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SITTING DAYS—2007

<table>
<thead>
<tr>
<th>Month</th>
<th>Date</th>
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<td>6, 7, 8, 12, 13, 14, 15, 26, 27, 28</td>
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<td>March</td>
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<td>June</td>
<td>12, 13, 14, 18, 19, 20, 21</td>
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<td>August</td>
<td>7, 8, 9, 13, 14, 15, 16</td>
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<td>September</td>
<td>10, 11, 12, 13, 17, 18, 19, 20</td>
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<td>October</td>
<td>15, 16, 17, 18, 22, 23, 24, 25</td>
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<td>November</td>
<td>12, 13, 14, 15, 26, 27, 28, 29</td>
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<td>December</td>
<td>3, 4, 5, 6</td>
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RADIO BROADCASTS

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

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FORTY-FIRST PARLIAMENT
FIRST SESSION—EIGHTH 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, Ms Ann Kathleen Corcoran, Mr Barry Wayne Haase, Mr Michael John Hatton, the Hon. Duncan James Colquhoun Kerr SC, Mr Harry Vernon Quick, the Hon. Bruce Craig Scott, Mr Patrick Damien Secker, 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—Mr Anthony Norman Albanese MP
Deputy Manager of Opposition Business—Mr Robert Francis McMullan 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—Mr Kevin Michael Rudd MP
Deputy Leader—Ms Julia Eileen Gillard MP
Chief Opposition Whip—The Hon. Leo Roger Spurway Price MP
Opposition Whips—Mr Michael David Danby MP and Ms Jill Griffiths Hall MP

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Members of the House of Representatives

<table>
<thead>
<tr>
<th>Member</th>
<th>Division</th>
<th>Party</th>
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<tbody>
<tr>
<td>Abbott, Hon. Anthony John</td>
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<td>Nats</td>
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<tr>
<td>Tuckey, Hon. Charles Wilson</td>
<td>O’Connor, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Turnbull, Hon. Malcolm Bligh</td>
<td>Wentworth, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Vaile, Hon. Mark Anthony James</td>
<td>Lyne, NSW</td>
<td>Nats</td>
</tr>
<tr>
<td>Vale, Hon. Danna Sue</td>
<td>Hughes, NSW</td>
<td>LP</td>
</tr>
<tr>
<td>Vamvakou, Maria</td>
<td>Calwell, Vic</td>
<td>ALP</td>
</tr>
<tr>
<td>Vasta, Ross Xavier</td>
<td>Bonner, Qld</td>
<td>LP</td>
</tr>
<tr>
<td>Wakelin, Barry Hugh</td>
<td>Grey, SA</td>
<td>LP</td>
</tr>
</tbody>
</table>
Members of the House of Representatives

<table>
<thead>
<tr>
<th>Member</th>
<th>Division</th>
<th>Party</th>
</tr>
</thead>
<tbody>
<tr>
<td>Washer, Malcolm James</td>
<td>Moore, WA</td>
<td>LP</td>
</tr>
<tr>
<td>Wilkie, Kim William</td>
<td>Swan, WA</td>
<td>ALP</td>
</tr>
<tr>
<td>Windsor, Antony Harold Curties</td>
<td>New England, NSW</td>
<td>Ind</td>
</tr>
<tr>
<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
<td>LP</td>
</tr>
</tbody>
</table>

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

Heads of Parliamentary Departments
Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—H R Penfold QC
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Minister for Transport and Regional Services and Deputy Prime Minister
Treasurer
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 Citizenship
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 Water Resources
Minister for Human Services and Manager of Government Business in the Senate

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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
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The Hon. Kevin James Andrews MP
The Hon. Julie Isabel Bishop MP
The Hon. Malcolm Thomas Brough MP
The Hon. Malcolm Bligh Turnbull MP
Senator the Hon. Christopher Martin Ellison

(The above ministers constitute the cabinet)
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Minister for Small Business and Tourism
Minister for Local Government, Territories and Roads
Minister for Revenue and Assistant Treasurer
Minister for Workforce Participation
Minister for Veterans' Affairs and Minister Assisting the Minister for Defence
Special Minister of State
Minister for Ageing
Minister for Vocational and Further Education
Minister for the Arts and Sport
Minister for Community Services
Minister for Justice and Customs
Assistant Minister for Immigration and Citizenship
Assistant Minister for the Environment and Water Resources
Parliamentary Secretary to the Prime Minister
Parliamentary Secretary to the Minister for Transport and Regional Services
Parliamentary Secretary to the Treasurer
Parliamentary Secretary to the Minister for Finance and Administration
Parliamentary Secretary to the Minister for Industry, Tourism and Resources
Parliamentary Secretary to the Minister for Foreign Affairs
Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry
Parliamentary Secretary to the Minister for Education, Science and Training
Parliamentary Secretary to the Minister for Defence
Parliamentary Secretary to the Minister for Health and Ageing

Senator the Hon. Eric Abetz
The Hon. Frances Esther Bailey MP
The Hon. James Eric Lloyd MP
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The Hon. Dr Sharman Nancy Stone MP
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The Hon. Andrew John Robb MP
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The Hon. Teresa Gambaro MP
The Hon. Anthony David Hawthorn Smith MP
The Hon. De-Anne Margaret Kelly MP
The Hon. Christopher John Pearce MP
Senator the Hon. Richard Mansell Colbeck
The Hon. Robert Charles Baldwin MP
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The Hon. Sussan Penelope Ley MP
The Hon. Patrick Francis Farmer MP
The Hon. Peter John Lindsay MP
Senator the Hon. Brett John Mason
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Deputy Leader of the Opposition, Shadow Minister for Employment and Industrial Relations and Shadow Minister for Social Inclusion
Julia Eileen Gillard MP

Leader of the Opposition in the Senate and Shadow Minister for National Development, Resources and Energy
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 Infrastructure and Water and Manager of Opposition Business in the House
Anthony Norman Albanese MP

Shadow Minister for Homeland Security, Shadow Minister for Justice and Customs and Shadow Minister for Territories
The Hon. Archibald Ronald Bevis MP

Shadow Assistant Treasurer and Shadow Minister for Revenue and Competition Policy
Christopher Eyles Bowen MP

Shadow Minister for Immigration, Integration and Citizenship
Anthony Stephen Burke MP

Shadow Minister for Industry and Shadow Minister for Innovation, Science and Research
Senator Kim John Carr

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The Hon. Simon Findlay Crean MP

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Craig Anthony Emerson MP

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Shadow Minister for Transport, Roads and Tourism
Martin John Ferguson MP

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Joel Andrew Fitzgibbon MP

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Alan Peter Griffin MP

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Senator Joseph William Ludwig

Shadow Minister for Sport and Recreation, Shadow Minister for Health Promotion and Shadow Minister for Local Government
Senator Kate Alexandra Lundy

Shadow Minister for Families and Community Services and Shadow Minister for Indigenous Affairs and Reconciliation
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Shadow Minister for Foreign Affairs
Robert Bruce McClelland MP

Shadow Minister for Ageing, Disabilities and Careers
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Shadow Minister for Primary Industries, Fisheries and Forestry
Senator Kerry Williams Kelso O’Brien

Shadow Minister for Human Services, Shadow Minister for Housing, Shadow Minister for Youth and Shadow Minister for Women
Tanya Joan Plibersek MP

Shadow Minister for Health
Nicola Louise Roxon 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 Education and Training
Stephen Francis Smith MP

Shadow Treasurer
Wayne Maxwell Swan MP

Shadow Minister for Finance
Lindsay James Tanner MP

Shadow Minister for Public Administration and Accountability, Shadow Minister for Corporate Governance and Responsibility and Shadow Minister for Workforce Participation
Senator Penelope Ying Yen Wong

Shadow Parliamentary Secretary for Foreign Affairs
Anthony Michael Byrne MP

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

Shadow Parliamentary Secretary for Environment and Heritage
Jennie George MP

Shadow Parliamentary Secretary for Treasury
Catherine Fiona King MP

Shadow Parliamentary Secretary for Education
Kirsten Fiona Livermore MP

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

Shadow Parliamentary Secretary for Industrial Relations
Brendan Patrick John O’Connor MP

Shadow Parliamentary Secretary for Industry and Innovation
Bernard Fernando Ripoll MP

Shadow Parliamentary Secretary for Northern Australia and Indigenous Affairs
The Hon. Warren Edward Snowdon MP

Shadow Parliamentary Secretary to the Leader of the Opposition (Social and Community Affairs)
Senator Ursula Mary Stephens
CONTENTS

THURSDAY, 22 MARCH

Chamber
Classification (Publications, Films and Computer Games) Amendment (Advertising and Other Matters) Bill 2007—
  First Reading ........................................................................................................................................... 1
  Second Reading ......................................................................................................................................... 1
Education Services for Overseas Students Legislation Amendment Bill 2007—
  First Reading ........................................................................................................................................... 2
  Second Reading ......................................................................................................................................... 2
Energy Efficiency Opportunities Amendment Bill 2006,
Airspace Bill 2006 and
Airspace (Consequentials and Other Measures) Bill 2006—
  Returned from the Senate ......................................................................................................................... 4
Farm Household Support Amendment Bill 2007—
  Second Reading ......................................................................................................................................... 4
  Consideration in Detail ............................................................................................................................ 28
  Third Reading .......................................................................................................................................... 34
Health Insurance Amendment (Provider Number Review) Bill 2007—
  Second Reading ......................................................................................................................................... 34
  Third Reading .......................................................................................................................................... 53
Migration Legislation Amendment (Information and Other Measures) Bill 2007—
  Second Reading ......................................................................................................................................... 53
Ministerial Arrangements .......................................................................................................................... 66
Questions Without Notice—
  Broadband ............................................................................................................................................. 67
  Workplace Relations ................................................................................................................................. 67
  Workplace Relations ................................................................................................................................. 68
  Economy ................................................................................................................................................. 68
  Future Fund ........................................................................................................................................... 70
  Telecommunications ............................................................................................................................... 70
  Broadband .............................................................................................................................................. 72
  Broadband .............................................................................................................................................. 72
  Broadband .............................................................................................................................................. 74
  Employment and Workplace Relations ................................................................................................. 75
  Workplace Relations ................................................................................................................................. 76
  North Korea ........................................................................................................................................... 77
  Workplace Relations ................................................................................................................................. 77
  National Security ................................................................................................................................... 78
  Investing in Our Schools Program ........................................................................................................... 79
  Health: Cancer Treatment Services ......................................................................................................... 79
  Broadband .............................................................................................................................................. 80
  Superannuation ...................................................................................................................................... 81
  Broadband .............................................................................................................................................. 82
  Water ....................................................................................................................................................... 82
Questions to the Speaker—
  Call Connect Service ............................................................................................................................. 84
  Air Conditioning .................................................................................................................................... 84
Questions in Writing .................................................................................................................................. 85
CONTENTS—continued

Documents ...................................................................................................................... 85
Matters of Public Importance—
  Broadband .................................................................................................................. 85
Non-Proliferation Legislation Amendment Bill 2006—
  Report from Main Committee .................................................................................... 100
  Third Reading ............................................................................................................. 100
Committees—
  Parliamentary Library Committee—Membership ....................................................... 100
Bankruptcy Legislation Amendment (Debt Agreements) Bill 2007,
Bankruptcy (Estate Charges) Amendment Bill 2007,
Aviation Transport Security Amendment (Additional Screening Measures) Bill 2007,
Offshore Petroleum Amendment (Greater Sunrise) Bill 2007,
Customs Tariff Amendment (Greater Sunrise) Bill 2007,
Tourism Australia Amendment Bill 2007 and
Australian Energy Market Amendment (Gas Legislation) Bill 2006—
  Returned from the Senate ......................................................................................... 100
Anti-Money Laundering and Counter-Terrorism Financing Amendment Bill 2007—
  Consideration of Senate Message ............................................................................ 100
Migration Legislation Amendment (Information and Other Measures) Bill 2007—
  Second Reading ........................................................................................................ 100
Adjournment—
  Broadband ................................................................................................................. 101
  Environment: Murray-Darling Basin ......................................................................... 102
  Australian Public Service ............................................................................................ 103
  Kingston Electorate: Seaford 6-12 School ................................................................. 105
  Fuel-Efficient Cars ..................................................................................................... 106
  Health: Hunter Syndrome ......................................................................................... 107
  Iraq ............................................................................................................................... 108
Notices .............................................................................................................................. 109

Main Committee
Statements by Members—
  Hockey Australia ..................................................................................................... 110
  Petrie Electorate: Redcliffe Hospital .......................................................................... 111
  Werriwa Electorate: Roads ......................................................................................... 111
  Port of Brisbane Motorway Project ............................................................................. 112
  Parramatta Electorate: Lynwood Park Public School ................................................ 113
  Mr Jim Kirkbride ....................................................................................................... 114
  Water .......................................................................................................................... 115
  National Community Crime Prevention Program ...................................................... 116
  Banks Electorate: Veterans ....................................................................................... 116
  Water .......................................................................................................................... 117
Non-Proliferation Legislation Amendment Bill 2006—
  Second Reading ........................................................................................................ 118
Adjournment—
  Unemployment: Statistics ....................................................................................... 151
  Water .......................................................................................................................... 152
  Electoral Roll ............................................................................................................. 153
  Investing in Our Schools Program .............................................................................. 154
  International Women’s Day: Ms Malalai Joya ......................................................... 155
  Iraq ............................................................................................................................... 156
Harmony Day ................................................................................................................... 156
New South Wales: Labor Government ........................................................................... 157

**Question In Writing**

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Child Care—(Question No. 3678) ..........................................................</td>
<td>160</td>
</tr>
<tr>
<td>Media Monitoring and Clipping Services—(Question No. 4139) ..............</td>
<td>163</td>
</tr>
<tr>
<td>Freedom of Information—(Question No. 4363) .......................................</td>
<td>164</td>
</tr>
<tr>
<td>Families, Community Services and Indigenous Affairs: Accommodation—(Question No. 4637)</td>
<td>164</td>
</tr>
<tr>
<td>Education, Science and Training: Accommodation—(Question No. 4638) ...</td>
<td>165</td>
</tr>
<tr>
<td>Veterans’ Affairs: Accommodation—(Question No. 4640) ........................</td>
<td>165</td>
</tr>
<tr>
<td>Commonwealth Funded Programs—(Question No. 4782) .............................</td>
<td>165</td>
</tr>
<tr>
<td>Bankstown Airport—(Question No. 4816) ..................................................</td>
<td>167</td>
</tr>
<tr>
<td>Asia-Pacific Economic Cooperation 2007 Meetings—(Question No. 4819) ....</td>
<td>168</td>
</tr>
<tr>
<td>Sydney (Kingsford Smith) Airport—(Question No. 4856) ............................</td>
<td>168</td>
</tr>
<tr>
<td>Sydney (Kingsford Smith) Airport—(Question No. 4857) ............................</td>
<td>171</td>
</tr>
<tr>
<td>Sydney (Kingsford Smith) Airport—(Question No. 4860) .............................</td>
<td>173</td>
</tr>
<tr>
<td>Sydney (Kingsford Smith) Airport—(Question No. 4861) .............................</td>
<td>173</td>
</tr>
<tr>
<td>Afghanistan—(Question No. 4885) ..............................................................</td>
<td>175</td>
</tr>
<tr>
<td>Australian Taxation Office: Audits—(Question No. 4893) .......................</td>
<td>176</td>
</tr>
<tr>
<td>Asia-Pacific Economic Cooperation 2007 Meetings—(Question No. 4929) ....</td>
<td>177</td>
</tr>
<tr>
<td>New South Wales Law Society—(Question No. 4944) ....................................</td>
<td>187</td>
</tr>
<tr>
<td>Antarctic Treaty—(Question No. 4949) ......................................................</td>
<td>187</td>
</tr>
<tr>
<td>Commonwealth Scientific and Industrial Research Organisation—(Question No. 4952)</td>
<td>188</td>
</tr>
<tr>
<td>Commonwealth Scientific and Industrial Research Organisation—(Question No. 4953)</td>
<td>188</td>
</tr>
<tr>
<td>Volunteer Small Equipment Grants—(Question No. 4959) ..........................</td>
<td>189</td>
</tr>
<tr>
<td>United States Studies Centre—(Question No. 4961) ....................................</td>
<td>190</td>
</tr>
<tr>
<td>Migrant Resource Centres—(Question No. 4980) ..........................................</td>
<td>190</td>
</tr>
<tr>
<td>Asia-Pacific Economic Cooperation 2007 Meetings—(Question No. 4986) ....</td>
<td>191</td>
</tr>
<tr>
<td>Asia-Pacific Economic Cooperation 2007 Meetings—(Question No. 4987) ....</td>
<td>192</td>
</tr>
<tr>
<td>Oil for Food Program—(Question No. 4997) ................................................</td>
<td>192</td>
</tr>
<tr>
<td>Transport and Regional Services: Staffing—(Question No. 5037) ................</td>
<td>192</td>
</tr>
<tr>
<td>Transport and Regional Services: Telecommunications—(Question No. 5075) ..</td>
<td>193</td>
</tr>
<tr>
<td>Transport and Regional Services: Unauthorised Access—(Question No. 5113)</td>
<td>193</td>
</tr>
<tr>
<td>Transport and Regional Services: Stationery—(Question No. 5170) ...........</td>
<td>194</td>
</tr>
<tr>
<td>Employment—(Question No. 5188) ...............................................................</td>
<td>194</td>
</tr>
<tr>
<td>Government Members’ Secretariat: Staffing—(Question No. 5278) ..............</td>
<td>194</td>
</tr>
<tr>
<td>United Nations Convention Against Corruption—(Question No. 5290) .......</td>
<td>195</td>
</tr>
<tr>
<td>Organisation for Economic Cooperation and Development—(Question No. 5293)</td>
<td>195</td>
</tr>
<tr>
<td>Small Business Field Officers—(Question No. 5294) ....................................</td>
<td>196</td>
</tr>
<tr>
<td>Anthrax—(Question No. 5302) .................................................................</td>
<td>196</td>
</tr>
<tr>
<td>Deportations—(Question No. 5303) ............................................................</td>
<td>197</td>
</tr>
<tr>
<td>Terrorism—(Question No. 5307) ...............................................................</td>
<td>197</td>
</tr>
<tr>
<td>Papua New Guinea—(Question No. 5309) ....................................................</td>
<td>198</td>
</tr>
<tr>
<td>Energy Initiatives—(Question No. 5311) ...................................................</td>
<td>199</td>
</tr>
<tr>
<td>Overseas Development Assistance—(Question No. 5317) ............................</td>
<td>200</td>
</tr>
<tr>
<td>Indigenous Health—(Question No. 5340) ....................................................</td>
<td>200</td>
</tr>
<tr>
<td>Mr Peter Foster—(Question No. 5347) ......................................................</td>
<td>201</td>
</tr>
<tr>
<td>Death Penalty—(Question No. 5351) .........................................................</td>
<td>202</td>
</tr>
</tbody>
</table>
CONTENTS—continued

<table>
<thead>
<tr>
<th>Location</th>
<th>Question No.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iraq</td>
<td>5352</td>
<td>202</td>
</tr>
<tr>
<td>Terrorism</td>
<td>5393</td>
<td>203</td>
</tr>
<tr>
<td>Australian Transport Safety Bureau</td>
<td>5402</td>
<td>203</td>
</tr>
<tr>
<td>Iraq</td>
<td>5411</td>
<td>204</td>
</tr>
<tr>
<td>Afghanistan</td>
<td>5421</td>
<td>205</td>
</tr>
<tr>
<td>European Union</td>
<td>5422</td>
<td>205</td>
</tr>
<tr>
<td>Solomon Islands</td>
<td>5423</td>
<td>206</td>
</tr>
</tbody>
</table>
The SPEAKER (Hon. David Hawker) took the chair at 9.00 am and read prayers.

CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT (ADVERTISING AND OTHER MATTERS) BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Ruddock.

Bill read a first time.

Second Reading

Mr RUDDOCK (Berowra—Attorney-General) (9.01 am)—I move:

That this bill be now read a second time.


The bill makes amendments to improve the operation of the national classification scheme and will ensure its ongoing smooth operation in a changing technological environment. The amendments will streamline the classification process and reduce the regulatory burden on industry.

The bill contains two areas of reform to classification procedures. It changes the way the classification act deals with the advertising of unclassified product and with television series that are released for sale or hire.

The first initiative is part of a package of reforms which, together with the amendments to the state and territory legislation and a Commonwealth instrument, will permit the advertising of unclassified films and computer games, subject to conditions. In addition, the package of reforms will update the definition of advertisement to explicitly include advertising on the internet and to exclude what is commonly known as product merchandising, such as clothing.

The new advertising scheme was developed following public consultation on a discussion paper released in August last year. This proposal was developed in response to industry concerns that the current advertising framework for unclassified material is cumbersome and outdated. The increasing risk of piracy and rapid advances in technology has led to products being available for classification very close to their release date. The current system therefore causes difficulties for marketing of classifiable products. In light of these changing circumstances, it is no longer tenable to prohibit the advertising of unclassified material with exceptions only available for cinema release films. It is more equitable to remove this prohibition so that cinema releases, DVD and video films, and computer games can be advertised in advance of classification.

This bill enables a legislative instrument to set conditions on advertising unclassified films and computer games. The instrument will establish a strong new advertising message advising consumers to check the classification. It will establish an industry based self-assessment scheme whereby the likely classification of an unclassified film or computer game is assessed when advertising together with classified films or computer games. The instrument will introduce a stronger commensurate audience rule so that advertisements for films and computer games likely to be classified PG may no longer be screened to an audience for a G film or computer game.

The scheme contains safeguards to ensure the integrity of the system and includes amendments to the classification act to enable applications to be made to the classification board on the likely classification of an unclassified film or computer game in diffi-
cult cases or where it is not cost effective for industry to self-assess. Other safeguards will include giving the director the power to revoke an assessor’s status or, in serious cases, bar a distributor from accessing the scheme for up to three years. These powers are designed to deter users from abusing the system or providing lax or inadequate assessments. Decisions by the director to revoke an assessor’s status or bar someone from using the scheme will be reviewable by the Administrative Appeals Tribunal. Other safeguards will include initial and annual training for individual assessors, random and complaints based auditing procedures of advertising material, and the retaining of existing powers which allow the director to call in advertisements.

The second initiative is to extend the industry based self-assessment scheme to include films that are compilations of episodes of a television series that have already been broadcast in Australia. The bill establishes a television series assessment scheme whereby a person appropriately trained and authorised by the director may recommend to the classification board the classification of a box set of episodes of a television series. The classification board will retain responsibility for classifying the film, but its consideration will be assisted by the assessment of an authorised assessor. To provide flexibility to respond to changing technology and the increasing capacity of storage devices, the details of the scheme will be included in a legislative instrument. The purpose of the proposal is to reduce the cost to industry and the processing time for the classification board.

The scheme will contain safeguards to ensure the integrity of the national classification system similar to those proposed for the advertising reforms. The instrument will include a requirement that the board revoke classifications in specified circumstances which demonstrate that the assessment on which the classification was based was highly unreliable and the board would otherwise have made a different classification decision.

The amendments contained in this bill will ensure that the national classification scheme continues to serve both industry and the public well by responding to the needs of the rapidly evolving world of entertainment media while still guaranteeing the reliability of classification information for consumers. I commend the bill to the House.

Debate (on motion by Ms Plibersek) adjourned.

EDUCATION SERVICES FOR OVERSEAS STUDENTS LEGISLATION AMENDMENT BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Robb.

Bill read a first time.

Second Reading

Mr ROBB (Goldstein—Minister for Vocational and Further Education) (9.07 am)—I move:

That this bill be now read a second time.

This is the third bill to implement measures recommended by the independent evaluation of the Education Services for Overseas Students Act 2000 (the ESOS Act). The ESOS Act protects the high-quality reputation of Australia’s education and training export industry by regulating education and training providers, providing consumer protection and tuition assurance for overseas students and ensuring the integrity of the student visa program.

This bill includes amendments that support the revised National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (the national code 2007), enhance national
consistency, streamline administrative procedures for international education providers and ensure that the ESOS legislation supports student visa conditions and migration regulations.

The evaluation of the ESOS Act and the Joint Standing Committee on the National Capital and External Territories report in August 2004 have recommended that the ESOS legislation be extended to enable Christmas Island District High School to apply to be registered to enrol overseas students. Christmas Island District High School and other representatives of the Christmas Island community have sought this amendment to ensure the ongoing viability of years 11 and 12 at the school and assist the island's economy. My department has worked with the Department of Transport and Regional Services and the Western Australian Department of Education Services to resolve the policy and operational implications of the amendment. This amendment will enable Christmas Island District High School to seek registration under the ESOS Act to deliver education to overseas students.

My department has been working with the state and territory governments to review their respective roles and responsibilities in the administration of the ESOS legislative framework. This amendment provides greater flexibility in relation to the investigatory roles to be undertaken by the Australian and state and territory governments in relation to the national code 2007. Measures made possible by this amendment will enhance national consistency and minimise any perception of duplication in compliance monitoring by the designated authorities and the Australian government.

An increasing number of both vocational education and training and university courses include an element of study completed with an interstate partner. Interstate work based training opportunities are attractive to providers facing a scarcity of industry places in their state or territory. There is a strong call from providers, industry representative bodies and some states and territories to allow international students to undertake part of their course interstate. A further amendment will facilitate course delivery by arrangement across state boundaries. This will allow for industry placements and course components to be offered by institutions in other states where the designated authority approves the arrangement and takes on the responsibility for regulation and compliance monitoring.

The national code 2007 allows international education providers to more effectively manage the educational outcomes of their students. Providers have some discretion as to when they elect to report a student for breaches of visa conditions in relation to attendance, where course progress is satisfactory and compassionate and compelling circumstances exist. The consumer support mechanisms of the provider, such as specified time frames for access to independent dispute resolution processes, have been strengthened. Consequently, when a student is reported to the Department of Immigration and Citizenship for unsatisfactory course progress or attendance, its officers will not look behind the educational judgement of the provider. This amendment will ensure that the provider is responsible for educational issues. The role of the Department of Immigration and Citizenship will be to finalise the student’s visa status.

A technical amendment to the ESOS Act is proposed to reflect the requirement for international education providers to have written agreements with all overseas students. Previously, written agreements with students were optional for providers. This has been revised in the national code 2007 to reflect the importance of formal agreements for all overseas students.
A technical amendment is also required to allow for the removal of the late penalty payment currently imposed on an international education provider’s annual contribution to the ESOS assurance fund. The ESOS evaluation identified that the penalty does not act as a significant deterrent and is not viable on a cost-benefit basis.

The ESOS Act and its complementary legislation ensure the quality of education and training provision to overseas students, provide overseas students with consumer protection and maintain the integrity of the student visa system. The amendments contained in the bill will simplify procedures for international education providers and enhance national consistency in the administration of the ESOS Act. These amendments will be welcomed by the international education industry.

I commend the bill to the House.

Debate (on motion by Ms Plibersek) adjourned.

ENERGY EFFICIENCY OPPORTUNITIES AMENDMENT BILL 2006
AIRSPACE BILL 2006
AIRSPACE (CONSEQUENTIALS AND OTHER MEASURES) BILL 2006

Returned from the Senate

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

FARM HOUSEHOLD SUPPORT AMENDMENT BILL 2007

Second Reading

Debate resumed from 21 March, on motion by Ms Ley:

That this bill be now read a second time.

Mrs MOYLAN (Pearce) (9.14 am)—I will continue where I left off yesterday afternoon. I was commenting on some points that were made by the member for New England in this House yesterday. He said that drought is a fact of life in this country and that one sometimes wonders why it is not treated in the same way as any other adverse event, such as flood or fire, where we immediately go into rescue mode and provide considerable assistance.

I want to return to a point I raised yesterday. I get very angry when I hear allegations by some in the financial sectors during drought times that we are agrarian socialists and that farmers are agrarian socialists because they receive a little help during these extra exceptional circumstances that our rural areas go through from time to time. That is simply not the case. As the member for New England quite rightly pointed out, we provide very substantial subsidies to several industries in this country, but our farmers have demonstrated a great capacity to operate very efficiently. In fact, they are some of the most efficient primary producers in the world. During the reforms of the eighties, they took the bit between their teeth and got out there and embraced reforms—sometimes it was tough, but they did it. They are very efficient. But no-one can foresee the difficulties that might arise from prolonged periods of drought, so I think that we have an obligation.

As I said yesterday, despite the growing disconnect between urban and rural areas, I believe that most people in urban areas, when they understand the circumstances and difficulties faced by farmers, are more than willing to dig deep in their pockets to help out, and that is just as it should be. A concern of producers experiencing drought, once they begin to recover, is the support services they require within their regions. How the government addresses the substantial issue of how to keep the support businesses in rural areas going during a drought period is pivotal. It is very vital to continue to support primary production. When there are pro-
longed periods of drought and there is little work for some of the businesses that provide support services for farmers, they have to close their operations and go away. When there is a recovery, when the rains come again, of course it is very difficult to re-establish those services. These include all sorts of services to primary producers, including machinery dealerships, mechanical workshops, grocers, banking facilities and a whole range of support services.

Yesterday I outlined to the House my visit to rural areas in New South Wales during the last drought, in the early nineties, when I was shadow minister for small business. It was a devastating time for many. As shadow minister for small business, I came back to this place determined to develop some policies to ensure comprehensive assistance for primary producers and those whose business services look after the primary producers and to put a plan to shadow cabinet along the lines that, interestingly enough, the member for Windsor outlined to the House yesterday. Since its election in 1996 the Howard government has continuously worked to improve the substance and timeliness of assistance to drought affected areas. Measures that have been introduced include the Farm Management Deposits scheme, which is quite effective. In good times it helps farmers to put funds away for the more difficult times. We have other drought-proofing measures, like the 100 per cent tax write-off for farmers who elect to build additional dams and put down sink bores so that during difficult times they have reserve water supplies on their property. In the Pearce electorate, many farmers have done just that. At least it is helpful. It does not completely save the day, but it is helpful if they are able to do that in the good times.

Somebody once said that without trucks and farmers Australia stops. This bill to amend the Farm Household Support Act 1992, and consequentially the Age Discrimination Act 2004 and the Social Security Act 1991, will ensure positive support so that during times of drought businesses that support primary industry production will have a better chance of riding through the drought and providing continuity of services when the drought breaks.

The Prime Minister made an announcement in November 2006 to allow agriculturally dependent small business operators access to the same exceptional circumstances assistance that is already provided to farmers. This assistance includes EC relief payments and ancillary benefits such as provision of the health care card and, indeed, concessions under the youth allowance and Austudy means tests. Assistance will be available to eligible small business operators until certain dates. I think the dates have changed, but there are some cut-off dates for that. It is a very sensible measure.

2006 was indeed a tough year for farmers. Those in horticulture, viticulture and aquaculture industries were hard-hit. In this place we have heard about the dairy industry and how difficult it has been for them. The season was dry and unforgiving and the rain just did not arrive. Most farmers across the Pearce electorate, just like those across the country, suffered the income losses that come as a result of a poor or dry season. Financially, many of them are struggling as we come into another season. We certainly hope and pray for good rains this year.

