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**SITTING DAYS—2006**

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- **GOLD COAST** 95.7 FM
- **MELBOURNE** 1026 AM
- **ADELAIDE** 972 AM
- **PERTH** 585 AM
- **HOBART** 747 AM
- **NORTHERN TASMANIA** 92.5 FM
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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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<td>Vasta, Ross Xavier</td>
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<td>Grey, SA</td>
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<td>Washer, Malcolm James</td>
<td>Moore, WA</td>
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<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
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<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
<td>LP</td>
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**PARTY ABBREVIATIONS**

ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent; CLP—Country Liberal Party; AG—Australian Greens

### Heads of Parliamentary Departments

- Clerk of the Senate—H Evans
- Clerk of the House of Representatives—I C Harris
- Secretary, Department of Parliamentary Services—H R Penfold QC
HOWARD MINISTRY

Prime Minister

Minister for Transport and Regional Services and

Deputy Prime Minister

Minister for Trade

Minister for Defence

Minister for Foreign Affairs

Minister for Health and Ageing and Leader of the

House

Attorney-General

Minister for Finance and Administration,

Leader of the Government in the Senate and

Vice-President of the Executive Council

Minister for Agriculture, Fisheries and Forestry

and Deputy Leader of the House

Minister for Immigration and Multicultural Affairs

Minister for Education, Science and Training and

Minister Assisting the Prime Minister for

Women’s Issues

Minister for Families, Community Services and

Indigenous Affairs and Minister Assisting the

Prime Minister for Indigenous Affairs

Minister for Industry, Tourism and Resources

Minister for Employment and Workplace

Relations and Minister Assisting the Prime

Minister for the Public Service

Minister for Communications, Information

Technology and the Arts and Deputy Leader of

the Government in the Senate

Minister for the Environment and Heritage

The Hon. John Winston Howard MP

The Hon. Mark Anthony James Vaile MP

The Hon. Peter Howard Costello MP

The Hon. Warren Errol Truss MP

The Hon. Dr Brendan John Nelson MP

The Hon. Alexander John Gosse Downer MP

The Hon. Anthony John Abbott MP

The Hon. Philip Maxwell Ruddock MP

Senator the Hon. Nicholas Hugh Minchin

The Hon. Peter John McGauran MP

Senator the Hon. Amanda Eloise Vanstone

The Hon. Julie Isabel Bishop MP

The Hon. Malcolm Thomas Brough MP

The Hon. Ian Elgin Macfarlane MP

The Hon. Kevin James Andrews MP

Senator the Hon. Helen Lloyd Coonan

Senator the Hon. Ian Gordon Campbell

(The above ministers constitute the cabinet)
| 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 Services | 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 Ageing | Senator the Hon. Santo Santoro |
| Minister for Small Business and Tourism | The Hon. Frances Esther Bailey MP |
| Minister for Local Government, Territories and Roads | The Hon. James Eric Lloyd MP |
| Minister for Veterans' Affairs and Minister Assisting the Minister for Defence | The Hon. 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 to the Minister for Transport and Regional Services | 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 Treasurer | The Hon. Teresa Gambaro MP |
SHADOW MINISTRY

Leader of the Opposition
The Hon. Kim Christian Beazley MP

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

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

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

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

Shadow Treasurer
Wayne Maxwell Swan MP

Shadow Attorney-General
Nicola Louise Roxon MP

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

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

Shadow Minister for Defence
Robert Bruce McClelland MP

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

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

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

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

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

Shadow Minister for Finance
Lindsay James Tanner MP

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

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

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

(The above are shadow cabinet ministers)
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<tr>
<td>Shadow Minister for Consumer Affairs and</td>
<td>Laurie Donald Thomas Ferguson MP</td>
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<td>Shadow Minister for Population Health and</td>
<td>Gavan Michael O’Connor MP</td>
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<td>Shadow Minister for Agriculture and Fisheries</td>
<td>Joel Andrew Fitzgibbon MP</td>
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<td>Shadow Assistant Treasurer, Shadow Minister for Revenure and Shadow Minister for</td>
<td>Senator Kerry Williams Kelso O’Brien</td>
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<td>Business and Competition</td>
<td>Senator Kate Alexandra Lundy</td>
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<td>Shadow Minister for Transport</td>
<td>The Hon. Archibald Ronald Bevis MP</td>
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<td>Shadow Minister for Sport and Recreation</td>
<td>Senator Jan Elizabeth McLucas</td>
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<td>Shadow Minister for Homeland Security and</td>
<td>Robert Charles Grant Sercombe MP</td>
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<td>Shadow Minister for Aviation and Transport Security</td>
<td>Alan Peter Griffin MP</td>
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<td>Shadow Minister for Veterans’ Affairs and</td>
<td>Senator Thomas Mark Bishop</td>
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<td>Shadow Minister for Defence Industry, Procurement and Personnel</td>
<td>Anthony Stephen Burke MP</td>
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<td>Shadow Minister for Immigration</td>
<td>Senator Joseph William Ludwig</td>
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<td>Shadow Minister for Ageing, Disabilities and Carers</td>
<td>Senator Annette Hurley</td>
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<td>Shadow Minister for Justice and Customs and Manager of Opposition Business in the</td>
<td>Peter Robert Garrett MP</td>
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<td>Senate</td>
<td>John Paul Murphy MP</td>
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<td>Shadow Minister for Overseas Aid and Pacific Island Affairs</td>
<td>The Hon. Graham John Edwards MP</td>
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<td>Shadow Minister for Citizenship and Multicultural Affairs</td>
<td>Kirsten Fiona Livermore MP</td>
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<td>Shadow Parliamentary Secretary for Reconciliation and the Arts</td>
<td>Jennie George MP</td>
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<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td>Bernard Fernando Ripoll MP</td>
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<td>Shadow Parliamentary Secretary for Defence and Veterans’ Affairs</td>
<td>Kathleen Corcoran MP</td>
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<td>Shadow Parliamentary Secretary for Education</td>
<td>Catherine Fiona King MP</td>
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<td>Shadow Parliamentary Secretary for Environment and Heritage</td>
<td>Senator Ursula Mary Stephens</td>
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<td>Shadow Parliamentary Secretary for Industry, Infrastructure and Industrial Relations</td>
<td>The Hon. Warren Edward Snowdon MP</td>
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<td>Shadow Parliamentary Secretary for Science and Water</td>
<td>The Hon. Warren Edward Snowdon MP</td>
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The SPEAKER (Hon. David Hawker) took the chair at 12.30 pm and read prayers.

COMMITTEES

Treaties Committee

Report

Dr SOUTHcott (Boothby) (12.31 pm)—On behalf of the Joint Standing Committee on Treaties I present the committee’s report entitled Report 77: Treaties tabled on 20 June and 8 August 2006.

Ordered that the report be made a parliamentary paper.

Dr SOUTHcott—Report 77 contains the findings and binding treaty action recommendations of the committee’s review of six treaty actions tabled in parliament on 20 June and 8 August 2006. The committee found all six treaties reviewed to be in Australia’s national interest. The committee is continuing its review of the amendments to article 3 of the Australia-New Zealand Closer Economic Relations Trade Agreement and a promotion and reciprocal protection of investments treaty with Mexico tabled on 28 March and 20 June respectively. The committee is also inquiring further into the China uranium transfer and safeguards agreements tabled on 8 August. I will comment on all the treaties reviewed in Report 77.

The agreement relating to scientific and technical cooperation between the government of Australia and the government of the United States of America will build upon and strengthen the science and technology relationship between Australia and the US established under its predecessor agreement. The agreement, by establishing guiding principles, will provide for shared responsibility in collaborative activities and the equitable sharing of costs and benefits. The agreement will also expand opportunities for collaboration between agencies and serve to enhance research links between Australia and the United States.

The amendments to the Convention on the Physical Protection of Nuclear Material amend the convention of the same name and will serve to strengthen the objectives of the convention, which ensures that nuclear material is adequately protected when transported internationally, in addition to extending this protection to nuclear facilities and material in peaceful domestic use, storage and transport. The amendments also provide for cooperation between and among states to assist in the detection and recovery of any stolen or smuggled nuclear material, mitigate any radiological consequences of sabotage, and prevent and combat related offences.

The exchange of notes constituting an agreement between the government of Australia and the government of Japan to replace the delineated and recorded Japanese nuclear fuel cycle program adds the UK’s Sellafield plant and Japan’s Rokkasho fuel fabrication plant to the facilities at which Japan may undertake mixed oxide fuel fabrication. The delineated and recorded Japanese nuclear fuel cycle program is a treaty-level implementing arrangement between the government of Australia and the government of Japan and was entered into as part of the Australia-Japan Nuclear Safeguards Agreement 1982 and sets out how the Australia-Japan Nuclear Safeguards Agreement is to operate in practice. Australia ensures that Japan meets its obligations under the Australia-Japan Nuclear Safeguards Agreement through an established system of safeguards, including a permanent office of the International Atomic Energy Agency inspectors located in Japan, and through the reconciliation of accounts.

The amendments to the Singapore-Australia Free Trade Agreement and the Aus-
The amendments to the Singapore-Australia Free Trade Agreement and the Australia-United States Free Trade Agreement ensure compliance with the changes to the harmonised commodity description and coding system to reflect changes to tariff line numbers resulting from changes to the harmonised commodity description and coding system. The revised system will take effect on 1 January 2007. The purpose of the amendments is to ensure that Australia’s or its partners’ obligations under the respective free trade agreements are not altered. The international health regulations were adopted by the World Health Organisation assembly in May 2005, and helped to stop the international spread of disease. Australia is not party to the previous international health regulations which monitored and controlled six serious infectious diseases: cholera, plague, yellow fever, smallpox, relapsing fever and typhus. Under the revised international health regulations, states are required to notify the World Health Organisation of events that may constitute a public health emergency of international concern.

I commend the report to the House and thank the committee secretariat for their hard work in helping to produce this report.

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

Dr SOUTHCOTT (Boothby) (12.38 pm)—I move:
That the House take note of the report.

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

Treaties Committee Report

Dr SOUTHcott (Boothby) (12.38 pm)—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report entitled Report 78—Treaty scrutiny—A ten year review.

Ordered that the report be made a parliamentary paper.

Dr SOUTHcott—Report 78 contains a report of the seminar held in March this year to mark the 10th anniversary of the Joint Standing Committee on Treaties. The Joint Standing Committee on Treaties was established in 1996 as part of a package of reforms to the treaty-making process. Since then, the committee has tabled recommendations on over 380 treaty actions in 77 reports.

Prior to the establishment of JSCOT, during the 1970s treaties were tabled in parliament but often in a manner which prevented meaningful parliamentary scrutiny or input. Treaties were tabled in bulk approximately every six months and often after they had entered into force. By the 1990s Australia had entered into a period of negotiating a broader range of treaties, some of them quite controversial. There was also a growing awareness that international obligations affected domestic legal regimes and policy responses to a wide range of national issues. In recognition that parliament ought to be able to scrutinise Australia’s international treaty obligations, JSCOT was established in May 1996.

Four other key reforms were introduced at the same time that JSCOT was established. These consisted of: (1) the tabling of treaties in parliament for a minimum of 15 sitting days before the government takes binding treaty action; (2) the tabling of national interest analyses to explain the reasons for the government’s decision to enter into the treaty and to detail the impact the treaty would have on Australia; (3) the establishment of a Treaties Council as an adjunct to the Council of Australian Governments to consider treaties and other international instruments of particular sensitivity to the states and territories; and (4) the establishment of a treaties information database for individuals and interested people to easily and freely obtain information on any treaty. A fifth reform involved a change to the Standing Committee on Treaties, or SCOT as it is otherwise known. SCOT was not established as part of the 1996 reforms but its role and functions were formalised as a result.

The treaties committee has a dual role in providing for the parliamentary scrutiny of treaties and in increasing the transparency of the treaty scrutiny process. As part of its role in providing a more transparent treaty making process, the committee also functions as a check that adequate consultation has taken place. After 10 years of JSCOT it was fitting that a seminar be conducted to assess the 1996 reforms and to look more broadly at the role of the legislature in the treaty making process, both here and overseas.

On 30 and 31 March this year, the committee held a seminar to consider the role and effectiveness of the committee, the treaty making reforms and the role of parliaments in the treaty making process. The seminar commenced with a reception hosted by the Presiding Officers of the Commonwealth parliament, including you, Mr Speaker, and a dinner addressed by the Minister for Foreign Affairs and the Shadow Minister for Foreign Affairs and Trade and International Security. The following day the seminar heard from a
diverse range of people who were involved or interested in the treaty scrutiny process.

Some of the issues which participants considered included the following: has the Joint Standing Committee on Treaties made the treaty making process more democratic, transparent and accountable? How adequate is the consultation between the Commonwealth and the states and territories in relation to treaties and how could it be more effective? How has the failure of the Treaties Council to meet more than once since 1996 had an impact on the treaty making process? The seminar also provided an opportunity to consider recent trends in treaty making, such as the increase in free trade agreements, treaties with regional neighbours and climate change treaties. Finally, the seminar provided the opportunity to consider the committee’s role and Australia’s treaty making processes in an international context.

It is clear from the seminar that the committee is seen as a successful and effective body and was considered by seminar participants to be the strongest performer of the 1996 reforms. The report contains a detailed summary and analysis of the issues discussed at the seminar. I commend the report to the House.

Mr ADAMS (Lyons) (12.43 pm)—Report 78 of the Joint Standing Committee on Treaties is, as its chairman has mentioned, a report of the seminar held in March this year to mark the 10th anniversary of the Joint Standing Committee on Treaties. The seminar addressed four main themes: reflections on a decade; treaty making and review in a federal system; new developments in treaty making and review; and perspectives from abroad. I would like to provide a brief overview of the discussion on each of the themes.

During the first session of the seminar, ‘Reflections on a decade’, I had the honour of addressing the seminar as the only person who has been a member of the committee since its inception in 1996. The diversity of this committee is probably known to those of us who have sat on the committee, but those who have not would not be aware of the wide-ranging issues that come before the committee to be dealt with.

We as a country are signing treaties constantly with other parts of the world and other nations, and I think these issues are being reflected more now in areas such as globalisation and trade. So it is a very interesting committee; that is why I have stayed on it and I was very honoured to have had the privilege of addressing the seminar and talking about my experiences as a member of the committee.

We heard from Mr Neil Roberts, a member of the Queensland parliament, who spoke about the impact that treaty making by the federal executive can have on the states and territories. I think it is important—I mentioned in my talk as well that this will become, I believe, more and more of an issue as time goes on—for the states to take this as a pretty important issue. He emphasised the importance of early and thorough consultation between the Commonwealth and the states and territories to ensure the effective and consistent implementation of treaty obligations. The last speaker in the first session was Ms Devika Hovell, from the Gilbert and Tobin Centre of Public Law at the University of New South Wales. She critically assessed the committee’s performance in reducing the democratic deficit of treaty making against three criteria—transparency, scrutiny and democratic accountability—which was a good academic approach. While acknowledging the achievements of the 1996 reforms, which created a more open and transparent treaty making process, Ms Hovell argued that the parliament more generally should have a role in acting as a check on the power of the executive.
During the second session of the seminar, ‘Treaty making and review in a federal system’, we heard from Mrs Petrice Judge, a former member of the Standing Committee on Treaties, or SCOT, as it is known, a body established to provide a process for information and consultation between the Commonwealth and the states and territories on treaties. Mrs Judge considered how SCOT was established, its purpose and its effectiveness. In the second session of the seminar we also heard from Ms Anne Twomey. Ms Twomey was the secretary of the Senate committee that wrote the report *Trick or treaty? Commonwealth power to make and implement treaties*, which eventually resulted in the establishment of the Joint Standing Committee on Treaties. She spoke about what the states asked for in their submission to the Senate inquiry, what they got at the time and what they want now. The second session also heard from Professor Richard Herr, who looked at the role of state parliaments in the treaty scrutiny process.

In the third session, ‘New developments in treaty making and review’, we heard three interesting and varied papers. The Secretary of the Department of Foreign Affairs and Trade spoke about the rise of free trade agreements, Associate Professor Greg Rose spoke about Australia’s treaties with its regional neighbours and Professor Aynsley Kellow spoke about climate change treaties. It was a very good seminar. It did the parliament proud, and I am sure that as further members speak on this report and as we go towards the next 10 years it will be seen as very worthwhile. *(Time expired)*

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

**Dr SOUTHCOtt** (Boothby) *(12.48 pm)*—I move:

That the House take note of the report.

**The SPEAKER**—In accordance with standing order 39(c), the debate is adjourned and the resumption of the debate will be made an order of the day for a later hour this day. Does the member for Boothby wish to move a motion to refer the matter to the Main Committee?

**Dr SOUTHCOtt** (Boothby) *(12.49 pm)*—I move:

That the order of the day be referred to the Main Committee for debate.

Question agreed to.

**FREEDOM OF INFORMATION AMENDMENT (ABOLITION OF CONCLUSIVE CERTIFICATES) BILL 2006**

*First Reading*

Bill and explanatory memorandum presented by **Ms Roxon**.

**Ms ROXON** (Gellibrand) *(12.49 pm)*—I rise today to introduce into parliament a private member’s bill, the Freedom of Information Amendment (Abolition of Conclusive Certificates) Bill 2006, and to present the explanatory memorandum. This bill has two main purposes. The first is to abolish all conclusive certificates and the second is to amend the objects of the act to provide greater clarity that the overwhelming purpose of the Freedom of Information Act is to grant the release of information rather than to heavily rely on exemptions to restrict access to government information.

One particular mechanism that has led to this lack of balance has been the use of conclusive certificates to block the release of material. For too long, Howard government ministers have hidden their incompetence behind conclusive certificates. They have been used to halt public access to informa-
tion and obstruct healthy debate on their dodgy record. They have issued these conclusive certificates concerning requests for information on bracket creep, the first home owners grant, waterfront reform and David Hicks; the list goes on and on. Labor is going to put a stop to this rort.

Currently the Freedom of Information Act allows Howard government ministers to sit in judgement of their own decisions. It allows ministers to be the final arbiters of the public interest of their own materials. This grants far too much control over the release of information to the very people who might be put under pressure or embarrassed about the documents. Labor believes that the Freedom of Information Act is an important cornerstone of a modern democracy, and this private member’s bill reflects a longstanding Labor commitment to reform the Freedom of Information Act. This private member’s bill reflects that commitment and will abolish conclusive certificates and put an end to this ministerial rort. The bill will remove a minister’s role in this process altogether while still maintaining the exemption provisions, which are more than adequate to protect genuinely sensitive documents.

Exemptions will now be subject to full merits review before the Administrative Appeals Tribunal and fully tested like all other claims to restrict public access to information. Extra protection has been added for the sensitive areas of cabinet documents and documents affecting national security, defence or international relations, with the review being heard by presidential members rather than regular members of the Administrative Appeals Tribunal. The bill also introduces a provision explicitly stating that protecting a government from embarrassment is not a public interest consideration and cannot be utilised as a reason to decline the release of information to the public.

The urgency for these reforms has been heightened following the recent High Court case of Michael McKinnon v Secretary, Department of Treasury. The High Court decision makes clear that the only way to fix this problem is for us to reform the legislation—and that is what I am doing today in presenting this private member’s bill. Although two judges, including the Chief Justice, did think otherwise than the three in the majority, the majority confirmed that the existing legislation allows any minister extraordinarily broad protection from review. In contrast to other contested matters under the Freedom of Information Act, when a conclusive certificate is employed by the government the Administrative Appeals Tribunal and courts cannot assess what is in the public interest. They are limited to a much narrower review—to determine only whether the minister had any reasonable grounds to claim that release is against the public interest. This will happen no more. If this bill is passed, ministers will no longer be able to rely on this limitless discretion. With these changes the focus will rightly return to the material itself and what value or damage its release might have.

If passed by this House, these three changes would have a significant impact on the operation of the Freedom of Information Act—on the material that is available to the public through the media, through members of parliament and through the parliament itself, and it would strengthen our democracy. This bill will help to reinstate a pro-disclosure culture within government and help to bring our FOI laws back to their original purpose—to extend the right of all Australians to access information in the possession of the Commonwealth government. It is now, of course, up to the Howard government itself to support this bill. We hope that it will allow a proper debate on it and for it to be moved properly in this House in or-
der for us to be able to improve the freedom of information laws for the benefit of the public—which is, after all, why we are all here. I commend this bill to the House.

Bill read a first time.

The SPEAKER—In accordance with standing order 41(d), the second reading will be made an order of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS
Western Australia and Taxes
Mr KEENAN (Stirling) (12.54 pm)—I move:
That the House:
(1) notes that:
(a) as a result of the introduction of The New Tax System on 1 July 2000, every State and Territory will be better off in 2006-07 than they would have been had tax reform not been implemented;
(b) since the introduction of the GST in 2000-01, Western Australia has received around $18.4 billion in GST revenue and is estimated to receive a further $3.9 billion in 2006-07;
(c) the Western Australian Government has benefited the most from the mining boom among the States, collecting more revenue from royalties, including petroleum revenue from the North West Shelf, than any other State, and is expected to collect almost $1.9 billion in royalty revenue in 2005-06 and over $2.2 billion in 2006-07;
(d) the Western Australian Government collected $2.36 billion in 2005-06—almost double what it collected three years earlier;
(e) Western Australia is estimated to be the highest taxing State in Australia on a per capita basis in 2005-06 and is set to remain one of the highest over the forward years;
(f) as part of the Intergovernmental Agreement on the Reform of Commonwealth-State Financial Relations, the States were to abolish nine State taxes; and
(g) the Western Australian Government has failed to implement this agreement and abolish all of these taxes;
(2) calls on the Western Australian Government to:
(a) immediately abolish Mortgage Duty, Rental Duty and Non-real Conveyance Duty as agreed in the GST agreement;
(b) take immediate steps to reduce the burden on home buyers by substantially decreasing Stamp Duty and associated land charges; and
(c) reduce the overall tax burden on Western Australians from the highest in the nation.

Western Australia is in the grip of a once-in-a-lifetime economic boom. The demand for commodities from China and, to a lesser extent, India has fuelled a resources bonanza that has resulted in double-digit economic growth. This has resulted in a massive inflow of revenue to the Western Australian Labor government—through no doing of their own—on a number of fronts, including massively increased GST revenues, massively increased mining royalties and massively increased property transfer taxes.

You would expect that these massive increases in revenue would allow the Western Australian government the latitude to reduce the overall taxation burden on Western Australians; yet, sadly, the opposite has been the case. Instead of reducing taxes, the Western Australian government have become the highest taxing government in the nation. They are far and away the highest taxing government that Western Australia has ever seen. Their demand for revenue is obscene. When Labor came to power in 2001, the Liberal government was collecting $1,500 per person in state taxes. The Carpenter government, in contrast, collects $2½ thousand for every man, woman and child. This is a
massive $1,000 extra per person. In an environment where property prices have increased 50 per cent in the last two years, the Western Australian government have increased the rate of stamp duty to be now one of the highest in the nation. Their stamp duty windfall is almost double what they budgeted for. They have also collected enormously increased mining royalties and enormously increased GST revenues—both far in excess of what was actually budgeted for.

This begs the question: where has all this money actually gone? Government propaganda would have you believe that it has been spent on infrastructure or on more essential services, but all Western Australians know this to be wrong. In my own electorate of Stirling, the state government fails to fund essential infrastructure such as much-needed overpasses for the Reid Highway. Anyone who visits a state school will see the neglect of the Western Australian government. It is up to the Commonwealth now to fund building works through our Investing in our Schools program. Indeed, it is very difficult to identify any area of administration that the Western Australian government is actually prepared to take responsibility for. Any problem, any request for action, is met with the same response—let the federal government do it. Yet the Carpenter government continues to spend like drunken sailors. It has exceeded its spending targets in every one of its five years in office. In the last financial year it increased spending by seven per cent above the allowance that had already been made for inflation and population growth.

The real answer to where all this money has gone is in more bureaucrats. We have a massively expanding public workforce in Western Australia. In fact, the government there employs 17 extra workers every single day—that is, a massive 86 extra workers every single week. Again, if this workforce increase were going to more police officers, more teachers or more nurses it might be defensible, but sadly these new workers are not employed in frontline services that deliver anything to the people of Western Australia. They are employed in creating more bloated bureaucracies for ministers—an extra 17 per cent increase in the workforce of the Department of Premier and Cabinet, an extra 11 per cent in the Department of Treasury and Finance. The record wages bill that this massively expanded public workforce has created will be a millstone around the neck of any successive Western Australian government.

The Western Australian government must take urgent steps to reform their gluttonous taxation policies. They can start by adhering to the original GST agreement and immediately abolish mortgage duty, rental duty or non-real conveyancing duty. They must stop their great rip-off through property taxes, reduce the rate of stamp duty and provide some relief for first home buyers. There is absolutely no justification for Western Australia to have the highest stamp duty rates in the nation. This mismanagement cannot continue. Once the boom ends, WA will be left with an uncompetitive tax regime— (Time expired)

The SPEAKER—Is the motion seconded?

Mr Henry—I second the motion.

Mr McMULLAN (Fraser) (1.00 pm)—There is no doubt you have to have a special sort of nerve, a particular level of temerity, to come in here as a representative of the Howard government and complain about the level of taxation, because you are a representative of what is now universally accepted as the highest taxing government in Australia’s history. I first made that claim some four or five years ago and it was disputed. We had a debate for about six months as to whether it
was correct or not depending upon certain definitional issues. But that debate is over. Everybody knows that the Howard government is the highest taxing government in Australian history.

An Australian Bureau of Statistics survey recently released found that the Commonwealth government take $223 billion in tax. That is the tax problem facing Australians—not the minor issues that the member for Stirling is seeking to divert attention with—a record high 25 per cent of Australia’s GDP. You would expect that a conservative government would argue that you should lower the level of income tax. That is why they introduced this great big, swingeing, new indirect tax—to give people more say over how they spend their money. But, if you exclude the GST, their tax take is going up more and more every year. The double tax slug of more income tax and more indirect taxes, like the GST, is costing Australian taxpayers on average $77 a week. Even after you take into account the tax cuts, the federal government will still pocket an extra $29 billion in increased tax revenue over the next four years.

Ask Australian families what the tax is that is affecting their capacity to, amongst other things, save to buy a house and to pay the mortgage when interest rates are going up, notwithstanding promises to the contrary. They will say it is two things: income tax and the GST. Those are the two things that are hurting Australian families. It is typical of the Howard government that they send people in here to talk about somebody else’s problem in the hope that it will divert attention from their own. The way the income tax burden is falling more and more on middle Australia and reducing their ability to pay their housing costs is much more important.

Let us have a look at the question of the housing market. In Western Australia the housing market is still booming, unlike elsewhere in Australia, and that is essentially a product of supply and demand for housing. It is putting up the price of houses. What is the biggest factor affecting the capacity of families to buy houses? Interest rates. Why are interest rates going up? There is a complex array of factors but every economist will say the problem is that fiscal policy is expansionary in conflict with tight monetary policy and therefore, as ANZ Chief Economist Saul Eslake predicted again recently, it is likely there will be at least one more interest rate increase before the middle of next year.

We had the promise to keep interest rates at record lows. If it had been kept, every Australian family that is paying off a mortgage or trying to buy a house would be incomparably better off than they would be if they were affected by any minor change in state taxes. The big tax grab is going on at the Commonwealth level. The big pressure on the capacity of families to buy houses is going on at the Commonwealth level. That is exacerbated on the supply side by the failure of the Commonwealth to maintain its commitment to supply low-income housing under the Commonwealth-State Housing Agreement. That is where the Commonwealth has a direct impact on the balance between supply and demand for housing.

The latest table I have seen from the Productivity Commission shows that, once you exclude two years of increase for GST compensation, you have had continuing falls in the real value in 2004-05 dollars of Commonwealth-state housing assistance to the states for housing for people in greatest need. I understand there are a lot of people in Stirling who would be a bit more concerned about that than they would be about the issues that the member is raising.

Everybody would like every tax to be lower. We all know that in paying taxes we
use dollars we could use for other things in our lives. The biggest slugs on families are the enormous, rapacious, record increases in tax revenue by the Howard-Costello government. Peter Costello is the highest taxing Treasurer in Australian history by a country mile, taking 25 per cent of GDP. No Australian Treasurer has ever taken 25 per cent of GDP in taxes before—none. He is the highest taxing in history. *(Time expired)*

**Mr Henry** (Hasluck) *(1.05 pm)—* I take pleasure in seconding the motion today and speaking in favour of it. It was certainly interesting to hear the member for Fraser talk about having a special nerve in raising tax issues. There is no doubt the Howard government has introduced a funding mechanism to ensure that states do have revenue to support their recurrent expenditure through the GST arrangements, yet we still see the state government in Western Australia, with the highest taxing state treasurer ever, increase their tax take—by only $5.2 billion! That is a record in the history of Western Australia.

Are they spending more on schools? Are they spending more on road infrastructure in an appropriate and effective way? No. It is the Howard government, through its Investing in Our Schools program, that is ensuring schools have appropriate toilet blocks, playground equipment, and computer suites and systems so that our kids can be educated in the technology that they so urgently need to be. The Howard government’s Roads to Recovery and black spot funding are supplementing what the state governments should be doing to ensure a reduction in accidents, particularly on Western Australian roads.

It was very interesting to note a headline on 28 September by the Chief Reporter of the *West Australian*: ‘I’ve creamed an extra $1b in stamp duty’. It is a disgrace. An extra $1 billion in stamp duty actually limits the ability of people in the electorate of Hasluck from getting into housing in the new housing areas through Forrestfield, High Wycombe, Maida Vale, Wattle Grove and Gosnells. According to Mr Rossen from the Real Estate Institute of Western Australia, home buyers in 2001 paid $4,720 in stamp duty on a median priced home; in 2006, they are paying $16,580 on a median priced home. Last week in the state parliament, the opposition proposed that the state government lift the exemption on stamp duty for first home buyers to the median price of $420,000. The impact that this would have on revenues is a mere $50 million. Compare that to the $970-odd million that the state government reaped this year in additional stamp duty on housing. It is time that the Western Australian state government actually got itself together.

Both the Premier and the highest-taxing Treasurer, the state member for Belmont, the Hon. Eric Ripper, have recently issued bold statements about their commitment to record infrastructure programs. Their commitment to record infrastructure programs extends to some 14,500-odd new public servants who are not teachers, nurses or policemen. Where they are, who knows? But there have been 14,000-odd additional public servants since the state Labor government came to power in 2001. That is where they are spending a lot of this surplus. Furthermore, the other infrastructure program—the one that we all know about, the Perth-Mandurah railway line—blows out by another $50-odd million every time it is mentioned by the Minister for Infrastructure and Planning. I would suggest that, since that project was first announced, the costs have gone up substantially. Where do those costs and increases—probably in excess of $100-odd million since this project got underway—go? They go to support their union mates who are out on strike, off on picnic days and doing everything other than ensuring that they meet the time frames for
the development of this particular infrastructure project.

I ask you, Mr Deputy Speaker: where are these infrastructure programs? All we hear from the Minister for Infrastructure and Planning over there is dithering and delays about the Perth-Bunbury highway. That is supposed to be an important strategic road for which the Commonwealth government has provided substantial funding. The way things are going, they will lose another $20 million from that because it is not meeting the time. *(Time expired)*

Mr WILKIE (Swan) (1.10 pm)—I rise to speak on this matter and to give an accurate view of the Western Australian fiscal position, as opposed to the fairytales put forward by the members opposite. In my view, the members for Stirling and Hasluck have misrepresented the situation. So let us get down to a few facts.

In dollar terms, Western Australia provides the highest subsidy to other states of any state or territory. The subsidy provided by Western Australia has grown strongly since the mid-1980s. This reflects the strong growth in Western Australia’s economy, which has boosted the Commonwealth tax collections from the state. Our subsidy amount to the other states is around $2,000 for every man, woman and child. But, as a result of the strong performance of our economy, our share of Commonwealth grants is likely to fall by about $700 million from where it would otherwise be by the time we get to 2009-10. We get extra revenue as a result of our economic performance, but then the Grants Commission says, ‘You’ve got more revenue raising capacity so we’re going to reduce your share of Commonwealth grants.’

Meanwhile, the Commonwealth raises much more revenue than it could possibly ever require for its own responsibilities. Not only does the Commonwealth raise much more money than it needs, but also it raises much more money from Western Australia than it spends in our great state. The Commonwealth collects $28 billion from Western Australia, but it only spends $24 billion in WA; that is $4 billion taken away and spent in other states. To their credit, New South Wales and Victoria also subsidise the rest of the country, but ours—$2,000 per Western Australian per year—is the largest per capita subsidy. My view is that a portion of that $4 billion should be spent by the Commonwealth directly on infrastructure—for example, upgrading the Great Eastern Highway between Orrong Road and Perth airport, which many of us know so well.

The recent federal tax cuts were really based on the sterling performance of the WA resources sector. Mr Deputy Speaker Haase, I am sure you would be aware of that. The Commonwealth has reaped enormous revenue from company and income taxes generated by the resources boom. Our subsidy to the rest of the nation is growing. Twenty years ago, there was a slight subsidy to Western Australia. In the 20 years since 1986, the subsidy Western Australia provides has grown to $4 billion per annum and, given the performance of our economy, we can expect that subsidy to quickly grow to $5 billion and beyond.

Mr Keenan—Mr Deputy Speaker, I rise on a point of order. The member for Swan refuses to even refer to the terms of the motion that I have moved, as set out in the Notice Paper. I thought that the member for Swan might make a token effort to at least defend his Labor mates. I would ask you to ask him to return to the substance of the motion.

The DEPUTY SPEAKER (Mr Haase)—The member for Swan is in fact speaking to a
Mr WILKIE—Some people just do not know what taxes are. Another problem is that a large amount of the money that is received from the Commonwealth is in the form of tied grants. These reduce our budget flexibility, distort resource allocations and result in increased intrusion by the Commonwealth ministers in areas of state responsibility. That is one problem. The second is this myth about the GST bonanza that the member opposite was ranting on about earlier. It is a myth. In 2006-07, WA expects to receive only $59 million more than under the pre-GST arrangement. Do not believe it when the Commonwealth ministers try and pass responsibilities to the states on the basis of the alleged GST bonanza. We need a sensible debate and a well-balanced treatment of Western Australia—one which would treat us fairly and would see members opposite stop playing politics with this issue and start standing up in this place for the rights of every Western Australian.

Let us have some fair and balanced debate here. Let us have some fairness for Western Australia. Let us have some money from the Commonwealth to pay for much-needed infrastructure resources, such as road and rail. Let us have the federal government stop bleating and whingeing about the Western Australian government and start fulfilling their obligations in this place to those people whom they represent—because they are the ones who need that infrastructure money. It is high time that the Commonwealth government got off their backsides and defended Western Australia.

Dr WASHER (Moore) (1.15 pm)—I was delighted to hear my good friend the member for Swan speaking about fiscal equalisation. I agree with you, Member for Swan, that we should get more in Western Australia. However, Western Australia is still the highest taxing state in Australia. In fact, it reaped a record $5.2 billion in tax in the last financial year. The Western Australian government has also benefited from the most incredible mining boom, collecting more revenue from royalties than any other state. In the last financial year it reaped around $1.8 billion, and it is expected to receive around $2.2 billion this year.

Since the introduction of the GST in 2000-01, Western Australia has received around $18.4 billion in GST revenue, and it is estimated to receive a further $3.9 billion this year. With other Australian government payments, the Western Australian state government will receive an estimated $7.4 billion, an increase of five per cent compared to the last financial year. In spite of all this revenue and the Western Australian Labor government’s fat $2.26 billion budget surplus, there is no immediate tax relief being offered. There are three areas of taxation where immediate tax relief is needed: payroll tax; stamp duty on property and cars; and mortgage duty, rental duty and non-real conveyance duty, which should be abolished immediately, as agreed to in the GST agreement.

Payroll tax receipts in the last financial year soared by $113 million to $1.35 billion. Our low levels of unemployment have seen an increase in demand for skilled tradespeople. Many businesses in Western Australia have found that they have needed to increase their rates of pay to attract and retain skilled employees. This has added considerably to the payroll tax burden for these businesses.

Property related stamp duty increased from the previous year by a whopping $682 million to $2.1 billion. Western Australia’s booming property market has seen the median house price rise to $420,000, which attracts $16,700 in stamp duty. In 2001, when
Labor came into power, Western Australian homebuyers were paying $4,720 in stamp duty for a median priced home. The tax-free threshold for first home buyers needs to be increased from $250,000 to at least $400,000. The cost of this would be around $45 million. This could even be funded from the $150 million in annual interest being saved after using surpluses to reduce state debt.

Stamp duty on cars also needs to be reviewed. Motor vehicle taxes rose by $94 million to $736 million. Most businesses purchasing cars in Western Australia buy vehicles which cost more than $30,000, which means they are subject to the highest stamp duty rates in Australia. This means that the cost of doing business in Western Australia, particularly for large fleet customers, can be extremely high and can make them uncompetitive with the eastern states. It also needs to be considered that in the rental vehicle business the cost of stamp duty in Western Australia is being passed on to customers. In a state where many tourist destinations rely on rental vehicles, this must have some effect on our tourist industry.

Western Australia is considerably better off due to the federal government’s tax reforms. Every Australian knew the GST was introduced to replace a range of inefficient state taxes, and clearly Western Australia is in a position to remove those taxes. Western Australia has made little progress, with the abolition of a few stamp duties that represent only five per cent of its stamp duty revenue. The Western Australian government needs to immediately abolish the remaining stamp duties that were agreed to be abolished in the GST agreement—namely, mortgage duty, rental duty and non-real conveyance duty.

The Western Australian government must stop overtaxing Western Australians to build their own election war chest. They need to do what they were elected to do and refocus their thoughts on to helping small business owners and those who, under the current tax regime, can only dream of owning their own home.

Mr MURPHY (Lowe) (1.19 pm)—True to form, the Howard government is all too willing to criticise Labor state governments on Australia’s taxation quagmire while ignoring its own failure to address the underlying issues causing problems in our flawed fiscal system. It is a given that there is a serious imbalance between the states’ revenue raising powers and expenditure responsibilities. It is beyond doubt that the Howard government is taking away more money from the Australian taxpayer than any other government in our history, yet it all too happily points the finger at every other Australian government—this time the Western Australian government—in its usual exercise in cynical political opportunism.

What about its own contribution to the flaws in Australia’s taxation system? When one scratches the surface, it becomes apparent that the federal government is neck deep in responsibility for the hardship faced by the ordinary Australian taxpayer. The Treasurer has raked in tens of billions of dollars more each year in revenue since the Howard government came to office in 1996. When people pay their taxes, there is an expectation that they will obtain a return that is spent on hospitals, roads and schools in a manner that is rational and justified by statistical and economic analysis—yet the Howard government has continued to take funds away from the states and to reallocate them according to an anachronistic formula that not even the Grants Commission properly understands. Worse still, while all too willing to point the finger at the Western Australian government about the tax burden, the Howard government has failed to own up to taking billions of dollars out of that state and
sitting on a healthy surplus until such time as it can pork-barrel marginal seats Australia wide in the run-up to the next election.

How does this address the tax burden being faced by Western Australians? While the Howard government raises billions of dollars, it is still failing to fulfil its basic service obligations. All the while, state governments have substantial line responsibilities but do not have their own revenue sources to fund these responsibilities. They are beholden to flawed fiscal transfers from the Howard government, which controls most of the notional tax base for the additional revenue needed to fund their responsibilities.

We are in this chamber today to discuss such things as Western Australia’s mortgage duty and rental duty. Why are we not discussing matters this government can control, such as the imbalance between expenditure on services, infrastructure and revenue provided to the states? Why are we not discussing the Howard government’s failure to address Australia’s severe skills shortage, which is undermining the ability of the states, including Western Australia, to continue their path towards sustained economic growth and prosperity?

Like never before, we are seeing increased cost-shifting towards the states while the Howard government remains in complete denial about the increasing levels of expenditure required. While the Howard government is willing to ride on the coat-tails of Western Australia’s economic growth, it has failed to recognise all of the costs that the Western Australian government has incurred in supporting this development. The Howard government has derived large company tax revenues from Western Australia’s strong resources sector, as well as rent taxes from oil and gas extraction off the state’s coast, yet it denies that Western Australia is bearing an onerous cost to support these resource developments.

Now the Howard government is failing in the one duty it does have, which is to provide the skilled workers to ensure that this resources boom—which it is taking for granted—continues. To move a motion in this House that is critical of the Western Australian government while ignoring the failure of the federal government on a wide variety of matters is breathtaking and hypocritical in the extreme. Never has a federal government put such a squeeze on the states and never has the future prosperity of this nation been placed under such threat by the wilful ignorance of a Commonwealth government. The member for Fraser pointed out again in this House today that this government is the highest taxing government since Federation.

All the while, Australian taxpayers are doing it tougher by paying huge levels of Commonwealth taxes while seeing services suffer because the money is either sitting in consolidated revenue waiting for a pork-barrelling session or being redirected according to an 80-year-old formula that should no longer carry much weight. Despite paying $13 billion in GST, residents in my home state of New South Wales are receiving only $10 billion back. That is $3 billion less in services and infrastructure than the people of New South Wales deserve.

We know the Howard government is sitting on huge surpluses. The Treasurer is sitting on money that belongs to the people of New South Wales; it is not his own. The dysfunctional nature of state-federal arrangements is putting each state under enormous pressure and is grossly unfair to the long-suffering taxpayer. The lack of leadership shown by the Treasurer and the Howard government on reforming Australia’s fiscal system is appalling. I condemn the motion. Parliament’s time would be better utilised in
debating the government’s disgraceful media reform agenda, which is all about massively concentrating media ownership in Australia and handing over our democracy to Australia’s two biggest media companies, and that is a bloody disgrace.

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

Post-Armistice Korean Service Review

Mr McCLELLAND (Barton) (1.25 pm)—I move:

That the House:

(1) notes:

(a) the vital role that ADF personnel played in enforcing the Armistice for the Korean War, between 28 July 1953 and 19 April 1956;

(b) the professionalism and courage displayed by those personnel in dangerous circumstances, promoting the furtherance of Australia’s national interest;

(c) the findings of the Post-Armistice Korean Service Review (the Review), which stated under Recommendations 7B and 7C that veterans of this service should be awarded the Australian General Service Medal and Returned from Active Service Badge;

(d) the critical role that adequate recognition of service plays for the morale, retention rates and recruitment of current ADF personnel and the need to improve the transparency and reviewability of the medal system’s rule-making, as acknowledged by Recommendation 8B of the Review; and

(e) the moral obligation of providing all veterans with the support and recognition they deserve for their service and sacrifice; and

(2) calls on the Government to:

(a) adopt the recommendations of the Review to award the medals for Korean Post-Armistice Service; and

(b) give further consideration to Recommendations 8B and 8C of the Review, regarding improvements to the medal system.

At issue is whether ADF personnel will be given just recognition for their service and sacrifice during the post-armistice period in Korea, from July 1953 to April 1956. I welcome the presence of a number of Korean War veterans in the public gallery today. The government has insulted these veterans by not providing them with a sensitive and timely decision. It has discarded the outcomes of its own independent review, which conducted extensive hearings into the matter. This response has been nothing short of complete arrogance towards some very impressive Australians.

The Post-Armistice Korean Service Review was established to examine the level of recognition that post-armistice service has been given. On 20 December 2005, the highly competent panel, chaired by Rear Admiral Ian Crawford and Garry Nehl AM, delivered their findings to the previous Minister for Veterans’ Affairs, De-Anne Kelly, who is at the table today. Minister Kelly and her successor, Minister Billson, did not respond to the report and ignored veterans’ requests for a meeting until May 2006, some six months after it was handed down. At that time Minister Billson still provided no response to the review’s findings. While time appears immaterial to the government, the same cannot be said for the veterans, who continue to suffer distress while awaiting a fair outcome. Distressingly, a number have passed away since the review was instigated.

Minister Billson’s eventual decision was a bombshell. The committee’s very sensible recommendations for an Australian General Service Medal and a Returned from Active...
Service Badge for Korea veterans were flatly rejected. Also rejected were the calls for a much-needed improvement of the decision-making process. These measures would have afforded veterans the same recognition as their counterparts in the United States and ensured at least one award that explicitly recognised service in Korea in the post-armistice period.

The awards were refused because of a distinction between ‘warlike’ and ‘non-warlike’ service. The terms are distinguished by such factors as whether the application of force ‘was authorised to pursue specific military objectives’. The reality is that post-armistice service in Korea entailed patrolling with live ammunition, the maintenance of minefields and the manning of defensive positions. During this period enemy contact was not infrequent, and indeed 18 men died. Under the government’s criteria, however, this is considered ‘non-warlike’. The veterans have been given legal advice that they would have met the original criteria for the medals that were in place at the time of their service. That is a factor that we also call upon the government to consider.

The inconsistency in the government’s position leaves those who did post-armistice service in Korea with less recognition than personnel who served at Ubon RAAF base in Thailand during the Vietnam War. If the government is serious about taking care of our soldiers it has to put its money where its mouth is. It is time to demonstrate that Australia values the sacrifice of these Korean War veterans by giving all of them the recognition they deserve. The Labor opposition fully supports the veterans in their attempts to gain conferral of the awards. They are seeking it not simply for themselves but also for some fallen mates. Labor calls upon the government to urgently reconsider its position in this matter. It has justification for reviewing its decision: it has the sensible recommendations of the review. It is simply a matter of implementing those recommendations.

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

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

Mr BRUCE SCOTT (Maranoa) (1.30 pm)—I rise to address this private member’s motion in relation to the government’s position on the honours and awards system with respect to post-armistice service in Korea. I would like to first place on the record my utmost appreciation and admiration for all service personnel, both past and present, who have served or are currently serving our country with pride and great distinction both here in Australia and overseas. This government is committed to ensuring that all service men and women are appropriately recognised for their service in the defence of Australia and its interests. Any recommendations presented to the government in relation to these matters are given careful consideration.

The latest report into defence awards was the Report of the post-armistice Korean service review. It made four recommendations that the government did not agree with, and the minister has outlined the reasons. Firstly, recommendation 7B put forward the suggestion that a General Service Medal be struck. However, this medal would be awarded in exactly the same service situations as the existing Australian Service Medal. Why would we need two medals recognising the same service?

Recommendation 7C states that post-armistice service in Korea warrants the issuing of the Returned from Active Service Badge. This recommendation was not accepted by the government because this badge is presented in conjunction with the Australian Active Service Medal, which is awarded...
for warlike service. The Australian Service Medal, which has been awarded for post-armistice service in Korea, is for service in peacekeeping and non-warlike conditions. The very fact that an armistice agreement had been signed means warlike conditions had ceased. Again, this is a valid reason for the government not agreeing with the recommendation.

The other two recommendations not accepted by the government, 8B and 8C, relate to the procedures of the honours and awards system. I agree that the awarding of medals must be transparent. Indeed, there are rules governing the issuing of medals, and certain guidelines which need to be met are very clear. For instance, if you are serving in warlike conditions—as a result of a resolution of the parliament—you would be awarded the Australian Active Service Medal. The existing honours and awards system is already subject to the highest levels of scrutiny, with an interdepartmental committee being the principal advisory body to government.

When a service member receives a medal, it is recognition for the role they performed in serving their country and in defending the values of our nation. When a medal is awarded, it is worn with great pride. If we were to have multiple medals for the same service, it would only serve to devalue the medal and its recognition. Creating another medal as suggested in the motion, such as the General Service Medal, with almost identical eligibility conditions to the Australian Service Medal, simply makes one medal less important than the other.

The paramount factor in Australia’s honours and awards system is for the recipients to feel that they have been recognised by the Australian people. That being said, I find it quite ironic that this motion can be put forward with any credit by a member of the Labor Party. In 1994, when the Labor Party were in government, they presented to the parliament—through the committee of inquiry into defence and defence related awards—the CIDA report, the report of a comprehensive public inquiry into the Australian systems of honours and awards. In fact, the report was presented by the then Minister for the Arts and Administrative Services, then Senator Bob McMullan, now the member for Canberra, and the then Minister for Defence Science and Personnel, Senator John Faulkner, who is still in the Senate.

The CIDA report, which was presented by the then Labor government, recommended that a medal called the Australian Service Medal be created to replace the General Service Medal. That recommendation was accepted by the Labor government. The report also recommended that the Australian Service Medal with clasp ‘Korea’ be awarded to those who served in Korea after the signing of the armistice, and that recommendation was accepted. It appears that this motion put forward by a member of the Labor Party seeks to re-establish the very medal which the Labor Party rejected when they were in government. Therefore, this motion put forward by the opposition is in direct conflict with what the Labor Party did when they were in government. (Time expired)

Mr Griffin (Bruce) (1.35 pm)—It is with pleasure that I stand here in the chamber today and acknowledge the presence of some veterans of the Korean conflict and, through this motion, raise public issues with respect to the proper recognition of their service for our country. As previous speakers have done, I stand here proud of the performance of the Australian Defence Force in a range of conflicts and proud of the work that these men and their colleagues did in Korea so many years ago. Unlike one of the speakers so far, I do have real concerns about what has happened to the proper recognition of that service.
The member for Barton went through a number of issues with respect to what has occurred, so I will just go through a series of points which I think are relevant to the situation, to some extent working through his contribution. The first point is: let there be no doubt that this was a real conflict. It was a particularly tough war. The conditions in Korea were quite appalling, and they did not change on the day the armistice was put into effect. The fact is that those who stayed behind to enforce the peace were in a situation which was not that peaceful at all. Eighteen Australians died during that period, and that needs to be recognised.

Over the last 50 years, the people involved have been looking to get proper recognition of what actually occurred. This led to the establishment of an independent review. The independent review aspect is very important. The previous speaker, the member for Maranoa, who is of course a former Minister for Veterans’ Affairs, talked about the fact that, when medals were being considered during the time of the previous Labor government—in fact, in my first term in this place—there was an independent review. That review came down with a series of recommendations, and the recommendations that the member for Maranoa went through were actually accepted by the government of the day.

Aspects of that process have been revisited, and there has been another independent review, but what has happened? The government have rejected that review and rejected the recommendations of the review. There were, I think, some six recommendations from this particular independent review, of which four were rejected and two were accepted. But one of the recommendations that was accepted just said, ‘We agree with the recommendation that there should be more publicity, more education and more understanding about issues in this area,’ but then went on to say, ‘It is already done.’ The other recommendation that was agreed to was a recommendation from the independent review not to do something. Every single recommendation of the review that actually had something substantive in it was rejected by the government.

This is not a new experience for this government when it comes to veterans’ affairs and defence; it is regular occurrence. In fact, it is what they do when they have a problem. They set up an independent review and they allow that review to consult. They allow that review to go around the country to talk to people, to understand issues, to develop expertise and to come down with recommendations. Then what does the government do? Overwhelmingly and invariably, they reject the recommendations. The starkest example of that that we have seen in veterans’ affairs was with the Clarke review. And we are now seeing it with this review.

This review had two co-chairs. One was Rear Admiral Ian Crawford, a man I personally hold in high regard. He is a Korean veteran and deeply understands the nature of these sorts of issues. He is not someone that they pulled off the street. The second co-chair was a former member of this place, Garry Nehl, former member for Cowper and former occupant of the position of Deputy Speaker—a man whom I disagreed with on many occasions on many issues in this chamber, but a man whom I respect. I can recall when representatives of the Korean veterans came to see me to raise some concerns about whether this was going to be a genuine review. They were concerned about what the government might be up to. I said to them, ‘I think you’ll find that this is a man who will call it as he sees it and you ought to give him the chance to deliver some findings.’ As part of the review, he delivered some findings—and what happened? The government rejected the recommendations.
The government have not properly acknowledged the circumstances of these gentlemen and what they went through. The government have gone through a process and have improperly dealt with the results of that process. These veterans are being disregarded, improperly, as a result of the government ignoring an independent review. If you are going to have independent reviews to consider issues which are technical and controversial and which require additional consideration, you have to go down that track and deal with the results. They have not; they have ignored them. It is appalling. (Time expired)

Mrs GASH (Gilmore) (1.40 pm)—I thank the member for Barton for moving this motion, but I am still not clear about what the Labor Party will do to facilitate his motion. Perhaps the Labor Party’s position on this should be spelt out a little more clearly. My opening remarks on this motion will concern not only the contribution of those who served in Korea—both pre and post armistice—but also the contribution of all those Australians in past and present conflicts and those who will serve in the future. Every individual soldier, male and female, performs a vital role in Australia’s defence and makes a great contribution. Such a contribution has to be acknowledged in a way that distinguishes combat service as distinct from service in a non-warlike environment. Service in combat requires the highest order of personal commitment and sacrifice, and a grateful nation should be prepared to recognise appropriately that degree of calling. But it is unfair to compare one conflict with another, as they all have their unique and distinct qualities separating them.

When I was first approached by the Korean veterans, I understood exactly why they were seeking recognition for their comrades in arms. Their determination in seeking to right a perceived wrong is commendable, and I was prepared to assist them in any way that I could. I commend the government—the Minister for Veterans’ Affairs and the previous parliamentary secretary, Fran Bailey—for respecting the desires of the Korean veterans by investing in a process that explored their claims at arms length. It is only right and proper that such an examination was accorded. The appointed review panel dutifully explored the issues thoroughly and drew conclusions.

As you have heard, Ian Crawford, Garry Nehl, Gordon Jones and Colleen Thurgar, who made up the panel, were eminently qualified to explore thoroughly all the issues—and this they did. Their examination of the claims—to paraphrase their report—was conducted in a way that was open, public and impartial. The recommendations reflected their understanding of and belief in the laws and conventions that guided the awarding of suitable recognition to those who served in the Australian forces in post-armistice Korea. But at the end of the day there has to be a final arbiter—and in this the laws and conventions that guide our nation fulfilled that role, as they always must.

I have no issue with the need to improve the transparency and reviewability of the medal system’s rule-making process. People’s values do change over generations, and no man-made law or procedural convention is infallible. But change must come about for a legitimate and moral purpose, not simply as an imperative of a prevailing opinion. The provisions of the Veterans’ Entitlements Act are based on the notion of due distinction for warlike service. To extend entitlements of this act to non-warlike service simply dilutes the contributions of those who served in a combat environment, and I certainly cannot support that.

The panel recommended that a special medal be struck to recognise post-armistice
service. On the surface, I can see some logic, but in doing so we are creating another medal, thereby diluting the significance of existing medals struck for the purpose. The post-armistice servicemen would be entitled to the Australian Service Medal with bar ‘Korea’. By definition, they would not be entitled to the Australian Active Service Medal. Some received the Returned from Active Service Badge, in accordance with the repatriation provisions as they existed at the time. But that in itself is not an acceptance of service in warlike conditions, even though the dangerous circumstances that existed at the time are fully acknowledged.

The government has accepted the view of the reviewing panel that post-armistice service in Korea did not constitute warlike conditions. So I see the recommendation for the striking of another medal somewhat incongruous. However, if the desire amongst veterans for dual medalling becomes compelling, it is a matter that should be explored down the track. I would certainly be willing to proceed with that. As for a review of the medal system, there is nothing wrong in pursuing a policy of finessing provisions in any area of law.

I respect entirely the motives of these Korean veterans in seeking redress, as I respect my colleagues on the other side for raising this debate. Of course we want to accord the recognition that is deserved—and in bucket-loads—but we do not want to do that at someone else’s expense. The integrity of qualifying service must be maintained, and the philosophy upon which it was based, born after the Great War, has served Australian service men and women very well.

(\textit{Time expired})

\textbf{The SPEAKER}—Order! The time allotted for this debate has expired. The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

\textbf{STATEMENTS BY MEMBERS}

\textbf{Prospect Electorate: Pemulwuy Postbox}

\textbf{Mr Bowen (Prospect) (1.45 pm)}—I want to again bring the attention of the House to the campaign for a postbox at Pemulwuy in my electorate and update the House on the situation since I last spoke on this subject. After my last speech on the need for a postbox at Pemulwuy, I received a reply from Australia Post, from Mr Michael Treanor, for which I thank him. He told me he was happy to consider the transfer of another postbox but that he would not support an additional postbox in Pemulwuy. I suggested that Australia Post would consider the removal of the postbox on the corner of Wattle Street and Maple Street, Greystanes.

While I sympathise with Australia Post that they get many applications for postboxes, I believe an increase, of 5,000 new people, in the population of this suburb justifies a new postbox. The minister has told me in correspondence that Australia Post complies with commercial principles. I agree, and commercial principles would suggest that 5,000 new people would need a new postbox and not the transfer of a postbox, which has served the local area well, from somewhere else. I do not support the removal of the postbox from Wattle Street and Maple Street to Pemulwuy; I do support a new postbox for Pemulwuy. I call on Australia Post to reconsider this move and to install a new postbox at Pemulwuy and not to remove one from elsewhere in the suburb.

\textbf{Post-Armistice Korean Service Review}

\textbf{Mrs Gash (Gilmore) (1.46 pm)}—I just want to apologise to the Korean veterans, whom I count as my friends, for their having been subjected to such a lengthy delay in obtaining a final decision after the conclusion of investigations by the committee. De-
spite the strength of the veterans’ convictions and as much as I would have liked to have seen a favourable outcome, I believe the integrity of the law and the underlying philosophy of veterans’ entitlements have been upheld. I call again on the Labor Party to explain their policy with regard to this condition that has been imposed on the Korean veterans.

Media Ownership

Mr MURPHY (Lowe) (1.47 pm)—On behalf of the public interest and those concerned about the future of our democracy I again raise my grave concerns about the government’s Broadcasting Services Amendment (Media Ownership) Bill 2006. Media ownership is a serious public interest matter, and it goes to the heart of our democracy. I want to highlight the most cynical, superficial shotgun Senate inquiry into that particular bill, which took place in the Senate on 28 and 29 September. It is an absolute bloody disgrace. What the government is proposing to do is to allow our two biggest media companies to own television stations, radio stations, newspapers and monopoly pay television and to exclude anyone else from owning a free-to-air network while allowing those two companies to get a stranglehold on the internet.

It is an absolute disgrace. I cannot believe that this government is not doing more to defeat this bill. We have the most cynical and venal behaviour by Senator Coonan, trying to ram a most important piece of legislation through the federal parliament. I just hope that people like Senator Barnaby Joyce keep a cool head and maintain steady nerves to defeat this disgraceful assault on our democracy.

Mr Pyne interjecting—

Mr MURPHY—You know it. How can you allow our two biggest media owners to own newspapers, television stations, radio stations and to have a stranglehold—(Time expired)

Superannuation

Mr BARTLETT (Macquarie) (1.49 pm)—Recently released figures show that in the 2005 financial year 5,800 employees in the Macquarie electorate benefited from the government’s superannuation co-contribution scheme. Nationwide, the figures are astounding: 1,162,730 employees took advantage of this scheme—669,000 of them being women. In total they received over $934 million in co-contribution payments from the Australian government. This is an excellent government initiative providing a great boost to the superannuation savings of low-income earners. For employees earning up to $28,000 a year, contributions up to $1,000 from post-tax income are matched by a greater contribution by the government—in fact contributions of $1.50 per $1 contributed by the employee, phasing out between $28,000 and $58,000. This is a massive tax-free injection by the government to the savings of low-income earners.

From July 2007 this benefit will also be available for the self-employed. When you add to this initiative the suite of measures announced in this year’s budget to effectively remove the tax on superannuation benefits for most employees, you have a very serious commitment to boosting superannuation savings in this country—in fact a far greater commitment than we have seen by any government previously. While the opposition equivocates and procrastinates, the Howard government is delivering on superannuation. (Time expired)

Totally and Permanently Incapacitated Veterans

Mr BURKE (Watson) (1.50 pm)—I rise to congratulate the TPI veterans living in my electorate in the suburb of Belmore. Because of some earlier decisions by the TPI associa-
tion they were likely to lose their home in Belmore, a home where a lot of people who have permanent disabilities because of their service defending Australia live. They were to lose their homes and be relocated to country areas throughout Australia. A local campaign was led by the local state member, the Premier, Morris Iemma; and me, as federal member; with the involvement of the CFMEU. We became involved in defending the rights of those veterans to try to make sure that they were treated with decency by the TPI association. I am pleased to note that in the previous week the Minister for Veterans’ Affairs from this House made an offer of a $4 million interest-free loan. Details are still to emerge, but when I was out visiting the veterans in Belmore last week I saw the light on the horizon and the hope that they will be treated with decency. It is a great local victory for which they are justly proud.

Gorton Electorate: Caroline Springs Markets

Mr BRENDAN O’CONNOR (Gorton) (1.51 pm)—I rise to comment upon a number of events that occurred in my electorate yesterday. Firstly, there was the inaugural opening of the Caroline Springs Market. The Caroline Springs Market is going to be an extraordinary social and economic boon for a very fast-growing community in western Melbourne. There were already 140 stalls in place when the new market was opened.

Yesterday I was in the company of the Mayor of Melton, Councillor Chris Papas; the local state member and Minister for Small Business, Andre Haermeyer; and the member for Keilor, George Seitz; along with other community groups. Delphin Lend Lease were in attendance. I have not always agreed with the decisions of Delphin, but primarily I have agreed with the direction in which they have taken the community. They are very proactive and they have shown in this instance that they have an interest in ensuring that they do not just build suburbs but also involve themselves in the community. I acknowledge their efforts in that regard. I would also like to pay tribute to the Caroline Springs Community Development Association and the Caroline Springs Residents Association. They are very active community organisations who involve themselves in the community. I have to applaud their efforts.

Nuclear Waste

Mr SNOWDON (Lingiari) (1.53 pm)—I rise to commend the citizens of Alice Springs for demonstrating their concern about proposals from the federal government to site nuclear waste facilities in the Northern Territory. On Sunday a week ago a few hundred people attended a rally in Alice Springs on the town council lawns. The people who participated in that rally included the Mayor, Fran Kilgariff; my colleague Senator Trish Crossin; and Elliot McAdam, a Northern Territory government minister. What these people have done is represent the views of the people across the Northern Territory who are opposed to the proposition that this federal government should be able to impose upon the people of the Northern Territory the siting of a nuclear waste facility. The government have proposed this—as you would recall, Mr Speaker—without the approval of or discussion with the people of the Northern Territory but have decided that they will do it because they can. It is a major cause of concern.

The people who are most concerned are the traditional owners of that country: Aboriginal people from four different sites across the Northern Territory. They maintain their concern. They have articulated it very fairly and properly. The people of Alice Springs who have contributed to this debate, including people from the environment movement, the Aboriginal community, the Labor Party
and other organisations, are doing so very coherently. They are protesting against the government’s imposition on them of a proposal for a nuclear waste facility without so much as a by-your-leave. *(Time expired)*

**Bushfires**

Mr McARTHUR (Corangamite) (1.55 pm)—The very dry conditions and the potential for drought in Victoria give rise to the possibility of another Ash Wednesday in the Otways and other national parks in Victoria. Ash Wednesday was in 1983. It is now almost 25 years later and there is a distinct possibility that we could have a major bushfire in Victoria. The Stretton Group, which I am a convenor of, have long been advocating for park authorities to carry out fuel reduction burns and to prepare for such an eventuality. They should be well prepared for a bushfire of Ash Wednesday proportions. Fuel reduction burning has not been undertaken over recent years and so there is a very strong possibility that the fuel, the hot weather and the dry conditions could bring about something like Ash Wednesday of 1983.

