage and attitudes towards BTN among school teachers.</td>
<td>Australian Survey Research PO Box 340, Ormond VIC 3204</td>
<td>$18,600.00</td>
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<td>“Collectors” project</td>
<td>Test reactions and attitudes to the new version of the Collectors program to be broadcast in a prime time slot.</td>
<td>Audience Development Australia 83/19-21 Penruna Rd, Pyrmont NSW 2009</td>
<td>$20,000.00</td>
<td>$108,800</td>
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<tr>
<td>“Head 2 Head” project</td>
<td>Test reactions to new sports quiz pilot.</td>
<td>Audience Development Australia 83/19-21 Penruna Rd, Pyrmont NSW 2009</td>
<td>$23,800.00</td>
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<td>Q-Scores</td>
<td>Q-Scores - TV program appreciation monitor</td>
<td>Audience Development Australia 83/19-21 Penruna Rd, Pyrmont NSW 2009</td>
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<td>“Netball” project</td>
<td>TV coverage of Netball – opportunities and enhancements</td>
<td>Audience Development Australia 83/19-21 Penruna Rd, Pyrmont NSW 2009</td>
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<td>ABC2 – Reports from regional STV database</td>
<td>AGB Nielsen Media Research 166 Epping Rd. Lane Cove NSW 2066</td>
<td>$1,475.00</td>
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<td>AGB Nielsen Media Research 166 Epping Rd. Lane Cove NSW 2066</td>
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<td>TV Ratings data</td>
<td>Regional TAM Data</td>
<td>AGB Nielsen Media Research 166 Epping Rd. Lane Cove NSW 2066</td>
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<td>TV Ratings - software</td>
<td>Regional AGB Workstation - software</td>
<td>AGB Nielsen Media Research 166 Epping Rd. Lane Cove NSW 2066</td>
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<td>Datacasting research</td>
<td>Datacasting research.</td>
<td>Invoiced by: Broadcast Australia PO Box 1212, Crows Nest NSW 1585 Research conducted by: Millward Brown Level 11/181 Miller Street North Sydney NSW 2060</td>
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<td>Digital Radio research</td>
<td>Digital Radio Research – Melbourne Trial.</td>
<td>Invoiced by: Broadcast Australia PO Box 1212, Crows Nest NSW 1585 Research conducted by: Colmar Brunton Level 3/50 Chadstone Place 1341 Dandenong Rd Chadstone VIC 3148</td>
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<td>Digital Radio research</td>
<td>Digital Radio survey – Melbourne Trial.</td>
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<td>Radio Ratings – 5 city</td>
<td>5 city - Radio Surveys.</td>
<td>Commercial Radio Australia 5/88 Foveaux St, Sunny Hills NSW 2010 Research conducted by: Nielsen Media Research ACNielsen Centre 11 Talavera Road Macquarie Park NSW 2113</td>
<td>$553,982.16</td>
<td>$553,982.16</td>
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<td>ABC Broadband Research</td>
<td>Market research.</td>
<td>Ecom Industries 3/2 Glen St, Milsons Pt NSW 2061</td>
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<tr>
<td>NewsRadio Research</td>
<td>Understand how listeners perceive content &amp; structure of NR weekday &amp; weekend programs</td>
<td>Eureka Strategic Research PO Box 633, Newtown NSW 2042</td>
<td>$32,740.19</td>
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<tr>
<td>612 ABC Local Radio Brisbane</td>
<td>Review listener and potential listener attitudes.</td>
<td>Galileo Kaleidoscope 117 Harrin St, Pyrmont NSW 2009</td>
<td>$42,089.82</td>
<td>$188,273.99</td>
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<tr>
<td>702 &amp; 774 Local Radio Sydney &amp; Melbourne</td>
<td>Provide an overall ‘health check’ for 702 &amp; 774.</td>
<td>Galileo Kaleidoscope 117 Harrin St, Pyrmont NSW 2009</td>
<td>$71,724.94</td>
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<td>ABC 7pm News project</td>
<td>Explore attitudes towards 7pm News bulletin.</td>
<td>Galileo Kaleidoscope 117 Harrin St, Pyrmont NSW 2009</td>
<td>$74,459.23</td>
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<td>Radio National–Tertiary sector</td>
<td>Explore attitudes towards Radio National among tertiary sector.</td>
<td>Harrison Marketing 266 Oxford St, East Sydney NSW 2010</td>
<td>$12,000.00</td>
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<td>Ipsos Mackay Reports</td>
<td>Ipsos Mackay Reports subscription</td>
<td>Ipsos 800 Arthur St, North Sydney NSW 2060</td>
<td>$9,700.00</td>
<td>$9,700.00</td>
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<tr>
<td>ABC Online Research</td>
<td>Access to Hitwise Australian data</td>
<td>Hitwise 7/580 St Kilda Rd, Melbourne VIC 3004</td>
<td>$1,000.00</td>
<td>$1,000.00</td>
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<tr>
<td>Triple j research</td>
<td>Radio and attitudes to radio stations among youth.</td>
<td>Ipsos Strategic Research 21 Berry St, North Sydney NSW 2060</td>
<td>$65,881.00</td>
<td>$65,881.00</td>
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<tr>
<td>936 ABC Local Radio Hobart</td>
<td>Review of listener attitudes.</td>
<td>The Leading Edge 8/9 23 Hickson Rd, Millers Pt NSW 2000</td>
<td>$22,365.00</td>
<td>$50,184</td>
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<tr>
<td>720 brand ‘health’ research</td>
<td>Assess programs &amp; presenters for 720.</td>
<td>The Leading Edge 8/9 23 Hickson Rd, Millers Pt NSW 2000</td>
<td>$25,280.00</td>
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QUESTIONS IN WRITING
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<thead>
<tr>
<th>Name of opinion poll, focus group or market research</th>
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<th>Cost of each opinion poll, focus group or market research— including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
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</thead>
<tbody>
<tr>
<td>ABC Local Radio - websites</td>
<td>Research of ABC Local Radio websites – additional costs incurred from research conducted in 2004.</td>
<td>The Leading Edge 8/9 23 Hickson Rd, Millers Pt NSW 2000</td>
<td>$2,539.00</td>
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<tr>
<td>Radio National - Audience Development</td>
<td>Exploring opportunities among potential audiences for Radio National</td>
<td>Market &amp; Communications Research PO Box 637, Spring Hill QLD 4004</td>
<td>$38,000.00</td>
<td>$38,000.00</td>
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<td>Regional WA – Morning Prog</td>
<td>Listener preference for Morning programs – Local / State-wide.</td>
<td>Newspoll 407 Elizabeth St, Sunny Hills NSW 2010</td>
<td>$42,580.00</td>
<td>$159,947</td>
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<tr>
<td>Awareness survey</td>
<td>Awareness of ABC Online &amp; ABC 2</td>
<td>Newspoll 407 Elizabeth St, Sunny Hills NSW 2010</td>
<td>$4,400.00</td>
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<tr>
<td>ABC Audience Appreciation Survey</td>
<td>National survey exploring community attitudes &amp; perceptions of the ABC across all services.</td>
<td>Newspoll 407 Elizabeth St, Sunny Hills NSW 2010</td>
<td>$112,967.00</td>
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<tr>
<td>Radio Surveys</td>
<td>“Metro Radio Midnight to Dawn” Survey</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$14,305.00</td>
<td>$485,543</td>
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<td>Radio Surveys</td>
<td>“Ballarat Radio” Survey</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$28,388.00</td>
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<td>Radio Surveys</td>
<td>“Canberra Radio” Survey</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$11,054.00</td>
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<td>Radio Surveys</td>
<td>“Sunshine Coast Radio” Survey</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$15,000.00</td>
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<td>Radio Surveys</td>
<td>“Wollongong Radio” Survey</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$17,772.00</td>
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**QUESTIONS IN WRITING**
### QUESTIONS IN WRITING