Despite Pearce not being included in the exceptional circumstance area, I support the government’s move last year to declare areas across the state of Western Australia drought affected in order for them to be eligible for exceptional circumstances assistance, including this measure to assist small businesses. Originally the government made the assistance available to eligible small business.
owners who were affected by the 2006 drought, had no more than 20 employees and whose income was at least 70 per cent reliant on agricultural industries located in the EC declared regions. Later in the year these areas were extended and more regions in WA were EC declared, meaning that more residents could access financial help, thankfully. Again, this did not apply to my particular electorate, but I represent a rural electorate and we are all very sympathetic to those further east in Western Australia who have particularly hard times ahead.

Agriculturally dependent small business owners are currently able to access EC relief payments through ex gratia arrangements. The Farm Household Support Amendment Bill 2007 will formalise these arrangements by outlining eligibility criteria payment rates and multiple entitlement exclusions, and provide agriculturally dependent small business people with access to the health care card and other benefits. This may further assist some farmers as many have informed me that they have had to diversify into different industries and change their crop routine to make enough money to make ends meet in the tougher seasons. Some have had to work off farm or start their own small business, in many cases in local rural towns. This will perhaps further assist some of those farmers in that category. It will provide for farmers who have diversified into agriculturally dependent small businesses as a drought management measure. As these farmers are no longer deriving a significant proportion of their income from their farms, they would not be eligible under the normal course of events for EC relief payments as farmers, and their continued ownership of farm assets would affect their eligibility under the small business assets test.

Farming land in the Pearce electorate in Western Australia is located past the Perth hills in the rural centres of Northam and York, through the Swan Valley, east of the Perth wineries, where lots of small horticultural properties scatter the landscape, and south-east of Perth in the centres of Narrogin, Beverley, Brookton, Wandering, Pingelly and Cuballing—areas home to farming families and businesses reliant on these farming families. Farming is about sustainability and we need to be able to assist our hardworking agriculturalists in times of need. When the rains fail, it is very much beyond their control. As I said, they can take advantage of some of the measures that the Howard government has put in place, such as the deposits, scheme and the incentives to drought-proof their properties. But in difficult and sustained periods of drought, these are often just not adequate and farmers need additional assistance. The government does recognise the value of agriculture and the contribution that farm families make in good seasons. It is this recognition that prompts the government to make significant investments in the environment and in agricultural land to ensure that it is preserved for generations to come, while agriculture remains sustainable into the future.
Through droughts, fires, cyclones, frost, labour shortages and even the recent events in respect of the Australian Wheat Board and the debate about the wheat marketing arrangements in Australia, which have all come to a head during the last year’s harvest, farmers and farm families are indeed survivors. For all of those farm families around Australia, we hope that the rains do come and that this next season will be a very productive one that restores many farms to productive farming activity.

Mr ADAMS (Lyons) (9.26 am)—The Farm Household Support Amendment Bill 2007 amends the Farm Household Support Act 1992 to give effect to some of the measures announced in the 2005 drought assistance package, which the Prime Minister announced on 30 May this year. Some of the changes announced by the government can be done by ministerial direction. This piece of legislation is necessary to provide for changes to the income test for exceptional circumstances relief payments, but I believe they do not go far enough. The legislation provides for an exemption of up to $10,000 for off-farm wages and salaries to a person and their partner as of 1 July 2005. It also provides that, in future, a person seeking exceptional circumstances relief payments will make an application directly to Centrelink, instead of to a state or territory rural adjustment authority.

At present, more than 44 per cent of the country’s agricultural land has been exceptional circumstances, or EC, declared. That covers 63 regions. A further four areas are currently being assessed for EC declarations. Labor is prepared to support the proposed amendments to this act and to the Age Discrimination Act 2004 to allow agriculturally dependent business operators access to the same exceptional circumstances assistance that is already available to farmers who have been adversely affected by drought. Drought is very much part of the Australian landscape and in some years it can be more severe than others—this year being one of them. Not only have farms been impacted; businesses that depend on farms for their livelihoods have also been impacted.

Labor supports the intent of the Farm Household Support Amendment Bill, which includes provisions to broaden eligibility to EC relief payments and other benefits such as the health care card and concessions under the youth allowance and Austudy means tests, because despite some shortcomings it might do some good. While Labor is broadly supportive of this bill, it requires amendment to more realistically reflect business in rural and regional Australia.

This bill has created the unreality that a business in rural Australia that employs 100 employees should be defined as small. This is an artificial definition created by the government to suit its own agenda. The Australian Bureau of Statistics defines a small business as one that employs five to 19 individuals. A business with 100 employees is defined by the ABS as being a medium sized business. In order to make this legislation work, Labor intends to move an amendment to this bill that will be in two parts: firstly, to change the term ‘small business’ in the definitions and replace it with ‘eligible business’ and, secondly, to remove all references in the bill to ‘small business’ and replace them with ‘eligible business’.

The government’s previous attempts to address this issue have been pathetic. This is the second attempt to assist non-farm businesses in relation to drought assistance. In 2002, through the Small Business Interest Rate Relief program, the government forecast 17,500 applications and received only 452 applications, of which 182 were successful. That is a pretty poor record by any government’s standard. We have found that
businesses found it difficult to prove that 70 per cent of income comes from farm businesses and that the process of applying was costly and very complicated. So, although the government and members on the other side hang out that they give great support to regional Australia, in reality they give very little.

In my own state of Tasmania, which many believe does not get drought affected, we get no help from the federal government, yet we do have exceptional drought conditions. Last week I visited a number of properties between Millers Bluff and the east coast in my electorate, and it was quite shocking to see the land degradation and the lack of water in the catchment. Tasmania has had a very hard time of it because so little has been done to help our struggling people on the land and, although there has now been an attempt to deal with that, I believe that the amendment should be agreed to because of the failure of this government to act more quickly.

I have also been approached by many farmers in the southern Midlands, and they have had to shoot much of the stock that they would have sold this year, as feed has been almost impossible to find. This has huge impacts on farmers and their families—shooting stock rather than taking it to saleyards is the most demoralising thing to happen—but, if there is no grass and therefore every animal has to be handfed, farmers cannot survive the costs that mount up. It has become so bad in parts that many of the men on the land have been on suicide watch—a sad indictment of the state of the country’s problems.

I have spoken to my state Minister for Primary Industries and Water, responsible for agriculture, Mr David Llewellyn, and he has told me that he has been trying to get some assistance for these farmers. He has spoken to the federal minister and asked for the guidelines to be varied for Tasmania’s exceptional circumstances, because they are very different from those on the mainland but are still in every way exceptional. It is the time factor that is different. I have spoken to members of this House who come from other states, like South Australia, which have similar problems. The exceptional circumstances guidelines seem to have been drawn up for New South Wales and Queensland. Other states have different circumstances and should be given opportunities to be judged under different criteria.

Rain may come and might just register on the rain scale, but if it is accompanied by wind the water evaporates almost instantly and brings no good to the ground. It remains dust dry and in any one day driving through these areas you see the wind whipping the topsoil off and blowing it away. We have asked the Minister for Agriculture, Fisheries and Forestry, Peter McGauran, to reconsider these guidelines because the circumstances are exceptional; yet because they vary from the standard model of drought he has turned us down. I believe we can develop a prima facie case for drought relief.

I know that, despite recent rain across significant parts of Western Australia, Victoria and New South Wales, and parts of South Australia and Queensland, around 45 per cent of Australia’s farmland is currently drought declared. In New South Wales the figure is closer to 85 per cent. Some of the most productive areas of Queensland are also in drought, as are parts of Victoria, South Australia and Western Australia. In fact, large parts of New South Wales, southern Queensland and northern Victoria have been in drought since late 2002 or the early part of 2003. A significant number of families in these regions have derived little or no income from their properties for three years in a row. So in some ways their ability to claim is really no better than it is for those in Tas-
mania because of the way ‘drought’ can be interpreted. This government builds legislation that deals with the loudest and largest states, but every person on the land has a right to be considered in this assistance. Whereas the eastern states are the ones that will benefit most, states like South Australia and Tasmania have different needs and different assessment criteria are needed.

Drought can have enormous effects outside the industry, as we have noticed this year in our northern Midlands town of Ross. The low level of water in their feeder dam has led to algal blooms, which means that all drinking water has to be boiled. It is not a good look for the tourists who come to that lovely town. So this small farming town has not been backed up by tourism in the last year, which of course has major economic effects on the local businesses.

We need to put more emphasis on drought proofing and the assistance programs, as well as have some flexibility in the guidelines to allow states such as Tasmania to help the farmers, the rural workers, their families and the businesses that support their communities. I am concerned, too, that my state will not get proper consideration during the allocation of funds for ongoing drought proofing if we have to adhere to the guidelines set down by this government.

Water is going to be one of the most important commodities of the future. We need to act now to develop more research on water saving, water pricing and water recycling to help our rural industries to expand and develop sustainably. We have to understand that Australia will always be a drought affected nation and that our use of water has changed over the last two centuries—there are more people now in the cities than in the past and many of our newer crops are intensive and some are very thirsty. So we have to relearn water usage.

This legislation really is a bit of a bandaid exercise. We must continue to assist farmers to grow crops with less water. For instance, in Tasmania this year we have grown considerably fewer potatoes because of the lack of water in many of our catchments, for example in the northern Midlands. Drought has effects right through to the school level and on employment in our rural and regional towns. Businesspeople who service farming communities and employ workers are affected when farm businesses struggle, so there are ongoing effects. That is addressed by this bill.

We need to work hard on new storage opportunities for capturing some of the winter run-off in Tasmania. I think Tasmania comprises one or two per cent of the landmass of Australia, but we get around 12 per cent of the rain run-off. We need to be able to capture a little more of that and store it successfully to help us have a more productive, sustainable farming position. And there are plenty of opportunities for us to be able to do that economically, especially in the northern and southern Midlands of my electorate.

There is also great scope to increase the opportunities for young people to develop skills. I have just finished a report on the lack of skills opportunities in regional and rural Australia and the need to improve opportunities to develop skills into the future. This is where they are urgently needed. Perhaps we can increase production of vegetables and some grains by capturing more of the water from the winter rains that usually run right through and spill over the dams.

So we have to do better than we have in the past. We have to do better than the current minister is prepared to do with the effort he is putting into this. I think we need to do a lot better. As I said, this legislation is only a bandaid exercise. But there are many out there in terrible circumstances and we just
have to help them get through this—and these measures will help them get through. Hopefully, more people will have an opportunity to claim some of this EC relief. That will help them, this year, to have an income—one which will allow them to have some sort of quality of life and maybe keep their business intact. Then, as crops get planted in the future, those businesses will still be there to give support to many farming enterprises in rural and regional Australia.

Mrs HULL (Riverina) (9.41 am)—It gives me great pleasure to rise today in support of the Farm Household Support Amendment Bill 2007. This bill will, and will continue to, deliver to the people of the Riverina and beyond. Drought is an exceptionally difficult issue to manage. I congratulate all those communities right across my electorate of Riverina, who are being as supportive of one another as they possibly can be, for the way in which they have withstood the onslaught of the difficulties that have been apparent since 2001 in my electorate.

I was just flicking through some of the announcements that have been made in my electorate on drought issues. They go back to 2001—and then on through 2001, 2002, 2003, 2004, 2005, 2006 and now here we are in 2007. In 2001 I would not have thought for one moment that in 2007 I would still be making announcements to my electorate on what additional drought support people were entitled to receive. I think that indicates how very serious this has been, not just in Riverina but in many areas across Australia. It has been particularly bad in New South Wales.

My entire electorate of Riverina has been exceptional circumstances declared and is experiencing the effects of the worst drought on record. The government has committed to assisting those who have been suffering the effects of the drought, including our small businesses, by providing an additional $210 million as of 7 November last year.

Of this funding, $127 million had been allocated for the measures covered by the Farm Household Support Amendment Bill 2007. I enthusiastically welcomed this announcement because the viability of many of our agricultural small businesses is highly dependent on the viability of our farm production businesses. While our farm production businesses have been the first group to experience the effects of the worsening drought, there has been increasing pressure on our agriculturally dependent small businesses, and they too have been and are experiencing significant financial hardship.

The announcements that were made on 7 November allowed our agriculturally dependent small business operators access to the same EC assistance and arrangements that was already provided to our farmers and producers. This assistance includes EC relief payments, ancillary payments such as the healthcare card, and concessions under the youth allowance and Austudy means test.

But there was a further announcement. Initially, the announcement was for small businesses 70 per cent reliant on agriculture but employing only up to 20 people. There was extensive concern, particularly in the Temora area. A couple of businesses there were rigorous and unrelenting in their determination to present the case that restricting small business to 20 employees impacted on them greatly because they had set up their businesses in many additional areas. A case dealer might have set up in Leeton or Coolamon or Temora or Coleambally or Griffith, all under the same business, buying locally and employing locals et cetera. But those businesses were precluded because they were employing more than 20 people.

So it was with great excitement, after a significant lobbying process, that I was able
to welcome a further announcement—that we would extend this drought assistance to businesses that were employing up to 100 employees. As I have just indicated, it is still for small businesses; most of these businesses are operating in other regional towns that are also experiencing the dramatic effects of the drought. It was a tremendous announcement and I was very thankful to the Minister for Agriculture, Fisheries and Forestry and the Prime Minister for recognising just how small business works in rural and regional communities.

The bill will also formalise the current ex gratia arrangements for EC relief payments and allow our agriculturally dependent small business operators to access all of the benefits that are currently available to all farmers. It is not a pleasing thing to stand in this House lauding the benefits of what the government is doing in these circumstances of drought. It is one thing that you do not want to have to do and you would really rather not have to. You would rather there was no drought. You would rather not have to be standing in this House supporting a bill that is providing assistance to our growers and businesses across the region. You would certainly rather drought not be the damaging circumstance in the lives of so many people across our electorates.

It is quite an irony actually to be standing here congratulating the government for being proactive and positive and for moving swiftly in order to address some of the concerns of the many people affected across Australia. As we have seen just recently in our papers, New South Wales farmers and the NFF have said that they do not want to be seen as the ‘poor buggers’. They are proud people who like to stand on their own two feet. It is just that the circumstances they are experiencing now are rendering it almost impossible for them to do that. They do not want our sympathy; they really need our understanding as to why governments are required to assist production in such times of dramatic downturn. It is simply because one cannot control the environment.

Farmers are an extraordinary group of people. If I had to rely on the natural elements to make my living, I am sure that I would not have the resilience to do that. So it is with great pride that we, as Nationals, always stand and support our farming communities for the wonderful job that they do in Australia. I have often said in this House that unless we as Australians want to be running around naked and emaciated we have to support production in rural and regional Australia. This government, to its great credit, has reacted and come to the assistance of our producers and of our businesses that are heavily reliant on producers and on our communities by offering up a range of measures.

This could not have taken place without the economically sustainable management of our finances whilst this government has been in power. Many people complain about the way our government has a bank and a surplus. I will never complain about a surplus. It is the same with our own banking procedures in our own lives and in our own households: if you have no resources in the bank and an emergency comes up then you are not able to deal with that efficiently and effectively. It really is in the interests of everybody to have a very healthy bank balance and healthy reserves for those rainy days. The government follows the same principle: we manage economically the moneys of the taxpayers of Australia so that the government can responsibly respond to issues when they become apparent.

Nobody wants to be in the position of having to respond to this critical drought situation that we find ourselves in. But if we had not had that economically responsible way of managing money under the Treasurer, Peter
Costello, the Prime Minister, the Deputy Prime Minister and all the ministers and members of the government we would not have the funds available to be able to provide this assistance. That is what the people of Australia clearly need to understand. In order to respond to the many issues that come up and confront us on a day-to-day basis that have not been planned for, there has to be economic sustainability and financial responsibility from the government of the day. And nobody could accuse this government of not being financially and economically responsible. So there have been many things announced across my electorate that have been of benefit. They are not going to fix all the problems, and we have heard criticism of what the government has not done, but nobody in the House is going to rise today and say that the government can adequately respond to, ameliorate or fix every problem associated with the extraordinary drought we are experiencing at the moment.

But there are things such as funding for organisations to support communities that have been affected by drought. We had a $10 million fund that enabled organisations to apply for between $3,000 and $300,000 for projects for up to two years under our Strengthening Drought Affected Communities initiative. That was an absolutely fabulous initiative. It was for not-for-profit organisations to apply to develop projects to address local issues with local responses, creating local opportunities for families in our drought affected communities. We all knew at the time when all these programs were announced that it was extraordinarily tough for families who were trying to respond in this extraordinary time. These projects for communities could include activities that would increase social participation, provide communal support to share and address issues, build skills and opportunities to make our families and communities more self-reliant, and develop skills in leadership and mentoring and volunteering—embodying all the ethics and ethos that go to make up our country communities. We have heard discussions of suicide watch and the extraordinary suicide rate, which is indeed a trial and a problem that many communities have to deal with on a week-by-week basis. But the government has responded to try to address this and to make available funding that can bring people together.

On Saturday I was at Eurongilly with Gail Commens and the CWA, who were out there bringing together the community. The Rotary Club from Canberra came across and did the barbecue. They brought across a significant amount of assistance packages, which were all lined up for people to take home to help them to get through another week. I have to say that on the drive to Eurongilly I was absolutely staggered to see the condition of the properties along the way. It was just amazing; there was not an ounce of surface coverage—it was a moonscape. I have never seen it to this degree in a supposedly safe, generally high-rainfall area. It was just so bad. I have done a lot of travel across my electorate and I think that area is the worst I have seen. The smell of rotting flesh absolutely permeated the vehicle as I drove out there. When I got to Eurongilly to see the people there, there were kids on a little jumping castle, Rotary from Canberra were cooking a barbecue—they understood the plight of this area—and people were sitting around trying to give comfort and security to their mates and fellow property owners.

Under another government program I had been able to get about $36,000 to do some construction work to rebuild and strengthen the Eurongilly hall so these sorts of activities will be able to continue to take place. As we know, our rural communities have so few places to meet, and they all do a great job of trying to keep their local village or their local
hall in the middle of nowhere updated and maintained. They do a fabulous job, but the money has just run out for these communities. So it was great to see how excited this community was that they were going to be undertaking their voluntary roles in rebuilding parts of this hall so it could continue to provide the meeting place for communities who just give so much and are sometimes so little recognised.

So the government have helped in a myriad of ways. They sent around the drought bus, and many of the people across my communities were able to access it—in Gunnedah, Narrandera, Ganmain, Wagga Wagga, Junee, Temora, Griffith, Leeton and Cootamundra. It was a great assistance to these communities to be able to go into the drought bus, to apply for their EC certificate there and not to have to self-assess but be able to get reliable and up-to-date information on what their entitlements were. I felt that it was a tremendous initiative and one that many of the farmers sincerely appreciated, because for most of my areas there is no available Centrelink office and so they have to travel off farm. This is very hard because they are constantly having to feed their livestock and they are carting water because their dams are empty. They are just trying to manage on a day-to-day basis, so if they have to take a day off to come into town the cost of that is quite great when they have to consider the expense of their livestock. It was a great relief to them to have the availability of and access to the drought bus and the community support bus that went around and provided the ability to talk to a counsellor. Certainly it enabled them to get correct information rather than having to wade through the process of finding out what their entitlements were or were not.

In short, I can say that we cannot possibly resolve every issue for drought affected communities. The government can do some of the things it wants to do, but not all of them. I believe the farmers, producers and communities are cognisant of that fact. They are very proud. They do not want to be considered as ‘poor buggers’. They certainly are great Australians. For all of the actions that the government has put in place to assist with and ameliorate some of the problems confronted by our wonderful producers right across our electorates, I am very thankful. I am also thankful that the irrigation communities have been included in the exceptional circumstances arrangements. This recognises the plight that we have, not just in dryland farming. The irrigators have been taking hits to their water for so many years now that it has finally hit home. The irrigators have now found themselves having to apply for EC. I commend this bill to the House.

Mr ANDERSON (Gwydir) (10.01 am)—I appreciate the opportunity to speak in support of this measure by the government, the Farm Household Support Amendment Bill 2007, and welcome the chance it brings to make a few general observations that are perhaps pertinent in the current dreadful drought circumstances confronting so much of rural and regional Australia. I say at the outset that I am thankful for the support that the broader community seems willing to extend to our farm sector.

Having said that, it should be of deep concern to us all that there is a relatively low level of understanding now of what is involved in producing the food and the fibre upon which we are all ultimately dependent. There are only a little over 100,000 farm units in Australia today, and many of those are hobby farms. The days when it was more or less a given that, if you were not on the land, you had an aunt, uncle, cousin or a good friend who was and you visited a farm regularly are long gone. For most Australians their experience of life on a daily basis involves very little consciousness of, and very
little opportunity to interact with, the farm sector and yet we are all totally dependent upon that sector for the provision of the essentials of life.

In that context, there are some general points that need to be made that are of quite some importance. The first is that the Australian farm sector is extraordinarily efficient. It is not a sunset industry; it is not low-tech, it is not lacking in sophistication and it is not lacking in managerial expertise. It is the case, as it is in any other profession, that some farmers are more efficient or more capable than others, but the sector is world leading—I have no doubt about that at all—when considered as a whole. What needs to arise out of that is a broad awareness that this sector is not somehow inefficient, not somehow to be pitied or somehow to be seen as a sector that is dependent upon the goodwill and the largesse of the broader community.

Its current circumstances are very difficult indeed as a result not simply of the drought but of the fact that Australian farmers do not operate in a genuine marketplace. The international marketplace is highly distorted by the production subsidies and export-distorting arrangements engaged in by much of the rest of the world—Europeans, Americans and Asians—to the detriment of farmers in the Third World and farmers in Australia. The World Bank, surely an authority if ever there was one to be found on these sorts of matters, estimated a couple of years ago that if wide-ranging and real trade reform were engaged in globally, Australian farmers would receive an income lift of some $31 billion annually.

That is an important point to make because it highlights the fact that, when tough times come, care of a drought, Australian farmers are much more economically vulnerable than they would otherwise be. Their incomes are hit hard by those international practices. Not only is price injury imported in the sort of global trading environment that we operate in now but you cannot ask more on domestic markets than you can hope to extract out of export markets, allowing for freight differences, because, if food processors and so forth cannot purchase what they need at acceptable rates from Australian farmers, they will simply bring it in from overseas.

The reality is that, dependent as we are on export markets for some 70 per cent of our product, we are takers of those artificially depressed prices anyway. I would go so far as to argue that for most farm products, most of the time, the rate of return is below the genuine cost of production, if you allow properly for externalities such as the impact on farm environments. I think that gives rise to a proposition that is entirely reasonable, and it is this. The international trading practices that so many other countries engage in are immoral, not just in their impact on the Third World or on countries like Australia but also in the sense that, in artificially depressing farmers’ prices to the point where, as I said a moment ago, you could argue that they are often below the true cost of production, it makes it very difficult for farmers to do as I believe they instinctively want to do: maximise the management and stewardship of their land, water and natural resources.

Arising out of that is another important point that we ought to note on the way through—that is, in most ages and in most circumstances a drought of this order would have resulted in immense suffering, not just for farmers but for the entire community. A drought that has dragged on, year in year out, would have meant for most societies in the past—and still means today for many societies—the real prospect of starvation and massive personal suffering. The reason why it does not mean that in Australia is, as much as anything else, that in ordinary circum-
stances our farmers produce four or five times what we can consume here at home. We produce enough food for somewhere between 80 million and 100 million people and we have a population of just 20 million.

The surpluses are so vast that, while the drought, as severe as it is, has resulted in us having less to export, it has not impacted on our capacity to supply local supermarkets on which so many of us so heavily depend in this age when food seems to be just another consumer item. Not many cultures have the luxury of being able to see food as simply another consumer item. Most cultures have recognised that farming occupies a unique and very important place in the fabric of their communities. That applies to much of Europe, for example, because they have known what it is like to go without. We have not known what it is like to go without, and God forbid that we should ever be in circumstances where we do have to go without. But I think it is important to understand just how fortunate we are that we are so efficient in this country in agricultural terms, that we have such large surpluses and that while a drought may have an impact on supplies globally it does not have a negative impact in any serious way on consumers in this country. Certainly we get headlines that warn of the price of vegetables going up or the price of meat going up a little bit, and we talk about a little bit coming off national economic growth, but this is inconsequential in comparison to the effects that a drought of this severity would normally have if we did not have the sophisticated, very capable, very efficient and very productive farm sector that we benefit from in this country.

I often hear it said in this place, understandably, that farming is a business and must be treated as a business by people on the land. While farmers must accept that their occupation is a business, the rest of the community must accept that it is not simply a business. I am a farmer myself. From an economic perspective, I am mad to be a farmer. There is no money in it, relative to the sort of money you can make in a prosperous society with other investments. That is the reality of it most of the time. It is a business in which it is very hard to make a decent return on your investments. You dream and hope about having a year when you will get a big surge in income and it will all seem worth while, but basically if it were simply a business no-one would do it. Most farmers are deeply committed to their business as a lifestyle and in terms of the opportunities it gives them to exercise careful stewardship over their land and their resources. It is very easy in urban Australia to paint farmers as people who do not care about the environment, but that is just wrong. Most farmers are deeply committed to their land and water resources.

On that front, I would like to make a couple of comments about the severity of this drought and how it is masking some of the reforms, particularly in water, that have been undertaken to this point in time. In terms of the severity of the drought, the first two rural lands protection boards that went into exceptional circumstances last time around were Bourke and Brewarrina, in my own shire. Most of the farmers and graziers in those two shires have essentially endured seven or eight years of appalling drought. With the collapse of the reserve price scheme for wool, graziers have been suffering since about 1989 from very low wool prices as well.

The suffering has been immense and it remains something that is hard to describe in this place. I can only salute the personal courage of so many people who battle it out, day in, day out, under unrelenting clear skies. Perhaps even worse, in recent times, storm clouds have been brewing up and passing over without dropping anything, or if
there has been rain it has been of little use. I am not sure how some of those people have managed to keep going and keep their spirits up. Some have not; some have found it too much. We have all heard of some of the sad family circumstances that have resulted from the sheer pressure that these circumstances have brought about.

The flow-on impact to the local communities has been immense—and that is what is being recognised in the measure that is now before the House. In Wee Waa, where the Australian cotton industry started in the 1960s, local business turnover is down by something like 47 per cent. In Bourke, also in my electorate, with a population of 4,000 in the township itself, where some 700 jobs are dependent on irrigation, there has not been a cotton crop of any substance for years and there is little prospect of that turning around. So there is economic devastation.

I mentioned a moment ago that we see headlines about the drought knocking a tiny little bit off national growth. But there is no growth in communities like those, and while it is not a recession in economic terms it is a depression. Our fellow Australians, through no fault of their own, are living in circumstances where their local economy is in depression. While I am very grateful that the broader Australian community is prepared to support those people, and I am sure it is, I think it is important to recognise just how devastating the impact on those people is.

I also mentioned a moment ago that I wanted to touch on the fact that this drought is masking some of the other activities that have been undertaken. The water issue is of course very much at the forefront of people’s minds in this day and age because it is now affecting the cities. However, the impact can be far more devastating on people who are utterly dependent upon water for their livelihoods. Of course, farmers are not the end users of water. I am still astonished to sometimes see the accusation aimed at the farm sector that they ‘waste’ water without a recognition on the part of the people who make the claim that people who eat, people who wear clothes and people who have timber in their houses are in fact the end users of that water. That is my first point.

The second point that arises is this. It is a simple fact that the farm sector is further ahead in relative terms in the efficient use of water than our major cities are. The farm sector is investing heavily in the more efficient use of water. If you doubt my words, consider the cotton industry. It alone is set to invest huge sums of money in further substantial water efficiency gains over the next few years. Over the last decade the rice industry has halved the amount of water it uses per unit of production. I think it is now the most efficient user of water in the rice sector anywhere in the world, so real progress has been made.

But there is another aspect of this that needs to be nailed. We hear commentary to the effect that, after years of talk, no water—not another drop, not another cupful—has been returned to the river systems, in particular the Murray. That is simply not right. That simply does not reflect the facts. There have been very substantial and often involuntary cutbacks for water users in the Murray-Darling Basin in recent years. The reason why that has not shown up in increased flows into the rivers is that there are not any flows into the rivers. The irrigators have not got any and, of course, the rivers are not flowing because it has not rained. But, when it does, the cutbacks that have been made to date by one way or another will be shown to have been very substantial and to have returned a lot of water to the environment.

That process, I would urge my city cousins to recognise, has been very painful for a
lot of people in country areas. I know farm businesses that are now very unlikely to survive, not simply because of the drought but because they have lost entitlements to much—in some cases, the great majority—of their water. In most cases they have received little or no recompense. Some would ask, ‘Why should they?’ The reason is the great majority of them have done nothing wrong whatsoever. They have used licences given to them by state governments of all political persuasions—either in ignorance or through mismanagement, or both—over the decades and they have often come with conditions that have implied that if they do not use them they will lose them. Farmers have created a lot of wealth and jobs with that water. While they will wear the bulk of the pain in the cutbacks, I believe it is only fair and reasonable that the community, given that it has benefited from the wealth and jobs created, burden-share, if I can put it that way, and help the many farmers and country towns cope with the very real economic impact.

The broader community should be aware that the water issue will impact on the Indigenous community as much as anyone else. A lot of jobs will go missing—a lot already have gone—as a result of the water reforms. I do not argue with their necessity. It is just the opposite: I was the architect of the National Water Initiative, which acknowledged that there had to be clear pathways—but fair and just ones—for returning systems to sustainability. I would urge that the progress that has been made be recognised. It is the case that we have not yet seen the benefits. That is because it has not rained—but it will; it will rain again.

I am very optimistic about the future of agriculture. I am not a sceptic on greenhouse warming. It is undoubtedly happening, and we do not yet know what the climatic implications will be for Australia. It is obviously a result of natural changes as well as of some impacts, no doubt, of human activity, and we are right to engage ourselves in a serious debate now about how best to tackle it. But I do not believe that the current drought is a result of climate change. Indeed, even the met office seems to believe there is a very high chance of us now having a wet winter, and some experts are saying we may be in for a succession of wet winters. It will turn around.

I also believe that there will be great opportunities for farmers in the future. In closing, I would make this observation. I think a large part of that future will be derived from the fact that the world is waking up rapidly to the fact that plants can be a tremendous source of many things other than food and fibre: feedstocks for the chemical, plastics and medicines industries as well as a replacement for oil—not simply ethanol but more complex biofuels, multimolecular fuels that more approximate the energy that is provided by petrol. All of these sorts of things are on the drawing boards, and massive amounts of public and government money are going into them, not so much here but internationally. More needs to go into them here. I do think that this will result in a whole new farm sector: the production of crops for a variety of uses other than food and fibre. On that basis I conclude that this is a good measure and I hope it helps a large number of small businesses survive until there is a real turnaround.

Mr FORREST (Mallee) (10.21 am)—It is a great honour to follow the member for Gwydir. By way of response, given his efforts with the establishment of the National Water Initiative, I report to him that the Wimmera Mallee Pipeline is proceeding at the enormous rate of six or seven kilometres of pipe per day, with all of the different branches. That is providing tremendous positive encouragement for the people of the Wimmera Mallee. On their behalf, I express
appreciation for the work that the member for Gwydir did in that regard.