The Stretton Group are on the public record as saying that the Grampians could have a huge fire. In January of this year the Grampians burnt, and that was devastating to people at both Anakie and the Grampians. What I am saying is that there is the possibility that every quarter of a century another Ash Wednesday could occur in Victoria, given the seasonal conditions that are being currently experienced.

**Media Ownership**

Mr MURPHY (Lowe) (1.56 pm)—I again raise my grave concerns about the government’s shotgun inquiry into the Broadcasting Services Amendment (Media Ownership) Bill 2006. This particular bill goes to the heart of our democracy. This bill is a serious public interest matter. I am not going to stop speaking about this government allowing our two biggest media companies to own television stations, radio stations, newspapers and monopoly pay television and not allowing a fourth free-to-air television network, while at the same time allowing those media companies to get a stranglehold on new media and the internet. This is an absolute disgrace. Senator Coonan has behaved in the most venal way. She should be flogged, and so should the Prime Minister, for handing over our democracy to News Ltd and PBL.

Mr Pyne—Mr Speaker, I rise on a point of order. Do you think that calling for a cabinet minister to be flogged is parliamentary? I ask you to rule on that.

The SPEAKER—The member is in order.

Mr MURPHY—It is an assault on our democracy. We have to keep speaking out on it. Barnaby Joyce and the member for Hinkler must keep steady nerves and defeat this media ownership bill, because it will slaughter our democracy. We cannot afford to allow the power to be handed over to News Ltd—*(Time expired)*

**Moncrieff Electorate: Merrimac State High School**

Mr CIOBO (Moncrieff) (1.58 pm)—I am pleased to rise today to speak about the terrific initiative and investment the Howard government has made in a school in my electorate. Merrimac State High School was the beneficiary of a $499,000 Howard government funding grant. The money was spent on a new special education unit. In my electorate there has been a massive underinvestment in new facilities and new resources within the state public education system by the Beattie Labor government. I was pleased the Howard government was able to provide this half a million dollars of funding for Merrimac High to ensure those children with
special needs have better opportunities to learn in an environment more conducive to their education. It has also ensured that the thoroughly professional and excellent teaching staff at Merrimac State High School have the kinds of facilities they need to ensure children with learning disabilities can learn in a better environment.

I was pleased to see that, as part of the revamp, the two existing classrooms and computer room were updated and remodelled to become four teaching areas. In addition to that, this half a million dollars ensured the kitchen was upgraded and a disability shower and toilet block were also constructed. This is a thoroughly worthwhile investment, and I congratulate the staff at Merrimac State High School. I am sure with these new facilities the children with special learning needs at that school will go from strength to strength.

**Media Ownership**

Mr MURPHY (Lowe) (1.59 pm)—I again condemn this most cynical and superficial shotgun inquiry—and I am pleased that the Prime Minister is here—that was conducted by the Senate into the Broadcasting Services Amendment (Media Ownership) Bill 2006. This bill proves that we massively concentrate media ownership in Australia. It is a great threat to our democracy. I will not stop speaking out about it.

The SPEAKER—Order! It being 2 pm, the time for members’ statements has concluded.

**CONDOLENCES**

Mr Albert William James

The SPEAKER (2.00 pm)—I inform the House of the death on Saturday, 30 September 2006 of Mr Albert William James, a member of this House for the division of Hunter from 1960 to 1980. As a mark of respect to the memory of Albert James, I invite honourable members to rise in their places.

Honourable members having stood in their places—

The SPEAKER—I thank the House.

**MINISTERIAL ARRANGEMENTS**

Mr HOWARD (Bennelong—Prime Minister) (2.01 pm)—On 24 and 27 September I announced a number of changes to the ministry. The swearing-in took place on 29 September. For the information of honourable members, I table an updated list of the full ministry. I also inform the House that the Minister for Workforce Participation will be absent from question time today.

An opposition member—Oh!

Mr HOWARD—I am glad you miss her. She is a very good minister—a very, very good minister. She is addressing the Third International Forum on Disability Management in Brisbane. The Minister for Employment and Workplace Relations will answer questions on her behalf.

The document read as follows—

Commonwealth Government

**FOURTH HOWARD MINISTRY**

29 September 2006

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<td>Minister for Families, Community Services and Indigenous Affairs</td>
<td>The Hon Mal Brough MP</td>
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<td>Minister Assisting the Prime Minister for Indigenous Affairs</td>
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<td>Minister for Community Services</td>
<td>The Hon John Cobb MP</td>
<td>Senator the Hon Rod Kemp</td>
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Each box represents a portfolio. Cabinet Ministers are shown in bold type. As a general rule, there is one department in each portfolio. Except for the Department of the Prime Minister and Cabinet and the Department of Foreign Affairs and Trade, the title of each department reflects that of the portfolio minister. There is also a Department of Veterans’ Affairs in the Defence portfolio and a Department of Human Services in the Finance and Administration portfolio.

QUESTIONS WITHOUT NOTICE

North Korea

Mr BEAZLEY (2.02 pm)—My question is to the Prime Minister. Can the Prime Minister confirm North Korea has today tested a nuclear weapon? Can he confirm from unclassified sources available to the government the size of the blast? Has the Prime Minister received any communications from the US or Japan as to their intentions? Given the seriousness of these developments, will the Prime Minister consider convening an emergency meeting of regional foreign ministers to coordinate a diplomatic response?

Mr HOWARD—In answer to the Leader of the Opposition, I am advised that there is seismic confirmation that North Korea conducted a nuclear test earlier today. In those circumstances I would condemn, and I assume I would have the unanimous agreement of the House in doing so, the test in the strongest possible terms. North Korea is very gravely mistaken if she thinks that a nuclear test will improve that country’s bargaining position. The test has destabilised the region. It has eroded North Korea’s own security. A strong international response is called for, and Australia will give full support to that response. I might point out that, in advance of today’s very regrettable developments, the government has been working very closely in the context of not only its ongoing support for the six-party talks but also the activities that have been taking place in the Security Council of the United Nations; therefore our position and our cooperation with our allies is very well known.

I might say that one of the more positive developments in this otherwise very regrettable saga took place over the weekend with the visit to Beijing of the newly installed Japanese Prime Minister, Mr Abe. If that visit heralds an improvement in relations between Japan and China that is a very welcome development indeed. As a country that has very close relations with both Japan and China, it has been a matter of regret to Australia that relations between those two countries have deteriorated so much in recent times. I welcome the initiative of the new Japanese Prime Minister, to whom I spoke on the telephone late last week conveying my congratulations on his election. I will have the opportunity of meeting him at the APEC meeting in Vietnam next month.

Australia will call on the United Nations Security Council to take swift and effective action against North Korea and impose strong measures under chapter 7 of the United Nations charter. We will also advocate a UN Security Council regime against the DPRK that includes targeted financial and travel sanctions, other trade restrictions and/or aviation restrictions. Australia will also actively promote with other like-minded
countries a concerted, strong international response through key regional mechanisms such as APEC and the ASEAN Regional Forum.

I know I speak for all Australians in saying that we are outraged that a country that has to rely on the international community to feed its own people and to bring them back from the brink of starvation devotes so many of its scarce resources to missiles and nuclear weapons progress. This issue represents a great challenge to the United Nations. We on this side of the House are often told that we do not pay enough regard to the processes of the United Nations. If the United Nations is to come up to scratch on this issue it will win great respect and an enhanced reputation. But if the United Nations fails to act effectively against this outrage from North Korea that will represent a further diminution of its authority.

I think I can speak for everyone in this House in saying that we are both disturbed and outraged at this action by North Korea which should be condemned in the strongest possible terms. The suggestion that has been made by the Leader of the Opposition, for which I thank him, will be discussed and considered by the Minister for Foreign Affairs and me.

North Korea

Mr KEENAN (2.06 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister further update the House on claims by North Korea that it has conducted a nuclear test today?

Mr DOWNER—I thank the member for Stirling for his question. This is a profoundly serious issue, and I think the Prime Minister has very comprehensively explained the approach of the Australian government to the issue. As I said, I think it is a profoundly serious issue, and one the House needs to focus on.

There have been three processes through which the issue of North Korea has been addressed in recent times. The first and dominant process has been the so-called six-party talks, which includes North Korea, South Korea, Japan, Russia, China and the United States of America. The endeavour has been to try to get North Korea to move from a nuclear posture to cooperating fully with the international community and in response receiving significant quantities of aid and an opening up of trade and investment with the rest of the world. The six-party process has occurred occasionally but not often and, despite a framework being negotiated last year and an agreed statement being issued, North Korea has refused to return to those six-party talks.

The Leader of the Opposition earlier asked the Prime Minister a question about convening a regional grouping of foreign ministers. To add to his point, I tell him that the week before last in New York the Secretary of State to the United States, Condoleezza Rice, convened the second of what is called the five-plus-five meeting, which is the six parties minus the North Koreans, of course, and five other countries in the region, including Australia, New Zealand and Indonesia. This was a useful opportunity for us to make sure our positions are coordinated. Over the last few days we have had telephone contact with each other to make sure that, in the event of this test taking place, there will be a coordinated response. I think it is very possible that, for example, during the APEC meeting next month in Vietnam there will be another five-plus-five meeting. In the meantime, it is our view that the action should move straightaway to the United Nations Security Council. In the United Nations Security Council there must be a robust response.

It is important that all members—and I focus here on the P5, the five permanent
members—understand the importance of having a chapter 7 resolution and of specific measures being taken against the North Korean regime. I have some quiet confidence that that will be achievable. We will have to wait and see; I am not getting into canvassing the different views of the different governments. But, as the Prime Minister said a moment ago, one very important development and one very positive development in what is otherwise a rather gloomy day in international relations has been the summit between Prime Minister Abe and President Hu Jintao. It is good that China and Japan are beginning the process of reconciliation, and in this context of the North Korean nuclear test that is a very important development.

The immediate focus should be on the Security Council—making sure the Security Council takes decisive action. I have quiet optimism that that is going to be possible, but the regional countries will certainly continue to cooperate and keep in contact with each other. One of the most important things here is to make sure there is a united—not just regional, frankly, but united—international response to this outrage of a test, assuming the test is confirmed. It is absolutely crucial that there is as united a position internationally as there possibly can be. I think that is possible.

Mr RUDD (2.11 pm)—My question is to the Prime Minister. I refer to the Prime Minister’s remarks just now about an appropriate United Nations response to North Korea’s grossly destabilising act in conducting a nuclear test. Which countries does the Prime Minister anticipate any resistance from within the UN Security Council in formulating any appropriate response to North Korea? What action does the Prime Minister anticipate taking in capitals to assist in bringing about a positive outcome through the Security Council, and will the Prime Minister be announcing those actions in the period ahead?

Mr HOWARD—We have made our position on this abundantly clear. I do not presume to read the mind of every member of the Security Council. I share the quiet optimism of the foreign minister that the P5 will cooperate. The member for Griffith will be aware from past experience that there is sometimes a gap between the rhetoric and the action of at least one of those members, sometimes two; I do not think it is productive for me to identify them.

DISTINGUISHED VISITORS
The SPEAKER (2.12 pm)—I inform the House that we have present in the gallery this afternoon members of the 23rd delegation from the American Council of Young Political Leaders who are visiting under the auspices of the Australian Political Exchange Council. On behalf of the House I extend a very warm welcome to the members.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Taxation
Mr WOOD (2.13 pm)—My question is addressed to the Treasurer. Has the Treasurer seen claims that middle-income earners are missing out on tax relief? Have any serious alternative policies been put forward to deal with the tax system?

Mr COSTELLO—I thank the honourable member for La Trobe for his question. As he knows, from 1 July this financial year further income tax cuts were introduced for Australians, with a cut in the top marginal tax rate, an increase in the thresholds and an increase in the low income tax offset. They have put more money back into the hands of all Australian taxpayers, particularly middle-income earners. I have seen the claim that
has been made by none other than the member for Lilley that somehow middle-income earners have missed out.

Mr Swan—Too right!

Mr COSTELLO—'Too right,' he says. A person on average weekly ordinary time earnings today compared to where they were in 1996 is taking home, after tax, $169 a week more—after tax. Not only have wages increased but, of course, taxes have been cut. That person on average weekly ordinary time earnings would be on a top tax rate of 48½ per cent under Labor’s tax scales, and that person today is on a top tax rate of 30c and does not go on to a higher bracket until $75,000. Right across the income distribution scale, not only have wages gone up but taxes have come down and put more money back into the hands of ordinary taxpayers.

I was also asked whether there were any credible alternatives that were being put forward, and I must say my heart leapt a bit when I read the front page of the Australian today. According to the front page of the Australian today, with an exclusive from the member for Lilley, Labor is considering a radical plan to flatten the personal scales by scrapping the top or the bottom tax rate. Or the bottom! Well, there are only two in between; why not scrap all four, for that matter? But it was either the top or the bottom.

Coming into the House of Representatives today the member for Lilley was asked about this plan: ‘What is the main aim of abolishing the top and the bottom personal tax rates?’ And he said, ‘What we have to do is really deliver some incentive for those people who have missed out so far.’ So it was on the front page of the Australian; it was still alive at nine o’clock. But when 3AW broadcast its news at 1 pm, it broadcast the following: ‘Kim Beazley is ruling out abolishing the top rate of tax for high-income earners.’ So it was alive when the Australian was published; it was alive at nine o’clock. It was dead at 1 pm. I said of a former shadow treasurer that he could not hold a policy from Lateline to lunchtime. This shadow treasurer cannot hold one from breakfast to brunch!

The policy which was alive at 9 am was ruled out at 1 pm. No wonder, when he was asked at 9 am, ‘Will you be presenting this to caucus, this plan of yours?’ he replied, ‘No, I’m not even going to present it to caucus.’ No wonder it could not be presented to caucus; it died at 1 pm today; it would not even have made it to 10 o’clock on Tuesday morning.

Telstra

Mr TANNER (2.17 pm)—My question is to the Prime Minister. Does the Prime Minister recall attacking Telstra on 29 September this year on the remuneration package of Telstra CEO Mr Trujillo? Why didn’t the Prime Minister take this approach last year, when the government’s position was:

The shareholder minister takes the view that it is reasonable in the circumstances and therefore would not be voting against it.

If Telstra’s CEO salary is so excessive, why did you support it then—and is he worth it now?

Mr HOWARD—The Chief Executive of Telstra is appointed by the board of Telstra and the board of Telstra determines his remuneration. The point I made on 29 September and the point the Treasurer made, I would be very happy to make again—and this applies to any highly paid chief executive in this country. If any person is paid a bonus, particularly at a chief executive level, over and above that person’s normal remuneration then it is incumbent upon the board to be satisfied that the performance criteria which are meant to validate the bonus have in fact been achieved. That was the point that was made by the Treasurer and it is a point that I am very happy to repeat. I think the
Australian people share the view that large Australian companies have got to pay competitive salary levels, but they also share the view that people who are highly paid in this country have got to earn every dollar they get paid.

DISTINGUISHED VISITORS

The SPEAKER (2.19 pm)—I inform the House that we have present in the gallery this afternoon the Swiss Minister of Home Affairs and Culture, Mr Pascal Couchepin. On behalf of the House I extend to him a very warm welcome.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Mental Health

Mr TICEHURST (2.19 pm)—My question is addressed to the Minister for Health and Ageing. Would the minister advise the House how the government is expanding Medicare funding for mental health and what impact this will have on how people with mental illness are cared for in my electorate and elsewhere?

Mr ABBOTT—I do thank the member for Dobell for his question and I acknowledge his strong advocacy, in particular on behalf of allied health professionals and especially psychologists, who now have additional access to Medicare as a result of these measures. This morning the Prime Minister provided details of new mental health services available under Medicare, which are estimated to cost some $538 million over the next five years. There will be, under these new Medicare initiatives, mental healthcare plans from GPs, including the 93 equivalent full-time GPs in Dobell. There will be higher psychiatry rebates for many types of consultations. Most importantly, there will be access to up to 12 individual psychologist consultations and up to 12 group consultations a year for people on mental healthcare plans or there will be access to other allied health professional services for people on these plans, and I point out to the member for Lalor that there are some 10,000 psychologists in Australia, including almost 3,000 registered clinical psychologists, who ought to be able to access these plans.

I want to thank the parliamentary secretary with responsibility for mental health, the member for Sturt, who has been principally responsible for devising this new initiative. Mental health is a very important subject. One in five Australians will at some stage experience a mental health problem; some one in 10 Australians suffer from significant mental illness. So this government is determined not to let these people down. These new measures are a sign of our determination to make a good system even better and a sign of the Howard government’s determination to be indubitably the best friend that Medicare has ever had.

Mr BEAZLEY (2.22 pm)—My question is to the Prime Minister. I refer the Prime Minister to the government’s nomination of Geoff Cousins to the Telstra board outside of the usual independence and propriety tests. Doesn’t the Telstra prospectus include a damning indictment of the suitability of Mr Cousins as a Telstra board member? Can the Prime Minister inform the House how it is in the interests of Telstra’s 1.6 million shareholders for the government to appoint a mate as a government stooge to the Telstra board?

Mr HOWARD—The government’s approach in relation to the selection of Mr Cousins and his nomination to the board was no different from the approach that has been taken by the government in relation to a number of people—including a number of people who currently sit on the board of Telstra. So in that sense there is absolutely nothing unusual. It is true that the prospectus

CHAMBER
contains the view of the board, not a damning indictment.

Mr Tanner interjecting—

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

Mr Howard—I have read very carefully what the board has said about Mr Cousins. I would not regard what it said as a damning indictment, but the board has expressed a different view about Mr Cousins. Let me make it very plain: the government will be voting for Mr Cousins at the annual meeting and I feel reasonably confident that he will be elected at the annual general meeting. I think he will make an outstanding director, he will be utterly independent and he is not a stooge of the government, and the idea that because at some stage somebody has provided a consultancy to the government—or, indeed, any other government—that person is disqualified from future service on the board of a large corporation is absolutely ludicrous. Mr Cousins has an outstanding commercial record—he understands communications far better than many other people who talk about communications in this country—and I think he will bring status and quality to the board when, as I confidently predict, he is elected with a comfortable majority on 14 November.

Superannuation

Mr Henry (2.25 pm)—My question is addressed to the Treasurer. What progress is being made on the introduction of the new simplified and streamlined superannuation system? What threats are there to its introduction?

Mr Costello—I thank the honourable member for Hasluck for his question and for his support of what are certainly the largest superannuation changes in 20 years. I can inform him that great progress is being made. The consultation period has now finished and the government proposes to introduce legislation later this year so that the scheme is up and running on 1 July 2007. Under the changes to superannuation, when you are over 60 and you take your money out of a taxed superannuation fund there will be no tax on a lump sum, there will be no tax on a pension, the different age based contribution limits will be abolished and the post-tax contributions will also be simplified so that people have an incentive to put superannuation contributions into their fund over the whole course of their lifetime. We get rid of complicated tax, we get rid of RBLs, we get rid of age differentials and we really make superannuation the preferred form of saving in Australia.

I regret to say that as of now the opposition still does not have a policy on superannuation. This policy was announced five months ago. We have been consulting with the industry and we have been having very productive discussions, but we have not heard a peep out of the opposition as to whether or not it will support these far-reaching changes. If we are going to encourage people to have confidence in superannuation, it is very important that this have bipartisan support. This needs bipartisan support so that people can have confidence that the money they put into superannuation in their 20s and their 30s and their 40s is going to be there after their 60s so that they can draw down on it. I am beginning to see a pattern as to why the opposition will not commit to supporting these superannuation changes—

Ms King interjecting—

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

Mr Costello—A very ominous sign in the Weekend Australian on 30 September 2006 was the headline ‘Changes to super will go: Keating’. The article read:
Former Prime Minister Paul Keating has warned superannuation tax changes may have to be cut back by future governments …

What possible future governments could he be talking about there? None other than Labor, which will not go on the record as supporting these changes—and the reason they will not go on the record to support these changes is that the Leader of the Opposition wants the right to take away the tax concessions and grab people’s money in future years. He does not want to go on the record.

Mr Keating, his economic muse—

Ms Plibersek interjecting—

The SPEAKER—The member for Sydney is warned!

Mr COSTELLO—The economic muse of the Leader of the Opposition, Paul Keating, has belled the cat. He wants these tax changes to go, he wants the Labor Party to have the freedom to take them, the Labor Party will not go on the record and, as a consequence, superannuation will not have the confidence that it deserves. I call on the Labor Party, I call on the Leader of the Opposition and I call on the shadow Treasurer to come out, back the changes and commit themselves to them for the long term so that in the future young Australians can have confidence in this preferred form of saving over the long term.

Telstra

Mr SNOWDON (2.29 pm)—My question is to the Prime Minister. I refer the Prime Minister to the T3 prospectus released today to the ASX, and in particular to the section concerning the appointment of Mr Geoff Cousins, where it states:

Telstra believes that if there is a risk Mr Cousins cannot be considered an independent director that this could prove disruptive to the smooth and effective functioning of the Board.

And further that:

The Board is concerned that there is a risk that Mr Cousins’ previous consulting role with the Government could interfere with his capacity to be considered an independent director.

Don’t these scathing comments demonstrate the economic incompetence of the Howard government in nominating Mr Cousins?

Mr HOWARD—Another part of the prospectus says that the board have not reached a concluded view. I do not know how, if they have not reached a concluded view, it can be a damning assessment.

National Security

Mr FORREST (2.30 pm)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the minister advise the House of Australia’s aviation transport security arrangements and, on behalf of constituents like mine in regional Australia, what continuing initiatives the government has in place to maintain adequate security at Australia’s regional airports?

Mr VAILE—I thank the member for Mallee for his question. Obviously it is a question of great importance to all Australians. I inform the member for Mallee that already there has been $1.2 billion allocated since September 11 2001 to aviation security. That is quite a significant amount of money that has been budgeted by the government. Under our comprehensive aviation security regime, 250 regional airports and airlines are now security regulated for the first time. The Regional Airport Funding Program, which had $36.5 million to increase security measures, has already spent $30 million on 127 regional airports. The member for Mallee will be pleased to know that, as of this year’s budget, along with airports at Burnie, Devonport, Groote Eylandt and Weipa, Mildura airport is eligible to apply for funding under the Regional Airport Funding Program. There was extra money allocated in the
budget this year to implement security measures at Mildura airport.

It needs to be recorded that we have a multilayered approach to aviation security. Measures range from the requirement for the aviation industry to have in place risk based transport security programs through the use of air security officers on selected flights to the requirement to have hardened cockpit doors in many aircraft. So a range of measures have been put in place that are very important. Our aim is obviously to protect Australians utilising aviation services in Australia, but it is just as important to reinforce the confidence of international travellers coming into Australia. We have taken those steps and introduced those measures progressively over recent years.

We note that the Australian Labor Party in their aviation policy in the election in 2004 just suggested they were going to review the act. They have a long way to go to catch up with the government in terms of front-line investment in increasing and improving the security arrangements in Australia’s aviation sector.

**Telstra**

Mr ADAMS (2.33 pm)—My question is to the Prime Minister. I refer to the government’s nomination of a close personal friend of the Prime Minister, Mr Geoff Cousins, to the Telstra board. Isn’t the CEO of the Australian Shareholders Association, Mr Stuart Wilson, right when he says:

Cousins’ nomination virtually guarantees board instability.

Mr HOward—The answer to the honourable gentleman’s question is no.

**Climate Change**

Mr RICHARDSON (2.34 pm)—My question is addressed to the Minister for Foreign Affairs. Would the minister update the House on action Australia is taking in the Asia-Pacific region to deal with climate change?

Mr DOWNER—I thank the honourable member for Kingston for his question and for his interest in what the government is doing in the Asia-Pacific region on climate change. In the first place, reflecting the depth of concern in this government about the problem, we have been one of the partners who have established the Asia-Pacific Partnership on Clean Development and Climate, known as AP6. This brings into play in addressing the climate change issue countries like China, India, Korea, Japan and obviously us and the United States of America. I think it is enormously important if we are to address the issue of climate change to make sure that countries like China and India are involved in the whole process and are making a contribution to dealing with climate change. The AP6 initiative is a very important part of doing that.

Mr Albanese interjecting—

Mr DOWNER—Secondly—you would have to hear the interjections to believe them, honestly—which Pacific countries are in AP6?

Opposition members interjecting—

The SPEAKER—The member for Grayndler needs no encouragement.

Mr DOWNER—China—they might exclude China—

Mr Albanese—They’re not part of Kyoto?

Mr DOWNER—The United States is a Pacific country. Australia is a Pacific country. I think we include Japan.

Mr Albanese interjecting—

Mr DOWNER—This is the level of intellect we have to deal with from the opposition spokesman.
The SPEAKER—The member for Grayndler is warned!

Mr DOWNER—On the Pacific island countries, there are quite clear initiatives that Australia has taken over many years. Honourable members opposite might be interested to note that for many years there has been a Bureau of Meteorology sea level and climate monitoring project. Thirty-two million dollars has been spent on this project, with 12 sea monitoring sites throughout the Pacific coupled with GPS and satellite monitoring. These gauges demonstrate that there is a history of considerable annual and regional variation in sea level in the Pacific but a trend towards the sea level rising. I understand that since 1993 the average increase in sea level in the Pacific islands region and at those 12 monitoring stations has been about eight millimetres per annum, so this is clearly an issue.

We have been helping the Pacific island countries with their priorities on climate change. We have helped to fund the Pacific Islands Framework for Action on Climate Change 2006-2015, which the opposition is not aware of. There are a number of very practical projects that we have been assisting with such as the Vulnerability and Adaptation Initiative; the dissemination of scientific information to government and private sectors through awareness programs, including through the media; building meteorological capacity through the Climate Prediction Project and training Pacific staff on climate prediction, including extreme events; and exploring the potential of renewable energy, particularly in more remote Pacific island countries. Indeed, some projects are getting up and going.

In conclusion, I make the point that the opposition continually, in a practice that we are all very familiar with, goes out and makes assertions against the government which are manifestly untrue—for example, that the government is doing nothing about climate change in the Pacific. I table for the interest of the House a list of a number of projects that are being funded by the government in the Pacific. If it ever came to who is struggling, it is the integrity of the opposition and how it addresses this issue. I would have thought that the member for Grayndler would place some premium on telling the truth, but he apparently does not.

DISTINGUISHED VISITORS

The SPEAKER (2.39 pm)—I inform the House that we have present in the gallery this afternoon members of a delegation from the Transport, Building and Housing Committee of the Federal Republic of Germany. On behalf of the House, I extend a very warm welcome to our visitors.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Mental Health

Mr ANDREN (2.39 pm)—My question is to the Minister for Health and Ageing. Minister, at the start of Mental Health Week, can you answer concerns from the New South Wales Central West Division of General Practice that its psychology service has not been refunded and that, despite very welcome promises of Medicare mental health cover, there are no private child and family psychiatrists in the central west and only four full-time community health psychologists? Minister, how do you respond to concerns that the new COAG national mental health initiative cannot significantly assist rural Australia unless there are coordinated psychiatry, clinical psychology and GP services in every region across Australia?

Mr ABBOTT—I thank the member for Calare for his question. I acknowledge his concerns about mental health services in the central west as well as the concerns of peo-
ple like Senator Bill Heffernan, who is regularly lobbying me on this subject. I can tell the honourable member that I have discussed these matters on a number of occasions with the New South Wales Central West Division of General Practice and particularly with Dr Ross Wilson, who I speak with regularly. My understanding is that the psychology service run by the division has, in fact, been refunded. That is my understanding, but I will certainly double-check that and confirm the facts to the member.

Let me point out that as well as the new Medicare items announced today—again, thanks to the good offices of the parliamentary secretary, the member for Sturt—there is $52 million more to work with appropriate organisations such as divisions of general practice to provide mental health services in areas where there are few private doctors or private psychologists. I do believe that the new measures will help to develop a better private psychology market in areas such as the central west, but, as I said, there is $52 million more to help if that is not the case.

Energy Initiatives

Mr BARTLETT (2.41 pm)—My question is addressed to the Minister for Industry, Tourism and Resources. Would the minister update the House on the progress of the government’s alternative fuels initiatives?

Mr IAN MACFARLANE—I thank the member for Macquarie for his question and also for his strong support—in fact, his initiatives—in regard to alternative fuels. The member for Macquarie was one of the first promoters of the LPG subsidy scheme for conversion and I congratulate him on his very strong interest in that. The scheme was announced in August and already we have seen unprecedented interest in the LPG conversion scheme, with some 50,000 public inquiries on the AusIndustry hotline. I am pleased to report to this House that in the first five days since the beginning of processing of these claims we have seen 1,734 grants—worth some $3.2 million—paid out under the scheme. These cheques have been dispatched to motorists who have chosen the LPG alternative.

The ethanol infrastructure scheme, which was announced alongside the LPG scheme, has also been officially launched, with grants of up to $20,000 available to help service stations to install ethanol infrastructure as well as sell ethanol based fuel blends. Through these programs, our government is providing strong and consistent leadership on alternative fuels and we are seeing that the set target of 350 million litres of ethanol and biofuels is now well within our grasp. Already we have seen BP commit to deliver more than 400 megalitres of biofuels into the market annually by 2009. Australia’s alternative fuel industry is growing and providing real choice and real savings to Australian motorists.

Workplace Relations

Mr BEAZLEY (2.44 pm)—My question is to the Prime Minister. I refer to the Prime Minister’s comments on 5 October about his extreme industrial relations laws:

... it’s all about providing people with choice ...

... ... ...

We’re not going to push AAWs on people ...

Is the Prime Minister aware that Martin Donnelly electrical services is contracted to help build the new Department of the Prime Minister and Cabinet building? Is the Prime Minister also aware that the existing collective agreement expires in December, and that Martin Donnelly electrical services employees have repeatedly and unanimously expressed their wish to negotiate a new collective agreement? Isn’t it the case that the employer has unilaterally denied this and is requiring employees to sign an AWA? What does the Prime Minister say to these
Mr HOWARD—I thank the Leader of the Opposition for the question. I remind the Leader of the Opposition that employers, long before the introduction of Work Choices, had the right to propose a particular form of employment contract. It has been the law for more than a decade in this country that an employer could, consistent with something I am about to say, nominate that people, particularly new employees, be engaged on AWAs.

The Leader of the Opposition would also be aware that under the new law it is unlawful for somebody to be coerced into signing an AWA. That is the law, and that law will be applied in relation to this site, as indeed for their others. I also inform the Leader of the Opposition that my advice about the unanimity of the reaction of the employees is different from that of the Leader of the Opposition. But let us wait and see.

I also, as a footnote, add that I am aware that my department does not actually own the building.

Opposition members interjecting—

Mr HOWARD—I will tell you whose responsibility it is. It is owned by a trust representing industry superannuation funds, and on the board of this trust is a Mr John Sutton from the CFMEU. There are some sections of the CFMEU for which I have a certain affection, but I am not sure that Mr Sutton belongs in that section. If the Leader of the Opposition has some further concerns about this issue, perhaps he could have a chat with his friend John Sutton.

Workplace Relations

Mrs VALE (2.47 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister provide an update on how Australian workplace agreements are boosting employment and wages? What will happen to workers’ wages and conditions if these agreements are abolished?

Mr ANDREWS—I thank the member for Hughes for her question and, in answering it, I note that the unemployment rate in Hughes stands at 2.9 per cent. The constituents of Hughes are some of the many people throughout Australia who are getting the rewards and the benefits of changes to workplace laws. There have been 175,000 new jobs created in Australia since the introduction of Work Choices, real wages are continuing to grow and industrial disputes are at the lowest level in the history of this country.

It is true that Australian workplace agreements are being taken up in quite considerable numbers. Indeed, last week the Prime Minister and I had the opportunity of visiting a disability service in South Australia, in the member for Wakefield’s electorate, where the one millionth AWA had been signed. Mr Bob Raven was the employee who had signed the one millionth AWA. The one millionth AWA also coincided with the 100,000th AWA lodged under the Work Choices system.

Let us look at some of the advantages for Mr Raven and his fellow employees—about 30 staff at Comrec’s various disability support services in South Australia—under the AWA. They have, for example, the option of trading wage increases for additional leave. They have flexible start and finish times. They have the option of working from home and access to long service leave as single days. They have three days additional leave per year, accessible for any personal reason. They have things like study leave.

All of those are advantages that Mr Raven, as he said to us last week, found attractive in this Australian workplace agreement and for him to work in this particular busi-
ness. This is an example of the flexibility and the choice that Australian workers now have that they did not have in the past. These choices and this flexibility arise from the changes that this government has put in place. It is nonsensical to be taking away these choices. I noted in the West Australian on the weekend—and if the member for Brand ever visited Western Australia these days he might have noted it himself—an article on a worker in that state titled: ‘Keep your hands off: miner tells union’, and by extension the miner was telling the Leader of the Opposition that as well.

The Leader of the Opposition has previously praised and acknowledged AWAs. Indeed, he previously acknowledged the sheer irresponsibility of abolishing AWAs when he said:

There’ll be a million of those things in place when we come into office and you can’t wander around cancelling contracts.

What happened? As soon as there was word of a challenge to the leadership of the member for Brand as the Leader of the Opposition of Australia, he raced into the ALP conference in Sydney and said, ‘Well, I’m going to rip up Australian workplace agreements.’ What he would do is to rip up the flexibility that the likes of Mr Raven have, the flexibility that up to a million Australians have already entered into with Australian workplace agreements. There is only one description for this, and that is economic vandalism.

### Workplace Relations

Mr STEPHEN SMITH (2.51 pm)—My question is to the Prime Minister, and it again refers to the sparkies working at the new Department of the Prime Minister and Cabinet building. It also follows on from the minister’s answer referring to choice. Is the Prime Minister aware that the Australian workplace agreement that Martin Donnelly electrical services employees are required to sign provides that payment of bonuses, overtime, loadings, penalties or other allowances is at the sole discretion of the company, a multistorey allowance is removed and there is no guarantee of a pay increase during the three-year life of the agreement? Is the Prime Minister prepared to walk one block down to his new departmental headquarters and explain to the sparkies working on the site why the only real choice they have is to sign an AWA on inferior conditions—in other words, to take it or leave it?

Mr HOWARD—I have learned from experience that you never take at face value what the member for Perth says about the content of an Australian workplace agreement. I am advised that negotiations continue—

Mr Stephen Smith—Go down and ask them. Do a one-block detour.

The SPEAKER—Order! The member for Perth has asked his question.

Mr HOWARD—in relation to the employees. I am further advised that the law of this country is that nobody can be sacked for refusing to sign an AWA. I continue to be advised that unemployment is at a record 30-year low in this country. My understanding is that although the unemployment rate in the ACT may not have reached the marvellous lows of the shire in which the electorate of Hughes is located it is sharply lower than it was 10 years ago.

### Afghanistan

Mr JULL (2.53 pm)—My question is addressed to the Minister for Defence. What is the latest role for the Australian Defence Force in Afghanistan and what contribution is this making to the war on terror?

Dr NELSON—I thank the member for Fadden for his question and for his very long commitment to defence and foreign policy. Every Australian should be proud of the fact
that we have just over 500 Australian troops in Afghanistan at the moment, predominantly in Uruzgan, in central southern Afghanistan. They are there for two reasons. The first is to see that we contribute to fighting the global war against terror. No Australian should forget that the 88 Australians who were murdered in Bali were murdered by people who trained in Afghanistan—Muklas, Samudra and Hambali amongst others. The second reason that we are there is to support the Afghan people in their drive for democracy—something which goes hand in hand with stability and freedom for people.

Over the last year we have had a special operations task group in Afghanistan of some 200 soldiers—commandos and members of the Special Air Service Regiment. They have done an outstanding job. In fact, 395 days of active service for those soldiers saw them undertake more than 100 missions and 139 contacts—or fights, if you like—with the anticoalition militia. There are many outstanding stories of gallantry and heroism which will be further told over the next few months and for which appropriate military recognition will be given to them.

Uruzgan today is relatively stable, thanks to the hard work and bravery of those Australian soldiers. We now have 500 Australian soldiers, 270 in a reconstruction task force, working alongside 1,400 Dutch military personnel, under NATO. About half of them are tradies and engineers and the other half are ground force protection. They are in command, construction, intelligence, protection and logistics. They are involved in a range of projects: not only trade training for Afghans but also flood mitigation projects, building roads and culverts, reticulated water programs and a variety of things that are essential for the wellbeing of the people of Uruzgan. In addition to that, the government has deployed another company of 120 soldiers to provide ground force protection to them. We are very confident of the professionalism, leadership and equipment that our soldiers have. We know this is an important task. It is about protecting not only Afghan people but also Australia, our people, our interests and our values.

Workplace Relations

Mr Hayes (2.56 pm)—My question is to the Prime Minister. I refer to the question I asked on 13 September concerning an AWA offered to one of my constituents, Reynaldo Cortez, by Lipa Pharmaceuticals which reduces his take-home pay by $200 a week. Is the Prime Minister aware of comments made by Mr Cortez in the Campbelltown-Macarthur Advertiser on 20 September on the reasons he signed the AWA? He said:

I have five children and am the only one working because my wife is taking care of my kids. I felt sick ... I couldn’t sleep because of what’s going on ... I didn’t like to sign but what would happen to me [if I didn’t]?

Isn’t it the case that Mr Cortez’s choice was to either accept the job with reduced conditions and entitlements or not have the job? Isn’t this the Prime Minister’s real idea of choice—no choice except take it or leave it?

Mr Howard—In answer to the member for Werriwa: I have not seen those remarks in the local newspaper to which you have referred. If you would like to send me a copy of the local newspaper I will see what further inquiries I can make. In relation to take it or leave it or choice, I remind the member for Werriwa that one million people in the early nineties had to take it or leave it. Despite the massive protections that the law purported to give them, the economy in the early nineties was so weak that more than a million people were thrown out of work and all the legislative protections under the sun did not save them. I think the member for Werriwa should understand that the real test of an industrial relations system is the con-
tribution it makes to strengthening the economy. The evidence so far is that the sky has not fallen in. We have 175,000 more jobs. We still have very high real wage growth. We have the lowest number of industrial disputes since records were kept. I think most Australians would take that rather than leave it.

Vocational Education and Training

Mr VASTA (2.58 pm)—My question is addressed to the Minister for Vocational and Technical Education. Would the minister advise the House on how school based apprenticeships are providing increased choice and opportunities for young Australians, particularly in my electorate of Bonner?

Mr HARDGRAVE—I thank the member for Bonner for his commitment to Australian school based apprenticeships, particularly in his electorate, where schools such as Clairvaux MacKillop College are providing hundreds of students with opportunities to learn a trade while they are completing their year 11 and 12 studies. They are doing this through employers like Zupps, at Mount Gravatt, who have a fantastic commitment to taking on kids and giving them those opportunities.

There are currently some 18,000 Australian school based apprenticeships, as at the end of March of this year, hundreds of them in Bonner alone. Commencements in Australian school based apprenticeships have increased by 23 per cent in the 12 months to March of this year, to 16,100 commencements. This compares with just 2,410 commencements in Australian school based apprenticeships in 1999 and, of course, zero when the Australian Labor Party was in government. Last year this government paid $14.6 million in financial incentives to Australian employers for school based apprenticeships. We are providing real choice—there is that word again: choice—for young Australians, giving them the opportunity to progress towards nationally recognised trade qualifications and work experience while they are at school.

Mr Speaker, as you would know, being the member for Wannon, just last week we announced more funding for more of the Australian technical college program. All up, there will be $343.6 million for Australian technical colleges, which will provide opportunities for 7,500 students to take up Australian school based apprenticeships in years 11 and 12. We have announced 23 of the 25 Australian technical colleges and funding arrangements for 19. In the last few weeks alone, some $40 million in commitments have been announced in the upper Spencer Gulf in South Australia, in Darwin, and in Warrnambool in the electorate of Wannon. What we need is for state governments to reform the industrial relations impediments—

Opposition members interjecting—

Mr HARDGRAVE—Oh yes, here he goes. The state of New South Wales, the biggest state and the biggest economy but, as the Prime Minister rightly acknowledged last week, the state with the most lethargic economy in Australia, has the worst set of circumstances when it comes to school based apprenticeships. It is disgraceful to think that, in the state of New South Wales, no student is studying in the trades at certificate level I, II, III or IV in years 11 and 12. There are no school based apprenticeships.

I noticed that the member for Rankin hopped on the bandwagon for school based apprenticeships a few weeks ago. About eight weeks ago he was mouthing the words of the Leader of the Opposition and the Deputy Leader of the Opposition, bagging Australian school based apprenticeships through the Australian technical college program. Last week he was on the bandwagon promot-
ing them. We welcome his latter-day conversion on the road to wherever it was, but what I want him, the Leader of the Opposition and the Deputy Leader of the Opposition to do is to get onto the Western Australian government and, particularly, the New South Wales government to allow school based apprenticeships across all trades for year 11 and 12 students in those states. Without that it is a disgrace.

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

QUESTIONS TO THE SPEAKER
Questions in Writing

Mr MURPHY (3.02 pm)—Mr Speaker, I seek your assistance, under standing order 105(b), in relation to a number of questions that have been outstanding on the Notice Paper for 60 days or more. The first one is question No. 3790 of 8 August to the Minister for Families, Community Services and Indigenous Affairs. Also on 8 August: question No. 3818 to the Minister for Transport and Regional Services; question No. 3820 to the Minister for Justice and Customs; question No. 3821 to the Minister for Transport and Regional Services; question No. 3822 to the Minister for Justice and Customs; questions Nos 3834, 3836, 3837, 3838, 3839 and 3840 to the Minister for Justice and Customs about the sabotaging of CCTV cameras at Sydney airport; and question No. 3842 to Minister Coonan about media ownership. On 9 August: question No. 3868 to the Minister for Health and Ageing, questions Nos 3869 and 3870 also to the Minister for Justice and Customs about the sabotage of cameras at Sydney airport; and questions Nos 3871, 3872, 3873 and 3874 dealing with the investigation of the sabotage of those cameras. On 10 August, question No. 3895 to the Minister for Health and Ageing and question No. 3896 to the Minister for Health and Ageing.

I would be grateful if you would write to those ministers and seek reasons for the delay in replying to those questions.

The SPEAKER—I thank the member for Lowe and I will follow up his request.

PERSONAL EXPLANATIONS

Mr ALBANESE (Grayndler) (3.04 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr ALBANESE—Yes.

The SPEAKER—Please proceed.

Mr ALBANESE—During question time today, the Minister for Foreign Affairs alleged that I was not interested in the impact of climate change on our Pacific neighbours. In fact, in January of this year, the shadow minister for overseas aid and Pacific island affairs and I released a policy document, Our drowning neighbours: Labor’s policy discussion on climate change in the Pacific, which had a seven-point plan, including a Pacific climate centre, assistance for mitigation and adaptation, assistance with intracountry evacuations, training, an international coalition to accept refugees, assistance on cultural heritage, and establishing a Pacific climate change alliance.

The SPEAKER—Order! I think the member has made his point.

Mr SWAN (Lilley) (3.05 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr SWAN—Yes.

The SPEAKER—Please proceed.

Mr SWAN—In question time today, the Treasurer said that my article in today’s Australian contained a proposal to abolish the top or the bottom marginal tax rate. That is
The Speaker—Order! The member has made his point. The member will resume his seat.

PETITIONS

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

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

This petition of certain citizens of Australia draws to the attention of the House the need for the Howard Government to establish a Medicare Office at Parkmore Shopping Centre Cheltenham Road, Keysborough, Victoria.

Your petitioners therefore respectfully request the House to establish a Medicare Office at Parkmore Shopping Centre.

by Ms Corcoran (from 2,912 citizens)

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

This petition of citizens of Australia calls on the Parliament to urge Government members to:

(1) Table all environmental evidence and other studies supporting the proposal to build a nuclear reactor in Western Australia;
(2) Identify which bodies in Western Australia have been consulted over such a proposal;
(3) Advise on what consultation has taken place with the community in Western Australia over the proposal;
(4) Identify all the sites in Western Australia under consideration for the construction of this nuclear reactor; and
(5) Advise what safeguards will be put in place to prevent terrorist attacks against nuclear facilities in Western Australia.

by Mr Edwards (from 64 citizens)

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

The petition of certain citizens of Australia draws to the attention of the House a treatment available for some types of Breast Cancer.

- Some breast cancers test positive for a growth factor or protein called Her2. This Her2 tells breast cancer cells how to grow.
- A drug called HERCEPTIN stops Her2 from working, so the breast cancer cells stop growing.
- This means that Herceptin would help greatly in further reducing risk of future recurrence of breast cancer.
- However, Herceptin is NOT supplied on the Pharmaceutical Benefits Scheme (PBS) for all stages of breast cancer and incurs a cost of $66,000 for 1 year of treatment.
- This cost is prohibitive, meaning women either do not use this treatment, or they suffer tremendous financial hardships on top of their cancer struggle.

Your petitioners therefore humbly pray the House to include the drug Herceptin on the Pharmaceutical Benefit Scheme (PBS) for use by women at any stage of breast cancer who test positive to Her2.

by Ms King (from 629 citizens)

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

The petition of certain residents and ratepayers of Beechworth, Victoria, and visitors to our community draws to the attention of the House that Australia Post proposes to convert (downgrade) the Beechworth Post Office from a corporate office to a licensed outlet. This is being done without any community consultation. Seven local employees will be transferred from the town with subsequent
loss of local knowledge and negative economic impact. Mail delivery will be handled from Wodonga.

Any new licensee will have the option to operate from other premises. If Australia Post ceases to operate in the heritage Post Office the authenticity of that building still being used for the purpose for which it was built 140 years ago will be lost. The loss of local postal officers who have had a long term commitment to the town and its development will also be a blow to the community.

Your petitioners therefore request the House to declare this an exceptional circumstance and to urge Australia Post in the strongest possible terms to uphold its stated commitment to social and heritage values by maintaining the Beechworth Post Office in its present 140 year old location as a corporate Post Office in a nationally heritage listed streetscape.

by Mrs Mirabella (from 2,270 citizens)

Workplace Relations

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

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

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

The petitioners therefore ask the House to ensure that the Howard Government delivers:

1. Proper rights for Australian workers who are unfairly dismissed.
2. A strong safety net of minimum awards and conditions.
3. An independent umpire to ensure fair wages and conditions, and to settle disputes.
4. The right for employees to bargain collectively for decent wages and condition:

5. The right for workers to reject individual contracts which cut pay and conditions, and undermine collective bargaining and union representation.

6. The right to join a union and be represented by a union.

by Mr Swan (from 117 citizens)

Human Stem Cells: Therapeutic Cloning

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

The petition of the relatives and friends of Motor Neurone Disease sufferers in the State of Victoria draws to the attention of the House, that the cloning of human stem cells for medical research in our day and age must be considered to be an absolute necessity. The findings are bound to benefit sufferers of many degenerative diseases such as Motor Neurone Disease, Diabetes and Cancer just to name a few.

Your petitioners therefore request the House to lift the ban on therapeutic cloning of human stem cells only to assist medical research, in order to save quite a few Australian lives.

by Mr Kelvin Thomson (from 3,833 citizens)

Human Rights: Falun Gong

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

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

Witnesses, including an investigative journalist and a veteran military doctor have revealed that Falun Gong practitioners are being held in at least 36 concentration camps in China where they are routinely subject to the forced removals of their organs which are then sold for transplants. The bodies are quickly cremated to destroy all evidence.

YOUR PETITIONERS THEREFORE REQUEST THE HOUSE TO INITIATE A RESOLUTION TO:

1. Call for the Australian Government to fully support the International Coalition to Investigate the Persecution of Falun Gong
Monday, 9 October 2006

HOUSE OF REPRESENTATIVES

(CIPFG), and demand that the Chinese Communist Party (CCP) immediately open the doors of all concentration camps, forced labour camps, hospitals, prisons and detention centres throughout the People’s Republic of China in order to allow independent teams to investigate the charges of illegal detention, torture and live organ removal for transplants.

II. Demand that the CCP regime release all detained Falun Gong practitioners immediately.

by Mr Windsor (from 199 citizens)

Petitions received.

PRIVATE MEMBERS' BUSINESS

Work Choices Legislation

Mr PRICE (Chifley) (3.07 pm)—I move:

That the House:

(1) recognises the adverse affects of the federal Government’s Workchoices legislation;
(2) take immediate action to protect working Australian men and women;
(3) take specific action to address the uneven nature of the bargaining position and pressures on young Australians entering the workforce for the first time;
(4) take note of the Howard Government’s agenda to drive down wages;
(5) condemns national employer JetStar for its practice of charging job applicants for the application process; and
(6) take action to prevent other employers from adopting similar practices.

It is a pleasure to move this motion standing in my name concerning the Work Choices legislation in general.

A resident of Blacktown, Tony Jansson, got in touch with me about an article he had read about Jetstar. The article said that people who wanted a cabin job with Jetstar were required to pay $40 for a personality test and $49 for a security check—in total $89. Tony asked me a very simple question, and I could not answer it. He said, ‘Is it legal for job applicants to be charged by employers to apply for a job?’ It seems a simple proposition, but at the time I just did not know the answer. I have now checked and have found that there is absolutely nothing in Commonwealth law that prevents an employer charging applicants a fee to apply for a job. There were thousands of applicants in this instance, and some 200 were selected.

One may say that, given the current level of employment, it is not a problem. I disagree. I think the principle is wrong. I do not think employers should be able to charge a prospective employee to apply for a job. I do not believe that is Australian. I do not believe that is fair. I do not believe that is providing a fair go. Any downturn of commodity prices or any hardening of the economic arteries in America or China will put enormous pressure on Australia. There is already speculation that commodity prices will ease—if not fall—significantly over time. What this means, particularly for young Australians—the class of 2006—is that, when the employment queues grow, employers will be able to be very choosy, even more choosy, and they will have the opportunity under this federal government to levy a charge on job applicants. It is un-Australian, it is unfair and it should be stopped.

In my electorate we have had the case of Spotlight. Spotlight opened a new store and, under the new AWA for Spotlight, new employees were asked to give up penalty rates, overtime payments, rest breaks, incentive based payments and bonuses, annual leave loading, public holiday pay rates, rostered days off, first aid allowances, meal allowances and uniform allowances—all for an extra 2c an hour. There was a huge reaction in my electorate about this outrage. In fact, lots of citizens spontaneously went to Blacktown’s Spotlight store and threw their Spotlight card at the employers there. They wanted to demonstrate how disgusted they were.
The Prime Minister defended it all on the basis of, 'This is what you get when you are unemployed,' and 'This is what you get when you get a full-time job with Spotlight.' What he did not say was that no-one was being offered full-time jobs at Spotlight. I have spoken to some of the workers at Mount Druitt and they were absolutely beside themselves because they were being offered casual work only and their AWA got rid of so many of the award conditions.

I feel for the class of 2006—that graduating body, mostly from year 12 and some from year 10—and worry about the sort of working world they are entering. They will have no choice, they will have no bargaining position and they will have to sign AWAs or go without a job. That is the only choice they will have. Also, they will be on second-class rates. I value each and every job a person in my electorate gets, but why should they give away so much? Why should it be so unfair for young Australians when they enter the workplace? (Time expired)

The SPEAKER—Is the motion seconded?

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

Mr JOHNSON (Ryan) (3.12 pm)—If ever there were evidence required in the parliament that the Labor Party is unfit for office, this motion by the Chief Opposition Whip provides it. This motion proves that the federal Labor Party has no economic credibility or credentials and is certainly unfit to govern this great country. It is quite amazing that today, in the 21st century, the ALP still seems to live and breathe the world of 19th century industrial relations thinking. The ALP seems to think that the 21st century world is a world of Dickensian worker oppression and exploitation. The Labor Party’s ideas and policies are very much still rooted in a world of employer-employee conflict and clashes.

Today’s economic architecture of the 21st century is very different. No longer is it just the world of labour versus capital or labour versus management. For example, more than a million Australians own and operate their businesses from home. Today’s economic world is very different from the world that the Labor Party still thinks exists. The globalisation of labour, technology and capital in the 21st century absolutely demands that this country must build its prosperity on productivity, innovation and entrepreneurship. We must continue to reform our economy and create the economic framework in which businesses can employ people. That seems to be one of the things that the Labor Party forgets. It is businesses that employ people. It is businesses that give Australians the jobs that provide the economic security for them to sustain their families.

Australia’s Work Choices legislation, introduced in March, is all about that. It is all about creating the framework and the economic architecture that allows businesses in this country to be commercially successful and profitable and therefore to employ Australians. My fellow Australians, if a company is not successful profitably, if it is not successful commercially, it cannot employ anyone. Surely the Australian Labor Party understands such an elementary point.

Since March, when the workplace legislation was introduced here in the parliament, over 175,000 jobs have been created—over 1,000 new jobs a day. I am sure that many Australians listening today would not need to be reminded that, under Labor, unemployment stood at over 10 per cent. How was that economic justice? For a party that is all about so-called economic justice, how can one million people out of work provide economic security for their families? How is that
beneficial to the lives of the working class, the people that the Labor Party claims to represent? Of course today the Australian people know that 4.8 per cent is the figure of unemployment in this country, the lowest in three decades. Participation rates are at about 65 per cent, which reflects very strongly that the policies and initiatives of the Howard government are the right ones in the 21st century.

This motion talks about young people in jobs. Let me just remind the Australian people that in July 1992, when the man in this parliament who seeks to be the Prime Minister from the Labor Party was the employment minister, unemployment for young people was over 10 per cent. Today in October 2006 that figure is 4.4 per cent. So let us not just hear what the rhetoric is from the Labor Party; let us look at the figures, let us look at the reality.

I want to refer to the status of women in this country. The unemployment rate for women is 4.8 per cent and there are 4.6 million women in the workforce—a 28 per cent increase since 1996. More than one million women have found jobs since the Howard government came to office in 1996. This motion attacks Jetstar, a company that is employing Australians. My goodness! Here is the Labor Party, which claims to represent the workers of this country, attacking an Australian company that is employing men and women throughout this country. This motion should be condemned in the parliament. This is a motion against business. This is a motion against economic security for everyday Australians. Over 200 people were employed by Jetstar recently out of expressions of interest from some 2,800—(Time expired)

Mr HAYES (Werriwa) (3.17 pm)—Only last week we had the Prime Minister crowing about the fact that we had just witnessed the signing of the millionth AWA in this country. Predictably, people such as Peter Hendy, not to be done over on air time, tried to claim that this is a reason why the Labor Party should change its approach and not pursue a policy of ripping up Work Choices. I have to say it is a funny thing when you actually look at what they are crowing about. These AWAs, the ones that came in post Work Choices, are even worse than the ones that were there beforehand. At least the ones that were there before March this year were subject to such things as the no disadvantage test. The ones that have now been brought down, which are now permissible under this new federal law, mean that there is no disadvantage test for individual contracts and that people can legally be put on with terms and conditions which are below the award. They are not subject to review by an independent umpire. Employees can be coerced to sign these agreements. They can be legally forced to sign a contract or not to take the job.

The Prime Minister has made that point time and time again—when he refers to the dispute at Boeing or anywhere else: you either sign a contract or you do not take the job. They are the facts. Of all the agreements that were signed up until June this year that were reviewed by the Office of the Employment Advocate, it was found that, for every single contract entered into, at least one of the award conditions was extracted from the contract. Two-thirds of the agreements reviewed had the leave loading and penalty rates removed. Nearly one in four did not have a pay rise during the agreement. Almost one in five had their award conditions withdrawn or replaced in these new AWAs. These are the new AWAs which came in solely with the advent of the Work Choices legislation.

I was very interested to hear the member for Ryan refer to the position of women, because I also heard that when the member for
Chifley spoke. Women were, quite frankly, right at the front end of this legislation. One of the first instances was industrial agreements being forced on workers at Spotlight. As you will recall, for women working in local haberdashery stores such as Spotlight, there was no overtime payment for excess hours and no overtime payment for Thursday evening work. There were no overtime or penalty rates for public holidays and weekend work and no rest periods—all of that, for a lousy 2c an hour. And what was put by this government? ‘If you don’t like it, don’t take the job.’ That is precisely what the view of this government is. This government had its view articulated by the member for Macarthur. The people of Spotlight must have found cold comfort from the words of the member for Macarthur when he said that he had no problem with jobs that pay no overtime, that do not allow for meal breaks or that pay no penalty rates.

Through the local media, he went on to tell these people, ‘If they don’t like it, they don’t have to take the job.’ He went on to say, ‘They can always go and start their own small business.’ I have to say that for the people who work in Campbelltown at the local haberdashery store—

Mr Price—Or at Mount Druitt.

Mr Hayes—or up there at Mount Druitt, or anywhere else, it must be very heartening to be told by a member of this parliament who was privy to the passing of this legislation that if they do not like it they do not have to take the job and, what is more, that they might think about starting their own business along the way. That is the arrogance of this government. That is the way that they treat people. To the little people out there—the people who are trying to support their families, trying to put food on the table and trying to do the little things that are necessary to get the kids to school and everything else—this is the arrogance that this government is showing: ‘If you don’t like the contract, don’t take the job.’

This is only one instance. My electorate is littered now with casualties of this legislation. When the Minister for Employment and Workplace Relations visited my electorate only recently, I invited him to a meeting of all the people who claim to be victims of Work Choices. He and the member for Macarthur failed to turn up. (Time expired)

Mr Randall (Canning) (3.23 pm)—I am very pleased to speak on this motion put by the member for Chifley, because it gives me the opportunity to put into the trash can of rhetoric the Labor Party’s hypocrisy on Australian workplace agreements. Australian workplace agreements have been highly successful in improving the conditions and the lot of thousands of workers throughout Australia. In fact, the often touted line in this House is that this is a race to the bottom for wages. Nothing could be further from the truth. In fact, under workplace agreements, wages have risen considerably. Unemployment has bottomed. For example, in Australia at the moment unemployment levels are at 5.1 per cent. In my state of Western Australia, unemployment is at the absolutely outstanding level of 3.5 per cent. Which is the state in this country that has the most AWAs? Western Australia. I will go into the details electorate by electorate later.

The people opposite are in an industrial relations time warp. They want to go back to the dinosaur age of the 1980s and early 1990s when they had control of this country and they bragged about lowering wages and conditions. In fact, in the 13 years of the Labor government, we know that wages only rose in this country by 1.2 per cent. That compares to a more than 16 per cent growth in wages in the 10 years that the Howard government has been in place. Who has done
best? Who has a proud boast on this issue? The Howard government. In the state of Western Australia, they offer employee-employer arrangements as industrial agreements in the workplace. They are only enlisting in those by the hundreds, yet, as we heard today from the Prime Minister, people have signed one million AWAs in this country.

Mr Beazley says that he wants to rip them up. I have news for Mr Beazley. In his electorate of Brand, there are 23,335 people on Australian workplace agreements. Putting that into context, in an electorate of about 80,000 people he has close to between one in three and one in four workers on AWAs. And he is saying to the people in his electorate of Brand, ‘I’m going to rip up your Australian workplace agreements, because our union bosses—our political masters, the unions in this country—have told us that we have to rail against them.’ Something like 17 per cent of people in the Australian workforce now belong to a union. There are more people now who run a small business than there are people who belong to a union. How out of date are the people on the other side of this House when they say, ‘Our political bosses and masters have told us that we’ve got to try and talk down Australian workplace agreements’—agreements which offer better terms and conditions?

They say, ‘If you don’t sign it, you’re in trouble.’ The bottom line is that that is not true. We know that the award is the safety net and that it is illegal to be forced to sign an Australian workplace agreement. If they try and make you sign an Australian workplace agreement, you go to the Office of Workplace Services. I will give the number: 1300724200. You will get up to $4,000 legal aid to fight your case if you have been harshly dealt with by this legislation. That is the truth of the matter. Believe it or not, the electorate in South Australia with the highest number of AWAs is the seat of Adelaide. There are 11,250 in the seat of Adelaide. Those numbers have increased by 10 per cent since the new Work Choices legislation came in. In the electorate of the member for Chifley, who brought this motion on, there are 7,734 people on workplace agreements. The electorate in Queensland with the highest number of people on workplace agreements is the electorate of Dawson. There are 13,587 people on workplace agreements there. In Tasmania, the seat of Franklin has 7,097. The electorate in Victoria with the highest number is the seat of Melbourne, with 15,243. The electorate in New South Wales with the highest number is the seat of Sydney, with 11,861. As an aside, surprisingly, the electorate with the least is the seat of Shortland, with 803. I speak on behalf of my constituents. In the seat of Canning, there are 26,101 people on AWAs, which is an increase of more than 10 per cent since Work Choices came in.

In the edition of the West Australian that was brought to the attention of the House today, the miner Rob Davies said, ‘Keep your hands off my AWA.’ He said, ‘I’ve got a message for the unions and the Labor Party, who are hoping to win him over. He wants to keep his industrial agreement. ‘Keep your hands off my AWA.’ That is what workers want. (Time expired)

Mr MARTIN FERGUSON (Batman)(3.28 pm)—The member for Chifley’s motion on the federal government’s workplace legislation is a timely reminder that in March of this year we saw the introduction of among the most significant pieces of legislation to have gone through the Australian parliament in recent history. Yet the changes to the Workplace Relations Act 1996 were introduced with very little time for assessment, debate or review and were rammed through the House of Representatives. There were
also severe limitations placed on the Senate inquiry—another example of the arrogance of the Howard executive's approach to government. They are laws that should have been debated more thoroughly, as they clearly impact upon ordinary working Australians, with young workers, women returning to work and people with family responsibilities made particularly vulnerable.

We all understand that Australia's long run of economic growth is heavily linked to the resources boom. It is also heavily linked to the economic prosperity and growth that is currently occurring in emerging economies such as China. Mining and resources wages have increased substantially and have taken the average national annual wage to just under $54,000, a very good wage if you can get it. But that does not tell the whole story.

Let us talk about some of the tougher industries. Conditions are a lot tougher if you work in the accommodation, cafe and restaurant sectors. The average annual wage is just $38,000 per annum. It is a small wage when you think about the cost of child care and the question of living from week to week when higher petrol prices and interest rate increases have to be covered. That is why the Labor Party's industrial relations policy is about productivity and flexibility but also, importantly, a fair go. You can have both of those objectives. It is about making sure that workers receive a fair day's pay for a fair day's work rather than the objectionable, draconian legislation of the Howard government. That is why I am pleased to join with the member for Chifley today in expressing my concerns that the legislation will clearly leave many Australian workers, especially those who are most vulnerable in the community—for example, women—without choice. These laws are about driving down their wages and conditions of employment.