**Name of opinion poll, focus group or market research** | **Purpose** | **Name of company and postal address** | **Cost of each opinion poll, focus group or market research-including GST** | **Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST**
---|---|---|---|---
Radio Surveys | “Newcastle Radio” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $29,133.00 |  
Radio Surveys | “Renmark Radio” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $26,620.00 |  
Radio Surveys | “Alice Springs Radio” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $26,184.00 |  
Radio Surveys | “Horsham Radio” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $19,177.50 |  
Radio Surveys | “Broken Hill Radio” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $18,351.00 |  
TV Surveys | “Regional WA TV” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $42,000.00 |  
TV Surveys | “Remote Central & Eastern TV” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $21,000.00 |  
TV Surveys | “Pt Pirie/Broken Hill TV” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $21,000.00 |  
TV Surveys | “Riverland/Mt Gambier TV” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $24,000.00 |  
TV Surveys | “Darwin TV” Survey | Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113 | $14,000.00 |  

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<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
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<td>“Geraldton Radio” Survey</td>
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<td>Radio Surveys</td>
<td>“Canberra Radio” Survey</td>
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<td>Radio Surveys</td>
<td>“Toowoomba City Share” Report</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$200.00</td>
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<td>TV Ratings - software</td>
<td>Annual fee for Media Advisor</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$2,310.00</td>
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<td>Panorama</td>
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<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$82,489.00</td>
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<td>TV Ratings - software</td>
<td>Subscription to Media Gardens</td>
<td>Nielsen Media Research 11 Talavera Rd, Macquarie Park NSW 2113</td>
<td>$7,218</td>
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<td>Online Ratings</td>
<td>Nielsen Netratings</td>
<td>NetRating Australia 59 Wentworth Ave, Sydney NSW 2000</td>
<td>$56,912.40 $66,862.40</td>
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<td>Internet &amp; technology report</td>
<td>Internet &amp; technology report</td>
<td>NetRating Australia 59 Wentworth Ave, Sydney NSW 2000</td>
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<td>eGeneration reports</td>
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<td>NetRating Australia 59 Wentworth Ave, Sydney NSW 2000</td>
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<td>TV ratings data</td>
<td>Data report – Metro TV and national STV details</td>
<td>OzTam 4/50 Berry St, North Sydney NSW 2060</td>
<td>$1,936.00</td>
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<td>TV ratings data</td>
<td>Data report – ABC2</td>
<td>OzTam 4/50 Berry St, North Sydney NSW 2060</td>
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<td>TV ratings data</td>
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<td>OzTam 4/50 Berry St, North Sydney NSW 2060</td>
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<td>TV ratings data</td>
<td>Ratings data – 5 city metro</td>
<td>OzTam 4/50 Berry St, North Sydney NSW 2060</td>
<td>$1,125,000.00</td>
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<td>Ad Testing</td>
<td>“Brand TVC” Creative Development Research</td>
<td>Red Spider 15A Wollumbi Rd, Northbridge NSW 2063</td>
<td>$8,400.00</td>
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<tr>
<td>Classic FM – Audience Development</td>
<td>Opportunities and entry points to CFM among potential listeners.</td>
<td>Red Spider 15A Wollumbi Rd, Northbridge NSW 2063</td>
<td>$60,690.91</td>
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<td>Election Monitoring</td>
<td>WA Election Monitoring</td>
<td>Rehame 140 Myrtle St</td>
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<td>Election Monitoring</td>
<td>NT Election Monitoring</td>
<td>Rehame 140 Myrtle St</td>
<td>$18,000.00</td>
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<td>ABC Broadband analysis</td>
<td>“ABC Broadband” Evaluation</td>
<td>Taylor Nelson Sofies 48 Pyrmont Bridge Rd, Pyrmont NSW 2009</td>
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<td>Name of opinion poll, focus group or market research</td>
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<tr>
<td>ABC Online - usability testing</td>
<td>User experience consultant conducted usability testing on a prototype of the new ABC Online home page, prior to launch.</td>
<td>Different Suite 119 Eastern Lower Deck Jones Bay Wharf 26-32 Pirrama Road Pyrmont Point NSW 2009</td>
<td>$4,800</td>
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<tr>
<td>ABC Online - Focus groups</td>
<td>3 x mini-groups to inform development of the ABC Online home page.</td>
<td>Connect Research &amp; Strategy 4/90 Birriga Rd Bellevue Hill NSW 2023</td>
<td>$6,000</td>
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<tr>
<td>ABC Online: eye-tracking study</td>
<td>Eye-tracking study of ABC Online home page.</td>
<td>P TG Global L16, 207 Kent St Sydney NSW 2000</td>
<td>$1,295</td>
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**NetAlert**