I am very pleased to speak on the Farm Household Support Amendment Bill 2007. By way of describing the situation that exists in my federal division of Mallee, it is very sobering to note that the entire area of 76,000 square kilometres is now fully declared as being in exceptional circumstances. As the member for Gwydir and other speakers have mentioned, this is having a very sobering impact upon the constituents of that region.

The eastern Mallee, which is the north-eastern corner of my division, has been in exceptional circumstances for three years. The far eastern section of my division, which is the Goulburn and Loddon River valleys, has included irrigators. The rest of the Mallee, the northern Mallee and western sections, is in exceptional circumstances now for its second year. I was very grateful a fortnight ago to have the southern Wimmera finally included in a full EC declaration, which has taken some time to achieve. Given the state’s desire to include the whole of western Victoria, we now have a situation where the entire section of western Victoria—west of Bendigo and Ballarat, all the way south to the coast, to the South Australian border and the Murray River—is in exceptional circumstances. That gives some concept to those people who may reside in the metropolises of just how dire the circumstances are.

Of course, at the South Australian border it is the same and north of the Murray River, in the member for Farrer’s constituency, it continues. In fact, when you look at the huge number of regions, I think it is now well over 60. South of the Tropic of Capricorn, basically the whole continent is in exceptional circumstances.

There are some people in my electorate who assure me that they have seen worse, but I certainly have not. I can remember my region of the world in 1983 when, after touring the world and studying, I decided to establish a consulting engineering practice with offices in Swan Hill and Mildura. I will never forget my late father’s groaning when I advised him of my intention in the middle of what was then being described as one of the worst droughts. It was hard operating a small business. I found those first few years very difficult and had to range wide afield for engineering work to sustain my business. Thankfully even in those days the mining sector provided a source of work, and it is interesting to reflect that that sector of our economy is still booming and therefore enables us to prop up those sectors of primary industry that are currently doing it extremely hard.

Back in the 1980s the arrangements for exceptional circumstances did not deliver for grain growers in the north-west of Victoria, because they were entirely based on rainfall outcomes. Whilst rainfall over the summer and Christmas periods is welcomed, it does not necessarily mean that it can ultimately deliver a grain crop. Because of the entire dependence on rainfall records in those years, the arrangements for exceptional circumstances did not deliver the outcomes we now have for desperate primary producers.

This bill deals with the secondary aspect of the small business commerce that occurs in regional Australia, and that is one of the reasons I mentioned my experience in the mid-1980s. I hear anxious concern now even from retailers in the strong provincial centres, which are basically Mildura, Swan Hill and Horsham—Horsham being the hub of the Wimmera region. I understand their anxiety at their reduced sales figures, because they all say to me that, on the day we receive an inch and a half of rain in April or May, their business suddenly booms. People then have the confidence to spend on items which
have not been necessary and on which they have conserved their spending. I look forward to that outcome. Although it seems to be remote, I am quietly encouraged that even the Bureau of Meteorology is suggesting the possibility of the end of the drought.

As the member for Gwydir has said, this is not an event that has just happened; it has been occurring at least over the last eight years. In fact, a reasonable crop return was possible for the grain growers of the Mallee in 1985, but it is fascinating to observe that they grew a reasonably returning crop off a total of four inches of rain in a region that has a historical tally of 10 inches; although I struggle to see how that has ever been achieved in the last decade. That reflects the efforts that have been undertaken in grain research and plant breeding to grow varieties nowadays that can deliver outcomes with reduced rainfall.

But even that has not been enough, and I am grateful for the safety net that has been put under my primary producers. Bear in mind that the EC declarations that are now in full force across my entire electorate include every producer of primary products. That includes horticulture, stone fruit growers, grape growers and vegetable growers. I am immensely grateful for the recognition of the obvious fact, which had to be demonstrated, that even irrigators, whilst they might have access to irrigated water, do endure downturns in their productivity when it is not raining. When it is not raining, that simply means they have to use more irrigation to compensate for the lack of precipitation.

Every commodity in my electorate now has access to exceptional circumstances. It is very sobering to recognise what use those primary producers are making of these arrangements. The farm household support is not substantial, but it does provide some relief. Of course, now with full EC across the entire electorate farmers are able to apply for what they see as the most beneficial, which is interest rate subsidies. I am immensely grateful for the willingness of the government to consider unfinished business as this drought has worsened and be prepared to alter arrangements to introduce better flexibility and to consider people beyond the primary producer sector.

That brings me to this bill and what it addresses. Until now, the assistance to small businesses, through the same arrangements available to primary producers, has been made by ex gratia arrangements. This bill formally puts these measures into effect and alters the definition of small business so that businesses employing 100 people, rather than no more than 20, can now qualify for assistance. I am immensely grateful for that outcome. There are a large number of agricultural machinery manufacturers in my electorate. Each of the provincial centres and a lot of the smaller towns have agricultural manufacturers and they are producing things such as disc ploughs that are two cricket pitches wide and are benefiting from export opportunities. There are header manufacturers, spray manufacturers and cultivator manufacturers. Many of them have had more than 20 employees, so they are very grateful for the willingness of cabinet and the government to extend the safety net for their businesses. Of course, they will have to demonstrate their dependence on agriculture. That is a reasonable stipulation. They will have to demonstrate that 70 per cent of their income and business activities are entirely reliant on agriculture. I am confident that those businesses I have mentioned will be able to justify that, given the impact that the downturn in business as a result of the drought has had on their activity.

I believe that is important because it will assist us to retain those skilled workers who are involved in those industries. These are
very often welders, young apprentices, diesel mechanics, motor mechanics and auto electricians of a young age. If we lose them from our region and they get attracted into the mining sector, where they would obviously be able to generate a much more substantial income, they will never come home. The measures that this bill puts into effect will give those businesses some capacity to retain that expertise for the day when we all hope and pray there will be a turnaround.

The member for Gwydir has made reference to the impact that this drought has had on water. I am delighted that the Commonwealth has taken a lead role in addressing this matter. The reality across the entire southern part of our continent, south of the Tropic of Capricorn, is that there are something like 17 million Australians currently enduring some level of water restriction. Some are only in stage 1 restrictions, but I would just like to remind members of this place that the water users serviced by the Wimmera Mallee stock and domestic water supply system, including all of the townships across the north-west of Victoria, have been in stage 5 restrictions for the last five years. It is very sobering to travel back from Canberra, noting the wonderful green growth that is everywhere here, and arrive in Horsham, Warracknabeal, Birchip, Donald or Sea Lake and see how brown and unkempt the parks and gardens are. There are people in the provincial centre of Horsham who have been watering their roses using buckets and showering with a bucket to retain this precious resource.

I remain hopeful that the lead being shown by the federal government will bring the states into an arrangement where we can finally address this issue. Victoria does have very secure water arrangements. To the extent that it is demonstrated, the horticulturalists on the southern side of the Murray—the Victorian side—are currently being supplied at least 95 per cent of their licenced allocation. There is some uncertainty as to how that will continue after April. However, on the New South Wales side, many of those similar horticulturalists with the same commodities are down to as low as 15 per cent of their licenced allocation. So there is an enormous disparity in the arrangements for water security between the states. I would like to see all of the states come up to Victoria’s arrangements, which are very secure. We Victorians would not want to see any dumbing down of what those arrangements deliver. They have cost water users over decades. It costs money to ensure that water is not allocated unless next year’s supply is in storage. It has to be funded. I think to some extent that has meant in Victoria’s circumstances that many of the irrigation supply districts have not been undercapitalised. They are still delivering water through water systems that are 100 years old. Many of them are soldier settlements from both world wars.

I am hopeful that the money that is on the table will give Victoria an opportunity to ensure that capital can be provided to give those irrigators who are producing important and valuable export commodities a system that can deliver to them a 24-hour a day, seven-day a week supply. With water assurance like that, they can grow whatever crop they choose. If they are enduring a downturn in one commodity, they can switch to other crops.

Returning to the bill, I wanted an opportunity to express my gratitude to cabinet, particularly to the Minister for Agriculture, Fisheries and Forestry. It is a whole-of-government approach to addressing the needs of families associated with primary production and small business. I am also reminded just how stoic and resilient the people of my electorate are. It is a great honour to represent them. They are very reluctant to ask for help. In fact, in quite a number of
circumstances they have stoically resisted going to see the rural counsellor or have expressed sentiments like, ‘I won’t be seen dead in a Centrelink office.’ On some occasions I have gone with them, because I can understand that stoicism and resilience and the desire to be independent.

It has been very encouraging to see initiatives occurring outside the activities at both state and Commonwealth government levels. For example, my own church, the Swan Hill Church of Christ, which has sister churches in metropolitan Melbourne, cooperated to distribute three semitrailer loads of food and commodities, some of them luxury items, which were distributed to needy families across the Wimmera-Mallee. From talking to the recipients, whilst there is a humbleness and embarrassment, it does provide them with enormous spiritual support and encouragement to know that people in the cities care that much.

One of the metropolitan based Victorian Country Fire Authority services recently got together and established some cash and food parcels and sent them up to Horsham for distribution through the CFA network. Only last Saturday the state government provided a free country and western concert, hosted by Lee Kernaghan himself. Twenty-thousand people from across the Wimmera and the southern Mallee attended that concert. Some might ask: what does a concert do? It provides that much needed spiritual support to assist people to have social interaction and to not despair.

I often say to them that the nation is benefiting from an economic boom, thankfully, because of the ascendance of our mining sector, that it is the mining sector’s turn to prop up the other sectors of our economy that are not doing so well as a result of the drought and that they should feel no embarrassment and no reluctance to take advantage of the resources that are being made available to them, particularly those provided in this bill. I would also like to mention the rural counsellors, of whom there must be a dozen servicing that huge area of north-western Victoria I represent. They are working extremely hard, and I am immensely proud of their work under enormous pressure. As well as putting applications together and addressing the financial difficulties of families, they are also associating themselves with some of the pressure and emotional strain. I am immensely proud of the work they are doing.

I am also immensely proud of the three Centrelink offices—in Mildura, Swan Hill and Horsham—and the wonderful way in which they empathetically deal with the huge workload they are confronted with. It can be a little disappointing sometimes: some families express dissatisfaction with the time it takes. I ask them to stand by the process and, whatever they do, not sit out there and self-assess. I say to them that they may well be surprised that they do qualify for assistance provided through measures like this bill and others that the government makes available. I say: do not self-assess. If you need assistance to find your way through, I can put you in touch with Centrelink or any one of the number of rural counsellors. I commend this bill to the House.
$120 a hectare to put a crop in the ground. They hope that the land will get enough rain to provide an economic return.

These measures are aimed at bringing the same arrangements for household support to agriculturally dependent small businesses as would be available to farmers in the same region, and that, of course, must be endorsed. Such businesses are totally necessary for a farming region to operate. They make huge contributions socially. The great tragedy of modern agriculture would have to be the number of closed-up shops and premises that we unfortunately see—in towns, I might add, that were created to be convenient to people with horse-and-cart transport. I totally endorse this legislation, which has been well covered by previous speakers, but I want to draw the House’s attention to some other aspects of the farming economy that could in many cases remove the need for this sort of financial assistance from the taxpayer and leave the farming community and their small business entities living in comfort and with pride.

I have already approached the opposition desk to see if they will grant me leave to incorporate the graph I have here in Hansard as part of my speech. It is unexceptional as far as politics goes. For you, Mr Deputy Speaker Haase, as another member of this House with an extreme and genuine interest in the welfare of farmers and wheat growers, I will briefly speak to this graph. The graph shows movements in world wheat prices over the period January 2006 to March 2007. The graph indicates a peak in about October, when the 2005-07 crop was being put in the ground, where world wheat prices got above $A330 a tonne. The other lines on the graph demonstrate the amount of money that is being paid to growers for their deliveries to the 2005-06 pool. Remember that that pool was of the order of about 17 million tonnes. It was a good crop for Australia. The difference is that, at the point in time I mentioned and throughout the period of this rapid growth in world prices for grain and during the time that AWB went into the silos in my electorate and exported grain—and, Mr Deputy Speaker, you would still find certain silos in your electorate that are not filled with 2006-07 grain; they are filled with 2005-06 grain—that grain was taken out of those silos and exported into a market which is now running internationally at about $300 a tonne, and the payment going to the growers is still $190 a tonne, as this graph demonstrates. The EPR, as it is known—the estimated pool return—of the entire 2005-06 crop has not deviated over the period I just mentioned. But worse: there is $1,000 million yet to be paid.

Everybody who has an association with wheat growing knows that a wheat grower lives about 18 months behind on revenue. The proceeds of the 2006-07 crop for many was nil, but for certain areas—including some in your electorate, Mr Deputy Speaker—in Western Australia it was quite a good year for rain. It was built more on thunderstorms than on general rainfall. In other areas, known as safe areas—again in your electorate, Mr Deputy Speaker—the farmers never got their tractors out of the shed. So the price of the 2006-07 crop is of less relevance. But at the very time when the world market reached $A330 a tonne, AWB announced its EPR for the 2006-07 season at $A250 per tonne, and since then they have reduced it to $A237 while the market stays at about $300. Furthermore, on 15 March, Reuters reported that AWB was buying wheat in Pakistan for $A280 a tonne. So if you are a Pakistani grower you can get $A280 from AWB, but if you have been forcibly required to deliver your wheat into an AWB pool, as the legislation provides at
the moment, perhaps you will get $A237. That is only an estimate.

Might I add, while AWB has been paying out on the 2005-06 pool at $190 a tonne, it has paid itself $11 million in performance bonuses. That is presumably what AWB executives get when they outperform the market, which they are lagging behind by over $100 a tonne. You can measure that in billions. You might ask: how many farming small businesses in regions that grew wheat in the year before last—and under normal arrangements, that would be getting paid for at this time—would need this assistance?

The AWB has said that it will pay $1,000 million ‘after 30 June’. It has not even given a definite date. With a definite time frame, how much easier would it be for farmers to finance their current cropping program in what, according to ABARE and the Bureau of Meteorology, could be quite a good season? I seek leave to have this document incorporated in Hansard. I believe there is no objection.

Leave granted.

The graph read as follows—

Mr TUCKEY—I thank the opposition for that. Having made those points, the House has taken an interim measure to try and correct that arrangement. In fact, I thought the House did not do as well as it could have in the implementation, but I will not waste time on that today.

The House has to confront a situation where, through bad management or fraud, the licensed monopolist has dropped so far behind the market. The AWB can give any excuse it likes, but the fact is that roughly $100 a tonne for at least half of the 2005-06 crop should have gone into farmers’ pockets and through their bank accounts to the small
business people we are attempting to assist with taxpayers’ money through this bill. Of course, the situation confronting us for 2005-06 wheat is quite different.

It is worth commenting on other aspects of this circumstance. It is my view that grain growers have gone as far as they can in achieving economies on their properties to keep their businesses viable. It is an interesting if irrelevant statistic that every time someone quotes what great-grandpa got for wheat from multiple exporters in the Great Depression, that price is typically quoted at 1s 6d a bushel on farm. That equates to about $170 a tonne today. On average, very few growers have netted that amount in recent years. If one looks at the price of 4s a bushel that was paid to growers before the Depression, one finds that that equates to $500 a tonne today. So one can see the very low price that is available to wheat growers today relative to what was paid in years gone by. They have stayed in business because of the efficiencies they have achieved through agricultural science, through the availability of very large machinery and through single-till agriculture, where instead of going over the land three times they now go over it once.

The reality is that farmers can get a crop in the ground in some parts of my electorate at the rate of one acre a minute, and frequently they dry seed it and wait for rain. What they achieve by doing that, in my view, is about a two-inch increase in the rainfall of any season, effectively, because those two inches that can now contribute to growth were previously lost in getting the crop in the ground. They used to wait for rain to plough, wait for rain to scarify and wait for further rain with their little combines loaded with sacks of fertiliser and wheat to put a crop in the ground. Of course, those guys who got 1s 6d a bushel actually used horses to do it. When you take all of those things into account, the massive efficiency on farms has come substantially from the use of very large machinery. There has been no improvement whatsoever in the cost of freight, handling and marketing—in fact, there has been exploitation. When one burrows into the accounts of AWB Ltd and its subsidiary, AWBI, one finds that AWB shareholders got $48 million in one year for the freighting business of the Geneva desk of AWB Ltd, but AWBI, the pooling company, absorbed $20 million of demurrage costs. One wonders about the management of this and the costs that growers are absorbing through bad management. As I said, the House is going to have to deal with that. It is going to have to deal with the corruption and the bad mistakes—

Mr John Cobb interjecting—

Mr TUCKEY—Why the member for Parkes keeps grinning I do not know. If he is of the view that maximising the returns to growers is not the fundamental responsibility of regulated wheat marketing, I would appreciate him dropping me a line. The fact is that, if we cannot improve the efficiency of off-farm activities, this House will be asked time and time again to give more EC assistance to farmers as the rainfall difficulties continue.

But there is another aspect that has come to my notice. I have always been a supporter of multiperil crop insurance. It does exist in other parts of the world and it is often subsidised by government. It is my view that we should look at it because of the expense incurred by the various EC legislation that we have introduced and the nature of its effect on the budget. We can put figures in these bills but we can never be sure as to the level of expenditure—and I felt that some comments made yesterday in the debate on this bill really do not stand up; you have to estimate an amount of money and circumstances will dictate the cost. The reality is that, if the
cost were transferred, as occurs with private health insurance, to a premium subsidy for growers to insure against these risks, that would give them the choice of self-insurance. For many who rely on their banks to fund their operations, it would become a necessity just as it is with respect to home mortgage insurance. Banks do not give you high-risk home mortgage accommodation unless you insure for it. I have done the figures on previous occasions and I think it is achievable, but it has not been the view of the experts or various government ministers that it is achievable. I think Treasury would be a lot happier to know that they had a responsibility to find, say, $500 million a year to subsidise crop insurance premiums rather than be stuck with $200 million one year, nothing the next and $1.2 billion the year after that.

Putting that aside, a couple of years ago some young men in Western Australia operated a business which, to my recollection, was called AACL. Under the operation of the managed investment scheme, they gave wealthy city people the chance to invest in a crop produced by a wheat grower. I mentioned some farmers in your electorate, Mr Deputy Speaker Haase, who did not get their tractors out of the shed this year but sold some of the rights to their crop to this investment scheme and received the cheque. In fact, that has become their sole source of income. They received a cheque under an appropriately managed scheme in return for a share of a crop that was never produced. In other words, the investor in Perth takes part of the rainfall pattern can be paddock to paddock on an individual farm.

This scheme has been caught up in the government’s response to what is known as agricultural MISs and may no longer be available to farmers. If it became a nationally supported scheme, farmers would be participating in multiperil insurance. People with money do not come only from the major capital cities these days. You have ordinary workers in mining areas and other places wanting to take up these tax effective options and, hopefully, in the process on behalf of the farmers, they will share in a profit. They are shorter-term schemes, and I think it is time the government looked at such a scheme in isolation as a way of giving people the right to self-determination, enabling them to stand up in society and not have to rely on government handouts.

That scheme, like many others, is something the government needs to deliver to make sure that there is no need to pay EC. I applaud EC, but no farmer wants that instead of having their own money in the bank or the chance to do a deal. One of my supporters said, ‘I wouldn’t be in that scheme’—the one I just mentioned—‘as I would have to give someone my profit.’ I said: ‘That’s great. You are a good farmer, you have resources and you can self-insure; others cannot.’

Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (11.02 am)—I thank all my colleagues on both sides of the House who have essentially supported the Farm Household Support Amendment Bill 2007. The support from members has been pleasing to see. I also acknowledge the contributions members have made in speaking for their electorates—the people they know or the people they have represented in another capacity here in this place—and their under-
standing of what it is to experience a drought in rural Australia at this time.

It is correct that it is not the first time this government has offered drought assistance to small business operators—something that was raised by the member for Hotham and the member for Lyons—but it should be noted that this program is quite different to the one we offered in 2002. During this debate the issue has been raised that the assistance on offer in 2002 had low rates of uptake and that there were a number of concerns raised by the small business community. I acknowledge that. However, based on our learning from the prior assistance measures and the expertise that has been gained from delivering the exceptional circumstances assistance to farmers, the program is now much more in touch with the needs of small business operators. In very simple terms, the current program provides much more value to a small business operator, essentially putting them on exactly the same footing as farmers in EC areas.

The exceptional circumstances program for agriculturally dependent small business operators mirrors what is already in place for farmers. In the bill that has just been presented, we see the one component of income support, but business support or interest rate subsidies are also on offer to eligible small business operators. They have access both to the interest rate support and to the household support. In the 2002 small business program, only business support was available to small business operators suffering from the drought. Interest rate relief was available only on loans of up to $100,000, meaning that a maximum of $10,000 over two years could be received. Now small business operators can get interest rate subsidies on all their commercial debts, up to a maximum of $100,000 a year, just like farmers.

The 2006 assistance program also offers something new to small business operators: the income support outlined in this bill. On top of receiving funds to help meet the financial obligations of their business, agriculturally dependent small business operators may be able to receive up to $760 a fortnight for income support to help meet their household expenses. Exceptional circumstances assistance for small business operators is a demand driven program, and it is actually very difficult to predict just how many eligible applicants will walk through the door. But I travelled recently in south-west Queensland and I have to say, after talking to rural counsellors from the rural financial counselling services there, that there is a lot of interest and a lot of applicants, and I understand a lot of assistance will flow.

The program has been very well received and it is already proving successful. Since the program was announced in November 2006, just five months ago, over $5 million has been provided to over 280 applicants at an approval rate of 69 per cent. The small business exceptional circumstances program is only on offer until June 2008, as we cannot predict what the weather is going to do. We may see rainfall stay at extremely low levels or we may, if we are lucky, get some respite from this drought. By having an end date which has a regulation allowing it to be extended, we can review the program and determine whether it is still needed 15 months from now. If there is still an overwhelming need for support across Australia at that time, drought assistance for agriculturally dependent small business operators will continue to be provided.

Of course, providing assistance to small businesses suffering from drought is not just about money and it is definitely not about providing support for unviable businesses. This bill is really about maintaining Australia’s vibrant rural communities. If agricultur-
ally dependent small businesses are unable to continue to operate due to drought, the communities they support will lose employment opportunities, local economies will suffer and hope will begin to fade. We are already seeing a shortage of skilled workers from rural areas, and young people from rural areas are also being lured away to the cities. By supporting small businesses in rural areas, we can reverse the current trends. We all know that once people leave regional Australia it is very hard to get them back. As a rural and regional member of parliament, I am sure I share with all my colleagues who represent rural Australia a dislike of the statistic that 80 per cent of Australians live within about 50 kilometres of the coast. We would like to reverse that trend.

Rural and regional communities are important contributors to the broader Australian economy. Through providing assistance both to agriculturally dependent small business operators and to farmers, there will be flow-on benefits to townships as they will continue to provide essential services and have some income to spend in other local businesses. While farm businesses have been the first group to experience the effects of the worsening drought, agriculturally dependent small businesses in drought affected areas are definitely experiencing hardships. You only have to study the transcript of the speeches of those who have spoken on this bill to see live local examples that really bring that point home. Without the assistance provided by this bill, the ability of some small businesses to service rural and regional communities may be at risk.

I want to address a couple of remarks made by members opposite. The member for Hotham said that this government has done little to prevent the causes of this drought. He refers to it as the worst drought in 1,000 years; it seems to be a phrase that has slipped into popular culture. The member for Hotham is a former Minister for Primary Industries and Energy and, indeed, in his remarks to the House, he demonstrated empathy and an understanding for farmers doing it tough. I am a little surprised at his saying what he did. It does appear to me that there is a Labor Party line that the drought is caused by climate change, the government will not act to fix climate change and therefore the government is responsible for the drought, which is really rather silly. It concerns farmers, and everyone in this place who represents farmers knows how hard it is for them at the present time, particularly when rather glib explanations about the causes of their circumstances are presented.

I just want to make it clear that, while the scientific consensus is that climate change is real, the extent of the contribution that climate change is making to this current drought event is unclear. Furthermore, the exact magnitude of the impact of climate change on future rainfall frequency and reliability is also completely unknown. The relationship between long-term climate change and short-term climate variability is complex and unclear. It is a topic of ongoing research. But, as a government and in the agriculture portfolio, we have well and truly got our eye on these issues. There is the government’s National Agriculture and Climate Change Action Plan; it is not the subject of today’s debate, but it does aim to build resilience and adaptability into the agricultural sector, reduce greenhouse gas emissions, identify and conduct further research and development, create awareness and communicate the important issues associated with climate change. I just wanted to place that on the record.

The member for Lyons talked about the terminology relating to the numbers of employees helped by this bill. He seemed to take exception to the fact that we defined a small business as having a maximum of 100 employees.
employees and suggested that that was not what a typical small business was. But by setting the number at 100 employees—and eligible businesses with that many employees would be very unlikely—we are helping all eligible small businesses in EC areas. And ‘small business’ is just a term; it does not mean anything in a strict statutory sense. I think it is a good thing that we have set the limit on the number of staff that would be employed by a small business at 100. In this way nobody falls directly under or over the bar, and we avoid the issue where there is a threshold reached and somebody does not fit in whereas somebody in a very similar situation does. It removes what could be a possible difficulty.

The member for Lyons also mentioned that drought support was not available in Tasmania. I will shortly be visiting Tasmania—I always look forward to talking to farmers when I am there—and, to my knowledge, no application for EC has been made by any organisation. An application would normally be made by the state department of primary industry or agriculture, if that is what it is called. As soon as an application comes forward from the state department, of course the federal government will consider both prima facie EC and then, in the context of the National Rural Advisory Council, a tour of the area. There is no way that Tasmanian farmers would be disadvantaged against any existing EC guidelines; I would like to give the member for Lyons that assurance.

In conclusion, I stand by the assistance that we have provided to farmers during the present drought, which, I guess, really began in most places at the end of 2002. Since then, New South Wales has received $710 million, Queensland $351 million, Victoria $257 million, South Australia $14.2 million and Western Australia $47 million—a total of $1.39 billion. And the program, of course, is still ongoing; exceptional circumstance recognition has been extended, along with the measure we are talking about today for small business, until June 2008. Again, I thank all my colleagues for the support they have shown for this bill.

Question agreed to.
Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail
Bill—by leave—taken as a whole.

Mr MURPHY (Lowe) (11.13 am)—by leave—I move opposition amendments (1) and (2) together:

(1) Schedule 1, item 4, page 4 (line 6), omit “small business”, substitute “eligible business”.

(2) Schedule 1, page 3 (line 2) to page 15 (line 28), omit “small business”, wherever occurring, substitute “eligible business”.

There is no question, in my view, that this bill requires amendment. There is a threshold question that the minister must answer immediately, and that is: how will the government ensure that the system will work this time, given the monumental failures last time? It is time to stop paying lip-service to the needs of rural communities by accepting the failures of the past and giving assurances that those failures will not be repeated.

The government made an earlier attempt to assist small businesses affected by drought through the Small Business Interest Rate Relief program. The Australian National Audit Office 2004-05 performance audit into drought assistance noted that 17,500 applications would be received and 14,000 would be successful. That was when the Howard government extended to small businesses a definition where, I believe, 70 per cent of the income of the business was derived from agricultural activity. So today I ask the min-
ister: does he know how many applications were actually received? I ask the parliamentary secretary responsible for the carriage of this bill in the chamber now: does she know how many applications were actually received? At a time when the Howard government was expressing the sincere belief that 17,500 applications would be received, only 450 actually were.

Mr Adams—How many got approved?

Mr MURPHY—Of those applications an appalling 182 applications were successful.

Mr Adams—How many?

Mr MURPHY—One hundred and eighty-two, for the benefit of the member for Lyons, who has an abiding interest in this bill. Not only was the Howard government way off the mark in terms of the reach of this policy, the applications process was so difficult that many in rural communities that are already doing it tough either gave up or did not know the scheme was there. So I ask again, and it is a legitimate question to put to the minister and the parliamentary secretary: how is the minister going to ensure that the system will work this time, given the abject failures last time. How did the Howard government get it so wrong? How could the farmers’ party, the National Party, stand by and allow this to happen?

Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (11.18 am)—I do not really understand the amendments that have been moved by the member for Lowe and, I think, on behalf of the member for Hotham. I want to respond in the best way I can, which is to say that it seems to me from looking at the amendments that they are a matter of terminology which will not go to the intent or the design of the bill. The member for Lingiari seemed to suggest while I was making my summing-up speech that this was not about government helping the little guy but the big guy. Maybe I have misunderstood that, but in any case all those comments I do not accept.

I want to reiterate that this bill is about the household support available to eligible businesses that are not farmers in rural Australia. It is obviously a good thing to bring everything into the discussion, but the interest rates support that you are entitled to receive is not the subject of this bill. I think the member for Hotham made the comment in his earlier speech that if you have a business of 100 employees it is silly to suggest that you would be accessing Centrelink household support. I probably agree, but you are obviously eligible to apply. It is unlikely you would receive it as you would have significant resources of your own to rely on, but
what you could access is the interest rates subsidy. Of course this is not what the bill is about but it does exist and it is part of the whole package of help available to small businesses in rural Australia.

By lifting the bar to 100 employees we are giving small businesses the option to apply for the interest rates subsidy, which I believe is what will probably matter the most to them. The member for Mallee brought a good example to the House when he talked about a machinery dealer who might have operations in several rural towns. They are a small business for all intents and purposes in the town that they are in, but let us not get hung up on the terminology. They are local, they are struggling, and they deal with farmers. If they added up the total number of employees across all of the small towns I am sure they are in in the Mallee electorate, they would probably have more than 100 employees. I certainly do not want to be part of a government that says that we are not helping them because of an aggregation that exceeds a certain number. Perhaps when the opposition understands that that is what we mean by having a limit of 100 employees they will not be so vigorous in proposing the amendments that they have. Again, I urge people on both sides of the House to support this bill.

Mr SNOWDON (Lingiari) (11.20 am)—Let me make it very clear to the parliamentary secretary: we are not opposing the bill; that is not what is being suggested here. I do think that there is an issue about definitions. You said when referring to small businesses that the term just did not matter, that it was not important. So therefore you should have no difficulty accepting the amendments put by the opposition. It is very clear to us that whatever definition you use for small business, a small business is not one which has 100 people in it. The ABS defines a small business as one which employs five to 19 individuals. Now we have got a definition which tells us that a small business is one which employs up to 100 people. Frankly, I am not quite sure where that is coming from. There is no question about accepting the interest rates support that you have referred to and the household support, but tell me what household has 100 people in it. What is going on here?

Let us get it very clear: we are concerned about making sure that the drought relief, the support, is given to those people who most need it. We are concerned to ensure that the application process is not impeded by bureaucratic processes which prevent people getting access to the support that they require—and that is why we have been critical of the past performance. It was estimated that there would be 17½ thousand applications in the previous scheme and that 14,000 would be successful. We hear that 452 applications were received and only 182 were successful. What was behind all that? How could you make such a wrong assumption?

What are the assumptions that you have put into this current bill? How many people do you estimate, in the current arrangements, will apply? You have already said that since, I think, the end of last year there have been 280 applications and 69 per cent of them have been successful. How many applications do you estimate you will receive between now and the end of the program in 2008, when it is due to expire, and how many do you think will be successful? And what are the reasons that applications are not successful? What advice can we now give to the Australian community about how they can be successful? What are the things that impede people from accessing this assistance? We need to know that and it is important that the people who live on the land know that.