As to the pre-employment conditions of Jetstar and its low-cost competitor Virgin Blue—Jetstar has now chosen to follow Virgin down this route—obviously they are of concern to the Australian community at large. Both companies now have a policy of asking cabin crew applicants to share some of the third-party costs. They are, unfortunately, in line with many other industries in Australia that expect applicants to hold certain skills or qualifications for available positions. It is good enough for one carrier—Virgin—so I suppose Jetstar has adopted the view that it is good enough for them, because they have to compete in a very tough aviation market.

However, as shadow minister for primary industries, resources and tourism, I also want to express my support for Jetstar and Virgin Blue with respect to the good job they are doing in opening up the tourism industry in Australia at this difficult point. Many people are dependent on the operations of both Jetstar and Virgin Blue and their job security stands to be undermined by the unfairness of the Howard government's industrial legislation. That is what this debate is about. Jetstar, for example, employs over 1,550 Australians in all of Australia's six states. Many of those employees are ex-Ansett employees. The company anticipates adding a further 550 positions by the middle of 2007.

Only last week the Victorian government congratulated Jetstar on a strong performance. These comments have been echoed by other state governments over recent times. They have commended not only Jetstar but also Virgin for helping to inject life into a tourism industry ailing because of the lack of attention of the Howard government in respect of a very important sector of the Australian economy.

I simply say in conclusion that, in terms of wages and conditions of employment, Aus-
Australian workers know what is expected of them by their employers. But they also know what is expected of their government with respect to establishing a framework which guarantees them a fair day’s pay for a fair day’s work. Ultimately, they are vulnerable today because of the Howard government legislation, which not only undermines security but also enables their wages and conditions of employment to be stripped away. I am pleased to say that the Howard government has been shown up, not just by the Australian community but by the Australian Labor Party. The Labor Party is appropriately exposing the fact that these workers are now vulnerable. Worse still, it is often women and young workers who stand to be ripped off the most as a result of the Howard government legislation.

(The time expired)

Mr FAWCETT (Wakefield) (3.33 pm)—Firstly, I would like to rebut a couple of points that have been made and which are central to this motion. Fees for interviews? I do not think so. Purely the purview of large business? I do not think so. How about teachers applying for a job in the state school systems who have to pay for their own first aid certificates for their own mandatory notification and qualification courses? It is a common thing across most workplaces in Australia.

The line that is often put forward is that there is no choice—just do not take the job if you do not like the conditions. How about someone who rocks up to a place that is employing on awards or one that has enterprise bargaining agreements? If you do not like the terms of that, you do not get any choice. You have to walk away or take what is offered. It is a really shallow argument that is being put forward because it is not being applied evenly to both sides of the discussion.

The main thing I would like to address, though, is the underlying concept of the argument that is put forward and this false claim that the agenda of this government is to drive down wages and conditions. Why would we want to do that? The people we are talking about are our neighbours, friends and families. In case you had not noticed, we also happen to live in a democracy. The argument is that this government supports business and the ALP supports the worker. Excuse me, but big business does not vote; people vote. If this government deliberately sets out to disadvantage people it would be the equivalent of committing political suicide. Why would a government do that?

The claim is that the sky is going to fall in without the unions in place to protect people. Hello: only 17 per cent of the private sector workforce belongs to a union, so the great advances that have taken place in terms of employer-employee relations over the last decade have occurred with 83 per cent of the workforce dealing directly with their employers—without unions. So the argument that all of a sudden life as we know it will cease is completely false.

I understand the concern for a fair go. I recognise that many people, both private citizens and those who are members of a union, are genuinely concerned. But the evidence also goes to show that they are operating on false premises. The best example of this is a discussion I had with an education union official who was protesting in Wakefield at one point in time. He was arguing vehemently and passionately to my face that the reason he opposed the Australian technical colleges was that they mandated that every worker had to be on an AWA. When I told him this was not correct, he said, ‘It is correct and this is why I oppose it.’ He believed it firmly.

I thought that perhaps, given I was involved in the system, I was privy to some information that he was not. So I went and
checked the public website. I looked at the section called ‘Frequently asked questions’. Sure enough, there was the question, ‘How will people be employed?’ It actually states quite clearly that to attract and retain high-quality staff, Australian technical colleges will offer the option of an Australian workplace agreement. Yet again, we see that, even in a small but significant area, people are jumping to conclusions and not understanding the facts. The ALP and the unions are building on the ease of selling fear and misinforming people so that people get passionate, worked up and unnecessarily afraid when the reality is quite different.

Just take the cases that have been presented here in the parliament—for example, that of the Lufthansa subsidiary. The claim was that this AWA reduces penalty rates. But they did not disclose the fact that it also offers a really good bonus scheme and the workers stood to get a 13 per cent increase in their pay. What is more, that bonus scheme was of the same model that the CFMEU had negotiated for members of Dunlop Bedding in 2005. And if the workers did not like it, they had the choice to remain on their collective agreement. So the facts were not presented, which is why people are being misled.

The DEPUTY SPEAKER (Mr Hatton)—Order! The time allotted for this debate has expired.

Mr FAWCETT—Mr Deputy Speaker, I still have one minute to go.

The DEPUTY SPEAKER—The time allotted for this debate has expired. Member for Wakefield, it expires now, whether or not you have any time on the clock. I am sorry. The debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

PRIVATE MEMBERS’ BUSINESS
Mr Steve Irwin

Mr SLIPPER (Fisher) (3.38 pm)—I move:

That the House:

(1) notes:

(a) the immense contribution to Australia, particularly through wildlife conservation, made by the late Steve Irwin;
(b) its appreciation to the late Steve Irwin for his dedication, energy and inspiration in helping to educate and inspire millions of Australians about our native wildlife and that of other nations through almost 50 documentaries and countless TV appearances;
(c) its appreciation to the late Steve Irwin for his positive impact on raising the appreciation levels among Australians for our native wildlife and for wildlife conservation;
(d) its appreciation to the late Steve Irwin for his public dedication to his family and the promotion of family values; and
(e) its appreciation for the late Steve Irwin’s positive impact on international tourism in Australia and subsequent economic benefits; and

(2) expresses sincere condolences to Steve’s widow Terri Irwin and their children, Bindi and Bob, and Steve’s father, on the sudden and shocking loss of her husband, their father and his son.

I rise in the House today to move a motion regarding the loss of Steve Irwin, who was undoubtedly one of the greatest contemporary Australians ever. I knew Steve Irwin very well. I think it is important, given his sad passing on 4 September, to record in the Australian parliament our gratitude for the role that he has played. I draw the attention of honourable members to items (1)(a) to (e) and (2) of the motion moved by me.

Regardless of whether or not people knew Steve Irwin, no-one could deny that Australia
is very much poorer for his passing. In many cases, Steve Irwin had become the face of Australia throughout the world. It is now a little over four weeks since we lost one of our most loved and determined conservationists—a man who wore his passion for wildlife well and truly on his sleeve. We all knew the public face of Steve Irwin—ironically, I suspect, the American public did before the Australian public did. The man was seen in his many documentaries and TV performances as energetic, excited and enthusiastic, and maybe some would have said, in the nicest way, perhaps a little crazy.

His death has been felt around the world. One of my former staff members, Dan Adams, who is now living and working in Japan, noticed that the news dominated the front pages of the newspapers in that country, relegating other significant items to the inside pages. Steve Irwin’s unique antics were the foundation of a very successful method of spreading his conservation message. For that, earlier this year I had the privilege of announcing the Fisher community Australia Day accolades for Steve and Terri: the Environment Award and Outstanding Services to Tourism. The announcement was accompanied by the following:

The zoo has experienced incredible growth in recent years, both in the physical size of the zoo and the number of animals and attractions, but also in the numbers of tourists through the gates. As a result, the zoo has been a magnet for tourists from around the globe, which has helped to further highlight the Sunshine Coast region as an international visitor destination. The Irwins have used their success to establish animal hospital and rescue services as well as wildlife research and conservation initiatives.

Steve’s achievement in touching the hearts of all Australians and others around the world has been demonstrated by the massive public outpouring of grief by the thousands of visitors who have made the effort to visit Australia Zoo to pay their respects. I heard the story of one admirer who actually drove for four hours to simply stand at the front gate of the zoo and show his respect.

Steve Irwin, through his unique persona, has taught all of us the value of wildlife conservation. He has left a lasting legacy in his field. I knew Steve and Terri well: I have known them for many years. I knew them when their business was small, I have watched the business grow and I have watched the contribution that Steve and Terri made to Australia’s international reputation.

We were all saddened on 4 September, but it was in the days after his death that stories began to trickle out about a private side of Steve Irwin, and that trickle became a flood—stories that made some people realise that he was an even finer man than they had appreciated. Steve and his wife Terri funnelled much of their earnings into conservation causes. The documentaries, movies and TV appearances generated millions of dollars, but what went mostly untold was that Steve and Terri used significant portions of that money to buy massive tracts of land around the world—land in Tasmania, Vanuatu, Fiji and the United States—purchased with the express purpose of preventing development and giving the local wildlife a safe place to live. They had also purchased almost 34,000 hectares near St George in Western Queensland and 200 hectares around their zoo at Beerwah on Queensland’s Sunshine Coast. I was hosted at the zoo just a few months ago and was surprised to hear that only some 50 acres of the very substantial area they have has so far been developed.

Steve Irwin’s death is obviously an enormous loss to his family—and our condolences reach out to his wife, his children and his father—but, in addition to their personal...
sense of loss, there is a sense of grieving as a community. The Sunshine Coast has lost one of its favourite sons and Australia has lost one of its most famous ambassadors—a person who was prepared, quite selflessly, to put his name forward with a view to improving outcomes for our nation. I salute Steve Irwin and his family and express my condolences for his passing.

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

Mr ALBANESE (Grayndler) (3.43 pm)—Yes, I am happy to second the motion. Steve Irwin’s death is an unfortunate loss. I am certainly proud as shadow minister for environment and heritage and on behalf of the Australian Labor Party to express sincere condolences to Steve’s widow, Terri, their children, Bindi and Bob, and Steve’s father on the sudden and shocking loss of her husband, their father and his son.

Steve Irwin was indeed a passionate conservationist. He promoted an awareness that recognised the economic value in protecting wildlife and of nature conservation. He was a great advocate for ecotourism—a growing and vital industry for the promotion and preservation of our natural heritage. However, Steve’s greatest contribution was clearly in his role as an educator. The fact that, due to his personality, he could appeal to people who would not necessarily see themselves as conservationists in the first instance meant that he made a very real difference in broadening the appeal of conservation and in widening the number of people who understood that our place on this earth is for a short time and that we need to relate in harmony to all other species on this earth.

Steve continuously demonstrated the need to protect all animals, especially our most dangerous animals. He educated us about animal behaviour. He educated us about the need to protect their habitat and he educated us about the way they live and interact in those habitats. His legacy is the understanding that he fostered, particularly in young people, of valuing and respecting wildlife. Steve passionately believed in educating children from a very young age about wildlife behaviour. In his interview with Andrew Denton, he likened it to how Laurie Lawrence teaches kids to swim from when they are one day old; he said, ‘They’re sponges.’

Steve and Terri Irwin established Wildlife Warriors Worldwide in 2002. Some of the charity’s objectives include educating the public and raising awareness of wildlife issues, and researching and recommending action in the protection of threatened or endangered species. Through Wildlife Warriors, the Irwin family bought land in Australia, Fiji, Vanuatu and the United States in an attempt to preserve habitat for endangered animals. The Irwin family literally put their money where their mouth was when it came to conservation, and dug into their own pocket.

Steve Irwin will of course also be remembered for his incredible enthusiasm and energy. It was that drive and passion for conservation that convinced many other high-profile Australians to join him as wildlife warriors—people such as Jimmy Barnes and John Williamson. The Wildlife Warrior fund also assisted in establishing the Australian Wildlife Hospital and Rescue Unit near Australia Zoo, which receives over 70 wildlife emergency phone calls every day, often dealing with over 30 different species. Other conservation projects undertaken by Wildlife Warriors in Australia include urban wildlife management projects. The team has most recently been working closely with the RSPCA and Brisbane City Council to relocate koalas from areas likely to be impacted by land clearing, and recommending strategies on overpopulations of species in congested areas.
In Asia, Wildlife Warriors is part of tiger conservation programs in Satpura National Park in Madhya Pradesh, India; Kerinci Seblat National Park in Sumatra, Indonesia; and Manas National Park in Bhutan. Following the devastating Asian tsunami, Wildlife Warriors Worldwide visited areas of Aceh. The team delivered urgently required veterinary supplies for elephants working to recover bodies from the disaster area and provided humanitarian aid to forest guards affected by the disaster. In South Africa, with only 600 to 800 cheetahs remaining in the wild, Wildlife Warriors is working in partnership with De Wildt Cheetah and Wildlife Centre to track and relocate problem cheetahs away from local villages.

We can all recall pictures of Steve wrestling with crocodiles. His legacy lives on at Australia Zoo. The zoo first served to house problem crocodiles that were for relocation through International Crocodile Rescue and has played a significant role in the thriving of the saltwater crocodile population, which was finally protected in 1974, after coming close to extinction.

My condolences to the Irwin family. There is no doubt that Steve’s legacy will live on. (Time expired)

Mr CADMAN (Mitchell) (3.48 pm)—I want to compliment the member for Grayndler and thank the member for Fisher, my friend Mr Slipper, for instigating this private member’s motion. I only met Steve Irwin once, but I did have the opportunity of observing the impact that he had on the community and on my own family. I want to pay tribute to an exceptional and unusual individual—a man who was very physical, very open, very Australian in everything he did. His vast enthusiasm took us right into the heart of his world and the animals he loved.

It was only as we got to know him through interviews with Andrew Denton and other instances that we appreciated the character of the man—so open and generous and so committed to the things that most Australians value. I recall the words of Terri, his wife, when she said at the time of their marriage: ‘I thought there was no-one like this anywhere in the world. He sounded like an environmental Tarzan, a larger than life superhero guy.’ That was the regard that his wife had for him and that is still obvious today.

There is no doubt that Steve was enthusiastic about animals and conservation, but it was also obvious that he was enthusiastic about his family. He once described his daughter, Bindi, as the reason he was put on the earth. Terri said of him, ‘The only thing that could ever keep him away from the animals he loves are the people he loves even more.’ That was obvious when you observed him relating on film and in real life to his family and those near to him. The tribute paid to him by his father shortly after his death was a typical Irwin tribute, from a family very much committed to each other and very fond of each other’s company.

There was criticism of him after the incident with baby Bob. But, having lived with animals most of my life—with horses and livestock—I had no doubt that Steve was completely in charge of that situation and the criticisms from the do-gooders or panic merchants seemed completely unjustified to me. I could never understand why there was such a great row about him taking his child into the crocodile pen with him; it was an old crocodile and Steve knew perfectly well what he was doing, even though it may not have appeared that way to the uninitiated.

One thing that really came through following that incident, and subsequently, is the strong connection that children had with him. There were numerous tributes that talked about the emotional impact his death has had.
on the children of Australia. They really loved Steve. They loved his enthusiasm. They liked it that he really cared about animals. They liked that he looked after animals and tried not to hurt them. It also appealed to them that he was brave and could confront dangerous animals and show no fear. Children adored him.

Steve Irwin is responsible, I believe, for lifting the level of conservation appreciation in Australia—and for that matter throughout the world. The character of the man is illustrated by his love of Australian rules football and of course rugby league—being a Queenslander—and later, rugby union. I think that Steve’s character is one that we admire, and we will miss him greatly. He strode the world stage, talking about Australia. He was one of Australia’s greatest advocates and promoters of tourism that we could find. He also had the common-sense approach that you could never gain enough resources for environmental issues unless there was popular support, and he encouraged that support. He also encouraged a commercial commitment, and the two must go hand in hand, and he did that very well indeed. I want to join with my colleagues in the parliament in paying tribute to a fine Australian whom we will miss. His future could have been a great future but he has left an inheritance that we will not forget and a commitment to the right way in which we can enhance this land and enhance its conservation and preservation. (Time expired)

Mr RIPOLL (Oxley) (3.53 pm)—As I rise to speak on this motion commemorating the life of Steve Irwin I want to note my thanks to the member for Fisher, Peter Slipper, for moving this motion. I give my full support and I know that all the members of parliament here do as well. Steve Irwin’s passing was a true tragedy. He was indeed a great Australian—I do not think that there is any doubt of that.

I did not actually know Steve Irwin; a lot of people in this place did. People who have spoken about his life knew the man personally. I did not. But my children knew him and he had an immense impact on them. I have three young children, seven, eight and 11, and on that day when Steve passed away I got a call from my middle daughter, Emily, who is eight years old, and she told me about Steve Irwin’s passing. She said it was like losing a friend. She had met him only once but he obviously had such a huge impact on a whole range of people and children right across the world that people who met him at once felt that he was a close friend. The public outpouring of grief and the worldwide media coverage of his death is a testimony to the enormous contribution he made to Australia, and a mark of who the man was and the amazing impact that he had on the wildlife and conservation movement globally. I remember that day when there were rumours going around that he may have been killed; websites and news sites jammed and collapsed under the weight of inquiries from people trying to find out what had gone on.

Above all else, we can speak of the man just simply as a family man. He was a father and he was a son and we learnt afterwards really just how important those roles were to him and to his family. His passing obviously will be most felt by his family, particularly his wife, Terri, his two children, Bindi and Bob, and his father as well. It is more than obvious that they were a very close-knit family.

Today I publicly offer my condolences to the Irwin family and to the people closest to Steve, those people who will miss him the most. There is no question that Steve Irwin lived an action-packed, eventful life. He was a man who was full of life. It is the greatest irony, I suppose, that while he died doing something that he loved it was probably the safest of all the crazy things that he had done
previously, and for him to go in that manner was a shock to all of us. There was always an expectation that if Steve Irwin were ever to be killed it would be by a shark or a crocodile or some vicious animal, but in the end it was not a vicious animal but an animal acknowledged worldwide as a passive animal.

He followed his passions and he encouraged all of us to do the same. He encouraged the whole world to enjoy wildlife and nature and to conserve wildlife. He believed in it so much that he devoted his whole life to it, and not just his life and his time but every resource that he had. It is my understanding that all the money that he earned and everything he had when he had very little he poured into saving animals and conserving tracts of land and wildlife. As others have said, he tried to put his money where his mouth was.

He did this not only in Australia but all around the world. It is probably a sad indictment of Australia and Australians that while we all love Steve Irwin and speak so highly of him today, in the early days before many of us had even heard of him it was really in the United States and in other countries where he was a legend, a folk hero, to so many people. It was not until much later that we saw some of that and appreciated it. I do not think that we really, truly appreciated or understood the depth of the work that he did until he passed away.

His contribution to Australian life was immense and he should be remembered for that and for what he did for the nation and for tourism and for a whole range of other things. There is no question that one of the greatest attributes this man had was a special rapport with kids. He could communicate with them on a level that not many people could. He dedicated much of his life to trying to educate young people and children—he really was an educator—and lobbying and working hard, talking to anybody. There was no obstacle when it came to Steve Irwin trying to achieve his goals. He was bigger than life. He was bigger than his own life. He was not just talk; he was a man who took action. Nothing would stop him in terms of trying to save animals and conserve

Mr BARRESI (Deakin) (3.58 pm)—At a time when we are engaged in a public debate about what it means to be Australian and what we value as Australians, we are fortunate to be presented with an example of those values in action. In recent weeks we have seen reflection on the life of Steve Irwin and, to my mind, the very values we are struggling to label are embodied there. There is an undoubted pride in rewards for hard work, an absolute commitment to the importance of family—whatever form that may take—an unbreakable connection to the land, a desire to protect the environment and a fervent desire not to take oneself too seriously. These are all attributes that one would certainly identify with Steve Irwin. I thank the member for Fisher, Mr Slipper, for bringing this motion to the House and, while I note that there has been considerable comment made in this chamber and elsewhere about the life of Steve Irwin, it is appropriate to also be debating this motion. This motion asks us to note the immense contribution to environmental protection made by Steve Irwin.

In January this year, I had the opportunity to visit Australia Zoo with my young family, Paul, Carla and David. Like so many other visitors, I was absolutely amazed by what has been created in that area—I had been there a number of times as a kid. The transformation of the environment left me with a great sense of pride knowing that this was our country and that it was being overseen by a man, his family, his extended family and workers who have an absolute passion for all things to do with Australian animals.
and the environment. Like many visitors, we saw the depth of concern and unmistakable connection that Steve had with conservation and the environment. I believe that part of his legacy will be the way in which he infected all who saw him work with his enthusiasm for environmental protection.

Steve Irwin's personal success, the success of Australia Zoo and the concept of Wildlife Warriors did not happen by accident; they were the result of the hard work of so many that were associated with him. That dedication to the cause but, more importantly, to each other has seen his family through some particularly tough times already. I have no doubt that the strength of the Irwin family will remain evident in these their darkest hours.

Steve's activities raised the profile of environmental issues around the world, but I believe the success of his crusade lies in making the awareness hit home at a local level. Steve's message, unlike Steve, was quite subtle. It was a variation on the 'think global, act local' message of so many environmental campaigners. By travelling around the world and actively engaging his audience in his passion, Steve Irwin became a master salesman—a salesman not for commercial gain but for the protection and preservation of our natural flora and fauna. He became a master salesman for his country too, a country he loved and of which he was justifiably proud. He communicated the message that, although they do not take themselves too seriously, Australians are more than prepared to engage in serious debate about those issues where there is strong feeling.

I have no doubt that as he gained success in the United States there would be some among us who would have felt a pang of that old cultural cringe when confronted by Steve's enthusiasm and exuberance. It would, I am sure, have been the smallest of minorities as the strength of his message and his infectious belief in the cause would have won most people over in a matter of moments.

In visiting his zoo in January, we were treated to an experience which my children and I will never forget. To interact with wildlife is not something you have the chance to do, I would have thought, in too many other places around the world, let alone Australia. The ability to walk through a paddock with a leopard or a tiger, to handfeed elephants and, dare I say, to hold—and quite frighteningly at one stage—an alligator in my arms are experiences I will never forget. It was all made possible by the expertise, skills and passion that was also evident in the people that worked there.

I would like to take this opportunity, along with everyone else and particularly my family, to offer our sincerest condolences to Terri and her children, Bindi and Bob, all his family and staff.

Ms LIVERMORE (Capricornia) (4.03 pm)—I also join the House in expressing my sorrow and that of my constituents at the tragic passing of an Australian icon, Mr Steve Irwin. I would like to pass on my sincere sympathies to Steve's widow, Terri, and their two young children, Bindi and Bob. These children will now have to grow up without their loving father.

Steve Irwin was certainly a larger than life character and one who Australians loved dearly. His enthusiasm and passion for nature and his tireless efforts towards conservation made him a champion to millions. His enthusiasm was infectious to many Australians and his catchcry 'Crikey!' resonated across the world. Steve's documentaries captured the imagination of the world and made him a household name, not only in his home country but even more so in the United States,
where he was idolised by an adoring population.

As someone who never met Steve, I cannot pretend to have in-depth knowledge of what he was like, but he gave so much of himself through his television appearances that one could easily see that he was passionate about what he did and absolutely devoted to his family. The outpouring of grief amongst Australians who, like me, had never met Steve was astonishing. This is yet another example of how much impact he had on our lives and on the Australian psyche.

Steve touched people in every corner of the globe and infected us with a desire to protect rather than destroy. His considerable efforts towards nature conservation will remain his legacy and, through these remarkable gifts, his memory will remain with us forever. As many would already be aware, a great proportion of the funds that Steve earned from his media efforts were diverted into purchasing parcels of land for the purpose of preservation. It is reported that Steve and Terri’s group, Wildlife Warriors Worldwide, currently owns 90,000 hectares of land. These areas are now wildlife safe havens, mainly in Queensland.

Steve Irwin was not without his detractors nor was he free from scandal. I think he was too busy pursuing his passions to worry much about what others thought of him. However, it is the total of a man that counts, not individual acts and, in this sense, Steve deserves more credit than some gave him. He is directly responsible for promoting Australia and attracting large numbers of tourists to visit these shores. His efforts have contributed significantly, directly and indirectly, to the Australian economy.

Unfortunately, I have not had the pleasure of visiting Australia Zoo but, from the recollections of family and friends who have made the journey, it is a place truly worth going to. Everyone I have spoken to has said that it is a world-class facility that truly thrals first-timers and repeat visitors alike.

Steve Irwin’s innumerable contributions to Australia’s culture and environmental education are immeasurable by any standard. I think it is fair to say that his legacy will last much longer than many of us within this chamber. His efforts to ensure that Australians and the rest of the world are wildlife warriors have ensured the survival of many species of Australian fauna and a deeper understanding amongst us all of environmental issues. Who knows how many young people Steve has inspired into becoming the wildlife warriors of the future?

It is for these reasons that I fully support the motion before us today from the member for Fisher. It is only fitting that in this place such a motion is moved to acknowledge the contribution of an Australian who achieved so much in a life cut so tragically short. Steve Irwin embodied the Aussie larrikin spirit. His fame could have led him to station himself overseas, but Steve was Australian through and through. In numerous media articles he expressed his absolute determination to remain in Australia and he was very proud to declare his Australian heritage across the globe.

Steve Irwin will be missed by many, not least his young family. All our thoughts are now with his family, and we hope and pray that they are able to continue Steve’s work to ensure that the environment is on everyone’s mind. He is an Australian who will not be forgotten.

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

Question proposed:
That grievances be noted.

Climate Change
Indigenous Communities

Ms CORCORAN (Isaacs) (4.07 pm)—I rise to talk about two things this evening—the first being climate change. There can be no question that climate change presents an enormous threat to the future prosperity and security of Australia. The harsh realities of climate change are now well beyond debate. To say that it is an issue that demands serious attention is at best an understatement. For those of us who respect the commitment, hard work and intelligence of the global scientific community, a half-hearted, complacent or compromised approach to this issue would border on the criminal. Yet that is precisely the approach that we have seen from the Howard government.

The approaching consequences of climate change simply cannot be ignored—more severe weather, reduced rainfall and extended droughts with a resulting decline in employment and economic growth. So far it has cost an estimated $8.1 billion in lost farm production, and taxpayer funded drought assistance to farmers is likely to top $500 million. Recent CSIRO research suggests that eastern, south-eastern and south-western Australia are heading for drier winters and springs—just when farmers most need rain. By 2070, average annual rainfall in these seasons could be 35 per cent lower in south-east Australia and as much as 60 per cent lower in the wheat belt of Western Australia. This is backed up by a recent report by the Indian Ocean Climate Initiative, which suggests climate change could be behind a predicted decline in autumn and winter rainfall in southern Western Australia over coming decades.

The threat to agriculture and farming looms large, but what about the range of other vital Australian industries that are threatened? Tourism is a part of the lifeblood of the Australian economy, yet I wonder who will want to visit us to see a decaying Barrier Reef, dying rainforests and barren plains. The Australian Insurance Group underlined the threat from climate change. It has said:

Any reduction in the industry’s ability to underwrite weather-related risk will have serious ramifications for the economies of those vulnerable regions where climate and weather risk is greatest.

These are components of our own economy. The issue takes on even greater proportions when we consider what role Australia might play in reaching out to our neighbours in the Pacific, as their island homes begin to be swamped by rising sea levels. There is no mistake about that—sea levels are rising. Tuvalu already faces the prospect of total inundation by rising seas, as do Vanuatu, Kiribati, the Marshall Islands, the Federated States of Micronesia and Papua New Guinea. The disaster waiting to happen has already introduced itself to our neighbours.

In the face of the mountain of evidence on climate change, it appears that this government’s main priority is to find not solutions but reasons for inaction. True to form, this government has relied on the economic fear factor in defending its inaction on climate change. After first signing the Kyoto protocol in 1997 and describing it as ‘a win for the environment and a win for Australian jobs’, the Prime Minister has since predicted that to join the more than 160 nations that have ratified the treaty would be an economic disaster for Australia. Of course, the Prime Minister also likes to trumpet the fact that Australia is set to meet the emissions targets set by Kyoto. It begs the question: what is Kyoto—an economic disaster in the making or an achievable aim? At the least, to not join the
rest of the world in the fight against climate change is to let an economic opportunity slip through our fingers. The report released by the Australian Business Round Table on Climate Change found that early action to address climate change would mean 250,000 more jobs would be created than if we delayed.

Labor’s approach is quite different. Our approach to climate change is very clear. Australia needs to be part of the ongoing global effort to fight climate change by ratifying the Kyoto protocol, which will continue well beyond 2012. Rather than strangling clean energy projects, the Howard government should support energy efficiency and seize the economic opportunities of the worldwide push to clean, renewable energy. China has a renewable energy target of 15 per cent, compared to our appalling two per cent. This is another sign that Australia is being left behind.

There is a trillion dollar industry emerging globally in renewable energy technologies. That industry provides enormous opportunities for Australian business and technology. Rather than engaging that opportunity, the Prime Minister has immersed himself in the delusion of a nuclear solution. Labor’s climate change blueprint provides a responsible plan for a world-beating, renewable energy industry. Labor will ratify the Kyoto protocol. We will cut Australia’s greenhouse pollution by 60 per cent by 2050. We will establish a national greenhouse emissions trading scheme. We will establish a climate change trigger under the Environment Protection and Biodiversity Conservation Act. Labor support substantially increasing the mandatory renewable energy target and will be announcing details of that increase closer to the next election. It will be a stronger target than our previous policy of five per cent.

Labor will ensure all of Australia’s 10,000 schools are solar schools. Labor will work with state, territory and local governments to make five-star energy efficiency provisions mandatory for new homes. We will consider expanding the first homeowners grant with top-up grants for home buyers which are related to the energy rating of their homes. We will examine ways to reconfigure the incentives and disincentives in our tax system to encourage more investment in clean and renewable energy technologies. Labor will also rebuild Australia’s great research institutions, including the CSIRO.

Ours is a serious and dedicated approach. From the government we have an industry minister who doubts the reality of global warming, an agriculture minister who believes that alternative energy sources like wind power are a fraud and an environment minister who has, amazingly, said, as recently as February, that ‘no-one has shown more support for the Kyoto protocol than Australia’. For this government, climate change is a political inconvenience.

For the world, climate change is the ultimate challenge of our generation. In a system such as ours, rising to that challenge can be a politically difficult task. Focusing on the interests of Australians of this and future generations means planning beyond the next electoral cycle. It is about identifying our long-term needs and not getting absorbed in the next campaign of fear or vote buying. To seriously tackle climate change, Australia needs a government with courage, vision and the willingness to be in it for the long haul—and the only way that Australia will get there is with a Labor government.

The second issue I want to raise was raised with me a few weeks ago when I received letters from five year 7 students at Kilbreda College in Mentone. The students are studying Indigenous history and recon-
conciliation and wrote to me highlighting their many concerns about Aboriginal health, reconciliation and the stolen generation. Time does not allow me to read out all the letters, but I take the opportunity to read some of what the students wrote and to acknowledge the students who took the time to write.

Catherine Deppe wrote:
I don’t think it is fair how the Aboriginals were kicked out of their homes just because non-aboriginals wanted the land.

Adele Di Bairi asks us to remember who has the power to change the way Indigenous Australians are treated. She ended her letter by asking:
Do we want to live in guilt about what happened all those years ago? With everyone’s help we can make a difference and say sorry, let’s try to reconcile together.

Nicole Waterfall was disappointed that the Prime Minister has not apologised to the Aboriginal people. She said:
Just because Mr Howard was not Prime Minister back then when these terrible things happened to the Aboriginals does not mean that we cannot apologise now. Anyway, if we don’t apologise … who will?

Jemma Mulvaney acknowledged in her letter that things are done by local communities to try and promote reconciliation, but she said more needs to be done:
I think we need to take a step further and change our thoughts and actions and say sorry for what we have done, even if it was our ancestors who did it.

And Stephanie McCarthy wrote:
Australia is already a very strong and peaceful country, but I believe it could be even better if we could achieve total reconciliation.

The students’ teacher, Ms Louise Harmes, said they were keen to write to me following a visit to the class from Betty Pike, who spoke of being forcibly removed from her family and of the work that she does now promoting reconciliation.

It is the students’ hope that in some small way they too can promote and contribute to reconciliation by writing and becoming involved in this issue. While these girls wrote to me, others in their class wrote to newspapers with the hope that these letters would raise awareness in their community. The students’ teacher said she hopes that I am inspired by the mature and compassionate approach taken by them in their writing, and I certainly am. I am also encouraged by the stand taken by these students and their preparedness to act on something they feel strongly about. I congratulate Catherine, Adele, Nicole, Jemma and Stephanie for their action. With young women like these students, I think our future is in safe hands.

**Drought**

Mr SECKER (Barker) (4.17 pm)—I rise today to raise an issue which is very important in the electorate of Barker, which I have the honour to represent. It is affecting many people across this nation of ours, including, as I said, those in the electorate of Barker. Unfortunately, it is something that we generally cannot control, although the negative effects are felt more and more each day. To put it in perspective: my electorate of Barker, covering 64,000 square kilometres, is 10 per cent larger than Tasmania. Nearly 90 per cent of Barker is either in drought or not far off it. So an area the size of Tasmania in my electorate alone is struggling due to drought.

The nation is clearly being affected by drought, with some areas far worse than others. But, as a whole, our rural communities are feeling it. There are farmers who certainly will not be dusting off the header this year or getting the hay baler out of the shed. In fact, I think there are others who have even moved off the land, waving their hands in the air and asking, 'Well, what can we do
about it? ’ Farmers have also been forced to sell stock at low prices because they cannot continue to feed them.

Let us look at some examples in the electorate of Barker. In Murray Bridge the average winter rainfall for winter—and it is not a very wet area at the best of times—is 100 millimetres, or about four inches in the old language. This winter the town has experienced its driest winter since 1982, with only 49.4 millimetres of rain—less than two inches. That is the fifth lowest recording in the 121 years of records. That is just one town in Barker. Some towns are slightly better off, although most are actually worse off.

My home town of Keith, like Bordertown and Mundulla, had the lowest winter rainfall on record. It was interesting to see about two weeks ago, when they got half an inch of rain, that people were very happy about that. In a normal year that would be a quite common occurrence. This year, it has been the first rain of that magnitude since April—that is how dry it is. With this, people are getting restless. They want to do something, voice their concern, find out what they can do or just talk to someone about how they feel. I have certainly had an influx of correspondence and phone calls from the constituents of Barker in relation to this issue.

Many are looking for some direction in what to do and what assistance or funding is available. On the other hand, I have also had others who want this government to speak to the person above and get them to organise some more rain. If I could do that, I certainly would. Clearly, I cannot do much on that, but I have been able to listen and hear the concerns of people, and I clearly sympathise with what they are going through. I am a farmer by background. My son now runs the farm, and I realise very keenly what he is going through.

There are certainly some avenues for our rural people to explore to help them in their current situation, but it is not just the finances that are of importance but their health and wellbeing, and farm management of the future. The effects of the current drought certainly are taking their toll on these families. They are putting extra pressure on the purse strings, with families and children having to struggle just to get the bare essentials on the table at night. Relationships are strained with thoughts of: ‘What does the future hold?’ and ‘Will we survive this?’

The domino effect of this drought is hurting other businesses as well. You will not be seeing farmers out to tea or socialising. They will not be buying new clothes or gifts. The outhouse will have to do for another year, as it is too costly to do the renovations now. The tired old lounge will have to be fluffed up with some old foam to make it comfy for another year when there are some spare coins floating around. There will be no new sheep troughs or equipment, no new fencing and no new harvesters, and the ute will just have to have the essentials done to it to make it through another year.

The effect on all the businesses where these purchases would normally be made will certainly be felt in our country towns. Other businesses are having to let some of their staff go as, because of the drought’s domino effect, they cannot afford to pay their wages anymore because there is not the work to do. When we look at the widespread nature of the drought, we see that it is affecting many different industries, from our grains to wine, almonds, citrus and livestock. They are all struggling. My electorate is a very rural electorate, and I feel it keenly.

Thankfully—and I have to give credit—the South Australian Labor government has committed to providing support to the state’s drought affected farmers. Through the gov-
ernment working with various bodies, including the likes of the South Australian Farmers Federation, support is being made available to ease the burden at this time. Assistance is available through a number of hotlines that have been established, including the South Australian government drought hotline, which offers access to support services and local rural financial counsellors, information on Centrelink payments and advice on managing stock and crops. The South Australian Farmers Federation have also formed a rural community mental health and wellbeing task force to support farmers in coping with stress.

It concerns me that, with the federal government committing $1.9 billion of extra money for mental health, the state government in its recent budget—its September budget, which was only four months late—failed to acknowledge any extra cent being spent in mental health, even though, under the COAG agreement, it is meant to commit $144 million of extra funding for mental health.

The federal government is also providing support through a number of initiatives, including the Farm Help program, where families work through a 'pathways plan' that combines advice, opportunities to gain new skills through training and up to 12 months income support. A re-establishment grant of up to $50,000 is available for eligible farmers who decide to leave farming. Any worker who loses work or income because of the drought is allowed access to income support such as Newstart and Youth Allowance. At least they will be able to put food on the table at night. The Work for the Dole Drought Force program gives people who lose their job because of drought the opportunity to work on properties or community projects in drought affected areas. A training credit of $800 is provided immediately when you begin the first Drought Force activity. Changes have been made to Job Network services to help job seekers in areas declared to be experiencing exceptional circumstances to get a job.

Unfortunately, I believe that most of my electorate will not qualify for exceptional circumstances, because this is the first year of the drought. Even though many of the farmers in my area suffered last year through low prices for their produce, whether it be wine or grain, I doubt very much whether that will be considered an exceptional circumstance. That is where the problem lies. We as a parliament really need to look at how the exceptional circumstances program works. I am quite happy to put that forward as a proposal for an inquiry by the House of Representatives Standing Committee on Agriculture, Fisheries and Forestry, of which I am a member. I note that the member for New England is in the chamber. He is also on that committee. The exceptional circumstances program is something that we need to look at very seriously. The fact is that in a year like this, which is the worst year on record, in many areas of my electorate people will find it hard to get through this season.

As I said, changes have been made to Job Network services to help job seekers. The government is also assisting people through tax relief and drought tax concessions, providing free financial and personal counselling services. Where to from here? Hopefully, what we can do from here is to conserve as much water as possible. Irrigators in South Australia have had their allocations reduced, first to 80 per cent and now to 70 per cent, as a result of not enough water being in the system. We need to ensure that we have better water infrastructure in this country so that we are not wasting water when it comes to delivering it to our irrigators and our towns. We need to be able to support people through this time, to assist them to bounce back as quickly as possible next year.
It is very important that we have a long-term view of this. Whilst we have short-term problems, looking at this with a long-term view will help our farmers to get through problems in the future. I am concerned about the problems we are having and I raise them to make sure that the House is aware of them.

**Gwydir Electorate**

*Mr WINDSOR (New England) (4.27 pm)*—I grieve tonight for the loss to country people of a federal electorate in New South Wales. I think that it is a great shame that the Electoral Commission have moved in the way in which they have to remove the seat of Gwydir from the electoral map. I would like to mention a number of instances that have contributed to the demise of the seat of Gwydir. I will quote from an editorial in the *Northern Daily Leader* on 3 October. It is headlined: ‘As people leave services decline’. The editorial reads:

> There has been plenty said and written about the Australian Electoral Commission’s boundary changes for some federal electorates in NSW, but one important point has largely been overlooked.

> When the commission unveiled its plans to abolish the federal seat of Gwydir, which had been in existence since Federation and replace it with a super-sized electorate of Parkes, there was an outcry.

> The unhappy response was within reason. Firstly, country people would lose an important voice in parliament with the boundary change resulting in one less country-based MP in NSW.

> Secondly, the reworked electorate of Parkes was huge, making it impossible for an elected representative to adequately serve the constituency.

> Thankfully, the commission took into account the written and verbal submissions it received and adjusted the boundaries.

> While country people have still lost a voice, the new seat of Parkes, which will come into being at next year’s federal election, while not perfect, is at least dramatically reduced in size.

> The issue that has been overlooked is the fact that the seat of Gwydir suffered the biggest decline in population of any electorate in NSW. In second place was the electorate of Parkes.

> This highlights the bigger problem of people leaving country communities. When this happens another dilemma emerges. Communities begin to lose services. Years ago it started with banks, then doctors and the list goes on.

> When this happens, people look to moving to bigger centres and as a result compound the problem.

> And it is for these reasons that governments must act. If they are serious about addressing population decline in regional and rural areas they need to generate industry opportunities that create employment and the tributaries a community needs to survive.

> It will take real initiative to provide economic sustainability in some communities.

> The first step is some leadership from governments.

> I think that editorial highlights the dilemma that has been put in place by the removal of a seat, and I congratulate the editor on putting that together.

> I want to highlight some of the reasons behind the loss of the seat of Gwydir—and I am pleased to see the member for Parkes in the chamber, because there are all sorts of suggestions about where he may be relocated and pushed to by the backroom people in the National Party.

> At a meeting held in Narrabri, which the Australian Electoral Commission did attend, the hypocrisy of the current member for Gwydir came out. He had been running a campaign to save our country seats, and I was in complete agreement with him and made that statement publicly, as did many other members of parliament. In fact, I remember the current member for Parkes saying that the campaign to save the seat of
Gwydir was above partisan politics and included Independent members. That was quite correct. The hypocrisy of the member for Gwydir at the Narrabri meeting was quite clear for all to see on the evening news on Prime television. He essentially said to the commission that if you have to take a country seat—even though he had all his supporters there with banners stating 'save our country seats'—take Calare, another country seat. Suddenly the logic of saving country voices, so that, irrespective of who represented them, they would have representatives in the parliament, disappeared into thin air.

The hypocrisy of the statements by the member for Gwydir was spellbinding, particularly because that particular member—who has been the Deputy Prime Minister and the Leader of the National Party, the party that purports to represent country people—had been in government for 10 years. And here he was presiding over the biggest loss of population of any region in Australia. Tasmania was in front of Gwydir until a few years ago; it has picked up with the property boom in recent years. The loss of population in that area was the greatest of any region in Australia.

I see the member for Parkes is here now. I believe he is being pushed out of the new seat of Parkes into the new seat of Calare, as the former National Farmers Federation boss believes he should be the member for the current seat of Parkes. I am looking forward to that and will be supporting some Independent members in those seats. I note that the member for Calare is in an interesting situation, where he will have to make a choice between his old seat of Calare or the new seat of Macquarie, which is part of his old seat of Calare. I would back the member of Calare wherever he stands, because he actually stands for something. He stands up for the people who elected him—unlike some other people who see it as a convenience to move into a particular area because they have some supposed ownership rights.

I believe we need many more people of an independent nature, particularly as country representatives, in the parliament. Just look at the record over the 10 years that the National Party has been there, supposedly representing country people. It is a tragic day today, with the prospectus for the sale of Telstra being launched. Ninety per cent of country people do not want Telstra sold, and the Nationals agreed to sell it. The Nationals sold out on the US free trade agreement. That is common knowledge now. The Nationals agreed to the sale of Telstra. It was only after the Independent member for Calare and others took a stand, and community revolt took place, that the Prime Minister, to his credit, actually listened to the people. The National Party were strangely silent.

The Fuel Sales Grants Scheme—which was put in place originally because of the disparity in petrol pricing caused by the goods and services tax, because country people were paying a higher prices for fuel—was wiped out. The National Party agreed to a higher price for fuel for country people—a higher tax on fuel for country people than for their city cousins. Inland rail is flavour of the month now. Where was the National Party when Everald Compton was pushing the same scheme over the last 10 years? Now the Nationals are clutching at straws for some piece of infrastructure that they can attach three seats to so that they can try to buy their way into another electoral period, when on the same day, today, they are selling part of Telstra—the most important piece of infrastructure that the nation has.

It has taken 10 years to sort out water issues, and with property rights it has been 10 years since the COAG arrangements were put in place. We have been through all these blueprints, various bilateral agreements with
state governments, and we still have this argument where we blame the states when the Commonwealth has handed over billions of dollars. Nothing has been done with property rights. Where are we with renewable energy? Where have The Nationals been on this issue? We had these ridiculous comments by the new Minister for Trade, a National, Mr Warren Truss, who said, ‘If we mandated E10 tomorrow, we would have to import fuel.’ What a ridiculous statement. It says a lot for the new trade minister. It is an absolutely ridiculous statement, when you see that world practice is that you phase in a mandate over a period of years. Obviously you cannot snap your fingers and suddenly have E10 being produced at the rate we would need. Most other countries have taken four to five years to gradually move it in.

I will be right behind Independent candidates at the next federal election, and I would encourage country people to look seriously at the choices they are going to be offered in the electorates that I have spoken about—and others. It is time that country people utilise the political capacity that they have, 30 per cent of the vote, and start to put people into this parliament who actually represent those views in the parliament—not those who represent views in the pub in Dubbo and then vote against them in parliament. (Time expired)

Paterson Electorate: Crime, Roads

Mr BALDWIN (Paterson—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (4.37 pm)—I would like to use the opportunity in the grievance debate today to highlight critical local issues in my electorate that require urgent attention. The first is the recent spate of crime in the Tilligerry Peninsula. For a number of years now, residents in the Tilligerry, such as those in Lemon Tree Passage, Tanilba Bay and Mallabula, have been left high and dry on police matters by the New South Wales Labor government. Residents’ requests for more police, 24-hour police stations and greater powers for police have been totally ignored. Their frustrations over vandalism to private property and antisocial behaviour have not even raised an eyebrow from the sitting member for Port Stephens, John Bartlett, or his protege, Aaron Beasley.

It has now been 827 days since the Tilligerry crime forum in February 2004, when John Bartlett attended a public meeting on crime in the Tilligerry. Residents were shocked to hear their state representative tell them that they did not need more police and that the problem was their fault. You can imagine the scenes that this kind of comment generated in a community that for years has been begging the state government for more police resources. What is also very disturbing is that John Bartlett’s protege, Aaron Beasley, does not care either. Aaron Beasley has been busy fighting the Labor proposal for a nuclear power station in Port Stephens, something that will never occur—in fact, the only people to talk up this nuclear power station are Sharan Burrow; the Labor think tank, the Australia Institute; and, of course, the Labor Party.

Crime and violence are at the forefront of concerns of residents in the Tilligerry. This was heightened recently as a result of what could only be described as one of the most destructive acts of vandalism and violence that this area has ever seen. On the Saturday of the long weekend, a group of youths took to the new $15 million Coles shopping centre on Lemon Tree Passage road and smashed around nine windows. They took to the security guard’s car at the shopping centre, smashing its windows and stomping on its roof. Windows were smashed and property was damaged at the NRMA, the Tilligerry Habitat Association, Raine and Horne and the local pizza shop at Tanilba Bay. The local
public school was also attacked. All up, it is estimated that at least $100,000 damage was done in this attack.

Mallabula was also a target, with damage to the toilet block and the local hall and destruction of plants. Over the same weekend, the Raymond Terrace cemetery was targeted, with the smashing of pots, plants and the columbarium wall. These mongrels even stooped so low as to damage and steal photographs of deceased loved ones. Only a week before, Raymond Terrace was the target of property damage at the Marketplace Shopping Centre. Cars, shopfronts, signs and windows were all damaged by the youths. The people who tried to intervene and stop the violence were subject to abuse.

Understandably, our residents have had enough. They are sick to death of the violence, the property damage and the fear. They want to feel safe in their homes and safe on their streets—not terrorised. Elderly residents are distraught at having to brave the streets to go about their daily business. They are tired of hearing excuses from the state Labor government over police matters and the overwhelming lack of police and police resources for this region. Interestingly enough, a Port Stephens crime prevention plan is going before Port Stephens council tomorrow night. This will show that crime is up in the shire—something residents already knew. The report shows that the number of break and enter offences in Port Stephens is above the state average, with 773.4 offences per 100,000 people compared to the state average of 738.3. Offensive conduct incidents have almost doubled from 44.1 to 83.3 from 2001 to 2005. Malicious damage has increased by 5.9 per cent.

You only need to ask the members of the Muree Golf Club in Raymond Terrace if crime is increasing in Port Stephens. This club has been broken into five times since February this year, and four of those break-ins have happened in the last 2½ months, with damage estimated in excess of $50,000. The club is now offering a $2,000 reward for information that leads to the catching of the thieves. Understandably, residents in the Tilligerry are also talking about hiring security to protect property. It is an issue that I am sure they will be discussing at great length during a community meeting this Wednesday night organised by Craig Baumann, the Liberal candidate, and the Tilligerry crime forum. I fully support the calls from the community for more police and 24-hour police stations—and I always have. To put it simply: enough is enough.

Terrorism on the streets of the Tilligerry needs to be addressed today, not after the next election. How long do residents have to wait before the state Labor government takes this matter seriously and starts putting the resources where they are needed? When is Port Stephens going to get its own command? We have some of the best police officers in our patch who work incredible hours and take high risks for their communities, but we need more of them to enable our community to feel safe. That is what they have paid their taxes for. This Labor state government has a lot to answer for in this problem. As a community, we want to see results and not excuses.

Unfortunately, excuses are just what the residents in Hawks Nest and Tea Gardens are getting when it comes to the Myall Way—another critical issue in the Port Stephens electorate. I have spoken many times about the need for a flyover at the intersection of the Myall Way and the Pacific Highway and the state Labor government’s refusal to build the flyover. It is hiding behind an RTA report which claims a flyover is not needed and that it can consider this matter in another 10 to 15 years time. If ever there was a report that was rubbish, it is this one. It is absolute rub-
bish. There is overwhelming evidence produced by the community that a flyover is the best option for this intersection. Put simply, the New South Wales Labor government does not want to build it.

When you consider the size of the current population, the size of the population during holiday periods and the growth of the area with residential developments, a flyover is an obvious selection. Two flyovers were built for the nearby Karuah bypass, even though the population of Karuah, at 789 people of driving age, is far less than that of the Hawks Nest and Tea Gardens, at 2,380 people of driving age, and does not get anywhere near the volume of holiday traffic that their northern neighbours receive. Bulahdelah, to the north, with its planned bypass, will get two flyovers for a population of 998 people of driving age. The maths proves the point.

What is really disturbing about this project is that a flyover was in the original design. Four New South Wales Labor roads ministers—Scully, Costa, Tripodi and now Roothendaal—have all ignored the community concerns. From the outset, a flyover was thought to be the best option, but now residents are stuck with what is one of the most dangerous intersections that I have ever seen.

Two weeks ago I invited the federal roads minister, Jim Lloyd, to come and see this intersection for himself. In the first half an hour that we were there, we saw three cars driving west along the Myall Way heading towards the Pacific Highway that went the wrong way in a turning lane. They were wanting to turn right onto the highway but were so confused by the intersection they actually went the wrong way down the turning lane. They realised their mistake and did an illegal U-turn or reversed back up the road to try and find the exit they were after.

We were literally pinching ourselves that this was not a staged event to prove a point, but at the same time praying there would not be an accident. The motorists had no idea what lane they should have turned onto, and their actions to try and get into the right lane could have been a recipe for disaster. Right before our eyes, motorists were doing illegal moves to try and negotiate this intersection and to get where they wanted to go.

It is blindingly obvious to everybody except the state Labor government that this intersection is appalling. It is an accident waiting to happen. It is blindingly clear that a flyover is needed now and not in 10 to 15 years time. And where have John Bartlett and Aaron Beasley been on this? They have been absolutely invisible. Time and time again, we are told no to the critical issues to our communities by this state Labor government. It is always the same theme for the Myall Way intersection and the same for the police numbers in the Tilligerry.

The New South Wales state Labor government are ignoring the needs of Port Stephens and they are not taking the safety concerns of residents seriously. They are not solving local problems but keep playing the broken record of promises and excuses over and over again. We need change in New South Wales to deliver better state government to the people of Port Stephens and the people of Paterson. I demand the New South Wales government put people before politics and take action on these matters that I have raised today.

Ms GRIERSON (Newcastle) (4.47 pm)—I rise to comment on the announcement of Telstra’s new network last Friday and to bring to the attention of the House a range of problems in the communications portfolio still facing the people of Newcastle. Whilst Telstra’s announcement is welcome, it is long overdue, particularly in terms of
broadband services—an investment that the government should have made a long time ago. They should have actually put some real funding into our telecommunications infrastructure. It should also hopefully end the absurd situation where people in suburbs of Newcastle, the sixth largest city in Australia, cannot access high-speed broadband services.

Telstra says that affordable mobile broadband services will be available to 98 per cent of the Australian population. I sincerely hope that includes people in areas like Coral Sea Avenue, Shortland, and the journalist I just spoke to from North Lambton, who are unable to access ADSL broadband services. I am also thinking of those people in nearby areas who signed up to the old wireless broadband network and found the service so poor that it might as well have been on dial-up. I will be watching closely to see that the new network delivers affordable and high-speed broadband services to those people.

It needs to be stated that Telstra’s reaction to calls for a fair pay deal for the phone technicians is something that also deserves our scrutiny. Two weeks ago in Newcastle at a rally with Sharan Burrow of the ACTU and Shane Murphy of the CEPU I met the workers who are affected by Telstra’s unilateral cuts to pay rates. The classification of a rural job was changed, which had the effect of cutting the rate for such a job from $105 to just $80. It is estimated that this would cut the yearly pay of each worker by up to $25,000. This was announced the same day that we discovered the CEO of Telstra had received a 25 per cent pay rise, taking his annual salary to almost $9 million.

Meanwhile, with its independent contractors bill, the Howard government is trying to push more and more workers into just such a situation. The bill will leave independent contractors even more at the whim of those that they work for, especially when they do all of their work for the one employer, as is the case with phone technicians. It will mean even less power for workers to fight unilateral pay cuts and even more workers being forced to choose between feeding their families now and putting their superannuation away for the future.
It is not just the workers who will suffer if they are not given a fair go. Many of them told me that they would simply stop repairing faults in rural and remote areas because the lower rate of pay for that service will not cover what it actually costs them to do the job. This means even less of a response to calls for assistance with phone faults in regional areas. Residents waited for over a week to get basic phone services reconnected in my electorate after a storm last month. I fear that if Telstra and Downer maintain these new lower rates service standards will slip even further.

It is not just Telstra which is having repair problems. Last week, a frustrated Optus customer contacted my office to complain that his phone and broadband services had not been repaired, even though he had first reported the fault on 30 August. It has now been five weeks and five days that he has been waiting for somebody to do something about it, despite speaking to almost 50 different customer service people, technicians and complaints officers in both Optus and the office of the Telecommunications Industry Ombudsman. Meanwhile, the family has been trying to use their phone and internet for their work and their study and to make travel arrangements. These are simple, everyday things for which we all now use broadband internet. It is an absolutely essential service. I have been advised this morning that fortunately progress has been made on fixing their service, but my constituents should not have had to wait five weeks for this to occur.

I have to agree with the concerns my constituents raised about the ability of the ombudsman to make Optus fix the faults and about what will happen to Telstra repair services once the government fully privatises it. With the government today launching another $20 million advertising blitz for its full sale of Telstra, it is a timely reminder of what a sell-out of the Australian people this sell-off of Telstra really is.

With the launch last Friday of the new Postal Industry Ombudsman, I am also reminded of how standards slipped after the outsourcing of postal services in the Newcastle suburb of Stockton in 2001. To give some credit to Australia Post and their workers, they appear to have sorted out some of the problems there. Certainly, I am receiving fewer complaints since changes were made to the contract and the delivery run late last year. But I am not sure if this is due to better service or if it is just that people are resigned to accept their fate and are not making those complaints. I certainly hope that it is because of service improvements. We continue to monitor the situation and will be making Stockton residents aware that the Postal Industry Ombudsman is now operational if they continue to have problems.

However, the trend of outsourcing certainly appears to have led to service levels taking a dive in Australia Post over the past few years. Figures from the minister indicate that complaints to Australia Post from the postcode which includes Stockton tripled between 2000 and 2001, and between 2001 and 2005 the number of complaints doubled again. And it is not just Stockton. Over the same period, complaints to Australia Post across the state of New South Wales jumped by 30 per cent and complaints Australia wide jumped by 11 per cent. Complaints to the ombudsman over that period reflect a similar trend, with an increase Australia wide of 32 per cent.

We should perhaps stop and reflect on why this is so. With privatisation and outsourcing, it is often the case that workers’ rates are squeezed as low as possible. In the case of the Telstra technicians I referred to earlier, they say that the rates are so low that they simply cannot do the job. With the
Stockton postal service, we saw in the early days massive shortcuts being taken in delivery, with instances of whole bags of mail being dumped instead of being delivered. We have to make sure that the workers involved in contracting arrangements are being paid enough to do a proper job.

We also have to ensure that the workers doing the jobs are trained to do those jobs. How many of the problems in the early days of the Stockton mail privatisation can be attributed to the delivery people lacking training? What structures are in place to train the next generation of phone technicians now that we have these subcontracting arrangements in place? In fact, no-one is training them. The days of working for a service delivery organisation and receiving training as you move through that organisation appear to be long gone, and this is a real concern. We already have a massive skills crisis in this country, and the last thing that we need is for organisations such as Australia Post and Telstra to withdraw completely from the training field.

It is symptomatic of this out-of-touch government that the Minister for Education, Science and Training is sticking her nose into state school curricula and reporting systems while the skills crisis deepens. While vigilance on service delivery and receiving training as you move through that organisation appear to be long gone, and this is a real concern. We already have a massive skills crisis in this country, and the last thing that we need is for organisations such as Australia Post and Telstra to withdraw completely from the training field.

Queensland Election: Sunshine Coast

Mr SLIPPER (Fisher) (4.56 pm)—Australia, quite appropriately, is full of aspirational voters, but I have to say that I find the aspiration that was just expressed by the member for Newcastle, in which she assumed that this government was going to be defeated at the next election, quite amazing. Given all of the polling, which indicates that the next election will be quite difficult, I do not believe that it is appropriate for anyone to say with certainty who is going to win. But she asserted, quite definitely, quite unambiguously, that after the next election the government was in fact not going to continue to carry out the excellent government and administration that it has since 1996.

Tonight in the grievance debate I wish to place on record in the House, on behalf of the Sunshine Coast, some of the promises announced by Premier Peter Beattie during the recent state election campaign in his attempt to win the state seat of Caloundra, to win back the seat of Noosa and to hold the seat of Kawana. Now that the Sunshine Coast and the rest of Queensland have voted, I hope that the Premier has the same level of commitment to these promises that he had prior to the poll.

The region that I am privileged to represent in the Australian parliament sent an overwhelming message to Mr Beattie that it was very unsatisfied with Labor and with the Labor Party’s administration, and particularly dissatisfied with the Labor Party’s local representation. The Premier’s track record, and that of his local candidates, has not in recent years been as good as it should have been. While sadly the state overall has changed little in political complexion in
terms of the seats represented in the Queensland parliament, the political landscape on the Sunshine Coast has changed considerably. If the coalition had done as well elsewhere as it did on the Sunshine Coast then the Queensland government would have been in diabolical trouble.

For instance, in my electorate of Fisher, the state seat of Kawana experienced one of the biggest swings in the state to unseat the sitting member, Beattie government minister Chris Cummins. The swing was close to eight per cent. It was a most amazing result, a great tribute to Steve Dickson MP, the new Liberal member for Kawana. Equally importantly, it was a great result for and a great tribute to all of those hundreds of Liberal Party supporters who worked to make sure that the seat of Kawana was once again represented by a conservative member.

Steve Dickson is a former businessman who was elected to the Maroochy Shire Council and he has already demonstrated his hardworking dedication to the people he has represented at the council level. I am sure that that hardworking dedication will continue to be apparent in his representation of his constituents in the state seat of Kawana. As planning chairman of the Maroochy Shire Council, he was successful because he understood that it was important in this position to represent the people and to listen. He was determined not to fail in that position. He was an extraordinary success and I am quite confident that that success will follow him into the area of state politics.

I would also like to congratulate the Liberal Party’s Mark McArdle, who increased his margin to take a stronger grip on the state seat of Caloundra—also in my electorate of Fisher—while the National Party’s Fiona Simpson, whose electorate office is really just about 300 or 400 metres from my own, also increased her vote to continue her respected position as a local representative.

It is important to recognise that the reason that the Liberal and National parties did so well on the Sunshine Coast is that they were able to work together in a sense and a spirit of unity and purpose. The Liberal and National party candidates worked as a team, and it showed on election day. The election day was a resounding success for the coalition on the Sunshine Coast.

Now that the election is past us and the new term of the Queensland parliament is upon us, it is important that the people of the region actually receive what they were promised during the campaign. Pressure must be maintained to ensure that the Queensland Labor government does not let down the people of Queensland, who decided to return this government for another term. The promises made to the people of the Sunshine Coast during the election campaign included a new hospital for the Kawana region. Mr Beattie announced a new hospital, at an estimated cost of $940 million, to be built on a site south of Lake Kawana Boulevard, in western Wurtulla. This project is scheduled to be finished by 2014. If Mr Beattie’s track record is anything to go by—and I hope that...
it is not—there does remain concern about this project. This hospital announcement followed a similar announcement for a hospital in Sippy Downs, also in my electorate, last year. That announcement was not carried through and that project was scuttled.

Also, despite promising a medical centre on a site near the University of the Sunshine Coast, that promise was later downgraded. Indeed, now there is going to be nothing at all provided by the Queensland government in that area. I was disappointed that the Premier, whom I know personally, was able to treat Sunshine Coast residents with such disdain. The cancellation also scuttled an ideal opportunity to establish a convenient close working relationship between the medical centre and the University of the Sunshine Coast. The hospital at Kawana, if it is built by the Labor government, may still be able to provide that close working relationship—and I hope that it does and I believe that there will certainly be a high level of commitment from the university to this end—but the distance from the university does present some challenges. Mind you, I think that the community of Kawana richly deserves a hospital and that it has been neglected for years by the Labor government.

The Sunshine Coast remains one of the fastest growing regions in Australia and, as the Premier himself has mentioned many times, the population of Queensland is increasing at a rate of 1,500 new residents each week, a significant number of them being interstate residents who decide to move to what I believe is the best part of the best state in our nation. What this population increase means, though, is that there is a need for increased infrastructure such as hospitals, and it really is important that the Premier does not take the view that because the former Labor member for Kawana, his minister Chris Cummins, was defeated this project ought to be scrapped. He promised it, he did not promise it conditionally, the people have voted and it really is important that this hospital is delivered.

A new health hub has also been promised for Maroochydore. Maroochydore remains the major business centre of the Sunshine Coast and it is the location of the largest shopping centre in the region, as well as a considerable number of other businesses. There are also plans for what will be the biggest single high-rise project in this area. While Nambour, to the west, has long been the home of the Maroochy council offices, decades of development in Maroochydore, based on the coast, and on the Maroochy River has seen it develop into a considerable commercial centre. Some have said it is the preferred site for a major medical hub needed in the region, and it would be sensible to establish such a facility in this area. The Premier responded to these suggestions and announced during the campaign that a health hub would in fact be located in Maroochydore by 2009, with a funding promise of $14.7 million to complete the project.