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<tr>
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<th>Cost of each opinion poll, focus group or market research—including GST</th>
<th>Total sum spent on opinion poll, focus group or market research for 2005 (calendar year) including GST</th>
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<tbody>
<tr>
<td>Kidsonline@home study (jointly with the then Australian Broadcasting Authority)</td>
<td></td>
<td>Net Ratings Australia Pty Ltd (Netratings), 59 Wentworth Ave Surry Hills NSW 2010 Youth project focus group research conducted by NetAlert staff with the assistance of the NetAlert Chair, no external consultant utilised</td>
<td>$43,824.92 (this was cost to NetAlert, ABA paid other 50% of costs)</td>
<td>$43,824.92</td>
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**QUESTIONS IN WRITING**
### Australian Communications and Media Authority (ACMA)

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<tr>
<td>Digital Media in Australian Homes</td>
<td></td>
<td>Eureka Strategic Research Pty Limited PO Box 767 Newtown NSW 2042 AUSTRALIA</td>
<td>$101,453</td>
<td>$149,565</td>
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<td>2005 Consumer Satisfaction Survey</td>
<td></td>
<td>Roy Morgan Research, 411 Collins Street, Melbourne Vic 3000</td>
<td>$48,112</td>
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Media Training

(Question No. 3345)

Mr Bowen asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 29 March 2006:

(1) Did the department or any agency in the Minister’s portfolio engage the services of a media training company in 2005; if so, how many individuals in the department and each agency received media training.

(2) For 2005, what sum was spent on media training by the department and each agency in the Minister’s portfolio.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) Yes, the Department did engage the services of a media training company in 2005. Twenty nine individuals in the Department received media training.

(2) For 2005, $42,638.00 was spent on media training by the Department.

Live Animal Exports

(Question No. 3605)

Mr McClelland asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 1 June 2006:

(1) How many Australian jobs are dependent upon Australia’s live export trade, and (a) what is the source of this figure, (b) how many of the jobs are administrative in nature, and (c) how many of the jobs are in feedlots.

(2) To which countries does Australia export live animals.

(2) (a) What animal cruelty laws exist in the countries Australia exports live animals to, (b) Are independent assessments of slaughter conditions carried out, (c) How many animals have died en route.

(3) In respect of live export trade to the Middle East, what is the annual volume and value to the Australian economy of (a) total live exports, (b) live sheep exports and (c) live cattle exports.

(4) What is the total annual volume and value of Australia’s exports to all countries of (a) lamb, (b) mutton, and (c) beef.

(5) The total annual volume and value of Australia’s exports to the Middle East of (a) lamb, (b) mutton, and (c) beef.

(6) What trends, if any, are apparent in the figures referred to in parts (3), (4) and (5).

(7) How many, and what proportion, of (a) Australian slaughtermen, and (b) Australian abattoirs are halal accredited.

(8) To which countries does Australia export frozen meat.

(9) How many Australian jobs are dependent upon the export of frozen meat.

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

(1) The most recent estimate is that the live export industry creates 12,924 jobs in the Australian economy, (a) The source is a report commissioned by Meat and Livestock Australia and Livecorp into the value and contribution of the live export trade to the Australian Economy, (b) The estimate is for the total number of jobs created; there is no breakdown into individual categories of jobs in the report, (c) As for question (1) (b).

(2) The destinations of Australian exports of live cattle, sheep and goats are listed in Table 2.1.
Table 2.1: Destination of Australian Exports of Live Cattle, Sheep and Goats in Calendar year 2005.

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<td>Brazil</td>
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<td>Brunei</td>
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<td>China</td>
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<tr>
<td>Israel</td>
</tr>
<tr>
<td>Japan</td>
</tr>
<tr>
<td>Jordan</td>
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<tr>
<td>Kazakhstan</td>
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<tr>
<td>Korea, Republic</td>
</tr>
<tr>
<td>Kuwait</td>
</tr>
<tr>
<td>Malaysia</td>
</tr>
<tr>
<td>Mexico</td>
</tr>
<tr>
<td>New Caledonia</td>
</tr>
<tr>
<td>New Zealand</td>
</tr>
<tr>
<td>Oman</td>
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<tr>
<td>Philippines</td>
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<td>Qatar</td>
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<td>Saudi Arabia</td>
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<td>Singapore</td>
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<td>Taiwan</td>
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<tr>
<td>Thailand</td>
</tr>
<tr>
<td>United Arab Emirates</td>
</tr>
<tr>
<td>Vietnam</td>
</tr>
</tbody>
</table>

This information does not include live exports of other animals such as camelids, buffalo and domestic animals.