Those people who are affected by drought should have absolute confidence that when
they make an application, in the way that is being proposed by the government, they will not be in the 31 per cent who will not be successful. They should be able to enter that process knowing that in all probability—not with certainty but in all probability—they will be successful. And if they are not being successful then it should be up to the government to publicise very openly the reasons, not why individuals are not successful but what the causes are for people not being successful. When we know that, we can then address the issues, and it might also explain the previous abysmal performance. Not only was the application process a problem, and there were obviously definitional issues which have been referred to by the member for Lowe, but clearly there have been other reasons why people were not successful. We the parliament, the Australian community, need to know those reasons so we can tell those people who are so badly affected by drought currently and into the future that they can have confidence when making applications to get the relief they so badly require. They need to have confidence when they make an application that they will not be frustrated at the end of the day because they have not been successful; they need to have every chance of being successful. I think that is something the government ought to put to rest today—and you have got the opportunity to do it now.

Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (11.25 am)—I do not want to hold up the business of the House; I will be as quick as possible and I think I will have covered all the ground that I can. The opposition does not seem to understand that this is not an extension of a previous measure. This is a different measure. Quite simply, it will work because it is a tried and true method that is currently operating for farmers, and I gave the figures of assistance that the government has given to farmers under exceptional circumstances in my earlier summation. There is no connection with the previous measure. As a local member I felt, when that measure was there, that perhaps we could have achieved more with it. But that is not the measure that is being discussed before the House today, so there is no point in making comparisons.

The member for Lingiari asked how many businesses we estimate will be eligible. I can let him know that the figure we estimate is 5,440. I am not hung up on estimates about how many people might be eligible. I am confident that, with the figures I made available before, of who has already been helped, that is actually quite significant. The program has only been open since November last year and we are still in the stage with rural financial counselling services of promulgating it and making small businesses aware of it. What we are saying and what Centrelink is saying with its drought bus and all of the information it is trying to get into rural communities is: ‘Don’t sit at home and try and work out whether you might be entitled to assistance. Come forward.’ I think a 69 per cent success rate is a good success rate under any terms, but the people who are not successful are those who clearly do not meet the guidelines.

The member for Lingiari was again being critical and being picky about a definition of what is and is not a small business and whether 100 employees under an ABS description is small or medium. That does not matter to me in the administration of programs that help farmers. What matters to me is that farmers who are eligible under the guidelines that we have carefully put in place come forward and get help. We are not saying that if you have a business with 100 employees and doing very nicely you will get help because, hey, we have got a line there that says if you have got 100 employees you
are entitled to help. You also have to pass significant income and assets tests, like any farmer, and if you do not pass those tests then you do not get any help. So can I say to the opposition: I do not really understand the philosophy behind your amendment and it is fairly meaningless in the context of this government providing assistance for drought relief because, as you have pretty well admitted yourselves, it will actually make no difference to how the measure you have already undertaken to support is rolled out in rural communities. I thank the House.

Ms LIVERMORE (Capricornia) (11.28 am)—I am rising in support of the amendments moved by the member for Lowe on behalf of our shadow minister for regional development. Just to make it clear: the point of the amendments is to support the threshold. We have no problem with the threshold for eligibility for this program being for businesses with up to 100 employees, but we do not accept the definition that a business with 100 employees is a small business. We say the threshold is fine, let us have it up to 100 people, but the amendments change it from being called a small business because we just do not accept that that is a small business. We ask that it be called an ‘eligible business’ and for that terminology to be used throughout the bill. That is more realistic because a business with 100 employees is not a small business. It is not the definition accepted by the Australian Bureau of Statistics, and we do not accept that definition either. So we have no problem with the threshold—let us make it open to all those businesses with up to 100 employees; but let us not continue this artificial political construct that that is in fact a small business.

In considering the amendment, we also ask that the government looks seriously at the concerns Labor has raised with the way drought assistance has failed to reach those who needed it in the past. As we have heard, the stated aim of this bill is to extend exceptional circumstances assistance to agriculturally dependent businesses that have been adversely affected by the drought. Of course we all support that aim. In this debate we have heard the stories from around Australia about the impact that this drought is having on our communities and on the families who are affected. Whether it is the worst drought in 1,000 years or the worst drought in 100 years, we know this is having a devastating effect on people around the country. Forty-four per cent of the nation is declared to be in exceptional circumstances and that is leading to the call on the government to support the families and businesses affected.

One thing that really struck me—it was actually quite moving—was when the member for Mallee was speaking about the experiences he has had in his electorate. He talked about the difficulty faced by farmers and businesspeople when they request this assistance. He said that it is quite difficult for people to reach that point and to go to a financial counsellor, Centrelink, a local member or whomever it might be and to say: ‘I just can’t do this any more. I do need to apply for this support.’ When you hear those stories, you realise the responsibility that we have in this place not to make it any harder for those people than it already is. Our concern on this side of the chamber, having seen the rollout of earlier programs, is that perhaps the government has been making it harder than it necessarily has to be for people.

That is our challenge to the government, our challenge today to the parliamentary secretary who is taking this bill through. Can you guarantee that this bill will deliver to the small businesses in drought affected areas? As we have heard, we regard this as a very legitimate question to ask based on the government’s past record because we have been in this position before. The government has
made an earlier attempt to assist small businesses affected by drought through the Small Business Interest Rate Relief program.

We have heard it from quite a few speakers on this side, but I think it is still worth repeating because the figures are just so stark in demonstrating the failures of earlier programs. The Australian National Audit Office really shone a light on this in its performance audit in 2004-05 into the drought assistance programs. Those figures issue a challenge to the government to make sure that it is getting this right. The estimate was that there would be 17½ thousand applications received for drought assistance. In fact, only 452 applications were received and only 182 were successful. We are asking, what went wrong last time? Where are the guarantees this time? Where is the evidence that this government has now got it right?

I note the parliamentary secretary’s assurances in her summing-up that the government has been out listening to small businesses in these communities. You obviously had good intentions when you designed the earlier programs—but when they were so poorly targeted and the take-up rate was so low we really have to ask: has the government got it right this time? We have to do more than wring our hands and issue good intentions; we have to get it right for those drought affected communities. (Time expired)

Mr ADAMS (Lyons) (11.33 am)—My colleague has just pointed out the difference that we have and why we have moved this amendment. It would certainly make a difference if instead of calling it ‘small business’ you called it ‘eligible business’. We would not have a problem if the definition of ‘eligible’ was a business that was having difficulties under the criteria, and if it could meet the criteria it could go on. There is some sort of reason that the government wants to use the term ‘small business’, but it needs to take it away from a definition. We would look at the Australian Bureau of Statistics’ terminology in that area. It states that small business is five to 19 employees who are involved in that business, not 100 as the bill puts forward.

The opposition has great concern that the last time the government tried to do something on this it failed dismally. The audit shows that. It is a shame that those in the National Party—the honourable member for Parkes, the half minister, is sitting at the table; he used to work for the farmers union but he has not been out there screaming and hollering to get this rectified—have let it go through to the keeper without really getting on board and making something happen even earlier than this. That is why we are concerned. It failed dismally. The government failed to put in place something that was going to achieve its goals. It estimated that there would be 17,000 applications, but 452 applied and 182 were able to be assisted.

There were a lot of people who suffered and a lot of people who did not get what the government said they were going to give them. That is what occurred. People suffered and probably lost their businesses. Their businesses probably do not exist now because of this. But they could probably have come back into play in better times if they had had some assistance. So from all the huff and bluff, all the rhetoric about how brilliant the government are at looking after regional Australia, they did not do it—they failed miserably.

We have moved that amendment in good faith. I would have thought that the government could have given it some consideration. I take what the parliamentary secretary at the dispatch box has said and I wish her well on her tour to Tasmania. When the member for Hotham was the minister in this area there
was national drought policy development and a Rural Adjustment Scheme, which allowed for the assistance of farmers in times of exceptional circumstances but it was not limited to drought—there are other exceptional circumstances.

Under exceptional circumstances criteria, it cannot have rained for a certain period. The point I was making about Tasmania is that, while it might rain there, the rain and the moisture content in the ground do not achieve anything. South Australia has a similar problem with these criteria, which were set up for New South Wales and Queensland not for the other states. We need to assess the criteria and have another look at them. That is what I am asking for, and I think we should do that as a country. Both major parties should be looking at this to assist people when they get into trouble.

Of course, the bigger issue that we should be dealing with is that drought is an ongoing phenomenon that is a part of our country and a part of our landscape. So we have to drought-proof ourselves and come up with ideas on crops that will grow with less water, and all those sorts of opportunities. There are exceptional times when we get there, but we have to be smarter than we have been in the past, when we just accepted drought as drought. There are a lot of other things we have to think about and we have to introduce intellectual rigour into this debate. Labor certainly did that in government, and I think we did it a lot better than this government. I am disappointed that we have not been able to pick up our simple amendment, which I think would have made this a better bill in the long term. (Time expired)

Question negatived.

Bill agreed to.

Third Reading

Ms LEY (Farrer—Parliamentary Secretary to the Minister for Agriculture, Fisheries and Forestry) (11.39 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

HEALTH INSURANCE AMENDMENT (PROVIDER NUMBER REVIEW) BILL 2007

Second Reading

Debate resumed from 1 March, on motion by Mr Abbott:

That this bill be now read a second time.

Ms ROXON (Gellibrand) (11.39 am)—I rise to talk on the Health Insurance Amendment (Provider Number Review) Bill 2007. This bill proposes that the biennial review process contained in section 19AD(1) of the Health Insurance Act 1973, which reviews the operation of the Medicare provider number legislation, be replaced with a review process every five years, with the next review to commence in 2010.

The Health Insurance Act 1973, as many in this House would know, is the key legislative instrument providing for payments by way of medical benefits and payments for hospital services. Sections 19AA, 3GA and 3GC of the act are collectively known as the Medicare provider number legislation. The sections were inserted in December 1996 by the Health Insurance Amendment Act (No. 2) 1996.

Section 19AA requires that medical practitioners who first obtained registration in Australia after 1 November 1996 have to satisfy minimum proficiency requirements—either obtain a fellowship as a specialist, consultant physician or general practitioner, or register on the Register Of Approved Placements—before being eligible to access Medicare benefits. This covers both Australian and overseas trained doctors. Previously, new medical graduates had been able to ap-
ply for a Medicare provider number upon receiving their basic medical registration.

Section 3GA provides for a Register of Approved Placements, where doctors subject to section 19AA who are undertaking training towards fellowship can provide professional services in approved placements. Section 3GC provides for a Medical Training Review Panel whose function is to compile information on the number of medical practitioners enrolled in or undertaking courses and programs and on the type and availability of such training. The Medical Training Review Panel also may establish and maintain a register of employment opportunities for medical practitioners in such a form and containing such information as the minister determines.

When the then health minister Michael Wooldridge gave his second reading speech on the Health Insurance Amendment Act (No. 2) in 1996, he outlined the government’s policy rationale underpinning the introduction of the sections outlined above. Firstly, he argued that the changes would increase the quality of health care available to the Australian community—by making sure that in future all general practitioners were properly trained—and that they recognised the reality that a basic medical degree was no longer adequate for a doctor to practise unsupervised in the community. Secondly, he argued that the new provisions would help correct some of the distribution problems with the medical workforce, noting the absurd situation of having to import more than 500 overseas trained doctors on temporary visas each year to work in our public hospital system even though we had something like 4,000 more doctors than our population required. Finally, Minister Wooldridge argued that the measures would reduce one of the major growth pressures on Medicare, making it more sustainable in the longer term.

In 1996, Labor was wary of these changes. While there has been some progress—the requirements of section 19AA continue to ensure that Australia’s GP workforce is well trained, and the restrictions on provider numbers have served to curb one of the growth pressures on Medicare—there is still much more to do. Australia remains beset with problems concerning the distribution of our medical workforce. In 1996, when the provider number legislation was first introduced, there was a recognised oversupply of general practitioners but an undersupply of GPs in rural and remote areas. Since then, the situation has changed to an across the board undersupply of GPs, with the shortages being most acute in rural and remote areas and now also in many outer metropolitan areas.

In January, I visited Russell Island, in the federal seat of Bowman, with Labor’s candidate, Jason Young, to discuss the islanders’ healthcare problems. I learnt that the Bay Islands community in Queensland, with a population of nearly 4,000, has only one doctor. Those 4,000 people, I might add, are spread across a number of islands, so transport between islands, for either patient or doctor, is a bit of a challenge. With insufficient GP services on the islands, bulk-billing has been in decline and many local residents are deterred from seeking help, or unable to seek help, when they need it. This is just one example, and there are many more examples I could speak about today. We are seeing this sort of problem across the country. Insufficient planning by the Howard government is resulting in doctor, dentist and nurse shortages which are having a severe impact on the health of communities like that of the Bay Islands.

The introduction in 1996 of section 19AA was meant, as promised by the then minister, to actually tackle some of these problems. When it was introduced, it was met with
widespread concern among the profession that the new provisions may adversely affect the future employment prospects of the medical students and interns who were already in the system. To address these concerns, and as a result of amendments in the Senate, a sunset clause was attached to section 19AA, which was to expire on 1 January 2002. The sunset clause acted as a safeguard to ensure that the legislation would be revoked automatically unless it was demonstrated to parliament that there were no significant adverse impacts on doctors affected by the changes.

The Senate also required a review of the operation of the legislation to be undertaken by the end of 1999. The mid-term review undertaken in 1999 recommended, among other points, that the sunset clause be removed so as to end the uncertainty faced by junior doctors and medical students.

In 2001 the act was amended by the Health Legislation Amendment (Medical Practitioners’ Qualifications and Other Measures) Bill 2001, removing the sunset clause in section 19AA and inserting a requirement in section 19AD(1) that the impact of those Medicare provider number sections be reviewed on a biennial basis, with a report to be presented to parliament by 31 December of the review year. Under these arrangements, biennial reviews were completed in 2003 and 2005. Undertaken by a consultant appointed by the Minister for Health and Ageing, the review process has been well supported by stakeholders. The first mid-term review in 1999 received 15 written submissions, the 2003 review received 41 submissions and the 2005 review received 24 submissions. On each occasion the review found continuing support for the operation of the Medicare provider number legislation as contained in those three sections of the Health Insurance Act that I have mentioned. Each review made a series of wide-ranging recommendations concerning vital workforce issues, some of which have been adopted and implemented by the government.

That is the background to this bill. The bill’s objective is now to replace the biennial review process in section 19AD(1) with a review process every five years, with the next review to commence in 2010. Schedule 1 item 1 specifies a five-year review period, with the report for the next review due to be laid before parliament by the minister no later than 31 December 2010. So the major change is the period of review.

It is significant to note, though, that the 2005 review commented, for the first time, on the level of support for the review process itself. Notably, the review found that there was ‘unanimous support for the continuation of the biennial review process’, which was seen as a ‘useful means of monitoring the operation and impact of the Medicare provider number legislation and a significant forum for advancing the quality objectives of section 19AA of the Health Insurance Act’.

The review noted that some stakeholders considered that the reviews were too close together, so not allowing enough time between reviews for recommendations to be implemented or evaluated, while other stakeholders considered that a longer period of time between reviews would effectively act as a brake on the implementation of recommendations arising from the review process.

I must admit that I have been struggling to understand how the review found unanimous support for the biennial review process yet also expressed the two contradictory views that the stakeholders held. It seems that the government has opted to take up the views of some of the stakeholders who thought the reviews were too close together and so, accordingly, is proposing this five-year time
frame, which Labor is prepared to support. It is, however, a little bit perplexing that the government has decided to go down this path without a clear explanation about the contradictory views that have been expressed within the review. For example, the report stated:

All agreed that with the projected increase in medical graduates from 2008, the Biennial Review would become even more relevant in 2007 and 2009.

Given these findings in the 2005 review, it is curious to say the least that this proposal for a five-year interval has been put forward by the government, particularly as the proposal was neither flagged nor recommended by the 2005 process. However, we have heard speculation from some stakeholders that the changes to the review process that are in this bill will in due course be followed by amendments to the operation and mandate of the Medical Training Review Panel, which operates under section 3GC. That might hold some of the answers to this curiosity depending on the options that the government is pursuing, but, typical of this government, it has not been forthcoming with this information.

Having said that, it is clear, as I have indicated, that there is support amongst some stakeholders for a longer interval between reviews, and the government does assert that the legislation is less contentious than it once was. That certainly appears to be a legitimate view from the recent reviews that have been conducted. It is also clear, from the explanatory memorandum to the bill, that this review process, which takes nine months to complete, requires significant departmental staffing resources that could perhaps be used in a more constructive way. It was made clear that the cost of the 2005 review process to the department—in addition to the staffing resources, as I understand it—was $80,000 and required the full-time secondment of two full-time senior departmental officers for approximately nine months. According to the minister’s second reading speech, in total the cost of this biennial review was $180,000. Clearly, that is money that we do not want to spend unnecessarily.

With the changes, that financial impact will be incurred every five years rather than every two years, which is a modest saving that Labor is prepared to support. Accordingly, we are prepared to support the bill. But we do note some wariness in doing so, given the review recommendations, given the changing number of professionals that will be coming into the sector and given our concerns that the issues of workforce shortages and, in particular, distribution have still not been solved. They were not solved by the original introduction of these provisions and they will not be in any way further improved by this bill. I commend the bill to the House.

Mr HARDGRAVE (Moreton) (11.51 am)—I am pleased to rise in support of the Health Insurance Amendment (Provider Number Review) Bill 2007 and to commend this legislation to the House. The history of it is quite plain. When we came to government, we introduced major changes to the Medicare provider number system for new medical practitioners. We were keen for those who were newly graduated to seek postgraduate qualifications before they were able to access the right to work under the Medicare benefits scheme. We also knew there were doctors who would undertake further training and workforce experience once they had finished their university book learning.

The effect of these changes was very clear: it was about improving the quality of doctors by giving them a rounded series of experiences that would add to the quality, in a quite effective way, of those in the workforce. It meant that a lot of young doctors were encouraged—you may say coerced—to
work towards a fellowship with a recognised medical college. It also included the recognition of general practice as a distinct medical discipline. We see the role of general practitioners in our community as an enormously noble task. I am sure that in Tasmania, where you come from, Mr Deputy Speaker Quick, you have your own doctor. We all have our own doctor, who we get to know and trust.

The doctor who my parents took me to from the age of about 11, Terry Russell, shocked us all a few years ago when he decided to move away from general practice, take no more names on the books and move into the specialisation of circumcision, which left us a bit high and dry as a family. It certainly left me high and dry; I had no need for his services from that point on. I was very happy to eventually find some other doctors. I was quite amazed at the time that the opposition was banging on about the lack of bulk-billing, because every doctor I was able to access in my electorate was a bulk-billing doctor. We have about a 90 per cent bulk-billing rate in my electorate. We have had a very successful increase in the number of general practitioners and medical specialists, bulk-billing and otherwise, in my electorate. It is excellent. We have a public hospital, the QEII, at Nathan and a great private hospital in the Sunnybank Private Hospital, where unfortunately my mother is sitting today. At the end of it, these are good and reliable medical facilities that are staffed by great doctors.

What a difference, though, the last 10 or 11 years have made to medical services across the south side of Brisbane and in the electorate of Moreton. I remember when I was the candidate for Moreton in 1995. Dr Wooldridge, who was the shadow minister for health, became a very good minister for health in the first couple of terms of the Howard government. Michael Wooldridge and I went to the QEII hospital at Nathan. Peter Beattie was the Queensland health minister at the time and refused to allow me as a mere candidate to go into the hospital on the political visit of the shadow minister for health.

Mr Griffin interjecting—

Mr HARDGRAVE—What is your seat again?

Mr Griffin—Bruce.

Mr HARDGRAVE—That is right. You are not Bruce from Griffin; you are Griffin from Bruce. Do not talk about infectious diseases with regard to what I am about to say. This is what the minister for health, Mr Abbott, has been saying in the chamber this week. When the Leader of the Opposition was the key adviser to Wayne Goss, Wayne Goss reluctantly appointed Peter Beattie to the ministry in the dying days of his 1989-96 government. Peter Beattie was the health minister at this time. So parlous was the circumstance at QEII hospital that when Dr Wooldridge went in—he still talks about it now; he has never forgotten this—he saw several floors completely empty of patients, and the member for Bruce will be amused to know that he went to the operating theatres and saw mannequins. Mannequins were in the operating theatres because they were never being used. Here we have a great public hospital in Queensland, and the administrative decisions of the Goss-Rudd government in Queensland delivered mannequins to the operating theatres of the No. 1 public hospital in my electorate. There was a mannequin lying on the operating table, a mannequin with a nurse’s uniform on and a mannequin with a surgical mask on. Why? So that those who happened to go to the hospital knew what it looked like to see something like a body in the operating theatre. They were the most extraordinary times.

Why did they do that? Because Wayne Goss and his sidekick, the current Leader of
the Opposition, Mr Rudd, decided to pilfer all of QEII hospital’s resources. They decided to shoot them off to the Logan Hospital, which coincidentally was in Mr Goss’s electorate. These were the administrative decisions that we inherited; they are the reasons why we have to work on things such as the Medicare provider number and why we had to invest in building a stronger network of medical services across my part of Brisbane.

It is extraordinary to think that, worse still, what was being pilfered—stolen—was equipment that had been generated by the hard work of the QEII hospital auxiliary. They had raised at that stage about $1 million in various funds, mainly through the ground floor coffee shop where they sold to an ever-decreasing number of people in attendance at the QEII community hospital. They had shut down two of the four floors. They were selling cups of tea and biscuits, making sandwiches and so forth and the money that had been generated bought medical equipment. The Queensland government would not buy it; the hospital auxiliary bought it instead. The machines that went ping, if you like, as Monty Python’s Flying Circus would say. They had all of those things, but they were being pilfered and taken to the Logan Hospital. That was the sort of situation we had.

From 1992 to 1995, before I was the member for Moreton, I worked with the QEII hospital auxiliary to embarrass a change of circumstance for this hospital. I wanted Michael Wooldridge to see it for himself, and he maintains to me today that he has never seen a worse example anywhere in Australia of the betrayal of a local community when it comes to community general hospital policy than what he saw at QEII hospital the day he saw mannequins in the operating theatre. The hospital is a lot better than that these days, mainly due to the fact that the former coalition minister for health, Mike Horan, in the short-lived Borbidge-Sheldon government between 1996 and 1998, restored the status of QEII hospital.

The current Queensland government are still trying to destroy the viability of the QEII hospital through a number of other practices they have undertaken. For instance, they have ordered competition for the coffee shop. They now have their own Queensland Health coffee shop which runs in competition to the hospital coffee shop. They have put in their own little health department coffee machines to try to detract from the effectiveness of the hospital auxiliary. But the hospital auxiliary continues to soldier on and has raised millions of dollars towards the work that is being done.

I raise all of this in concert with this particular piece of legislation because it is absolutely important for people to know that we want young doctors to go to great community general hospitals like the QEII to gain very full, on-the-job access to the realities encountered. We do not want to see, for instance, a repeat at QEII hospital of the closure of the accident and emergency section, which always seems to be so close to being threatened. There is a view prevalent in the Queensland health department that, if you pay for the public servants first and for the patient-caregiver part of the equation last, the hospital system is running well. They pay big dollars to people in town. In fact, they have people sitting at desks in the head office in town who are allocated on the books as staff at QEII but who do not actually provide any service at QEII hospital. Nevertheless, they push paper around and suck up some of the money that QEII hospital needs—and receive high rates of pay, it seems to me. They are saying to people in my electorate who go to QEII looking for accident and emergency care: ‘Hop on a bus that will take you to
This is the sort of nonsense that is going on. The problem is that local GPs are then further taxed by these accident and emergency requests that should be met by the local community hospital. That is a great cost shift by the state government because the Commonwealth taxpayer pays for the Medicare access to the fantastic local GPs that we have. It is a very clever trick: restrict access to health services at a community general hospital, make patients work harder to gain access to those services, push them onto local GPs and let the Commonwealth taxpayer pay for it.

What are Queensland doing with their GST money? Why is every other state complaining that rivers of gold are flowing into the Queensland treasury coffers but things such as maintaining, improving and growing the status of a great community general hospital like QEII are not being done? What are they doing with the money? There are road infrastructure failures in Queensland. The Goss-Rudd administration failed to build the Wolffdene dam, so there is not enough water in south-east Queensland.

I pay tribute to the local general practitioners who operate under the Health Insurance Act. People now have a higher level of quality and a higher level of experience because of the deliberative measures of the federal government in 1996. Through the measures that we introduced in those years and the principled measures contained within the principal bill, we had put in place a biennial review. That is understandable because, when you change a system, you want the review process to occur less often once the system is operating better and with more experience than in the early days. This biennial review would be costing the taxpayers the best part of $200,000, take nine months to complete and take up the time of an enormous number of staff at the Department of Health and Ageing. The government has made the decision, after consultation, to change the biennial review to a five-year review. The member for Gellibrand was confused and amused but nevertheless supportive of the measure. As to why the government would make these particular changes, it is simply that experience on this issue now counts and people understand what is required of them. Things are far better than they once were. We have made certain that all medical practitioners are now more appropriately skilled to enter into unsupervised general practice. In other words, we have created a system that is now working and, rather than constantly reviewing the review of the previous review...
and sucking up a couple of hundred thousand dollars every two years and taking a lot of departmental officers off other tasks, we are making it possible now for five-year reviews to occur. From my point of view, this is a very good, common-sense approach.

I will also say for the record that not only do we have more general practitioners with their Medicare provider numbers operating in my electorate than we have ever had before, and more of them bulk-billing than ever before; we have also got the effects of the innovations of this government now about to come on stream in a big way. The deliberate decision built around the efforts of the member for Herbert to create a school of tropical medicine means that doctors in training in Townsville will learn on the job in Townsville about tropical medicines and be more likely to stay in regional Australia. The fact that more medical places have been made available at institutions such as Griffith University, through its principal campus in my electorate and also its Gold Coast campus, means that more people are in training as well. The future, if you like, is not just simply about quality; it is about quantity.

Of course, the role of professionals coming from other countries is very important indeed. Of course, they are required to be adequately and properly trained and apply for Medicare provider numbers. Jayant Patel may have discredited the Queensland health system by his actions—the system failed to track his failings and too many people were hurt or killed as a result of that—but it is important to note that we should not target all doctors who have come from other parts of the world who may even look as though they are ethnically the same as Dr Patel. We need to understand that in gaining access to a Medicare provider number these people are people of quality. We demand that of them. State governments demand that of them. In my electorate, as a result of the very effective and community focused work of people like Dr Shabbir Hussein—he is a PhD, not a medical doctor, but his children are medical doctors—who came from southern Africa, a difference is being made. Dr Hussein is a Muslim man who is very proud to be in Australia. He has brought other doctors from that part of the world to also work in our local community.

We now have out-of-hours healthcare services based at Kuraby and Underwood—and I know that Dr Hussein has also put work into other places around the Gold Coast, 40 minutes south of me. Because of this man’s initiative, there are now Medicare provided services that operate until midnight most days of the week, and he is looking to set up 24-hour health care. These are the sorts of things that were only ever imagined years ago. As a result of the proactive and focused efforts of Minister Abbott and his department, we have been able to deliver that.

I will also mention Dr Madonna Abdella, a psychiatrist from the Philippines, and the creation of the Healthcare for All project, which is based at Acacia Ridge, just across the railway line from my electorate. They are providing an enormous amount of good for our community through the recruitment of overseas trained doctors to be employed as GPs in bulk-billing medical facilities throughout Queensland. I see that the member for Kennedy is here. He will be very interested to know what Dr Abdella is doing with this project. It involves the rotation of recruited overseas trained doctors through remote and regional areas, initially in Cunnamulla and Cape York—I am sure, Member for Kennedy, they are coming your way. Dr Abdella wants to rotate them through those far-flung parts of Queensland and then bring them back into the city to keep them well and truly trained and up to date.
This is the sort of initiative that is very much at the heart of why the government made the changes it did in 1996 and what this bill is about. These overseas trained doctors, employed in bulk-billing medical centres at Acacia Ridge, Toowong and other places, will also be providing 24-hour GP services in selected localities. This is going to make a difference when it comes to Aboriginal health. It is going to make a difference when it comes to general practice training programs—all funded by the Australian government.

I praise the work of Healthcare for All. It is a joint initiative of the Migrant and Workers Resource Centre and the Toowong Community Medical Centre, and I say well done to them. These things happen because we now have the acquisition of Medicare provider numbers on a far stronger and more stable footing. The quality is assured and the quantity is growing, and for those sorts of reasons the work of the government has been very important. But the work has not finished, and we are very determined to make sure that we continue to grow what we have already achieved to date. I thank the House, and I commend this bill to this place.

Mr KATTER (Kennedy) (12.11 pm)—I pay tribute to the previous speaker, the member for Moreton. I think he does an excellent job in his portfolio and an excellent job as a member of parliament representing his area. He is one of the very few pleasant and intelligent people that we encounter in our daily dealings with government. I wish there were more like him. I avail myself of the opportunity to say a few words on the Health Insurance Amendment (Provider Number Review) Bill 2007, not because in itself it is of importance; it is purely obviating the necessity for a review every two years and saving a tiny bit of taxpayers’ money. The issue of provider numbers and the qualifying period is an appalling imposition upon rural Australia.

Previously we would get first-year doctors. All of western Queensland was manned by first-year doctors. They may not have been the best doctors in the world—heavens, it was just their first year in practice and they were thrown out on their own resources—but they were better than nothing. A lot of the doctors that go out there, and God bless them, have enormous difficulties with English. Their culture is so enormously different from ours that they have enormous difficulties in fitting in. But at the present moment we are making do with these doctors as opposed to the doctors we had previously.

The two-year qualifying period is appallingly bad. It took six years of fighting, arguing and battling from the time I formed the original committee to secure the Townsville medical school till the time it started—I think it was in its seventh year. We had our first graduates last year, so we are talking about a program that has most certainly put a big hole—about 12 years—in my life. The reason all that time and effort was put in was that we people in North Queensland, and there are a million of us up there, require 1,000 doctors. It may be that 1,500 or 2,000 doctors are needed, depending on what set of figures you want to use. In fact it is 3,000 doctors—that would meet the average for Australia.

Where are we going to get them from? Our young men and women go down to Brisbane and they are trained in Brisbane. They marry a Brisbane girl or a Brisbane man, and they do not return to North Queensland, which is 2,000 kilometres away. They have lived in Brisbane for six years. They are not suddenly going to up stakes, roll their swag and go back up to a small town from whence they came—and they do not. Hence the fact that the last time I reviewed the 21
doctors practising in the mid-west and Mount Isa only nine were Australian. All the rest had come from overseas. That is a lot of drawbacks for us.