Also in my electorate, the Premier promised that Labor would direct money towards the redevelopment of Quad Park, a major regional sports facility. During the election campaign, $8.5 million was pledged toward this project, which is expected to eventually be of a standard able to host major sporting events such as first-grade rugby, Rugby League or AFL fixtures. This is a much-needed facility in a local area which has produced some great Australian sports heroes, including Zane Holmes, Rugby League stars Casey McGuire and Chris Flannery and many more.

The population growth brings a need for more schools, and during the campaign Labor promised almost $24.9 million for extensions at the Meridian Plains State College. This is an area to the west of Currimundi that
is experiencing considerable development, so additional school facilities are always required. The Premier pledged funds to the redevelopment of the esplanade at Bulcock Beach, at the southern end of my electorate, in Caloundra. It is important that this promise also be delivered. Labor promised $4.25 million for the redevelopment of this Bulcock Beach area by 2009. Extra hospital beds at Caloundra and Nambour have been pledged, at a cost of $203 million, and many more promises have been made. (Time expired)

**Climate Change**

Mr GARRETT (Kingsford Smith) (5.07 pm)—The Prime Minister returned from another overseas trip earlier this year and, following his meeting at the White House and with a backdrop of drought and record temperatures attributed to global warming breaking out world wide, assumed a new role—that of nuclear champion. According to Mr Howard, nuclear energy is a proven clean solution to a problem he had previously failed to respond to but now grudgingly accepts as real—namely, impending climate change caused by spiralling greenhouse gas emissions.

Yet there has never been any indication—prior to the Prime Minister’s nuclear conversion or subsequently—that this government is serious about climate change. Its posture has ranged from denial to incremental acknowledgement, with a high degree of scepticism from the PM. Virtually alone amongst nations, the government bags the Kyoto treaty it was once going to sign and joins an Asia-Pacific partnership that has no substantial budget or target to reduce greenhouse gas emissions.

The fact is that Australia, on a per capita basis, produces a lot of greenhouse pollution, and emissions will drastically ramp up over the next 20 years and beyond. And we have the highest per capita emissions of CO₂ in the Asia-Pacific region—17.2 tonnes per person compared with China’s 2.7. Report after report has identified the likely impacts of rising temperatures: on our farms, with nearly 40 per cent of this year’s grain harvest expected to be lost due to drought; on our coasts; on our health; and on our natural productive landscapes.

Today’s release of *Australia responds: helping our neighbours fight climate change*, by CSIRO scientists for aid and conservation organisations, is further confirmation of the expected impacts of global warming on the way of life of our Pacific neighbours who are struggling to retain a viable existence on their low-lying island homes. It shows their future is now literally in jeopardy, and ours soon will be too.

But as things stand the Howard government’s climate change policy is a farce. There is no national climate change action plan, no time lines, no targets and no real policies to significantly reduce greenhouse pollution or slow energy demand. The Prime Minister simply flies the flag for nuclear energy—an expensive technology, which has always relied on public subsidy, will only meet a portion of our energy needs, and produces long-lived radioactive waste. The government, which champions the free market, is opposed to a national market in greenhouse gas emissions—so go figure.

The necessary policy initiatives that Labor is committed to, like increasing mandatory renewable energy targets and establishing a national greenhouse trading scheme, are needed now. Other measures the government should address, like applying energy efficiency standards as mandatory across all states and responding to the *Sustainable cities* report of the House of Representatives Standing Committee on Environment and Heritage, are missing in action.
Alarmingy, there is every chance the permafrost of the Northern Hemisphere will start to thaw earlier than expected and increase the prospects of accelerated warming—as will significant recent melts of sheet ice in the Antarctic. Sea levels will rise; the only question is how soon and how high. But, as the CSIRO report shows, low-lying delta areas in Vietnam, China and Bangladesh, as well as Tonga, Kiribati and PNG, are all vulnerable. The costs of relocation and protection of coastal infrastructure are astronomical.

Put simply, we are facing the prospects of a full-blown global emergency which threatens to alter the conditions of life on earth in significant and possibly irreversible ways. This is widely acknowledged in most quarters except Canberra under the conservatives. Recently the Lowy Institute released Heating up the planet: climate change and security, by security expert Alan Dupont and climate scientist Graeme Pearman. It also highlighted the urgent need to respond to climate change—a point re-emphasised in the documentary An Inconvenient Truth by former US Vice-President Al Gore, and in today’s CSIRO report. And this points up how completely ill prepared the Howard government is for climate change.

After going into some details to answer the question, ‘Is climate change real?’—answer: yes—the paper outlines a number of issues that need focused government attention now. They include the prospects of an increasing spread of infectious diseases and, critically, the likelihood of climate change refugees—if that is the right term, and there may be a better term—on a scale that renders the trickle of asylum seekers the government is intending to divert to Nauru and resettle in third countries tiny in comparison. The fact of the matter is that with climate change we are likely to see large migrations of people fleeing their countries, which have been affected by global warming and rising sea levels, into our part of the world.

I was pleased to see that the authors of the paper had taken seriously what a number of climate scientists, NGOs and others, including me, have been repeatedly saying concerning the cumulative effect of human activities on the climate. Their conclusions are amply confirmed by today’s CSIRO report, Australia responds. In particular they raise the possibility of the emergence of climate wild cards—like the melting permafrost—and the need for policymakers to start factoring these kinds of risks into their thinking. And it is the case that each of the issues that flow out from climate change carry substantial security considerations for Australia that well outweigh the current difficulties we face in the long term in relation to fundamentalist Islamic terrorism. This government constantly talks security—it is the mantra in this House—and yet the implications of the Lowy Institute and CSIRO reports are that failure to start genuine planning, and organising now for a climate change future, is to compromise the national interest and to add greatly to the regional and international challenges that lie ahead as global warming begins to kick in.

Dupont and Pearman argue—and I agree—that the federal government needs to adopt a more strategic approach to climate change and that an interdepartmental task force should be constituted to look into the connections between climate change and national security with reference to food security, water, health and environmental vulnerabilities. Importantly, disaster planning and the key question of unregulated population movements would be crucial matters for review.

The unfolding tragedy is that the government’s acquiescence to foreign policy and culture wars, driven by an extreme right
wing agenda, has left us poorly prepared for arguably the greatest threat we face. What stands out in the Lowy Institute report is the statement of the bleeding, but necessarily, obvious. Recommendation 6 reads:

The most effective way of ameliorating the security risk of prospective climate change is to reduce the level of greenhouse gases that are heating up the planet.

There you have it. The experts are saying action is needed and the community, including those who gathered yesterday in front of Old Parliament House calling for ‘clean energy for eternity’, are demanding that action be taken.

So when is this government going to do something other than spin, divert, delay and embrace false gods masquerading as solutions on climate change and actually act to substantially address rising greenhouse gas emissions? Labor has serious policy here, but where is the big ‘whole-of-government’ plan on climate change from the Prime Minister? Where is the nation-building, nation-saving approach on increasing our use of renewables, on energy self-sufficiency, on demand management and on utilising our ingenuity and scientific ability to meet our energy needs—whether it is liquids to gas, hot rocks and tidal or, critically, in a country that receives on average more solar radiation per square metre than any other continent, fitting up in a substantial way solar cities and towns so that families and businesses can meet their energy needs and even sell their own surplus energy, green energy, which, unlike the nukes that the Prime Minister has now adopted as his first love, do not cost the earth and do not leave a legacy of toxic waste for eternity?

One of the world’s foremost climate scientists, Jim Hansen from NASA, has observed that failure to act on climate change means subsequent generations will inhabit a far more desolate world than the one in which civilisations have flourished and developed over the past several thousand years. The stakes are that high. I simply ask: when will this reckless government wake up to climate change, pull its finger out and stop jeopardising the lives of its citizens and our neighbours as we stare down the abyss of an overheating planet?

Australian Values

Mrs VALE (Hughes) (5.16 pm)—We have come to that time of the year when many members of parliament find themselves attending final presentation events in many of the schools in their electorates and, during our most recent recess, the graduation of the HSC classes of 2006. Such occasions present some of the most rewarding experiences for many of us as members of parliament. It is indeed a privilege to be asked to share in the recognition of the successful pursuit of excellence by those students who are academically inclined and to share in the acknowledgement of the schools’ young champions of track, field or pool, but mostly it is a real privilege to share in the celebration of each and every student as they experience an important rite of passage: the formal ending of their schooldays and the very last day of school.

This day is usually marked by the last school assembly. For many, it is unbelievable that this day has actually arrived. Their faces tell the story. Many are both happy and sad. Many appear hopeful yet nervous. The air is electrified by their exuberance and yet they are respectful, too. All are very much aware that this is a school day like no other. Ahead is the dreaded HSC, only weeks away, and there is still a lot of studying to do. For some there is a lot more than for others. But for the moment on this day one focus of the last school assembly is the principal’s farewell address. In the company of the teaching staff
and visiting parents, all eyes are on the principal.

Over the years I have heard some great farewell addresses in the high schools of my electorate. Principals tend to take considerable care in the final formal opportunity to deliver that last word of sage advice, to press an encouraging homily, and to elevate the youthful spirit with words crafted to call and inspire the development of character and values in the fledgling Australian citizens gathered before them. Yes, I have heard some great farewell speeches in the high schools of my electorate. Of course, I have some first-rate principals in those high schools and, for *Hansard*, I will name them: Greg Anderson of Moorebank High; John Frew of Holsworthy High; John Rekouniotis of St Marks at Wattle Grove; Edith McNally of Menai High; Deidre Bedwell of Lucas Heights Community School; David Stonestreet of Sutherland Shire Christian School; Jane Donovan of Aquinas; Paul Burgess of Innaburra; Ross Elliot of Jannali High; Anne Garvan of St Patricks, Sutherland; Joanne Jarvis of Engadine High; Father Chris Ford of John Bosco, Engadine; Nathan Searle of Southern Cross, Engadine; and last, but by no means least, Geoff Dodds of Heathcote High.

On Friday, 29 September 2006 I was privileged to be invited to a year 12 graduation assembly and, once again, was stirred by the thoughtful words of the principal’s final address to the students. Given by Principal Geoff Dodds to the Heathcote High School year 12 class of 2006, the address inspired me to raise this matter as the subject of my grievance in the House today. Amongst other things, his words evoked aspects of the development of character and worthiness, about our intrinsic place in the great human family, about how we will be judged in life by the values we uphold, and especially about how we relate to our fellow human beings. In the final words of his farewell address, Mr Dodds chose the profound words of the 17th century poet, writer and thinker John Donne to illuminate his meaning:

No man is an Island, entire of itself;
Every man is part of the continent, a part of the main;
If a clod be washed away by the sea,
Europe is the less, as well as if a promontory were,
As well as if a manor of thy friends or of thine own were;
Any man’s death diminishes me, because I am involved in Mankind;
And therefore never send to know for whom the bell tolls;
It tolls for thee.

When it came to my turn to say a few words to the class of 2006, somehow it seemed a presumption on my part to think I could exhort these wonderful young Australians to be brave enough to walk the road less travelled, to think for themselves, to step out from the madding crowd and, when the compasses seem all awry, to chart their own course simply because it is the rightful and worthy thing to do. Regrettably, there are one or two sins of omission to which I could plead. Mr Dodds reminded me that every now and again we humans need to reset some indefinable internal compass. I mean the one that guides us between the vicissitudes and comforts of life—especially the good life that we all share in this wide brown land under the lazy warmth of the Australian sun. As a people of an isolated, sunlit sovereign island, there are many values that we cherish as quintessentially Australian. The idea of mateship is a good Aussie expression of our human connectedness to all mankind. The idea that everyone is entitled to a fair go is a good Aussie expression of our inherited sense of justice and fairness. We take it for granted that here in Australia we are innocent
until proven guilty and that no Australian can be imprisoned without just cause.

As Mr Dodds reminded his year 12 students about our intrinsic involvement with mankind, I recalled another Australian in another part of the world far from Australia who, on the basis of his imprisonment without trial for almost five years, is being denied a fair go. I mean David Hicks. John Donne, later in his work Mediation and albeit for a different consideration than this, my grievance, also wrote:

... by this consideration of another’s danger, I take mine own into contemplation ...

It is difficult not to be confronted by these words when one contemplates David Hicks. I know there are a growing number of Australians who share with me my unease and conscious discomfort that a fellow Australian has been held without trial for almost five years and, further, who sense there is a diminishing prospect that any future trial will really be fair. David Hicks’s continued incarceration in what amounts to the gulag of the Western world is an affront to every value and tradition that we hold dear as Australians and, to make matters worse, as our only prisoner in the war against terror he is held not by the enemy but by our American friends.

For the Hansard, I record here that I am a strong supporter of the Australian-American alliance. I support our government in sending Australian troops to Iraq and Afghanistan and I support our active role in the war against terror. Having said that, it is increasingly difficult for me and for a growing number of my fellow Australians, many of whom also support our role in the war against terror, not to be distinctly confronted by the long incarceration of David Hicks, accused terrorist. Distinguished members of our legal profession have already presented a reasoned argument as to the serious breach of the foundation of our legal system, the principle of habeas corpus, which provides that no man shall be held without just cause and that all men are innocent until proven guilty.

Out and about in my electorate, I am often asked: ‘Why have we accepted that he has now been held for so long without trial? Where are the values and traditions we are defending with the lives of another generation of young Australians? Why don’t these same values and traditions also apply to David Hicks?’ How do we explain to our graduating students of 2006 why a fellow Australian is held in Guantanamo Bay, an establishment doubtlessly created to deny its inhabitants the time-honoured protections of the Geneva convention, protections that we, as a people, uphold and respect and send our forces to defend?

As long as David Hicks remains in Guantanamo Bay, his long imprisonment without trial will continue to creep like an incongruent shadow, jarring the Australian consciousness and conscience and darkening our political landscape. In an article I wrote for the Age on 12 November 2005, I said that the case of David Hicks clearly fails the commonsense test not only in the educated minds of our legal profession but in the gut feelings of thousands of ordinary Australians who see him simply not getting a fair go. There are thousands of Australians who do believe that truth, justice and that old hand-me-down from the Magna Carta, which says that men are innocent until proven guilty, still deserve some currency in the brave new world for which we are fighting.

Because he is ‘a piece of the continent, a part of the main’, while he remains imprisoned without trial, David Hicks will cast a shadow over our national escutcheon. No matter what glory may be accorded to us as a nation, no matter what the accolades or the glittering prizes, while David Hicks remains
in Guantanamo Bay our liberty, our own rights to justice and a fair go, our Australian-ness, are indelibly compromised and diminished. As one of ours, David Hicks is entitled to a fair trial without delay. And after an imprisonment of almost five years in Guantanamo Bay, if our American friends cannot deliver a fair go for David Hicks, we, like the British, must ask that he be sent home. One thing is certain. David Hicks will do one of two things: he will either walk out of Guantanamo Bay or he will die there. And, if he dies there, a small piece of Australia will die with him. If John Donne lived in Australia today, he may well have put it like this:

No man is an island, entire of itself. Each is a piece of the continent, a part of the main.

(Time expired)

Question agreed to.

AVIATION TRANSPORT SECURITY AMENDMENT BILL 2006
OHS AND SRC LEGISLATION AMENDMENT BILL 2006
PRIVACY LEGISLATION AMENDMENT BILL 2006
INTERNATIONAL TAX AGREEMENTS AMENDMENT BILL (No. 1) 2006
TAX LAWS AMENDMENT (REPEAL OF INOPERATIVE PROVISIONS) BILL 2006
CIVIL AVIATION LEGISLATION AMENDMENT (MUTUAL RECOGNITION WITH NEW ZEALAND) BILL 2006
HEALTH INSURANCE AMENDMENT (MEDICAL SPECIALISTS) BILL 2006
NATIONAL HEALTH AMENDMENT (IMMUNISATION) BILL 2006
INTELLECTUAL PROPERTY LAWS AMENDMENT BILL 2006

PROTECTION OF THE SEA (HARMFUL ANTI-FOULING SYSTEMS) BILL 2006
SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2006
MARITIME TRANSPORT AND OFFSHORE FACILITIES SECURITY AMENDMENT (SECURITY PLANS AND OTHER MEASURES) BILL 2006
MARITIME TRANSPORT AND OFFSHORE FACILITIES SECURITY AMENDMENT (MARITIME SECURITY GUARDS AND OTHER MEASURES) BILL 2005

Assent

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

HEALTH INSURANCE AMENDMENT (MEDICAL SPECIALISTS) BILL 2006
NATIONAL HEALTH AMENDMENT (IMMUNISATION) BILL 2006
SOCIAL SECURITY AND FAMILY ASSISTANCE LEGISLATION AMENDMENT (MISCELLANEOUS MEASURES) BILL 2006
PROTECTION OF THE SEA (HARMFUL ANTI-FOULING SYSTEMS) BILL 2006
INTELLECTUAL PROPERTY LAWS AMENDMENT BILL 2006
TAX LAWS AMENDMENT (2006 MEASURES No. 5) BILL 2006

Returned from the Senate

Message received from the Senate returning the bills without amendment or request.
SUPERANNUATION LEGISLATION AMENDMENT (SUPERANNUATION SAFETY AND OTHER MEASURES) BILL 2005

Consideration of Senate Message
Bill returned from the Senate with amendments.
Ordered that the amendments be considered at the next sitting.

CRIMES ACT AMENDMENT (FORENSIC PROCEDURES) BILL (No. 1) 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.

PUBLIC WORKS COMMITTEE AMENDMENT 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.

HIGHER EDUCATION LEGISLATION AMENDMENT (2006 BUDGET AND OTHER MEASURES) BILL 2006
Second Reading
Debate resumed from 14 September, on motion by Ms Julie Bishop:

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) jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases their investment;
(2) failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;
(3) massively increasing the cost of HECS, forcing students to pay up to $30,000 more for their degree;
(4) creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than $200,000, and nearly 100 full fee degrees costing more than $100,000;
(5) massively increasing the debt burden on students with total HELP debt now over $13 billion and projected to rise to $18.8 billion in 2009;
(6) failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia’s high educational reputation and fourth largest export industry; and
(7) an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia’s higher education needs”.

Mr SNOWDON (Lingiari) (5.29 pm)—As you know, Mr Deputy Speaker, I am speaking in continuation, having first got up to address this issue on the 14th of last month and being interrupted after only a short time by the adjournment debate. We know that the purpose of the Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006 is to amend three acts: the Higher Education Support Act 2003, the Higher Education Funding Act 1988 and the Australian Research Council Act 2001. Among other things, this bill will provide new funding to cover the COAG Health Workforce and mental health package, which includes about 2,000 new places for students commencing studies in medicine, nursing, mental health and clinical psy-
chology. It will also provide $6.2 billion over three years, which Labor supports, as it is so desperately needed given the skills shortage that the government has created.

The bill will increase the FEE-HELP limit—and this is an issue which I addressed in my short contribution on the 14th of last month—to $100,000 for medical, dental and veterinary science students and to $80,000 for other degrees. Currently, it has been capped at $50,000. The effect of this change is to increase the debt available to students. The reason the government is making this change is apparent; it is because of the spiralling cost of full-fee degrees. As I mentioned last time, more than 100 full-time degrees at various Australian universities now cost more than $100,000—even after the infamous promise of 1999, which we all recall, when the Prime Minister said:

There will be no $100,000 university fees under this government.

But, broken promises aside, the fact is that the government’s proposed increases to the FEE-HELP available to students taking these outlandishly expensive degrees are still not enough. Increased funding for higher education and the additional places for students wishing to study medicine, nursing and mental health are things that Labor supports. However, we have to condemn the complete gutting of Australian universities that this government has presided over and the standard of education that it is able to provide Australian students.

Whilst there is a great deal of concern about falling standards as a result of the pressure upon universities and the availability of courses, particularly in regional universities, there have been some bright spots, and we need to recognise them. Not the least of them is the recording, as a result of a global academic ranking published in London, of the ANU as the best university in the country. The ANU came out top of the Australian institutions and was 16th overall in the latest annual survey of the world’s universities by the Times Higher Education Supplement. This is something that we need to commend. We also need to recognise other Australian universities, including the University of Melbourne, which was in 22nd place. The University of Sydney was also involved, as was the University of New South Wales. Macquarie University finished, I think, 82nd. But they disguise what is happening on the ground in most parts of Australia. It is for this reason that I strongly endorse the second reading amendment moved by the member for Jagajaga.

I can scarcely imagine an area where this government has been so poor and so appallingly bad in the development of public policy than higher education. It is clear that the government does not have a commitment to it and that it does not know how to deal with it properly to ensure that all Australians will have fair and reasonable access to higher education services. We need just to look at the standards that are being applied. We need to be clear about one thing: I do not want to talk down, nor would I, the work being done by our tertiary institutions, the lecturers and the administrators. Given the circumstances they have been placed in by this government’s record since 1996, they confront a very difficult world. By and large, they are working assiduously and, as far as they possibly can, doing a great job. But we know that there is a belief that the quality of our university degrees is declining. It was acknowledged by one of the government’s own working groups in June this year, the Asian working group appointed to advise the PM’s Science and Innovation Council. Whether or not this is an actual decline, the perception is there. It means that our universities will have increasing difficulty over time in attracting foreign students.
What we now know is that, under the Howard administration, we have much higher staff-student ratios. Class sizes have increased massively. The result is that the student-to-staff ratios have gone from 15.6 to one in 1991, when the government came to power, to 20.7 to one in 2004. No doubt they are higher as we speak. There has been a reduction in tutorials, which are so important for developing in students the ability to debate and to participate and engage in discussion. I recall my own days at university. It was a long time ago, no doubt; nevertheless, what was good about them, what was one of the most pleasing aspects of them, was the discourse, dialogue and argument that took place during the tutorial discussions. I am sorry if it is the case that universities are now in the position of being unable to provide tutorial services or of having to provide them on a limited basis. We know that there are more online courses, which is a great teaching innovation, especially for distance education—and a thing which is particularly important in a vast electorate such as Lingiari—but overreliance on these reduces the level of interface between the student and the lecturer, and is a point which I think we need to mention.

I had cause to discuss this matter only the other day with a colleague of mine in the Northern Territory whose partner is doing a Masters of Business Administration at Charles Darwin University. He had enrolled in courses fully expecting those courses to be offered and then discovered that two of the courses—and he had taken leave and was paying for this himself—which he had been enrolled in and which were offered by the university were no longer being provided. He was forced to take one of them online through James Cook University. That is just not acceptable. While we acknowledge the important work that James Cook University does, what we need to comprehend here is that it is unacceptable in a regional area like the Northern Territory when you commit yourself to doing further education—in this case, a masters—go to the university and are offered the opportunity to do a course and register for the course only to find that they do not have staff to teach it. This set of circumstances should not be allowed to prevail.

The higher education sector is suffering from overregulation. Universities are having to account for student patterns months in advance and are being penalised in funding when they get it wrong. We also know that universities are being underfunded. The OECD put out figures last month in its report *Education at a glance 2006*. This 454-page report—an in-depth analysis of education systems across the developed world—delivered a damming indictment of the state of higher education under the Howard government. Australia is the only developed country to have reduced investment in TAFEs and universities between 1995 and 2003. According to the OECD, investment in these areas declined by seven per cent.

In contrast, other countries increased their investment in higher education by an average of 48 per cent: in the US, it was 67 per cent; in Canada, 37 per cent; in Japan, 32 per cent; and in Switzerland, 74 per cent. At the same time, HECS fees have been spiralling ever upwards. Australian university students now pay the second highest fees—behind only the United States—in the world. The Americanisation of Australia's higher education system that the government has sought to introduce is happening. We need to comprehend what the negative impacts of that are on educational services being provided across this country.

The OECD’s report even goes so far as to put the blame for this on the Howard government:
... the main reason for the increase in the private share of spending on tertiary institutions between 1995 and 2003 was changes to the Higher Education Contribution Scheme (HECS) that took place in 1997.

We are falling behind because of this government’s neglect. If we are to compete properly in a globalised world and achieve all we want for ourselves and for our children, then we need to compete on skills, education and innovation. The true extent of the government’s pathetic commitment to higher education was revealed in the funding information provided by the Australian Vice-Chancellors Committee in February of last year. This document compares government funding of higher education between 1996 and 2003. According to these figures, the level of funding provided by the Commonwealth to universities in the form of Commonwealth government grants has remained constant in absolute terms. But it must be acknowledged that over this period total university operating expenses have increased by 36 per cent. In light of this, the funding provided by the Howard government represents a smaller and smaller percentage of the total revenue required by universities.

In 1996, Commonwealth grants made up 57 per cent of the total university revenue. In 2003, that proportion was 41 per cent. Over the same period, fees and charges have consistently increased. In 1996, universities made only 13 per cent of their revenue base by imposing fees and charges; by 2003, that figure had increased to 24 per cent. Universities have their hands tied in that regard; they have to impose these fees when the government is not bringing the money to them. The government allowed HECS debt to rise by 25 per cent. They have pretended that this was a choice made by universities, but what they really did was squeeze funding so that no university had a choice.

This reflects the Howard government’s user-pays ideology and the Americanisation of Australian universities. This obsession with driving Australia down the American path of higher education is tearing opportunities out of the reach of people in my electorate. It is worth noting that the number of Indigenous students in higher education dropped by six per cent last year. That was not the first year; that is the fourth year of decline in participation by Indigenous people in the higher education system. What does the government take from this? What has it done? What does it propose to do to address this situation?

There is an ever increasing feeling of frustration from not only students but also the community generally about this approach to the higher education system. Student debt is higher than it has ever been. According to Senate estimates figures provided by the Department of Education, Science and Training that have just emerged, students currently owe the government more than $13 billion. By 2008-09, this figure will have increased to $18.8 billion. The average outstanding debt is about $10,560, a seven per cent increase from last year. I saw an article in the Sydney Morning Herald on 13 September entitled ‘Student debt $13 billion and rising’ where the Minister for Education, Science and Training tries to explain away these extraordinary increases in student debt by attributing it to the rising number of students. The article states:

... figures from her own department show that domestic student numbers rose by just 0.2 per cent from 2004 to 2005, while the accumulated HECS debt rose by nearly $2 billion.

You do not have to be a mathematician to work out that those figures just do not compute. The same article gives a general impression of the massive hike in fees, quoting average yearly fees for a number of key disciplines. Medicine is up from $17,658 in
1997 to $49,020 in 2006. Law is up from $11,772 in 1997 to $32,680. Engineering is up from $11,772 to $27,916. They are only some examples.

I have spoken time and time again in this place about what the government’s policies are doing to regional universities. When I reflect on comments I have made in previous debates on the various pieces of legislation which have passed through this place, it is clear to me that the situation is just getting worse. Over the past years Charles Darwin University has suffered massively at the hands of the Howard government. CDU caters to 17,665 students, according to 2005 statistics from the university. That is about 10 per cent of the total population of the Northern Territory. Of this number, 5,380 people are engaged in higher education and 12,285 are in VET programs.

The CDU has a very difficult task because it seeks to deliver higher education services to a relatively small and dispersed population. The demographic of the Northern Territory is far removed from the national average. The Northern Territory has one large population base in Darwin of around 100,000-plus people and a smaller population base in Alice Springs of close to 30,000. The remainder of the population lives in widely dispersed communities, from small to large, including towns like Katherine, Tennant Creek and Nhulunbuy et cetera. Providing outreach services to these students is extremely difficult. It requires resourcing.

It is worth noting—and I have used these figures before in this place—that, since 1996, the Howard government has removed $6 million a year, or around $40 million to date, in recurrent funding from the CDU alone.

Under that set of circumstances, is it any wonder that the university is having difficulty in retaining staff? Is it any wonder that the number of units being offered by the university is being cut progressively? Is it any wonder that students are starting to feel frustrated by the inability of the university to provide them with courses which are offered in their handbook? Only last week I pointed to the situation that prevailed for one student doing a masters degree in business administration at Charles Darwin University.

Then there is the impact of the change to voluntary student unionism which has been brought about by this government. I note that in last weekend’s *Sunday Age*, dated 8 October, an article entitled ‘Jobs, services cut as union laws bite’ says that almost 300 staff working for student services in Victorian universities have lost their jobs and that free or subsidised services such as legal services, student advocacy and dentistry have been cut back.

There is a similar situation at the ANU here in Canberra. Without income from student amenities fees, funding for clubs and societies will be slashed from something in the order of $100,000 to about $20,000. That is a cut of more than 70 per cent. It is a similar situation at Charles Darwin University. We now know that the union is running out of savings. The seven staff which were employed have lost their jobs. The services which students need to access can no longer be accessed as a direct result of this government’s programs and the change to voluntary student unionism.

I commend the amendment moved in this chamber by the member for Jagajaga. The people of Australia deserve better from this government in relation to higher education. The Australian community wants better from this government for higher education. The Australian community knows that Labor will give them a better outcome for higher education. When it comes to the next election, there will be a clear choice for the Australian...
people on the question of higher education: do they believe in the proper and effective funding and higher education reform that Labor proposes or do they want to support John Howard? I know what they will choose. They will choose us. *(Time expired)*

**Mrs ELLIOT** (Richmond) *(5.49 pm)*—I too rise today to speak on the Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006. I note many of the comments made by the member for Lingiari and I certainly agree in particular with many of the comments made in relation to regional universities. Those of us living in regional areas know how important those universities are and how important it is for young people in regional areas to be able to access tertiary education. It is certainly an issue that I have raised in this House many times and will continue to raise. On so many counts, the Howard government leaves behind those in regional Australia. There is certainly a long list of things on which we have just been left behind. Without a doubt, access to tertiary education is one of those major issues.

The legislation that we are debating here tonight really does fail to address so many of those issues in tertiary education. It really does talk about so many issues that the Howard government has forgotten about in relation to higher education. I certainly support the amendment that was moved by the member for Jagajaga. I will list the points in that amendment. It says:

... the House condemns the Government for:

1. jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases their investment;

2. failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;

3. massively increasing the cost of HECS, forcing students to pay up to $30,000 more for their degree;

4. creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than $200,000, and nearly 100 full fee degrees costing more than $100,000;

5. massively increasing the debt burden on students with total HELP debt—

that is, the Higher Education Loan Program debt—

now over $13 billion and projected to rise to $18.8 billion in 2009;

6. failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia’s high educational reputation and fourth largest export industry; and

7. an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia’s higher education needs.

That amendment really does sum up how the Howard government has failed to invest adequately in our tertiary institutions. We have certainly heard many members speak in relation to this. This failure is really clear for all to see in the OECD’s *Education at a Glance 2006*. The rest of the OECD countries have increased their public investment in higher education by an average of 48 per cent. That is a huge amount. Australia is the only country in the developed world to see a decline of seven per cent in public investment.

I personally believe that it is just outrageous that we are seeing a decline in public investment in our tertiary education system. While the rest of the developed world is increasing public investment in higher education, what do we get from the Howard government? What are they doing? This backwards-thinking government just slashes and decreases public investment. How does that make us look on the world stage when
all other countries are increasing it? There we are, just slashing it. What does that say about the value we place upon tertiary education and Australians who want to access it?

This government has also cut $5 billion in grants to universities. I have spoken in this House before about how the universities have really been held to ransom over the Howard government’s extreme industrial relations laws. Universities are forced to rip off staff or they do not get their money. It really is a disgraceful situation. Australia as a country is being left behind as a result of the Howard government’s underfunding of our tertiary institutions.

As I mentioned at the beginning, this lack of investment is most keenly felt in our regional universities, particularly in the electorate of Richmond, which I represent. As I said, this government has abandoned the people of regional Australia in so many areas, but particularly when it comes to the areas of education and training. I strongly believe that regional students should not be disadvantaged just because they choose not to attend a metropolitan university or because they are unable to attend a metropolitan university for a variety of reasons, whether it is because they want to live and study within their community, where their family and friends are, or whether it is because they or their family do not have the resources for them to be able to travel to a metropolitan centre to study, with the added costs of having to move to a major city. The reality is that those students are being severely disadvantaged because of the policies of the Howard government.

In Richmond we are certainly very fortunate to have a campus of Southern Cross University based at Tweed Heads. We are also quite close to the Lismore campus of Southern Cross University, so many students in the electorate of Richmond travel to Lismore to access that university. In regional areas our universities are so much more than just an educational institution; they are indeed a part of the community. They are a major employer and they bring people into our area to live, study and work, and they provide a non-metrocentric option for our local youth to obtain a tertiary qualification.

Better funding for our regional universities, like Southern Cross University, will of course inevitably lead to better resources and a better educational experience for all of our local students. Southern Cross University is very fortunate to have both an excellent management team and excellent staff. Of course, Southern Cross University, like all universities and particularly regional universities, is really suffering from years of underfunding by this government.

I quite regularly meet and speak with students from Southern Cross University on a whole variety of issues. I recently met with a group of social welfare students who told me how their university desperately needs many more funds. They are so concerned about the lack of funding for their university and how it impacts on their study lives and the people around them that they have actually formed their own action group and are quite committed to doing all that they can to see more funding for regional universities like Southern Cross. I commend the group of students, who are so committed to forming this action group and working really hard to get a better result for their university, but it is absolutely disgraceful that the students will have to concern and consume themselves with the funding issues because the Howard government has failed to invest in higher education. They have to spend all their time and concerns on this issue when they should be able to focus on their studies and plan for their future, but they are so distressed and concerned about what they can see happening to themselves and fellow students day by day
that they have formed action groups such as this one.

I support amendment (3), condemning the government for massively increasing the cost of HECS and forcing students to pay up to $30,000 more for their degrees. The average HECS fee paid by Australian students has doubled under the Howard government. It really is a shameful record. The government should certainly be ashamed of that figure.

The HECS debt in the Richmond electorate area is almost $100 million—a huge amount. It is absolutely staggering that that amount will have to be repaid by students within Richmond. The OECD’s Education at a glance 2006 report shows that the Howard government’s HECS hikes mean that Australian university students are now paying the second highest fees in the world. That is a disgraceful record. Here we are at a time when Australia is facing a skills shortage, when there are not enough doctors, engineers and dentists, and yet prospective students are being actively discouraged from attending university because of the prospect of graduating with a huge HECS debt. The HECS debt is indeed a major burden to graduates, especially young graduates who are just starting out in their working career. Having that extra money coming out of their pay packet every week for HECS makes it so much harder for these new graduates to get ahead in life. It is a lot harder for them to buy a house, save money at all or be able to set themselves up in life.

I suspect that there are quite a few people in this House who have benefited from free tertiary education. Indeed, especially those from the Howard government side of the House could have afforded their fees up front when they were at university. HECS is a further debt for those who are less well-off in our society. This government is really moving to a position where only the very wealthy will be able to afford to go to university. I believe this government does not want an educated public. This government wants to reserve tertiary education for only the very wealthy. That is exactly where they are leading. On our side of the House we certainly believe that we should be relieving the HECS burden for our students, because that really is an important investment, not just in the students’ future but, indeed, in our nation’s future. That is the direction we should be going, not making it accessible for only the very wealthy. The HECS debt is just one of the many financial pressures felt by students. This issue certainly needs to be addressed.

On a recent visit to the Southern Cross University campus at Tweed Heads with the member for Jagajaga, many business students there told us how many of them were forced to work at least part time to be able to pay for their textbooks and fees. This government is not listening to students at all, particularly not on this issue. One of the key submissions from Southern Cross University to the government’s 2002 Higher Education at the Crossroads review was about the financial pressure felt by students. And, in their submission on the issues paper Striving for quality: learning, teaching and scholarship, Southern Cross University stated:

The University wishes to reiterate the need for income support for students … The University is also concerned that levels of debt for students should not be increased, as this will inevitably have a regressive impact on poorer students and their families.

It then, very importantly, goes on to state:

The University cannot support any proposals that would increase the existing financial burden on students.

I recently had a call from a student living in Byron Bay about the very poor support that this government provides to students. He was concerned because, he said, he could earn
$70 more a fortnight on Newstart than on Austudy. I found that outrageous and I thought he had to be wrong, so I consulted the current A Guide to Australian Government Payments. It turns out he was wrong, because he would actually get $86.20 more a fortnight on Newstart than on Austudy. According to the Australian government payments booklet, the basic rate of Austudy is only $334.70 a fortnight, while Newstart is $420.90 per fortnight. So why give our students $86.20 a fortnight less? I am not being critical of the amount that people are getting on Newstart; the point I am making here is that we need to invest in our students. We need to make sure that their financial burdens are relieved, not increased. This is certainly a prime example of how tough they are doing it; that student in Byron Bay really highlighted that.

The current allowance really is an abysmal pittance. So many local students tell me how impossible it is to survive, right across the board in their lives—how difficult it is. I had a student last week telling me that they virtually had to live on two-minute noodles whilst they were studying, as a result of not being able to afford to buy anything else. Now, I am not casting any aspersions on two-minute noodles but, for this particular student, having to consume not much more than that certainly made life very hard. I think that is a pretty outrageous situation.

Also, with textbooks in some subjects such as law costing as much as $300 per subject, a semester’s worth of textbooks can equate to almost two months worth of Austudy. That is a pretty large sum. So, even with students eating all those two-minute noodles, Austudy just does not stretch to cover buying the resources necessary to undertake a unit of study. I certainly do not mean to make light of this; I am just trying to say that so many students out there are doing it so tough all the time.

Of course, this situation does not improve much for mature-age or postgraduate students. When the member for Jagajaga and I met with the SCU students, one of the mature-age education students told us that she and her husband had to plan for years and years in advance to get ahead with their mortgage so that they could actually afford to go to university. If this is the situation that we are in now, if it is that difficult now for students, I really shudder to think what things might be like for our children and grandchildren in the future.

The financial pressure and the HECS hikes are an added threat to the educational prospects of the less wealthy in our country. In the last couple of years, there has been a decline in the number of Australian undergraduate places that are subsidised by HECS, and for the first time in 50 years there are fewer places available for HECS students. This side of the House has made it very clear that we will phase out full-fee places for Australian undergraduates at public universities. It has to be a basic tenet of any fair society that students gain access to higher education according to merit, not their financial means.

One of the measures in schedule 2 of this bill is to increase the FEE-HELP limit to $80,000 for most students and to $100,000 for medical, dental and veterinary science students. There are now almost 100 full-fee degrees in Australia costing more than $100,000. In reality, the increases in FEE-HELP are not sufficient to meet the real cost of these degrees. The Good Universities Guide 2007 tells us that a full-fee place in medicine-arts at the University of New South Wales costs $237,000; the same degree costs just over $219,000 at the University of Melbourne; medicine at Bond University costs $233,000; and medicine-law at Monash costs just a bit over $214,000. Of course, the average new mortgage these days is $222,000, so
you can pay as much for your university degree as you do for your home. This really is an outrageous situation. It shows how the Howard government is Americanising our Australian university system. Certainly, federal Labor is committed to putting an end to that.

The cost of university, whether it be the HECS debt, the cost of living whilst studying or the full fee costs, really is often a deterrent to young people who want to go to university. This is having many negative consequences for the people of northern New South Wales, with one of the major ramifications for the area being youth unemployment. Currently, youth unemployment in Richmond is at 29.8 per cent, which is certainly a very high level. This figure is expected to rise as school leavers start looking for work, towards the end of the year. We need to make an investment in our children, to build a future for them and for our nation. We on this side of the House say we can address the skills crisis and the youth unemployment rate through training our young people. That is where our focus needs to be—on training those young people and providing a future for them. That is what is vitally important for our nation’s future and for our children’s future.

The amendment moved by the member for Jagajaga does highlight a lack of policy direction by the Howard government. But the future is certainly not all doom and gloom for our universities and for our students who desperately want to acquire a tertiary education, because we on this side of the House, federal Labor, are very serious about education and have a vision of the future for our nation and for our students. Federal Labor are designing very strong, practical measures to ensure our kids have access to affordable education and training choices.

Federal Labor’s plan includes proposals to stop the massive HECS fee increases, reduce the overall financial burden on students and provide HECS relief and extra university places for degrees in areas of skills shortage. This is an issue that I have spoken about before many times and that we all have: skills shortages throughout this country are massive and they seem to be getting worse day by day. Here we have all these impediments to people getting into university in our country, yet we are screaming out for more people with trade skills all the time. Again, those of us in regional areas, with those youth unemployment figures of about 30 per cent, need to see funds being directed to (1) alleviating that skills shortage and (2) providing a future for young people through training.

Federal Labor will support community outreach by universities, as we recognise that our universities are much more than providers of education. They are very important members of our local communities, as I said before in relation to Southern Cross University at Tweed Heads and Lismore. They do play an integral part in our community and we see throughout regional Australia what a vital role they play and how difficult and tough it is for them at the moment under the Howard government.

Under federal Labor’s funding scheme universities will be given regional loadings. Federal Labor will provide additional public money to our universities, and indeed all universities will be better off under a federal Labor government. Lifting our universities up is central to a Labor government’s economic agenda to build a prosperous future for all Australians. Federal Labor firmly believes in investing in higher education because higher education is the cornerstone of our nation’s social and economic prosperity. We need to see a lot more funding in that particular area to ensure our nation’s future.
As I have highlighted tonight, it is only federal Labor that is committed to providing that future. There are so many people out there, particularly in regional Australia, who desperately need to have a federal Labor government that can provide that future for their children and provide the necessary training that those kids need to be able to have a future. So many people I speak to are disillusioned and angry at the Howard government. They say that universities are not even on the radar for their kids because of the cost. It is an outrageous situation for a young person growing up in regional Australia that their families feel they cannot even access a university education at all.

Ms HOARE (Charlton) (6.09 pm)—The Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006 includes a multiple and disconnected series of amendments to the higher education legislation. Labor will support the bill. However, the shadow minister for education, training, science and research, the member for Jagajaga, Ms Macklin, moved the following amendment, which I would encourage all members to support:

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) jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases their investment;
(2) failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;
(3) massively increasing the cost of HECS, forcing students to pay up to $30,000 more for their degree;
(4) creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than $200,000, and nearly 100 full fee degrees costing more than $100,000;
(5) massively increasing the debt burden on students with total HELP debt now over $13 billion and projected to rise to $18.8 billion in 2009;
(6) failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia’s high educational reputation and fourth largest export industry; and
(7) an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia’s higher education needs”.

The Howard government has had an attack dog attitude to higher education since its election in 1996. With savage increases in university fees and HECS, the introduction of voluntary student unionism and funding cuts across the board, the Australian public knows that the further education and training of this country’s young people has not been an issue of priority for this government.

However, the government has at least in this bill of piecemeal legislative amendments included some positive news for Australia’s tertiary education system and our community. This bill seeks to address our critical skills shortage in medical and health services, a skills shortage which will only grow more acute as Australia’s population ages and our health as a nation deteriorates. This skills shortage is already biting in many hospitals and clinics throughout the country, with rural and regional areas particularly hard hit. There are hundreds of towns throughout Australia without a permanent medical service, forcing people to travel long distances or simply grin and bear their illnesses until a visiting doctor can make it to their town. This is an unacceptable state of affairs.
In the Charlton electorate there is a desperate need for more doctors and additional health professionals. Thanks to community campaigns, which I have been pleased to work with, we have seen additional doctors moving into the area and setting up practices, but for many towns and suburbs in my electorate such as Booragul, Blackalls Park and Morisset there is a continuing need for greater services. Urgent action is needed to address this and to ensure that the quality of Australia’s medical care, whether in the city or the bush, is not allowed to decline to the poor standards seen in other countries, where doctors and nurses are simply too overworked and too busy to give quality care to their patients. We therefore applaud the creation of nearly 1,900 more places in medical and nursing undergraduate and postgraduate degrees, which this bill will allow.

But while the government is taking a positive step in creating these new places, it is missing an opportunity to really show commitment to the development of Australia’s health services. If the government were to make all these places Commonwealth funded, as the Australian Medical Association has called for it to do, we would very quickly see a rise in the number of trained medical personnel available to fill the gaps in the workforce. The prohibitive cost of a medical or nursing degree means that only those with money to burn or those willing to get themselves deeply into hundreds of thousands of dollars of debt can afford to undertake these degrees. This should not be the case. If the government possessed any vision at all on this issue, it would realize that medical and nursing students are gaining skills which are essential to the future of this country, skills we literally cannot live without. Is it reasonable then to ask these young people to pay either up-front or for the rest of their lives when their skills and training will be put to use for all of our benefit? The government’s initiative in adding these new places is at best a half measure in addressing the medical skills shortage. It seems that while they want to be seen to be addressing this problem they do not want to have to pay for it. Typically, they seem to think it is better to ask Australia’s young people and their families to pay the price.

This bill also addresses the issue of FEE-HELP loans by increasing the amount that students can borrow to $80,000 for general degrees and $100,000 for medical and nursing degrees. It seems very magnanimous of the government to increase the amount of money it is prepared to lend our poor, impoverished students. But hang on a minute: why would a student need to borrow $100,000 to fund their university education anyway? Didn’t John Howard promise us that there would be no $100,000 degrees under his leadership? Why then is the government seeking to amend the legislation to make such a sum of money available?

Sadly, the answer is obvious: the government are seeking this amendment because the Prime Minister’s promise was so much hot air—and they know it. They know that there are already degrees which cost upwards of $100,000, and in some cases even upwards of $200,000. They know that degrees like medicine and nursing can now cost as much as a small house, while even non-medical degrees routinely blow out over the $100,000 mark—for example, a combined law and communications degree at the University of Melbourne now costs $104,400; at the University of Technology in Sydney, a Bachelor of Arts combined with economics can set students back $107,640; heaven forbid if you want to round out your medical degree with studies in another field, because a combined Bachelor of Medicine and arts degree at the University of Melbourne currently costs $219,100; and, at Monash Uni-
versity, a combined medicine and law degree can run to $214,600.

The government probably already know what the OECD recently reported in its Education at a glance 2006 report—namely, that Australian students now pay the second highest university fees in the world, second only to the United States. In this regard, we can see that even the proposed amendments are pretty inadequate in meeting students’ borrowing needs. But that is not really the problem here. The problem is that when the Prime Minister speaks we should be able to trust what he says. When he commits to something as important as the continuing affordability of tertiary education for all those who want and need it, this should mean something. But, like so many other promises made by this government, the promise that students would never have to pay $100,000 for their university degrees has been shown to be an entirely empty one. This is as disappointing as it is unsurprising.

We should be concerned about these prices not just because they show the Prime Minister up for the liar that he is but because they will very likely cause a decline in the number of students attending university.

The DEPUTY SPEAKER (Mr Lindsay)—Order! The member will withdraw that statement.

Ms HOARE—I withdraw it. This was the exact concern that Professor Ian Chubb, Vice-Chancellor of the Australian National University, expressed in an interview with the Australian newspaper when he said:

There will come a point when you charge too much to too many people and a number of people won’t participate ... It’s a big debt to walk out of university with.

It certainly is a big debt. If you knew as a young person that the cost of your education was going to prevent you from owning a house, buying a car or even being able to afford to have and raise children until much later in life, would you still choose to pursue it? Of course not. Young people want the same things as people everywhere—the chance to own their own home and be self-reliant and financially secure. They should not have to choose between this and their education.

The Howard government has already diminished the standard of student life and lessened the student experience with its forceful introduction of voluntary student unionism, so I suppose we should be grateful that this current bill is not another slash and burn of students’ rights. The introduction of VSU was and is detrimental to the nature of university life, to the quality of vital services students receive and therefore to the kind of graduates our universities will produce in the future. Do we want our universities to produce mindless, spiritless drones—the kind of colourless individuals who have spent their three or five years dutifully memorising and then regurgitating tracts of information without ever participating in a sporting event, joining a rally or getting involved in something outside themselves and their career track? Perhaps this is exactly what the Howard government wants: generations of people who will step quietly and uncomplainingly from university into the workforce, plough away for 50 years and then retire, never having asked for anything, made a complaint or questioned the status quo. For this is what will happen now that VSU has sucked the life out of our university campuses and made them less like places of life learning and more like training institutions designed to turn out corporate automatons en masse.

But to return to the bill before the House, Labor believes that those provisions in the bill that will further skill the number of Australian medical and health professionals represent a long-term positive step forward in addressing Australia’s critical medical skills
shortage and making more funds available to those valuable young people who are willing to hock their futures to pursue the kinds of skills and training this country desperately needs. Whilst not opposing this bill, there is much to be opposed to in the Howard government’s callous and mercenary approach to tertiary education in this country. The time will come when we need to do far more than fund extra loans and create extra fee-paying places to address the shortage of skilled and educated workers in this country, but it seems that this government simply lacks the vision to make more than these small changes. I urge all members to support the member for Jagajuga’s amendment.

Ms LIVERMORE (Capricornia) (6.21 pm)—I am pleased to have this chance to speak on the Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006 as it provides me with an opportunity to not only condemn the government for their failures in higher education but also espouse the nation-building approach to policy that we on this side of the House take in this very important area. On the Labor side, we are justifiably proud of our record on education and we are especially proud of our commitment to ensuring that all Australians have access to higher education if they so desire. It is Labor’s belief that higher education is the foundation of Australia’s social and economic prosperity. This is why my colleague the shadow minister for education recently released Labor’s policy white paper Australia’s universities: building our future in the world.

In stark contrast to the Howard government’s neglect in this area, Labor have released our proposals for much needed reform in this sector. It is our view that this government have failed Australian students and potential students. That is a great, big ‘F’ on the Howard government’s report card. The comments on that report card might read something like this: ‘While the government tries hard to impress with its commitment to education to all and sundry, the effort is often a case of too little too late. They have consistently chosen to ignore others except when it suits them, and even then it is only to bully and harass. Their refusal to properly index university grants leaves little to the imagination. All up, a very poor effort.’

Under this government, successive education ministers have tried to put their stamp on the sector in one way or another, each only managing to ensure that more and more Australian students miss out on the quality education that their parents were able to receive at a much better price. The bill currently before this House does have the support of Labor. It is a bill made up of a series of disconnected amendments to Australian higher education legislation. Some of the amendments within the bill arise from commitments made at the Council of Australian Governments. These commitments include long overdue funding for capital development, new medical places, new nursing places, new mental health nursing places and new clinical psychology places. Of course, these are very welcome announcements and ones that should have been made many years ago.

An article in the Australian on 28 September is yet another indication of this government’s policy failings in education and of its total lack of ability to plan for the future. The article discusses the 650,000 Australians who are currently languishing on waiting lists for publicly-funded dental care and says that the Australian Dental Association heavily criticised the government for failing to properly fund dental education. The article states that the ADA had:

...warned that young dentists were now unwilling to work in the public sector because they needed the higher pay offered by the private sector to cover their massive student debts.
That is very bad news for all those people in my electorate on those public dental waiting lists. This is mirrored in many other professions where graduates are being forced to go where the money is rather than stay in their local communities where their particular profession is needed the most. That means that they are deserting the regions in favour of lucrative private practices in the big cities. And who can blame them with this government’s massive increases in university fees and debt.

In that same article, the *Australian* pointed out that the ratio of dentists to population in regional areas is 33.6 per 100,000, while in the capital cities the figure is improved at 56.2 per 100,000. The figures are even worse in remote Australia, with just 22.9 dentists per 100,000 people. These failures are hurting the Australian people. In every electorate, especially regional and rural ones, there are huge numbers of constituents who cannot see a dentist or a medical specialist and in some cases they have to travel many miles from home to have a necessary procedure undertaken or to have their baby delivered. In many electorates, it is more like a Third World health service rather than a first-rate system that we as a prosperous nation should have in place.

I also point out that on top of the government’s failure to properly fund education, they have also forgotten about Indigenous Australians when it comes to higher education. The level of commencements of Indigenous students in higher education is at its lowest level in five years, having dropped by six per cent last year and by eight per cent over the past two years. This drop is being directly attributed to this government’s tightening of the eligibility requirements for Abstudy as well as the huge increase in HECS fees and the removal of student services under voluntary student unionism.

I turn now to some of the specific provisions in the bill starting with the Capital Development Pool. Schedule 1 of this bill increases funding to various sectors and groups, including the Federation of Australian Scientific and Technological Societies and the Council for the Humanities, Arts and Social Sciences. It also increases funding for the Capital Development Pool and the Commonwealth training scheme for new post-graduate research places in science and innovation. The increase in funding for the Capital Development Pool is welcome. The pool provides funding for infrastructure projects across our universities and any funding increase in this area is of course a positive step.

The bill also makes provision for the COAG commencements announced earlier this year. The additional funding for new places announced as part of the COAG health workforce package and prescribed within this bill are certainly a welcome move. This is finally a step in the right direction after 10 long years of neglect. Rural and regional Australia have been crying out for more doctors, more nurses and more mental health practitioners, and all this time the government has been doing nothing.

Specifically in this bill the new funding allocated in 2007 goes towards 1,036 new nursing places, 200 new medical places, 431 new mental health nursing places, 210 new post-graduate clinical psychology places and an increase in the Commonwealth contribution for nursing units. The new medical and mental health workforce places will increase in number over the next few years as a result of these measures. This is definitely a positive step and one which has our full support, though, as I mentioned previously, it is a case of being 10 years too late.

This bill also makes provision for increases in the limits for FEE-HELP. I am
sure we all remember this government’s pa-
paper, *Our universities: backing Australia’s fu-
ture*. This paper was the government’s ef-
f fort at higher education policy. Wasn’t it a 
beauty when it was released! As has become
the norm with this government, *Our univer-
sities: backing Australia’s future* was burst-
ing with motherhood statements designed to
appeal to anyone who took a cursory glance.
But, in fact, it was a statement of intent for
this government to further exert its influence
over the tertiary education sector and ensure
that the independence of our universities was
a thing of the past. Something else we all
remember is the Prime Minister’s assertion
that there would not be $100,000 university
degrees under this government. I guess this
is like the ‘never, ever’ GST statement or
perhaps like the Work Choices being good
for Australia statement, or of course the gov-
ernment’s pledges on lower interest rates. Of
course, we now see that almost 100 univer-
sity degrees in this country cost over
$100,000. I remember a certain Prime Minis-
ter announcing in the 2004 election that it
would be the election about who the Austra-
lian public trusted the most. Well, Prime
Minister, going from no $100,000 university
degrees, which was your promise, to 100
degrees now costing over the $100,000
mark, I think answers that question.

The provisions within this bill increase the
general FEE-HELP limit to $80,000 and to
$100,000 for students studying medicine,
dentistry or veterinary science. Obviously,
with almost 100 courses costing over
$100,000, this increase is still insufficient to
meet the needs of full fee paying students in
those courses. In recent months we have seen
the Australian Medical Association warning
potential medical students and their families
away from full fee paying degrees, as they
do not have the certainty of attaining a clini-
cal training place that HECS students have—
and because of the massive debt that they are
left with at the end. Medical students can
face a university debt the size of an average
mortgage, with many medical degrees now
costing upwards of $200,000.

Dr Mukesh Haikerwal, President of the
AMA, has reiterated Labor’s view on tertiary
education, in this case on medical degrees,
by stating:

Wealth should not be a prerequisite for getting
into medical school.

A medical school place should be earned through
achieving the necessary tertiary entry level and
having the ambition and ability to acquire highly
specialised knowledge and skills, not the ability
to pay exorbitant fees.

Just last week, the Rural Doctors Association
of Australia issued a press release titled ‘Full
fee degrees “a major barrier” to rural prac-
tice’. Similar to the dentists example I spoke
of earlier, the release stated that high fees,
attributed to full fee medical degrees, will
stop graduates from working in rural areas.
The President of the Rural Doctors Associa-
tion, Dr Ross Maxwell, stated:

Charging an enormous fee deters rural origin stu-
dents from studying medicine and deters gradu-
ates from seeking a career in the bush.

He continued:

It is absolutely essential that more HECS-funded
medical school places and scholarships are made
available in our universities, particularly for
medical students coming from rural communi-
ties—given they are much more likely to return
to the bush to practise after graduation—and also for
other medical students who are committed to
going rural after graduation.

Dr Maxwell concluded:

There is a critical need to get more home grown
doctors into rural and remote practice. Full fee
paying places are not the way to meet this need.
In this period of inflated real estate prices,
rising interest rates and high fuel prices, the
thought of graduating from university with a
debt of hundreds of thousands of dollars will
deter even the wealthiest of students. When
... whilst not declining to give the bill a second reading, the House condemns the Government for:

(1) jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases their investment;

(2) failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;

(3) massively increasing the cost of HECS, forcing students to pay up to $30,000 more for their degree;

(4) creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than $200,000, and nearly 100 full fee degrees costing more than $100,000;

(5) massively increasing the debt burden on students with total HELP debt now over $13 billion and projected to rise to $18.8 billion in 2009;

(6) failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia’s high educational reputation and fourth largest export industry; and

(7) an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia’s higher education needs”.

This government has persisted with its so-called reform agenda for universities, which has consisted purely of ideological arguments rather than sound practices. The lack of real reform has stymied universities and allowed Australian students to pay the price—and we know that they have paid that very high price, with student HECS-HELP debt levels at $13 billion and expected to reach almost $19 billion by 2009.

We have the ridiculous and quite alarming situation in which the rest of the OECD nations are increasing their investment in uni-
versities while this government sees fit to cut funding. And I must reiterate the phrase ‘investing in universities’, because that is exactly what it is. It is not the drain on funds that this government sees it as. It is clearly an investment in the future economic outlook of this nation. The OECD average has been an increase of 48 per cent of public funding on higher education. This represents a significant increase in public investment. Meanwhile, the Howard government has seen fit to cut investment in this country by seven per cent. You have to ask yourself: does the Howard government know something that our competitor nations do not? I do not think that is the case. This government is simply continuing a very short-term approach to holding on to power rather than governing for the good of the country, both now and into the future.

The funding cuts that I have just outlined have led to universities becoming reliant upon international full fee paying students—some to a dangerous level. Student-to-staff ratios have risen sharply, as have class sizes. These are not the best conditions for a quality education. After 10 long years of neglect by the Howard government, Australia is crying out for more scientists, doctors, nurses, dentists, teachers and more. Instead of tackling the problem and doing something constructive to ease the shortage, the government has increased fees, has cut funding and blatantly refuses to adequately index university grants.

I turn now to Labor’s policy, which is far from the ideological and neglectful policies of the Howard government. Labor firmly believes in the importance of our tertiary education sector. Labor believes in the nation-building and economic growth benefits of tertiary education. This is illustrated by our positive policy direction for higher education, as represented in our recently released white paper. Under our policy all Australian universities would be better off. Of course, the result of this will be that all Australian students will be better off. Labor believes in an Australia that has a world-class education and training system that provides real choice and higher quality.

Our policy would see a new national standards watchdog, the Australian Higher Education Quality Agency, established. The agency would ensure that Australian universities were producing quality graduates, underpinned by quality teaching and research. Labor would properly index university grants, ensuring that our institutions were adequately funded. We would scrap full fee degrees for Australian students at public universities, removing the two-tiered system that currently operates under this government, where students with the ability miss out to those with the bank account. Labor would seek to actively address the current skills shortage by expanding associate degrees to give more Australians access to training in these technical areas.

We would seek to assist regional universities, such as the Central Queensland University, based in my electorate, by encouraging them to play to their strengths, rather than continuing this government’s policy of homogeneous institutions. The most progressive initiative within our policy is that Labor would establish an individual compact with each university. No longer would universities be treated under the Howard government’s ‘one size fits all’ approach. Under our plan, universities would negotiate with the government, allowing them to undertake the activities that they deem most suited to their institution and local needs and opportunities. Labor will also unwrap Australia’s universities from the Howard government’s red tape and allow them to maximise their individual strengths.
I am very proud to stand here today and espouse the positive nation-building approach that is provided for within our white paper entitled *Australia’s universities: building our future in the world*. This is our approach to reinvigorating a sector that has been allowed to languish under a government that lacks any real vision for the role that higher education plays in strengthening our country and also our regional areas, such as the one that I represent.

Labor supports this bill, as it provides the much-needed funding for extra medical and mental health workforce places, as well as much-needed capital injections for our medical schools. However, we are unwilling to let this government get away with the shocking neglect of our higher education system over the past 10 years. The second reading amendment moved by the shadow minister for education, training, science and research has my full support. I commend that amendment to the House.

**Ms ANNETTE ELLIS** (Canberra) (6.40 pm)—I rise this evening to speak on the Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006. Labor supports this bill, but later in this speech I would like to outline my concerns about the Howard government’s approach to education, which is characterised, sadly, by budget cuts, fee increases and a lack of policy direction, in my opinion. Labor supports schedule 1 of this bill, which contains significant amounts of new money to fund the COAG health workforce and mental health packages, as well as increased funding for capital development at our universities and new science and innovation research training places as promised in the budget. The package includes 605 new commencing medical places, 1,036 new commencing nursing places, extra funding for nurse clinical training, 431 new mental health nursing places and 210 new clinical psychology places. Obviously, Labor welcomes these new places because they may begin to address our chronic health workforce shortage.

But why has the government neglected these workforce shortages for so long? It is a reasonable question. Sadly, the government has failed to invest in education, training, distribution and retention measures to make sure that all Australians have access to the doctors, nurses and other health care professionals they need. People living in my town of Canberra know all too well about these and other skills shortages. I note that the ACT Chamber of Commerce and Industry has been most forthright in its calls for something to be done about them. I commend the work of the ACT Chamber of Commerce and Industry in trying to draw attention to the skills shortages suffered in this community and trying to achieve an outcome. The Reserve Bank recently identified the shortage of skilled workers as ‘one of the most significant constraints in our economy that is putting pressure on inflation and upward pressure on interest rates’.

Schedule 2 of the bill increases the FEE-HELP limit to $80,000 for most students and to $100,000 for medical, dental and veterinary science students. Increasing the debt available to students has become vital under this government because there are now almost 100 full fee degrees in Australia which could cost more than $100,000. Unfortunately, this indicates that the increase in the FEE-HELP limit will not be enough to help meet the real cost of many of those degrees.

Schedule 3 allows universities to charge different students in the same unit different amounts of HECS and tuition fees. Education providers will be able to set different limits for different students in the same unit, using their own discretion, based on any factor that they deem appropriate. There is only
a limited scope for the government to determine matters that are not appropriate. I am very interested in seeing more detail on these prohibited factors, but unfortunately this is not yet available. If used in a positive way, the differential fee structures might assist students from a disadvantaged background, through targeted fee relief based on location or mode of delivery. However, Labor does not support deregulation resulting in higher general fee levels. When the new provisions are implemented we will be monitoring this very carefully.

Schedule 6 allows providers to introduce the new concept of winter schools, which would allow students to study units intensively in winter, similar to summer schools. Labor supports this initiative. Unlike the Howard government’s policy, innovative programs such as this are part of an overall and cohesive policy agenda for Labor.