(2) (a) The Department of Agriculture, Fisheries and Forestry (DAFF) does not have specific details about the laws covering the handling of animals in markets to which Australian live animals are exported. (b) The Australian Government does not have jurisdiction to inspect slaughter facilities in other countries. However, cooperative arrangements in some markets allow inspections to occur. (c) The number of cattle, sheep and goats that died en route to destination in calendar year 2005 are shown in Table 2.2 below.

Table 2.2: Number and percentage of Cattle, Sheep and Goats exported live from Australia that died en route to destination in 2005.

<table>
<thead>
<tr>
<th>Livestock Type</th>
<th>Mortalities</th>
<th>Mortalities as a percentage of exports</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cattle</td>
<td>779</td>
<td>0.14%</td>
</tr>
<tr>
<td>Sheep</td>
<td>38,953</td>
<td>0.94%</td>
</tr>
<tr>
<td>Goats</td>
<td>193</td>
<td>0.45%</td>
</tr>
</tbody>
</table>

Source: AQIS

(3) In respect of live export trade to the Middle East, the annual volume and value to the Australian economy of (a) total live exports, (b) live sheep exports and (c) live cattle exports is outlined in Table 3.1.

Table 3.1: Summary of Australian Livestock Exports to the Middle East.

<table>
<thead>
<tr>
<th>Description</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Live Sheep Head</td>
<td>4,652,579</td>
<td>3,356,028</td>
<td>4,143,607</td>
</tr>
<tr>
<td>Value ($m)</td>
<td>331.4</td>
<td>222.8</td>
<td>274.6</td>
</tr>
<tr>
<td>Live Cattle Head</td>
<td>105,599</td>
<td>62,010</td>
<td>81,145</td>
</tr>
<tr>
<td>Value ($m)</td>
<td>64.1</td>
<td>34.3</td>
<td>56.0</td>
</tr>
<tr>
<td>Live Goat Head</td>
<td>16,532</td>
<td>856</td>
<td>12</td>
</tr>
<tr>
<td>Value ($m)</td>
<td>1.19</td>
<td>0.099</td>
<td>0.0024</td>
</tr>
<tr>
<td>Total live Exports</td>
<td>4,774,710</td>
<td>3,418,894</td>
<td>4,224,764</td>
</tr>
<tr>
<td>Total Live Exports</td>
<td>396.7</td>
<td>257.2</td>
<td>330.7</td>
</tr>
</tbody>
</table>

Source: ABS
For the purpose of this table, the Middle East has included Bahrain, Egypt, Israel, Jordan, Kuwait, Lebanon, Oman, Palestine, Qatar, Saudi Arabia and the United Arab Emirates.

(4) (a), (b) and (c) The total annual exports of Australian lamb, mutton and beef are outlined in Table 4.1 below.

Table 4.1: Australian exports of Lamb, Mutton and Beef to all Destinations.

<table>
<thead>
<tr>
<th>Description</th>
<th>2002</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lamb</td>
<td>Value ($m)</td>
<td>$566</td>
<td>$603</td>
<td>$639</td>
</tr>
<tr>
<td></td>
<td>Volume (t)</td>
<td>108,200</td>
<td>109,600</td>
<td>118,500</td>
</tr>
<tr>
<td>Mutton</td>
<td>Value ($m)</td>
<td>$520</td>
<td>$375</td>
<td>$426</td>
</tr>
<tr>
<td></td>
<td>Volume (t)</td>
<td>172,600</td>
<td>124,100</td>
<td>139,100</td>
</tr>
<tr>
<td>Beef</td>
<td>Value ($m)</td>
<td>$4,100</td>
<td>$3,600</td>
<td>$4,620</td>
</tr>
<tr>
<td></td>
<td>Volume (t)</td>
<td>948,000</td>
<td>872,800</td>
<td>962,000</td>
</tr>
</tbody>
</table>

Source: ABS

(5) The total annual volume and value of Australia’s exports to the Middle East of (a) lamb, (b) mutton, and (c) beef is outlined in Table 5.1.

Table 5.1: Summary of Australian Lamb, Mutton and Beef Exports to the Middle East.

<table>
<thead>
<tr>
<th>Description</th>
<th>2003</th>
<th>2004</th>
<th>2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lamb</td>
<td>tonnes</td>
<td>11,053</td>
<td>10,420</td>
</tr>
<tr>
<td></td>
<td>value ($m)</td>
<td>46.8</td>
<td>46.1</td>
</tr>
<tr>
<td>Mutton</td>
<td>tonnes</td>
<td>34,898</td>
<td>33,446</td>
</tr>
<tr>
<td></td>
<td>value ($m)</td>
<td>105.7</td>
<td>98.6</td>
</tr>
<tr>
<td>Beef</td>
<td>tonnes</td>
<td>10,543</td>
<td>5,597</td>
</tr>
<tr>
<td></td>
<td>value ($m)</td>
<td>49.7</td>
<td>36.2</td>
</tr>
</tbody>
</table>

Source: ABS

(6) The figures provided to answer questions 3, 4 and 5 show a significant increase in the volume and value of sheep meat exports to the Middle East, whilst beef exports have steadily decreased. Exports of live sheep to the Middle East have fluctuated in recent years.