Of course, if you introduce a two-year qualifying period we will get nobody at all. Some of the blokes who went there for one year stayed for five, six or seven years; some of them stayed all their lives in the northern and western towns—but I am talking specifically about North Queensland. If you say that they have to work in a big hospital for two years, that means we do not get them. Once they have qualified in a big hospital for two years, they are not going to gallop off to the bush. Previously they had to do that. If they wanted a job with Queensland Health, almost invariably they were sent there. But if we are required to provide a qualifying period, that just means we will not get those doctors. The first graduates came out of James Cook University. There were about 60 or 70 graduates last year, and it will effectively be another two years before we get them on the ground. When the students for this year graduate, it will be another two years before we can get any of those people on the ground.

If they are young and inexperienced, to some degree they are forced to take their own initiative when they are by themselves in these communities. If they are really worried, there should be a superintendent in Mount Isa or Townsville—it should really be Charters Towers, but we will say Townsville—who they can ring and ask: ‘I have a difficulty here. Could you please advise me?’ Surely the government can pay some specialists in Townsville to provide advice to the doctors in these outlying centres, or a superintendent from a hospital in Mount Isa, Charters Towers or Townsville, but the government has not done that.

I want to praise Minister Abbott very fulsomely because he has lifted the number of graduates—which was reduced to about 65, for reasons I do not want to go into. He has taken that number up to 160 graduates a year. We thank Minister Abbott very sincerely for what is a very great achievement. Michael Wooldridge was the ‘angel of the bush’, as I have described him in this House on many occasions. We got the first new medical school in 40-odd years—I think it has been 44 years since we built the last medical school. There are no extra graduates coming out. Now half of the graduates are women—and God bless them, but they tend to become mothers and not practise medicine on a full-time basis. I have said that they become 30 per cent or 50 per cent doctors. I was corrected the other day when I was told the number is lower than that. I do not know whether it is or not. But this new phenomenon of 50 per cent of the faculty being female has dramatically reduced the number of doctor hours that we have in Queensland.

Coupled with that is the fact that the population of Queensland has risen from under two million to four million in a 30-year period, and there has been virtually no increase in the number of graduates in Queensland. Most certainly that has left us in North Queensland—where the population had gone from about 200,000 or 300,000 to nearly one million—in very desperate straits. The old situation was that these people were employed by the state government and the state government insisted upon them going to country centres to receive their qualifications. Just the opposite occurs now. The state government said, ‘We’ve got you for two years because you’ve got to do two years to qualify, and we’re going to send you out to Cloncurry, Julia Creek or Cunnamulla.’ They had to go; otherwise they would not get any qualifications. Now just the opposite is true: if they go, they cannot become qualified. So
we are not at all happy about the new situation that has arisen. We are very hostile towards it and I suppose, to some degree, I should be arguing that we review it again so that we can go back to the old system where a doctor went out to rural areas.

People would say: ‘They weren’t properly trained.’ They were better than nothing. That is the choice that we have really been left with. We have a hodgepodge system where someone arrives from overseas, they have very great difficulties with the language and they are in training. We have seen the terrible case in Bundaberg, but unfortunately that is not a Lone Ranger case in the state of Queensland, nor in other parts of Australia—but I refer particularly to North Queensland. So we have been left with a vastly substandard situation to what we had all the way up to the late eighties, and it has been exacerbated dramatically by the two-year qualifying period in a training hospital. The difference between a small town in North Queensland and a place like Townsville, Cairns, Mount Isa or Mackay is that most of the smaller centres do not have training hospitals. Most of them have single-doctor operations and there is no training, so they cannot get a provider number. That is the problem. We would present this firmly before the government, saying: ‘Do something about this.’

The Australian Medical Association trade union—and heaven knows they are the most powerful in Australia—stopped many doctors from coming into the country and stopped any new medical schools from opening. I might add that, thanks to the wonderful work by Michael Wooldridge and particularly Ian Ronski, Lady Logan and Mary Jane Streeton—they were most actively involved; there are many others whom I should thank—the first medical school was opened and in four years time an extra 160 doctors will come into the marketplace in North Queensland. We now have nearly 100 coming into the marketplace each year, but it will go up to 160. We most sincerely thank the government, Minister Wooldridge and Minister Abbott, who increased that number to 160.

But there is a huge problem out there that is not being addressed—that is, this two-year qualification period, which we are discussing today. It works in completely the opposite way that it should work. Instead of it ensuring that we get good and highly qualified doctors, it absolutely ensures that we never get good and highly qualified doctors, because they have to go to the big centres to get their qualifications. They cannot go to country centres to get their qualifications, so we lose them. This is a serious matter and it needs the attention of the government. People will die, as they have, as a result of government inaction on this matter. It requires standing up to the AMA, I think. That is not an easy task for any minister, but I am quite sure that the minister has the ability to manoeuvre through these waters. We need to get back to the situation where doctors in all those towns are linked in with a superintendent in a big hospital in, say, Innisfail, Mount Isa, Cairns, Townsville or Mackay—wherever the big hospital is—and are able to ring up if they have any difficulties. If they are working in a ward, they cannot go running up the ward every five seconds to ask another doctor for assistance. Really, in this time of great telecommunications, we can do this just as well in a small town where the doctor is linked to a big hospital as we can where the doctor is working in a ward in a hospital. There is no necessity for this imposition. We plead with the government to review the situation.

Mr TICEHURST (Dobell) (12.23 pm)—The Health Insurance Amendment (Provider Number Review) Bill 2007 proposes an amendment to the Health Insurance Act 1973, relating to arrangements for reviewing
the operations of sections 19AA, 3GA and 3GC of the act, collectively known as the Medicare provider number legislation. This amendment is the result of comments submitted to and deliberations undertaken at the most recent biennial review process in 2005. The amendment aims to change the frequency of the review from two to five years, with the next review to commence in 2010. The biennial review undertaken in 2005 reported that there continued to be overwhelming agreement with the objective of the legislation and reported it was agreed that the legislation was having, in particular, a positive impact on raising the quality of general practice services to the community. There was also broad agreement that the operation of section 19AA of the act has not exacerbated any medical workforce shortages. The bill is therefore a relatively straightforward proposal to retain the review process but change the review interval from two to five years, with the next review report to be tabled in parliament no later than 31 December 2010.

To provide some background on the issue, in 1996 the Australian government introduced major changes to accessing Medicare provider numbers for new medical practitioners. Under section 19AA of the act, newly graduated doctors were required to obtain postgraduate qualifications before they were able to access the Medicare Benefits Schedule. Exceptions were made for those doctors who were enrolled in approved training or workforce schemes. These changes had the effect of encouraging young doctors to work towards fellowship of a recognised medical college, including recognition of general practice as a distinct medical discipline. For general practitioners, the intention of limiting Medicare provider numbers to only those doctors who have received vocational training was to ensure that all medical practitioners are appropriately skilled to enter into unsupervised general practice.

At the time the legislation was introduced, there was a view in the medical workforce and by the doctors in training that it would significantly restrict access to training places by junior doctors. There were strong concerns that junior doctors would be forced to spend years working in salaried positions in hospitals or that, due to the lack of training positions, large numbers of doctors would be unemployed. But this has not occurred. The concern that the legislation would negatively impact on the availability of training places has not eventuated.

During the consultation process, noting the wide acceptance of the legislation by relevant national health organisations, the frequency of the review process was discussed with a view to extending the period between reviews. The review process takes nine months to complete and requires significant staffing resources from the Department of Health and Ageing. With continuing wide acceptance of the legislation, the need to conduct a review on a biennial basis is no longer critical.

My electorate of Dobell on the Central Coast is classified as an area of workforce shortage. Access to quality health care is so important to the Central Coast community that I am always working to attract more doctors to our region. By working with the community over the last 12 to 18 months, we have been able to secure 13 new doctors for Dobell. The Australian government is committed to improving access to GPs in regional areas like the Central Coast.

The 2006-07 federal budget contained some important measures to address this aim, including $241 million to train more doctors and nurses in our system. With the Central Coast rapidly growing in population, this sort of commitment is vital. It is creating 400
new places for medical students and 1,000 extra higher education places for nurses each year. Essentially, this means that more students are having the opportunity to get into medicine if they spend part of their training period in a regional area, and it may encourage them to continue in a regional practice.

Hundreds of patients visiting GPs in Dobell are benefiting from higher bulk-billing incentives. There are higher rebates for GPs in eligible areas who bulk-bill Commonwealth concession card holders and children under 16 years. This initiative has been welcomed by families with children under 16 and many of the Central Coast’s seniors. The Australian government’s Medicare initiatives are attracting more and more doctors to the Central Coast. In fact, the bulk-billing rate in Dobell has increased by around seven per cent to just under 80 per cent.

The opening of two medical centres in the northern area of the Central Coast in the last two years is greatly improving the level of health care available in the rapidly growing area of Warnervale. I secured $523,000 toward the establishment of the North Wyong Primary Health Care Centre. It is a fantastic initiative that is working towards attracting more GPs to the area, especially those with a strong interest in research. I am now working with the Central Coast Division of General Practice to secure additional funding for the centre in recognition of the innovative model of health care that the new centre is trialling and the urgent need in the Wyong community for primary health care services. The Minister for Health and Ageing, Tony Abbott, visited the centre and met with several Central Coast doctors and definitely understands the medical needs of our area.

To conclude, this is a very straightforward bill that will not have any impact on any other act or on access to medical training placements. As I mentioned earlier, all previous reviews have found the legislation to be well accepted. The government recognises the need to maintain a monitoring process but does not see a need for a review to take place every two years.

I reiterate that the Howard government is committed to improving and strengthening Medicare and the medical workforce to ensure that all Australians, including the people of the Central Coast, have access to quality, affordable medical care. Sadly, thanks to a New South Wales Labor government that is out of touch with the needs of our local community, the situation in our local hospitals leaves a lot to be desired. Of course, the operation and management of these hospitals is a state government responsibility.

These comments are no reflection on the fantastic, skilled, though under-resourced, staff that I have the pleasure of working with on many occasions. Figures for December 2006 show that, of all hospitals in New South Wales, Gosford Hospital had the second highest number of people waiting for surgery, behind Newcastle’s John Hunter Hospital, and that 19 per cent of patients who went through the Wyong Hospital emergency department triage system in December 2006 waited much longer than they should have for treatment. People stuck in emergency departments included very sick patients who needed to be admitted to hospital, and I know that the staff in the emergency department would have done all they could to help them.

The problem is not that we do not have qualified people in New South Wales but that the Labor government, unlike the Howard government, simply does not understand the needs of local communities. Despite the record funding New South Wales receives under the GST, it is failing to provide the necessary funding to assist these dedicated pro-
fessionals to do their jobs as they would prefer to do them.

Mr WINDSOR (New England) (12.31 pm)—I support the legislation, the Health Insurance Amendment (Provider Number Review) Bill 2007, before the House. I was doing a quick run-through of some of the issues in this legislation and recalled that the first question I asked when I came into this parliament was in relation to Medicare provider numbers, in particular to the possibility of the geographical allocation of Medicare provider numbers. I note with interest that in the 2004 election, even though the government had rejected the concept of using the allocation of Medicare provider numbers on a population or geographical basis, the access of doctors to public funds through Medicare was driven by the need of the population for the doctors rather than the need for the doctors to locate in places they particularly liked to be.

I note that the government, on rejecting that concept, actually introduced it into the major western urban areas, particularly of Sydney and Melbourne but also of Brisbane, to encourage specialists and other medical people to locate in those areas. So the concept of geographical allocation of provider numbers is not alien to the government; it is just that the government has tended to use it as a political tool rather than one for delivering equity to patients across the nation. Those of us involved in politics realise that the decisive seats in a federal election, particularly the last one, are in those geographical locations—for instance, the importance of Western Sydney in maintaining government.

It is an issue that has interested me for some years. I believe that from a number of perspectives we should have a closer look at the use of Medicare provider numbers as a way of getting services to the people rather than, as I said earlier, doctors accessing a provider number in an area where there is an oversupply of doctors on a population basis. I am sure others have been through the number of patients per doctor in country areas compared to the number of patients per doctor in city areas. But most doctors have one thing in common. Most of them have access to Medicare, which is access to the public purse. Given the ballooning of health costs, whether they be state or federal, at some stage we have to have a closer look at the way we allocate medical operatives in terms of their access to public funding.

I congratulate the government on its initiative of the new medical schools that will be started up across Australia, in particular the one to be based in Armidale in my electorate. I believe the concept is a good one and it is based on the successful concept of the university departments of rural health. I particularly congratulate Associate Professor Peter Jones on the work that he has done. Peter Jones is from Newcastle, but he has been resident in Tamworth for some years. In my view, he and his team have driven the concept of the university departments of rural health. He brought this concept of medical training from Newcastle, located it in Tamworth and developed an infrastructure. Now that infrastructure is going to be converted into a full-blown medical school based in Armidale at the University of New England. There will be training of doctors and nurses—there are nurses being trained there now—and training at the major training hospital of Tamworth, which is a major base hospital for the north of the state.

I think Peter Jones has done an outstanding job and I am sure that the Minister for Health and Ageing, Tony Abbott, would concur. The minister was in Tamworth for the launch of the new facility for the Newcastle University Department of Rural Health and I hope he will revisit Tamworth when
the medical school is formally opened. It is a medical school that is going to embrace the existing infrastructure of Newcastle and the courses that are being delivered there.

Newcastle university also deserves congratulations because it has been providing services particularly to country students. And, as the previous speaker pointed out, if you educate a country student in medicine, or in an associated faculty, in the country, the likelihood of them forming their relationships et cetera in the country and actually working there as a medico are heightened. I think the government has recognised that. It is going to take some time to come through, of course, because there is a lack of doctors in Australia at the moment, but at least there is movement in the right direction. I think Peter Jones, with his relationship with Newcastle university and his capacity to develop a relationship with the University of New England, has been the main driver behind the establishment of the new medical school, and it is a great credit to him.

I also congratulate the state government. The states, having custodianship over the hospitals, have a valuable role to play in this process of moving towards a medical school located in the country. Working with the Commonwealth they have been able to achieve an outcome where New South Wales has actually given a guarantee to upgrade a number of hospitals, particularly Armidale and Tamworth, to teaching status. Obviously, you cannot teach new doctors in facilities that are not set up to embrace their education. So Tamworth, Armidale and, I believe, the Manning Base Hospital—and I think there is one other that I cannot recall for the moment—will be upgraded at a state level so that that teaching can take place.

Obviously, that will have a spin-off for people within those regions in terms of the specialists who might be encouraged to move to those regions. I think that will be a very important step forward for medicine in that part of the world but also, most importantly, for educating medical students in a country environment.

The state government has recently announced that it will be allocating $48 million over four years in recurrent funding for the allowance for the teaching component at those hospitals, plus upgrade funding of, I think, about $8 million. And only in the last 10 days there has been a commitment given to fully rebuild the Tamworth Base Hospital, at a cost of about $130 million.

All these things augur well, but it is no good having facilities if you do not have doctors, and I think the most important ingredient of all, in what I have just talked about, is the fact that the government has taken the initiative to set up medical schools in country locations. I think it will have a positive effect, over time. Too often we look for short-term fixes in this place, and I think this is one instance where we are actually trying to address a long-term problem. The outcome, regrettably, is going to take some time to achieve, but at least progress is being made.

Another issue related to the lack of professional people in country communities is the dental issue. From time to time we hear being thrown around in this place the question of whose fault the state of dental care is and who is responsible for funding arrangements. It is often said dental care is essentially a state responsibility. Most people would remember—I was not in this place at the time; in fact I was in the New South Wales parliament—Prime Minister Keating introducing some arrangements where the Commonwealth put money into the provision of dental care and the Howard government removing that. Who should be paying for the
provision of dental care has been a continual political football.

One thing should be very clear and that is that oral health should be included under the Medicare arrangements—and that is a Commonwealth responsibility. There should not be a distinction based on who funded dental care, whether it was state or Commonwealth; that distinction should not run over into the Medicare arrangements. And, for the life of me, I cannot understand why oral health is treated differently to bodily health. We had one particular circumstance in my own electorate in recent months where a lady removed a tooth with a pair of pliers—and I think that lady was in this parliament only in the last few days—because she could not get access to a dentist.

There are two problems. The first is that there are not enough dentists. That leads to another issue: the training of dentists and the allocation of student places for the training of dentists, and, of those who are being trained, the numbers who are either going into research or going overseas. The retention rate of new dentists who are available to go into the Australian marketplace is quite small. We have had the foresight to look at the doctor problem and come up with ways and means of trying to address that, and now we have to look very closely at what we are doing on the dental issue.

One thing that should be done immediately, to alleviate the cost to many Australians, is that oral health—not cosmetic oral health, but oral health—should be included under the Medicare arrangements. Currently, if a patient can show that if they do not attend at a dentist it will lead to other bodily health problems, they can gain access to some Medicare funding. Now that seems extraordinarily counterproductive; it is placing policy before the needs of people when you actually wait for someone to get ill before you look after their teeth. I think, in the long term, if that was our attitude to health problems generally, the saving of money would be outweighed by the long-term cost. So I would encourage the government to revisit that issue. And I think this may well be the year that that issue is revisited, partly because of the political dimension to the issue that seems to be developing in this place and partly because of the demands by many hundreds of thousands of Australians to have some form of access to dental care at an affordable price.

We keep being told by both sides of parliament—and I agree—that we are a nation enjoying a degree of prosperity not seen before. If we cannot as a society look after our elderly and those who need their teeth fixed so that they can eat their food and survive and be productive members of the community, it really raises a number of questions irrespective of who historically is responsible for the delivery of those services. We have seen a whole range of activities, some of which I agree with and some of which I do not, where the Commonwealth has moved on the states to take away some of their responsibilities. Perhaps this is one of those areas, particularly in relation to Medicare access.

The final issue that I raise, and I have raised it before—and here again I congratulate the government, as I have before on this issue—is the multipurpose service issue, the provision of what most of us still think of as hospital services, which are traditionally funded by the state, and aged-care services, which are funded by the Commonwealth. I think this is a very good example of where both levels of government have worked well together to put in place a service delivery mechanism which is reasonably cost-effective in smaller and medium sized communities and delivers a service into those communities that was formerly under threat.
There is no doubt that in smaller communities like Emmaville, Guyra, Bingara, Bundarra, Tingha and Walcha—all of which are in my electorate—and communities such as Boggabri and others, with 500 to 2,000 people, there were pressures developing for the idea of a centralised healthcare mechanism that would provide a better way of treating those people because it saved money. The development of the MBS arrangement actually went back the other way. I pay great credit to some people in the electorate of New England. Prior to me being the member, in the community of Emmaville a lady called Ellie Seagrave and other ladies in that community made a significant difference, not only to their particular community—and they have a great MBS at the moment—but also in terms of health policy and the delivery to other smaller and medium sized communities. The government, to its credit—and the state governments, to their credit—have embraced this policy. It is a very good example where, through working together, the objectives of health care and aged care have been achieved at reasonable cost to the budget bottom line. I pay great credit to all of those people that have been involved in structuring those processes. I think that most Australians would suggest that that particular policy decision has probably done a lot to maintain the integrity of some of those smaller communities which were very much at risk under a centralised arrangement where aged and sick people would go somewhere else because there was no local facility.

I have often been quoted as saying that if you apply a centralist approach, which is, in theory at least, the most cost-effective way to deliver the greatest number of services to the highest number of people at the lowest possible cost, you put them in a feedlot—in theory. I think that is what we have tended to do in our major urban areas. But this policy initiative reversed that, and there is a whole range of other social consequences for those smaller communities that evolved from that change in policy. I think the government should have a look at that model and start applying it in a number of other service provision areas as well. There is no doubt that it has had a positive impact on the structure and integrity of those communities by allowing the maintenance of the aged in the community that they have made a contribution to and allowing the capacity for people with low-level illness to be looked after within the community from which they come.

Mr HARTSUYKER (Cowper) (12.49 pm)—I welcome the opportunity to speak on the Health Insurance Amendment (Provider Number Review) Bill 2007 because it gives me a chance to reflect on the importance of health in our community and how we enjoy the benefits of a wonderful health system. Many of us take good health for granted, but unfortunately some do not enjoy the blessing that is good health and are not able to lead an active life and participate fully in the community.

Last Saturday I attended a function to raise money for research into motor neurone disease. It was a very successful function attended by over 200 people. At that function they succeeded in raising in the order of $10,000, which is to be matched by the Rotary Medical Research Fund. This is going to mean a substantial boost to the funding that is being allocated to the research for motor neurone disease. I would like to compliment the Rotary clubs of Coffs Harbour, in particular Coffs Harbour Daybreak and Coffs Harbour Rotary club, for putting on this fabulous evening.

The catalyst for this function was a local Coffs Harbour resident, Steve Buckley. He is a local Rotarian, a small business man, a father and a very fine citizen. Steve, through
no fault of his own, has been struck down by this terrible disease. Steve is in his mid-40s, like many of us in the parliament, and he is a fine father and a great citizen. He certainly did not deserve to be struck down by this disease. He and his devoted wife, Sharon, and their kids are showing great courage in dealing with this disease. It is a disease that we need to learn more about; it is very much a mystery.

We are very much conditioned to the thought that when we go to the doctor we will receive a prescription and whatever ailment that we have will be miraculously cured by the services of our fine medical professionals. Unfortunately that is not always the case. Motor neurone disease is a very dreadful example of just that. Steve will not see his kids grow up and he will not be enjoying life as we know it for all that much longer. He is currently dependent on a feeding tube to survive. This is indeed a great tragedy for a very energetic young man who was a musician in the local swing band and a very active contributor to the Rotary movement.

In addition to those types of diseases that we do not know enough about and that we are unable to tackle, there are a wide range of problems that we do know a lot about and for which we do have the answers, yet we ignore the signals that are being sent out. Obesity, smoking, alcohol abuse and lack of exercise are the sorts of areas in which we can make great strides with very little effort. They are areas in which, through lifestyle change, we can achieve huge improvements in health outcomes at minimal cost.

I was interested to see a report by Access Economics with regard to diabetes in Australia in which it put a price on the cost of obesity in Australia in 2005. That cost is $21 billion, and that is nearly 44 per cent of the government’s total spending on health care in the current financial year. The costs of obesity are spread across a number of portfolios, of course, but I would suggest that that is a really shocking comparison. That figure, $21 billion, is twice the Medicare funding for 2005-06 and it covers productivity losses, health costs, carer costs, lost tax revenue, welfare payments and the cost of lost wellbeing. But, broadly speaking, obesity is a problem that we could solve relatively quickly and it is a problem that, if solved, would yield huge benefits for the community.

There are great arguments to be put forward for prevention in this area. Estimates show that 20 to 25 per cent of Australian children are overweight or obese. These children are not getting the message of good food. We are making some good strides in this area, and certainly initiatives such as healthy food in canteens are very welcome ones. But it is regrettable that, despite these sorts of efforts, some of our children are slipping through the cracks. Some of our children are very influenced by the never-ending avalanche of advertising in the fast-food area that puts forward notions of fatty foods, high-sugar foods and all those foods that children like to eat but that are not necessarily good for them if eaten to excess. While the types of fast foods that are advertised on the television may be reasonable in moderation, unfortunately too many of our children are eating those types of foods to excess.

Another area of great concern is the fight against cancer. Professor Hill, the President-elect of the International Union Against Cancer, has pointed out that 40 per cent of the 88,000 cancers diagnosed every year in Australia could have been prevented by healthy lifestyles established in early life. I acknowledge and welcome the $116 million Healthy and Active Australia initiative. We need to recognise that we are up against some real challenges in this area, including the sort of
advertising that is putting forward notions of high-sugar and high-fat foods. We are up against lifestyle factors, in that we all lead very busy lives and it can be difficult to find time to have enough exercise and to eat as well as we should.

Tobacco use is another area of concern. The cost of tobacco use in Australia has been estimated at $21 billion, remarkably similar to the cost of obesity. And, again, this is a health problem which is readily preventable. I know there are many people who are attempting to reduce or to give up smoking. I think the important element there is that the benefits of giving up smoking commence from the first day. As soon as someone is able to kick the habit they are immediately receiving the benefits of withdrawing from that smoking habit. Smoking has been responsible for a range of problems in our community: heart disease, lung cancer, irritation of the eyes and nose, sudden infant death syndrome, lower birth weight in babies, bronchitis, pneumonia, lung and airway infections, asthma exacerbation, middle ear disease and respiratory symptoms—a whole range of illnesses which are contributed to by smoking. I see in the chamber now the Minister for Ageing, who is a keen advocate in the fight to reduce the rate of smoking in order to achieve improved health outcomes.

I have had relayed to me the story of a heavy smoker who, as a result of smoking, had undergone intensive heart surgery. Of course he had been advised to stop smoking. He was receiving physiotherapy in the weeks after the surgery but then he confessed to his physiotherapist that he was smoking again, and heavily. This gentleman had undergone some very invasive surgery, he had received very intensive medical treatment at cost to the taxpayers and yet he was not helping himself. It is a real concern that people are unable to break these habits and take responsibility for themselves and their own health outcomes and, in doing so, are costing the community a lot of money and reducing their possible health outcomes. It is a real problem. We certainly need to do a lot more in this area. How would the physiotherapist have felt as a medical professional trying to help this person only to find that he had again taken up smoking—the very cause of the problem for which he was being treated? I think our community should expect a degree of self-help from people who are enjoying the benefit of the very good services that our medical professionals can provide. It is absolutely futile if people can continue such a habit. It is hard to comprehend that when someone had endured that sort of invasive surgery there would not be a lesson in it for them and that they would not be able to quit of their own accord far more easily. So it is a matter of great concern.

Alcohol abuse is another problem, and not only in the health area. Alcohol is a major contributing factor in traffic accidents and in areas such as domestic violence. Abuse of alcohol not only has direct health concerns associated with it; it also produces a whole range of other social problems. So there are some lessons in this for us as a community. We really need to try much harder in the area of prevention. It is an adage that ‘prevention is better than cure’, but I think we can make some really great gains if we put a lot more effort at the preventative end. We can make some really great gains by helping people to combat obesity, to reduce or eliminate smoking and to deal with the issue of alcohol in a responsible way.

We should certainly be pursuing those goals much more actively. That is not to say that the state and federal governments have been inactive but I believe we can do a lot more. We can leap further in this regard. We can certainly, quickly and effectively, start to reduce our hospital waiting lists—not necessarily by putting more resources into acute
treatment in our hospital wards but by having more effective preventive methods in place, by having much more effective preventive strategies which will stop people being admitted to hospital in the first place. That is something on which we should be working much harder.

If we look at the area of cardiovascular disease, the facts are really quite astounding. The problem of cardiovascular disease is really quite staggering, the causes of which are well documented. I would like to reflect on a few for a moment. An Australian dies every 10 minutes from cardiovascular disease. Thirty-eight per cent of all deaths from stroke and heart failure have cardiovascular disease as a major contributing factor. Of the 50,292 people who died in 2004, 60 per cent had not reached average life expectancy, which was itself largely driven by cardiovascular disease mortality. We know what the factors are, but for some reason we seem to be ignoring the warnings. As I said, prevention is better than cure. We need to work much harder in the area of preventive medicine. We need to be very much focused on adjusting lifestyle, getting people to take responsibility for their actions, making sure that they take the steps they need to take to ensure the right health outcomes. Probably the most effective health practitioners for many people in the community are themselves. Rather than depending on our health professionals to cure the ills, it is very much up to the individual to take the lead on this.

I welcome the opportunity to speak on this bill. The issue of preventive medicine is very important, and it is one on which we need to work a lot harder.

Mr PYNE (Sturt—Minister for Ageing) (1.02 pm)—I thank the members of the House who have participated in this debate—the members for Gellibrand, New England and Kennedy, and the members for Moreton, Dobell and Cowper. I am here on behalf of the Minister for Health and Ageing in order to sum up the second reading debate on the Health Insurance Amendment (Provider Number Review) Bill 2007.

This bill proposes an amendment to the Health Insurance Act 1973 relating to the arrangements for reviewing the operation of sections 19AA, 3GA and 3GC of the act, collectively known as the Medicare provider number legislation. The Medicare provider number legislation contained within section 19AA of the act was introduced in 1996. While it was initially considered to be contentious legislation at the time of introduction, all subsequent formal reviews of the legislation have found that the legislation continues to be well accepted and is raising the quality of general practice services to the community. There is also broad agreement that the operation of section 19AA of the act has not exacerbated any medical workforce shortages. The bill proposes to retain the review process but to change the review interval from two to five years, with the next review report to be tabled in parliament no later than 31 December 2010.

Question agreed to.

Bill read a second time.

Third Reading

Mr PYNE (Sturt—Minister for Ageing) (1.03 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a second time.

MIGRATION LEGISLATION AMENDMENT (INFORMATION AND OTHER MEASURES) BILL 2007

Second Reading

Debate resumed from 1 March, on motion by Mr Andrews:

That this bill be now read a second time.
Mr BURKE (Watson) (1.04 pm)—The Migration Legislation Amendment (Information and Other Measures) Bill 2007 is not of itself controversial, although the delay in the bill reaching the parliament certainly is of some concern. The bill is an attempt to correct previous legislation where the government had in fact overreached from where it intended to be. To date, the relevant migration legislation, since amendments were carried in 2004, has had a level of privacy protection much higher than the levels provided by the Privacy Act. This, in turn, has resulted in some concerns which the Minister for Immigration and Citizenship outlined in his second reading speech.

In his second reading speech, the minister raised some very serious concerns about consequences which would appear to have been entirely unintended by all members of parliament when the amendments were carried early in 2004. I was not here at the time; it occurred during the previous parliament. The provisions imposed criminal penalties when privacy information about personal identifiers was handed over. I quote from the minister’s second reading speech:

My department’s ability to continue normal working practices is being seriously hampered and in some instances activities have been discontinued as a result.

The minister continued:

... my department can no longer disclose photos and signatures to investigate and prosecute some Migration Act offences. My department can also no longer disclose photos and signatures to law enforcement agencies or the Commonwealth Director of Public Prosecutions for the prosecution of crimes that are not immigration related.

As all members would understand, it can very often be the case that if someone has been involved in drug trafficking or people smuggling or in a number of other offences where their personal identifiers will be held by the Department of Immigration and Citizenship, they may well have committed a number of offences and the most serious of those offences may not be the offences contained within the migration legislation itself but may be offences contained in other legislation. A situation where those personal identifiers cannot be passed on carries a number of problems.

The personal identifiers I am referring to are ones defined as signatures, photographs, height and weight measurements, fingerprints, iris scans and audio or video recordings. All of these personal identifiers can be essential in prosecuting—for instance, in establishing that you have the right person or when there is an aggravated approach to the offence by the DPP because it is believed that somebody is in fact a reoffender. For example, some of the people involved in illegal fishing are treated very differently from how they were treated on the occasion of their first offence when they are caught a second time. So the capacity to be able to use that information is very important.

The fact is that a standard of privacy way beyond that required in the Privacy Act was inserted in error in 2004. It is a mistake that obviously was not known to the parliament at the time; otherwise, one would hope the government would not have proposed it and one can guarantee the opposition would not have supported it. So it has to be corrected and this legislation goes some way in doing that.

There are also some other things that were entirely unintended. The best example of that I can give is when you wanted to access your own movement records. The only way you could do that up until this amending legislation was introduced was to FOI your own movement records. Certainly, it is a pretty big call to say that there are privacy concerns about whether or not you can access your
own data. So it is important that these issues be corrected.