Schedule 8 changes procedures relating to the accreditation and approval of higher education in external territories to give the minister greater power to determine matters in accordance with new ministerial guidelines. I would like to see more information about this measure too, and Labor will pursue it further in the Senate inquiry. We want to make sure that any approval and accreditation is consistent with national protocols that are developed jointly with the states and territories and endorsed by the Ministerial Council on Education, Employment, Training and Youth Affairs.

Another measure of this bill about which I am very pleased is the application of indexation to university grants across forward estimates. Universities have suffered because of inadequate indexation, but this needs to be rectified to ensure that we sustain and strengthen the quality of university education in Australia.

Having outlined some of the positive measures in this bill, I would like to talk about some of my concerns about the way in which this government has failed, in my opinion and in the opinion of many others, the higher education system. The government has given Australia a skills crisis that threatens our prosperity and the quality of our higher education system. Australia’s economy desperately needs scientists, engineers, doctors, nurses and teachers, among many others. But instead of acknowledging this shameful neglect, the Prime Minister is holding universities back, doubling HECS fees and refusing to fully index university grants.

The government has threatened our economic future by neglecting universities and cutting $5 billion in grants. Australia is now the only OECD nation to actually reduce public investment in tertiary education—that is, TAFEs and universities—as a percentage of GDP since 1995. That is an eight per cent decline in expenditure as a proportion of GDP compared with the OECD average of a 38 per cent increase. I repeat: we are the only OECD nation to actually reduce public investment in tertiary education as a percentage of GDP since 1995—an eight per cent decline in expenditure as a proportion of GDP compared with the OECD average of a 38 per cent increase. That is almost unbelievable, but it is true. It is a shameful situation.

When the Australian economy needs high-quality graduates to compete with the world, the Prime Minister has disgracefully made university funding conditional on the take-up of his extreme industrial relations ideology, when it should be tied to educational standards. I find this disgraceful. We have these amazing discussions going on about ideology and education. If ever there were an ideology in education, it is this: when the Prime Minister and his government make university
funding conditional on the take-up of their extreme industrial relations ideology. The take-up of funding should be conditional on educational standards, not on how universities are going to contract workers to match some government ideology. It is just outrageous.

My Labor colleagues and I have a very different approach to higher education. Labor will reform Australia’s universities to build a strong economy and a smart future for this country. A Beazley Labor government will deliver world-class universities, giving Australians the best possible education and training to compete with the rest of the world and to lead the rest of the world. This country is very good at higher education; all we need to do is invest in it. We have punched so far above our weight in the past, and we can continue to do so, but only with the appropriate investment into that educational process.

Labor’s white paper titled Australia’s universities: building our future in the world points the way forward: reform of university funding, world-class and world-scale research hubs, the expansion of associate degrees, and a new Australian higher education quality agency. Labor’s nation building reforms will result in real choice and higher quality education and training for Australians. Importantly, all Australians will benefit because Labor’s much-needed reforms will also deliver the skills our country needs to compete with—and, I believe, to lead—the rest of the world.

I would like to highlight some of the initiatives in Labor’s white paper. I realise other speakers have done this, but we need to repeat this so that people hear our message. Labor will establish a tough new standards watchdog, the Australian Higher Education Quality Agency, and give it real teeth to enhance degree standards and protect quality teaching and research. The watchdog would assess the standards of degrees and the quality of research. Extra funding will be provided through adequate indexation in return for quality improvements. There has been discussion about the quality of our degrees. The reality is that unless we improve the quality we will go backwards in the world.

Labor will introduce options to reduce the HECS burden on students and to improve income support for students while they are studying. Labor will get rid of full fee degrees for Australian undergraduate students at public universities. Associate degrees will be expanded to address the national shortage of technical skills. One of the major initiatives in Labor’s plan is to establish individual compacts within each university. Universities will be able to negotiate funding with the government for four main types of activities: education, research and research education, community service and innovative activities. This will allow universities to diversify their activities, to build on their own strengths and to maximise their ability to compete. Universities will also be able to respond to local needs.

Labor will develop major research hubs to ensure that Australia has world-class, world-scale research capabilities in key areas. I repeat: this country has proven itself in the past to be the most wonderful resource for good research, innovation and science. All we have to do is invest in it. It is in here in our community to be exploited, to be discovered and to be an advantage for all.

Labor is committed to a higher education system which meets the needs of students and employers and which also builds a stronger economy. Therefore, I support the second reading amendment moved by the member for Jagajaga. I understand that the amendment has been outlined already, but it
is important that I repeat it for the record. The amendment reads:

the House condemns the Government for:

(1) jeopardising Australia’s future prosperity by reducing public investment in tertiary education, as the rest of the world increases their investment;

(2) failing to invest in education, training, distribution and retention measures to ensure that all of Australia has enough doctors, nurses and other health care professionals to meet current and future health care needs;

(3) massively increasing the cost of HECS, forcing students to pay up to $30,000 more for their degree;

(4) creating an American style higher education system, where students pay more and more, with some full fee degrees costing more than $200,000, and nearly 100 full fee degrees costing more than $100,000;

(5) massively increasing the debt burden on students with total HELP debt now over $13 billion and projected to rise to $18.8 billion in 2009;

(6) failing to address serious concerns about standards and quality in the higher education system, putting at risk Australia’s high educational reputation and fourth largest export industry; and

(7) an inadequate and incoherent policy response to the needs of the university system to diversify, innovate and meet Australia’s higher education needs”.

It is indeed a pleasure for me to have the opportunity to speak on this bill. It is an important bill, and we support it.

This bill also gives us the opportunity to talk at length about the reality of the higher education system in this country. Many times as we stand in this place and point out what we believe to be deficiencies and disappointments in government policy, we get accused of scaremongering, accused of telling untruths and accused of all sorts of things. There are statistics attached to higher education in this country that are absolute fact and cannot be denied. If the government are going to have a debate on ideology, I think it is about time they looked at themselves first and realised that, in relation to education, the best ideology they can have is to honestly invest in the education system in this country for our future.

Mr KATTER (Kennedy) (6.54 pm)—I seek leave to make some further comments on this bill.

Leave granted.

Mr KATTER—My speech on the Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006 was, as far as I am concerned, really about thanking the people who were involved in bringing on stream the first new medical school in Australia for some 40 years. I also want to thank the Prime Minister and the member for Herbert, Peter Lindsay, for the work that they did, which was also very instrumental in securing the medical school. Finally, I want to thank Bernard Moulden, the Vice-Chancellor of James Cook University.

At the dinner celebrating the graduation of the first medical students from the first new medical school in Australia for 40 years, he went through all the people that he had to thank and then he said, ‘The quintessential moment at which we secured the school was when I spoke to the decision maker in Canberra, who said, “After reading the submission closely, it is not available to me to refuse your application.” So the person we most want to thank is the person who wrote the submission, the secretary to the committee who secured the medical school and one of the driving forces at all times: Mary Jane Katter-Streton.’ So I want to put on the record our sincere thanks to Mary Jane as well.

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (6.56 pm)—In summing up the debate on the
Higher Education Legislation Amendment (2006 Budget and Other Measures) Bill 2006

I would like to dispel some of the myths that were portrayed earlier and to set the record straight as far as some of the facts are concerned. For instance, the repayment threshold for HECS stands at $38,148. That is what a student needs to be earning before they have to pay back 1c of the government funded education that has been there to support them. The average debt of a university student is $10,500—not the $250,000 that has been cast around this room here this afternoon. Also, it is important to note that 97 per cent of all students were in a Commonwealth supported place. That shows the commitment of the Australian federal government, the Howard government, to giving young students the opportunity to try to get the highest possible level of education that they possibly can get.

I thank all of the members who spoke on this bill. I thank the members for Lingiari, Shortland, Lalor, Richmond, Capricornia, Charlton and Kennedy—whom we just heard from again briefly—for their support of this bill. The bill before the House is a clear expression of the Australian government’s strong commitment to higher education. The Australian government education sector will benefit from an increase of more than $559.6 million in funding as a result of the 2006-07 budget measures contained in this bill. These measures will help drive the diversity of the sector and address critical workforce shortages. The bill will benefit our universities by providing additional funds to support quality learning and teaching, particularly in courses that have high infrastructure needs, and by allowing greater flexibility in the setting of student contributions and tuition fees. The bill will also encourage greater participation in higher education by improving the range of study options available to all students.

This bill contains measures which will significantly boost training in vital health courses as part of the Australian government’s contribution to the health workforce and mental health packages of the Council of Australian Governments. The Australian government recognises the need to train more doctors and nurses to address the workforce shortages. To this end, the bill provides funding for 605 new commencing medical places and 1,036 new commencing nursing places. Some of the new medical places will be bonded to areas of workforce shortages, which will improve the distribution of medical graduates in rural and regional areas.

An additional 431 new mental health nursing places and 210 new clinical psychology places will be provided, which will expand the mental health workforce and help to ensure Australians have access to high-quality mental health services. The increase in the Australian government’s contribution to support clinical training for nursing students will enable higher education providers to expand and improve their clinical training arrangements and help nurses better prepare for their work in hospitals and other settings. Significantly, this bill commits an extra $91.6 million over four years for the Capital Development Pool program, which will assist universities to provide courses in areas that have high infrastructure needs.

James Cook University, the University of New England and the University of Queensland will benefit from $25.5 million in capital funding to support the delivery of new medical places. The increased FEE-HELP limits will improve student choices, help students to make choices about the courses that they would like to study and promote a more diverse higher education sector. The sector will benefit too from increased flexibility to set student contributions and tuition fees. Providers will be able to set fees and contributions to reflect the differing costs
involved in providing the same course to
different types of students, such as those at
different campuses or undertaking study via
a different method of delivery.

Two hundred and fifty new postgraduate
research scholarships will be made possible
through the commercialisation training
scheme. These new scholarships will help
students to develop skills in research com-
mercialisation and intellectual property man-
agement and ensure that the next generation
of Australian researchers are equipped with
the necessary skills to bring research based
ideas, inventions and innovations to the mar-
ketplace.

The Australian government is committed
to a more diverse higher education sector
which provides real student choices. The
2006-07 budget measures contained in this
bill will add to the $11 billion that is already
committed to the higher education sector
through the Backing Australia’s Future
higher education reforms. The success of
these reforms is already evident. Recently
the Minister for Education, Science and
Training released the 2005 higher education
statistics, which showed that university stu-
dent enrolments had reached a record high of
more than 957,000 students. This included an
increase of approximately 10,000 additional
Australian students who commenced an un-
dergraduate course in 2005.

Australia has a world-class education sys-
tem that is successful in attracting both Aus-
tralian and international students. The Aus-
tralian government has contributed to the
success with a reform process that has im-
proved the long-term sustainability of Aus-
tralia’s higher education institutions. I note
with interest the report on this bill released
today by the Senate Standing Committee on
Employment, Workplace Relations and Edu-
cation. I welcome the report’s recommenda-
tion that this bill should be passed without
amendment. Importantly I also note the
committee’s frustration with the frivolous
referral of this bill for its consideration by
the opposition.

As the report notes, higher education
stakeholders welcomed the measures in this
bill. If the opposition had listened to these
stakeholders it might not have wasted the
committee’s time.

Mr Fitzgibbon—Come on, Pat!

Mr FARMER—I am sorry if that sounds
a little bit harsh but it seems to be true in this
case because there has been a great waste of
time. In fact every one of the opposition
speakers have commended this bill to the
House and supported this bill in their open-
ing statements. The bill reflects the Austra-
lian government’s commitment to ensuring
that our universities continue to play a vital
role in Australia’s economic, cultural and
social development. I urge all members of
this House to support this bill.

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

Question agreed to.

Original question agreed to.

Bill read a second time.

The DEPUTY SPEAKER—I have re-
ceived a message from His Excellency the
Governor-General recommending in accor-
dance with section 56 of the Constitution an
appropriation for the purposes of this bill.
Third Reading

Mr Farmer (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (7.05 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

TAX LAWS AMENDMENT (2006 MEASURES NO. 4) BILL 2006

Second Reading

Debate resumed from 22 June, on motion by Mr Pearce:

That this bill be now read a second time.

Mr Fitzgibbon (Hunter) (7.06 pm)—I move:

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 notes the Government’s repeated failure to provide appropriate technical information and costings to support proposed changes to tax law”.

I understand that the member for Batman will be more than happy to second the motion.

The DEPUTY SPEAKER (Hon. DGH Adams)—Is the motion seconded?

Mr Martin Ferguson—it is my pleasure to second the motion standing in the name of the member for Hunter and to reserve my right to speak at a later time in the debate.

Mr Fitzgibbon—I thank the House, and I thank the member for Batman for his enthusiastic support for the amendment. The Tax Laws Amendment (2006 Measures No. 4) Bill 2006 is, as usual, a complex tax bill. It contains four schedules, each of which the opposition will be supporting. But, as the second reading amendment makes clear, the opposition is disappointed that this bill seems to be a continuation of a disjointed approach to tax reform. In particular, it is a bill that does not seem to be underpinned by the argument and sort of data that we as an opposition require to make considered decisions about the appropriateness of a bill. That is the reason for the second reading amendment, an amendment which will give members an opportunity to make a free-ranging contribution to the debate.

Schedule 1 of the bill deals with capital gains tax rollover in the case of marriage breakdown. Current law provides for the capital gains tax rollover from the sale of property caused by a court order or court approved maintenance agreement occurring as a result of marriage breakdown. But there exists a problem with capital gains tax treatment in the case of a binding agreement—for example, one not approved by a court but still consistent with current family law. The classic case is where a prenuptial agreement exists.

This could mean that one party to the broken marriage would be able to rent the former family home in a manner that would change the apportionment between the capital gains tax free component of the former family home and the assessable component in the event of a sale. One party could therefore potentially use the current law to influence the capital gains tax treatment of the former family home to the possible detriment of the other party. This schedule is designed to ensure that both parties’ situations are taken into account when calculating how much of the property is capital gains tax free. The law also clarifies the fact that marriage breakdown settlements do not give rise to capital gains tax liabilities. This schedule is a necessary policy change. On that basis, it enjoys the support of the opposition.

Schedule 2 deals with the consolidation rules. The consolidation regime applies when two associated companies elect to be treated
as a single entity for tax purposes. Companies can sometimes split or demerge. However, to protect against tax avoidance, current law provides that major transfers of assets just prior to the demerger are ignored. This was to ensure that the demerger was not used to manipulate the cost-setting rules that value assets of the group and reduce tax. In this case, the demerger would be unwound and the previous position would apply for tax purposes. However, if the demerged entity, or parts of it, then remerge, they would be captured by these integrity provisions and the whole transaction would be unwound for tax purposes. However, the remerger is not tax avoidance and should not be part of the integrity measures. This change modifies the integrity rules to ensure that the remerger is not caught by this provision.

The change appears to be a reasonable correction of a problem but serves to highlight the confusing nightmare that the consolidation provisions entail. This is at least the 12th time that they have been refined since the introduction of the consolidation rules. These perpetual amendments to the consolidation regime themselves need to be consolidated. I repeat a position that I have put to the House before: it would be better for a major consolidation bill to be considered by the parliament. The process of considering amendment after amendment to this complex body of tax law does not reduce complexity. Indeed, it increases compliance costs and is against the broad thrust of seeking to reduce the size and complexity of the tax act. If the Treasurer is serious about reducing the complexity of the act, he would do well to consider my proposal.

Schedule 3 of the bill deals with the simplified imputation system for New Zealand companies. Many New Zealand companies operating in Australia elect to be part of the Australian imputation system. But there are problems in allowing the imputation credits to flow to Australian companies as some dividends are non-portfolio dividends—that is, they constitute less than 10 per cent of a shareholding—or are otherwise exempt. Harmonisation of the two imputations systems is desirable and these provisions permit the franking credit to apply to non-portfolio dividends. On this basis, this measure also enjoys the support of the opposition.

However, I want to note for the House that the original measures to allow cross-Tasman imputation recognition had a cost in excess of $50 million per year. This bill corrects an unforeseen event and therefore gives effect to the original costing. This is why Treasury has not booked a cost to this measure: as it has of course already been booked. Still, the measure as written has a cost, even if one already included in a previous explanatory memorandum to a previous bill. It should have been given in the EM to this current bill. If I am wrong in that assumption, I invite the Assistant Treasurer to correct me when he provides a summary of this debate.

I now turn to schedule 4, which deals with non-resident capital gains tax. This is a complex and controversial measure with two major impacts and a total cost of some $250 million over the course of the forward estimates. The first measure involves a significant tax concession to foreign residents—mostly companies—operating in Australia by restricting the capital gains tax base to real property, which means land and income from land. Capital gains on non-resident shares are therefore now to be excluded. This, I accept, is consistent with the OECD-model tax treatment. The government argues that this approach is sought by other jurisdictions in treaty negotiations. However, the schedule also contains a major compliance measure which is likely to be targeted at the mining and minerals exploration sector. A little bit later, I want to say something about that.
The basic principle of international taxation is that the host country taxes income that relates to operations in the host country, irrespective of where the company headquarters are located. So income from Australian operations is to be taxed here. But there is a major problem with so-called interposed companies. If a foreign company has a subsidiary with operations here, it pays capital gains tax. But if the assets are held by an intermediate company then the capacity of the Australian tax office to levy the tax is suspect even if in reality the operations are Australian based. Non-portfolio dividends—that is, those constituting less than 10 per cent control—are tax exempt. Companies have the capacity to divide assets to put less than 10 per cent in a resident subsidiary, even though, say, 60 per cent may relate to its Australian operations. This is a means of evading Australian tax.

The new law states that, for non-portfolio holdings where the assets are effectively 50 per cent in Australia, our capital gains tax regime will apply. This means that the Australian Taxation Office can look through the international corporate veil and come up with a notional figure for whether or not the company is in effect really only a non-portfolio shareholder—for example, a foreign small holder of BHP shares—or in reality a major player.

The schedule has been considered by a Senate committee. The opposition requested that that inquiry be undertaken. Treasury officials have indicated that two government amendments will be made to the bill. I assume those amendments will be moved in the in-detail section of this debate. While this in itself is justification for Labor’s reference of the bill to the committee, it also reveals a dangerous trend in tax legislation in this parliament. Time and again, imperfect bills are put to both this House and the Senate. I have to ask the question: how many times has the parliament been forced to consider amendments to consolidation measures? How many times have we been forced to consider amendments to the international tax regime—for example, the international tax participation exemption bill 2004? The debacle of the Tax Laws Amendment (Loss Recoupment Rules and Other Measures) Bill 2005 is still unresolved. Labor’s amendments were rejected in the morning, but the bill was made subject to review by that afternoon. The result of the review is now eight months overdue.

The legislative error rate is becoming appallingly high in taxation matters. I know this is a concern not only to the opposition but also to business and industry peak bodies. I have a table of some of the errors that the opposition has had to highlight from time to time in this place. I will seek the opportunity to table that document later in my remarks. This will give the parliamentary secretary some time to consider that request.

With respect to this schedule, Labor senators did make some additional remarks—as did Senator Murray, I should note. I would like in turn to endorse the broad sentiment of Senator Murray’s remarks in his additional comments as that is something he often so generously does for me in the other place. This schedule involves a major reduction in the capital gains tax base for nonresidents. In evaluating this measure, there is, of course, an initial consideration of cost. The explanatory memorandum posits a cost of around $65 million per annum. This in itself is significant, but Labor senators noted that this cost could be expected to increase substantially as a result of either proposed government amendments or prospective mergers, especially the hostile takeover bid of which Coles is currently the subject. Such costs have to be weighed judiciously against the suggested economic benefits of increasing
the attractiveness of Australia as a source of international capital.

It is regrettable that this judgement was not assisted by adequate argument or modelling from the government or Treasury in the committee hearing. Decisions of this nature by the parliament require the highest levels of analysis this country can afford. In this case, the government has not put its argument with sufficient economic rigour. This may be the fault of the political process or perhaps of the officials. Whatever is the case, it must be corrected and opposition senators call upon the government to devote more resources to making its argument before these bills are put to the parliament. The opposition cannot be expected to properly consider these bills if it is not provided with justification to support the bills.

Why doesn’t the government make this analysis available to the parliament? Is this just another extension of the arrogance of a government that has been in power for 10 years and controls both houses of parliament? If that is the case, I suggest that the government needs to have another look at its approach and be more cooperative in consulting with the opposition, the Senate and, indeed, the House on these tax measures.

Schedule 4 of the bill seeks to align Australian international tax arrangements with the model OECD treatment in relation to taxation of capital gains for nonresidents. The opposition supports the policy intent in principle, but it is concerned that the reduction in the capital gains tax base for nonresidents is very significant. An additional major concern of the opposition relates to whether this bill will actually disadvantage resident capital gains tax taxpayers compared to non-resident capital gains tax taxpayers.

With this in mind, the opposition forwarded to the Senate Standing Committee on Economics a number of questions for officials well in advance of the hearing. These questions were primarily associated with whether these measures would lead to a disadvantage for Australian firms relative to foreign firms and also whether any takeover—for example, of Coles—would lead to significant cost blowouts. Opposition senators were not granted answers to these questions at the hearing. This is not acceptable to us. We see this as a significant breach of the process. Moreover, I have been informed that the questions were dealt with in a dismissive fashion at the hearing. This is deeply disturbing. Further, officials had to be pressed to take questions on notice. Just to add salt to the wound, there was a failure to answer these questions in time for consideration of the Senate report. The questions were eventually answered, but not in time for consideration in the final report.

I now call for an explanation for this unacceptable conduct. This conduct is unacceptable to all opposition parties in the Senate. We do, I think, need to remind the House that it is important that the resources of government are properly used to properly inform opposition parties. That is the best way of ensuring the most efficient legislative outcomes in this place, regardless of whether the government feels it has total control and capacity to move these bills through the parliament notwithstanding the views of opposition parties.

I have noted the joint submission of the Minerals Council of Australia, the Australian Petroleum Production and Exploration Association and the Corporate Tax Association, and, indeed, the comments of the Institute of Chartered Accountants in Australia at the hearing. The joint submission argued that taxable CGT gains or losses on Australian real property need to be more precisely focused by specifying that only a proportion of the gain on the sale of interests in a resident or non-resident entity that is land-rich should
be subject to CGT equal to the Australian land-rich proportion. This amendment is worthy of further consideration and the opposition is concerned that it was not properly considered within the context of the Senate report. Again, the reason was that the information the opposition sought was not provided on that occasion. I now seek leave to present the table I made reference to, which highlights the major legislative errors we have had to deal with in this House over the course of the last two years.

Leave granted.

Mr FITZGIBBON—I do not propose to speak at length on this bill, but I need to report to the House that Labor had considered moving amendments to this bill which went to the James Hardie issue. It is well known in this place and indeed outside this parliament that the compensation due to victims of James Hardie is not yet set in concrete. There is no assurance yet that the compensation fund will carry forward and therefore there is no guarantee that victims and their families will get the compensation that they are due and entitled to, because of a dispute between the government and the tax office. The dispute was not about the tax deductible status of James Hardie payments into the fund—that was, of course, dealt with in this place by way of amendments to the black hole expenditure provisions—but about the tax treatment of both the income from James Hardie into the fund and, of course, any earnings the fund makes along the way before the final disbursement of all those funds.

Labor has been very disappointed at the Treasurer’s insistence that the fund not be given better tax treatment, notwithstanding the fact that the company has already been given favourable tax treatment. We foreshadowed our determination to further that case by moving amendments to this bill that would have extended, if you like, charitable status to the fund, which would have given the fund the tax status it requires to be sustainable and therefore deliver adequate compensation to victims and their families.

The opposition has now decided not to move those amendments. It has decided not to move those amendments for all the right reasons. My advice is that hopefully the tax office and James Hardie are inching very close to a resolution of the stand-off, and that would be very good news for us all, in particular for the victims and their families. The opposition has no desire to unnecessarily make a political case of this. We will hold our fire on any such amendments to the tax law and will collectively hope and pray that the agreement between the tax office and James Hardie can be reached to ensure that those compensation payments are forthcoming. Of course, if the negotiations fall over, then the opposition will be back in here very quickly at the first opportunity and will move the amendments that are required to provide appropriate tax status for the fund to ensure that those people receive the money that is due to them. So, in the spirit of cooperation, I will not move those amendments this evening.

I trust that the tax office will now use all the resources available to it and interpret the tax laws in an appropriate fashion to ensure that it does all it can to reach an adequate agreement with the James Hardie company or the managers of the fund. Again, if, for whatever reason—whether it is the fault of the tax office or any party to the discussions—that final agreement is not able to be reached, we will be back in here very quickly seeking to move the amendments that are required to ensure, in law, that the fund receives the tax treatment that is necessary to make it sustainable.

The opposition like to think that the pressure we put on throughout the course of this
campaign is causing the tax office to inch closer to an agreement within the confines of the law with which it is operating, but we acknowledge and recognise that it can only operate with the laws that the parliament has made available to it and that it must do so fiercely independently of the government or any other political pressures. I wish the tax office well in those endeavours. If it is not able to do the job under current law, the opposition will be back in here changing the law to provide it with the opportunity to do so.

The DEPUTY SPEAKER (Hon. DGH Adams)—The original question was that the bill be now read a second time. To this the honourable member for Hunter 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.

Mr CADMAN (Mitchell) (7.27 pm)—This is an omnibus bill. There are four measures in it—some of them are quite complex, some of them are not significant, but, taken as a whole, they are nevertheless important measures. Most notable is the one relating to the distribution of liability for capital gains tax on marriage breakdown. I do not think that the measures will cost a lot, but they seem to be a lot more sensible than the current arrangement. With respect to the current arrangement, the CCH Australian tax master guide 2006 notes:

A compulsory same-asset roll-over happens if a CGT—
that is, capital gains tax—
event involves an individual (the transferor) disposing of an asset to, or creating an asset in, his/her spouse or former spouse (the transferee) because of: (a) a court order under the Family Law Act 1975 or a corresponding foreign law; (b) a court-approved maintenance agreement or a similar agreement under a foreign law; or (c) a court order under the State Territory or for a law relating to an de facto marriage breakdowns ...

The complexity of what courts may order is often in conflict with tax law. These changes will allow the marriage breakdown rollover provisions to apply to situations where the transfer of assets is the result of an out-of-court settlement rather than court orders. The out-of-court settlements contemplated in this measure are arbitral awards and certain written or financial binding agreements. Parliament may note that the measure will make no changes to availability of the rollover relief. Only couples under the Australian Marriage Act or de facto relationships will benefit from this expansion.

Schedule 2 deals with consolidation measures. Under schedule 3, there will be a simplified imputation system relating to New Zealand resident companies. The final schedule relates to capital gains tax and foreign residents. I have to say I find the final measure somewhat perplexing. The comment made on that in the Bills Digest is:

Foreign investors holding shares in Australian companies and interests in certain trusts will gain significant benefits from this measure because these interests are excluded from CGT for foreign residents under the proposed regime. It has been noted that the measure is likely to be successful, providing a good stimulus for merger and acquisitions.

I do not know whether that is an economic goal, a political goal or a tax goal, but the Bills Digest comment lists some of the likely results as being:

- Increased activity by non-residents in Australian unlisted companies and unit trusts, and in interests of 10% or more in Australian listed companies, where the underlying assets do not comprise predominantly Australian real property

- [that] Australia will become a more desirable holding company location
[that] non-residents will be more likely to structure the carrying on of a business in Australia via an Australian subsidiary entity rather than an Australian branch, and

- An increase in Australian investment by non-residents.

Well, we will see whether or not those things happen.

Speaking on this tax bill, I particularly want to draw the attention of the House tonight to the very good documentation that has been provided by the Australian Chamber of Commerce and Industry in their 2005 publication *The Policies of the Australian Chamber of Commerce and Industry*, setting out their policies for commerce and industry for the coming 10 years. In the section on taxation, it says that the Australian Chamber of Commerce and Industry is ‘calling for fundamental reform of Australia’s taxation system’ consistent with a number of objectives. I intend to list the objectives for the House, because I think they are significant. The tax system should be equitable; it should contain economic efficiency; it should be adequate to cover the needs of the nation; it should be simple; and it should be transparent so that taxpayers can understand how and when they are paying taxes. It should limit the costs of compliance—they should be minimised; and it should limit evasion and avoidance. They also say there needs to be consistency in the policy, and flexibility in the system so it can respond to economy and social developments, such as demographic changes. The objective under ‘public perception’ is that ‘there should be the widest possible public support for the tax system’. Now, that may seem an impossible objective in the Australian environment, because not too many Aussies are all that rapt about a tax system of any sort, but I think the goal is admirable—a comparatively painless, transparent, open and fair system. Australians realise there need to be provisions for those in need and for Australia’s defence.

The Australian Chamber of Commerce and Industry also says in that publication that, over the past 10 years—in its opinion—there has been a marked improvement in equity, sustainability and efficiency but that there is still a lot more room available for further improvement. In the opinion of the members of the Chamber of Commerce and Industry, comprising employers from a vast array of industries, small and large, right across the nation—and we must not forget that employers are the people who seek to ensure that Australia pays its way in that world—further reform needs to be made for the following reasons:

- improving the efficiency and international competitiveness of the Australian economy;
- continuing Australia’s strong growth and productivity results;
- ensuring Australia can meet long term challenges, particularly demographic changes—with an ageing population—
- promoting innovation, risk taking …
- encouraging investment in … capital … education and training—
  in all fields—
- encouraging skilled migration and the retention of skilled people …
- reducing tax avoidance and evasion.

Given all those nice-sounding words and the proposals and objectives that have been set out—and I think few would disagree with them, no matter what their background—it is interesting to see what the ACCI members say they think are the main problems: first of all, tax compliance costs; next, personal income tax levels; the mess of state government taxation systems and the need to reform those; the limitation placed on Australia by capital gains tax and the discouragement to investment that that imposes; and retirement
incomes tax issues. Those are the five areas that members of the Australian Chamber of Commerce and Industry regard as being of most significance to the future of Australia, and I think they are right. I would have to say that, from the experience that I have had in my electorate and from general observations, these are the areas where, with a bit of effort, we can continue to make a fair difference and a fair change.

The chamber members go further and make a number of recommendations in their policies publication as to how we might achieve these. They cover areas such as improving the process for complying with the tax requirements; instead of a complex, protracted system, there should be something that is simpler and fairer. They go into details about the changes they would like to see made in personal income tax. They also comment strongly about the changes that need to be made to reform states’ taxation systems, going into detail of bank account debits tax and stamp duties—stamp duties on leases, mortgages, bonds, debentures, marketable securities, non-residential conveyances, credit arrangements, instalment purchase arrangements, rental arrangements, cheques, bills of exchange and promissory notes. Everything under the sun has some type of stamp duty on it in the states of Australia, and that needs to be fixed; there need to be changes.

As for the capital gains tax, this government has made substantial changes to the capital gains tax and retention of capital and they have been very useful changes. The Australian Chamber of Commerce and Industry says that the changes need to go further. Few would argue with that, but I would point out that this government has made very substantial changes in those areas.

I would like to return to the No. 1 priority that the members of this business organisation have set out: the tax compliance issues and improving the process of accounting for and paying tax. Some of the recommendations are pretty sensible. They suggest that the Inspector-General of Taxation should undertake a survey of the time and money that business actually spends in complying with the tax act. That is a very good place to start, because time wasted on taxation is nonproductive time. It might be productive for the commissioner; it is certainly not productive for Australian business, Australian families and Australian employees. They recommend that the inspector-general, in conjunction with the Australian tax office, should introduce a range of initiatives to assist businesses to identify, understand and implement new and existing taxation requirements so that where changes are made they do not become a hassle.

The trouble that was gone through with the introduction of the goods and services tax to make it better and easier for business was quite amazing. To go out into the business community with members of the Australian tax office and talk to the community about how it was going to work and explaining it to them was a great way to go. It was a terrific time of good relationship between the tax office and Australian businesses. That process ought to be repeated. It would be more successful than the process that is happening at the moment when new measures are introduced. The proposal is that the tax admini-
stration impact statement, which the inspector-general should include with all of his assessments, would estimate the compliance costs based on detailed proposals for implementation and administration. The statement would be attached to each new tax proposal. There should be a regular review of those estimates. These are sensible things that could and should be done.

It is not my intention to go right through the whole policy booklet of the Australian Chamber of Commerce and Industry but, Madam Deputy Speaker Bishop, I will leave this last thought with you. I know that this is an area that you understand very well and are very familiar with. We need to make a start on these issues. The government has done a lot on the goals set out by the chamber as far as retirement—where there are substantial changes in the budget—and superannuation go, and the government has made substantial changes to personal income tax. But there are still lingering issues that need to be dealt with and we need to tackle them as soon as possible. We cannot go on as we have been by letting things drift and hoping that the increasing complexity will somehow or other sort itself out and choke itself to death. That has happened recently when we wrote many pages out of the tax act. That is a start only and we need to go further.

Mr HAYES (Werriwa) (7.41 pm)—I rise to support the second reading amendment moved by the member for Hunter, Mr Fitzgibbon. Generally, Labor is supportive of the provisions of the Tax Laws Amendment (2006 Measures No. 4) Bill 2006. We support the provisions of schedules 1, 2 and 3 of the bill, but I have to say that I do have concerns, which I will raise, with respect to schedule 4. That is something that I will return to later, but I would like to make some comments now about the other schedules.

Schedule 1 deals with the capital gains tax rollovers in the event of the sale of a property caused by a court order resulting from the breakdown of a marriage. This schedule is a necessary policy change that reflects the financial elements of marriage breakdown. The tax amendment in schedule 1 has been introduced so that the situation for both parties is taken into account when calculating how much of the property is capital gains tax free when a marriage is dissolved. The amendment clarifies the fact that marriage breakdown settlements do not give rise to capital gains tax liabilities.

Schedule 2 is aimed at addressing the possibility that a remerger of demerged companies does not trigger anti-avoidance provisions. The consolidation regime applies when two associated companies elect to be treated as a single entity for tax purposes. Companies can sometimes split or demerge. However, to protect against tax avoidance current law provides that major transfers of assets just prior to the demerger are ignored. This was to ensure that the demerger was not used to manipulate the cost-setting rules that value assets of the group and reduce tax. In this case the demerger would be unwound and the previous position apply for tax purposes. However, if the demerged entity, or parts of it, then remerge they would be captured by this integrity provision and the whole transaction would be unwound for tax purposes. However, the remerger is not tax avoidance and should not be part of the integrity measures.

The changes before the House modify the integrity rules to ensure that the remerger cannot be caught by this provision. While very few taxpayers are covered by these provisions, it is interesting to note that this is the 12th time that these measures have had to be redefined since their initial introduction. The government have tinkered with these laws over and over again and, hopefully, they
have got them right this time so that the confusion in this process may be lessened or removed.

Tinkering has become the hallmark of this government when it comes to tax. It has tinkered with many tax laws over its decade in office. For a government that prides itself on reducing the levels of government intervention in the economy, it vigorously defends its position as the highest taxing government in Australia’s history. It is a government that has always talked about tax reform but has, quite frankly, all but managed to do nothing about it, particularly when it comes to introducing new measures. It sets about reforming taxes and does it by introducing new ones.

This government has set about reforming the Australian tax system and lowering the burden on Australian families by increasing the number of taxes and the amount of taxes that are collected. A cursory examination of its record on tax bears this out: this government have introduced and increased, as I understand it, 187 new taxes and charges over the 10 years it has been in office. From these 187 new taxes or charges, it has raised an extra $18.6 billion.

Before the members opposite try to tell us that this is GST revenue, the $18.6 billion figure that I quoted does not include the GST. As I am sure members opposite would be aware, the GST costs taxpayers about $40 billion a year, not $18.6 billion over the 10 years. This is a staggering result. When you do the maths, you work out that the Treasurer’s 10-year tax grab has raised almost $930 for every man, woman and child in this country. What is worse is: who is paying the tax?

The tax system presided over by this government is slugging low- and middle-income earners. Effective marginal tax rates have crippled household budgets of Australian families. While it is bad enough that they have to deal with the broken interest rates promise of this government, the effective marginal tax rates faced by single-income families on the average wage has increased to more than 50c in the dollar under this government. It has risen to a level where many families on the average wage are paying a higher effective marginal tax rate than a single person earning in the vicinity of $150,000 per year.

It is patently obvious that this government is the best friend that high-income earners have ever had and the worst enemy of middle Australia. There is no doubt that the time has come for a reform of Australia’s personal tax system. When you have a result where those who are on vastly lower incomes are facing higher effective marginal tax rates than higher income earners, you know there is something patently wrong with the tax system. The government’s approach of tinkering at the margins to satisfy various groups of voters—in marginal seats, presumably—coupled with the extension of welfare to middle- and high-income earners is starting to cause the problem that most people expected would emerge at some point in time. Low- and middle-income earners have missed out and will continue to miss out on tax relief under this government.

The government has set up new welfare payments and other rebates and refunds but it avoids giving real tax relief to middle-income earners. For its entire decade in office, this government has treated tax and social security payments as two separate things, either choosing to ignore or failing to realise the fact that they often come together, particularly when they meet in the average Australian household. They come together with many low- and middle-income earners and with devastating effect, causing high effective marginal tax rates. They come to-
together to produce the worst possible incentive for increasing workforce participation.

Many of my constituents tell me that they wonder why they continue to work when they are often worse off financially by the end of the week. Even if you rely on grandparents, once you take out childcare costs, uniforms, transport costs and other necessities of the workplace, many families are right when they tell me that at the end of the week they are worse off than if they were not in work at all. It is a staggering position to have developed, particularly when it impacts on low- to middle-income earners; I do not think that it would be all that novel a position to them. I dare say, many members if they chose to go out and about in their electorates would probably find that it is a common theme amongst low- to middle-income earners across the country. Therefore it is about time that this mess was cleaned up. For far too long the situation has been allowed to persist to the detriment of low- and middle-income families in this country.

Under this government, if you are at the bottom of the income scale, you face the highest effective marginal tax rates and the lowest real chance of taking advantage of the loopholes that have been allowed to develop. When faced with such a system, it is little wonder that there are problems with workforce participation. How can anyone seriously expect low-income families to try and get themselves up the ladder when they are faced with oppressive effective marginal tax rates and a system in which they will, quite frankly, keep little additional income as a result of their earnings? The time has come for a serious look at personal income tax. It is about time this government got serious, as opposed to tinkering at the edges, and undertook some targeted reform within the tax system, particularly in terms of the system of transfer payments. Of itself, reform of the transfer payments system will not achieve the same reduction in disincentives and potential for increased participation in the workforce that reforms in the tax would, but it would nevertheless assist.

I now turn to the provisions of schedule 4 of the bill, which relate to non-resident capital gains tax. This schedule represents a major reduction in the capital gains tax base for non-residents and is expected to cost, I think, in the order of $65 million per year. Schedule 4 is both controversial and expensive. It is noted that the cost of these proposals needs to be considered in light of Australia’s relative attractiveness as a source of international capital. The measures involve a significant tax concession for foreign residents operating in Australia, mostly companies, by restricting the capital gains tax base to real property—that is, land and income derived from land. Capital gains on non-resident shares are therefore, as I understand it, now to be excluded. It is noted that the government has argued that this treatment is consistent with other OECD nations and certainly compliant with the OECD tax model treatment. The government has also argued that this approach is sought by other jurisdictions in tax treaty negotiations.

That said, there is certainly potential for the cost of this charge to grow significantly through time and there is concern that should also be expressed about some of the problems that may arise as a result of these changes. It is recognised that the basic principle of international taxation is that the host country taxes income that relates to operation in the host country, irrespective of where the company’s headquarters are located. Accordingly, income from operations conducted in Australia is taxed here. If a foreign company has a subsidiary with operations here, it pays capital gains tax. However, if the assets are held by an intermediary company then the claim by Australia to obtain the tax is, quite frankly, suspect—even if in reality the
operator’s real operations are in fact conducted in Australia.

The Senate economics committee examined the provisions of this bill and its findings were handed down on 5 October. It would come as no surprise to anyone that the government senators arrived at the following conclusion:

The committee considers that the bill adequately addresses anomalies in Australia’s international taxation system as it relates to the treatment of capital gains tax and non-residents. The committee is convinced that the amendments to the taxation system will reap important benefits to the Australian economy and to the people of Australia.

Naturally, following such a glowing report, the committee recommended that the Senate pass the bill. One element that concerns me is the fact that the Labor senators in their additional remarks indicated that they had not received the analysis that they considered necessary to examine this bill thoroughly. As the Labor senators noted:

Decisions of this nature by the Parliament require the highest levels of analysis this country can afford. In this case, the Government has not put its argument with sufficient economic rigour.

The Labor senators went on to note:

Treasury officials have indicated that two amendments will be made to the Bill. This is a disturbing trend—amendments upon amendments. That is what we have seen from this government on many occasions and this is just another example of that. Imperfect legislation presented for consideration and passage through this parliament is becoming the hallmark of the Howard government.

The government is getting sloppy when it comes to a number of tax bills. It gets the ones right that it introduces that either raise or introduce a new tax or charge, but it seems to struggle with the amendments to existing laws. I do not know if this is a result of a government that is trying to tread a fine line and not impact on any of its friends or, if that is not the case, that it is simply a lack of information being provided to senators or members on that side of the House who are considering the bill. However, the work and the analysis that should underlie any proposal coming to this parliament are not being done appropriately and accurately to justify the proper consideration of the matters at hand.

It is for this reason that the member for Hunter has moved his second reading amendment. It is in the interests of making sure that the right information and the right analysis is available to decision makers. While this might not be a bill that is foremost in the public mind and which the public would consider to be of particular significance, this bill will affect many people. It is yet another example of a government which is arrogant in its approach and sloppy when it comes to public policy and presenting detail in legislation for consideration by this parliament. It controls both the House of Representatives and the Senate now, and it exercises unprecedented arrogance, particularly in the way its members operate in considering matters which will impact across wide sections of the community.

The tax system, the level of taxation and the relative contribution of individual taxpayers will always be a source of debate, and there will be differing opinions. While there are taxpayers, there will be a debate about the level of tax and, quite frankly, this parliament should not shy away from it. However, this is a debate that must be based on good information and good analysis. Good information and good analysis does not seem to have been available when this bill was considered by the Senate and are certainly not contained in the bill or the supporting material that has been presented to this
House. I hope that this is an aberration, but I have to say, as I made the point earlier—

(Time expired)

Dr Emerson (Rankin) (8.02 pm)—It is another parliamentary sitting week and we have another tax laws amendment bill, the Tax Laws Amendment (2006 Measures No. 4) Bill 2006. Madam Deputy Speaker Bishop, I know that in your capacity as a member of one of the parliamentary committees you get frustrated at the complexity of the income tax system and its administration. While I do not share every view with you on that matter, I do share a concern about the ever-increasing complexity of the income tax system, as witnessed by yet another amendment bill and, further, an amendment to the amendment bill which is now before us. This further amendment bill, incidentally, adds to the total cost of the proposed changes to the capital gains tax regime a further $55 million over four years, a very substantial amount of money, about which we cannot have a proper debate because this amendment to the amendment bill is a very recent development.

As to the original amendment bill, I want to concentrate my comments on schedule 4, which relates to the treatment of capital gains tax for nonresidents. The proposal before the parliament is to restrict the capital gains tax base to real property, which means land and income from land, and to exempt from capital gains tax nonresidents’ shares. This will poke a very substantial hole in the income tax base—more than $250 million. If we add the exercise of the amendment to the amendment bill, we have well over $300 million in revenue losses. The Senate has had the opportunity to have a very brief look at these proposals, and the Labor senators continue to express their concerns about the rationale behind them and the lack of any genuine economic modelling to give a better understanding of the full implications of these measures. That is also a concern of mine.

It is worth recalling why we have a capital gains tax in the first place. There was no capital gains tax prior to 19 September 1985. The Hawke government, having been re-elected after the 1984 election, had undertaken to hold a tax summit. The purpose of that summit was to seek to build a consensus around a number of controversial issues, one of which was repairing the income tax base by the introduction of a capital gains tax, a fringe benefits tax and a number of other smaller measures. The other was the issue of a broadly based consumption tax, which was hotly debated at the time and rejected. The repairing of the income tax base was accepted by the government after listening to the arguments of all and sundry. The reason that the government considered it important to implement a capital gains tax was that there was a rampant practice of converting income into capital gains and thereby avoiding tax. That allowed those with the capacity to make that conversion to avoid tax, whereas ordinary wage and salary earners who did not have such opportunities could not avail themselves of that capacity to minimise their tax.

As a consequence, Australia had a very unfair tax system. Not only was it unfair but it was very distorting of economic behaviour because so much investment was going into activities that enabled the conversion of income into capital gains, thereby minimising tax. So capital gains tax was introduced, effective from 19 September 1985, and along with it a fringe benefits tax with a similar rationale—that is, that particularly better-off people were converting their income into fringe benefits, whether it was private school fees, golf course subscriptions or expensive motor vehicles. All manner of fringe benefits were being taken. The declared income was greatly reduced and therefore income tax
was also greatly reduced. So that second
great hole in the income tax space was
plugged through the fringe benefits tax.

The main purpose of doing that was to
fund cuts in income tax rates. The great irony
is that the coalition parades itself as the party
of individual liberty, freedom, incentive and
reward for effort, but in fact the incoming
Labor government inherited a top personal
income tax rate of 60c in the dollar. I thought
that was a very high rate—and, Madam
Deputy Speaker Bishop, I suspect that in
your private moments you might agree with
that—until I looked more closely at the his-
tory of the Fraser government and found that
60c was not the highest personal income tax
rate through the period of the Fraser gov-
ernment. Indeed, it was more than 62 per
cent. Admittedly, the income level at which
that high rate cut in was many multiples of
the income level at which the pre-existing
top rate—until the most recent changes were
made—had cut in, but it was a very high
rate. The proceeds from the capital gains tax
and the fringe benefits tax and the greater
integrity of the income tax system were used
to cut that rate and also the second highest
rate.

Why do I dwell on that? The answer is
that genuine tax reform must always involve
repairing the income tax base in order to
fund reductions in high effective tax rates.
What this government has done is to use the
proceeds of two large windfalls, from its
point of view—namely, a productivity bonus
and a resources boom—not to cut income tax
rates but to lift the thresholds at which those
rates come in. The cute trick with that is that
it then allows bracket creep to recommence
its insidious work so that before too long
people at a particular level of income are
confronted again with moving to a higher
threshold and therefore to a higher income
tax bracket, paying a higher income tax rate.

Then the government say, ‘We will pro-
vide income tax cuts,’ again, not by way of
cutting the rates but by lifting the thresholds
and making heroes of themselves in the
community. That is not the way to go. The
way to go is to repair the base to cut the
rates. But the government have not done that.
They have enjoyed a windfall estimated by
the ANZ Bank to be more than $260 bil-
ion—not $260 million but $260 thousand
million.

Mr Murphy—Billion?

Dr Emerson—It is $260 billion,
Member for Lowe—a lot of moolah. Instead
of using at least part of that windfall to buy
genuine tax reform, it has spent a lot of it on
the buying of increases in income tax thresh-
olds while leaving the rates substantially un-
altered.

What has happened under this govern-
ment? The 17c rate has been cut to 15c, the
42c rate has been cut to 40c and the 47c rate
has been cut to 45c. For $263 billion you
would think that the government could have
done better than that. But it is not, in truth, a
government of liberty, freedom and reward
for effort. It is a government that is unambi-
guously the highest taxing government in
Australia’s history. It seeks, through manipu-
lating the books, to avoid that very unwanted
tag, but it cannot get away with it. I will ex-
plain just briefly a couple of the bookkeeping
entries that have allowed the government to
pretend in the budget statements that it is not
the highest taxing government in Australia’s
history, whereas in fact it is.

We all remember the introduction of the
GST in 2000. The GST replaced the whole-
sale sales tax. We well remember the Treas-
urer talking about this tax system that resem-
bled the tax systems of Botswana and Swazi-
land—the old wholesale sales tax. The
Treasuruer booked to account the abolition of
the wholesale sales tax, giving the appear-
ance of a very substantial reduction in tax as a share of gross domestic product, but did not add to the accounts the much bigger tax that took its place: the orphan tax, the GST. The wholesale sales tax was collecting of the order of $14 billion and was replaced with a tax that then collected $24 billion and is now collecting $39 billion.

The abolition of the old tax was regarded as a tax reduction but the much bigger new tax that was introduced did not exist in the books. Why? Because the Treasurer decreed that it was not his tax at all. It was the orphan tax. He said it was the states’ tax. He asserted: ‘We don’t collect the GST. It’s the states’ tax.’ I was here in the parliament, as were the member for Lowe and the member for Moreton, and we debated the legislation day in and day out. In fact, I brought the legislation into the parliament—a very substantial document indeed. Now I understand from the Treasurer that this is a tax that did not pass through this parliament; it is not a Commonwealth tax. Who believes it is? The Auditor-General has ruled that it is a Commonwealth tax. The Australian Statistician has ruled that it is a Commonwealth tax. Every Australian who is not a member of this parliament knows that it is a Commonwealth tax, but the Treasurer and his party maintain the pretence that it is not. So, No. 1, that was the big bookkeeping trick that allowed him to claim that taxes went down as a share of GDP, whereas in fact they went up.

The second trick is that that tax, the GST, was used in part to fund the abolition of untied grants to the states. Again, $18 billion of untied grants to the states were abolished in the year 2000 and the Treasurer then said, in relation to those untied grants to the states, ‘Here’s a big savings on my outlays.’ So he is booking a big saving on his outlays, to pretend that this is not a big spending government, but not admitting in his accounts that the GST exists at all. If you do either of those things—add back in the payments that were abolished or count the GST—you get a very big taxing, big spending government, and that is the truth. The truth is that this government, by any honest measure, is the highest taxing government in Australia’s history.

We come to the situation where the government has squandered a wonderful opportunity. The windfall in revenue that has come the government’s way is a product of the economic reform program embarked upon by the Hawke and Keating Labor governments. That economic reform program produced a decade of record-breaking productivity growth.

Mr Hardgrave interjecting—

Dr EMERSON—The member for Moreton chuckles at this very notion. If, in fact, it were a result of the good work and the economic reforms of the coalition government, I ask the member for Moreton and all those who are listening to this broadcast tonight: why did productivity growth stop in 2004 and slip into reverse gear, and why has it failed to recover? If I remember correctly, the productivity surge began under the previous Labor government and, as a result of Labor’s reforms, carried through to 2004. But the lack of any investment or economic reform program on the part of this government has meant that productivity growth slipped into reverse gear in 2004 and has failed to recover. Talk about opportunities squandered. This government has squandered a great opportunity to continue the productivity surge that lasted a decade as a result of the economic reform program of the previous Labor government.

The government then had a wonderful second chance, and it is called the resources boom. The great second chance has meant that the Treasury coffers are overflowing. Every year, Treasury has underestimated the
extent of the windfall, but it is $263 billion, with a series of large surpluses forecast right out to 2010. What is the government using this windfall for? Where is the investment program? The answer is: regional rorts programs. The government is using this money to invest in its future—that is, its electoral success—while squandering any opportunity to invest in Australia’s future. This period will go down in history as an era of unprecedented squandered opportunity.

And here we are debating tonight the creation of another hole in the capital gains tax system, because the money is there—because $300 million to the Treasury is small change. What could we do with $300 million? We could invest in education. We could have invested in the greatest investment of all—in the talents of our young people. But instead, the government has been miserable in terms of its attitude to investing in education. The previous education minister spent two years arguing about voluntary student unionism. The previous education minister refused to come to an agreement with the states on training, and he abolished the Australian National Training Authority. And we wonder why there is a skills shortage. He was not interested in dealing with the skills shortage; all he wanted to do was to prove his credentials with the Prime Minister, live down the fact that he used to be a member of the Australian Labor Party and show that he was a true-blue Liberal, and he did nothing on education. What a squandered opportunity.

Now we have a new education minister—who also seems more interested in picking fights than in sitting down with the states and working out an agenda for reform and extra investment in education. I will give the Prime Minister credit for the fact that he has agreed to put education on the agenda for the Council of Australian Governments. Let the premiers and the Prime Minister sit down and work out what they could do with some of the tens and hundreds of billions of dollars that are gushing into the Treasury coffers—and do it in a cooperative manner instead of picking fights with the states and catching young people in the crossfire.

We could be doing so much more in this country, but instead we are poking holes in the income tax base all the time. Why? For favoured constituencies. Why? Because we cannot get enough very highly paid foreign company executives. What is wrong with our company executives? Why do we have to keep giving tax breaks to foreign company executives? Why is that the priority? Why are young people not the priority? Why are young Australians not the priority in this country? Because we have to suck up to foreign company executives who are getting a pretty good deal anyway. And if the company fails they get an even bigger deal. Madam Deputy Speaker, you might guess that I have some real questions about the value of this measure.

Mr KATTER (Kennedy) (8.22 pm)—In speaking this evening on the Tax Laws Amendment (2006 Measures No. 4) Bill 2006, I give notice that, all going well, I will be moving an amendment to remove the sections of the bill that allow a person from overseas to not have levied upon him the capital gains tax. I find it a most extraordinary measure. Thank heavens I am not still on the government benches! To think that I would have to vote that an Australian gets taxed the capital gains tax but a foreigner does not. I believe in discriminating on behalf of Australians; I do not believe in discriminating against them. It is one of the most extraordinary propositions. She is a little ripper! I will not be giving too many speeches without dropping this little clanger in.
I will be carrying it around with me, because people do not believe you when you say that they voted for this. They simply do not believe you. I carry this big briefcase with me to show them. When I do show them, they shake their head and say, ‘Can this actually be happening?’ This section of the bill says that if you are an Australian you pay capital gains tax but if you are a foreigner and you do exactly the same thing you do not have to pay any capital gains tax. The only explanation given to us is that the OECD told us to do it. I think the prosecutors in Nuremberg would love that one: the OECD told us to do it. In actual fact, today is a very sad day for Australia.

There were seven major mining companies. I have been heavily involved in the mining industry all of my life. I was working in the Flora Dora copper mine and floating my own company at the tender age of 26—of which I am very proud. We brought the mine into production, which is a very great achievement. I have watched great institutions be purchased and created by great Australians. Essington Lewis was a very great Australian. He was a man who saw the bigger picture for not only his company and his employees but also his nation, and he built the ‘Big Australian’. Sir Robert Menzies—the king of this place for nearly two decades—unashamedly did an awful lot of things to ensure that the Big Australian stayed the Big Australian. He would turn in his grave if he saw what was happening here today. I am writing a history book, and this section of our history in Australia is entitled ‘The rise of the Lilliputians’. The previous section of the book is entitled ‘Walking with giants’. The people who created BHP, and the people who created the Australian motor car, Larry Hartnett and Ben Chifley, were truly great men. However you measure men, these were truly great men.

Let me be very specific: if you own, as we Australians did, the seven great mining companies that dominate the Australian economy, there is only one thing that we now have that we can sell overseas. Our agriculture in this country is collapsing, and there is not a person in here who does not know that now. Manufacturing is gone. There is not any manufacturing in this country. The motor car industry is all that is left, and it is rapidly closing down. In fact, every time I go to Melbourne, I always read the newspapers and I collect the cuttings of which new companies have closed down in the motor vehicle supply industry. And let me say that, whilst Chifley may have instituted the Holden motor car, there was no doubt that the Menzies-McEwen government continued on as the strongest of supporters. In fact, they always acted as if they had been the architects of the whole initiative.

But let me switch back to the mining companies. The seven great mining companies that dominated the Australian economy some 12 years ago were all Australian owned—every single one of them. Metal prices moved up 350 per cent. Zinc, copper, silver and lead moved up, on average, 350 per cent. So when a mining company—I will not specifically mention them because there are a lot of good Australians associated with these companies—is making $1.5 thousand million a year and it has a certain cost structure of about $1.2 thousand million a year and the metal prices increase by 350 per cent, this nation should be receiving an extra $2,000 million a year. But of course this nation is not, because the cost structure has stayed the same and that extra $2,000 million of profit has gone overseas. That has taken place with each of these companies, whether it be BHP, MIM, Normandy or whatever.

When I was floating my own company, the people who knew informed me—young as I was—that: ‘You only need to hold about
30 per cent of the shares to in fact control the company. You would be a pretty weak sort of bloke if you couldn’t control a company with 30 per cent ownership. ’We saw investors in that great institution, Qantas—and I am glad to say that my grandfather was one of the very early investors—lose all their money. They refloated and put all their money in again, and they lost it again. The third time, they gave it to the government. Grandad never resented having lost a lot of money because he was really doing it for his country. Great people like Sir Hudson Fysh did not make a lot of money, but they were doing it for their country. The Fysh family still live out there. They are not wealthy people, but I think they are very proud of what they did for their country in creating that great institution, which I believe—from the magazines I read—is now controlled by British Airways. The profits and the company serve the interests of a foreign corporation.

I am informed that Optus is owned by SingTel of Singapore. And I find this quite extraordinary: ADI, which makes firearms—what little defence capability we have—is owned by the French. I hope they stay on side with us. Their government might say that they should not be producing any rifles or bullets here. When I was handed an SLR rifle and told that I was on 24-hour call-up to go and fight the Indonesians in Borneo—in what was delightfully called ’confrontasi’; it was not too confrontasi for us who were going there—we had to go without any weapons to deliver a body blow at a tank. We had the Carl-Gustaf recoilless rifle. The Swedes, of course, did not like us going into Vietnam so they said that we were not allowed to use that weapon.

If you think I am off the track, I will repeat to you that ADI is foreign owned. The incentive for coming in and buying up this country is being increased dramatically by the actions of this government tonight. That is bad enough in terms of money, when you have a country that is dying with a $60,000 million a year current account deficit. That is bad enough in itself, without handing over the manufacturing defence capability of your country. And, if I am a French owned company, it is an awful lot better to supply all of the parts from France rather than produce them in Australia. Before the war we were producing an aircraft called the Wirraway. We thought it would be pretty easy to change from producing Wirraways to producing Beauforts—but we did not produce any Beauforts—until the last year, when it was all over. We could not convert over.

It is absolutely essential for this government to have some sort of technological and manufacturing base. We should not be increasing the incentive for foreigners to come here and take over. The reason that they want to come here and take over is that they want to make money. They produce these items overseas. If, for example, they buy SPC—as the foreigners have—then they do not produce or process here in Australia anymore. They utilise the retail arm. Golden Circle is high on the hit parade. The incentive for these takeovers has been increased dramatically by the actions of this government with discriminatory legislation which flagrantly, openly and patently discriminates against Australians. We pay the capital gains tax; they do not.

I want to come back to the mining companies. I mentioned just one company, which produces about $1.5 thousand million worth of ore. The average price of the ore bodies has gone up by 350 per cent, as I said previously. That means that it is now making $5,000 million. The cost structure remains at $1.2 thousand million, so all the extra $3,000 million, or whatever it is, is now going overseas. We do not want foreigners to own our country. It is not my vision for my country for my children to work as wage slaves to
foreign landlords and, because of the deregulation of the labour market, increasingly work for less and less. The less money that goes into the pockets of the employees and the workers, the bigger the profits are that will move out of this country and overseas.

To me these things are very elementary. I do not think there is anything very complicated about this. With one company we might not be worried about the current account deficit. We lost $3,000 million as a nation as a result of that one company. But there were seven companies, and that one was one of the smallest of the seven. Seven times $3,000 million is $21,000 million that this country has lost because it stood aside and let its strategic mining companies be taken over by foreigners without any effort at all to keep those companies in Australian hands. They have even tried to speed up the process. We have held that out on account of the Senate, but for how much longer I do not know.

Coles has been the subject of a takeover bid. There is incentive to take over Coles. I am not one for conspiracy theories, but it seems to me more than strange that the Coles bid comes in the same month that we decide to abolish the capital gains tax. One would have to be very naive not to view this with some small degree of suspicion. But if Coles is taken over we in the rural industries of Australia have paid the terrible price for the free market policies of not only this government but of the previous government. When they deregulated the wool industry, we lost half the price of our wool. Half of that industry has vanished—gone completely. It will never come back. I know what I am talking about here: I represent a wool area, albeit a small one. It will never come back.

In 1989, when that brilliant man Mr Keating deregulated the Australian economy and the wool industry, one-tenth of this nation’s entire export earnings came from wool. The one thing that you would not muck around with was wool. There will be all sorts of explanations, such as that we lost some customers, the price was going down and the wool pile was building up, but that occurred about every three or four years. When we were deregulated, we lost half of our income; half the industry has gone. To quote the commentator Alan Jones: ‘You deregulated the industry and now you have lost half of the greatest industry this nation has ever had.’

They then proceeded to deregulate eggs, and farmers lost nearly 40 per cent of their income over the next six or seven years. They deregulated the sugar industry on the home market, and farmers lost 50 per cent of their income over the next three years. They deregulated the dairy industry, and farmers lost 30 per cent of their income over the next five years. Since the cost to the consumer for each of these commodities went up, the people in the middle—who were substantially Woolworths and Coles—made an extra $2,000 million just on sugar, eggs and dairy deregulation. In my third year as a member of parliament, which was 27 or 28 years ago, I decided that every time legislation came forward I would look at who profits and who loses. With food deregulation, we know that the losers have been the consumers and the farmers, producers and processors and that the people in the middle have gained hugely.

If we apply that test to Coles, I do not think that there are many commentators in Australia who are not saying that it will remain a target and will be taken over. On the best of authority, I have been told that it is only a matter of time before Wal-Mart take over Woolworths here in Australia. The two companies have a very close relationship now. All of those massive profits were purchased over the broken backs of Australia’s farmers. And let me be very specific: I repre-
sented 240 dairymen when I came into this place and now I represent 80. And every one of those people who left that industry suffered enormous pain, the destruction of their entire lives. In the sugar industry, we have a suicide every month as a result of deregulation and the free trade policies of this government and the last government.

And have they learnt anything? No. Like the Bourbons, they have learnt nothing and forgotten nothing. We are looking down the gun barrel of a huge increase in incentive for Wal-Mart and the other vultures and vipers that are circling around Coles at the present moment to come in, because the potential profits have gone through the roof. And they have been put through the roof by this government.

In writing a history book, I read a lot of history books. Do you know what? They pass a judgement upon you. You look at a man like McEwen, and you think: ‘This bloke is bigger than Ben Hur. What this bloke did for this country you could never measure. He was a man who had immense compassion, immense intellectual capacity and immense determination to see this country succeed.’ Those giants have very much been replaced by pygmies. It is the rise of the Lilliputians.

Those history books are going to say that when you took government in this country, Mr Keating, you had a very competitive economy. You had manufacturers who could compete on the world market; you had agriculturalists who could compete on the world market; you had viable industries in this country. Mr Keating, when you left, half of them had been destroyed by your policies. Did the incoming government learn anything? They were very quick to attack Mr Keating. We had the debt truck running around Australia. We heard daily from the Liberal Party and the National Party about the great debt that the Labor Party had rolled up. We do not hear very much about the debt truck these days because the current government has more than doubled that debt.