(7) (a) AUS-MEAT has advised that there are 285 Muslim slaughtermen registered to perform halal slaughter. DAFF does not collect employment data for the red meat industry. (b) There is a total of 90 export abattoirs of which 54 (60%) are halal accredited.

(8) The list of destinations to which Australia sends beef, sheep meat and goat meat is shown in Table 8.1 below. The list includes frozen and chilled meat.

Table 8.1: Destinations of Australian exports of chilled and frozen beef, sheep meat and goat meat.

<table>
<thead>
<tr>
<th>Albania</th>
<th>Canada</th>
<th>East Timor, Dem Rep of East Timor</th>
<th>Hong Kong</th>
</tr>
</thead>
<tbody>
<tr>
<td>Algeria</td>
<td>Cyprus</td>
<td>Egypt</td>
<td>Hungary</td>
</tr>
<tr>
<td>Antartica</td>
<td>Chad</td>
<td>Federated States of Micronesia</td>
<td>India</td>
</tr>
<tr>
<td>Antigua and Barbuda</td>
<td>Chile</td>
<td>Fiji</td>
<td>Indonesia</td>
</tr>
<tr>
<td>Austria</td>
<td>China</td>
<td>Former Yugoslav Republic</td>
<td>Israel</td>
</tr>
<tr>
<td>Bahamas</td>
<td>Christmas Island</td>
<td>France</td>
<td>Italy</td>
</tr>
<tr>
<td>Bahrain</td>
<td>Cocos (Keeling) Island</td>
<td>French Polynesia</td>
<td>Jamaica</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Cook Islands</td>
<td>Gabon</td>
<td>Japan</td>
</tr>
<tr>
<td>Barbados</td>
<td>Cote d’Ivoire (Ivory Coast)</td>
<td>Georgia</td>
<td>Jordan</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
Belgium  
Bermuda  
Bosnia and Herzegovina  
Brunei  
Bulgaria  
Cambodia  

Croatia  
Cyprus  
Czech Republic  
Denmark  
Dominica  
Dominican Republic  

Germany  
Ghana  
Greece  
Grenada  
Guam  
Guatemala  

Kazakhstan  
Kenya  
Kiribati  
Korea, Republic  
Kuwait  
Lebanon  

Libya  
Macau  
Malaysia  
Maldives  
Malta  
Marshall Islands  

New Zealand  
Norfolk Island  
Northern Marianas  
Oman  
Pakistan  
Papua New Guinea  

Seychelles  
Sierra Leone  
Singapore  
Slovenia  
Solomon Islands  

Switzerland  
Taiwan  
Thailand  
Tonga  
Trinidad and Tobago  
Tunisia  

Tuvalu  
United Arab Emirates  
United Kingdom  
United States of America  
Vanuatu  

Western Samoa  

Malaysia  
Bulgaria  
Belgium  
Bosnia and Herzegovina  
Brunei  
Bulgaria  
Cambodia  

Source: ABS

(9) The Australian Bureau of Statistics most recent available data (Manufacturing Industry, category number 8221.0, Canberra) indicates that as of 2001 there were 28,000 people directly employed in the meat processing sector. There is no data available to differentiate employees on the basis of export and domestic production.

**Terrorism**

*(Question No. 3804)*

Mr Windsor asked the Attorney-General, in writing, on 8 August 2006:

(1) How are the citizens of Australia to know that the Government’s Anti-Terrorism laws are being implemented appropriately.

(2) Is all information concerning the implementation of the laws referred to in Part (1) on the public record; if so, how can this information be accessed; if not, why not.

(3) In respect of the implementation of the Government’s Anti-Terrorism laws (a) what level of detail is available to the public, (b) what duty of public disclosure exists and (c) what is the time-frame within which disclosures have to be made.

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

(1) The appropriateness of the implementation of the Government’s anti-terrorism laws has been considered in the context of a number of reviews into the operation of the counter-terrorism legislation that the Government has facilitated.
Security Legislation Review Committee

The Security Legislation Review Committee (SLRC) chaired by the Honourable Simon Sheller AO QC, a retired NSW Supreme Court Judge, was established in accordance with section 4 of the Security Legislation Amendment (Terrorism) Act 2002. In April 2006, the SLRC completed an independent public review of the operation, effectiveness and implications of the following legislation:

- Security Legislation Amendment (Terrorism) Act 2002;
- Suppression of Financing of Terrorism Act 2002;
- Criminal Code Amendment (Suppression of Terrorist Bombings) Act 2002;
- Border Security Legislation Amendment Act 2002;
- Telecommunications Interception Legislation Amendment Act 2002; and
- Criminal Code Amendment (Terrorism) Act 2003

The other members of the Committee included:

Mr Ian Carnell – Inspector-General of Intelligence and Security
Ms Karen Curtis – Privacy Commissioner
Dr Sev Ozdowski OAM – former Human Rights Commissioner
Professor John McMillan – Commonwealth Ombudsman
Mr John A Davies APM OAM – former ACT Chief of Police
Ms Gillian Braddock SC – Law Council of Australia
Mr Dan O’Gorman – Law Council of Australia

Whilst conducting its review the SLRC received 35 submissions and held public hearings in Perth, Melbourne, Sydney and Canberra over February and March 2006. After extensive public consultation, the SLRC concluded that separate security legislation is necessary and noted that there was no indication of excessive or improper use of the provisions that fall within the scope of the review.

The SLRC report was tabled in Parliament on 15 June 2006 and is publicly available along with the transcripts of the public hearings at www.ag.gov.au/slrc.