There is one very serious public policy concern that I do not think for one moment is something that falls at the feet of the department or at the feet of the current minister—he has not been minister for long and we are already dealing with this—but it does certainly raise concerns for the way the government has handled a mistake of this nature. We are talking about some serious offenders. We heard an attempted vigorous attack on me in question time yesterday by the minister. I certainly agree with what he said about the real dangers and problems of people smuggling. I do not agree with his character assessment of me—and that is probably no surprise—but I do agree with the real concerns and dangers of people smuggling.

People have their lives put at risk on the high seas. We want to make sure that the people responsible are prosecuted. We want to do everything within our capacity to make sure that, where charges can be laid, they result in convictions. In the same way as where the smuggling does not involve the movement of people but involves the smuggling of drugs or other illicit substances, we want to make sure that people can be charged and that those charges lead to a successful prosecution and conviction, with the full force of the law brought down on those people who are either putting the lives of some desperate people completely at risk on the high seas or pretending that the Australian border just does not matter, whether they are plundering our fish stocks or bringing illicit substances into our country.

What does concern me is the way the Howard government has dealt with this issue. We are now in 2007; the mistake was made in 2004. There can be a lag time in it coming to light, but from the information that is contained in the Bills Digest, prepared by the Parliamentary Library, the unintended consequences of these privacy provisions came to light in late 2005. That is a very long time for this parliament and for this government to turn a blind eye to a real concern about the capacity of the DPP to engage in successful convictions.

As I said, I do not put the blame for this at the feet of the department and, given that he has only been minister for a few months, I do not think it is fair to put the blame on the current minister. But I have to say to the government that the unintended consequences came to light in 2005 and it waited until quite a few weeks into 2007 before bothering to do anything about it. There are a whole lot of words in the final question in question time yesterday about how seriously we take incursions across our border that could be quoted back—and probably deserve to be quoted back—at the government as a whole. We are talking about a complaint from the DPP, no less, saying that there are occasions now where we have people who have come into Australia unlawfully, people who may have been involved in the drug trade or in other sorts of smuggling operations or in illegal fishing, and we cannot actually convict them because, with the best will in the world, a mistake—as far as I can tell, a genuine mistake—was made by this parliament at the beginning of 2004.

That mistake came to light in late 2005—and I accept there needs to be time for drafting—but why on earth we went through the whole of the last calendar year and waited until now to correct this anomaly is a complete mystery to me. All I ask of the government—and I do not think it is an unreasonable ask—is that, if it turns out that this amending legislation does not fix the problem, for heaven’s sake get in here and fix it. I do not want to be in a situation where people breach our border unlawfully and there is nothing we can do because the government
did not bother, yet for the whole of 2006 that was precisely the situation that we were in.

Despite the lack of patrol vessels, despite all the different problems they have and how illegal fishing has been allowed to run rife—despite all of those problems—they want to get up here and thump the lectern. They do not thump this one—I hope it is not too long before they do! They thump that lectern there and want to make all the allegations about people being too relaxed and not taking border protection seriously. Well, step 1: if there is a loophole that is operating to the benefit of people who breach the border, fix it. Do not let a 12-month period go past while it is being ignored. That is precisely what has happened for the last 12 months. What was the breach? Of all things, it was on the basis of privacy—on the basis of a right to privacy for the drug smuggler, the illegal fisher or the people smuggler—that this was allowed to go on.

I do not want to believe—and I think it would be an unfair slur against the government to claim that—that was the right to privacy they were asserting. I think it was quite simply an issue of neglect and incompetence; until you get to an election year, these issues do not become a priority. We are in an election year now and all of a sudden it is a matter of saying, ‘Quick, we’d better listen to what the DPP has been saying.’ I have no doubt that when the DPP raised these concerns work would have begun in the department immediately to do something about it. The problem is that the department on its own cannot change the law. It actually takes an elected member of parliament to bother to translate that into legislation and to stand up here and do something about it. So, why the delay, I do not know. But the fact that we are here now debating the legislation is something that I am glad about.

The bill has to deal with parallel changes to four other pieces of legislation—the Fisheries Management Act 1991, the Torres Strait Fisheries Act 1994 and the Environment Protection and Biodiversity Conservation Act 1999, in addition to the Migration Act. That is significant. It appears that what we have before us is a fix of that concern. We have an attempt here to fix the unintended consequence of the 2004 amendments. We have proposed legislation which allows the department to disclose to a person their own movement records, getting rid of the bizarre situation where somebody had a right to privacy against themselves. As anomalies go, that was a creative one—I will give it that.

We have an alteration of the definition of ‘fisheries detention offence’ to include new fisheries offences which were introduced in 2006, to ensure that those arrested for committing the new offences receive an enforcement visa on their arrival in Australia. The reason we have the mirror provisions that I referred to before is that, even though somebody may be initially detained under a series of different offences, once they reach Australia and are placed in immigration detention you need to make sure that once those identifiers are taken they are able to be accessed for all the different pieces of legislation.

Bringing everything in line with the Privacy Act is good. Getting rid of some exemptions that were at best probably described as ‘bizarre’—some of those exemptions on having to FOI your own details—is good. There are some different issues of detail; some of those were already referred to by the minister in the second reading speech and there is no reason to go through them again. The government has brought forward legislation that needs to be brought forward.

One day I might find out why there was a delay of 12 months. To find the answer I may
have to make a trip to Rome or to Beijing to ask the person responsible. I am not sure whether that information will ever become available. Certainly, it reflects extremely poorly on the government to have shown a level of neglect on, of all things, this issue when it actually came to light from a specific complaint from the DPP. The opposition supports the legislation.

Mr HARDGRAVE (Moreton) (1.19 pm)—I am not sure whether it is ‘Come stai, paisano’ or ‘Xiexie, ni’ to the member for Watson. Either way, I am happy to follow the contribution of the member for Watson. I can give him an answer. The government began the process of drafting this correction in May of last year. Within a few months of finding that error, having it drawn to its attention, the government sent the matter off for drafting. The process of drafting is always subject to the other priorities of the parliament. At the end of it, here we are in March of 2007 fixing the matter. I do not disagree with the ambition of the member for Watson for things to have happened faster; I do not disagree with his contention that there was an unintended consequence in the 2004 legislation—mainly because I think I might have been the minister introducing that legislation at the time. Nevertheless, we all take our advice and I am happy to stand here today very much in defence of the government’s efforts in this regard.

As it stands, the big difference between this side and that side, between the government of the Liberal Party and the National Party and the opposition of the Australian Labor Party, is that we see migration as a nation-building exercise. The Australian Labor Party, through their efforts in office, have always seen it as a constituency-building exercise. This is just not my contention. The poor member for Watson has been handed the poisoned chalice of immigration. In the 13 years that they were in office, they had seven immigration ministers. On that side, they could not get rid of it fast enough. In the 11 years they have been in opposition they have had seven shadow ministers. They cannot get rid of it fast enough. I do not know who the member for Watson upset on his side but he is the shadow minister for immigration. Actually, it is not called ‘immigration’ on your side, is it, Member for Watson? Nevertheless, he is there. Good on him. He struggled through his 15 minutes. It was like listening to two five-minute speeches with a bit of a hook between.

I want to acknowledge the member for Petrie, who is in the chamber. She is the Assistant Minister for Immigration and Citizenship. She is well able to do that job, and I congratulate her on her recent appointment to that position, a recognition of her ability and skills and her long-term service to the people of Petrie—may it continue for many, many more years. She understands very completely, as I do—and I suspect you do too, Mr Deputy Speaker Barresi—that the Australian Labor Party do not really have their hearts in it when it comes to migration.

On this side, as I said, we see it as nation building. We see the sense of resourcing those who have arrived in Australia in a way that gives them the tools they need to fully integrate. On that side, they like to create a sense of victimhood, a sense of ‘You’re always a migrant, you’re always different, you’re always disadvantaged, you’re never going to get anywhere, so if you vote Labor we’ll give you lots of social welfare.’ That is the sort of constituency the Australian Labor Party have always tried to build through their migration program.

I make that point in recognition of the fact that the Migration Legislation Amendment (Information and Other Measures) Bill 2007 is going to facilitate the passage of people through our migration system. It is also go-
ing to enhance the integrity of every person who passes through it. It is going to further ensure that everybody who legitimately comes to Australia is here having passed all of the tests—the security tests, the criminal checks, the terrorism checks and the health checks. If they have not passed those checks then the agencies that deal with people who should not be here or people who have involved themselves in other activities are well able to get hold of that information. That is what this bill is about. It is another example of the Howard government building on the integrity and the legitimacy of every person who passes through the migration system, because they are an important part of the energy of this economy. They are aspirational in every way, shape and form.

Nobody leaves their country of birth—either unwillingly or by choice, either as the richest of business migrants or as the poorest of refugees—to fail. No-one comes to Australia with any ambition other than to do better than where they have come from. That ambition to succeed is very much at the heart of the energy that the one in four Australians who were born in another country represent. And there is another group of Australians—one in four again—who have at least one parent born in another country. Basically half of this nation’s 20 million-plus people, half of our population, have got this energy to do better than in the old country, to succeed at some sort of level relative to where they came from.

That is a very misunderstood energy on the opposition side. On that side they say, ‘You’re going to fail.’ On this side we say: ‘How do we help you succeed? How do we teach you English? How do we get a recognition of the skills and education that you had in your old place? How do we get that recognition to work in our workforce? How do we get you to do what is in your heart, in your mind, in your ambition to succeed?’ How do we get you on your two feet?’ Those are the sorts of things that we turn our minds to. The dignity and the effort of those who have come to this country should be applauded at every given opportunity. But those opposite always try and find some doubt about the legitimacy of those who come here—that perhaps they are never going to get anywhere because they wear different clothes or have different skin or whatever. I am not suggesting that they are outwardly causing this distress by their actions, but they are by the systemic way that they go about it.

Look at the way state governments do it. In Queensland I have a problem that the state government of Queensland refuses to assist with. When I was the Minister for Citizenship and Multicultural Affairs, every state government had this view: ‘You imported them; they’re your problem. So some kids need some further English language assistance. So some parents need some further quick assessments of the abilities and skills they have. So some people need a helping hand to coordinate the way they operate in our local communities. We’ll send that problem to the feds.’

I remember a classic in Shepparton, where I had an official from the Victorian driver’s licence registering authority saying: ‘We’ve got all these Iraqi women in Shepparton and they all want to get driver’s licences. You guys had better start giving us translators so we can check that they know how to drive their cars and they know what they’re doing.’ I said to this chap: ‘Mate, that should be a consideration of the Victorian government, in that they take taxes from and represent this constituency of people who are working in the community and who want to advance themselves. You have the responsibility to make sure that, no matter where they’ve come from, no matter what their language skills happen to be, they have the proper
skills to know how to drive a car.’ This kind of ‘flick it off to the feds’ approach from state Labor governments that have rivers of gold flowing to them is of great concern.

I put it on the record that the Labor Party had seven immigration ministers in their 13 years in government and have had seven shadow ministers in their 11 years in opposition. That is 14 people who have flicked immigration as fast as they could over 24 years of Labor Party history. Some recent comments about some of these matters will underscore my point. The former ALP president Barry Jones has actually admitted that the Labor Party mismanaged migration. He said that the focus was used to build up a long-term political constituency. In other words, they would go to groups and say: ‘What do you want? We’ll do it for you. Don’t tell the other mob down the street who are from a different background from you, and as long as party A does not talk to party B then we’ll get away with it.’ It was to build a long-term political constituency. It was different treatment for different people, not a nation-building exercise but a political constituency-building exercise.

Chris Hurford, a former member in this place, a former Labor Party Minister for Immigration and Ethnic Affairs, one of the 14 Labor Party people with responsibility for immigration over the last 24 years, admitted that in the case of Australian citizen Sheikh Taj el-Din al-Hilali, for instance, permanent residency was granted because they believed this would have some political influence at a New South Wales state government election. And in a recent edition of the Weekend Australian the former Prime Minister Paul Keating confessed his continual defence of the decision to grant Sheikh Taj his permanent residency.

I simply make the point that the bill before us is about building on the integrity of our migration system. It is about ensuring that you cannot have a migration system that is about building a political constituency; it is about ensuring that we have legitimate people coming to this country to participate with the energy and ambition that they have in their hearts and their minds. For some of those people it is going to be about going beyond just the survival that they have had to endure in, say, their country of birth, where they fled as refugees to a neighbouring country. In Australia today we see lots of people falling into that constituency—many of them in my own electorate—people who have fled from Sudan, Ethiopia, Somalia and Eritrea; and from western African countries like Sierra Leone. There are people in the suburbs of Sunnybank, Yeronga and Moorooka who fall into that category. These people need our assistance to survive and to succeed, but we do not need to see them as victims and we do not need to keep them locked on social welfare.

We need to also ensure that every one of them, because of the integrity measures contained in this bill, will be able to look every other person in the local community in the eye and say: ‘I am legitimately here. If you have a question about my legitimacy there are systems in place.’ The government has in fact ensured that our borders are not only secure—that we not only decide who can come and the conditions under which they come—but in fact that everybody who does come here through the migration system is a legitimate entrant to Australia and a legitimate contributor to our potential wealth.

Nothing gives me greater personal joy than to see these people who have come with nothing get something through their own efforts. Nothing gives me greater joy than to watch people I have met over the time I have been privileged to be the member for Moreton come to me and say, ‘I have for the first time bought my own house.’ In fact, I know
the Abraham family who came from Eritrea and bought a house at Darra. They got a letter from the bank after all the effort of the family to pay this house off inside five years—a letter I have never seen—which said: ‘Congratulations. Now that you have paid off your home loan, can you borrow more money?’ What a fantastic story. They are now living over in the member for Ryan’s electorate. They have moved over to the posh side of town—and good on them. I would like them in Moreton, because I am sure they will vote for me. They are the sort of energetic, aspirational people that Australia’s migration system brings to this country. Despite my aside about how I would love them to vote for me, it is not to build up a political constituency that is looking for favour from one side of politics over the other but one that in fact is about the energy, effort and ambition to get ahead. That is why what this government does in every piece of legislation it brings forward is about refurbishing that, reinforcing that and re-encouraging that.

I have met people in refugee camps in places like the Kakuma camp in Kenya when I was a minister—and I would hope that the Assistant Minister for Immigration and Citizenship may have a similar opportunity at some stage. Minister Ruddock, when he had responsibility for the immigration portfolio, said to me, ‘Nothing will firm more in your mind how important Australia’s role in resettlement of refugees is than actually seeing for yourself.’ Spending a day in Kakuma—92,000 people living in five separate camps around the Kakuma River right up at the edge of the Rift Valley desert in Kenya—firmed very strongly in my mind just how desperate these people are and how hungry they are to not just simply survive but to rebuild their lives and succeed. Most of them want to go back to where they have come from—to their place of birth—and it is understandable. But for the few thousand each year who come from places like Kakuma, Cairo and other places to Australia, they bring with them an enormous energy and an enormous point of difference. It is important that we continue to resource their efforts to make a difference in Australia.

This is why I get frustrated. Around Moorooka we have a lot of African faces—people who are opening up businesses along the Moorvale shopfronts in Beaudesert Road. I know the Eritrean women’s group are now seeking some funding under some of the work of the Department of Transport and Regional Services to help them launch a restaurant with the fantastic foods and coffees of that region. People are opening businesses. I remember about six or seven years ago opening a business of someone who said, ‘No-one knows how to cut Africans’ hair.’ It is a very tight curl, Mr Deputy Speaker Barresi; I am sure you had some at some stage earlier in your life! I know you will be warning me in a moment to sit down! They recognised an opportunity and had the ambition and the wherewithal to do it—and why? Because Australia encouraged them by giving them a place that was secure in which to live and encouragement and a set of tools to integrate fully into the community. This business is thriving. It has people from all over the south side of Brisbane coming to get their hair cut.

Identifying information provisions were inserted into the Migration Act in 2004 which created a scheme for the collection, access and disclosure of personal identifiers in various circumstances. Some of that had to be rectified. That of course is part of the ongoing work of government. This bill will also allow the Department of Immigration and Citizenship to disclose to a person an individual’s movement records, avoiding the requirement for them to FOI them. It will ensure some of the key circumstances are things such as the prevention or lessening of
a serious threat to life. For instance, if the department held a photograph of someone who had made a threat against an Australian high commission or embassy overseas, these amendments would allow the department to actually provide that photograph to the Australian Federal Police. These are commonsense provisions. Unfortunately, with the sort of world in which we live today, these are provisions that we have to make sure are right. I suspect that the world continues to change, as it did after September 11, 2001, and what might have been true in 2004 may not be true in 2007. This government is prepared constantly to upgrade that.

I know that the Migration Agents Registration Authority, MARA, will also get some assistance under this bill to investigate complaints against migration agents. There is certainly a code of conduct for migration agents. I had a few tussles with them a few years ago about that. We want to see a professional standard of conduct amongst migration agents. People do not have to use them to access the migration system, but when they do, they have got to make sure that the migration advice they get is professional and of high standard. We need to make sure that clients are protected from unscrupulous agents. This bill will certainly assist MARA in that work.

Of course, with regard to the enforcement of criminal law in areas such as drug importation investigations and prosecutions, some of that work has been hampered and delayed by the provisions we are amending in this bill today. The reality is that there will be a new permitted disclosure ground to allow the Department of Immigration and Citizenship to provide identifying information, when reasonably necessary, for the enforcement and investigation of criminal law. By every possible measure, each of these particular, apparently technical but nevertheless very necessary, amendments within this bill made good sense.

At the end of it, the motivation behind this needs to be restated: this government is committed to ensuring that every person who passes through our migration system gains legitimacy and dignity in the eyes of every one of the beholders of Australian citizenship. We need to celebrate the new entrants into our country and we need to know each and every one of them is legitimately placed in Australia. It is the way you build a nation.

For those of us who have perhaps had generations of Australian citizenship, or for those of us who have come in our own lifetime and taken up citizenship, our key role, knowing these people are legitimately here, is to cross the road and shake them by the hand and make them welcome. If you think about it, if you move into a new house and your next door neighbour never talks to you, how awkward do you feel? How many mistakes could you make? How many high prices could you pay at the shop down the road because the neighbour has not told you where the better prices are?

It is the role of every Australian citizen, every long-term permanent resident, to think about others as they would like them to also be thought about. Cross the road, shake their hand and make your next best friend, knowing very firmly that the person whose hand you are shaking has passed legitimately into Australia through what is world’s best practice when it comes to migration anywhere in the world. There is no other country that does it better than Australia, and this bill certainly reinforces that point.

The DEPUTY SPEAKER (Mr Barresi)—I thank the member for Moreton. I allowed quite a deal of flexibility during the debate, but I caution him on the need to be relevant to the bill in the future.
Mr BROADBENT (McMillan) (1.39 pm)—The Migration Legislation Amendment (Information and Other Measures) Bill 2007 will amend the Migration Act 1958 to address the limitations in the provisions dealing with access to and disclosure of identifying information.

The member for Moreton’s final sentiments certainly were relevant to the bill, and I note his interest in it. Whether it be the member for Petrie at the table or the member for Gorton at the table, every one of us has constituencies that are relevant to migrant communities. Every one of us is sensitive to those communities. Each one of us considers those communities as we deliberate in this House. In fact, there would be no-one in this building now, including those in the gallery, who does not have one person removed from them who migrated to this country. After all, we were all migrants at one time.

This bill is a technical bill identifying information provisions that were inserted into the Migration Act in 2004. They created a scheme for the collection, access and disclosure of personal identifiers in various circumstances. Since the provisions were inserted, some unintended consequences of their operation have been identified and these need to be rectified. While this bill may be seen as making relatively technical changes to the Migration Act, they are nevertheless important amendments. In particular, these amendments will increase the list of permitted grounds for access to and disclosure of identifying information.

While this bill relates to amending the personal identifiers of people moving in and out of this great south land, I think it is appropriate that I take the opportunity to inform the House on the overall commitment this government has to the challenge of border protection and national security. The Howard government has demonstrated a proactive approach to the challenge of border protection and national security since the tragic episodes of 2001 that changed the way we look at the world. It has implemented more than 100 measures and injected funding in excess of $6.7 thousand million to fight terrorism and improve national security.

The 2006 budget built further on this direction by providing over $1.2 thousand million to fund additional national security related measures. This will provide Customs with an additional $7.1 million over three years for improved border controls in South-East Asia, as well as $333 million over the next four years to meet other emerging challenges facing our borders. This includes a new $388.9 million plan to combat illegal foreign fishing in northern Australian waters. The government will also provide $3.9 million over four years to continue the operation of the border protection safeguards system.

With expansions in new technology used by Customs and the Australian Federal Police, efforts are being made to continue to increase border protection measures, implement more efficient processing of passengers and assist in the detection and prevention of terrorism and serious crime. These include the development of one of the world’s toughest aviation security systems to protect Australians and overseas travellers. In total, the Howard government has committed $8.1 thousand million in new spending on national security since 2001-02.

Why is this bill important? The current arrangements are hampering the day-to-day operations of some parts of the Department of Immigration and Citizenship. The current arrangements are also impacting negatively on other agencies in the enforcement of criminal law. It has become clear that there have been some unintended consequences of the access and disclosure provisions which need to be rectified. The provisions impose
criminal penalties in relation to the access and disclosure of personal information, unless that access or disclosure is expressly permitted.

The identifying information provisions were inserted into the Migration Act by the Migration Legislation Amendment (Identification and Authentication) Act 2004. The act came into effect in August 2004, creating a scheme for the collection, access, disclosure and storage of identifying information such as signatures, photographs, fingerprints and iris scans. However, it has become apparent that the list of permitted disclosure and access grounds is too limited. The Department of Immigration and Citizenship’s ability to continue normal working practices is being seriously hampered.

The Commonwealth Director of Public Prosecutions has advised that a number of criminal prosecutions, some for drug importation, have been affected because of the department’s limited ability to provide essential evidence to assist with prosecution. The proposed amendments will introduce a permitted disclosure ground that mirrors the Privacy Act ground of ‘reasonably necessary for the enforcement of criminal law’.

It is important to note that this bill is an omnibus bill which makes amendments to four acts, all of which contain mirror provisions relating to personal identifiers. The amendments are to the Migration Act 1958, the Fisheries Management Act 1991, the Torres Strait Fisheries Act 1994 and the Environmental Protection and Biodiversity Conservation Act 1999. The reason for ‘mirroring’ the Migration Act in these three acts really comes down to consistency in how identifying information is collected and dealt with under all four pieces of legislation. It will ensure provisions remain consistent across all four pieces of legislation. Another important note here is that the Privacy Commissioner was consulted throughout the development of the bill.

The reasons for the amendments in schedule 1, personal identifiers, include the fact that the current provisions relating to the access and disclosure of identifying information are hampering the department’s normal work practices and causing problems for the department and other agencies in the enforcement of the criminal law. The amendments will allow additional circumstances under which the Department of Immigration and Citizenship may disclose identifying information to other government agencies. The key circumstances include, firstly, to prevent or lessen a serious threat to life or death. For example, if the department held a photograph of someone who made a threat against an Australian embassy or high commission, these amendments would allow the department to provide the photograph to the Australian Federal Police, the appropriate security agency or the Department of Foreign Affairs and Trade to help respond to the threat. In particular, this would assist in identifying the person making the threat and ensuring appropriate safety precautions for staff are undertaken.

The second aspect is to assist the Migration Agents Registration Authority to investigate complaints against migration agents themselves. There is a code of conduct for migration agents in Australia. The code is there to ensure the migration advice profession in Australia maintains high standards and to protect clients from unscrupulous agents. Currently, the department is not allowed to disclose identifying information to assist with an investigation of a migration agent offence unless the non-citizen client has given written consent. Obtaining this written consent can be difficult if the person has returned overseas. This bill will make amendments to ensure the important work of MARA is not stymied because a person who...
has made a complaint about a migration agent has returned overseas.

The third aspect is when it is reasonably necessary for the enforcement of criminal law. A number of drug importation investigations and prosecutions have been delayed or hampered by the existing arrangements. This new permitted disclosure ground will allow the department to provide identifying information where reasonably necessary for the enforcement of criminal law. The amendment will allow the department to disclose a signed incoming passenger card to the Australian Federal Police and the Commonwealth Director of Public Prosecutions to assist with the investigation and prosecution of drug importation matters. A person’s date of arrival is crucial evidence in these matters, and the department is the caretaker of this information.

The fourth aspect is to permit disclosure if required by or under law. This new disclosure ground will allow the department to provide identifying information in response to a search warrant issued by a state or territory law enforcement agency.

The fifth aspect is where the disclosure is to a Commonwealth, state or territory agency, in order to verify that a person is an Australian citizen or holds a visa of a particular class. This will allow the department to share information it holds on a client with other agencies to verify a person’s status. This is important, for example, to assist someone who is not an Australian citizen to establish their entitlements to Commonwealth or state or territory benefits.

The sixth aspect is to permit disclosure of identifying information to transcription and translation companies. Currently, disclosure of an audio tape of an interview to a transcription company is not a permitted disclosure. Departmental staff have therefore been transcribing and translating many of their own interview tapes. This amendment will allow this activity to be undertaken by professional external transcription companies and allow departmental staff to focus on their key important tasks.

This bill does not seek to amend any of the collection provisions of the Migration Act. Collection of personal identifiers under the Migration Act will still only be permitted if a person is not an Australian citizen. Nor does the bill remove the criminal penalties that are in place if the access and/or disclosure are not permitted.

Schedule 2 deals with authorisations relating to the release of movement records with the department’s movements reconstruction database. These amendments will allow the department to release an individual’s movement records to that person or their appointed agent. Individuals may require their movement records as evidence for health insurance, taxation or other purposes. Because of the way the current provisions operate, an individual must apply for access to this information under the Freedom of Information Act 1982. Access through this process is unnecessarily complex and resource intensive. This amendment will provide the Minister for Immigration and Citizenship with the power to disclose to individuals their own movement records, avoiding the need for them to make an FOI request. This is consistent with the general policy approach that government agencies should facilitate access by an individual to his or her own information.

Schedule 3 is the amendment to the fisheries detention offence. New fisheries offences were created by the Fisheries Legislation Amendment (Foreign Fishing Offences) Act 2006. This is a technical amendment which will ensure that enforcement visas are granted to noncitizens who have been

CHAMBER
brought to Australia in relation to these new offences.

In closing, I would like to make a few remarks. I would like to congratulate the minister and thank the minister for his cooperation with our backbench policy committee and the party room for the opportunity to scrutinise this bill at length. I congratulate the chairman of that committee, the member for Canning, and the member for Kooyong for their extensive work. I also congratulate the staff who worked with both of those members—staff from the department and from the legal parts of the government. They were receptive and they worked well together. It is a credit to this House and to the systems under which we work that an individual’s privacy and protection are sacred— and they are sacred. They are sacred because we as a parliament go to great lengths to ensure that an individual’s rights and privacy are protected and that they are treated fairly under the law. Whilst these are technical changes, they are important. They have been subjected to close scrutiny by the department and by the members of the backbench committee. The minister should be congratulated for his ability to take into consideration and navigate that fine line between information about privacy and information about the enforcement of criminal law and how that law is executed. The minister and his staff have done an excellent job.

Finally, the immigrant communities of Gippsland, which I represent in part—the member for Gippsland and the Minister for Agriculture, Fisheries and Forestry, Mr McGauran, and the member for Flinders, Greg Hunt, also represent the area—held a function last Sunday. Don Di Fabrizio and his team decided that they wanted to erect a memorial in recognition of the contribution that immigration has made to Australia. As part of that process last year in Korumburra, the Prime Minister announced that the Commonwealth would assist in funding the memorial. On Sunday in Morwell, in front of many hundreds of people, a beautiful statue and many plaques listing the names of all the immigrants to the Gippsland area were unveiled. It was a huge celebration not only for the Italian community but also for all the immigrants who came to build the infrastructure of the Latrobe Valley that is Gippsland and to create the farming communities. They told me about the first Fergie tractor they got and how they no longer had to milk cows by hand. I know the member for Gorton has a background with these people too, and he knows the area very well.

What an event it was. Minister Kevin Andrews attended the event, and given that he is a former Gippslander he had a lot to say. I know I am digressing from the bill, but we have been talking about these issues particularly, Mr Deputy Speaker, and you are being very kind to me to allow me to digress. When the minister walked in, I was handed a photograph I think of the third grade of the Rosedale Primary school. The minister’s teacher pointed out Kevin Andrews sitting in the back row of the class. She said, ‘And that’s me; I’m the teacher right there.’ The event brought together the various groups that make up the Gippsland area and demonstrated how it came to be. Twenty-six per cent of Australians were not born in this country, but their links become part of our community.

The legislation that we have been talking about has a direct impact on the Gippsland area, particularly around Morwell, Sale and Bairnsdale, down to Korumburra, out to Leongatha, through Moe, Newborough and the surrounding area. The people who changed this country are real; they built this country, grew the crops, established the farms, introduced new initiatives and changed the way we lived and ate.
These are technical bills, and I have outlined the technical aspects. However, it was a privilege to be there when Don Di Fabrizio’s brainchild was finally unveiled by the minister on Sunday. Members have heard the term ‘It’s a great day for the Irish’ but on this occasion it was a great day for the Italians and all of the other communities that attended the celebrations at Morwell. I commend the bill to the House.

Mr HATTON (Blaxland) (1.56 pm)—I am glad to follow the other members who have spoken on the Migration Legislation Amendment (Information and Other Measures) Bill 2007 and, indeed, to endorse the sentiment of the member for McMillan, who has just spoken, about how Australia was built, particularly during the postwar period, by migrant communities. Some of that has been celebrated in recent magnificent films. This legislation is technical, but it also tells a story about this government and our bureaucracies, which have great difficulty determining the difference between privacy law and the Privacy Act and how to deal with certain documents, photographs, iris scans and a whole series of other identifying processes and procedures.

This legislation was initiated in 2004, when a series of changes was introduced regarding disclosure of information and privacy in the immigration area, and 2½ years later we have this amending bill. Day after day, week after week, month after month, year after year for the past 2½ years it has been demonstrated that the measures introduced in 2004 are unworkable. If they were unworkable in 2004, they are unworkable in 2007 and have been unworkable in the intervening years.

A government that was on its game, a government that was not tired, flaccid and weak in its approach, would have been able to rev up the department and say, ‘If there’s a fundamental problem here and if this is so unworkable then fix it and fix it now.’ But that has not happened. Over 2½ years the department has attempted to trawl about in the privacy area and get so embroiled in the technicalities of this legislation that it has not been able to do anything.

It is apparent that prosecutions for drug and fishing offences have not been able to progress properly in the past 2½ years and people have not been brought to justice because this government is tired and old and is not in a position to take its responsibilities seriously enough to fix the problems. It is tired, it is old and its mind is not on the job. It has been 2½ years, Prime Minister. Your ministers had a chance to fix the problem with the bill introduced 2½ years ago. It is only now that this technical bill has been introduced into the House. It is only now that some corrective measures have been taken. When this bill is passed here and in the other place, drug and fisheries prosecutions will be able to go forward. So, while it is technical, this bill tells the story of a tired government, an old government and a government that cannot concentrate on the job at hand or prosecute the legislation that it introduced.

The SPEAKER—Order! It being 2 pm, the debate is interrupted in accordance with standing order 97. The debate may be resumed at a later hour and the member will have leave to continue speaking when the debate is resumed.