I have been a businessman in this country all of my life, and my daddy, my granddaddy and my great-granddaddy were businessmen before me. We have always been businessmen. It is very simple: if you cannot trade—if you cannot sell anything—then you cannot buy anything and you will go broke. We salute those giants, we condemn the Lilliputians and we will be dividing in this House on the issue of that clause. (Time expired)

Mr DUTTON (Dickson—Minister for Revenue and Assistant Treasurer) (8.42 pm)—I would like to thank all the members who have taken part in this debate on the Tax Laws Amendment (2006 Measures No. 4) Bill 2006. I thank the member for Kennedy for his passion and his contribution to this bill as well.

Schedule 1 to this bill makes amendments to ensure marriage breakdown settlements do not give rise to capital gains tax liabilities. It expands existing CGT rollover relief on marriage breakdown to assets transferred under a binding financial arrangement or an arbitral award entered into under the Family Law Act 1975.

Schedule 2 of this bill corrects an unintended consequence of a consolidation integrity measure. The measure in this bill ensures that the integrity measure does not inappropriately prevent companies from accessing the rollover in certain circumstances. It would be appropriate for the integrity measure to apply to a company that has demerged and subsequently becomes part of a consolidated group for consolidation tax cost-setting purposes. In these circumstances, the assets are transferred to facilitate the demerger
rather than to artificially increase the tax cost of assets for consolidation purposes.

Schedule 3 to the bill amends the simplified imputation system to ensure that Australian companies receive franking credits attached to non-assessable, non-exempt distributions from New Zealand companies. Schedule 4 to this bill implements reforms to Australia’s international taxation arrangements as part of an ongoing process to ensure that Australia has an internationally competitive tax system. The reforms align Australia’s domestic law with the approach adopted in Australia’s tax treaties and with international norms.

The government is moving two amendments to this bill as circulated. The first of these resets the cost base of indirect Australian real property interest not previously taxable for foreign residents to the market value of such interest on 10 May 2005—the date that the Treasurer announced the measure. This will ensure that unrealised accumulated capital gains or capital losses from interest in land-rich foreign interposed entities not previously within Australia’s tax regime will not be subject to CGT. The second of the amendments corrects an unintended narrowing of the availability of demerger relief for resident taxpayers. It also ensures the rollover relief for demergers interacts appropriately with the CGT and foreign residents measure in this bill. Without this amendment, the rollover relief to defer CGT consequences under a demerger may be denied for Australian residents unless a company is majority Australian owned or the company is land rich.

Before I conclude, I want to address a couple of issues that were raised by members opposite. Firstly, issues were raised by the member for Hunter and the member for Werriwa regarding parliamentary amendments and legislative amendments. The member for Hunter complained about the number of parliamentary amendments to tax bills in recent times. What he failed to mention in his reference to this matter was that the fact that we are moving a number of amendments shows that the government are focused on working with stakeholders in relation to taxation issues. We are willing and able to act in relation to measures that are brought forward by particular stakeholders. We are engaged in consultation with stakeholders in various taxation related issues in a way that we have not been in the past. We intend to continue that process. As a direct result of that process, it necessarily means that we will have amendments to move from time to time.

The member for Hunter spoke about ‘the government’s repeated failure to provide technical information and costings to support proposed changes to tax law’, and I respond as follows. Prior to the bill being introduced into this place, my office, together with the Department of the Treasury, provided a briefing to the member for Hunter’s staff to assist the member to be across the technical detail in the bill. I would also note that the Department of the Treasury took questions on notice as part of the Senate committee hearings. Responses to the questions have now been provided and are attached. It took us some time to formulate the answers to the questions given the technical nature of the questions. The Senate committee granted an extension of time for these answers to be provided. I note that these answers were provided before the Senate committee released its report. The measures in this bill clearly make improvements to Australia’s taxation laws. For this reason and the reasons outlined above, I commend the bill to the House.

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

Question agreed to.

Original question agreed to.

Bill read a second time.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr KATTER (Kennedy) (8.48 pm)—by leave—I move:

(1) Schedule 4, item 1, page 14 (lines 5-6), omit the item.
(2) Schedule 4, item 2, page 14 (line 7) to page 24 (line 9), omit the item.

The sections in question relieve foreign entities and foreign people from having to pay capital gains tax in Australia. I am not going to go into the detail of what their assets are, but clearly shares are what we are in the main talking about. Australians have to pay that capital gains tax. The argument that will be put by the government is that these people pay capital gains tax in their own country. That is fine—the Americans, the Europeans and the Japanese can benefit from what these people do in this country. But the people of Australia should also benefit.

There should be no discriminatory legislation. It is bad enough having discriminatory legislation in any form, but when it discriminates against your own people it is, quite frankly, unbelievable. I find it incomprehensible. I am even a little bit worried about making press releases, because I think that people will not believe that what I am saying is true. I find it quite extraordinary. I am moving that the offending section of the bill be removed from the bill.

Mr FITZGIBBON (Hunter) (8.50 pm)—
I thought the minister might take the opportunity to respond, but it is apparent that he is not going to. So I think it is incumbent upon me to do so. The opposition facilitated the opportunity for the member for Kennedy to move his amendments notwithstanding the fact that we will not be supporting them in this place.

The member for Kennedy has raised some legitimate concerns. It was the same concern—or one of the concerns—on the part of the opposition that caused us to send this piece of legislation to a Senate committee. He is entirely right to raise those concerns in this place. Indeed, the opposition maintains its right to further pursue these same concerns in the Senate when this bill reaches that place. Why have we chosen to defer any further consideration to the other place? It is simply because we have only very recently been given some of the information we sought throughout the process of the Senate committee.

I think you could say that the Minister for Revenue and Assistant Treasurer in his summary tried to embarrass me by suggesting that all of the questions which were raised at the Senate committee hearings were answered. Indeed, he indicated that the Senate committee gave additional time to the department to provide those answers. But here is the point: why are we bringing legislation into this place upon which the department cannot provide answers weeks after its introduction? Why haven’t we got a situation where, when tax amendments come into this place, the questions can already be answered?

I would have thought that the Australian people would be somewhat concerned that a government is introducing amendments to tax law without knowing the answers to the questions that are likely to be asked in this place, in the other place and, indeed, during the Senate estimates process. The government and the framers of its legislation should
know the answers to these questions in advance. They should not require additional time to answer those questions when they are asked in this place, in the Senate or, indeed, in the process of Senate committees.

The minister said that the government are now much better at consulting industry, so that is an acknowledgement that the government have not been particularly good in the past at consulting industry or other stakeholders, including consumers or the poor old taxpaying Aussie battler. But we want them to consult industry and other stakeholders before they introduce amendments to tax laws in this country. The current modus operandi is this: they throw the legislation at us on a Thursday; they typically have the second reading debate on the next Monday, Tuesday or Wednesday; and by Thursday of the next week they are moving their own government amendments because they have not consulted industry properly, they have made an error in law or they have miscalculated the financial impact of the bill on the budget bottom line.

So why are we in this situation? There is only one reason: we are in this situation because of the incompetence of the government—not the incompetence of the opposition. We only respond to what they put forward. When they put a tax amendment forward, we expect that they will know all the answers to the questions and they can disaggregate the costings and not lump them together. There are a number of measures contained within this tax bill which have the costings aggregated. We want them disaggregated, but of course they cannot provide the answers.

Mr FITZGIBBON—When the opposition seeks additional answers to questions about the financial impacts of the capital gains tax proposal that the member for Kennedy has expressed opposition to, we expect answers. Any normal citizen of this country would expect that a government that introduced amendments to tax laws would have those answers ready in their back pocket. They do not have the answers. Therefore, they do not understand the issue and they do not properly understand what they are asking this parliament to accept.

The member for Kennedy is right to express concerns. The opposition maintain our right in the other place, once we have digested the information we have now received in the form of late answers from the minister and his department. We will certainly keep our powder dry until we have had the opportunity to digest the answers properly. We will not be supporting the member for Kennedy on this occasion, but we were happy to facilitate his opportunity to express his opposition. Again, we will be maintaining our right to join with any senator who shares concerns about the impact of these capital gains tax changes. (Time expired)

Mr KATTER (Kennedy) (8.55 pm)—The lovely thing about being an Independent in this place is that you run against both parties at the next election and you can voice your opinions on both of them at the next election. I would hope that the ALP will take a different view when the bill goes to the Senate, where their actions have more bite. There has not been a single argument put up to defend this clause. I would hate to go to the people at the next election having had my name attached to this clause, but my name will not be attached. I point out to the House that both of my Independent colleagues are not here—and I am not blaming anyone for this, but we just received information that this is coming on tomorrow. I am certain that I
Mr Katter—I ask that my vote is recorded.

The DEPUTY SPEAKER (Mr Jenkins)—The honourable member for Kennedy’s vote will be recorded in the Votes and Proceedings.

Mr DUTTON (Dickson—Minister for Revenue and Assistant Treasurer) (8.57 pm)—by leave—I present a supplementary explanatory memorandum to the bill and move government amendments (1) to (3) as circulated:

(1) Schedule 4, item 2, page 17 (after line 29), at the end of section 855-25, add:

(3) The first element of the *cost base and *reduced cost base of a *CGT asset is the *market value of the asset on 10 May 2005 if, on that day:
(a) the CGT asset was held by:
   (i) an individual or company that was a foreign resident; or
   (ii) the trustee of a trust that was not a *resident trust for CGT purposes; and
(b) the CGT asset was a *post-CGT asset; and
(c) the CGT asset did not have the necessary connection with Australia (within the meaning of this Act as in force on that day); and
(d) the CGT asset was an *indirect Australian real property interest (within the meaning of this Act as at the commencement of this section).

(4) Also, Parts 3-1 and 3-3 apply to the asset as if you had *acquired it on that day.

(2) Schedule 4, page 32 (after line 26), after item 38, insert:

38A Section 112-97 (at the end of the table)
Add:

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<td>28</td>
<td>You have an *indirect Australian real property interest on 10 May 2005</td>
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<td>Add:</td>
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(3) Schedule 4, item 67, page 37 (lines 17 to 19), omit the item, substitute:

67 Paragraph 125-70(1)(f)
Repeal the paragraph.

I would like to add to the debate very quickly, in response to the member for Hunter and to some of the concerns that were raised by the member for Kennedy, bearing in mind the time constraints that we have. The government have, where possible, facilitated the requests of the shadow Assistant Treasurer. We have provided assistance, not just through my office but through Treasury as well, in a timely fashion, I believe. We lent every assistance to the member as was possible. In relation to the member for Kennedy’s contribution, the government are conscious of the issues that have been raised by the member for Kennedy. They have been raised in the Senate committee and we have addressed them as best we can through the consultation that we have conducted. The government firmly believe that these measures are in the best interests of this country.

Mr FITZGIBBON (Hunter) (8.59 pm)—Given the hour, I will not continue the debate. I rose earlier because I was fearful that the Assistant Treasurer was not going to respond at all to either the concerns raised by me or those raised by the member for Kennedy. But, while I am on my feet, I just want to acknowledge the fact that the cooperation we have received from Minister Dutton’s
office, with respect to briefings on these difficult tax matters, has been better than that which we received from Minister Brough. But it is obvious that in this case there have been a number of shortcomings in the availability of information that we have sought from both the minister and his department.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr DUTTON (Dickson—Minister for Revenue and Assistant Treasurer) (9.00 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

ADJOURNMENT

The DEPUTY SPEAKER (Mr Jenkins)—Order! It being 9.00 pm, I propose the question:

That the House do now adjourn.

Internet Content

Ms HALL (Shortland) (9.00 pm)—Recently I was contacted by a constituent expressing his disgust at an offensive website, which continues to remain online, despite the fact that I have lodged complaints about it and so has he. It is a website that contains racist and discriminatory material directed at a suburb in the Shortland electorate. The suburb is Windale—a suburb that has had money invested in it by both the federal and state governments and where the community has joined together to counter negative images of the suburb. The people in the community are the salt of the earth. There are lot of very good people living there. It is a community in which the parliamentary secretary at the table, Mr Baldwin, very recently opened a men’s shed.

The material on the website is extremely offensive and in very bad taste. The themes presented include the following: people on welfare are dole bludgers; Aboriginal people are all second-class citizens—I cannot bring myself to use the words that are highlighted on the website; people living in low socio-economic areas sniff petrol for enjoyment; there is pride in being the most socially disadvantaged postcode in New South Wales; people from ethnic backgrounds are considered ‘wogs’; Aboriginal people are all thieves; and people living in low socio-economic areas drive broken, un-roadworthy cars. It makes me feel sick to say the things that are on that website.

The Centrelink logo appeared on that website accompanied by the words ‘Centrelink: giving you options’. I contacted Centrelink about this. The one good thing that has happened is that the legal department of Centrelink has got the Centrelink logo removed from the website. It added to the offensiveness of the website.

The Australian Communications and Media Authority was contacted about having the website closed down, and a formal complaint about the website was lodged. I was informed by ACMA in response to the complaint that, under its guidelines, the following categories of internet content are prohibited:

**Content which is ... classified RC by the Classification Board**

Such content includes:
- material containing detailed instruction in crime, violence or drug use;
- child pornography;
- bestiality;
- excessively violent or sexually violent material.

**Content which is ... classified X by the Classification Board**

Such content includes real depictions of actual sex. The guidelines go on:
Content hosted in Australia which is classified R and not subject to a restricted access system which complies with criteria determined by ACMA

Content classified R is not considered suitable for minors and includes:

- material containing excessive and/or strong violence or sexual violence;
- material containing implied or simulated sexual activity;
- material that deals with issues or contains depictions which require an adult perspective.

ACMA also informed me: ‘The national classification code does not explicitly deal with language as a separate category, unless it falls within one of the prohibited categories outlined above.’ It would appear that the language content referred to in our complaint was not captured by the guidelines I detailed. ACMA also said that ‘complaints about internet content that may be in breach of the Racial Discrimination Act 1975 should be directed to the Human Rights and Equal Opportunity Commission’. But HREOC have informed me that a complaint must be lodged by a person of the race that has been slurred; it cannot be made by a concerned citizen. So, despite the fact that a constituent and my office have contacted them, nothing can happen.

Complaints must fit strict categories and guidelines, no matter how offensive. Racist and discriminatory material directed at low socioeconomic suburbs, such as the suburb of Windale in my electorate, remains on the internet. This material remains on the internet. It is not good enough. ACMA cannot do anything about it. This needs to be addressed as a matter of urgency. (Time expired)

National Education Standards

Mrs ELSON (Forde) (9.05 pm)—I rise tonight to add my support to the Minister for Education, Science and Training’s calls for the development of a common-model national curriculum. As a society we ought to be confident that there is key knowledge and a defined set of skills that children will be taught at various stages in their education, no matter where in Australia they happen to be living at the time.

I acknowledge that progress is being made, with the minister, Julie Bishop, working hard for the introduction of national learning standards from 2008 and continuing to push for a nationally consistent year 12 certificate. I know the minister is frustrated that it is so difficult and time consuming to reach an agreement with the states on these basic issues. I do not understand why this has to be the case and I do not understand the recent reaction to the national curriculum debate either. To me, it is a sensible policy that ought to have the full support of everyone involved in the education system and the support of the state governments. After all, it is about what is best for our children, not power struggles or internal bureaucracy. But the states do not seem to get it.

In my view, the states have dropped the ball when it comes to education. They have consistently failed to match the funding increases the federal government has provided for public education over the past 10 years—and this is despite the states having increased revenue through the GST. Not only have they failed on funding; they have also got it wrong when it comes to the quality of education.

Recently, Professor Keith Wiltshire, Australia’s representative on the executive of UNESCO, was highly critical of the state and territory governments for failing to monitor quality teaching. As he pointed out, a government unwilling to stand up to teachers unions is unable to put students and education standards first. I am not having a go at teachers. There are many highly motivated
and excellent teachers working at schools throughout my electorate. The vast majority do a wonderful job. It is an increasingly challenging job and it is still a vital job for the future of our nation. That is why it is so important that as a society we promote excellence in education, that we take the very best of what is being done around the country and challenge everyone to meet those high standards. This is precisely why we should not be experimenting with educational fads. Our children are far too important to miss out on what they need because some bureaucrat has an agenda to pursue.

On that note I want to highlight a recent case that, sadly, occurred at a high school in my electorate. It involved a situation where a 13-year-old girl was failed in the subject of health and physical education because she refused to do an assignment that asked her to write about living in an isolated gay community. This young girl, while only in year 9, I point out, had the strength of her convictions to tell her teacher that homosexuality was against her religious and moral beliefs and that she did not feel comfortable with this particular assignment. She was given a fail mark as a result.

It was only later, when her mum went to the school to find out why her daughter had failed the subject, that she became aware of this particular assignment. Even more appalling is that apparently students in this teacher’s class were told not to discuss the assignment with their parents and that it should be kept ‘in class’. Most people, regardless of what the subject matter was, would be alarmed that students were being told to keep things from their parents. There should be no topic that is taboo between a parent and their child. Certainly, it is not a teacher’s place to foster any kind of secretive behaviour in children.

There may be some parents who are not bothered by the topic of this particular assignment. But I believe there would be many more who would be concerned that a child of 13 was being asked to discuss ‘where ideas about homosexuality came from’. We are talking about 13-year-old children. Why are they being asked in-depth questions about any form of sexual lifestyle? Even more upsetting is that when the parent raised her concerns it was suggested to her that her child would be better off leaving the state education system and attending an independent school.

As I said, I am not attempting to blacken the name of the school. Three of my grandchildren attend that school and I have to attest to the dedication of the majority of the teachers at that school. But this is clear evidence of an inappropriate curriculum in this case. It is another example of why something must be done, and I congratulate the federal education minister, Julie Bishop, on her ongoing efforts to develop a clear, consistent national curriculum. She has my strong support.

Mr KELVIN THOMSON (Wills) (9.10 pm)—Who benefits from the sale of Telstra? Certainly it is not the taxpayers who used to own Telstra but now have to put their hands in their pockets if they wish to keep any of that ownership. Certainly it is not the consumers who face the prospect of higher fees and charges and reduced services. One group of people who do benefit are stockbrokers. The Howard government has decided to offer them $37 million of taxpayers’ money in brokers commissions—$37 million in retail stockbroker selling commissions or 1.25 per cent of the total amount for each T3 share. These are some of the most generous commissions seen in the Australian market this year and 2½ times the amount paid to bro-
kers in the T2 share offer in 1999. Presumably, it is going to be twice as hard to sell shares in T3 as it was in T2. We will now have zealous stockbrokers pushing T3 shares on Australian investors because of the massive commission they will receive.

Who else benefits? There would be the advertising agencies. The government spent $12.4 million promoting the first tranche of the sale of Telstra. It spent $13.1 million promoting the second tranche of the sale of Telstra. And now it is out there at it again, kissing goodbye to $20 million of taxpayers’ money to sell the rest of Telstra. This is saturation advertising from a government that has spent $1 billion on government advertising since it came to office—on WorkChoices, GST, Medicare and all the rest of them—and which plans to spend another $250 million on advertising before the next election.

Who gets this money? If we look at the newly released government contracts we find that George Patterson Young and Rubicam entered a $1,870,950 contract on 1 May this year for ‘advertising agency services for the Telstra sale’. That day, 1 May, was my birthday and it looks like it was George Patterson’s as well—$1.87 million! It is worth noting that back in 2003 George Patterson was awarded a $10-million-a-year contract by senior Telstra executives. That money was not money for ad placements. Patterson was not hired to create any media advertising for Telstra. The contract stipulated they could not produce ads until after 30 June 2004. It was just money directly to Patterson. They must have thought all their birthdays had come at once. The fact that Patterson was appointed without a competitive tender outraged the advertising industry. One agency executive was quoted as asking, ‘Can you think of another example in the history of advertising of someone awarding a finite income figure for years without any specifications of workload for which that $10 million can be paid?’ It was a rort, a chop-out to help Alex Hamill, the executive chairman of George Patterson Partners’ parent company, the Communications Group.

It is also worth noting that Alex Hamill had taken over George Patterson from Geoff Cousins. Geoff Cousins was Chief Executive of George Patterson Australia from 1983 to 1987 and chairman of the company from 1984 to 1992. You guessed it: this is the same Geoff Cousins who was responsible for running Liberal Party election campaigns such as the federal campaign in 1990. This is the same Geoff Cousins whom the Prime Minister has decided has to be on the Telstra board. We have a Prime Minister who now believes he can get away with forcing one of his mates onto the Telstra board and at the same time have this mate’s former company run the Telstra advertising account. It is said that you can choose your friends but you cannot choose your relatives. In the case of the Telstra board, Telstra cannot choose its cousins but the government can choose its mates. Needless to say, George Patterson has made a number of significant donations to the Liberal Party. The Australian Financial Review, reporting on Telstra’s $10 million bailout for George Patterson, said back in 2004:

Despite denials, the mates’ network reigns supreme.

That is still right: the mates’ network still reigns supreme.

We need real transparency and accountability in the awarding of government advertising contracts. A Labor government would implement the guidelines which were proposed by the Auditor-General after the Unchain My Heart extravaganza of the GST ads, and we would subject ads to the independent scrutiny of the Public Service Commissioner. In the meantime, taxpayers
are tonight watching their dollars fly out the window in the Telstra advertising blitz, with the uncomfortable realisation that these ad campaigns are by Liberal Party mates for Liberal Party mates, just like Ted Horton’s Work Choices ad campaign—by Liberal Party mates for Liberal Party mates.

**Lions Club’s 50th Anniversary**

**Long Jetty Ring Road**

**Mr TICEHURST** (Dobell) (9.15 pm)—

Last week I had the honour of attending a local function to celebrate The Entrance Lions Club’s 50th anniversary. As the federal member for Dobell I was honoured to be asked to propose a toast to the international Lions organisation, and I would like to place on record in the House my appreciation of the fantastic work our Lions Clubs do to make their local areas even better places to live.

I have worked closely with the Central Coast Lions as the federal member for Dobell and, I must say, they are always happy to get in and get their hands dirty for the sheer fellowship of working alongside other Lions and giving something back to the Central Coast community. I would specifically like to acknowledge president Rod Slater, secretary Alan Turner and the many other members who selflessly give up their time for the betterment of our area.

Since 1917, Lions Clubs have offered people the opportunity to give something back to their communities. From involving members in projects as local as cleaning up an area park, Lions Clubs have always embraced those committed to building a brighter future for their local area. In 1947, Lions reached Australia with the formation of the first Lions Club at Lismore. Today, with more than approximately 46,000 clubs in 200 countries and geographical areas, Lions Clubs International is the world’s largest community service organisation.

Lions are recognised worldwide for their service to the blind and visually impaired. This service began when Helen Keller challenged the Lions to become knights of the blind in the crusade against darkness, during the association’s 1925 international convention. Today, in addition to their international SightFirst program, Lions extend their commitment to sight conservation through countless local efforts. Lions are also involved in a variety of other activities to improve their communities and help people in need, such as assisting the hearing impaired, providing diabetes awareness and education materials, working on environmental projects and developing youth programs.

Lions have expanded their focus to help meet the ever-increasing needs of our global community. In the area of Dobell, Lions run a market day on Sundays at The Entrance. One of their major projects was the creation of the sensory gardens at North Entrance. It is a very welcome place to be and has a national monument to our fallen comrades from the various theatres of war. Their programs are continually changing to meet new needs and greater demands, but their mission, ‘we serve’, has never wavered. I commend the organisation and its members for their unique and selfless commitment to local communities.

On another topic, I would like to inform the House of the plight of local residents in the Long Jetty area of my electorate. Many local residents have registered with me their concerns about proposals by Wyong council and the New South Wales Roads and Traffic Authority to make Tuggerah Parade at Long Jetty a one-way northbound road. Equally concerned are residents of Bay Road through to Shelly Beach Road who have been made aware their streets may be upgraded to main roads as an alternative option for southbound traffic.
I have recently gone on public record to say that I will continue to fight to stop Tuggerah Parade from becoming part of this absurd proposal. While traffic congestion along The Entrance Road needs to be addressed, this quick, easy solution that threatens the unique lifestyle of Central Coast residents is not the answer. Tuggerah Parade is a quiet residential road that has parklands and lake foreshore along one side. These parklands are used by local families from all over my electorate for their picnic and recreational facilities. Additionally, community groups including The Entrance Girl Guides hold various activities using the park facilities.

As I have told local residents recently, I am writing to the state Labor member for The Entrance, Grant McBride, and Wyong council to encourage a commonsense approach to this matter. The member for The Entrance has recently joined a number of community leaders by offering his support to a local community group known as Southern Lakes Communities for Children, a subsidiary of the Benevolent Society. This group would like to turn part of this recreational area into a regional park.

This project has merits and, during recent discussions with the organisers, I encouraged them to pursue the idea. However, the Labor member on the one hand supports the Communities for Children but on the other turned a blind eye to the RTA proposal. It may look good on paper but it is at the cost of our local lifestyle. It is clearly a case of the Labor member playing popular politics in the lead-up to the New South Wales state election.

With great fanfare recently, the New South Wales Labor government announced the so-called Central Coast Highway. It currently runs a chicane through Long Jetty but it is nothing more than a few signs on the freeway and a few down The Entrance Road. (Time expired)

Climate Change

Mr MARTIN FERGUSON (Batman) (9.20 pm)—I have read with great interest a number of reports warning that climate change will have a huge impact on the Pacific islands. Today’s report by a coalition of 12 humanitarian and environmental groups, including Oxfam and World Vision, warns of the mass exodus of millions of Pacific islanders as environmental refugees. I note that, since 2001, citizens of Fiji, Tonga, Kiribati and Tuvalu have been able to enter New Zealand as environmental refugees displaced by climate change. My colleague the member for Maribyrnong has advocated the establishment of an international coalition led by Australia to accept climate change refugees from Pacific countries.

These are indeed worthy initiatives, but my concern is that, whilst we must prepare for the impacts of climate change in the Pacific, we must not hasten too quickly to write off the future of Pacific islands. We must prepare for climate change but hold out hope that Pacific countries will survive and prosper. We as a community have to be concerned today about poor governance standards, including corruption, money laundering, organised crime and human rights abuses. We have to be concerned today about poverty, illiteracy, low skills, unemployment, poor health, the lack of clean water and energy supplies, illegal and unsustainable logging, overfishing and poor agricultural practices. The unsustainable management of natural resources will have negative economic, environmental and social consequences for the long term in the Pacific.

As my colleague the member for Maribyrnong has said, many Pacific countries suffer from the resources curse—that is, abundant natural resources become a source of corruption, and ultimately conflict, with a lack of economic growth and development in
the Pacific. The Panguna mine led to civil war in Bougainville, Fiji’s mahogany plantations were behind the 2000 coup and unsustainable logging contributed to conflict in the Solomons. These things can no longer be ignored today on the basis that tomorrow will bring the consequences of climate change anyway.

Our first priority should not be to empty out the Pacific or turn it into a carbon sink to make the rest of us feel good about ourselves. We want healthy Pacific neighbours with robust civil communities and thriving economies. Our first priority should be to give these countries a fair go and invest in their futures as well as in contingency plans for climate change. As my colleague the member for Maribyrnong put it:

Engaging with our Pacific neighbours on resource issues should be a strategic priority for Australia, especially in Papua New Guinea.

To start with, we must stop the importation of illegal timber from countries like the Solomons and Papua New Guinea, where three out of four logs are felled illegally. We must work with other countries in the region to curtail demand for illegal timbers and facilitate the widespread adoption of certified and sustainable forest management practices. Solomon Islands’ forests will be gone by 2015 if we fail to act now. Papua New Guinea has one of the world’s largest remaining rainforest resources, and the logging industry there—which is partly illegal—is unsustainable and heading for disaster.

When it comes to migration, a lot has been said about Pacific islanders as a potential resource to address seasonal labour shortages in agriculture, forestry and tourism in Australia. In that context, I refer to the recent report by the World Bank entitled *At home and away: expanding job opportunities for Pacific islanders through labour mobility*. However, it is my view that, while the Prime Minister’s extreme industrial laws are in place, the potential for exploitation today is too great. Workers coming to Australia must be entitled to enjoy the same rights and freedoms as Australian workers. The World Bank also has an obligation to actually work with nations such as Australia to do everything it can to promote economic development rather than to simply say the solution for the Pacific is to bring people to Australia.

That said, employment opportunities here in Australia would provide new skills and capital for Pacific islanders to take home and build economic capacity in their own countries. However, economic empowerment through education and training, jobs and sustainable resource industries is the true and proper path to stable and prosperous Pacific islands. This should be the hope we hold out for our neighbours, whilst we also have contingency plans with respect to the issue of climate change. Our first priority must be at home and in the Pacific. It is our obligation as a developed nation to do what we can to clean up their act, to work in partnership with them and to promote proper practices aimed at sustainable economic development which create a reason for the Pacific islanders to remain in their own nation. (Time expired)

**Paterson Electorate: Roads**

Mr BALDWIN (Paterson—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (9.25 pm)—I have raised on many occasions in this House the importance of roadworks and construction in my electorate. Recently, I had the Minister for Local Government, Territories and Roads, Jim Lloyd, come to the electorate of Paterson and I took the opportunity to show him how wise the investment of $20 million on the Buckets Way was for my electorate. This road joins the Pacific Highway just north of Twelve Mile Creek, goes
up through Limeburners Creek, Booral, Allworth and Stroud, and continues up through Craven, Wards River and Gloucester, across to Krambach and down towards Taree. That $20 million invested over four years has made an amazing difference.

To give you an idea, Bucketts Way used to be like the road in the McCain’s ad where you saw a truck driving along carrying boxes of vegetables in the back and all of a sudden the vegetables become tossed and mixed. It is no longer like that. Today, the Bucketts Way is a good road. We have invested $20 million and very shortly, at the end of this financial year, that $20 million will have been totally expended. The benefits to my communities, particularly to the businesses, have been immense. Road safety has increased because of this investment.

It was no surprise that at the last election I went to my ministerial colleagues and sought $10 million for the road between Dungog and Raymond Terrace and the road from Dungog across to Tocal—two main feeder roads into a shire with a small rating base that finds it very difficult to keep up with its roadworks. That shire does a tremendous job with the financial ability that it has, but it has a large network of roads. We have now signed off on and provided funding of $2 million to Port Stephens Council for the work between Raymond Terrace and just north of Glen Oak. We have provided $6 million for Dungog Shire Council for the work from Glen Oak up to Dungog and some of the work over towards Maitland. We have provided $2 million for the Lakes Way at the intersection around the Bungwahl turn-off.

That is $30 million invested in regional roads in my electorate. But each time we put it to the New South Wales state government that they should match the funding—not to provide more, just to match it—they said no. They say no as if the roads were wholly owned by Bob Baldwin. The reality is that these roads are owned by the people of New South Wales. They are owned by all the taxpayers. What we have seen is a deliberate walking away from funding regional roads in our region so that these councils are disadvantaged. When we funded the original $20 million for the Bucketts Way, the estimated cost at that time was around $50 million for a quality road. Twenty million dollars has made an impact. But, since we provided that money, the amount of money coming from the state Labor government in New South Wales has been almost nil, Mr Deputy Speaker, how much do you think the state government have contributed to the roads around Dungog? It has been a negligible amount of money. We have provided $30 million, and it is hard to count the amount provided by the state government in New South Wales for these roads.

We have a state election coming up, and it is unfortunate, in some ways, for the people of Dungog that they have been moved from a marginal Labor seat to a safe coalition seat—though it seemed to make no difference, because we could not get a funding commitment from the Labor member when he was there. We will see a raft of new candidates for the Labor Party, and I understand that there will be an announcement tomorrow of the new candidate for the seat of Maitland. Mr John Price is retiring and Mr Aaron Beasley is replacing Mr John Bartlett. These people will be invisible, like their predecessors, when it comes to road funding in my electorate.

What they need to understand is that these are the people of the regions who need safe roads for their businesses and for their personal safety, and they can see growth and opportunity in investing in roads. The safety of children travelling on school buses is critically important when we invest in these roads. But again we see the Labor Party end-
lessly walk away when it comes to opportunities. Yet, as I have said in this House before, when it comes to another billion dollars or two for a tunnel in Sydney, the money is always there. They always find a way of doing it—it may involve paying out penalty payments to the contractors—but they can never find a million dollars or two for the roads in regional Australia.

The DEPUTY SPEAKER (Hon. IR Causley)—Order! It being 9.30 pm, the debate is interrupted.

House adjourned at 9.30 pm

NOTICES

The following notices were given:

Dr Emerson to move:
That the House:

1. notes the scientific evidence linking trans fatty acids to increased concentrations in the blood of low-density lipoprotein (LDL, or ‘bad cholesterol’) and reduced levels of high-density lipoprotein (HDL, or ‘good cholesterol’);

2. expresses its alarm at the adverse health effects of trans fats used in the cooking of takeaway foods;

3. notes international scientific evidence suggesting that reduced intakes of trans fats could reduce the incidence of heart disease by up to 19 percent;

4. notes the experience in other countries, which indicates that such fats can largely be replaced by unsaturated fats without increasing the cost or reducing the quality or availability of foods;

5. notes that Denmark has regulated maximum levels of trans fats that can be contained in cooking oils;

6. urges takeaway food chains to reduce the levels of trans fats in cooking oils to the Danish levels; and

7. in the absence of voluntary compliance, considers requesting the relevant authorities to regulate for maximum permissible levels of trans fats in the cooking of takeaway foods. (Notice given 9 October 2006.)

Mr Bartlett to move:
That the House:

1. expresses its concern at the tragically high incidence of extreme poverty in the world;

2. supports the Australian Government’s commitment to the Millennium Development Goals;

3. recognises recent increases in Australia’s commitment to overseas aid; and

4. urges continued efforts towards the achievement of the Millennium Development Goals and the halving of world poverty by 2015. (Notice given 9 October 2006.)

Mr McClelland to move:
That the House:

1. notes that:

   a. six of the nine young Australian citizens arrested in Denpasar, Bali, Indonesia and charged with drug-related offences on 17 April 2006 have now been sentenced to death by the Indonesian Supreme Court;

   b. four of those Australian citizens have been sentenced to death by the Indonesian Supreme Court, even though they were sentenced only to terms of imprisonment by lower courts and the prosecution did not seek the imposition of the death penalty at their trial or on appeal;

   c. the right to life is a fundamental human right recognised in the Universal Declaration of Human Rights (1948) and the International Covenant of Civil and Political Rights (1966);

   d. the Australian Parliament passed the Death Penalty Abolition Act 1973, which was assented to by the Governor-General on 18 September 1973;

   e. Australia is party to the Second Optional Protocol to the International Convention of Civil and Political Rights aiming at the abolition of the death penalty;

   f. Article 28 A of the Indonesian Constitution recognises the right to life; and
(g) there may be further extraordinary judicial review proceedings and a constitutional challenge brought in the courts of Indonesia by the six Australian citizens; and

(2) records:
(a) its opposition to the imposition of the death penalty on any Australian citizen;
(b) its abhorrence of all drug-related crime and the importance of international police cooperation in the detection of illicit drug-related crime;
(c) the importance to Australia of its continuing excellent relationship with our near neighbour, the Republic of Indonesia; and
(d) its expectation and confidence that all remaining legal process in Indonesia involving the six condemned Australian citizens will be fair and impartial; and

(3) accordingly requests:
(a) that the President and the people of Indonesia note and understand Australia’s position strongly opposing the imposition of the death penalty; and
(b) in the event that the remaining legal process fails, that the President of Indonesia extend clemency to the six young Australians sentenced to death and that he commute their sentences. (Notice given 9 October 2006.)

Mr Hatton to move:
That the House:

(1) deplores the totally inadequate nature of Australia’s current broadband communications infrastructure;
(2) denounces the Howard Government’s piece-meal dithering with broadband over the past ten years;
(3) declares that Australia should be a world leader in broadband communications along with the Netherlands and South Korea, rather than one of the last to take up fast broadband; and
(4) demands a modern, 21st Century, national broadband communications infrastructure for

Australia, as set out in federal Labor’s broadband plan to build a fast network for the whole of Australia. (Notice given 9 October 2006.)

Mr Michael Ferguson to move:
That the House

(1) notes as unacceptable Australia having eight different, and often inconsistent, sets of school curriculum;
(2) calls on the Commonwealth to work cooperatively with the State and Territory governments for greater consistency in both school curricula and standards for every Australian school student; and
(3) supports initiatives which will improve the education standards and accountability of educational authorities across the country, both government and non-government. (Notice given 9 October 2006.)
Monday, 9 October 2006

The DEPUTY SPEAKER (Mr Jenkins) took the chair at 4.00 pm.

COMMITTEES
Treaties Committee
Report

Debate resumed.

Mr ADAMS (Lyons) (4.00 pm)—It is a pleasure to be here today to speak again on this report of the Joint Standing Committee on Treaties, Report 78: Treaty Scrutiny: a ten year review and the treaty-making process of the parliament. The 78th report deals with the seminar which the parliament and the treaties committee held on 30 and 31 March this year to mark 10 years of operation of the Joint Standing Committee on Treaties, which has become known as JSCOT.

Under the Australian Constitution, treaty making is the formal responsibility of the executive government. The Constitution does not confer on the parliament any formal role in treaty making. Nevertheless, through the work of JSCOT, the parliament plays an important role in examining all proposed treaty actions tabled in the parliament. The resolution of appointment of the Joint Standing Committee on Treaties allows it to inquire into and report upon: matters arising from treaties and related national interest analyses and proposed treaty action presented or deemed to be presented to the parliament; any questions relating to a treaty or other international instrument, whether or not negotiated or completed, referred to the committee by either House of the parliament or by a minister; and such other matters that may be referred to the committee by the Minister for Foreign Affairs and on such conditions as the minister may prescribe.

Prior to the establishment of JSCOT, during the 1970s treaties were tabled in parliament but often in a manner which prevented meaningful parliamentary scrutiny or input. Treaties were tabled in bulk approximately every six months and often after they had entered into force. By the 1990s Australia had entered into a period of negotiating a broader range of treaties, some of them quite controversial. There was also a growing awareness that international obligations affected domestic legal regimes and policy responses to a wide range of national issues, and a recognition that parliament ought to be able to scrutinise Australia’s international treaty obligations. JSCOT was established in May 1996. I was one of the original members of that committee.

After 10 years of JSCOT it was fitting that a seminar be conducted to assess the 1996 reforms and to look more broadly at the role of the legislation in the treaty-making process both here and overseas. Over the last 10 years significant steps have been taken to improve the openness and transparency of treaty making in Australia. Proposed treaty actions are tabled in parliament before they enter into force, and treaty texts and the rationale for entering into them are made readily accessible to the people of Australia. There are also mechanisms in place to ensure that the states and territories are consulted on actions which may affect them.

Although the mechanisms have existed for some time, few of the states have taken advantage of them and this may be because they are unaware of the significance some treaties have, particularly those that relate to trade. The Treaties Council has only met once and this was a__

MAIN COMMITTEE
mechanism set up to allow states to have input; however, this may not be the appropriate way to consult. In the view of Mrs Twomey, who wrote the original report for the Senate that facilitated the coming into being of JSCOT:

In some ways JSCOT seems to have taken over the functions of the Treaties Council to the extent that it is a public forum at which the states can make representations and matters can become public and discussed.

To some degree she is totally right.

It would be useful to have more information when we probe the reasons why such a treaty came to pass. But the resources of the committee are limited and really need some boosting. We are imposing costs on the Public Service, knowing that they are answerable to a parliamentary process and scrutiny and are a bit more inclined to make sure that they have the reason for why they are doing something. Members and senators should lobby for more resources for the committee to assist committee members to understand more clearly the impact that treaties can have.

A joint house committee is a very good idea and is of course a good mechanism for probing the public servants that come before it. It allows the analysis of why the treaties are being discussed and ratified. There is usually a year’s notice before they are finalised or changed and finished with. Some of the new treaties include many things that have appeared in need of a treaty since 9-11 and the increase in terrorism, with most of those areas dealing with things such as plastic explosives, money laundering, port security and giving a focus to national security in many ways. That committee has dealt with many of those treaties in that time. I am sure many more will be developed in coming years.

One of the suggestions I made to improve scrutiny was to allow members to speak to reports in this chamber, as I am doing now on this report. Many members do not get the opportunity to speak on treaties issues now. They only get time if the treaty becomes controversial and more time is allocated to it. Normally only the chair and the deputy chair get to speak on tabled reports. I remember the one on the WTO, which a lot of people had genuine concerns about and we needed plenty of information about. I think the committee played a very good role in taking public submissions and opening that up as a public debate. I think that was a very good one.

The Australia-US Free Trade Agreement was another one which was taken on. I get concerned about whether the resources of the parliament and the committee system are able to gather enough information or all the information that is received by this committee from the public. I think that is a weakness in the process. I think all the evidence in the submissions received by this committee when you get to a substantial matter like the US free trade agreement is just too much for a committee secretariat or the parliament to deal with. We need to have resources for that.

Being a member of the Publications Committee and someone who gave a tick to the closing of the government shops in our capital cities because we were going to put everything on the web, I think we are lacking in the process and we need to lift our game in that area so that the huge amounts of evidence and the matters that come before this parliament in the committee process can be put on websites so that the general public can have the transparency that I think we are all striving for. Australian citizens have a right to have that information and need
an open committee system of the parliament to do that. As I said, the closure of the bookshops put some pressure on that.

There should be more public hearings on controversial issues. It is essential that the committee and JSCOT do so. The chair of that committee is in the chamber today. He is probably the least travelled chair of JSCOT we have had. I have often said to him that I think opening up and taking the committee out to the public to take submissions and evidence from right around Australia is an important part of this committee’s work—although he may have got caught up in a lot of treaties that have not had or needed to have public involvement or that the public have not wanted to be that much involved in. I am pleased to be able to continue here today and, as I said, I really think it is important that we have discussions here about the reports that come down from the treaties committee.

Dr SOUTHCOTT (Boothby) (4.11 pm)—by leave—I am pleased to speak to Report 78: Treaty scrutiny: a ten year review, which covers a treaty seminar held by the Joint Standing Committee on Treaties on 30 and 31 March this year. We were very fortunate to have a whole range of speakers from the federal parliament, the state parliaments and the bureaucracy, as well as some international speakers. We kicked off with a function with the presiding officers—the Speaker and the President of the Senate—and we had some great addresses from the Minister for Foreign Affairs and the shadow minister for foreign affairs the previous night. The seminar was divided into four sections. Seminars like this play a very important role in reflecting on the parliament’s role in getting an interaction between academics who have this interest, the diplomatic corps, the bureaucracy, state and territory governments, international speakers and, of course, federal parliament.

First of all we had reflections on a decade. The previous speaker, the member for Lyons, has been on the committee for the 10 years of its history, so the corporate memory of the committee is tied up in the member for Lyons. He has been involved in all the treaties. I think he devastated the Treasury people when he said that the tax agreements were not terribly interesting.

Mr Adams—Double taxation.

Dr SOUTHCOTT—Double taxation agreements—and they have promised to address that and jazz up their presentation. Ms Devika Hovell from the Gilbert and Tobin Centre of Public Law at the University of New South Wales had a critical analysis of the committee and had a number of suggestions. She felt that it was important to have parliamentary ratification of treaties. This is done in some other jurisdictions. It has not been the practice in Australia, although to enter into force in Australian law it is often required that legislation be passed by the Australian parliament. Neil Roberts, from the Queensland parliament, spoke and he had a number of suggestions about NIAs, about looking at them being made available much earlier and involving the states at an earlier stage.

The second part looked at treaty making and review in a federal system. We heard from Petrice Judge, who has been involved in the Joint Standing Committee on Treaties. She is from the Office of Federal Affairs, Department of Premier and Cabinet in Western Australia. Then we heard from Anne Twomey, who was involved in the original Senate committee report in 1995 called Trick or treaty? Commonwealth power to make and implement treaties. Many of those reforms have been adopted. Probably the most important ones have been the
adoption of the Joint Standing Committee on Treaties and the national interest analysis. We also heard from Richard Herr of the University of Tasmania.

At lunch we had a very challenging and, for some of the participants, very confronting address from Greg Sheridan. It was certainly a very lively address. Unfortunately that is not in the report—we did not have a transcript of it—but those who were there would certainly remember it. In the third session Michael L’Estrange spoke about free trade agreements and the resources being put into them. Greg Rose spoke about the treaties with our regional neighbours in the South Pacific, specifically from the point of view of seeing a much greater use of cooperation agreements. There was talk about the enhanced cooperation program with Papua New Guinea to provide policing to Papua New Guinea, which was struck down by the Supreme Court of PNG, and cooperation agreements between our departments helping people with finance and so on. They are many of the treaties that we see involving a degree of cooperation with countries in the region.

We also heard from Professor Aynsley Kellow from the University of Tasmania, who spoke about climate change treaties and looked at Kyoto and also at the Asia-Pacific Partnership on Clean Development and Climate, and who thought that this was probably the way to go in the future as it addressed the involvement of business, technology and so on. Lastly, we heard from two international speakers, Dr Palitha Kohona, an Australian and a former DFAT officer who was the head of the treaty section at the United Nations, and Ms Dianne Yates, who chairs the Foreign Affairs, Defence and Trade Committee in the New Zealand parliament. As is the case with many other Westminster parliaments, the New Zealand parliament does not have a specific treaties committee, so it is often done on a more ad hoc basis, and sometimes the treaties will be looked at by the foreign affairs committee.

In conclusion, the breadth of treaties that the treaties committee gets to consider is enormous. Some recent ones include scientific balloons being launched from Alice Springs, an agreement between Australia and the United States; and the optical telescope at Siding Spring, an agreement between Australia and the United Kingdom. We do see an enormous breadth of treaties. This is nothing new. Even before Australia became a federation we entered into treaties. Some of the oldest ones involve things like the International Postal Union—the International Telegraph Union, as it was then. Before we became a federation, many of our colonies were members of this organisation.

In its 10 years in operation the treaties committee has presented 77 reports. It has looked at something like 380 treaty actions. It has only ever knocked back one treaty—a treaty of amity and cooperation with Kazakhstan. The treaties committee has often delivered reports which are critical of either the national interest analysis or the consultation—they are a couple of the areas which have been focused on.

Debate (on motion by Ms Hall) adjourned.

AUSTRALIAN LAW REFORM COMMISSION

Report

Debate resumed from 13 September, on motion by Mr Abbott:

That the House take note of the document.

Ms ROXON (Gellibrand) (4.18 pm)—It gives me great pleasure to speak in the debate on this report by the Australian Law Reform Commission titled Fighting words: a review of sedi-
tion laws in Australia because it is an unusual process for the government to allow a document tabled by a minister to be referred here for such a debate. This is an extremely important report that the Australian Law Reform Commission has handed down, and I think it is worthy of the House’s attention. I am glad that I am able to go through the report in some detail and also refer to the history of how the Law Reform Commission actually came to have this reference in the first place.

I am a little disappointed that the only speakers on the report that has been tabled in the House are from the Labor side. I would have thought, given the interest that there was at the time of the introduction of a range of antiterrorism measures, that there would have been any number of backbenchers on the government side who would have been desperate to take this opportunity to debate these issues. I suspect the reason is that the Law Reform Commission has found what was inevitable. The Law Reform Commission has found what everybody except the Attorney-General knew it would be finding from the beginning, because, at the time that these sedition provisions which were under scrutiny by the Law Reform Commission were updated as part of the antiterrorism laws introduced last year, Labor opposed the sedition laws being part of that package and the amendments that were being made to them.

A Senate committee comprised of government and opposition members opposed these provisions. A number of Liberal backbenchers opposed these provisions. Arts organisations, media organisations, community organisations and lawyer groups all opposed sedition provisions being used in the way that the Attorney put them forward in last year’s legislation. Despite this, and despite the Attorney’s clear knowledge that these laws were poorly drafted and ill suited to the job that he said they needed to do, the only concession he was prepared to make was to refer the laws to the Law Reform Commission for greater analysis. So the parliament was put in the invidious position of being asked to vote for laws—which the Attorney acknowledged needed to be reviewed by the Law Reform Commission—before that review took place, rather than, as Labor proposed, separating out the sedition provisions, letting the Law Reform Commission do its work and then asking the parliament to pass laws that had been properly considered and were designed to suit today’s needs.

So, not surprisingly to us, having done that work—in an order that from Labor’s perspective was the wrong way around; it would have been better to review our laws and then change them rather than change our laws, review them and potentially change them again—the Law Reform Commission made one key, overarching recommendation. I want to ensure that the House is clear about this. In its report Fighting words: a review of sedition laws in Australia, the Law Reform Commission:

... makes a range of recommendations to improve the existing law. Some of these represent technical refinements to the drafting. Mainly, however, the recommendations are aimed at ensuring there is a bright line between freedom of expression—even when exercised in a challenging or unpopular manner—and the reach of the criminal law, which should focus on exhortations to the unlawful use of force or violence.

That ‘bright line’ is in fact the very point that Labor has been making for years and years. We made it at the time that this debate was occurring; we made it at the time that I introduced a private member’s bill on incitement to violence on racial and religious grounds; it was made by previous Labor governments when examining other urgings to violence, particularly in the area of racial vilification. At every point Labor has been opposed by the government. In fact,
more than 10 years ago the then opposition, the conservative parties, voted against criminal laws being put in place in the area of incitement to violence on racial grounds. Now we see that this Attorney is determined to perpetuate some of these problems.

The key point for the House to note is that the Law Reform Commission understands that, in a democracy, there is a significant difference between freedom of speech, robust speech, political dissent and active argument over theology, politics or any issue and a line that is crossed if you urge others to be involved in violence, the use of force or threats of force against other people, the community or our institutions. In highlighting that ‘bright line’, the Law Reform Commission makes its whole range of recommendations in that context. Labor is very pleased to see that those recommendations are consistent with the views that it was pursuing right from the beginning.

It is not an understatement to say that the Law Reform Commission has really slammed the Attorney’s ill-conceived sedition laws. It shows that the Attorney’s approach to this issue has been high-handed and the height of incompetence. We know that the Attorney rushed these clumsy, poorly drafted laws through the parliament in November last year with little time for consultation or consideration. Consideration was given to the legislation by the bipartisan Senate committee and it, of course, unanimously recommended that the provisions be dropped. As I have noted, even the Attorney’s own backbenchers publicly voiced their concerns about these laws. The ‘modernising’, as the government called it, of the sedition provisions created a community and political furore.

Last November, the Attorney-General quite contemptuously described this reaction as ‘a triumph for misinformation, disinformation and scaremongering’, but now it seems he has egg on his face. Given that the Law Reform Commission has supported the views of Labor, the community, arts organisations and many others, the Attorney can hardly continue with that contempt. As this parliament knows, Labor voted against the sedition laws. We voted for them to be removed from the anti-terrorism package. When that was not successful we voted for amendments, which were also not supported by the government.

In a further attempt to focus more clearly on the particular threats that we think are in the community I introduced a private member’s bill, the Crimes Act Amendment (Incitement to Violence) Bill 2005, which contained carefully targeted alternative laws that would provide one effective way to crack down on those who promote violence. Our proposal would make it a crime to intentionally incite violence against others on the basis of religion, race, ethnicity or nationality. This would give police the power to stop bigoted bullies, whether they were extreme Islamists or Neo-Nazi skinheads. At the same time, Labor’s proposal would have made clear that there would be nothing to prevent journalists or artists freely expressing their potentially unorthodox opinions and it would even—shock, horror perhaps to this parliament—allow for criticism of government. That is something Labor, but clearly not the Attorney-General, believes should remain a feature of Australia’s robust democracy.

So, with the Law Reform Commission’s conclusion that this bright line needs to be drawn between freedom of expression—whether it is robust or unpopular; no matter how it is expressed—and urging another to violence, the commission has picked up exactly the approach that Labor has been arguing for in the past year. I hope that the Attorney is going to be able to swallow his pride, take on board the vast range of recommendations that have been made and improve our laws for everybody in the future.
Of course, we are quite happy to acknowledge—as I did when I introduced my private member’s bill—that, with the Law Reform Commission’s resources, it has been able to point out that there are a number of crimes that could be amended and approaches that could be taken to achieve the balance that we believe is important in our laws to protect free speech and to protect the community from extreme urgings of violence in others. The Law Reform Commission has picked up—much more comprehensively than we were able to in our private member’s bill—and addressed this range of issues and highlighted the areas where the government has got it wrong. Of course the key area in which the government has got it wrong is in using the sedition provisions that are antiquated and ill-suited to our modern times.

We acknowledge that we have to have laws that meet the modern challenges of terrorism and community violence but we also believe that such laws must protect freedom of expression in our democracy. Unfortunately, the government’s current provisions that are in place do not do either of those things. It is time that the Attorney swallowed his pride, admitted he was wrong and was big enough to accept the expert advice of the Law Reform Commission to fix up this mess.

I am concerned, however, that the early signs are not great. Mr Ruddock was reported in the *Sydney Morning Herald*, shortly after the Law Reform Commission’s report was tabled, as saying unambiguously that he will not be recommending a change on the issue of intention and urgings of violence. A *Sydney Morning Herald* article of 18 September said:

But Mr Ruddock stands by repeated Government claims that this would make sedition too hard to prosecute ...

Unfortunately, we are of the view that it is clear that Mr Ruddock is determined to keep within his sights—by refusing the recommendation that the Law Reform Commission puts up in this area—journalists, academics, artists and others within the potential net of the offences that are on our statute book. I think it indicates that the government, despite some of its rhetoric, still intends to keep those people at least slightly fearful that there is a possibility that a prosecution could be brought against them. Surely in a robust democracy we do not want people—artists, journalists and others involved in legitimate activities—to be wary of criticising government in case the criminal law comes down hard upon them.

I am sure this will be entertaining to many who are here: Mr Ruddock says that he is not so concerned about the misuse of these laws because the best guarantee against inappropriate use of the law is that he himself has a personal role in the process of approving sedition prosecutions. This is going to be very, very cold comfort for almost anybody in the categories of the community who fear that criticism of government might be prosecuted or that it might be used vindictively. Quite frankly, the Attorney does not have a good record or clean hands in not politicising these sorts of decisions. So in fact the role that he plays—or that any Attorney could play—is one of the things that creates a heightened sense of these sedition laws being able to be used for a political purpose. Again, the Law Reform Commission clearly recommends that this sort of intervention should not be allowed and recommends abolishing those provisions.

Interestingly, one of the bases upon which they confidently recommend this is that our other newly passed terrorism laws, which have been passed in the past couple of years, do not take this process. They do not require that the Attorney’s consent be given for prosecutions. So there does not seem to be any logical reason that they should be in place for these far more
political offences. It is very worrying to Labor that two of the key, fundamental issues of concern to the community before these laws were passed and two of the key recommendations of the Law Reform Commission’s report have already been dismissed out of hand, if not on the day then the day after this comprehensive report was released.

What we see is the compounding of error upon error. First, the Attorney does not spend enough time to consider whether these laws are appropriate, rushes them through the parliament and concedes reluctantly to an inquiry. Then, when the inquiry tells him exactly what others have been telling him all along, he still digs in his heels and says he is not going to consider these key recommendations. I think it is an embarrassment for the government. It is an embarrassment to be in Australia where now, with these new sedition laws, we are joining a list of countries—a pretty exclusive club of countries—that have active sedition laws: China, Cuba, Hong Kong, Malaysia, North Korea, Singapore, Syria, Zimbabwe and Australia.

Then we ask our expert academics, law reformers and the community to contribute to this process. They agree that the sedition laws should go—and we still have the Attorney digging in his heels. That is a great disappointment to us. We again, as we have time and time again, loudly and regularly, call on the government to remove these sedition provisions, to take on board the Law Reform Commission’s recommendations of how to redraft these laws, not to remove some of the important offences that are part of this package but to make them appropriate for the community that we are in.

One of the things that will really make these provisions appropriate is the recommendations that the Law Reform Commission have made about a defence of good faith. Interestingly, the Law Reform Commission said they do not believe that is the best way to achieve the outcome; they would like there to be a context put into the offences themselves that makes clear that comments that are made in the course of academic work, in the course of journalism or in the course of artistic endeavours could not constitute an offence. We believe that is an appropriate way to tackle this issue—something that would give the community the confidence that it deserves that, in Australia, you can robustly criticise your government without being in fear of criminal action being taken against you, but if you do cross the line and irresponsibly incite violence against others you will be prosecuted. The Law Reform Commission’s recommendations should be adopted by the government. I urge the Attorney to put aside the pride that he has in dealing with this issue and tackle it in the best interest of the country.

Mr Garrett (Kingsford Smith) (4.33 pm)—I want to support the remarks of my colleague the member for Gellibrand and shadow Attorney-General in the thrust of everything that she had to say in relation to the Attorney-General’s approach and insistence on having these laws of sedition on the statute books. The release of the Australian Law Reform Commission report *Fighting words: a review of sedition laws in Australia*, which was tabled in this parliament on 13 September, represents a most comprehensive rebuttal of the current sedition laws which were pushed through the parliament by the Attorney-General. It is time that he took note of the recommendations of the Law Reform Commission, given the circumstances under which they have been made.

As it is, regretfully, the Attorney-General has already announced that he will not be acting on a number of the recommendations. He has done this consistently through the course of this debate. He has made up his mind well before he has had an opportunity to listen not only to people who know a lot about these issues, such as lawyers, but to the community. It begs the
question: where does that leave this party, his own party, people in the parliament and the
closer public who have been concerned about inappropriate laws like sedition coming onto the
statute books?

The fact is that the Attorney-General has been left to hang out to dry by this Australian Law
Reform Commission report, but he has contempt for the legal principles and the prudent exer-
cise of laws and the opinion of lawyers who disagree with him, and that contempt seems only
to be exceeded by the contempt he has for the rights of the rest of us—citizens, members of
parliament—who he is meant to be serving and whose interests—our interests—he is meant
to be protecting.

It is true that sedition re-emerged as an offence after a considerable period in hibernation,
and the reason was that it was not working. It has been associated in less recent times with
attempts to inhibit political commentary. But it re-emerged in the antiterrorism bill, where the
Attorney-General sought to update and reinstate sedition into Australia’s law. But from the
start the Attorney-General was a lone voice in favour of expanding sedition and certainly the
only person with any legal background who was willing to defend it. It was never the will of
the people nor of the legal community, including legal academics, and there were high con-
cerns from day one from the arts and media communities about the expression of sedition that
appeared in a piece of proposed legislation. Legal academics, retired judges, state premiers,
eminent lawyers, even members of the Attorney-General’s own party, were all opposed to or
at least expressed great concerns about introducing an expanded offence of sedition.

It should come as no surprise that the Attorney-General is still the only person pushing the
sedition barrow. The arguments he has used to advance the proposition that we need an
enlarged defence have been found wanting ever since the proposed bills first appeared. On 14
November 2005, writing in the *Sydney Morning Herald*, the Attorney-General put up a series
of arguments to justify the sedition proposals. They included that the sedition laws were not
new—that the proposed laws were simply an update of language detailing sedition. In fact,
the proposed laws did represent a considerable expansion. The Attorney-General asserted that
people had misunderstood the term ‘seditious intention’ to be an offence when it was only a
definition and a number of the clever, legal type arguments that the Attorney-General has put
along the way. Again, this was wrong. The definition of ‘seditious intention’ was linked to
offences.

The Attorney-General went on to say that the good faith defence would protect vigorous
public debate. Wrong. The good faith defence specifically did not protect free speech and
freedom of artistic expression. The Attorney-General also claimed the sedition laws were
meant to capture activity encouraging the use of violence. But as other speakers have noted,
and will note, I am sure, some of the offences contemplated had no link to force or terrorism.

In what I thought was a gross act, an extraordinary act, of misinterpretation in that particu-
lar opinion, the Attorney-General claimed that the proposals that he was introducing were
based on recommendations by a former High Court judge, Sir Harry Gibbs, when they clearly
were not. We have to ask ourselves: what level of responsibility does the first law officer of
the Crown exercise when he is willing to misrepresent a previous High Court judge?

In any event, on these assertions—incorrect assertions—the Attorney-General rested his
initial push to introduce new sedition laws, and it is little wonder that the legal, the artistic and
the broad community were vehemently opposed to them. I note that, critically, the existing
sedition offences that the Attorney-General sought to modernise, whilst existing in the Crimes Act 1914, had always been considered to be obsolete. So the Attorney-General was trying to remake a law from something that had already passed into history and into the history books. There had been no prosecution under the Crimes Act for almost half a century or more, and no modern democratic nation, as legal academic Ben Saul and many others have pointed out, had used or updated sedition provisions for 50 years. In fact, many countries had repealed their sedition laws, recognising that at the least they were clumsy legal instruments and at the worst they were capable of inhibiting political dissent and the free exercise of ideas.

Why then did the Attorney-General push ahead? Sedition law was in fact an arcane subject, more at home in legal history courses than in the repertoire of any Attorney-General in a modern democratic nation like Australia. In fact, the only places where we could find and identify sedition laws that were being activated were countries such as Cuba, China, Malaysia and—regrettably, given the circumstances of today—North Korea. These were the countries where prosecutions for sedition had taken place in recent times.

Indeed, those parts of the proposed legislation that included the definition of seditious intention were so broad as to permit activities that clearly fell outside the realm of urging violence or force. This was at the hub of the community and legal concern about what the Attorney-General was proposing. There were so many laws which were capable of being interpreted in such a way that the intention of laws of this kind—to inhibit, identify and prosecute those who clearly and willingly intended to use force—would apply in a much wider way. For example, there are the intentions ‘to bring the Sovereign into hatred and contempt’ or ‘to urge another person to attempt, other than by lawful means, to procure a change to any matter established by law in the Commonwealth’. But in both of these definitions there was patently no link between these activities and terrorism, even though the Attorney-General was contending at the time that there was a link. His assertions were both mischievous and wrong at law—and so it went on. Equally, the good-faith defences that were identified were compromised by not being applied to all the offences contemplated and the good-faith defences, as the member for Gellibrand has just noted, did not protect artistic discussion or broad political debate.

As the shadow parliamentary secretary for the arts, I sought legal opinion from Senior Counsel Peter Gray on the impacts of the proposals. That advice advised:

... Australians involved in the artistic and creative fields are particularly vulnerable to the risk of prosecution under the regime to be introduced by this Bill.

Critically, a number of the offences mooted by the original legislation had no direct connection to violence, force or terrorism. With the definition of seditious intention that I have just mentioned being so broad, that rendered the sweep of the sedition laws that the Attorney-General sought to initiate so potentially wide that there was a further outcry. The comment that was made then in fact was ultimately reflected in the private member’s bill introduced by the shadow Attorney-General, that the reasonable intention on the part of the government to address issues relating to incitement to group violence was better served by having robust antivialification legislation. Amongst the many anomalies and ironies of the proposed sedition offences was the fact that the new sedition offences would not provide federal protection in respect of religious vilification where such conduct does not incite violence.