Further, in accordance with subsection 29(1)(ba) of the Intelligence Services Act 2001, a public review of the same legislation is also being conducted by the Parliamentary Joint Committee on Intelligence and Security (PJC). The SLRC presented its report to the PJC on 21 April 2006 and the PJC held public hearings on 31 July 2006 and 1 August 2006. The PJC is yet to report on the findings of its review. The public submissions and transcript of the PJC hearings are publicly available at www.aph.gov.au/pjcis.

Council of Australian Governments review

There will also be a further review in 2010. The Council of Australian Governments (COAG) is statutorily required to commission a review of schedules 1, 3, 4 and 5 of the Anti-Terrorism Act (No 2) 2005 which include the amendment to the definition of terrorist organisation to cover organisations that advocate terrorism, preventative detention, control orders, financing of terrorism and stop, question and search powers. On 10 February 2006, COAG agreed on details concerning the scope, process and form for the review. The Council agreed that the review should be conducted by a small committee and should review the operation, effectiveness and implications of the relevant amendments in each jurisdiction. In conducting the review, the committee will have regard to the agreement of COAG leaders on 27 September 2005, in which it was agreed that any amended counter-terrorism laws must be necessary, effective against terrorism and contain appropriate safeguards against abuse, such as parliamentary and judicial review, and be exercised in a way that is evidence-based, intelligence-led and proportionate. More information regarding these measures and the review is publicly available at www.coag.gov.au.

QUESTIONS IN WRITING
**Reporting obligations in the Criminal Code**

Subsections 104.29 and 105.47 of the Criminal Code Act 1995 which were inserted into the Code by the Anti-Terrorism Act (No 2) 2005 require the Attorney-General to table a report on the operation of Division 104 (preventative detention orders) and 105 (control orders) before each House of Parliament. The report into control orders must contain the number of interim control orders made under Division 104 and particulars of any complaints made or referred to the Commonwealth Ombudsman or the Internal Investigation Division of the Australian Federal Police.

The report into preventative detention orders must contain the number of initial preventative detention orders made, the number of prohibited contact orders made and the number of preventative detention orders/prohibited contact orders that a court has found not to have been validly made or declared to be void. The report for the year ending 30 June 2006 was tabled on 16 August 2006.

**Other measures to ensure appropriate operation of counter-terrorism legislation**

The Commonwealth Ombudsman and the Inspector-General of Intelligence and Security have sufficient powers to oversee the operations of the Commonwealth law enforcement and intelligence agencies. All legislation, including the anti-terrorism legislation is subject to the scrutiny of the Courts.

**Commonwealth Ombudsman**

The Commonwealth Ombudsman is able to investigate the actions of Federal Government departments and agencies. The Ombudsman Act 1976 provides that the Ombudsman may investigate complaints received by the Ombudsman’s office or investigate on his/her own motion.

In addition to this complaint investigation function, the Ombudsman’s office is required under other legislation such as the Telecommunications (Interception and Access) Act 1979 and Crimes Act 1914 to scrutinise the accuracy of records maintained by the Australian Federal Police (AFP) and Australian Crime Commission (ACC).

The Ombudsman Act 1976 requires the Ombudsman to submit to the Minister for presentation to the Parliament, an annual report detailing the operations of the Ombudsman during the year. Further, where the Ombudsman has investigated a matter, forwarded a report to the relevant minister and is of the opinion that inadequate or inappropriate action has been taken, the Ombudsman may forward a copy of his/her report to the Prime Minister, the President of the Senate and the Speaker of the House of Representatives for presentation to both Houses of Parliament.

Section 84 of the Telecommunications (Interception and Access) Act 1979 and section 61 of the Surveillance Devices Act 2004 also requires the Ombudsman to report to the Minister in writing the results of inspections made under subsection 83(1) into the agency’s records. In addition, under section 100 of the Telecommunications (Interception and Access) Act 1979 and section 50 of the Surveillance Devices Act 2004 law enforcement agencies are required to prepare annual reports detailing how many applications for a warrant have been made, the number of warrants issued under each Act, particulars about the duration of the warrants and information regarding the effectiveness of the warrants. These reports are required to be tabled in Parliament each year by the Attorney-General and are made publicly available on the Attorney-General’s Department’s website at www.ag.gov.au/publications.

**Inspector-General of Intelligence and Security**

The Inspector-General of Intelligence and Security (IGIS) is an independent statutory office created by the Inspector-General of Intelligence and Security Act 1986 (IGIS Act). The Act empowers the IGIS to inquire into matters that relate to the Australian Security Intelligence Organisation (ASIO), Australian Secret Intelligence Service (ASIS), Defence Imagery and Geospatial Organisation (DIGO), Defence Signals Directorate (DSD), Defence Intelligence Organisation (DIO) and Of-
Office of National Assessment (ONA). The IGIS may, subject to section 8 of the IGIS Act, investigate on his/her own motion, at the request of the responsible minister in response to a complaint.

Section 8 of the IGIS Act provides that the IGIS may investigate matters that relate to ASIO, ASIS, DIGO, DSD, DIO or ONA including:

- compliance by the agency with the laws of the Commonwealth
- compliance by the agency with directions or guidelines
- acts or practices of the agency that may be inconsistent with or contrary to any human right, that may constitute discrimination or may be unlawful under the Age Discrimination Act 2004, Racial Discrimination Act 1975 or Sex Discrimination Act 1984.

The Act also authorises the Inspector-General, in certain circumstances, to inquire into action that should be taken to protect the rights of a person who is an Australian citizen.

Section 35 of the IGIS Act requires the Inspector-General to prepare and furnish to the Prime Minister, an annual report of the operations of the Inspector-General. The annual report must contain the Inspector-General’s comments on any inquiry conducted by the Inspector General and the extent of compliance by ASIS and DSD with rules made under section 51 of the Intelligence Services Act 2001.