MINISTERIAL ARRANGEMENTS

Mr HOWARD (Bennelong—Prime Minister) (2.00 pm)—I inform the House that the Minister for Veterans’ Affairs will be absent from question time today. He has been representing the government at the funeral of Trooper Joshua Porter at Toukley in New South Wales. The House will recall that Trooper Porter was tragically killed when an Army Black Hawk helicopter sank in deep
water off Fiji last November. It is only recently that his remains have been recovered. The Minister for Defence will answer questions on behalf of the Minister for Veterans’ Affairs.

QUESTIONS WITHOUT NOTICE

Broadband

Mr Rudd (2.00 pm)—My question is to the Prime Minister. Does the Prime Minister agree with findings of a government report entitled *Forecasting productivity growth 2004 to 2024* that:

Broadband will help to raise business productivity through wider diffusion and better quality services in e-commerce, e-banking, e-government, e-education and e-health.

Prime Minister, isn’t high-speed broadband needed to lift Australia’s productivity growth and our economic growth?

The Speaker—Order! I think the first part of that question was asking for an opinion, but I call the Prime Minister.

Mr Howard—I agree with the Leader of the Opposition that broadband is a good idea and it will make a contribution to future economic growth. I do not have any argument with that proposition. I might remind the Leader of the Opposition that the last national accounts figures showed a very significant lift in productivity. While I am on my feet, I want to quote from something which is not generic to the issue of broadband but is specific to what was announced yesterday. It is the economic advice tendered on Wednesday, 21 March, which was yesterday, by ABN AMRO, under the title of *Broadband dreaming*. What the report says is as follows:

The ALP has proposed a Broadband PPP to build a ... network with a minimum 12 Mbps to 98% of households. We think it is an impractical proposal on many levels and is unlikely to be implemented.

It then goes on to say: We think the proposal for a regulated access monopoly with a guaranteed return takes the industry back 20 years to Government provision, gold-plating and restricted rollout. It is productively and allocatively inefficient. It does not resolve access regulation issues but entrenches them and adds new inefficiencies. It re-establishes a conflict between Government as owner, whose dividends rely on access prices, and as regulator of access. It draws on funding it may not have legitimate right to.

Let me say in relation to that last sentence that I do not think any government in this country has the right to take the savings of future generations to fund today’s aspirations.

Workplace Relations

Mr Henry (2.03 pm)—My question is addressed to the Prime Minister. Is the Prime Minister aware of any recent reports which outline the importance of Australian workplace agreements to the resources sector? What is his response?

Mr Howard—It is not surprising that a member from the great state of Western Australia, representing the electorate of Hasluck, should be concerned about Australian workplace agreements, because the resources sector, which is of course heavily located in Western Australia, delivers $110 billion a year in exports for Australia. That is 38 per cent of all Australia’s commodity export earnings. It employs 140,000 Australians directly and over half a million indirectly. AWAs are the most popular choice of federal agreement, with 62 per cent of all resource sector employees who are covered by a federal agreement being employed under AWAs.

As everyone knows, Labor has promised, if it is elected, to abolish Australian workplace agreements. There is no debate, there is no argument, and there is no qualification; if Labor wins, AWAs are dead—we all know that. It is interesting therefore, to read the views of the Australian Mines and Metals
Association released today, titled *Australian workplace agreements—a major matter for miners*. It took apart the Labor myth that AWAs could be replaced by common-law contracts.

I think the Deputy Leader of the Opposition is paying attention, and that is good because she is responsible for this policy and she believes in it. Every time I see her on the television, she says how strongly they are in favour of getting rid of AWAs. The report mentions 15 reasons, including the inability to customise working arrangements in a legal manner and also that they cannot prevent the unwanted intervention of unions, particularly where there are no union members. That is a very significant element. Under a common-law agreement, even if the people were not members of the union and nobody in the workplace was a member of the union, there would still be no capacity to prevent the unwanted intervention of the union.

That is one of the differences between an AWA and a common-law agreement. According to the Australian Mines and Metals Association, abolishing AWAs would cost the economy $6 billion. There will be nearly a million AWAs in operation by the end of this year. I think that brought all of it together. Common-law contracts in place of AWAs involves the reassertion of union power and the realisation of the dream given voice to by Greg Combet when, a few months ago, he addressed a rally in Adelaide and said that there was a time when the unions ran Australia and it would be a good thing if we brought back those days.

**Workplace Relations**

*Ms GILLARD* (2.08 pm)—My question is to the Prime Minister. Can the Prime Minister explain why the mining sector in which AWAs are most prevalent, the iron ore sector, has averaged less than one per cent annual productivity growth since the introduction of AWAs in 1996, compared to average annual productivity growth of 6.6 per cent in the coal sector, in which collective agreements are prevalent?

*Mr HOWARD*—As I understand it, productivity is a measure of output per worker. The explanation for the figures that the deputy leader referred to is simply the lag between investment and employment.

**Economy**

*Mr CAMERON THOMPSON* (2.09 pm)—My question is to the Treasurer. What has been the government’s response to Australia’s biggest economic problem, the ageing of the population? Are there any threats to long-term strategies to deal with the ageing issue?

*Mr COSTELLO*—I thank the honourable member for Blair for his question. I can tell him that in 2002 the government released its *Intergenerational report*, which found that over the next 40 years the greatest economic problem to face the Australian nation will be the ageing of the population. The percentage of people aged over 65 will increase from 12.7 per cent of the population to 25 per cent of the population in 2042. So we will have more people of retirement age and fewer
people of working age. At the time that this is going on, we will have a huge draw-down on medical expenses and pharmaceutical expenses and age pension expenses—when the proportion of the population which is of working age, and therefore of prime taxpaying age, is declining.

The government has laid out a series of measures to deal with this problem. Australia is not alone in facing this problem. Every industrialised Western country is facing this problem to lesser or greater degrees. But Australia has been at the forefront of dealing with this problem—first of all, by paying off all Labor debt so that future generations will not have to service the $96 billion of debt which the Labor Party ran up before 1996 and, secondly, with the establishment of the Future Fund, for the first time to provision for superannuation liabilities which are going to hit over the next 20 years. In 2020, those liabilities will be $140 billion. So you will have a $140 billion liability at the same time as health is blowing out, pharmaceuticals are blowing out, the age pension is blowing out and the proportion of prime taxpayers is declining.

We can handle this problem with the establishment of the Future Fund, as long as it preserves its capital and all earnings inside the fund. But, to the extent that you take out that capital or take out those earnings, you will be robbing the future, right at the time when the great crunch comes—the great generational crunch that we are all facing up to.

Yesterday the Leader of the Opposition, in what must be the most economically irresponsible and short-sighted decision, announced that he would be robbing the Future Fund to pay for Labor election policies. He will be taking $2.7 billion out of that fund, money he never had the wit to set aside, to pay for Labor election policies. As I said yesterday, the first burglary is the hard one: once you have done the first burglary, the second and the third and the fourth get much easier.

In a press conference yesterday, the member for Melbourne was asked whether or not there might be future raids on the Future Fund. He was asked this question—and we had better put it on the record:

JOURNALIST: Mr Tanner, how often do you envisage raiding the Future Fund to pay for election promises?

TANNER: This is a specific commitment …

JOURNALIST: So this might not be a one off?

TANNER: I can’t comment on other specific propositions, they’re still obviously in consideration on a whole range of policy areas …

One burglary down and another in contemplation! Where the member for Melbourne goes, you can bet your bottom dollar other ferrets on the Labor front bench will be following. We then had the member for Perth coming into parliament today, and he was asked this question:

JOURNALIST: Would it be reasonable to use the Future Fund for projects like road funding or major rail projects?

SMITH: Well, you do need to speak on that detail to Lindsay rather than me.

JOURNALIST: He won’t answer that.

SMITH: Well, it’s not a matter for me. I am the education spokesman.

Then AAP reports the member for Lilley, not to be outdone, under ‘Labor will use Future Fund for infrastructure projects’. It says:

Today, Mr Swan said Labor planned to use the fund for various other “productive projects”.

When reporters asked what that meant, Mr Swan replied:

“Basically hard infrastructure, but we’ve not made announcements in that area yet.”

So this is not a one-off; this is the first in a series of raids: the member for Melbourne is
getting ready for it, the member for Perth is lining up and the member for Lilley has announced it. Every raid on that Future Fund steals from future Australian generations. The coalition is the party that has the long-term vision to face up to Australia’s greatest economic challenges. The Labor Party, like bears to a honeypot, have got their paws into this and once they develop a taste for that honey there will be no going back.

Future Fund

Mr SWAN (2.16 pm)—My question is to the Treasurer. Has the Treasurer seen comments from finance columnist Terry McCrann, who has said Labor’s broadband proposal is ‘really quite sensible’ and ‘poses no threat to the integrity and purpose’ of the Future Fund? Treasurer, don’t these comments by Mr McCrann, who is one of Australia’s most respected columnists, underline how your attacks are overblown and driven by political desperation and frustrated leadership aspirations rather than economic logic?

Mr COSTELLO—I have not seen what Mr McCrann said, but I will go back and have a look and I will produce a list of the sayings of Chairman Terry on the member for Lilley, because he has said quite a lot of interest about the member for Lilley. Lest the member for Lilley pretend that he supports this policy, I am going to table at least 10 occasions on which the member for Lilley has demanded the Future Fund be a locked box and that no money be taken out of the Future Fund. For example, on 7 November 2005:

It has to be a locked box. We have to make the Future Fund a locked box.

... ... ...

We’d like to see parliamentary oversight and complete transparency. It’s very important there is public confidence in the Future Fund and that it is a locked box that can’t be raided by the National Party…

Let me get this straight: the Future Fund can’t be raided by the National Party because the Labor Party is going to get there first! My goodness, what sort of a principle is that? These people are a group of tomb raiders: burglary 1, burglary 2 and burglary 3—accessory before the fact, the bloke who did it and accessory after the fact. Let us go to 18 August 2005, when the whole point of the Future Fund was to have budget surpluses and the proceeds of assets put in the hands of ‘independent experts and locked away in a box’. Who is the independent expert who is going to take the money, $2.7 billion, and put it into their election projects? None other than the opposition leader. Some independent expert! Let us hope for the sake of future Australian generations that Labor never gets elected. If Labor gets elected, I figure sometime in about 2015 or 2020, when the ageing of the population crunches down on this country, when a $140 billion liability comes and it has to be met, nobody is going to be sitting around saying, ‘Let’s thank Kevin Rudd for raiding this, for mortgaging our future for his grubby election promises back in 2007.’

Mr Speaker, I table just a sampling of the list. There are only 10 quotes on that particular press release, but we will be finding a lot more.

Telecommunications

Mr HAASE (2.20 pm)—My question is addressed to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the Deputy Prime Minister inform the House how the federal government is planning to secure Australia’s rural and regional telecommunications future? Is the minister aware of any threats to this investment in regional economic infrastructure?
Mr VAILE—I thank the member for Kalgoorlie for his question. I recognise that he understands the need to have certainty as to the delivery of modern communications to rural and remote Australia, particularly to his electorate of Kalgoorlie. He also understands that you cannot pick winners, that you cannot pick technology and that there needs to be flexibility with technology to be able to get the penetration and get services to the people that live throughout rural and remote Australia. That is why the government decided when we did to invest $3.1 billion in the Connect Australia package, which has a number of components. The first component that it has got is the $600 million Broadband Connect infrastructure program. The Minister for Communications, Information Technology and the Arts will announce the winning tenderers for this program that will deliver the speeds that working families need on their broadband across rural and regional Australia. They do not have to wait until the next election and they do not have to wait until the Labor Party raids the Future Fund and the Labor Party completely steals the telecommunications fund; it is going to happen very shortly as a result of the policy put in place by the Liberal and National parties in the coalition government.

Following on from that, we have also recently announced a further $162.5 million for the Australian Broadband Guarantee—a guarantee that every Australian can access an affordable broadband service, regardless of where they live; and it is technology neutral. It does not pick winners as far as technology is concerned, because individual technologies do not work uniformly across Australia, particularly remote Australia.

But the most important aspect of the Connect Australia package when we announced it was the $2 billion perpetual communications fund. This is about ensuring that people living in rural and remote Australia—the seven million Australians who live outside of the metropolitan areas—have certainty that there will be funds available to provide them with technology that we do not even know about yet, which in 10 years time may come on stream and which the market will provide to the metropolitan areas and the viable markets in Australia but might not provide to regional Australia.

We recognise there would be a need to have a guaranteed funding stream to pay for that technology so that rural and regional Australia can keep up with the rest of the country, so we established the $2 billion perpetual communications fund, which is invested as we speak and has already earned about $150 million in interest. After the first three years, when it is first accessed, there will be in excess of $400 million in revenue that has been produced by that perpetual communications fund—leaving the $2 billion intact—that can be invested in new technology for regional and remote Australia. This is the plan that we put in place to guarantee that seven million Australians living outside of the metropolitan areas would not get left behind. This is our guarantee to future proof the bush as far as telecommunications are concerned.

The Labor Party announced in their policy yesterday that not only are they going to become burglars and burgle $2.7 billion out of the Future Fund that the Treasurer spoke about, but they are going to engage in grand theft and thieve $2 billion from those seven million people who live in regional Australia. When the Labor Party talk about investing $4.7 billion to cover the country in broadband, they should be reminded that it cost South Korea $50 billion to cover a country that is one-third the size of the new electorate of Flynn—$50 billion to do what the Labor Party is proposing to do.
With our policy of Connect Australia we want to future proof the bush. The Labor Party want to desert it. They want to conduct burglary on the Future Fund and they want to conduct grand theft on the perpetual communications fund and thieve $2 billion worth of certainty from seven million Australians in remote Australia.

Broadband

Mr Rudd (2.25 pm)—My question is to the Deputy Prime Minister and refers to his answer to the last question. I refer the Deputy Prime Minister to the Treasurer’s claim on AM this morning that the provision of broadband in Australia is a matter for profit driven telecommunications companies alone. Can the Deputy Prime Minister confirm that the Telstra and G9 broadband plans endorsed by the Treasurer will only provide high-speed broadband services to Australians who live in the five capital cities, leaving regional and rural Australia absolutely high and dry? Or does the Deputy Prime Minister agree with statements made at the doors today by Senator Ron Boswell that ‘we’ve already got adequate broadband for people out there’?

Mrs Bronwyn Bishop—Mr Speaker, I rise on a point of order. You have long ruled that preambles of the nature that the Leader of the Opposition has just used are quite out of order. The House of Representatives Practice makes it quite clear that to debate—

The Speaker—The member will resume her seat. I was listening carefully to the question raised by the Leader of the Opposition. I rule it in order, but he should not be asking for an opinion. I call the Deputy Prime Minister.

Mr Vaile—If I can address the second part of the Leader of the Opposition’s question, with regard to comments this morning, as is usual he selectively quotes from the doorstop. What Senator Boswell was referring to was that, with our package of $3.1 billion, broadband will be adequate in regional Australia, because we are going to start investing now and there will be a guarantee into the future to future proof consumers in regional Australia. Concerning the first part of the Leader of the Opposition’s question—

Ms Gillard interjecting—

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

Mr Vaile—now we know that he does not listen to the answers in the House. I just answered that question in my answer to the question from the member for Kalgoorlie—

Ms Gillard interjecting—

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

Mr Crean interjecting—

The Speaker—The member for Hotham is warned!

Mr Vaile—We understand how the market works. We have put a $2 billion capital investment in place to guarantee that there is an ongoing funding stream to pay for new technology that the market might not provide in rural and remote Australia. When the Labor Party thieves $2 billion from the seven million people living outside of the metropolitan areas in Australia, that opportunity will not be there. And that is the issue that the Leader of the Opposition should be addressing.

Broadband

Mrs Hull (2.28 pm)—My question is addressed to the Minister for Agriculture, Fisheries and Forestry, representing the Minister for Communications, Information Technology and the Arts. Would the minister inform the House how the government is as-
sisting access to broadband, particularly in rural and regional areas?

Mr Kerr interjecting—

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

Mrs HULL—Is the minister aware of any alternative policies? What is our government's response?

Mr McGAURAN—I thank the member for Riverina for her question. Since 2004, as a direct result of the government's Broadband Connect program and its predecessor, HiBIS, more than one million additional premises have had access to metropolitan comparable broadband services, more than 200,000 additional consumers in regional Australia have been connected to broadband services and more than 1,500 additional exchanges have been ADSL-enabled. And now the government's $162 1/2 million Australian Broadband Guarantee will provide universal broadband for all Australians, regardless of where they live, because anybody unable to gain a reasonable level of broadband service at their home or small business can receive a subsidised broadband service.

I am asked about alternative proposals. I have now had an opportunity to look very carefully at the Labor proposal as launched yesterday and found it to be utterly implausible and lacking entirely in credibility. There is nobody in the communications sector who for a moment thinks that its grand ambition can be nearly realised. I invite those who would not normally rush to read a Labor Party proposal or paper to look at it because, out of 20 pages, there is but one page of anything resembling details. It gives you some idea when so small amount of space is allocated to a massively complex and technical area. There are no maps or costings of the proposal. There are no details.

Then there are the funding figures. We are told that it is an $8 billion plan. By four o'clock yesterday afternoon, only a couple of hours after the press club launch, the communications spokesman, Senator Conroy, was telling Steve Price at 2UE that the number could be as high as $9 billion. Steve Price asked, 'So we are up around the $10 billion mark, are we?' Senator Conroy answered, 'It is about $8 billion to $9 billion.' The figures are going up already. What sort of costed proposal is this? But why worry? They will just dip into the Future Fund to top up any overspend.

Moreover, it is a stupid policy. It is stupid because the private sector was going to invest anyway. Telstra and the group of nine consortium were going to invest through the fibre-to-node program without any government funding assistance because they were going to invest in the commercial areas of built-up populations. Now they are laughing all the way to the bank because the Labor Party recklessly, negligently—

Ms King interjecting—

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

Mr McGAURAN—and incompetently are going to support the major telcos. There was no need to fund them. Instead, you have to fund the areas that miss out—regional, rural and remote Australia, outer suburban areas and so on. Labor are trashing the Future Fund and abolishing the telecommunications fund, which is targeted at regional and remote Australia, to support the big end of town. There can be nothing more stupid than that. There is nothing in the policy about pricing or affordability. No proposal can have credibility unless you address that. They do not address the issues of regulation. What is the regulatory regime? That is crucial to fostering private sector investment and the like.

Above all else, this proposal is anticompetitive. This will lock in Telstra as the sole
network provider. Already the telcos know that Telstra is the only realistic bidder because the opposition has ruled out preventing or blocking Telstra from overbuilding any competitor’s network. We all remember the dual pay-TV rollout of the early 1990s—competently managed and devised by the then Labor government—where Telstra readily admits it overbuilt the Optus infrastructure network to stifle competition. They will do it again. Telstra is the only winner from this and so, of course, one or more of their ranks might be enthusiastic supporters. Labor is deserting regional and rural Australians. It is subsidising the big end of town unnecessarily. It is putting future generations of Australians at a disadvantage. I say again: you cannot trust Labor with money.

Broadband

Mr TANNER (2.33 pm)—My question is to the Prime Minister. Can the Prime Minister confirm that since 2002 his government has launched 17 separate broadband programs and that, after these 17 different broadband programs, the World Economic Forum indicates that Australia is 25th in the world when it comes to available internet bandwidth? Can you explain why?

The SPEAKER—Before I call the Prime Minister, I remind the member for Melbourne that he should not use the word ‘you’ in a question.

Mr TANNER—My apologies, Mr Speaker. I will repeat the last part of the question. Can the Prime Minister explain why, after these 17 different broadband programs that the government has had in place since 2002, we are still only 25th in the world in access to internet bandwidth?

Mr HOWARD—I can certainly confirm—

Mr Wilkie interjecting—

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

Mr HOWARD—that the government has had a number of programs over a period of years. I will take the member at his word that it is 17. If you want active government, vote for us—we have all these programs. The reality is that we have the second highest take-up in the OECD. I noticed that the member did not mention that.

The real issue here is twofold. The first element of the debate is: why should money set aside for future generations be used to fund something that the private sector ought to provide itself? I think that is a very simple question. I think a question that, as public analysis of this debate proceeds, more and more people are going to ask is: why should $2.7 billion of public money that has been set aside for the liabilities of future generations be used to fund the provision of a service now that the private sector ought to provide itself? You can quote all the documents and interject and make noise as much as you like, but can I politely bring you back to the simple question: why should $2.7 billion of public money that has been locked up for future generations to fund the provision of something that the private sector ought to provide in a normal market situation? That is a very simple proposition. That really goes to the essence of the issue.

The second issue is that what the Labor Party proposed yesterday was a return to the old days of the conflict between the regulator and the participant. The opposition will recall that one of the reasons we advanced as to the sale of Telstra—a sale that was vigorously opposed until yesterday by the Australian Labor Party—was the conflict between the government as owner and the regulator.

Mr Tanner—Australia Post!

The SPEAKER—The member for Melbourne has asked his question!
Mr HOWARD—The member for Melbourne can carry on with that cacophony, but let us analyse what is really involved here. What you are doing is, in the words of ABN AMRO, taking the industry back 20 years to government provision, gold plating and restricted rollout. They are not my words; they are the words of one of the most respected economic analysts in Australia. That is what we are doing. There are two fundamental flaws. What Labor is proposing to do is to use $2.7 billion of the assets of future generations to fund provision that ought to be made by the private sector and, in the process, they are taking the regulation of this industry back 20 years.

I do not think that speaks of a party or group of men and women who have an idea of what we need in the future. Sure, broadband is important; there is no argument about that. The Leader of the Opposition got up and quoted me something that said broadband was important. That is not in debate. We are all in favour of broadband. But this side of Australian politics is not in favour of raiding the savings of our children and grandchildren in order to provide something that ought to be provided by the private sector through the normal operation of the market.

Mr Tanner—To put the Prime Minister’s mind at rest, I seek leave to table the 17 different government programs.

Leave not granted.

Employment and Workplace Relations

Mr KEENAN (2.38 pm)—My question is addressed to the Minister for Employment and Workplace Relations. Would the minister inform the House how the government’s employment and workplace relations policies are contributing to job creation for young Australians? Are there any threats to that contribution?

Mr HOCKEY—I thank the member for Stirling for his question. I note that when Labor was last in government in 1996 the unemployment rate in Stirling was 9.4 per cent. Today it is 5.4 per cent and I think it is going to go lower.

Mr Edwards—Thanks to a state Labor government. It carries the rest of the nation!

The SPEAKER—The member for Cowan is warned!

Mr HOCKEY—That is right: Brian Burke created low unemployment! Young Australians today have more employment opportunities, thanks to a lot of the initiatives of the Howard government, than at any other time in the nation’s history. In the past 11 years—

Mr Edwards interjecting—

The SPEAKER—Order! The member for Cowan has been warned. He continues to interject. He will remove himself under standing order 94(a).

The member for Cowan then left the chamber.

Mr HOCKEY—Youth unemployment is still too high at 9.7 per cent, but it is certainly lower than the 15.2 per cent when Labor was last in government. However, teenage wages have risen by 6½ per cent in real terms, whereas under 13 years of Labor they fell backwards 5.1 per cent. What we have to do is to try and encourage young people into jobs. So I was quite alarmed when I saw a notice go out at a Kiama public school for a meeting with ‘John Robinson’ of Unions New South Wales—they misspelt John Robertson. He was going to conduct a lesson for students on how to get a job. I thought to myself, ‘This would be interesting.’ It turns out that Mr Robertson’s lesson delivered was about anti federal government legislation and was anti-Work Choices. He was encouraging
students not to get a job but to vote Labor—in a New South Wales public school.

Despite the furore—I read the Illawarra Mercury for this—at least one other Illawarra school, Keira High School, is likely to hold a similar meeting, the principal said. The principal, who happens to be the vice-president of the New South Wales Teachers Federation, said ‘it would benefit pupils who have entered or were about to enter the workforce’. So I asked myself: what is it that the New South Wales Teachers Federation are doing to encourage young people to get jobs? I came across a CD-ROM put out by the New South Wales Teachers Federation. The CD-ROM shows teachers how to spread the union’s anti-Work Choices campaign using every subject in the HSC syllabus, from drama and physical education to food technology. This CD-ROM, issued by the Teachers Federation to careers advisers in the schools—rather than teaching the careers advisers how to teach young people how to get a job—is trying to turn every student into a victim, trying to generate a culture of—

Mr Hardgrave interjecting—

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

Mr HOCKEY—rather than encouraging them to get jobs, to develop careers and to earn a living. This is what the Labor Party is about. A vote for Labor is a vote for the union bosses. I see the member for Grayndler laughing there. I do not see the New South Wales education minister saying this is outrageous. We cannot expect the New South Wales education minister to conduct an investigation into the unions going into schools. We cannot expect a New South Wales education minister to do that! That would be like asking the fox to investigate occupational health and safety in the henhouse, wouldn’t it? That is what it would be like. The Labor Party is for union bosses and about protecting union bosses; the coalition is about jobs, jobs for young people that lead to well-paid careers.

Workplace Relations

Ms KATE ELLIS (2.43 pm)—My question is also to the Minister for Employment and Workplace Relations and follows from his answer about young people in our workplaces. Minister, if a young worker under 18 is given an AWA and waives their access to the AWA information statement, do their parents get access to this information statement? Minister, if parental consent is needed for the AWA, should this important information be given to their parents?

Mr HOCKEY—I note the question from the member for Adelaide. In 1996 the unemployment rate in Adelaide was 10.8 per cent. Today it is 5.6 per cent.

Mr Beazley—Mr Speaker, I rise on a point of order obviously on relevance.

The SPEAKER—The member for Brand does raise a relevant point of order, but I would add that the minister has only just be-
Mr HOCKEY—Anyone under the age of 18 who is signing an AWA requires the consent of a parent. That is the answer. The unemployment rate in Adelaide has dropped from 10.8 per cent to 5.6 per cent.

Mr Albanese—Mr Speaker, I rise on a point of order. If the minister does not know about the operation of his own act, he should just say so.

The SPEAKER—That is not a point of order. The member for Grayndler will not debate points.

North Korea

Mr JULL (2.47 pm)—My question is addressed to the Minister for Foreign Affairs. What is the latest available information on Australia’s support for preventing nuclear proliferation in North Korea?

Mr DOWNER—First, I thank the honourable member for Fadden for his question and, for that matter, for his interest. Last week senior officials, on my instruction, visited North Korea—officials from the Department of Foreign Affairs and Trade, and AusAID. The delegation met with senior North Korean government representatives, including the Acting Minister for Foreign Affairs and the Minister for Trade. The delegation obviously first and foremost welcomed the agreement that had been reached under the auspices of the six-party talks that the North Koreans would close down the Yongbyon nuclear reactor and that there would be progress made towards the eventual denuclearisation of North Korea. The delegation went on to emphasise to the North Koreans that they had now reached a pivotal point in their relationship with the international community: they can either adhere to this agreement by shutting down the Yongbyon nuclear facilities and allow International Atomic Energy Agency monitors to return to North Korea by mid-April and give a full account of their nuclear programs and facilities, or else they will of course once more become isolated in the international community.

The important point that Australia makes is that the more North Korea fulfils its obligations in taking steps towards denuclearisation the more Australia can do to help the ordinary people of North Korea. To put that into some perspective, child and nursing mother malnutrition rates in North Korea are over 50 per cent in some parts of the country. It is estimated that 32 per cent—about one-third—of all North Koreans at no time have enough food to eat. So the dimensions of the humanitarian problem in North Korea are simply enormous. A country like Australia, rich in agriculture, can support the people of North Korea to a greater extent than we already do through the World Food Program, but we can only do more if North Korea works with the international community. The six-party process is making progress and Australia has been a strong supporter of it. The fact that we would send officials there—an initiative much welcomed by countries like China, Japan, the Republic of Korea and the United States—I think demonstrates the useful role we can play.

Finally, while it was in North Korea the delegation did raise Australia’s great concern about two other things: firstly, the still yet to be resolved issue of abductions of Japanese citizens—and that is an issue that needs to be resolved; and, secondly, the broader human rights abuses that clearly take place in North Korea. I congratulate the delegation on the good job they have done. It is another illustration of effective Australian diplomacy in Asia.

Workplace Relations

Ms GILLARD (2.50 pm)—My question is to the Minister for Employment and
Workplace Relations. Minister, if an employee is entitled to a casual loading of 25 per cent under an Australian pay and classification scale, to what casual loading is the employee entitled if the employee enters into an Australian workplace agreement?

Mr HOCKEY—It could be more. That is the nature of an Australian workplace agreement. People can be paid more under an Australian workplace agreement.

National Security

Mr TOLLNER (2.51 pm)—My question is addressed to the Attorney-General. Would the Attorney-General inform the House of the progress of counterterrorism operations against Jemaah Islamiah in the region, especially Indonesia? Attorney-General, is there a high level of cooperation between law enforcement agencies and their regional counterparts?

Mr RUDDOCK—I thank the member for Solomon for his question. I know of his interest in these matters and I know that members generally would want to know of the involvement of the Australian Federal Police with their colleagues abroad. On Tuesday of this week, the Indonesian National Police conducted operations against Jemaah Islamiah suspects in Yogyakarta, Central Java. As a result of these INP actions, five suspected JI operatives have been arrested, including one who was seriously wounded during the arrests. One person, also a suspected JI operative, was fatally wounded during an exchange of gunfire with INP officers.

This operation by the Indonesian National Police is associated with ongoing investigations into a key JI member, Abu Dujana. Media reports claim that he is the current leader of JI. I am advised by the Australian Federal Police that Abu Dujana remains a person of interest to the ongoing Indonesian National Police investigations and that unfortunately he has not been arrested. These operations continue and, for reasons of security, I cannot provide the House with further details at this time but will do so at a later date when I am in a position to do so.

In relation to the second aspect of the honourable member’s question, we congratulate the Indonesian National Police on their efforts against JI. This is the latest in a series of actions that they have undertaken. Of course, JI was responsible for the Bali bombing in 2002 and other attacks in Indonesia, including the bombing of our embassy and the bombing of the Marriott Hotel.

There is a high level of cooperation between Indonesia and the Australian Federal Police over counterterrorism activities. Unfortunately, that cooperation is often linked to tragedy such as the bombings as well as the recent air crash in Yogyakarta, where the Australian Federal Police have been providing forensic assistance. This cooperation exists throughout the region. The AFP have been resourced under a number of initiatives, including rapid response in fighting terrorism at its source. A counterterrorism liaison position has recently been established in Thailand, and an AFP officer commenced in that role in the Australian embassy last month. Assistance has been given by the AFP and the Australian Bomb Data Centre, and that will strengthen regional cooperation and provide a network for sharing intelligence, particularly in relation to the unlawful use of explosives. A Philippines bomb data centre has been established. As well, the establishment of a bomb data centre in Malaysia and in Thailand is being progressed at this time.

I think Australians need to appreciate that they and Australian interests remain one of the targets of JI. It gives us a great deal of confidence that the Australian Federal Police are able to work so cooperatively with our neighbours to bring about an end to the ac-
activities of those who would seek to destroy our way of life.