There is no question that we need laws to deal with the modern challenge of terrorist imposed violence. The only problem is that these were the wrong laws. The legitimate and nec-
essary task of framing legislation to combat terrorism was—and is already—served under the existing broad definitions of terrorism in federal law under section 188 of the Criminal Code. In any event, following widespread outcry resulting from the government’s introduction of the sedition laws, the Senate Legal and Constitutional Committee, in considering the whole raft of proposed antiterror bills, was unanimous in recommending that the sedition component of the legislation be removed.

Previously the member for Wentworth and other government members had used expressions like ‘archaic’ to describe the sedition provisions—and they were right. All members of the Senate committee agreed with these sentiments and the weight of opinion was clearly against them. But, even prior to the Senate Legal and Constitutional Committee releasing its recommendations, the Prime Minister and the Attorney-General were out there defending the laws, with the Attorney-General promising, in the face of considerable opposition from major media outlets, to consider some minor amendments. He was already announcing, prior to the Senate committee report, that his department would review the sedition laws.

I note that along with the Labor Party numerous arts organisations—including the National Association for Visual Arts, the Australian Publishers Association, the Australian Writers Guild, PEN—as well as lawyers and academics strongly opposed the sedition component of the bill. Their position was vindicated by the Senate committee recommending that schedule 7 be removed in its entirety. All of the submissions except those from the AFP, the DPP and the Attorney-General were against reinvigorating sedition. The Senate committee also recommended that the ALRC conduct an inquiry into the best legislative vehicle for addressing the issue of incitement to terrorism; that, if schedule 7 was not removed, amendments requiring a link to force or violence be included; that the phrase ‘by any means whatever’ be removed; that there be a requirement of intentionality in urging; and that the fair comment defence be extended to statements for journalistic, educational, artistic, scientific and public interest. The committee recommended that those protections exist, yet the bill passed.

Subsequently, the recommendations of the ALRC, which looked at the bill, were clear, and again the government’s position was isolation. The commission recommended that the term ‘sedition’ should be removed by the Australian government from federal criminal law. It further recommended the repeal of sections concerning, advocating or inciting to crime and inserting ‘intentionally’ before ‘urges’ in relevant sections 80.2(1) and 80.2(3). It went on to say that the Australian government should continue to pursue other strategies, such as educational programs, to promote intercommunal harmony and understanding—and that was a reflection of submissions from organisations such as NAVA.

The recommendations of the Law Reform Commission were a vindication of Labor’s approach and of the combined voices of arts practitioners, legal academics and others who consistently opposed these proposals. Again, the Law Reform Commission has left the Attorney-General completely isolated. Importantly, by recommending that the offences of urging another person to assist an enemy at war with Australia and urging another person to assist those engaged in armed hostilities against the Australian defence forces be repealed, this commission report highlights what has always been the primary reason for opposing sedition—for here neither offence requires the use of violence—and the term ‘assist’ undefined could amount to very minor forms of assistance. This would clearly represent an unwarranted invasion of free speech and political expression. For example, staging a theatrical production
showing up the casualties of war could fall within its ambit—again, an unwarranted invasion of free expression.

The Australian Law Reform Commission report was written by three law professors and two Federal Court judges and took advice from the federal Director of Public Prosecutions, a chief judge of the County Court of Victoria and the President of the Human Rights and Equal Opportunity Commission. It is completely untenable that they are all wrong and that Mr Ruddock is right.

The Australian Major Performing Arts Group called on the government to drop sedition as a consequence of the ALRC report, stressing the importance for this government to commit to recognising and protecting the freedom of expression of artists, writers, directors and producers. The Australian Law Reform Commission recognised that laws must draw:

... a bright line between freedom of expression—even when exercised in a challenging or unpopular manner—and the reach of the criminal law ...

I think that was a very succinct summary of what ought to be the fundamental principle that underlies the drafting of laws of this kind. By stating that free speech and robust political debate are cornerstones of Australian society, the Law Reform Commission has demonstrated that it understands clearly what constitutes the core of our democracy. By refusing to act on the recommendations and pursuing sedition, the Attorney-General has shown just as clearly he does not.

Mr McMULLAN (Fraser) (4.48 pm)—It is a pleasure for me to join with my colleagues in this debate, particularly the shadow Attorney-General, the member for Gellibrand and the member for Kingsford Smith, because each of them has spoken out strongly and effectively on this issue from the very first. The arguments which they put have now been vindicated, including substantially and importantly by this Australian Law Reform Commission report which we are now debating. But they were out there before they had the support of these major and prestigious organisations, when it was a risky and controversial thing to do, and I support them for so doing.

This is a very important debate. It is important in itself because it is a debate about legislation, the passage of which has had significant impact on the framework of civil liberties in this country, as the Law Reform Commission makes clear. It is also important for what it says about the state of our rights and our democracy after 10 years of a government that has grown increasingly intolerant and arrogant. We are debating the Australian Law Reform Commission report, which is a very balanced and measured report. In some ways you might say it is a very cautious report. Even though it has been described as a scathing indictment of the sedition laws, compared to most of the criticism that has been made of those laws it is actually very moderate, as you would expect. The member for Kingsford Smith just outlined the composition of the commission for the purpose of this report, and they are not people from whom you would expect radical or extreme views.

There have been many other voices expressing concern, some wanting to go much further than the ALRC, but the Attorney-General has already rejected the key recommendation of this report, and I find that extremely disappointing. I think in an attic somewhere there is a Dorian Gray type painting of the Attorney-General, as he seems to abandon, one by one, the things for which he stood earlier in his political career, first as minister for immigration and now as Attorney-General. He stands there still wearing his Amnesty International badge, but some-
where there is a wizened portrait, as Oscar Wilde described in *The Portrait of Dorian Gray*, of the Attorney-General, reflecting the real impact on him of these changes which he is making—and, more importantly from my point of view, the impact they are having on Australian society, Australian politics and Australian democracy.

Chapters 1 and 2 of the Australian Law Reform Commission report go to this question about the use of the term ‘sedition’ itself. You might say: ‘So what? It’s a word. If the content of the law is acceptable, the word used to describe it doesn’t matter.’ At its core there is some truth in that and were the law in every other way acceptable we would say that sedition is an archaic expression and it should be taken out of the law, but it would be of no practical consequence. But as the ALRC says, the ‘offence of sedition can be seen as a political crime, punishing speech that is critical of the established order’. That is certainly the origin of the offence. I quote from the report:

Stakeholders, including politicians across party lines, have expressed concerns that there is potential for sedition law to inhibit freedom of expression and free association.

The report went on to say—and this is the matter to which the member for Kingsford Smith referred in the latter part of his speech:

... the recommendations—

that is, the recommendations of the Law Reform Commission—

are aimed at ensuring there is a bright line between freedom of expression—even when exercised in a challenging or unpopular manner—and the reach of the criminal law, which should focus on exhortations to the unlawful use of force or violence.

What is really remarkable is that the Law Reform Commission felt that they needed to say that. Surely, for everybody in this parliament, that is a self-evident principle. But that bright line has faded, and, in the laws which the Law Reform Commission are reporting on, I think it has been crossed.

It does not pay when talking about things that undermine our rights and impair the standing of our democracy to exaggerate. Our democracy is strong and enduring, and Australians are properly proud of it. But it is important on each occasion when we see some chipping away at the edges of our democracy and of our rights that we speak up. The reason that our democracy in 2006 is strong is that, every time somebody has sought to undermine it, people have spoken up. The most important institution in which people can and should speak up is here in the parliament. There are a whole range of areas where I think matters large and small are impacting on the standards and quality of our democracy and of our rights—matters relating to the electoral laws and matters relating to principles of accountability, some of which are not laws but are indeed practices in some instances of this parliament itself. We need to speak up on any and all of them, and it is a theme I intend to come back to in other contributions.

But on this occasion we say the Law Reform Commission have profoundly got this right. I would have preferred that they had been stronger in some elements of their criticism of the proposed laws and had recommended some amendments beyond those which they have recommended. But I say without qualification that, if the recommendations of the Law Reform Commission were adopted, the law would be a manifestly better law than that which the parliament erroneously passed. An example of that is the way in which the Law Reform Commission refer to the capacity of the law as passed to be seen as in breach of the International
Covenant on Civil and Political Rights. It is in chapter 5 of their report. They say in their recommendation:

… if the pattern of recommendations in this Report were adopted, this would remedy any inconsistencies (potential or actual) between federal sedition law and the International Covenant.

Once again, isn’t it remarkable that the Law Reform Commission need to say that? Isn’t it remarkable that Australia, one of the great bulwarks of international democracy and rights, should require its Law Reform Commission—and it is a fairly conservative, orthodox, mainstream body—to say, ‘Are you not aware that the law which you passed does not conform to the International Covenant on Civil and Political Rights?’ In my view, what is worse is the Attorney-General at least was aware that this law was in breach of that covenant when he proposed it. Certainly he is aware of it now when he has recommended against the fundamental changes proposed by the Law Reform Commission in their document Fighting words.

The International Covenant on Civil and Political Rights is sometimes criticised in Australia—and of course it should be. It should not be exempt from criticism; it is a creation of humans and it may be flawed. But broadly, in the context where we are talking a lot about Australian values, what the International Covenant on Civil and Political Rights talks about is universal values—values that apply not just to Australians but to every citizen—and defending the rights of every citizen to have the benefit of the application of those values by their government. We should apply to ourselves that which we advocate for others.

I now want to turn briefly to some other aspects of this report. In chapter 7 the report looks particularly at freedom of expression. This is at the heart of the concern for many. The legal and arts communities have been particularly outspoken about this—the legal community because of their traditional commitment to legal rights and principles, and the arts community, firstly, because of that commitment and, secondly, because they quite correctly see themselves as the ones who are fundamentally affected by these laws, as do the various media organisations. I do not want to take it out of context, but the report refers to the potential ‘chilling effect on freedom of expression caused by the sedition provisions’. They are analysing that. It is not their conclusion; it is a matter they are analysing. They discuss the interaction between the sedition provisions and other domestic legislation that protects human rights. In subsequent sections they go on to talk about the urging of political or intergroup force or violence, recommending fundamental change to the operation of the offences in section 80 of the act and to:

… remove from the ambit of the offences any rhetorical statements, parody, artistic expression, reportage and other communications that the person does not intend anyone will act upon …

The Law Reform Commission want the offences amended to make it clear the person must ‘intentionally urge the use of force or violence’.

It is not clear from what I have seen so far whether the Attorney-General is going to accept that recommendation. It is clear he has rejected some of the others—most fundamentally that which says that the whole concept of sedition should be taken out of the law and the phrase not used. I hope that the bleak interpretation of the Attorney-General’s remarks, which suggests that he will not accept these recommendations either, is not correct. At this stage that is not clear to me.
The Law Reform Commission has expressed significant concerns about the offences currently contained in sections 80.2, (7) to (8), which do not require the urging of force or violence; rather it is an offence merely to:

... assist an enemy at war with Australia ... or an entity that is engaged in armed hostilities against the Australian Defence Force.

Clearly, none of us wants to see Australian citizens or Australian residents actively engaged in armed struggle against our own armed forces or against our country, but the very broad and sweeping term—as the Law Reform Commission makes sense—might well cover that more general phrase 'giving aid and comfort to the enemy'. We are engaged in a controversial war in Iraq at the moment and to some people the war in Afghanistan is controversial. I support our commitment to Afghanistan; it is not controversial to me but that does not mean it is not controversial to anybody. We have people speaking out saying that we are doing the wrong thing there. They are not criticising the individual men and women who are there but they are criticising the policy that sent them. It is very emotional and people are involved at the moment.

So let us extract ourselves from that and go back to something we can look at a bit more calmly. If you think about the nature of the campaign against the war in Vietnam, you can see that laws such as these would certainly have been able to have been used against some of those advocating that Australia was supporting the wrong side in the civil war in Vietnam. I am not sure that that was actually the correct analysis; I was bitterly opposed to the war in Vietnam—it was my political initiation—not because I thought we were fighting on the wrong side but because we were fighting a war that we should never have been involved in. Those people held that view legitimately within the mainstream of Australian political life, and the thought that we have passed a law in this country that could have made that legitimate political objection a criminal offence is anathema. That is why I welcome the Law Reform Commission report and the recommendations in it. I deplore the fact that the Attorney-General has indicated he is not going to accept the report recommendations. I hope he might reflect and respond to some others because at least then we would see modest improvement. If not, we will have to wait for a change of government to abolish these iniquitous laws.

Mr MELHAM (Banks) (5.03 pm)—In rising to speak on the Australian Law Reform Commission report, Fighting words: a review of seditious laws in Australia, I am not surprised by the Attorney-General’s reluctance to embrace this report. I think it is fair to say that his position itself has not changed in the main, from what I can see. One only has to read what he said in the parliament and also the comments he made at the time. He wrote an opinion piece in the Sydney Morning Herald on 14 November 2005, a letter to the Independent Weekly on 27 November 2005, a letter to the Herald Sun on 30 November 2005 and an opinion piece in the Australian on 8 December 2005.

While I do not have a problem with the Attorney defending his position, I do have a problem with the Attorney maintaining that position against what I think are pretty reasonable and overwhelming views by the Law Reform Commission and other people on this matter, which if adopted would in my opinion result in a reasonable position on the statute books. I think what we have on the statute books is unreasonable. The Attorney faced a bit of a revolt in his own party, but the legislation was passed on the promise of a review. Now we have that re-
view. It is interesting that the *Age* published a pretty full-on editorial on 1 June this year headed ‘The sedition law must go, Minister’. It read:

Of all the ill-considered legislation passed by the Federal Parliament, the law on sedition ranks among the worst. Its dangers and flaws were so obvious, and opposition from all sections of the community so strong, that a Senate committee made a bipartisan recommendation that the sedition provisions be excised from the antiterrorism bill. Attorney-General Philip Ruddock insisted the bill be passed intact, but promised a review of the sedition law.

The review has been undertaken by the Australian Law Reform Commission, which has released a discussion paper containing 25 reform proposals. The paper amounts to a vindication of the concern—shared by the media, academics, artists, performers and lawyers—that a law supposedly aimed at terrorists and others who intended to incite violence threatened free speech in Australia.

The commission wants the offence of ‘sedition’, which is all too readily used by governments to silence political opponents, dropped from the statute books. It suggests all the accepted forms of political, academic and artistic communication that are part and parcel of a healthy democracy should be protected. Only a narrowly defined law that criminalises speech where it can be proven the speaker definitely intended to incite violence might be justified.

Other draconian laws are unfortunately not open to review, but Mr Ruddock should accept that the Senate committee and Australian Law Reform Commission have come to the same conclusion about the sedition law. The concerns are well founded and not just based on ‘misinformation, disinformation and scaremongering’ as he asserted last November.

Having had the legislation passed on the promise of a review, Mr Ruddock must in good faith accept its findings and repeal a bad law that diminishes Australian democracy.

I think the problem is that the Attorney-General is too locked into a particular course of action, and we are seeing that in a number of respects. It is a tragedy that he takes such a hard line and that so little attention is being paid to those who have a different view.

In its review the Law Reform Commission made a number of recommendations. There is a summary of the recommendations, an appendix 1, which lists the existing Criminal Code provisions, and an appendix 2, which recommends amending division 80 of the Criminal Code. I look at some of the amendments that the Law Reform Commission proposed. The report proposes adding, to section 80.1(1)(e) of the Criminal Code, the words ‘engages in conduct that materially assists an enemy to engage in war with the Commonwealth’. They recommend that section 80.2 of the Criminal Code:

... should be changed to refer to urging the overthrow by ‘force or violence’ of the Constitution or Government.

They also propose adding the word ‘intentionally’ to clause 1. What you have is a very thoughtful report from the Law Reform Commission. A series of other amendments are highlighted in the report that add the word ‘intentionally’.

When I was the shadow minister for justice and customs and had to negotiate with the then Attorney-General—John Faulkner was the other person from the Labor Party who was involved in the negotiations—we sat down in good faith with the then Attorney-General. We said we had some problems with the law but that it was important that the law had bipartisan support. Some in the parliament from the minor parties would never support the legislation, but we felt it was important that the government and the alternative government were seen to support a raft of legislation that is so serious that it transcends politics.
We were concerned at the time, having regard to the way that the legislation was sloppily drafted, that it was legislation that could pick up people who were not terrorists—that it could pick up a sweep of people. That is the problem with this sedition law. That is why I think the press and the arts community are concerned about it. The way this legislation is drafted means that it could pick up people who do not have an intention to commit a terrorist act but who want to engage in an element of free speech. We have seen the banning of books, and universities recently being told that they have to take books off the bookshelves because they could be guilty of an offence. So academics in universities now have to negotiate with the Attorney-General to allow access by scholars to material that might actually assist in understanding the nature of terrorism and the minds of terrorists. That is how stupid this legislation is in part and shows how it has been applied with a broad reach.

I have a real problem with that, as I do with the sedition laws as they are currently drafted. The Attorney says they are just codifying existing laws. Because they are existing laws does not necessarily mean that those values and standards are values and standards that we want to maintain in our modern society. This was an opportunity in many respects to, in effect, rewrite those laws and take out the harsher elements. What is sad, as David Marr reported in the *Sydney Morning Herald* on 18 September 2006, is that the Attorney, Mr Ruddock, is quoted as saying that the government would not be budging and that ‘I won’t be recommending we change our view’. He has undertaken to consider a number of other recommendations contained in the commission’s review of sedition laws that was released last week. But the most fundamental change is finished.

That having been said, I say it was a dishonest approach by the Attorney-General in the first place to refer the sedition laws to the Law Reform Commission. He basically should have stuck to his digs and said, ‘I’m not changing and I’m not sending it off for review.’ The review was an independent review and it showed that in effect there were some problems. This is what is said in the list of recommendations on page 22, under the heading ‘Sedition and Freedom of Expression’:

Peak arts and media organisations should provide educational programs and material to their members to promote a better understanding of:

(a) the scope of federal, state and territory laws that prohibit the urging of political or inter-group force or violence; and

(b) any potential impact of these laws on these activities of their members.

Under the heading ‘The Sedition Offences’ it states:

Section 80.2 of the *Criminal Code* (Cth) should be amended to provide that, for a person to be guilty of any of the offences under s 80.2, the person must intend that the urged force or violence will occur. So it is imputing an intention. Again, under ‘Urging Political Force or Violence’, it states:

The word ‘intentionally’ should be inserted into s 80.2 (1) ...

What worries me is that the Attorney-General is becoming so obstinate in relation to some of these things that he is actually becoming quite a danger as Attorney-General to both the government and society at large. With the government controlling both the lower house and the upper house, it does not need minor parties’ support, but it becomes a real problem if you have an Attorney who is just intransigent. I know that the backbench committee of the government is a good backbench committee in this area and that it challenges on a lot of areas.

MAIN COMMITTEE
But that of itself is not sufficient to rein in the Attorney. I am not saying that the Attorney does not genuinely believe that what he is doing is in the best interests; what I am saying is that his view alone should not prevail over all others.

I liked the approach of the former Attorney-General, the Hon. Daryl Williams, who I found was someone who was amenable to the opposition approaching him and having an argument on the merits and who, where possible, was accommodating of those arguments. So at the end of the day most of the terrorism laws and the ASIO legislation passed with bipartisan support. I note that the Attorney is now talking about bringing in a longer period of detention of 28 days, so revisiting the scene of the crime.

I think that, in terms of this matter, the Attorney-General would be better served to accept the independent Law Reform Commission’s view on sedition. I do not believe that the sky will fall in. I believe it is an improvement on the law as currently enacted and I am not alone in that view. It is not necessarily the weight of numbers, but as it was initially drafted and as it has been codified it is an anachronistic law. I think that the Attorney in this instance should be a little more willing, having commissioned a report, to accept the independent umpire. I think it is fair to say that many people thought that the Law Reform Commission would go further—and it did not—in relation to a number of recommendations. Those recommendations have, in the main, been accepted by the broader community.

I say this to the Attorney-General: being tough is not the only qualification required of an Attorney-General. There is an element of fairness, there is an element of balance that has to be brought into the equation so that you do not have an imbalance in our legislation that would see people wrongly picked up who are not the sort of people that we are after.

Debate (on motion by Mr Neville) adjourned.

LOCAL GOVERNMENT

Debate resumed from 13 September, on motion by Mr Lloyd:

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.

upon which Mr Albanese moved by way of amendment:

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 DEPUTY SPEAKER (Mr Barresi)—The question now is that the words proposed to be omitted stand part of the question.
Ms KING (Ballarat) (5.19 pm)—I welcome the motion before the chamber today and the amendment that has been put by the member for Grayndler that would see a referendum for constitutional amendment to recognise local government. Local councils are an important part of our system of government and a vital part of our communities. As the tier of government closest to the community, they have the capacity to react quickly to changed circumstances, more closely represent the views and aspirations of their communities and provide better direct services. They do a great deal often with very limited resources. That is no more so than in regional and rural areas. Councils in regional and rural areas face all sorts of challenges that metropolitan councils do not even encounter. Small rate bases, a range of geographical challenges and diverse service requirements are but a few. Despite these challenges, local governments in regional and rural areas are out there delivering much needed services, infrastructure and development.

In my own electorate I am lucky enough to have four outstanding local governments which support and enrich their respective communities at the grassroots level—the City of Ballarat, Moorabool Shire Council, Hepburn Shire Council and Golden Plains Shire. The City of Ballarat is the largest local government area in my electorate. Ballarat has a diverse and rich economy, which the City of Ballarat does an outstanding job in supporting. Manufacturing, tourism, health and community services, education and retailing are now the key industries in the city. These industries, along with the banking and finance sector and government services, are strengthening Ballarat’s role as a regional service provider. Ballarat has a proactive council which is continuously looking for ways to build a better Ballarat into the future.

The City of Ballarat does not just provide many of the traditional services associated with local government but has also adopted key strategic positions with regard to infrastructure, service delivery, planning and community development. You only have to look at some of the local projects that are currently underway in Ballarat to realise the breadth of work undertaken by the council and its officers. There is the Ballarat Aquatic Centre dry areas redevelopment. This includes upgrading the gymnasium and program areas of the facility, relocating offices, and creating new health suites and entrance and water play elements, valued at approximately $1 million. Part of this development has seen the city very strongly promoting health and wellbeing within the community as well as providing a world-class facility for people within Ballarat to enjoy their recreation time.

The Delacombe and Wendouree West neighbourhood renewal projects are things that council has been actively involved in. These projects are supported by state government initiatives and they look at two neighbourhoods with high levels of public housing. Support has included the development of physical infrastructure including parks and community arts projects, holiday programs, youth events, facility redevelopment and community development projects with a range of community groups, schools and organisations within these two neighbourhoods. The Strengthening Generations program of the City of Ballarat and its local community services have also facilitated two working groups: Family Harmony and the Drug Education Working Group. This program targets key areas that impact on young people that the community has identified as social priorities through the research and evidence-collecting phase. To address these issues, coordinated community driven prevention plans have been developed.
The City of Ballarat not only supports the types of projects I have just been discussing but major events such as the Begonia Festival, the Royal South Street Competition and sporting events involving both local people and participants from a large district. These kinds of events are the lifeblood of regional communities and yet another example of how local government plays a fundamental role in supporting community life in regional towns. The mayor, Councillor David Vendy, and his council have a tough job: growing the local economy at the same time as preserving our unique heritage, and balancing the needs of an increasing urban population at the same time as assisting the rural parts of the city grapple with loss of services, drought and population drifts. I wish to congratulate the City of Ballarat council and staff on their work and I also want to wish them well for the upcoming World Conference of Historical Cities that Ballarat has been lucky enough to be able to secure in just a few months time.

Moorabool shire, another local government area in my electorate, is a very different local government area. It has approximately 27,000 residents and combines country living with easy access to the city, being only 35 minutes from the heart of the city centre. It is packed with many small rural towns and a large commuter belt from Bacchus Marsh right the way through along the Western Highway. It has wonderful orchards, deep gorges and forests.

The agricultural industry is still an important sector in the rural areas of the shire and employs a significant proportion of the rural population. But increasingly services, retail, hospitality and tourism have taken over as the main employment industries. Bacchus Marsh and Ballan’s employment needs are supported by the community and town centre service sectors, whilst the construction industry is an important sector due to Moorabool’s growing population, as many people from the western suburbs of Melbourne move out to find cheap land and cheap housing.

The range and extent of services Moorabool Shire provides is impressive, especially in light of their relatively small revenue base, the huge geographical area they have to cover and the large number of small to large towns that come within the shire’s gamut. The construction of the Deer Park bypass along the Western Highway is one of the largest and most important infrastructure projects in my electorate. It was the Moorabool Shire and particularly the mayor, Councillor Peter Russell, along with the Western Highway Action Committee, that led the campaign to secure federal funding for that bypass. There is no doubt that the continuous and passionate lobbying and campaigning of the Moorabool Shire was instrumental in getting the federal government to finally commit to funding the bypass. Moorabool Shire is the driving partner in the Western Highway Action Committee’s work in securing the required funding for a second major infrastructure project along the Western Highway. Anthony’s Cutting would deliver similar benefits to business and motorists as would Deer Park.

While on the subject of Anthony’s Cutting, I would like to reiterate my support for the project and once again urge the minister to fund its construction. VicRoads have informed me that the planning process is complete and ready to be implemented. The minister concedes that Anthony’s Cutting is an extremely important project which will deliver a large number of benefits to the local community. The minister should now back up his convictions and show Moorabool residents that the government is not going to procrastinate, as it did with the Deer Park bypass, but actually fund Anthony’s Cutting in the next round of AusLink funding. Now that all the plans are in place, the minister should act. I want to give my congratulations to
Councillor Peter Russell, the Mayor of Moorabool Shire, and the staff at Moorabool Shire for the terrific work they are doing in balancing the interests of what is a very diverse shire.

The third shire in my electorate is Hepburn Shire. The natural beauty of the area and its period character have drawn a widening artistic community, providing visitors and the community with performing and visual arts by artists of national and international repute. It is a large tourist destination with Hepburn Springs and Daylesford within it, and 80 per cent of Australia’s mineral water is within its district. That one district alone has over 3,000 bed and breakfast beds.

Whilst tourism plays a major role in the area’s economy, many more traditional types of commercial enterprises abound, such as the Daylesford Abattoir, a highly modernised pork-processing plant with an ever-increasing export focus. As a small rural shire, it has had to work to draw together the many wonderful towns in our area—Creswick, Clunes, Hepburn, Trentham and Lyonville, to name a few, and obviously the larger centre of Daylesford itself. It is a large tourist destination with work also in the hospitality, retail and tourism sectors.

Hepburn Shire has a tough job. It has to balance the very disparate needs of its community. It has a large traditional farming and agricultural sector within the shire—families that have been there for generations. And, of course, we have the tree changers. Many people who are attracted by the beauty of Daylesford and Hepburn Springs and district wish to move from the centre of Melbourne into the area, and they often bring in very new and very different ideas that challenge some of the existing ways of doing things. The council is faced with having to balance all of these. Along with the traditional farming population, Daylesford and Hepburn Shire have one of the highest gay and lesbian populations outside of Sydney and Melbourne, so it is often a tough job with some very differing views on different issues.

I would like to pay congratulations to the mayor, Councillor Heather Mutimer, who is doing a terrific job of balancing the many disparate needs of that community in sometimes very difficult circumstances. I also congratulate her staff. With a very limited small rate base and a large rural area to look after, they are obviously very happy with the government’s Roads to Recovery program, but I know that the government could literally double that tomorrow and they still would not even scratch the bucket of the number of bridges and repair works that need to be undertaken within that area.

The fourth local government area within my district is that of Golden Plains Shire. I have only a very small wedge of Golden Plains Shire—the towns of Haddon, Napoleons, Ross Creek and Enfield are in my area. The rest of the towns within Golden Plains Shire are in the member for Corangamite’s electorate. I know that sometimes he would like to pinch some of the areas that are in Golden Plains Shire off me.

Mr Neville—I bet he would!

Ms KING—He certainly does. But I am certainly very happy with the towns that have stayed within my district. Golden Plains Shire is quite unique and a great example of a local council area where, with council amalgamations that occurred in the Kennett era in Victoria, a large group of very small towns that had very little connection to one another were placed within one boundary. Some of them were very closely connected to Ballarat; the majority of them were very closely connected to Geelong, and this conglomerate of smaller towns was put together into Golden Plains Shire. They have done some terrific work trying to make sure
that everybody within Golden Plains Shire feels a part of the shire while maintaining the unique identity of their town. They made sure that individual towns were allowed to have different signage and so, whilst the overall logo of Golden Plains Shire reflects all of the industries within the area, each of the local areas were allowed to have their own town signage, which enabled them to develop unique identifiers as people entered their districts.

The other thing that the council area has done quite well is to develop community plans and set up strong community advocacy groups within each of those small towns, which then work directly with local council to develop the infrastructure needs and the social service needs for each of those very many disparate towns within the district. I would have to say that, if anyone has a council area that has lots and lots of small towns within it and needs to work out how to work together, Golden Plains Shire is certainly one of those areas that is a very good case example.

Just this weekend I attended a council funded event in Haddon. They had funded the local community action plan committee to the tune of only $1,000, which does not sound like a huge amount coming from local council, but it enabled the local community of Haddon to put on a three-hour event to thank the volunteers. That was very well organised by Richard Parsons and his hardworking team of people in Haddon. It was really the first time that any of the volunteers within the Haddon community had the opportunity to get together. The CFA talked together with the parents and friends council from the local Haddon primary school—the students of which are here, I understand, in Canberra this week—and were also able to talk closely with some of the 80 or so other community volunteers within the Haddon district.

Haddon is a town. It has a primary school and a general store, but that is pretty much all it has within its public infrastructure. So being able to get all of those volunteers together was a terrific credit to the Golden Plains Shire Council, who funded that local community plan group to put it together. Again I want to recognise the efforts of the Mayor, Councillor David Cotsell, and the staff at Golden Plains Shire for the terrific work that they are doing building and strengthening the Golden Plains district. Again, with a significant amount of growth in the commuter population from Geelong to Ballarat, they have really managed to pull that community together in a very strong way.

As I said at the start, local government is the sphere of government that is closest to the population and most able to adapt to change and to be flexible in its approaches to the community. It does a terrific job in working with local communities on projects and developing their needs. There are greater opportunities that exist for partnerships between the three levels of government, in relation to such things as population health. In particular the areas of environmental health and the development of health and wellbeing are a very important part of what local council does. There are opportunities that exist for funding to be directly given to local government around some of those areas. We do that already with a number of separate, different projects, but, certainly within the realm of population health, there is a long way that federal and state governments can go to make sure that we actually have a better and more diverse base for funding for population health.

I want to commend the motion that is before the chamber at the moment. I think it is a terrific initiative to be debating the role of local government here. I know, prior to the election of the Howard government in 1996, there was a very strong move to get local government actively involved within COAG. That stalled somewhat as COAG stalled, and I am very pleased
that the government has now taken up that initiative and started to bring local government back to the table. But I also think that the idea of putting a motion before the Australian people to get them to recognise local government within the Constitution is a very sound thing to do as well.

Ms OWENS (Parramatta) (5.33 pm)—It is an absolute pleasure to be able to stand to speak on this motion, which recognises the incredibly valuable contribution of local government to the governance of Australia and particularly our local communities, and also on the amendment moved by the member for Grayndler that calls for a referendum to extend constitutional recognition to local government in recognition of the essential role it plays in the governance of Australia.

As the previous speaker, the member for Ballarat, said, it is great to be talking about local government in this place. It is particularly good given the incredible role that local government plays in community development, an area that is very dear to my heart. We have three local councils within my electorate—the local council of Holroyd, Baulkham Hills to the north and, of course, Parramatta in the heart of the electorate: three incredibly different local councils, each of which reflects closely the community that they represent.

When I was first elected to this place, I started building a database of community organisations in my electorate believing that, if you want to know what a community is thinking, you look at where the community puts its efforts. The choices that volunteers and people who are community minded make in their local communities are the best indicator of the needs of a local community. What I found was that right there with every volunteer was the local council showing incredibly strong support for the individual choices of community minded people within communities as they made decisions about what their local communities needed. What I found across those three local councils was three completely different kinds of community organisations—and quite different to the kinds of community organisations in the areas where I had previously lived as well.

In Parramatta, you find very strong business community organisations but you also find a large number of volunteer and community organisations and extraordinary local council support for organisations that service the homeless and the disadvantaged, who tend to congregate around large CBDs such as Parramatta. You also find extensive networks of individuals who work with people with disabilities. Because Parramatta Hospital was in its early years the main hospital site for disabled patients, there are an incredible number of community organisations that serve people with mental illness in particular, and again the local council support for those organisations dramatically reflects the community’s focus on that.

To the north in Baulkham Hills, which is a slightly leafier and wealthier area, you find a lot more arts and environmental organisations than you do in Parramatta. These, again, are incredibly important, reflecting things that affect people in their daily lives—the things that they need from their community and that they themselves cannot provide as individuals. It is really quite remarkable. Down in Holroyd, where you find greater areas of public housing, a lot more Defence housing and larger migrant communities, particularly new refugee communities, again you find a larger number of community organisations and greater local council support for organisations that serve the needs of those communities.

Local government is at the closest level to our communities. It is at the closest level to what people feel they need to make their lives better on a day-to-day basis. I commend this
motion to the House. It is a great one. It is great to recognise the contribution that local government makes, but it is particularly good to have an amendment before the chamber to recognise constitutionally the role that local government plays in the governance of this country. I commend this motion and the amendment to the House.

Mr CREAN (Hotham) (5.37 pm)—I thank the previous speaker for her eloquent speech in support of local government. The motion before us recognises the essential role played by local government in the delivery of services. However, important as the motion is, it does not go far enough. In essence, local government needs actions which support actual recognition, not just motions of support. Labor’s amendment to this motion calls for a referendum to extend constitutional recognition to local government. That recognition is an important precur- sor to a better deal with the other recommendations made in the 2003 Hawker report into local government.

Local government is an established tier of government, yet it is not recognised in Australia’s Constitution. This is an anomaly that needs correction. Labor’s amendment would move to remedy that. To not support that amendment is to deny the legitimate role of local government in our society. Local government should be constitutionally recognised as a partner to state and federal governments in ideas and development. The constitutional change that we propose heralds an opportunity for a new vision for local government—to recognise local government as part of the governance of Australia and enable it to play a bigger role in determining essential infrastructure needs in our communities. So I support the member for Grayndler’s amendment that was moved in the House and also moved in the Senate by the shadow minister for local government, Senator Carr. It is a motion which proposes a referendum to extend constitutional recognition to local government. We support constitutional recognition of local government and we call on the federal government to embrace it.

The problem is that the government has not given a clear reason for its nonsupport of a motion that would argue for constitutional recognition. The government says, as I understand it, that the time is not right. Well, when will it be right? Back in 1988 the then opposition, the Liberal-National Party, opposed a referendum that, amongst other things, would have given the recognition that we seek today. That referendum was tied up with a number of other issues in the context of terms of the parliament, and the opposition of the day, the Liberal-National Party, took a blanket decision to oppose all aspects. It is almost 20 years on, and it is time for a bipartisan position in support of constitutional recognition. Clearly, it failed on the last occasion because there was not that bipartisan support. Labor are proposing that we develop a commitment to that bipartisan support and take the issue on. Bipartisan support would give the electorate confidence to vote in a referendum to support the recognition that we have been outlining.

The government has rejected this new vision for local government and, in doing so, has failed to address the key challenges facing this sphere of government that it has now had more than 10 years to address. The motion we have before parliament is in part a response to the 2003 report by the House of Representatives Standing Committee on Economics, Finance and Public Administration chaired by Mr David Hawker, who is now the Speaker. Around the traps it is called the Hawker report. It is noteworthy that many submissions to the inquiry did call for the constitutional recognition of local government. This motion does not go far enough in responding to those calls. But, worse, the response by the government to that re-
port, handed down as it was in 2003, also is inadequate. Not only did the government not respond for almost two years to the recommendations contained in the Hawker report, but of the committee’s 18 unanimous recommendations—so here was bipartisan support: of the 11 committee members, six represented the government and five represented Labor, and there was good cross-representation of the parliament and the politics involved—the government has only implemented seven in full. The recommendations that it has adopted were essentially those which do not have any cost implications for the government or which fail to address any of the financial issues and structures for financing local government into the future.

It is important to remind the House that the report was unanimous in identifying a range of solutions to support local government, including ensuring appropriate funding for local government from the Commonwealth, saying that there was a need to address such issues as vertical fiscal imbalance and recognising the need to revisit the model used for the allocation of financial assistance grants. Those were all unanimous recommendations from the committee. They are issues that must be responded to. In our view, constitutional recognition would open up new opportunities to address the underlying financial difficulties, structures and parameters that surround the way in which local government is financed in this country. The fact is that councils raise revenue essentially through rates. They cannot access other direct sources of revenue from the Commonwealth. Constitutional recognition, on the other hand, would enable a review of financial arrangements and, if it were proven necessary, a streamlining of Commonwealth financial support to local government. It would also mean that continuing issues such as the fiscal imbalance and cost shifting could be properly considered and debated, and options to resolve those issues could be developed.

What I am pointing to is that recognition within the Constitution lays the basis for addressing the structural reform that is so sorely needed in this area of local government. Constitutional recognition would also enable the structure of Commonwealth-local government arrangements to be reviewed to ensure greater cooperation between the tiers of government. For example, it would enable local government to take part in discussions on critical infrastructure needs for their communities. Local government cannot currently take part in many national programs critical to their communities.

Local government in fact continues to plug many gaps in service delivery where other service providers have left town. This is particularly true in rural and remote areas. Local government has also taken a leadership role in fostering and coordinating regional development. In visiting many regional areas over many years, one cannot help being impressed by the tireless work undertaken by local government, often voluntarily, to drive their regional areas forward. It is time that we cement and recognise that role.

It is interesting to see that the President of the Australian Local Government Association, Councillor Paul Bell, has argued that parliamentary recognition in the motion is ‘largely symbolic’. Councillor Bell, speaking on behalf of the local government sector, said that the motion is only one step in the right direction and that the government must go further and acknowledge the value of formal constitutional recognition of local government. Labor’s amendment does that and I urge the government to consider adopting it.

As important as the role of local government is, it is also critical that there be a Commonwealth role in regional development. The remoteness of some regions and the diversity of others demands Commonwealth leadership and commitment. It is a role to not only address
market failures and to provide services but also essentially empower regions to more fully realise their potential. The Commonwealth cannot work for the benefit of our regions in isolation. It must be done in partnership with local communities, with the stakeholders and with leaders in other levels of government.

Local government has already proven itself to be a driver of regional development in this country. It is often done, as I said before, voluntarily, with creativity and enthusiasm by local councils. We can point to many good examples of best practice, including the Cradle Coast Authority, which was created to coordinate and drive regional economic development across nine local government areas in north-west Tasmania. That was a great example of initiative taken by a range of local governments in that area. The Cradle Coast Authority is actually identifying the needs of its region and has developed agreements with both the Commonwealth and Tasmanian governments to develop positive outcomes.

Local industry is also being driven by local government in examples such as the proposal for the Ararat renewable energy park. The proposed park has the potential to establish the region as a centre for excellence for manufacturing components for the renewable energy industries, not only creating jobs—up to 700 of them—but also attracting significant new investment into the regions. Without that creativity, without that enthusiasm of local government, these new initiatives quite frankly would not be taken forward. So local government must be given the encouragement and support to continue to play that role by drawing on the commitment and expertise of their leaders. Constitutional recognition would legitimise that role, following through on the other recommendations contained in the Hawker report.

My colleagues and I have been engaged in consultation with regional and local stakeholders for a considerable period of time. What is clear is that regions themselves know what is best for them and how to make the most of their opportunities. The role for the Commonwealth is to support local enthusiasm and local solutions—but solutions which stack up. I support a broader mandate and wider role for the area consultative committees. They are ideally placed to develop strategic economic plans and regional priorities in partnership with local stakeholders including, significantly, local government. The ACCs are also ideally placed to build the networks and partnerships with all sectors, including local government, which are invaluable to meet regional development goals. It is not about creating another level of government but about supporting local government to participate in the development of their regions. It is about empowering local communities with access to national programs and implementing regional and local solutions and strategies without creating an extra tier of government. Local government is an invaluable resource, and the opportunity must not be wasted. Who better to know what the local needs of their communities are than those at the coalface?

So, in the context of a broader approach that could be developed in terms of regional development, this amendment that we are moving, in our view, is critical to move us forward. It is long overdue. It requires bipartisan support, but it lays the basis for genuinely involving more effectively the three tiers of government. That is the solution to regional economic development. It is a plan and a strategy that Labor will develop. This is but one component of developing that agenda.

Ms LIVERMORE (Capricornia) (5.52 pm)—I am pleased to have this opportunity to participate in the debate on this motion in support of local government. This motion goes some way to giving local government the recognition it has been striving to achieve for many years,
and I hope it is the start of a stronger and more direct relationship between the federal government and local governments around the country. That goal was certainly one of the messages that came out loud and clear from local governments throughout the inquiry in 2002. It is certainly the message that I get when I talk to mayors and councillors from the councils within the electorate of Capricornia. Those councils know the challenges and opportunities that exist in their communities and how much they could achieve if their role was properly recognised and resourced by the federal government.

Considering the level of support for the motion coming from the speakers from both sides of the House, one wonders why it has taken so long to bring the it before the parliament. After all, this motion comes from the inquiry into local government and the report from that inquiry that was tabled in parliament back in 2003. So it is a little disappointing that it has taken so long for the government to bring this motion before the parliament, particularly when the local government sector cooperated so constructively with the Hawker inquiry. From reading the report, it is obvious that the local government sector right across the country, through its peak body representatives, put in a concerted effort to raise its concerns. The sector also made it very clear that local governments are more than ready to work in full partnership with the federal government to solve issues in their local communities. Local government just needs the other levels of government to get on board.

This motion is part of that process. Even so, the recommendation in the report that this motion be put to the parliament was something of a compromise and less than the full constitutional recognition that local government deserves. It appears that the committee took the pragmatic view that, while constitutional recognition is desirable, the adoption of this motion by the parliament was accepted as a more achievable option. I note that my colleague the member for Grayndler has moved an amendment to this motion calling for a referendum to amend the Constitution and formally recognise the place of local government within our system of government. I agree. I join with the member for Hotham in his comments that we should be using this debate to further that argument and I want to place on the record my support for the member for Grayndler’s amendment.

I also want to use this speech to pay tribute to the councils within the electorate of Capricornia and the work they do to serve the communities of our region. The motion refers to the rich diversity of councils around Australia reflecting the varied communities they serve. That rich diversity of councils is apparent even within the boundaries of Capricornia. There are 10 councils contained within Capricornia and they range from the beaches of Livingston shire on the Capricorn coast to the proud old town of Mount Morgan and the booming coal communities of the Duaringa, Banana, Broadsound, Nebo, Bowen and Belyando shires. In between is the major regional centre of Rockhampton and the Fitzroy shire, which is at the very heart of the beef industry. There is certainly plenty of diversity in that list.

What these councils all have in common is that they are at the forefront of dealing with the rapid population growth and development that is sweeping through central Queensland thanks to the booming demand for our coal. Throughout the Hawker inquiry report there are quotes from councillors saying that they are in the level of government which is at the coalface of serving community needs and meeting community expectations. Nowhere is that more literally the case than in Central Queensland, where the coal boom is forcing councils to accept responsibilities beyond their traditional roles and frequently beyond their resources. While the
federal government pockets—or some would say squanders—the dividends of the resources boom, the local councils of Central Queensland are dealing with the demands that the boom is placing on regional infrastructure, both physical and social. Councils are dealing with the enormous challenge of finding accommodation for the thousands of workers and their families who are pouring into the region to keep the mines cranking up production. Councils are trying to find ways to meet the social and recreational needs of all these extra people.

When the federal government thinks of the coal industry it thinks only in terms of the multinational mining companies, their development plans and the export revenue involved. But it is not that way for the councils. Of course, local councils have relationships with the mining companies and they are intimately involved with the developments that are going on in the Bowen Basin. But councils worry about more than just the mines; they also see the people. They see the people who work in the mines and their families. Importantly, they also see the rest of the community that supports the mining industry and its workers: the nurses, the computer technicians, the small business people, the cooks at the single persons quarters—and the list goes on. Where do all those people live? Can they find houses? If they find houses, can they afford to pay the rent if they are not earning a miner’s salary?

It is not easy living in a mining town if you are not working in the industry or some associated business. If you are a receptionist at one of the motels or an apprentice chef at the local pub, you still need a roof over your head and you are still paying the high prices for fuel and groceries without the salary that can compensate a little for the high cost of living in a mining town. The councils in the Central Queensland coal towns are stepping in to try to address the shortage of housing and, more particularly, the shortage of affordable housing. They have to do that to make sure that their towns can stay viable and to make sure that staff can be found to maintain all of the other services that a community needs to flourish. They also want to address the housing shortage so that they can preserve the communities that many of the councillors have been building for several decades.

The boom has brought with it many benefits and opportunities for the coal towns but also tensions over the influx of the hundreds, or possibly thousands, of short-term workers who fly in and fly out of the towns or, more often in Central Queensland, drive in and drive out between the coast where their families live and the mining towns where the workers are employed. Is it possible to maintain a sense of community in a town when there are hundreds of strangers coming in and out, with no connection to the place other than a job which requires them to work 12-hour shifts? When you are working 12-hour shifts and catching up on vital sleep in between, there is no time to make the social connections that used to characterise the mining towns of the Bowen Basin in the 1970s and right up to the early 2000s. Again, councils are dealing with those questions and trying to find ways to strengthen their communities in the face of the boom rather than allowing them to become no more than dormitories.

This brings me back to the point of the motion and the findings of the inquiry. We in the federal sphere of government have to do more to acknowledge just how much local government brings to our democracy and to our system of government. Local government is right where the action is, meeting the most basic needs of the community and often becoming aware of problems and responding to them much faster and more effectively than the more powerful and cashed-up counterparts at federal and state levels. The partnership between the federal government and local councils has to be made stronger and more equal so that when
councils identify the services and infrastructure that are required there is a quicker and better targeted response from federal government.

Debate (on motion by Mr Neville) adjourned.

Main Committee adjourned at 6.01 pm
QUESTIONS IN WRITING

Kirribilli House
(Question No. 51)

Mr Martin Ferguson asked the Prime Minister, in writing, on 17 November 2004:

(1) Has his attention been drawn to a letter published in *The Sydney Morning Herald* on 1 August 2002 from Mr Arthur Sinodinos of his Office, which states that those of his children who live at Kirribilli House and are financially independent pay board to the Commonwealth.

(2) Which of his children currently live at Kirribilli House.

(3) What sum is paid per month for their upkeep at Kirribilli House.

(4) On what basis is the amount paid assessed, and does it include such things as meals, laundry and telephone.

(5) To which Commonwealth Department is the board paid.

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

(1) to (5) See my response to House of Representatives Question no. 190 of 29 November 2004.

Kirribilli House
(Question No. 52)

Mr Martin Ferguson asked the Prime Minister, in writing, on 17 November 2004:

(1) Is it the case that the Lodge has been used by Prime Ministers as an official residence since the election of the Lyons Government in 1931.

(2) Is it the case that Kirribilli House was refurbished in 1957 as a residence for use by visiting guests of the Commonwealth and the Prime Minister when in Sydney.

(3) Is he aware that Kirribilli House was referred to in a paper presented to the Cabinet Amenities Committee in 1957 “as an additional residence available to the Prime Minister in Sydney as necessary”.

(4) Is he aware that Kirribilli House was never intended to be the primary residence of the Prime Minister.


(6) What was the cost of maintaining (a) the Lodge, and (b) Kirribilli House in (i) 2002-2003 and (ii) 2003-2004.

(7) How many staff are currently employed at (a) the Lodge, and (b) Kirribilli House.


(9) Does he recall that his major reason for residing at Kirribilli House was that he had dependent children.

(10) Does he still have dependent children; if not, why does he maintain Kirribilli House as his primary residence.

Mr Howard—The answer to the honourable member’s question is as follows:
(1) No. Upon completion of construction, the then Prime Minister, the Rt Hon Stanley Bruce, first occupied The Lodge in May 1927.

(2) Yes.

(3) Yes.

(4) There was never any restriction to the intended use of Kirribilli House. Since 1957, Kirribilli House has been used extensively as a residence by all Prime Ministers.

(1) to (4) Additional information on the official residences can be found in the Special Report contained in my department’s 1999-2000 annual report.

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<td>(viii)</td>
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<td>142</td>
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* Records for the individual years are not available.

(6) The cost of maintaining the official residences is contained in the relevant annual reports issued by my department.

(7) (a) 3. (b) 4.4.

When I came to office in March 1996, the staffing level at the official residences was thirteen.

(8) I am advised that details of my official travel by Special Purpose Aircraft between Sydney and Canberra are contained in Department of Defence reports which are tabled in Parliament every six months.

The Department of Finance and Administration (Finance) meets the cost of official travel undertaken by my staff. I am advised that Finance publicly releases the cost of staff travel every six months.

(9) See my response to House of Representatives Question no. 190 of 29 November 2004.

(10) See my response to House of Representatives Question no. 190 of 29 November 2004.

**Governor-General**

(Question No. 1446)

Mr Melham asked the Prime Minister, in writing, on 25 May 2005:


(2) Why does the Governor-General not maintain similar vice-regal patronage lists on his website.

(3) Will he propose that the Governor-General post on his website up to date lists of all the organisations which the Governor-General or Her Excellency Mrs Jeffrey have agreed to serve as Patron, Patron-in-Chief or otherwise formally associate themselves through Honorary Memberships etc.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:
(1) to (3) As part of the ongoing development of content on the Governor-General’s website it is intended to include a listing of Their Excellencies’ patronages.

Governor-General
(Question No. 1507)

Mr Melham asked the Prime Minister, in writing, on 26 May 2005:

(1) Further to the answer to question No. 143 (Hansard, 14 March 2005, page 102; 14 April 2005, page 83), is he aware of the statement by the Governor-General’s spokesman reported in The Age on 25 May 2005 to the effect that His Excellency Major General Jeffery was no longer associated with the Freemasons: “The Governor-General has not been actively involved with the Freemasons for many years”.

(2) Is he aware that the December 2004 issue of the quarterly magazine of the New South Wales Grand Lodge of Freemasons reported that the NSW Grand Master Mason, Mr Tony Lauer APM, had met with the Governor-General and that His Excellency had accepted an invitation by the Grand Master 1136 No. 32—26 May 2005 to be Patron of the VIII World Conference of Masonic Grand Lodges to be hosted by the New South Wales Grand Lodge in Sydney in November 2005.

(3) Is he aware that the NSW Grand Master Mason further reported to Members of the New South Wales Grand Lodge that the Governor-General has indicated that he would very much like to be kept regularly informed on the progress of the organisation of the Conference and that he is prepared to officially open the Conference on 2 November 2005.

(4) When and where did the Governor-General meet Mr Lauer and discuss the forthcoming World Conference of Masonic Grand Lodges.

(5) When did the Governor-General indicate his agreement to serve as Patron of the Conference.

(6) Why did the Governor-General’s spokesman tell The Age that His Excellency was no longer associated with Freemasonry.

(7) Why was the Governor-General’s patronage of the forthcoming World Conference of Masonic Grand Lodges not listed in either of his two answers to question No. 143.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:

(1) On 2 November 2004, the Governor-General, who regularly supports a wide range of community organisations and events, responded to an invitation to support the VIII World Conference of Masonic Grand Lodges in the limited capacity of Conference Patron, a role which was to cease at the conclusion of the proceedings. As is usual when the Governor-General is attending a conference or similar event, organisers were asked to keep him informed of progress. The Conference was subsequently cancelled by the organisers and at no stage did the Governor-General exercise the role of Patron. The statement attributed to the Governor-General’s spokesman, that the Governor-General has not been actively involved with the Freemasons, remains the case.

Commonwealth Funded Programs
(Question Nos 2493 and 2496)

Ms Hoare asked the Minister for Foreign Affairs and the Minister for Trade, in writing, on 13 October 2005:

(1) Does the Minister’s department administer any Commonwealth funded programs to which community organisations, businesses or individuals in the electoral division of Charlton can apply for funding; if so, what are the programs.
(2) Does the Minister’s department advertise these funding opportunities; if so, (a) what print or other media outlets have been used for the advertising of each of these programs, and (b) were these paid advertisements, if so, what were the costs of each advertisement.

(3) In respect of each of the Commonwealth funded programs referred to in part (1), (a) what is its purpose and (b) who is responsible for allocating funds.

(4) In respect of each of the Commonwealth funded programs referred to in part (1), how many (a) community organisations, (b) businesses, and (c) individuals in the electoral division of Charlton received funding in (i) 2003, and (ii) 2004 and what was the name and address of each recipient.

Mr Downer—On behalf of the Minister for Trade and myself, the answer to the honourable member’s question is as follows:

To provide the information sought would entail a significant diversion of resources and in the circumstances I do not consider the additional work can be justified.

Legal Services

(Question Nos 2905 and 2908)

Ms Roxon asked the Minister for Foreign Affairs and the Minister for Trade, in writing, on 8 December 2005:

(1) For 2004-2005, what sum did the Minister’s department and the Minister for Trade pay to (a) Clayton Utz, (b) Blakes Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors for legal services.

(2) Which partners or principals of (a) Clayton Utz, (b) Blakes Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors were responsible for undertaking or supervising legal services supplied by the firm to the department or agency in 2004-2005.

(3) For each partner or principal listed in response to part (2), what was the total amount billed to the department or agency for services undertaken or supervised by that partner or principal in 2004-2005.

(4) What are the details of the legal services provided to the department or portfolio agencies by (a) Clayton Utz, (b) Blakes Dawson Waldron, (c) Philips Fox, (d) Sparke Helmore, (e) Freehills, (f) Minter Ellison, (g) Corrs Chambers Westgarth, (h) Mallesons Stephens Jacques, (i) Deacons, and (j) Craddock Murray Neumann Solicitors in 2004-2005.

Mr Downer—On behalf of the Minister for Trade and myself, the answer to the honourable member’s questions are as follows:

(1) For 2004-2005, the sums (including administered legal costs) paid to each law firm listed in the question by each agency within my portfolio, including the Department of Foreign Affairs and Trade, were as follows:

All figures quoted exclude GST.

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<thead>
<tr>
<th>Department of Foreign Affairs and Trade</th>
<th>Amount ($)</th>
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<tbody>
<tr>
<td>Clayton Utz</td>
<td>12,512.40</td>
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<tr>
<td>Blakes Dawson Waldron</td>
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<td>Freehills</td>
<td>0.00</td>
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QUESTIONS IN WRITING
| (f) | Minter Ellison       | $116,417.27 |
| (g) | Corrs Chambers Westgarth | $0.00    |
| (h) | Mallesons Stephens Jaques | $466,386.15 |
| (i) | Deacons               | $0.00     |
| (j) | Craddock Murray Neumann | $0.00 |

Australia Japan Foundation

| (a) | Clayton Utz         | $12,230.00 |
| (b) | Blakes Dawson Waldron | $0.00  |
| (c) | Philips Fox          | $0.00    |
| (d) | Sparke Helmore       | $0.00    |
| (e) | Freehills            | $0.00    |
| (f) | Minter Ellison       | $343.00  |
| (g) | Corrs Chambers Westgarth | $0.00 |
| (h) | Mallesons Stephens Jaques | $6,415.00 |
| (i) | Deacons              | $0.00    |
| (j) | Craddock Murray Neumann | $0.00 |

Australian Centre for International Agricultural Research - ACIAR

| (a) | Clayton Utz         | $12,476.20 |
| (b) | Blakes Dawson Waldron | $0.00  |
| (c) | Philips Fox          | $0.00    |
| (d) | Sparke Helmore       | $0.00    |
| (e) | Freehills            | $0.00    |
| (f) | Minter Ellison       | $0.00    |
| (g) | Corrs Chambers Westgarth | $0.00 |
| (h) | Mallesons Stephens Jaques | $0.00 |
| (i) | Deacons              | $0.00    |
| (j) | Craddock Murray Neumann | $0.00 |

Export Finance and Insurance Corporation - EFIC

| (a) | Clayton Utz         | $0.00    |
| (b) | Blakes Dawson Waldron | $4,995.37 |
| (c) | Philips Fox          | $0.00    |
| (d) | Sparke Helmore       | $0.00    |
| (e) | Freehills            | $20,855.74 |
| (f) | Minter Ellison       | $19,673.12 |
| (g) | Corrs Chambers Westgarth | $0.00 |
| (h) | Mallesons Stephens Jaques | $0.00 |
| (i) | Deacons              | $0.00    |
| (j) | Craddock Murray Neumann | $0.00 |

AUSTRADE

| (a) | Clayton Utz         | $0.00    |
| (b) | Blakes Dawson Waldron | $80,916.51 |
| (c) | Philips Fox          | $2,851.20 |
| (d) | Sparke Helmore       | $0.00    |
| (e) | Freehills            | $0.00    |
| (f) | Minter Ellison       | $39,164.33 |
| (g) | Corrs Chambers Westgarth | $0.00 |
| (h) | Mallesons Stephens Jaques | $249,589.44 |
| (i) | Deacons              | $11,813.45 |
| (j) | Craddock Murray Neumann | $0.00 |

QUESTIONS IN WRITING
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(a) Clayton Utz $179,264.30
(b) Blakes Dawson Waldron $190,815.75
(c) Philips Fox $0.00
(d) Sparke Helmore $0.00
(e) Freehills $0.00
(f) Minter Ellison $0.00
(g) Corrs Chambers Westgarth $0.00
(h) Mallesons Stephens Jaques $0.00
(i) Deacons $0.00
(j) Craddock Murray Neumann $0.00

(2) The partners or principals responsible for undertaking or supervising legal services provided to the agencies within the Minister’s portfolio in 2004-2005 by the law firms listed in the question were as follows:

Department of Foreign Affairs and Trade

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<tr>
<th>Firm</th>
<th>Partners/Principals</th>
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<tr>
<td>(a) Clayton Utz</td>
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<td>(b) Blakes Dawson Waldron</td>
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<td>(g) Corrs Chambers Westgarth</td>
<td>Ian Johnson, John Topfer, Adam Bartlett, Ian Stanley, Andrew Leece</td>
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<td>(h) Mallesons Stephens Jaques</td>
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<td>(j) Craddock Murray Neumann</td>
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Australia Japan Foundation

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<td>(a) Clayton Utz</td>
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<td>(f) Minter Ellison</td>
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<td>(h) Mallesons Stephens Jaques</td>
<td></td>
</tr>
<tr>
<td>(i) Deacons</td>
<td></td>
</tr>
<tr>
<td>(j) Craddock Murray Neumann</td>
<td></td>
</tr>
</tbody>
</table>

(3) For each partner or principal listed in response to part (2), the total amount billed to the Department or agency in 2004-2005 is as follows:

**Department of Foreign Affairs and Trade**

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Details of amounts paid to each partner or principal are not readily available and are very resource intensive to compile.</td>
<td></td>
</tr>
</tbody>
</table>

**Australia Japan Foundation**

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Jurkiewicz, Wal Clayton Utz</td>
<td>$5,208.00</td>
</tr>
<tr>
<td>(b) Carroll, John Clayton Utz</td>
<td>$2,750.00</td>
</tr>
<tr>
<td>(c) Parkinson, Neal Minter Ellison</td>
<td>$343.00</td>
</tr>
<tr>
<td>(d) Sullivan, Judy Mallesons Stephens Jaques</td>
<td>$1,040.00</td>
</tr>
</tbody>
</table>

**Australian Council of International Agricultural Research - ACIAR**

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Wal Jurkiewicz Clayton Utz</td>
<td>$6,437.20</td>
</tr>
<tr>
<td>(b) Paul Armarego Clayton Utz</td>
<td>$125.40</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
### Export Finance and Insurance Corporation - EFIC

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ray Mainsbridge Blake Dawson Waldron</td>
<td>$1,416.20</td>
</tr>
<tr>
<td>Lisa Ritson Blake Dawson Waldron</td>
<td>$3,579.17</td>
</tr>
<tr>
<td>David Crane Minter Ellison</td>
<td>$9,305.62</td>
</tr>
<tr>
<td>Pam Madafiglio Minter Ellison</td>
<td>$10,367.50</td>
</tr>
<tr>
<td>Miles Bastick Freehills</td>
<td>$20,855.74</td>
</tr>
</tbody>
</table>

### AUSTRADE

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Clarke Blake Dawson Waldron</td>
<td>$20,218.39</td>
</tr>
<tr>
<td>Elizabeth Johnstone Blake Dawson Waldron</td>
<td>$7,238.35</td>
</tr>
<tr>
<td>Tim Brooks Blake Dawson Waldron</td>
<td>$1,468.50</td>
</tr>
<tr>
<td>Carol H Atkins Phillips Fox</td>
<td>$864.00</td>
</tr>
<tr>
<td>John Weber Minter Ellison</td>
<td>$8,452.33</td>
</tr>
<tr>
<td>Paul McGinness Minter Ellison</td>
<td>$1,281.96</td>
</tr>
<tr>
<td>Denis O’Brien Minter Ellison</td>
<td>$532.98</td>
</tr>
<tr>
<td>Rhys Guild Minter Ellison</td>
<td>$15,809.75</td>
</tr>
<tr>
<td>Patrick Gunning Mallesons</td>
<td>$4,216.56</td>
</tr>
<tr>
<td>Nicole Heller Mallesons</td>
<td>$2,805.00</td>
</tr>
<tr>
<td>Ian Johnson Mallesons</td>
<td>$125,849.54</td>
</tr>
<tr>
<td>Adam Bartlett Mallesons</td>
<td>$23,604.41</td>
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<tr>
<td>Alan Grinsell-Jones Deacons</td>
<td>$11,813.45</td>
</tr>
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### AUSAID

<table>
<thead>
<tr>
<th>Partner or principal</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Derek Hartshorn Blake Dawson Waldron</td>
<td>$49,042.30</td>
</tr>
<tr>
<td>Bill Conley Blake Dawson Waldron</td>
<td>$52,387.80</td>
</tr>
<tr>
<td>John Clark Blake Dawson Waldron</td>
<td>$30,257.50</td>
</tr>
<tr>
<td>Paul Vane-Tempest Blake Dawson Waldron</td>
<td>$14,454.15</td>
</tr>
<tr>
<td>Richard Flynn Blake Dawson Waldron</td>
<td>$42,674.00</td>
</tr>
<tr>
<td>Paul Dawson Blake Dawson Waldron</td>
<td>$2,000.00</td>
</tr>
<tr>
<td>Dale Brackin Clayton Utz</td>
<td>$148,511.30</td>
</tr>
<tr>
<td>John Carroll Clayton Utz</td>
<td>$7,754.00</td>
</tr>
<tr>
<td>Wal Jurkiewicz Clayton Utz</td>
<td>$1,264.00</td>
</tr>
<tr>
<td>Chris Appleby Clayton Utz</td>
<td>$1,264.00</td>
</tr>
<tr>
<td>Brian O’Callaghan Clayton Utz</td>
<td>$21,735.00</td>
</tr>
</tbody>
</table>

(4) Details of the legal services provided to the Department and its portfolio agencies in 2004-2005 are as follows:

#### Department of Foreign Affairs and Trade

<table>
<thead>
<tr>
<th>Firm</th>
<th>Legal services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>Clayton Utz</td>
<td>Contracts</td>
</tr>
<tr>
<td>Blakes Dawson Waldron</td>
<td>Contracts and Leases</td>
</tr>
<tr>
<td>Philips Fox</td>
<td></td>
</tr>
<tr>
<td>Sparke Helmore</td>
<td></td>
</tr>
<tr>
<td>Freehills</td>
<td></td>
</tr>
<tr>
<td>Firm</td>
<td>Legal services provided</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>-------------------------------------------------------------</td>
</tr>
<tr>
<td>(f) Minter Ellison</td>
<td>Leasing and property</td>
</tr>
<tr>
<td></td>
<td>Tendering and contracting</td>
</tr>
<tr>
<td></td>
<td>Intellectual property</td>
</tr>
<tr>
<td></td>
<td>General legal advice</td>
</tr>
<tr>
<td></td>
<td>Litigation</td>
</tr>
<tr>
<td>(g) Corrs Chambers Westgarth</td>
<td>Commercial</td>
</tr>
<tr>
<td>(h) Mallesons Stephens Jaques</td>
<td>Contracts and procurement</td>
</tr>
<tr>
<td></td>
<td>Employment</td>
</tr>
<tr>
<td></td>
<td>Administrative</td>
</tr>
<tr>
<td></td>
<td>Taxation</td>
</tr>
<tr>
<td></td>
<td>Intellectual Property and Information Technology</td>
</tr>
<tr>
<td></td>
<td>Pro bity</td>
</tr>
<tr>
<td>(i) Deacons</td>
<td></td>
</tr>
<tr>
<td>(j) Craddock Murray Neumann</td>
<td></td>
</tr>
</tbody>
</table>

**Australia Japan Foundation**

<table>
<thead>
<tr>
<th>Firm</th>
<th>Legal services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Clayton Utz</td>
<td>Interpretation of legislation</td>
</tr>
<tr>
<td></td>
<td>Contracts</td>
</tr>
<tr>
<td></td>
<td>Audit report</td>
</tr>
<tr>
<td>(b) Blakes Dawson Waldron</td>
<td></td>
</tr>
<tr>
<td>(c) Philips Fox</td>
<td></td>
</tr>
<tr>
<td>(d) Sparke Helmore</td>
<td></td>
</tr>
<tr>
<td>(e) Freehills</td>
<td></td>
</tr>
<tr>
<td>(f) Minter Ellison</td>
<td>Audit report</td>
</tr>
<tr>
<td>(g) Corrs Chambers Westgarth</td>
<td></td>
</tr>
<tr>
<td>(h) Mallesons Stephens Jaques</td>
<td>Interpretation of the AJF enabling legislation.</td>
</tr>
<tr>
<td>(i) Deacons</td>
<td></td>
</tr>
<tr>
<td>(j) Craddock Murray Neumann</td>
<td></td>
</tr>
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**Australian Council of International Agricultural Research - ACIAR**

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</tr>
<tr>
<td>(b) Blakes Dawson Waldron</td>
<td></td>
</tr>
<tr>
<td>(c) Philips Fox</td>
<td></td>
</tr>
<tr>
<td>(d) Sparke Helmore</td>
<td></td>
</tr>
<tr>
<td>(e) Freehills</td>
<td></td>
</tr>
<tr>
<td>(f) Minter Ellison</td>
<td></td>
</tr>
<tr>
<td>(g) Corrs Chambers Westgarth</td>
<td></td>
</tr>
<tr>
<td>(h) Mallesons Stephens Jaques</td>
<td></td>
</tr>
<tr>
<td>(i) Deacons</td>
<td></td>
</tr>
<tr>
<td>(j) Craddock Murray Neumann</td>
<td></td>
</tr>
</tbody>
</table>

**Export Finance and Insurance Corporation - EFIC**

<table>
<thead>
<tr>
<th>Firm</th>
<th>Legal services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a) Clayton Utz</td>
<td>Legal review of documentation</td>
</tr>
<tr>
<td>(b) Blakes Dawson Waldron</td>
<td>Licence</td>
</tr>
<tr>
<td>Firm</td>
<td>Legal services provided</td>
</tr>
<tr>
<td>------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>(c)  Philips Fox</td>
<td>Employment</td>
</tr>
<tr>
<td>(d)  Sparke Helmore</td>
<td>Leases</td>
</tr>
<tr>
<td>(e)  Freehills</td>
<td>Insurance</td>
</tr>
<tr>
<td>(f)  Minter Ellison</td>
<td>Contracts</td>
</tr>
<tr>
<td></td>
<td>Interpretation of legislation</td>
</tr>
<tr>
<td></td>
<td>General legal advice</td>
</tr>
<tr>
<td>(g)  Corrs Chambers Westgarth</td>
<td></td>
</tr>
<tr>
<td>(h)  Mallesons Stephens Jaques</td>
<td></td>
</tr>
<tr>
<td>(i)  Deacons</td>
<td></td>
</tr>
<tr>
<td>(j)  Craddock Murray Neumann</td>
<td></td>
</tr>
</tbody>
</table>

**AUSTRADE**

<table>
<thead>
<tr>
<th>Firm</th>
<th>Legal services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)  Clayton Utz</td>
<td>Program Advice</td>
</tr>
<tr>
<td>(b)  Blakes Dawson Waldron</td>
<td>Legal Training</td>
</tr>
<tr>
<td>(c)  Philips Fox</td>
<td>Contracts</td>
</tr>
<tr>
<td>(d)  Sparke Helmore</td>
<td></td>
</tr>
<tr>
<td>(e)  Freehills</td>
<td></td>
</tr>
<tr>
<td>(f)  Minter Ellison</td>
<td>General Legal Advice</td>
</tr>
<tr>
<td></td>
<td>Contract</td>
</tr>
<tr>
<td></td>
<td>Litigation</td>
</tr>
<tr>
<td></td>
<td>Tax</td>
</tr>
<tr>
<td></td>
<td>Policy</td>
</tr>
<tr>
<td>(g)  Corrs Chambers Westgarth</td>
<td></td>
</tr>
<tr>
<td>(h)  Mallesons Stephens Jaques</td>
<td></td>
</tr>
<tr>
<td>(i)  Deacons</td>
<td></td>
</tr>
<tr>
<td>(j)  Craddock Murray Neumann</td>
<td></td>
</tr>
</tbody>
</table>

**AUSAID**

<table>
<thead>
<tr>
<th>Firm</th>
<th>Legal services provided</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a)  Clayton Utz</td>
<td>Tenders and contracts</td>
</tr>
<tr>
<td></td>
<td>Novated Deeds</td>
</tr>
<tr>
<td></td>
<td>Claims</td>
</tr>
</tbody>
</table>
Mr Bowen asked the Prime Minister, 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 Howard—I am advised that the answer to the honourable member’s question is as follows:

(1) Yes. (a) see table below. (b) see table below.