The Act requires the Prime Minister to provide a copy of the report to the Leader of the Opposition in the House of Representatives and to lay a copy of the report before each House of Parliament.

In addition to the IGIS annual report, under section 94 of the Australian Security Intelligence Organisation Act 1979 (ASIO Act), ASIO is required to prepare a report each year which details the number of warrants issued under various Divisions of the ASIO Act, the number of hours each person appeared before a prescribed authority for questioning under the warrant and the number of hours a person spent in detention under a warrant. This report is then tabled in Parliament by the Attorney-General and a copy is also provided to the Leader of the Opposition in the House of Representatives.

Documents tabled in Parliament may be accessed by members of the public via the internet on the Australian Parliament House web site at www.aph.gov.au or at the relevant department or agency’s web site.

In addition to my response to Question 1 and 2, my Department developed a pamphlet that outlines the key provisions of the Anti-Terrorism Act (No 2) 2005. In January 2006, the Department arranged for 4500 copies of the pamphlet to be printed. This number included 1000 pamphlets printed in English, 500 printed in French, 500 in Vietnamese, 500 in Traditional Chinese, 500 in Spanish, 500 in Arabic, 500 in Bahasa Malay and 500 in Turkish. In addition, in July 2006 the Department ordered a further 4400 copies of the pamphlet to be printed. These pamphlets are distributed by Departmental officers at forums and seminars that Departmental officers are invited to speak at about the Australian Government’s counter-terrorism legislation. Departmental offices have spoken at six forums around the country.

Iraq

Mr Tanner asked the Minister for Foreign Affairs, in writing, on 8 August 2006:

(1) Is the Government aware of Decree 8750 of the Iraqi Government, which empowers that Government to take control of all monies belonging to trade unions and prevent them using these monies

(2) Has the Government made any representations to the Iraqi Government about this decree, in particular, protesting its provisions; if so, what are the details of these representations.
Mr Downer—The answer to the honourable member’s question is as follows:

(1) and (2) I understand that Decree 8750 was issued in August last year by the Iraqi Transitional National Government, with the aim of legalising the state of union organisations in Iraq. The Decree provided for the freezing of union assets until democratic union elections to appoint a union executive were successfully held.

These elections did take place, but newly elected union leaders were prevented from taking office due to legal action on the part of the former union leadership, which challenged the legality of the Decree. Iraq’s Supreme Court has yet to reach a verdict on the matter. In the meantime the Iraqi Minister for Labour and Social Affairs, Mahmoud Muhammad Jawad al-Radi, has requested the Maliki Government either to cancel the Decree, or ask the Court to expedite its decision. The Australian Government continues to monitor developments; however as the issue is still before the Supreme Court, we have not made representations on Decree 8750.

Fuel Prices

(Question No. 3897)

Mr Murphy asked the Minister for Industry, Tourism and Resources, in writing, on 10 August 2006:

(1) Has he read the article titled ‘Got an answer to the petrol price blues? I’m all ears, says PM’, which appeared in The Age on 3 August 2006.

(2) What is his response to that part of the article which reports the Member for O’Connor as saying: “We are not giving Australians any hope of having less expensive motor fuel. We, as a government, have no vision”.

(3) What is the Government doing to encourage

(a) motorists to convert to LPG,
(b) an increase in the production of ethanol in Australia,
(c) oil companies to blend ethanol with petrol and
(d) a boost in the availability of ethanol blended fuel at service stations.

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

(1) Yes.

(2) The Prime Minister’s statement to the House of Representatives on 14 August 2006 (Hansard, pages 26-29) addresses the issues alluded to by the Member for O’Connor.

(3) (a) The Government is providing $766.1 million over the years to 1 July 2014 to encourage private purchases or conversions of LPG vehicles. A tax-free grant of $2000 will be provided for private LPG conversions and $1000 for new private LPG-dedicated or dual-fuel vehicles. Taking into account revenue foregone, the total cost of this program is more than $1.3 billion over eight years.

(b) The Government provides an Ethanol Production Grant of 38.143 cents per litre on ethanol produced for use in transport applications. As of 31 July 2006, $60.2 million had been paid to producers under that program. In addition, in 2004 the Government announced Biofuels Capital Grants to three companies, CSR Distilleries, Schumer Pty Ltd and Lemon Tree Ethanol Pty Ltd, worth $12.41 million to provide new or expanded ethanol production capacity.

(c) The Government sought and gained the cooperation of the oil companies in Australia to assist in the effort to meet the target of 350 megalitres of biofuel use by 2010. The Prime Minister announced the Biofuels Action Plan, which comprises voluntary Industry Action Plans drawn
up by the major oil companies, members of the Independent Petroleum Group and the major retailers, on 22 December 2005.

(d) The Government is providing $17.2 million from 1 October 2006 to enable service station operators to upgrade their equipment to increase the sale of ethanol blended fuel. The final format of the program will be concluded after a consultation process has been completed.

Asia-Pacific Region: Death Penalty

(Question No. 3906)

Mr Melham asked the Minister for Foreign Affairs, in writing, on 14 August 2006:

(1) Will he update the answer to question No. 3354 (Hansard, 11 May 2004, p28308) in respect of the countries and territories in and around the Pacific and Indian Oceans in which the death penalty can be imposed and is still being carried out.

(2) When and how did Australia most recently discuss the death penalty with any of those countries and with what results.

Mr Downer—The answer to the honourable member’s questions is as follows:

(1) Over half the countries in the world have now abolished the death penalty either in law or in practice. There are now 71 countries which retain the death penalty, but only a small number of countries actually execute prisoners each year.