(2) See table below

(3) See table below. Apart from the named agencies, portfolio agencies did not incur relevant expenses.

### Department of the Prime Minister and Cabinet

<table>
<thead>
<tr>
<th>Name</th>
<th>Postal Address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>MICOMM (Mining and Industry Communications Australia)</td>
<td>Box 5561, CQMC, Rockhampton QLD 4702</td>
<td>Australian honours information session - Rockhampton regional visit - March 2005 Assistance with local media and event planning</td>
<td>$1,850</td>
</tr>
<tr>
<td>National Capital Communications</td>
<td>PO Box 4205, Kingston ACT 2604</td>
<td>Australian honours information session - Rockhampton regional visit - March 2005 Producing fact sheets (Profiles of award recipients)</td>
<td>$3,030</td>
</tr>
<tr>
<td>Melanie Frances Vere</td>
<td>PO Box 3110, Darwin NT 0801</td>
<td>Australian honours information session - Darwin regional visit - October 2005 Assistance with local media and event planning</td>
<td>$2,700</td>
</tr>
<tr>
<td>Spin Creative</td>
<td>53 Firethorn Place, Jerrabomberra NSW 2619</td>
<td>Australian honours information session - Darwin regional visit - October 2005 Producing fact sheets (Profiles of award recipients); production of press advertisements</td>
<td>$1,304.60</td>
</tr>
<tr>
<td>Morrison Croxford Chambers &amp; Associates Pty Ltd</td>
<td>P O Box 4778 Kingston ACT 2604</td>
<td>Media liaison for the State Visit by the President of Israel from 28 February to 6 March 2005</td>
<td>$19,628.13</td>
</tr>
</tbody>
</table>
Mr Bowen asked the Minister for Foreign Affairs and the Minister for Trade, 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 Downer—On behalf of the Minister for Trade and myself, the answer to the honourable member’s questions are as follows:

**DFAT**

Yes; during 2005 DFAT engaged the services of:

- **Parker and Partners**
  (1) (a) The purpose of this engagement was support for Australia’s participation at the Aichi World Expo 2005
  (b) During 2005, the cost of this engagement was $1,368,317.00

- **Ryebuck Media**
  (1) (a) The purpose of this engagement was to develop and produce the Explore Australia teachers’ resource kit for the Council for Australian-Arab Relations.
  (b) During 2005, the cost of this engagement was $246,363.64

The total cost for 2005 was $1,614,680.64. This does not include consultancies which may have been engaged by overseas posts; providing such information would require an unreasonable diversion of resources.
ACIAR
(1) No, nil.
(2) n/a
(3) n/a

AJF
Yes; during 2005 the Australia-Japan Foundation engaged the services of:

OZMA PR
(1) (a) The purpose of this engagement was to launch and promote the program “Discovering Eco Australia”
   (b) During 2005, the cost of this engagement was $29,351.00
(2) OZMA PR, Aoyama Crystal Building, 3-5-12 Kita-Aoyama Minato-ku Tokyo 107-8648 Japan

Mainichi EVR System
(1) (a) The purpose of this engagement was to launch and promote the program “Discovering Eco Australia”
   (b) During 2005, the cost of this engagement was $94,417.00
(2) Mainichi EVR System, 3-3-9 Nihonbashi Chuo-ku Tokyo 103-0027 Japan
(3) The total cost for 2005 was $123,768.00.

AusAID
Yes; during 2005 AusAID engaged the services of:

AAP Pty Ltd
(1) (a) The purpose of this engagement was the supply of photographic images
   (b) During 2005, the cost of this engagement was $1,254.00
(2) AAP Pty Ltd, PO Box 3411, Rhodes Waterside, NSW 2138

AdPartners (Photon APG Pty Ltd)
AdPartners was engaged on two occasions:
(1) (a) The purpose of these engagements was:
   Community engagement support
   Assistance with stakeholder communication during the design of a new PNG HIV/AIDS Program
   (b) During 2005, the cost of these engagements was:
   $352,936.78
   $10,400.00
(2) AdPartners (Photon APG Pty Ltd), 66 Bay Street, Ultimo NSW 2007

Anvil Media
(1) (a) The purpose of this engagement was video production and editing services
   (b) During 2005, the cost of this engagement was $22,966.37
(2) Anvil Media, PO Box 405, Crows Nest, NSW 1585

Byword Services Pty Ltd
(1) (a) The purpose of this engagement was writing and editing services
   (b) During 2005, the cost of this engagement was $3,814.80
(2) Byword Services Pty Ltd, 35 Voyager Crst, Bawley Point NSW 2539
Caption Pty Ltd
(1) (a) The purpose of this engagement was video production and transcription services
(b) During 2005, the cost of this engagement was $17,503.26
(2) Caption Pty Ltd, Po Box 338, Hall, ACT 2618
Clarity Communications
(1) (a) The purpose of this engagement was facilitation of an evaluation workshop on the communications response to the tsunami crisis
(b) During 2005, the cost of this engagement was $9,724.00
(2) Clarity Communications, 45/17 Eldridge Cresent, Garran ACT 2605
Colmar Brunton Research
(1) (a) The purpose of this engagement was the organisation of a community attitudes survey and preparation of an outcomes report
(b) During 2005, the cost of this engagement was $89,865.60
(2) Colmar Brunton Research, GPO Box 2212, Canberra City, ACT 2601
Cox Inall Communications (Ultimo)
Cox Inall Communications was engaged on two occasions:
(1) (a) The purpose of these engagements was:
   Project management, marketing and communications services for Australian tsunami-related reconstruction activities
   Specialist media and public affairs support for tsunami response and assistance in production and placement of tsunami documentary
(b) During 2005, the cost of these engagements was:
   $72,304.06
   $81,296.35
(2) Cox Inall Communications (Ultimo), Level 2, 44 Mountain St, Ultimo Sydney NSW 2007
Doust Business Consultants Pty Ltd
(1) (a) The purpose of this engagement was to provide community engagement and publications support
(b) During 2005, the cost of this engagement was $111,331.36
(2) Doust Business Consultants Pty Ltd, PO Box 197 Uraidla SA 5142
Exhibition Centre Pty Ltd
(1) (a) The purpose of this engagement was the provision of exhibition materials and support
(b) During 2005, the cost of this engagement was $61,515.10
(2) Exhibition Centre Pty Ltd, 32-34 Kembla St, Fyshwick ACT 2609
Gregson Edwards Communications
(1) (a) The purpose of this engagement was media liaison and general public affairs support
(b) During 2005, the cost of this engagement was $33,957.00
(2) Gregson Edwards Communications, PO Box 4547, Kingston, ACT 2604
GRID Communications

GRID Communications was engaged on two occasions:

1. (a) The purpose of these engagements was:
   - The design and production of AIPRD logos, folders, stickers and banners; artwork and typesetting for the production of reports
   - Graphic design services
   (b) During 2005, the cost of these engagements was:
       $22,813.63
       $74,108.93

2. GRID Communications, 301 Canberra Ave, Fyshwick ACT 2609

Kate Graham

1. (a) The purpose of this engagement was the development of a public awareness strategy for the PNG Enhanced Cooperation Program
   (b) During 2005, the cost of this engagement was $217,462.04

2. Kate Graham, 5 Little Mountain Street South Melbourne, Victoria 3205

Lorrie Graham Photographer Pty Ltd

1. (a) The purpose of this engagement was photographic services for a visit to Cambodia and Vietnam
   (b) During 2005, the cost of this engagement was $26,432.32

2. Lorrie Graham Photographer Pty Ltd, 4/10 O’Connell Street, Newtown, NSW 2042

Matt Steinglass

1. (a) The purpose of this engagement was media liaison and public affairs support
   (b) During 2005, the cost of this engagement was $3,363.49

2. Matt Steinglass, 18 Ngach (alley) 1/38, Au Co Street, Nghi Tam Village, Hanoi, Vietnam

National Promotions Australia

1. (a) The purpose of this engagement was the provision of Australia Indonesia Partnership for Reconstruction and Development (AIPRD) shirts and hats
   (b) During 2005, the cost of this engagement was $13,952.95

2. National Promotions Australia, 86 Wentworth Ave Kingston ACT

Orbit Design Pty Ltd

1. (a) The purpose of this engagement was graphic design services
   (b) During 2005, the cost of this engagement was $8,723.00

2. Orbit Design Pty Ltd, Level 1, 16 Peel Street, Adelaide SA 5000

Panos Pictures

1. (a) The purpose of this engagement was the supply of photographic images
   (b) During 2005, the cost of this engagement was $9,928.23

2. Panos Picture, 1 Honduras Street, London EC1Y OTH

Patricia Gibson

1. (a) The purpose of this engagement was services for the production of Focus Magazine
   (b) During 2005, the cost of this engagement was $60,587.00.
(2) Patricia Gibson, 17 Pudney Street, Farrer, ACT 2607

**Pirion Printers Pty Ltd**

Pirion was engaged on two occasions:

(1) (a) The purpose of these engagements was:

Printing services

Printing of AIPRD stickers to identify Australian aid funded relief supplies and equipment such as books for schools, medical consumables and office furniture for local government office

(b) During 2005, the cost of these engagements was:

- $27,690.30
- $2,686.20

(2) Pirion Printers Pty Ltd, 140, Gladstone St, Fyshwick ACT 2609

**PT Indo Pacific**

(1) (a) The purpose of this engagement was public relations support to the Rehabilitation and Reconstruction Agency (BRR - Badan Rehabilitasi dan Rekonstruksi) for Aceh and Nias

(b) During 2005, the cost of this engagement was $11,296.65

(2) PT Indo Pacific, PO Box 4981, JKTM Jakarta, 12049 Indonesia

**Raw World Media Pty Ltd**

(1) (a) The purpose of this engagement was publication-based services

(b) During 2005, the cost of this engagement was $26,400.00

(2) Raw World Media Pty Ltd, GPO 841, Adelaide, SA 5001

**Repertoire Media**

(1) (a) The purpose of this engagement was specialist media writing, placement, photography and media interviewing

(b) During 2005, the cost of this engagement was $19,885.65

(2) Repertoire Media, PO Box 204, Ferntree Gully, Victoria, 3156

**Swell Design Group Pty Ltd**

(1) (a) The purpose of this engagement was graphic design services

(b) During 2005, the cost of this engagement was $25,161.29

(2) Swell Design Group Pty Ltd, 31 Flinders Way, Griffith ACT 2603

**TCN Channel Nine Pty Ltd**

(1) (a) The purpose of this engagement was the production of television programs featuring HIV/AIDS work in PNG

(b) During 2005, the cost of this engagement was $10,000.00

(2) TCN Channel Nine Pty Ltd, 24 Artarmon Road, NSW 2068

**Television Trust for the Environment**

(1) (a) The purpose of this engagement was assistance on the Fish for All program on BBC World TV

(b) During 2005, the cost of this engagement was $10,000.00

(2) Television Trust for the Environment, Prince Albert Road, London, NWI 4RZ
Walker Media Group (The Trustee for the Walker Family Trust)
Walker Media Group was engaged on four occasions:
(1) (a) The purpose of these engagements was:
Video production services
Filming, interviewing, post production and duplication for video news releases, satellite feeds and Boxing Day tsunami documentary
The broadcast of footage and photographs of Australia versus PNG rugby league match
Post production services for a visit to Vietnam and Cambodia
(b) During 2005, the cost of these engagements was:
$34,665.38
$110,801.37
$26,253.95
$8,052.00

(2) The Trustee for the Walker Family Trust (Walker Media Group), GPO Box 2383, Canberra City 2606

What’s the Drum Communications (Michael Cavanagh)
Michael Cavanagh was engaged on two occasions:
(1) (a) The purpose of these engagements was:
Public affairs support
Public affairs advice and support
(b) During 2005, the cost of these engagements was:
$17,050.76
$74,714.98

(2) What’s the Drum Communications (Michael Cavanagh), 34 Selwyn Street, Hackett ACT 2602

(3) The total cost for 2005 was $1,710,898.24.

Austrade
Yes; during 2005 Austrade engaged the services of:
Porter Novelli Australia Pty Ltd
(1) (a) The purpose of this engagement was to provide public relations services for several Austrade activities including providing media promotion to drive membership and raise the profile of Business Club Australia: M2006. Other activities included state based campaigns such as export hub launches, “Ticket to Export” seminars and assistance in promoting key Austrade special events and roadshows.
(b) During 2005, the cost of this engagement was $69,867.00

(2) Porter Novelli Australia Pty Ltd
Level 1, 153 Walker Street
NORTH SYDNEY NSW 2060

(3) The total cost for 2005 was $69,867.00.

EFIC
Yes; during 2005 EFIC engaged the services of:

QUESTIONS IN WRITING
The purpose of this engagement was to monitor media in the United States in relation to the sale of a vessel in Rochester. The sale was due to default under a mortgage securing a debt owed to EFIC.

(b) During 2005, the cost of this engagement was $3154.57

(2) M Martino Flynn, LLC, 175 Sully’s Trail, Suite 100, Pittsford, NY 14534-4558

(3) The total cost for 2005 was $3154.57.

Consultancy Services
(Question No. 3271)

Mr Bowen asked the Minister for Industry, Tourism and Resources, 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 Ian Macfarlane—The answer to the honourable member’s question is as follows:

Department of Industry, Tourism and Resources

The following table provides details of contracts that were entered into in 2005 to provide the relevant services

<table>
<thead>
<tr>
<th>Name and address of service provider/s</th>
<th>Value of contract (excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Professional Public Relations, 27 Murray Crescent, MANUKA ACT 2603</td>
<td>72,636</td>
<td>Collective Bargaining Education Campaign</td>
</tr>
<tr>
<td>Professional Public Relations, 27 Murray Crescent, MANUKA ACT 2603</td>
<td>9,013</td>
<td>Drafting of written material for collective bargaining education campaign</td>
</tr>
<tr>
<td>Adaptors, PO Box 4774, KINGSTON ACT 2604</td>
<td>70,909</td>
<td>Retail Grocery Industry Code of Conduct promotional strategy</td>
</tr>
<tr>
<td>DatelineMedia Communications, Level 3, 228 Hamilton Ave, Palo Alto CA 94301</td>
<td>104,702.69</td>
<td>To encourage and support investment attraction from key international markets through targeted public relations activities in key business, financial and industry media. To generate positive publicity about Australia as a highly competitive business and investment destination, raise awareness of Australia’s industry strengths and capabilities, and raise the profile of Invest Australia and its services.</td>
</tr>
<tr>
<td>Fleishman-Hillard GmbH, Hanauer Landstraße 182c, D - 60314 Frankfurt am Main</td>
<td>56,631.89</td>
<td></td>
</tr>
<tr>
<td>The Communication Group, 19 Buckingham Gate, London SW1E 6LB</td>
<td>73,689.05</td>
<td></td>
</tr>
<tr>
<td>Fleishman-Hillard Herald, 73 Boulevard Haussmann, 75008 Paris France</td>
<td>74,090.02</td>
<td></td>
</tr>
</tbody>
</table>

Undertaken in the United States, Germany, the United Kingdom and France.
Geoscience Australia

The following table provides details of contracts that were entered into in 2005 to provide the relevant services.

<table>
<thead>
<tr>
<th>Name and address of service provider/s</th>
<th>Value of contract (excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Econnect Communications Pty Ltd PO Box 734 South Brisbane QLD 4101</td>
<td>7,920</td>
<td>Media training</td>
</tr>
</tbody>
</table>

Tourism Australia

The following table provides details of contracts that were entered into in 2005 to provide the relevant services.

<table>
<thead>
<tr>
<th>Name and address of service provider/s</th>
<th>Value of contract #</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eurotandem 6 avenue du professeur André Lemierre, 75020 PARIS</td>
<td>551,63 AUD EUR 327,000</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>AIGO Communicazione P.I. 10034470152, Piazza Caiazzo, 3, 20124</td>
<td>354,298 AUD EUR 210,021</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>NB Communications Level 19, 191 Queen St, Auckland 1, NZ</td>
<td>267,484 AUD NZD 318 390</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>BGB Communications 7 Westminster Palace Gardens, Artillery Row, London, SW1P</td>
<td>144,511 AUD GBP 57,915</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>Laura Davidson Public Relations (LDPR) 72 Madison Avenue, 11th Floor, New York, USA</td>
<td>814,226 AUD USD 616,208</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>Ogilvy PR Worldwide 27-8, Chamwon-Dong, Seocho-Gu, Seoul 137-903, Korea</td>
<td>133,236 AUD KRW 96,982</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>Al Nasher Promotion Advertising WLL Almuayyed Tower, 11th Floor Seef District, Manama, Bahrain. 45555</td>
<td>409,090.91 AUD (excludes GST)</td>
<td>Public relations, marketing</td>
</tr>
<tr>
<td>Prodigy 52 Bukit Batok, East Ave, 5, #15-07 Singapore 659802</td>
<td>9,837.79 AUD SGD 11,765</td>
<td>Public relations – Celeb Aus 05</td>
</tr>
</tbody>
</table>

# GST can not be calculated as local currency and taxes were applied

Other portfolio agencies

IP Australia and the National Offshore Petroleum Safety Authority did not enter into any relevant contracts during 2005.

Recruitment Agencies

(Question No. 3295)

Mr Bowen asked the Minister for Education, Science and Training, 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.

**Ms Julie Bishop**—The answer to the honourable member’s question is as follows:

(1) to (3) The following table:
- lists the recruitment agencies used by the Department of Education Science and Training during 2004-05;
- details the sums paid to each agency identified; and
- provides the total amount spent on recruitment agencies by the Department.

<table>
<thead>
<tr>
<th>Name of Recruitment Agency</th>
<th>Amount Paid in 2004-05 ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adecco Australia Pty Ltd</td>
<td>1,250.00</td>
</tr>
<tr>
<td>Alliance Recruiting Australia P/L</td>
<td>5,720.38</td>
</tr>
<tr>
<td>Allstaff Australia Pty Ltd</td>
<td>3,146.05</td>
</tr>
<tr>
<td>Ambit IT&amp;T</td>
<td>9,012.77</td>
</tr>
<tr>
<td>Capital Recruitment Services</td>
<td>30,785.11</td>
</tr>
<tr>
<td>Careers Unlimited Pty Ltd</td>
<td>4,806.71</td>
</tr>
<tr>
<td>Catalyst Recruitment Systems</td>
<td>29,432.73</td>
</tr>
<tr>
<td>Effective People Pty Ltd</td>
<td>29,944.90</td>
</tr>
<tr>
<td>First Water Executive Pty Ltd</td>
<td>12,416.32</td>
</tr>
<tr>
<td>First Water Pty Limited</td>
<td>759.50</td>
</tr>
<tr>
<td>Hanson, Searson, Ford Executive</td>
<td>67,310.00</td>
</tr>
<tr>
<td>Hays Personnel Services</td>
<td>27,477.18</td>
</tr>
<tr>
<td>Hays Personnel Services Australia</td>
<td>14,133.68</td>
</tr>
<tr>
<td>IPA Personnel Pty Ltd (JNM)</td>
<td>94,854.80</td>
</tr>
<tr>
<td>JML Australia Pty Ltd</td>
<td>68,300.00</td>
</tr>
<tr>
<td>Kowalski Consulting Pty Ltd</td>
<td>1,320.00</td>
</tr>
<tr>
<td>MJL People Dynamics Pty Ltd</td>
<td>2,737.50</td>
</tr>
<tr>
<td>Omega Personnel Pty Ltd</td>
<td>6,200.00</td>
</tr>
<tr>
<td>Peoplebank Australia Pty Ltd</td>
<td>5,169.48</td>
</tr>
<tr>
<td>Professional Careers Australia Pty</td>
<td>18,084.54</td>
</tr>
<tr>
<td>Recruitment Management Company</td>
<td>9,311.52</td>
</tr>
<tr>
<td>Ross Human Directions</td>
<td>2,220.54</td>
</tr>
<tr>
<td>Select Australasia Pty Ltd</td>
<td>2,585.61</td>
</tr>
<tr>
<td>Select Australia Pty Ltd</td>
<td>4,834.43</td>
</tr>
<tr>
<td>SOS Recruitment</td>
<td>2,780.00</td>
</tr>
<tr>
<td>Spherion Recruitment Solutions</td>
<td>770.00</td>
</tr>
<tr>
<td>The Green &amp; Green Group Pty Ltd</td>
<td>85,841.64</td>
</tr>
<tr>
<td>TMP/Hudson Global Resources</td>
<td>151,324.34</td>
</tr>
<tr>
<td>Verossity Pty Ltd</td>
<td>3,098.86</td>
</tr>
<tr>
<td>Wizard Personnel &amp; Office Services</td>
<td>96,591.16</td>
</tr>
<tr>
<td>Total^</td>
<td>792,219.75</td>
</tr>
</tbody>
</table>

^ This amount includes the cost of all services provided by external recruitment agencies in 2004-05. It includes the cost of executive searches, recruitment and selection services, scribing fees and temporary employee placements, as well as (in a number of cases) the cost of contract labour supplied by these agencies.

The following responses have been provided by agencies.
A total of $326,716 was spent by CSIRO on recruitment agencies in 2004-05. As details of CSIRO’s expenditure on recruitment agencies is not held centrally, it is unable to provide details of the sums paid to each individual recruitment agency. A list of agencies that were used by CSIRO follows.


A total of $117,371 was spent by AIMS on recruitment agencies in 2004-05 are listed below. A list of agencies that were used by AIMS follows.

<table>
<thead>
<tr>
<th>Name of Recruitment Agency</th>
<th>Amount Paid in 2004-2005 ($)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hay Accounting</td>
<td>12,107</td>
</tr>
<tr>
<td>TP Human Capital</td>
<td>53,672</td>
</tr>
<tr>
<td>Workskills Professionals</td>
<td>51,592</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>117,371</strong></td>
</tr>
</tbody>
</table>

ANSTO is unable to separate out costs for recruiting staff from general payments to recruitment agencies, as records of payments to recruitment agencies include costs of contract labour supplied by those agencies. Recruitment costs therefore cannot be derived separately. A list of agencies that are used by ANSTO on a preferred supplier basis follows.

Southside Staffing Services, Commercial Design Consolidated (NSW), Southtech Personnel, ETM Placements, Mantech International Systems Recruitment, Hays, TMP/Hudson

AIATSIS, Questacon and the Australian Research Council did not use recruitment agencies in 2004-05.

**Opinion Polls**

(Question No. 3298)

Mr Bowen asked the Prime Minister, 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 Howard—I am advised that the answer to the honourable member’s question is as follows:

(1) Yes. (a) Refer to table below. (b) Refer to table below.

(2) Refer to table below.

(3) Refer to table below. Apart from the named agencies, portfolio agencies did not incur relevant expenses.
### Department of the Prime Minister and Cabinet

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Corporate Diagnostics</td>
<td>PO Box 853 Noosa Heads QLD 4567</td>
<td>To gauge levels of customer satisfaction with services provided by the government’s two master media agencies.</td>
<td>$49,539</td>
</tr>
<tr>
<td>HRM Consulting</td>
<td>PO Box 1878 Toowong QLD 4066</td>
<td>Development and implementation of a survey to report on staff satisfaction within the Department</td>
<td>$84,907.78</td>
</tr>
<tr>
<td>Infohrm Pty Ltd</td>
<td>PO Box 2147 Milton BC QLD 4064</td>
<td>Provision of an online survey reporting tool for the staff survey, presented through a secure departmental specific Infohrm website.</td>
<td>(consultancy paid in 2006)</td>
</tr>
</tbody>
</table>

**Total $134,446.78**

### Australian Public Service Commission

<table>
<thead>
<tr>
<th>Name and Postal Address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mr Eddie Watkin, Learn 2 Lead</td>
<td>To inform the Commission’s evaluation of agency approaches to attraction and retention of Aboriginal and Torres Strait Islander employees</td>
<td>$5,465.55</td>
</tr>
<tr>
<td>ORIMA Research PO Box 67 Lyneham ACT 2602</td>
<td>Aboriginal and Torres Strait Islander employees Census Survey - The purpose of conducting this survey was to obtain the views of Aboriginal and Torres Strait Islander employees on working in the APS. The impetus for this survey was one of the critical challenges identified in the State of the Service Report 2004-05—declining numbers of Aboriginal and Torres Strait Islander people in the APS and the need to improve strategies to attract and retain Aboriginals and Torres Strait Islanders to the APS.</td>
<td>$19,758.42</td>
</tr>
<tr>
<td>ORIMA Research PO Box 67 Lyneham ACT 2602</td>
<td>The Commission conducted a staff survey in 2005 to evaluate the health of the organisation and its culture.</td>
<td>$17,337</td>
</tr>
<tr>
<td>ORIMA Research PO Box 67 Lyneham ACT 2605</td>
<td>To inform the State of the Service Report 2004-05; the Australian Public Service Commission conducted the 2005 State of the Service employee survey. As part of the survey development process, a focus group was conducted for the purpose of testing the survey instrument. The cost of this focus group is estimated at $625 (as the focus group is not a separate item in the contract, it is not possible to calculate the exact cost of the focus group). Following testing, the Commission conducted the 2005 State of the Service employee and agency surveys. The results were used to inform the State of the Service Report 2004-05.</td>
<td>$85,017</td>
</tr>
<tr>
<td>ORIMA Research PO Box 67 Lyneham ACT 2602</td>
<td>The Deputy Secretaries Group responsible for overseeing the Management Advisory Committee project which resulted in its report Managing and Sustaining the APS Workforce identified.</td>
<td>$10,505</td>
</tr>
</tbody>
</table>
that there would be benefit in conducting a series of focus group discussions in which APS employees from a broad range of agencies and backgrounds explore their career expectations and preferences. In total, 58 individuals took part in seven focus group discussions held on 7, 11, 14 and 19 April 2005.

<table>
<thead>
<tr>
<th>Name and Postal Address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Australia Day Council</td>
<td></td>
<td>$138,082.97</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>Purpose</th>
<th>Cost (GST incl)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elliott &amp; Shanahan</td>
<td>Suite 102, 83 York St Sydney NSW 2000</td>
<td>Market research for Australia Day</td>
<td>$13,772</td>
</tr>
<tr>
<td>George Patterson Partners</td>
<td>PO Box 175Q Melbourne VIC 3001</td>
<td>Concept testing for the Australian Affirmation Campaign</td>
<td>$18,650</td>
</tr>
</tbody>
</table>

**Opinion Polls**

(Qu **e**stion No. 3308)

**Mr Bowen** asked the Minister for Defence, in writing, on 27 March 2006:

(1) Did the department or any other 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 group or market research surveys by the department and each agency in the Minister’s portfolio.

**Dr Nelson**—The answer to the honourable member’s question is as follows:

(1) Yes. Details of market research and advertising paid by or on behalf of Defence are reported by financial year in Defence’s Annual Report. In addition, the following opinion polls have been reported:

(a) Navy Headquarters conducted two opinion polls with Newspoll in April and August 2005. 1,200 respondents were asked questions regarding Navy’s reputation and standing in the eyes of the general public. The purpose was to measure the overall community attitudes about the Australian Navy. The research measured the extent to which Australians believe that Navy:

1. Is “doing a good job” for Australia
2. Is a reliable and effective maritime defence and security service
3. Is a credible and well run organisation
4. Operates in a responsible manner
5. Operates with honesty and integrity

The Land Engineering Agency (LEA) within Systems Division of Defence Material Organisation (DMO) conducted an annual electronic-based market research with SJX Marketing. The purpose was to measure internal Defence clients’ satisfaction levels regarding the LEA services and service provisions. The resulting report is utilised by the LEA’s senior management for strategic planning purposes and fulfils a requirement of LEA’s ISO9001 accreditation.

(b) The two polls conducted by Newspoll cost $6,000 and $14,100 (inc GST) respectively. The market research conducted by SJX Marketing cost $10,250 (inc GST).
(2) (i) Newspoll’s address is:
Newspoll Market Research
Newspoll House
407 Elizabeth Street
Surry Hills NSW 2010

(ii) SJX Marketing’s address is:
SJX Marketing
57 Hampton Rd
Essendon VIC 3040

(3) See response to question part (1) (b).

Opinion Polls
(Question No. 3309)

Mr Bowen asked the Minister for Industry, Tourism and Resources, 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 Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) to (3) The following tables provide the details requested in relation to my department and all the portfolio agencies with the exception of the National Offshore Petroleum Safety Authority, which did not conduct or commission any opinion polls, focus groups or market research in 2005.

Department of Industry, Tourism and Resources
This table provides details of contracts that were entered into in 2005 to provide the relevant services. The table does not necessarily reflect actual expenditure during that year.

<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Value of contract (Excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
</table>
| Eureka Strategic Research
PO Box 767,
Newtown NSW 2042 | $14,120 | Focus groups to gain a better understanding of public attitudes towards biotechnology issues raised from the major tracking study listed below. |
| The Research Forum
Suite 2, Level 3, 93 Phillip Street
Parramatta NSW 2150 | $71,973 | Stakeholder satisfaction survey (External) required to report against outcome performance measures listed in the Industry, Tourism and Resources Portfolio Budget Statements |
| Quantum Market Research
96 Bridport Street
Albert Park VIC 3206 | $45,000 | Market research on Retail Grocery Industry Code of Conduct |
<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Value of contract (Excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Woolcott Research Pty Ltd 40 Gloucester Street The Rocks NSW 2000</td>
<td>$63,400</td>
<td>Collective bargaining benchmarking research</td>
</tr>
<tr>
<td>Taylor Nelson Sofres Australia Pty Ltd 48 Pyrmont Bridge Rd Pyrmont NSW 2009</td>
<td>$565,909</td>
<td>Survey of administrative burdens on small business</td>
</tr>
<tr>
<td>Fianian Pty Ltd PO Box 292 Milton NSW 2538</td>
<td>$90,909</td>
<td>Case studies of best practice regulatory reforms implemented by up to six local governments</td>
</tr>
<tr>
<td>Mack Consulting Group Pty Ltd PO Box 806 Crows Nest NSW 1585</td>
<td>$46,909</td>
<td>Case studies of best practice regulatory reforms implemented by up to six local governments</td>
</tr>
<tr>
<td>Market Attitude Research Services PO Box 214 Miranda NSW 2228 Eureka Strategic Research PO Box 767 Newtown NSW 2042 Open Mind Research Group 68 Drummond St Carlton VIC 3053</td>
<td>$45,278</td>
<td>Evaluation of the Small Business Assistance Program</td>
</tr>
<tr>
<td></td>
<td>$11,400</td>
<td>An ongoing tracking study of public attitudes towards stem cell technologies</td>
</tr>
<tr>
<td></td>
<td>$134,540</td>
<td>On going study of public attitudes towards applications of biotechnology</td>
</tr>
<tr>
<td></td>
<td>$39,859.71</td>
<td>Qualitative testing of AusIndustry’s communication methods, messages and tools</td>
</tr>
</tbody>
</table>

**Geoscience Australia**

This table provides details of contracts that were entered into in 2005 to provide the relevant services. The table does not necessarily reflect actual expenditure during that year.

<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Value of contract (Excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>AdPartners Group 66 Bay St Ultimo NSW 2007</td>
<td>$24,825.26</td>
<td>Understand customers’ current use of Geoscience Australia’s standard series topographic maps and how their needs might drive the evolution of products. Determine customer attitudes to print on demand</td>
</tr>
</tbody>
</table>
**IP Australia**
This table provides details of contracts that were entered into in 2005 to provide the relevant services. The table does not necessarily reflect actual expenditure during that year.

<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Value of contract (Excluding GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Eureka Strategic Research Pty Ltd 325 King Street Newtown NSW 2042</td>
<td>$30,393.32</td>
<td>To evaluate the potential for IP Australia to offer IP training services to customers.</td>
</tr>
<tr>
<td></td>
<td>$20,340.00</td>
<td>Investigation into the perceived functions of business names and the relationship with trade marks.</td>
</tr>
<tr>
<td></td>
<td>$13,300.00</td>
<td>Development of a survey for IP Australia website visitors and analysis of the data collected.</td>
</tr>
</tbody>
</table>

**Tourism Australia**
This table provides details of Tourism Australia’s expenditure on the relevant services during the 2004-05 and 2005-06 financial years.

<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Cost (ex GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>The Leading Edge Pier 8/9, 23 Hickson Rd Millers Point NSW 2000</td>
<td>$272,000</td>
<td>Aussie Experience Development Research</td>
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<tr>
<td>Taylor Nelson Sofres (TNS) 48 Pymont Bridge Road Pymont NSW 2009</td>
<td>$2,747,870</td>
<td>Tourism Australia Global Brand Tracking</td>
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<tr>
<td>AC Neilson Japan Kuroasaki Bldg. Roppongi 4-1-4 Minato-Ku, Tokyo 106-0032 Japan</td>
<td>$121,757</td>
<td>Qualitative phase of Japan segmentation</td>
</tr>
<tr>
<td>MSC Research Level 4, Yungondi Building City West Campus 70 North Terrace Adelaide SA 5000</td>
<td>$101,331</td>
<td>US Conversion Study – This study tests whether consumers who have responded to TA campaigns through 1800 telephone numbers have converted their interest into Australia into travelling to Australia for a holiday</td>
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<tr>
<td>University of South Australia GPO Box 2471 Adelaide SA 5001</td>
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<td></td>
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<tr>
<td>Acacia Avenue 8 Wellgarth Rd, London UK NW11 7HS</td>
<td>$92,676</td>
<td>General coordination of Japan Segmentation study (a segmentation study reviews a market of consumers to look for and understand likeminded groups which provide a marketing advantage)</td>
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<tr>
<td>IPSOS-UK Kings House, Kymberley Road, Harrow, HA1 1PT</td>
<td>$268,236</td>
<td>Co-ordination, undertaking and delivery of the quantitative phase of the Japan market segmentation</td>
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<tr>
<td>Name and address of service provider</td>
<td>Cost (ex GST)</td>
<td>Purpose</td>
</tr>
<tr>
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<tr>
<td>Inside Story</td>
<td>$39,800</td>
<td>New Zealand qualitative study on ideal visitor</td>
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<tr>
<td>Level 5, 2 Barrack Street</td>
<td></td>
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<tr>
<td>Sydney NSW 2000</td>
<td></td>
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<tr>
<td>Jones Donald Strategy Partners</td>
<td>$169,010</td>
<td>Singapore consumer study – qualitative research</td>
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<tr>
<td>Level 7, 210 Clarence St</td>
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<td>Sydney NSW 2000</td>
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<tr>
<td>Roy Morgan Research</td>
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<td>New Zealand Holiday Tracking Survey – subscription for 18 months</td>
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<td>232 Sussex St</td>
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<td>Urbis JHD</td>
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<td>Trade event evaluation</td>
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<tr>
<td>Level 18, 60 Castlereagh St</td>
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<td>Sydney NSW 2000</td>
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<td>TNS Transport, Travel and Hospitality Group</td>
<td>$66,979</td>
<td>US Passenger study</td>
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<td>410 Horsham Road, Horsham, PA 19044, USA</td>
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<tr>
<td>BDA Marketing Planning</td>
<td>$256,000</td>
<td>Outbound replacement research</td>
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<tr>
<td>Level 9, 479 St Kilda Road</td>
<td></td>
<td></td>
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<tr>
<td>Melbourne Victoria 3004</td>
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<td></td>
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<tr>
<td>Newton Wayman Chong &amp; Associates Pty Ltd</td>
<td>$1,655,300</td>
<td>Quarterly international visitor survey – English language data collection (Tourism Research Australia)</td>
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<tr>
<td>Level 4, 171 La Trobe St</td>
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<td></td>
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<tr>
<td>Melbourne, Victoria 3000</td>
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<td>Newton Wayman Chong &amp; Associates Pty Ltd</td>
<td>$513,900</td>
<td>Quarterly international visitor survey – foreign language data collection (Tourism Research Australia)</td>
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<tr>
<td>Level 4, 171 La Trobe St</td>
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<tr>
<td>Melbourne, Victoria 3000</td>
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<tr>
<td>AC Nielsen Research Pty Ltd</td>
<td>$832,444</td>
<td>Quarterly national visitor survey (Tourism Research Australia)</td>
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<tr>
<td>11 Talavera Rd</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Macquarie Park NSW 2113</td>
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<tr>
<td>Newton Wayman Chong &amp; Associates Pty Ltd</td>
<td>$903,309</td>
<td>Quarterly national visitor survey (Tourism Research Australia)</td>
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<tr>
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<tr>
<td>Melbourne Victoria 3000</td>
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<td>AC Nielsen Research Pty Ltd</td>
<td>$84,800</td>
<td>ACT &amp; NT national visitor survey sample boost study</td>
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<td>AC Nielsen Research Pty Ltd</td>
<td>$130,000</td>
<td>Northern Territory Destination Surveys Project (contribution to $294,000 project jointly funded with NT Government)</td>
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<tr>
<td>AC Nielsen Research Pty Ltd</td>
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<td>ACT Visitor satisfaction market research project</td>
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<td>Purpose</td>
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<td>Inside Story Knowledge Management Pty Ltd / Level 5, 2 Barrack St / Sydney NSW 2000</td>
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<td>NSW Fly Drive market research project</td>
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<td>Market Equity Pty Ltd / 226 Greenhill Rd / Eastwood SA 5063</td>
<td>$60,089</td>
<td>Fraser Coast market research project</td>
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<td>Quantum Market Research (Aust) Pty Ltd / 96 Bridport St / Albert Park Victoria 3004</td>
<td>$50,200</td>
<td>Mornington Peninsula Destination Visitor Survey</td>
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<tr>
<td>Taylor Nelson Sofres Pty Ltd / 13 Richardson St / West Perth WA 6005</td>
<td>$35,150</td>
<td>Understanding the Caravan Park Industry in WA market research project</td>
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<tr>
<td>Ultra Feedback Pty Ltd / PO Box 156 / Eltham Victoria 3095</td>
<td>$23,850</td>
<td>Victorian Alpine Resorts market research, Destination Visitor Survey</td>
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<tr>
<td>AC Nielsen Research Pty Ltd / 11 Talavera Rd / Macquarie Park NSW 2113</td>
<td>$48,900</td>
<td>Outback attractions Destination Visitor Survey</td>
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<tr>
<td>AC Nielsen Research Pty Ltd / 11 Talavera Rd / Macquarie Park NSW 2113</td>
<td>$44,675</td>
<td>Flinders Ranges and SA outback Destination Visitor Survey</td>
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<tr>
<td>2004-05 Acacia Avenue / 8 Wellgarth Road London NW11 7HS / United Kingdom</td>
<td>$540,174</td>
<td>Global segmentation research</td>
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<tr>
<td>Advertising Developments Solutions / Level 4 606 St Kilda Road, Melbourne 3004</td>
<td>$168,500</td>
<td>Advertising testing research – China &amp; Korea</td>
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<tr>
<td>Colmar Brunton PO Box 1384 Macquarie Centre North Ryde NSW 2113</td>
<td>$71,550</td>
<td>Australian brand tracking</td>
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<td>Colmar Brunton PO Box 1384 Macquarie Centre North Ryde NSW 2113</td>
<td>$9,200</td>
<td>Dreamtime trade show interviews</td>
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<tr>
<td>Colmar Brunton PO Box 1384 Macquarie Centre North Ryde NSW 2113</td>
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<td>Business tourism corporate end user research</td>
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<tr>
<td>Colmar Brunton PO Box 1384 Macquarie Centre North Ryde NSW 2113</td>
<td>$16,450</td>
<td>Employer program research</td>
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<tr>
<td>Central Force C3-8, Block C Level 5, Ue3 Menara Uncang Emas, Jalan Loke Yew, 55200 Kuala Lumpur Malaysia</td>
<td>$2,467</td>
<td>Global Brand Health &amp; Communications Tracking 2004 Fieldwork – Malaysia</td>
</tr>
<tr>
<td>Taylor Nelson Sofres (TNS) - NFO Worldgroup (China) Rm 2101, China Life Tower, No 16 Chao Yang Men Wai Street, Beijing 100020 PR China</td>
<td>$29,629</td>
<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – China</td>
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<tr>
<td>Joshua Research Consultants 190 Middle Road Fortune Centre #20-02 Singapore 188979</td>
<td>$14,772</td>
<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – Singapore</td>
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<td>Taylor Nelson Sofres (TNS) Singapore 512A Thomson Road, #0201 SLF Podium Singapore 298137</td>
<td>$62,917</td>
<td>Brand Health &amp; Communications Tracking 2005 Fieldwork – Singapore</td>
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<tr>
<td>Taylor Nelson Sofres NRC Ltd Hatchobori SF Building 3-12-8 Hatchobori, Chuo-ku Tokyo 104-0032 Japan</td>
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<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – Japan</td>
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<tr>
<td>Millward Brown UK Olympus Avenue Tachbrook Park Warwick CV34 6RJ UK</td>
<td>$74,535</td>
<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – England</td>
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<tr>
<td>Taylor Nelson Sofres (TNS) UK Westgate, London W5 1UA, UK Reid Research PO Box 91155 Auckland Mail Centre Auckland New Zealand</td>
<td>$47,215</td>
<td>Brand Health &amp; Communications Tracking 2005 Fieldwork – England</td>
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<td>$9,926</td>
<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – New Zealand</td>
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<tr>
<td>Taylor Nelson Sofres (TNS) Korea 5th Floor Anwon Building, 14-15 Yoido-Dong, Youngdeungpo-ku, Seoul, 150-010 Korea</td>
<td>$36,683</td>
<td>Brand Health &amp; Communications Tracking Fieldwork – Korea</td>
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<tr>
<td>Taylor Nelson Sofres (TNS) Infratest S.p.A Via Bolama, 11,3013 20126 Milan Italy</td>
<td>$37,444</td>
<td>Brand Health &amp; Communications Tracking 2004 Fieldwork – Italy</td>
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<td>Taylor Nelson Sofres (TNS) Infratest GmbH Landsberger Strasse 338 80686 Munchen Germany</td>
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<td>Brand Health &amp; Communications Tracking Fieldwork – Germany</td>
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<tr>
<td>Taylor Nelson Sofres (TNS) NFO USA 2700 Oregon Road Northwood OH 43697-0315 USA</td>
<td>$21,135</td>
<td>Brand Health &amp; Communications Tracking Fieldwork – USA</td>
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<tr>
<td>Nielson Netratings 59 Wentworth Avenue Surry Hills NSW 2010</td>
<td>$193,790</td>
<td>Advertising testing research USA &amp; New Zealand</td>
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<tr>
<td>Diagnostic Research Citibank, 11 Wall Street, New York 10042 USA</td>
<td>$25,450</td>
<td>Online survey research – Australia.com</td>
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<tr>
<td>IPSOS UK Kings House, Kymberley Road Harrow HA1 1PT UK</td>
<td>$76,847</td>
<td>UK segment matching</td>
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<tr>
<td>Jigsaw Strategic Research Level 4&amp;5, 21 Berry Street North Sydney NSW 2060</td>
<td>$9,000</td>
<td>Research undertaken on the effectiveness and levels of satisfaction with Business Central a Tourism Australia internal contact database</td>
</tr>
<tr>
<td>Menlo Consulting Group PO Box 51958 Palo Alto California 94303 USA</td>
<td>$22,214</td>
<td>Corporate Incentive Travel Study – USA</td>
</tr>
<tr>
<td>Mori (Market &amp; Opinion) Mori House 79-81 Borough Road London SE1 1FY UK Urbis JHD Level 12, 120 Collins Street Melbourne Victoria 3000 Roy Morgan Research GPO Box 2282 U Melbourne Victoria 3001 Taylor Nelson Sofres (TNS) Plog Research PO Box 8500-1621 Philadelphia, PA 19178-1621 USA Woolcott Research 40 Gloucester St The Rocks NSW 2000 AC Nielsen Research Pty Ltd 11 Talavera Rd Macquarie Park NSW 2113</td>
<td>$31,095</td>
<td>Business Tourism Corporate End user research – UK</td>
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<td></td>
<td>$27,930</td>
<td>Trade Event Evaluation Research – various projects</td>
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<td></td>
<td>$40,000</td>
<td>Australia Holiday Tracking Survey</td>
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<td></td>
<td>$33,490</td>
<td>Passenger Study</td>
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<td></td>
<td>$7,310</td>
<td>Annual leave omnibus 2005</td>
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<td>$1,710,936</td>
<td>Quarterly national visitor survey</td>
</tr>
<tr>
<td></td>
<td>$1,322,063</td>
<td>Quarterly international visitor survey – English language data collection</td>
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</tbody>
</table>
Opinion Polls
(Reaction No. 3316)

Mr Bowen asked the Minister for Veterans’ Affairs, 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 polls, 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 Billson—the answer to the honourable member’s question is as follows:

See attached Table.

<table>
<thead>
<tr>
<th>Name and address of service provider</th>
<th>Cost (ex GST)</th>
<th>Purpose</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newton Wayman Chong &amp; Associates Pty Ltd</td>
<td>$316,129</td>
<td>Quarterly international visitor survey - foreign language data collection</td>
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</table>

<table>
<thead>
<tr>
<th>(1(a))</th>
<th>(1(b))</th>
<th>(2)</th>
<th>(3) GST Exclusive</th>
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<tbody>
<tr>
<td>Satisfaction Survey of Younger Clients</td>
<td>Quantitative Survey $66,113.64</td>
<td>ORIMA Research Pty Ltd PO Box 67 LYNEHAM ACT 2602</td>
<td>$79,904.60</td>
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<tr>
<td>To assess DVA’s performance against the commitments made in the Service Charter. Focus groups were included to obtain more in-depth data to better explain and understand the findings from the quantitative survey.</td>
<td>Focus Groups $13,790.96</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Defence Service Homes Insurance Scheme (DSHIS) Claim Satisfaction Survey</td>
<td>Survey performed internally using existing resources.</td>
<td></td>
<td>$1,100.00</td>
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<td>100 clients surveyed monthly, used to measure client satisfaction with the handling of insurance claims and as a fraud detection measure.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>DSHIS Payment Options Survey</td>
<td>Survey performed internally using existing resources.</td>
<td></td>
<td>$430.00</td>
</tr>
<tr>
<td>To identify the effectiveness and popularity of the scheme’s payment options and judge the demand for other payment options.</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>60th Anniversary of Victory in the Pacific Provision of market testing of Community Service Announcements for television and radio.</td>
<td>ORIMA Research Pty Ltd PO Box 67 LYNEHAM ACT 2602</td>
<td></td>
<td>$25,172.73</td>
</tr>
<tr>
<td>T.E. Lawrence To determine the public’s awareness, knowledge and interest in a proposed exhibition about T.E. Lawrence.</td>
<td>Woolcott Research Pty Ltd 49 Gloucester Street THE ROCKS NSW 2000</td>
<td></td>
<td>$6,820.00</td>
</tr>
<tr>
<td>Australian War Memorial - advertising To measure the audience reach of AWM advertisements.</td>
<td>Market Attitude Research Services 20-24 Gibb Street MIRANDA NSW 1490</td>
<td></td>
<td>$13,200.00</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
Mr Bowen asked the Minister for Industry, Tourism and Resources, 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 Ian Macfarlane—The answer to the honourable member’s question is as follows:

The Department of Industry, Tourism and Resources

1. The Department of Industry, Tourism and Resources did not engage the services of media training company in 2005.

2. Not applicable.

IP Australia

1. IP Australia engaged the services of the Public Affairs Recruitment Company to provide Media 103: Liaising with the Media. 2 staff attended.

2. $1320 (inclusive of GST)

Tourism Australia

1. Tourism Australia did not engage the services of a media training company in 2005.

2. Not applicable.

Geoscience Australia

1. Geoscience Australia engaged the services of Econnect Communications Pty Ltd to provide a Media training one day workshop. 19 staff participated.

2. $7200 (exclusive of GST)

National Offshore Petroleum Safety Authority

1. The National Offshore Petroleum Safety Authority did not engage the services of a medical training company in 2005.

2. Not applicable.

Mr Melham asked the Minister for Health and Ageing, in writing, on 30 March 2006:

1. How many individuals held a Safety Net Concession Card during (a) 2003, (b) 2004, and (c) 2005 in (i) NSW and (ii) the electoral division of Banks.
(2) How many individuals held a Safety Net Concession Card during (a) 2003, (b) 2004, and (c) 2005
in the postcode area (i) 2196, (ii) 2209, (iii) 2210, (iv) 2211, (v) 2212, (vi) 2213, (vii) 2214, (viii) 2222, and (ix) 2223.

(3) How many families held a Safety Net Concession Card during (a) 2003, (b) 2004 and (c) 2005 in
(i) NSW and (ii) the electoral division of Banks.

(4) How many families held a Safety Net Concession Card during (a) 2003, (b) 2004, and (c) 2005 in
the postcode area (i) 2196, (ii) 2209, (iii) 2210, (iv) 2211, (v) 2212, (vi) 2213, (vii) 2214, (viii) 2222, and (ix) 2223.

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

(1) (i) (a) 483,497 (b) 504,172 (c) 517,566
(ii) (a) 11,987 (b) 12,163 (c) 12,489

(2) and (4) The Department does not release information at postcode level. The smallest geographical
area for which the Department routinely produces statistics is the Commonwealth Electoral Divi-
sion.

(3) (i) (a) 293,699 (b) 313,392 (c) 316,246
(ii) (a) 7,166 (b) 7,535 (c) 7,608

Mr Melham asked the Minister for Health and Ageing, in writing, on 30 March 2006:

(1) How many individuals held a Safety Net Entitlement Card during (a) 2003, (b) 2004, and (c) 2005
in (i) NSW and (ii) the electoral division of Banks.

(2) How many individuals held a Safety Net Entitlement Card during (a) 2003, (b) 2004, and (c) 2005
in the postcode area (i) 2196, (ii) 2209, (iii) 2210, (iv) 2211, (v) 2212, (vi) 2213, (vii) 2214, (viii) 2222, and (ix) 2223.

(3) How many families held a Safety Net Entitlement Card during (a) 2003, (b) 2004, and (c) 2005 in
(i) NSW and (ii) the electoral division of Banks.

(4) How many families held a Safety Net Entitlement Card during (a) 2003, (b) 2004, and (c) 2005 in
the postcode area (i) 2196, (ii) 2209, (iii) 2210, (iv) 2211, (v) 2212, (vi) 2213, (vii) 2214, (viii) 2222, and (ix) 2223.

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

(1) (i) (a) 626,602 (b) 663,009 (c) 674,862
(ii) (a) 15,068 (b) 15,523 (c) 15,830

(2) and (4) The Department does not release information at postcode level. The smallest geographical
area for which the Department routinely produces statistics is the Commonwealth Electoral Divi-
sion.
Note:
1. The data is by calendar year.
3. To compile the Safety Net statistics for the electoral division of Banks, the postcode-to-electorate concordance was used. To compile the Safety Net statistics for NSW, the concordance was not used; instead, a straight summation of the statistics of NSW postcodes was used.

Governor-General: Gardening Services
(Question No. 3505)

Mr Melham asked the Prime Minister, in writing, on 11 May 2006:
For (a) 2003-2004, (b) 2004-2005, and (c) 2005-2006, what was the total value of arborist, tree surgery and other gardening services provided by private contractors to the Office of the Official Secretary to the Governor-General.

Mr Howard—I am advised by the Official Secretary to the Governor-General that the answer to the honourable member’s question is as follows:
In relation to the Governor-General’s two official residences, Government House in Canberra and Admiralty House in Sydney, covering 55 hectares of land, the costs were:
(a) $70,260.52
(b) $65,820.49
(c) $95,332.12

Asia-Pacific Economic Cooperation 2007 Meetings
(Question No. 3549)

Mr Melham asked the Prime Minister, in writing, on 22 May 2006:
(1) What is the total cost so far to the Commonwealth Government including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security, (e) all other expenses, of the preparations for the APEC 2007 meetings which will be held in Australia.
(2) What is the projected total cost including (a) administrative expenses, (b) accommodation and property management, (c) travel, (d) security, (e) all other expenses, to the Commonwealth Government of holding the APEC 2007 meetings.
(3) How many officials are currently employed on the APEC 2007 taskforce in his department.

Mr Howard—The answer to the honourable member’s question is as follows:
(1) Agencies have been funded individually for costs associated with Australia hosting the APEC 2007 meetings. The resources required to coordinate detailed costings for all Government departments would be very labour intensive and would unreasonably divert existing resources from planning for the APEC 2007 suite of meetings. The total cost for my department in preparation for holding the APEC 2007 meetings for the period 2005-2006 is $15.4m and the total cost for the Attorney-General’s department for the period 2005-2006 is $3.3m.
Costs for my department and the Attorney-General’s department are broken down below;
(a) PM&C $11.1m AGD $2.7m
(b) PM&C $1.7m AGD $0.1m
(c) PM&C $0.7m AGD $0.5m
(d) PM&C $0.1m AGD nil
(e) PM&C $1.8m AGD nil

(2) The resources required to coordinate detailed projected costings for all Government departments would be very labour intensive and would unreasonably divert existing resources from planning for the APEC 2007 suite of meetings. Below are the budgeted costs for my department and the Attorney-General’s department which represents a significant portion of the funding provided by Government for the APEC 2007 meetings;

The total budgeted cost of holding the APEC 2007 meetings for my department is $141.8m.
The total budgeted cost of holding the APEC 2007 meetings for the Attorney-General’s department is $111.9m.

(3) The number of officials as at 30 June 2006 employed by my department on the APEC 2007 Taskforce is 109. The number of officials employed by the Attorney-General’s department in the APEC 2007 Security Branch in the APEC 2007 Taskforce as at 30 June 2006 is 33.

Music Education Summit
(Question No. 3561)

Mr Garrett asked the Minister for Education, Science and Training, in writing, on 23 May 2006:

Will she confirm the commitment made in November 2005 by the former Minister, the Hon Brendan Nelson, to host a Music Education Summit to progress the recommendations of the National Review of School Music Education.

Ms Julie Bishop—The answer to the honourable member’s question is as follows:

Asylum Seekers
(Question No. 3578)

Mr Georganas asked the Minister representing the Minister for Immigration and Multicultural Affairs, in writing, on 25 May 2006:

(1) Can the Minister confirm the claims made by lawyers representing asylum seekers from the People’s Republic of China that officials of that country spoke to them while they were held in the Villawood Detention Centre; if so, what agency of the government of the People’s Republic of China did the officials represent and what positions did they hold.

(2) What were the asylum seekers questioned about.

(3) In respect of each of the asylum seekers, was the assessment of their claims for asylum completed by the Australian Government and not subject to review by the courts when they were questioned.

Mr Ruddock—The Minister for Immigration and Multicultural Affairs has provided the following answer to the honourable member’s question:

(1) At the invitation of the Department of Immigration and Multicultural Affairs three experienced officers in identity verification from the Exit/Entry Administration of the Ministry of Public Security (People’s Republic of China) interviewed detainees to assist in establishing the nationality of detainees believed to be Chinese nationals.

(2) Detainees were asked about various matters including their place and date of birth, their family composition, and their education and employment background.

(3) In all but two cases persons who met with the delegation had no outstanding matters with either the Department, at merits review, or with the courts. In the case of one individual who was interviewed
and who did have judicial proceedings underway, the Minister was subsequently advised of this and decided to intervene and grant the person a visa.

In the other case an interview was commenced, but terminated after the individual asked to speak to an immigration officer, explained that he had litigation ongoing, and showed the officer a piece of paper referring to the Federal Court. The detainee was requested to return to his room and the officer informed the PRC delegation that he was not to be interviewed. The PRC delegation handed back the bio-data details. DIMA has examined the relevant transcript and does not consider that the individual’s short exchange with the delegation raises protection issues.