(a) Those countries in and around the Pacific and Indian Oceans in which the death penalty can be imposed are shown in the following table:

<table>
<thead>
<tr>
<th>Afghanistan</th>
<th>Lesotho</th>
<th>South Korea</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Malawi</td>
<td>Swaziland</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>Malaysia</td>
<td>Taiwan</td>
</tr>
<tr>
<td>Chile</td>
<td>Myanmar</td>
<td>Tanzania</td>
</tr>
<tr>
<td>China</td>
<td>North Korea</td>
<td>Thailand</td>
</tr>
<tr>
<td>Comoros</td>
<td>Oman</td>
<td>Uganda</td>
</tr>
<tr>
<td>Eritrea</td>
<td>Pakistan</td>
<td>UAE</td>
</tr>
<tr>
<td>India</td>
<td>Qatar</td>
<td>United States</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Russia</td>
<td>Vietnam</td>
</tr>
<tr>
<td>Iran</td>
<td>Rwanda</td>
<td>Yemen</td>
</tr>
<tr>
<td>Iraq</td>
<td>Saudi Arabia</td>
<td>Zambia</td>
</tr>
<tr>
<td>Japan</td>
<td>Singapore</td>
<td>Zimbabwe</td>
</tr>
<tr>
<td>Laos</td>
<td>Somalia</td>
<td></td>
</tr>
</tbody>
</table>

(b) Those countries in and around the Pacific and Indian Oceans in which the death penalty was imposed and/or carried out during 2005 are shown in the following table:

<table>
<thead>
<tr>
<th>Afghanistan</th>
<th>Malawi</th>
<th>South Korea</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahrain</td>
<td>Malaysia</td>
<td>Taiwan</td>
</tr>
<tr>
<td>Bangladesh</td>
<td>North Korea</td>
<td>Tanzania</td>
</tr>
<tr>
<td>China</td>
<td>Oman</td>
<td>United States</td>
</tr>
<tr>
<td>India</td>
<td>Pakistan</td>
<td>Vietnam</td>
</tr>
<tr>
<td>Indonesia</td>
<td>Philippines*</td>
<td>Yemen</td>
</tr>
<tr>
<td>Iran</td>
<td>Qatar</td>
<td>Zimbabwe</td>
</tr>
<tr>
<td>Iraq</td>
<td>Saudi Arabia</td>
<td>Yemen</td>
</tr>
<tr>
<td>Japan</td>
<td>Singapore</td>
<td></td>
</tr>
<tr>
<td>Laos</td>
<td>Somalia</td>
<td></td>
</tr>
</tbody>
</table>

*The death penalty in the Philippines was abolished in June 2006.

Source: Amnesty International Website.
(2) The Government takes a considered approach to when and how it discusses the death penalty with other countries. The Government respects the sovereign right of other governments to enforce their laws but it will always make representations on behalf of Australian sentenced to the death penalty and is consistent with the abolition of the death penalty within Australian territory.

Since August 2005, Australia has discussed the death penalty with a range of countries that still impose the death penalty. The issue has been discussed at Ministerial and officials level both generally and in relation to individuals. In some cases, sentences have been commuted.

The Australian Government will continue to encourage those countries that impose the death penalty to commit to the principles espoused in the Second Optional Protocol to the International Covenant on Civil and Political Rights.

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**Iran**

(_question_no:_3928)

Ms King asked the Minister for Foreign Affairs, in writing, on 14 August 2006:

(1) How many Azerbaijanis currently reside in northern Iran.

(2) What action, if any, has he taken to raise the issue of minority persecution with the Iranian Government.

(3) What action has he, or his department, taken in respect of the specific persecution of Azerbaijanis in Iran.

(4) What action has he taken to have the United Nations investigate and address claims made by Azerbaijanis living in Iran that they are subject to systematic persecution.

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

(1) The combined population of Iran’s East and West Azerbaijan provinces (both in northern Iran) is approximately 6.5 million. Azeris, a Turkic ethnic group, make up approximately one quarter of Iran’s population of 70 million and live throughout Iran.

(2) The Australian Embassy in Tehran is active in making representations to the Iranian Government urging them to respect the human rights of ethnic minorities.

(3) Australian representations to Iranian authorities have urged them to respect the rights of all ethnic minorities.

(4) In December 2005 Australia co-sponsored a United Nations General Assembly Resolution on the human rights situation in Iran. The resolution expressed serious concern at the continuing discrimination, and other human rights violations, against persons belonging to ethnic minorities and called on Iran to eliminate such practices.

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**Oil for Food Program**

(_question_no:_3944)

Mr Rudd asked the Minister for Foreign Affairs, in writing, on 16 August 2006:

In respect of the answer to Senate Estimates question No. 41 (Hansard, 29 May 2006, page 114); (a) is he, or his office, aware that Senator Faulkner asked: “What is the date of the declassified document, posted on the website of the Cole inquiry, from the then head of the ITF (Bassim Blazey) to Mr Michael Thawley?”; (b) is he, or his office, aware that the Department of Foreign Affairs and Trade answered that: “On 10 May 2006, the Prime Minister informed the House of Representatives that the email exchange took place in February 2005”; (c) can he advise of any other sources of verification for that document; if so, can he independently verify the date that the email exchange took place; and (d) will he provide evidence supporting that verification.

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QUESTIONS IN WRITING
Mr Downer—The answer to the honourable member’s question is as follows:

(a) Yes

(b) Yes

(c) and (d) I have nothing further to add to the Prime Minister’s response in the House of Representatives on 10 May 2006.