**Investing in Our Schools Program**

**Mr ANDREN** (2.56 pm)—My question is to the Minister for Education, Science and Training. Given that the original guidelines to the Investing in Our Schools Program stated:

> A school community may be funded up to a maximum of $150,000 over the 2005-08 quadrennium ...

and given that schools, particularly small schools in my electorate, have allocated considerable time and resources over three years to prioritise and plan linked projects based on the $150,000 funding cap, what will the minister do to ensure such projects, some with discrete components already completed, are not wasted and that the reasonable funding expectations of such schools are met, given the reduction to $100,000 in the amounts schools can now seek?

**Ms JULIE BISHOP**—I thank the member for his question. The Investing in Our Schools Program was introduced to meet the failure of state governments to properly invest in their schools. The original commitment was $1 billion. There are 10,000 schools in Australia. The program was competitive and panels were set up in each state to assess the applications because we anticipated that there would be more applications than there was funding available, and that certainly has been the case. Over 18,000 applications were received from schools across Australia. The original guidelines made it clear that schools could apply for up to $150,000. That is not a guarantee.

**Mr Andren interjecting**—

**Ms JULIE BISHOP**—The member agrees with me: that is not a guarantee. It is a competitive process. Applications were made to the panels, who then made recommendations based on need. Due to the overwhelming number of applications received, particularly from state government schools, where the most chronic neglect has been identified, a bill was passed through this parliament, and members voted on it, to bring forward the funding to 2006 and 2007 so that we could meet the enormous demand, particularly from state government schools. The House voted on that and that legislation passed.

The Australian government has met its election commitment to expend $1 billion on state government and non-government school infrastructure. In addition, the Prime Minister announced a further $181 million to exceed that election promise, so that schools that had not applied or had only received a small amount of funding could apply again in a fourth round.

This is one of the most successful programs that the Australian government have introduced. The reason for its success is that we have met the failures of state governments to properly fund their schools. It is very interesting to note that all of a sudden the New South Wales Labor government has come up with a plan to fund toilet blocks in their schools. In the 21st century, in a First World country, the New South Wales Labor government thinks that an election promise ought to fund toilet blocks. We believe on this side of the House that wherever a child goes to school, they should be in a high-quality environment, and that is why we have exceeded the election commitment of $1 billion: it is now almost $1.2 billion program.

**Health: Cancer Treatment Services**

**Mr CAUSLEY** (2.59 pm)—My question is directed to the Minister for Health and Ageing. Would the minister inform the House how the federal government is improving cancer services across regional Australia? How has the New South Wales gov-
Mr ABBOTT—The Howard government, I say in response to the member for Page, certainly is committed to delivering better cancer services to people in country Australia. Since 2001 we have committed $160 million to this end, and thanks to this funding there are now new or expanded radiation oncology services operational or about to commence in Toowoomba, Geelong, Traralgon, Bendigo, Ballarat and Perth.

It will be of particular interest to the member for Page that in June 2004 the Howard government offered $8 million to the New South Wales government towards the construction of two linear accelerators at Lismore Base Hospital. New South Wales accepted this money and said that detailed planning would be done in 2006 and construction would commence no later than July of this year. When absolutely nothing whatsoever had happened at the end of last year, I wrote to the New South Wales government reiterating that the federal money remained available but demanding to know when these services would begin. I regret to inform the House that it now seems radiation oncology services at Lismore Base Hospital will not start until late 2009 at the earliest. This is a disgrace.

Meanwhile, the Deputy Leader of the Opposition is giggling while the cancer patients of northern New South Wales are forced to travel long distances for services or else not get the services. Cancer patients in northern New South Wales deserve better than this kind of giggling from members opposite. Either people will not get services or they will die because of a broken promise that was made by Premier Iemma when he was the New South Wales health minister back in 2004. This is a total betrayal of the people of New South Wales—the Deputy Leader of the Opposition is still giggling—by the Iemma government, which on this matter, as on so many others, has been guilty of procrastination, incompetence and deceit. To put it in the vernacular, the Iemma government could not organise a booze-up in a brewery, but with typical born-to-rule Labor arrogance it now thinks that it can coast to victory on Saturday.

Let me remind the House that today in Penrith the Leader of the Opposition was with Premier Iemma, his new political mentor. If the Leader of the Opposition wants to perform some immediate service for the people of New South Wales and if he wants to demonstrate that he is a potential leader of this country and not just a patsy for the premiers, he will get on the phone this afternoon and say to Morris Iemma: ‘Honour that commitment. Start building that radiation oncology centre in Lismore now.’

To assist the Leader of the Opposition in making that phone call, I table correspondence between the Australian and New South Wales governments and also a newspaper interview from December 1994 in which the Leader of the Opposition said of himself: I don’t believe I have the goods to be Prime Minister.

I am giving him a chance to prove that that was just false modesty. I say to him: prove you have the guts to be the leader; get on the phone to Premier Iemma this afternoon.

Broadband

Ms ROXON (3.04 pm)—My question is also to the Minister for Health and Ageing about cancer treatment. Minister, are you aware that new digital technology allows a mammogram, a life-saving tool in the battle against breast cancer, to be viewed, stored and transmitted electronically if there is a
fast enough broadband connection available? Given that this would allow a digital scan to be taken in a rural area, such as the electorate of the member for Page, and sent to the specialist in the nearest CBD for immediate analysis, when will you take up the fight on behalf of breast cancer patients and convince your cabinet colleagues that matching Labor’s commitment to delivering high-speed broadband service across the country could help in the battle against breast cancer?

Mr Abbott—If the member for Gellibrand had done her homework, she would know that the federal government two years ago established the $69 million Broadband for Health initiative and that under this initiative more than 80 per cent of pharmacies and nearly 80 per cent of general practices already have broadband.

Superannuation

Mr Wood (3.06 pm)—My question is addressed to the Minister for Revenue and Assistant Treasurer. Would the minister outline to the House how Australians will benefit from the superannuation reforms coming into effect on 1 July this year? Are there any threats to these retirement savings?

Mr Dutton—I thank the member very much for his question and for his commitment to older Australians—people who are saving for their retirements to make sure that they can lead a fantastic retirement and benefit their children as well into the future. The Australian people know that the Labor Party stands for nothing but the interests of the union movement in this country. The second is that they know that the Australian Labor Party is full of economic idiots.

Mr Costello—There’s one, standing with his back to us!

Mr Dutton—Mr Swan is one. As the Treasurer says, he stands up with his back to the coalition on a regular basis. He represents the unions in this place. He shows arrogance not just in here but outside on the doors every morning, firing the bullets for the Leader of the Opposition. He is the mud-thrower from the ALP and he is a danger to the future economy in this country.

When you talk about Labor and you talk about the Labor threat to the future of this economy, look no further than superannuation. This government recently announced the abolition of the 15 per cent end tax on superannuation benefits for people over the age of 60 from 1 July this year. Why did we do that? We did that because we have a serious ageing of the population in this country. We have an ageing of the population which poses a serious threat to the future stability of the economic success of this country, and so we abolished the end tax and simplified superannuation to make it easier for people to accumulate money in their superannuation, to fund their own retirements wherever possible and to ease the burden and the stress that would otherwise be placed on the Australian economy.

I know that the ALP is coming up to a conference very shortly, and we know that it is dictated to by the union movement. We know that, in a document that has been produced by Doug Cameron, Jeff Lawrence, John Sutton, Susan Hopgood and the illustrious Stephen Jones, representing all of those collective union hacks, they are advocating for the Labor Party to ‘Restore taxation of lump sum superannuation benefits’. It goes on to say:

The recent budget decision to remove taxation of superannuation payouts for people aged over 60 greatly aggravates unfairness and waste in the
superannuation system. It is especially unjustifiable to remove taxation from lump sum benefits. ‘Restore taxation of lump sum superannuation benefits’. Right now, as we speak, people are putting money into their superannuation policies; they are putting money into superannuation before 30 June because this government has put in place a generous system. And what they do not want from the Labor Party is uncertainty on superannuation. Up until this point, they were of the view that the Labor Party supported the coalition in ending the end tax on superannuation. But what we know now is that this announcement has been made by the union movement—the bosses of the Labor Party—and the Leader of the Opposition has not refuted this claim. He has had an opportunity, as have many members of the Labor Party at recent superannuation forums, to dismiss this suggestion. They have not. And so there is great uncertainty in the superannuation market at the moment. The Leader of the Opposition must come out and refute this claim and say that Labor supports the government stance to make sure that we can protect the stability of the Australian economy as we go into the future. The greatest threat to the Australian economy remains the Australian Labor Party.

Broadband

Mr ALBANESE (3.11 pm)—My question is to the Prime Minister, and it follows my question yesterday about the $50 million Metropolitan Broadband Connect program. I refer the Prime Minister to his written answer provided to my office during question time which indicated that of the $4.1 million expended from the $50 million program—that is, less than 10 per cent of the program had been expended—$1.3 million was spent on administration and confirmed that the program has now ended and the money transferred. Doesn’t this failure to implement this promise from the government reflect the government’s complacent, backward-looking failure when it comes to actually delivering high-speed broadband?

The SPEAKER—I think that is almost a question of opinion, but I will call the Prime Minister.

Mr HOWARD—The answer is no. The letter that I wrote to the member pointed out that registrations for the Metropolitan Broadband Connect program commenced on 8 March last year with the release of the program’s guidelines. Service providers had until 1 January 2007 to register with the program. The funding of $1.3 million related to the development of guidelines, mapping and scoping of the program. This expenditure was budgeted. It was entirely consistent with a program of this nature and has formed the basis for the seamless integration into the new Australian Broadband Guarantee. It is not right of the member to use the word ‘ended’ in relation to this program. It has been rolled into the Australian Broadband Guarantee program and, as often occurs, the member for Grayndler is misrepresenting the situation.

Mr Albanese—Mr Speaker, I seek leave to table the Prime Minister’s letter.

Leave granted.

Water

Mr TICEHURST (3.13 pm)—My question is addressed to the Minister for Environment and Water Resources. Would the minister inform the House of how the government is addressing problems of water scarcity across Australia?

Mr TURNBULL—I thank the honourable member for his question. The member for Dobell has a particularly longstanding interest in water, because his community on the Central Coast suffers severe water scarcity. It is appropriate to discuss water scarcity today, which is World Water Day. The
theme of World Water Day is ‘Global water scarcity’.

No Australian government has ever devoted more money to or had a keener focus on water scarcity and water management than the Howard government. Paul Kelly correctly described the government as having been ‘prescient’ on the matter of water. The National Water Initiative in 2004 is widely recognised as the international gold standard for water management. But that has been surpassed by the National Plan for Water Security, which tackles for the first time more than a century of dysfunctional mismanagement by state governments of the Murray-Darling Basin, our largest system of surface and ground water, and seeks to commit over $10 billion to ensure that the curse of overallocation and misallocation of water as between the environment and agriculture is set right. That $10 billion includes $6 billion to invest in efficient irrigation methods, both on farm and off farm, thereby ensuring a win-win, a more efficient, more resilient, more sustainable irrigation sector, and a better balance and a better return of environmental water for our ecological assets right through our river systems.

Water scarcity is a global problem and we are working internationally with many countries. Only today I met with the Chinese State Environmental Protection Administration Minister, Mr Zhou Shengxian, and we agreed to renew and reinvigorate the collaborative relationship that we have on water management and water science. Australia and China, though very different countries, share similar challenges, particularly in terms of water scarcity and overextraction of groundwater resources and the consequent impacts on rivers and agriculture. The strong cooperation between our two countries in so many areas related to the environment will continue with renewed vigour following the meetings that we have had today.

The scene in urban water is a very different one. Urban water is wholly within the province of the states. Naturally the federal government is focused on interstate water resources that cross state boundaries and where state management is obviously awkward and, as we have seen in the Murray-Darling Basin, dysfunctional. In city after city in Australia we have seen a tragic neglect of investment in water infrastructure. We have droughts in our cities which are wholly the consequences of years of complacency and neglect. We have urban water utilities controlled by state governments that are run as cash cows. The states plunder their customers and do not support them.

The member for Dobell has a classic case in his own area. Not so long ago the Commonwealth government, through the Australian government water fund, committed $7 million as a grant to a pipeline between the Hunter Valley and the Central Coast connecting Hunter Water and the Central Coast. The Hunter Valley has substantial water resources; the Central Coast is facing severe water scarcity and stress. The state government of New South Wales put not one penny into the pipeline. The rest of it was funded by Hunter Water, the state government owned water utility, and the Central Coast shires themselves. Hunter Water’s contribution was $10 million, as a business, and from that $10 million they will generate every year an additional $8 million in revenues. That investment will add $6 million in profit to Hunter Water for Mr Iemma to spend on whatever his mind turns to. Yet Mr Iemma had the effrontery to turn up to the opening of the pipeline and play the big benefactor of the Central Coast because he had made probably the most lucrative water investment ever seen in New South Wales. The constituents of the honourable member for Dobell know how the state government in New South Wales regards them in terms of water security.
regards them as bunnies to be plucked, to be ripped off—

Honourable members interjecting—

Mr TURNBULL—to be plucked from their burrows and skinned!

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

PERSONAL EXPLANATIONS

Ms GILLARD (Lalor) (3.19 pm)—Mr Speaker, I wish to make a personal explanation.

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

Ms GILLARD—Yes.

The SPEAKER—Please proceed.

Ms GILLARD—Thank you very much.

In question time today the Minister for Health and Ageing asserted that I was not concerned about cancer services in Lismore. This is entirely untrue. On behalf of federal Labor I announced support for funding for the new cancer facility in Lismore before the Howard government did. Fortunately the Howard government followed Labor’s lead.

QUESTIONS TO THE SPEAKER

Call Connect Service

Mr RANDALL (3.20 pm)—Mr Speaker, before question time today I went to use the Telstra Call Connect service, 12456, in this House, which we had used previously. I was told that we were not able to. I then inquired of the serjeant’s office. It has been told that this service has been cut. To readily communicate with our electorates from Parliament House the Call Connect service is a valuable resource when seeking numbers or connections to faraway electorates. The cutting of this communication resource to our electorates does not assist us to readily respond to the constituents in our electorates. I would ask you to look at it. It has not been to the joint house committee. There has not been any consultation, and I am very disappointed that it has been cut on that basis.

The SPEAKER—I thank the member for Canning and I will certainly make inquiries and follow up and report back as appropriate.

Air Conditioning

Mr PRICE (3.21 pm)—Mr Speaker, has your attention been drawn to reports that the Queensland parliament will allow male members to dispense with either a coat or a tie in order to reduce the amount of air conditioning required in the chamber? Given complaints about the inadequate air conditioning in this chamber, will you give consideration to allowing members the same choice as Queensland members of parliament?

The SPEAKER—I thank the Chief Opposition Whip. I am aware of some work that has been done on the air conditioning in this chamber and I can assure him that I will continue to take whatever steps are necessary to make sure that the temperature in this chamber is not allowed to rise sufficiently that members would feel uncomfortable with their coats.

Mr PRICE—Mr Speaker, I take it from that that you will not entertain consideration to relaxing—

Mr Brough—They don’t have air conditioning up there!

Mr PRICE—Don’t interject! You are a minister at the table.

The SPEAKER—Order! The minister will not debate. The Chief Opposition Whip has the call.

Mr PRICE—Do I understand from your response, Mr Speaker, that you will not entertain consideration to giving members the same choice that members of the Queensland parliament have?

The SPEAKER—I thank the Chief Opposition Whip. As he would be aware, I do
believe that we should maintain proper dress standards in this chamber. If the House chooses to ask the occupier of the chair to change those dress standards then obviously I will look at that matter again, but until that point I will endeavour to uphold the standards as I do now.

Questions in Writing

Ms CORCORAN (3.22 pm)—Mr Speaker, under standing order 105(b), I seek your assistance. Would you mind writing to the Minister representing the Minister for Communications, Information Technology and the Arts to seek an answer to my question No. 4848 which has been outstanding since 30 October?

The SPEAKER—I thank the member for Isaacs and I will follow up her request.

Questions in Writing

Mr DANBY (3.23 pm)—Mr Speaker, under standing order 105(b), would you please write to the Prime Minister and ask him for an answer to my question No. 3737; to the Special Minister of State, for No. 3738; and to the Minister for Foreign Affairs, for No. 5412?

The SPEAKER—I thank the member for Melbourne Ports and I will follow up on his request.

DOCUMENTS

Mr McGAURAN (Gippsland—Deputy Leader of the House) (3.23 pm)—A document is tabled as listed in the schedule circulated to honourable members. Details of the document will be recorded in the Votes and Proceedings.

MATTERS OF PUBLIC IMPORTANCE

Broadband

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

The importance for productivity growth and future prosperity of small businesses around Australia gaining access to high-speed broadband.

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

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

Dr EMERSON (Rankin) (3.24 pm)—Today’s productivity growth is tomorrow’s prosperity. As eminent economist Paul Krugman points out:

Productivity growth isn’t everything, but in the long run it’s nearly everything.

Indeed, our own Productivity Commission has estimated that productivity growth has been responsible for virtually all the increase in national income in our country since the mid-1960s. But productivity growth is not just about the mighty dollar. Productivity growth allows us to take more leisure, to achieve that balance that we seek between work and family life. Productivity growth gives us the resources to provide opportunity for all through a decent education for our young people. And productivity growth also allows us to achieve higher environmental standards.

The problem is that Australia is in a productivity slump. During the 1990s Australia experienced a productivity miracle built on the reform program of the previous Labor governments—the Hawke and Keating governments. The consequence of that reform program designed to lift productivity growth was record-breaking productivity growth of 2.6 per cent per annum, which made us one of the very fastest growing countries in the world in terms of productivity growth. But the reform program has not been continued by this government, and we are already be-
beginning to pay the price. This decade, productivity growth has averaged 2.1 per cent per annum, down from that miracle rate of 2.6 per cent. Since 2003, instead of even 2.1 per cent, we have had just one per cent per annum of productivity growth. And in a little-noticed manoeuvre in budget forecasting in the midyear budget review, the government quietly downgraded the forecasts of productivity growth for Australia over the forward estimates period to 1¾ per cent.

The fact is Australia is losing ground against the United States and the OECD in productivity growth. We have already lost most of the gains that were made during that miracle decade of the 1990s. US productivity growth is projected to exceed two per cent per annum over the next few years. For Australia, officially, productivity growth has been downgraded to 1¾ per cent. That does not seem like a big difference—between two or 2¼ per cent and 1¾ per cent—but the fact is small differences in productivity growth matter a lot over the long term. In fact, if Australia’s productivity growth were just a half a percentage point higher—that is, comparable to the US figure—then Australia’s national income in 40 years time would be 20 per cent higher. So it matters a lot. Yet the Intergenerational report formally adopts an assumption for productivity growth of 1¾ per cent, which has now been confirmed by Treasury in that midyear budget review. What would that mean for Australia’s growth in living standards from the end of this decade onwards? That forecast productivity growth, with the ageing of the population, would mean the slowest rate of growth in income per person in Australia from 2010 onwards since the decade of the Great Depression.

The fact is the government has run up the white flag when it comes to the productivity challenge. The Reserve Bank has said to us that we will now have to get used to economic growth rates with a two in front of them, compared with, in recent periods, a four or even a five. So the government has surrendered on the productivity challenge. If we think that 1¾ per cent might be adequate, do you know what China is achieving in productivity growth per year? Seventeen per cent per annum! And the Australian government is accepting 1¾ per cent per annum.

The trouble is that the Treasurer will not even acknowledge that Australia has a productivity problem. He said on 1 November in this parliament that labour productivity in Australia is ‘at, or marginally ahead of, the last productivity cycle’. So if we have a Treasurer of Australia who does not recognise that there is a problem, how on earth are we going to get this government to implement any solutions? This is a reform-lazy government. It is a government that refuses to invest in Australia’s future. But, of course, Labor does have a plan to lift productivity growth to sustain prosperity into the future. In January, Labor leader Kevin Rudd unveiled the education revolution so essential to lifting productivity growth in this country. And yesterday he and Senator Conroy and the member for Melbourne outlined our broadband plan.

Let us find out what the government thinks about broadband and productivity growth. A report from the government’s own agency titled Forecasting productivity growth 2004 to 2024 says:

Broadband will help to raise business productivity through wider diffusion and better quality services in e-commerce, e-banking, e-government, e-education and e-health.

Government departments understand the importance of it, but the Treasurer does not. Why is the United States expected to outperform Australia on productivity growth in the coming few years? The Productivity Commission released a report just a couple of
weeks ago and it tells us the answer. US optimism is based on these factors:
... the likelihood of ongoing rapid technological advances in ICT manufacturing; accompanying rapid price declines, diffusion of technologies ... and continuation of the pace of efficiency improvement elsewhere in the economy as firms continue to find new and more-productive ways to apply new technologies.

That is a long way of saying broadband. It is a long way of saying that the US expects to outperform Australia on productivity growth because it will implement a whole range of new information and communication technologies, which find their life through fast broadband. But the government just does not get it.

How does Australia fare in relation to broadband? On broadband take-up Australia ranks 17th in the OECD, but today in question time the Prime Minister said that Australia has the second highest take-up of broadband in the OECD. That is completely untrue—we are ranked 17th. The Prime Minister said Australia has the second highest take-up in the OECD. Before the Hansard is manipulated, let us make sure that is on the record, because that is what he said and he is wrong. On bandwidth, Australia is ranked 25th in the OECD. That is why Labor yesterday announced Labor’s national broadband network, which will deliver high-speed broadband to 98 per cent of Australians.

Obviously, that will have huge benefits for small businesses. How? Much faster speed—that is, 12 megabits per second, which is very fast by international standards—means that small businesses will be able to make much greater use of information and communication technology solutions, such as better inventory management, for example. It is not good practice to have a whole lot of inventory on your premises. When you make a sale, if you have information and communication technology, that can then trigger a purchase for another item. That is the efficient, modern way of doing business. That cannot easily be done without fast broadband. Small businesses will benefit through better business practices and through better communication and marketing so that they can tell people the goods and services that they have available.

The fact is, figures just released the other day confirm that half of all small businesses in Australia fail within two years of being established. We should do everything we can to support small businesses, to give them that broadband facility, to give them that competitive edge, to ensure that as many of those as possible can survive. Independent contractors and home based small businesses would be huge beneficiaries from fast broadband. Having those facilities at their homes allows them to operate efficiently from home without having to have an office somewhere else and also allows them to balance work and family life, which is pretty important. Small businesses and independent contractors would be huge beneficiaries from Labor’s program.

But this morning the Treasurer said—and it was asserted here again in parliament at question time—that this was always going to happen anyway. But Telstra and the G9 proposals applied only to five capital cities. We have the Minister for Agriculture, Fisheries and Forestry here, a member of the National Party, and again we have a situation where the National Party is only concerned with the cities. What about with the bush? What about provincial Australia? What about regional Australia? The minister and other ministers are happy that the proposal would only apply to five capital cities. Represent your constituents, Minister; represent them.

In addition, the proposals that have been on the board would require major regulatory changes. Where are they? Has the govern-
ment agreed to make those major regulatory changes? No, it has not. It was not just going to happen anyway, as the government continues to assert. On this question of Labor’s announcement, let us hear from the CEO of Optus, Paul O’Sullivan. He said last night: Today is a very significant step forward because what you have is a recognition of the need. The minister laughs because he dismisses the CEO of Optus. He said: I think all of the groups now, the political parties, Telstra, the industry are all agreed on the need. What we are now moving into—under Labor’s proposal—is how we achieve it, and today you have the endorsement of some key principles that the G 9 have been outlining, that is that we can have broadband and we can have competition and that it is important in the national interest to get both. Yet the minister at the table, the Minister for Agriculture, Fisheries and Forestry, today described Labor’s proposal as anticompetitive. So you have the CEO of Optus saying this is procompetitive, and the minister arguing quite the contrary, that it is anticompetitive. Phil Burgess from Telstra—the minister is laughing again; they are obviously the enemies of Telstra; there is no doubt about that—said: For too long, backward-looking regulation has locked Australia into old technology, creating the broadband drought that now afflicts consumers, businesses and communities around Australia. A broadband drought, Minister, under your guidance, under your sloth, under your complacency—

Dr EMERSON—The fact is, Minister, this government is reform lazy. That is the problem. Phil Burgess then went on to praise Senator Conroy’s initiatives. Also the Internet Industry Association—are you going to laugh about them too?—say, ‘This is good for the IAA and its members.’ The minister at the table today described this as ‘stupid policy’. Let everyone in rural and regional Australia understand that this minister has described the laying out of fast broadband to rural and regional Australia as ‘stupid policy’—as you would expect him to do, because he represents people in the cities and does not give a damn about people in rural and regional Australia.

The DEPUTY SPEAKER—The member for Rankin will resume his seat. I call the minister on a point of order.

Mr McGauran—Mr Deputy Speaker, I seek leave to make a personal explanation. I have been misrepresented by the speaker at the dispatch box.

The DEPUTY SPEAKER—There is no point of order.

Dr EMERSON—The Treasurer went on to say on radio this morning that we are running down the Future Fund. The fact is that this is a genuine, well-considered investment in Australia’s future. It is an investment to lift productivity growth. It is an investment to improve the viability of small businesses and independent contractors. Why would the government be opposed to that? During question time the Treasurer described respected columnist Terry McCrann as Comrade McCrann—

Mr McGauran—Chairman McCrann.

Dr EMERSON—That’s right, Chairman McCrann—as if he were from the left wing of the political spectrum around here. Mr McCrann described our policy as really quite sensible. He said it poses no threat to the integrity and purpose of the Future Fund.

It is National Water Day. The government talks about Labor spending money from the Future Fund. On National Water Day, let us remember that, in January, the Prime Minis-
ter committed $10 billion with no cabinet consideration and no Treasury costings. We did not oppose that. We asked to see the costings and we agreed with the principles that were outlined. We took a constructive approach. It is a bit rich for the government to say Labor should not be investing $2.7 billion, when the government is quite happy and free to invest $10 billion in a water plan.

Time and time again, we see this Prime Minister being very tricky. He is a very clever politician. The government announce 17 programs and they never get around to spending the money. That is why the Prime Minister had to say today, in response to a question from the member for Grayndler, that $46 million of the $50 million for the metropolitan Broadband Connect program has been carried over—and they spent $1.3 million on administration, so what on earth are they doing? There is a real choice at this election, between a forward-looking, visionary Rudd Labor government and a reform-lazy, slothful coalition government. That choice is going to be made, and it will result in the election of a Rudd Labor government because that is essential to Australia’s future. (Time expired)

Mr McGAURAN (Gippsland—Minister for Agriculture, Fisheries and Forestry) (3.39 pm)—I am embarrassed for the Labor Party today—the once great party that prided itself on its thoughtful and detailed policy prescriptions on behalf of the downtrodden, the oppressed and the exploited worker—because they have been revealed as mugs for big business. That is what they are. They have committed money for a policy on broadband rollout when Telstra and the ‘group of nine’ telecommunications alliance were going to spend it anyway. Telstra and the group of nine had committed $4 billion to roll out broadband to the commercial areas of metropolitan Australia. But oh no! That is lost on the Labor Party. They come along and pay $4 billion for the same service. This is an absurdity. Now that they have overturned decades of anti-privatisation principles and supported the selling of all Telstra shares, does anybody in the Labor Party really believe that is justified? Do they really now believe that the selling of Telstra to raise money to subsidise Telstra and other telecommunications companies is worth the surrender, when all of them are on the record in the past few months as still opposing the privatisation of Telstra?

The Labor Party cannot be trusted with the financial management of, it seems, any government policy area, let alone the budget. Under the fibre-to-the-node proposal, without any government funding, broadband would have been rolled out. The telecommunications companies must have seen Labor coming. They must not be able believe their luck today that the alternative government of this country is going to fund them for what they were going to do anyway.

In the meantime, who are the losers? The losers are those areas of Australia and those small businesses, families and sole contractors who deserve to have intervention by government on this. That was the purpose of our $2 billion Communications Fund. It was targeted at those areas of regional and remote Australia—together with the $162.5 million universal broadband fund, which would have made sure that people in disadvantaged circumstances were subsidised so that broadband was affordable. That is our governance structure, our communications policy: to ensure the proper rollout of broadband to Australians across the nation—with a sense of equity, not just looking after metropolitan Australia in the interests of big business.

Labor’s plan does not stack up. As the days ago by, more people—and, I suspect, some of the people the honourable member has quoted as being in support of the Labor
Party’s current position—will begin to realise its deficiencies. Firstly, it is unbelievable. Only two years ago this same plan was launched. At that time, the then Leader of the Opposition, the member for Brand, attached $2 billion to that plan—and, for all intents and purposes, it has now been rehashed. He was laughed out of court then. Almost to a person, the telecommunications sector decried the plan as lacking any credibility because the $2 billion would provide only a very small footprint. Compare it to South Korea, which is about the size of Victoria. They had a $50 billion rollout. In Singapore, which has half the landmass of Sydney, the rollout is worth $5 billion.

So Labor are attempting a con here. They are promising something that is undeliverable. In attempting to do so, they will fundamentally damage the long-term interests of future Australians, because they are going to deplete the Future Fund by $2 billion—and that is only the first instalment. They will need to return to the Future Fund time and time again to continue to fund this madcap plan—if they are still committed to it. Only three hours after Senator Conroy first launched the proposal yesterday, he revised the figures upwards. He conceded that his $8 billion plan could cost $9 billion—and that was between the one o’clock launch and a four o’clock interview.

What sort of reliability does an opposition have when within three hours of its own policy launch it is revising its figures? Where are they going to get that extra billion dollars, to go from $8 billion to $9 billion? They will just go back to the Future Fund. There are no other coalition specifically targeted communications funds that they can abolish. The irony of it is that today’s matter of public importance submitted by the member for Rankin attempts, unconvincingly, to highlight issues for small business. Well, small business in regional and rural Australia will be the losers without the Communications Fund that the coalition has established and funded but the Labor Party will abolish. Small businesses anywhere in Australia, anywhere that you like, are going to lose out if they are not already connected, so you can forget many small businesses in Orange, Townsville, Traralgon, Ballarat—and the list goes on and on. The simple fact is if the honourable member were concerned about small business he would have fought to retain a target specifically for disadvantaged small businesses outside metropolitan areas.

But above all else it has to be taken into account that the situation in Australia is of world equivalence, although we want to do better and there is no argument here about the importance of broadband and the task that lies ahead. But we should also recognise what has been achieved by the hundreds of millions of dollars—more than a billion dollars—already invested by this government. The Labor Party has come late to this debate. I represent in the lower house the Minister for Communications, Information Technology and the Arts. I stand to be corrected but I cannot remember ever being asked about broadband in several years. But the government does not wait for the Labor Party to wake up to a pressing national issue; we actually go about the job. We have been onto broadband for several years and as a result its take-up rate across Australia is the second fastest rate of the OECD. Small businesses are amongst those that are able to take advantage of the new broadband access and affordability. This is something that is not in the Labor Party policy, and it was not addressed by the member for Rankin today. It is all very well to talk about connecting broadband but you have got to address the issues of pricing—and the biggest determinant of pricing will be the regulatory regime.

Something else is also missing from the Labor proposal—and I am not going to dig-
nify it by describing it as a ‘policy’; it is almost a thought bubble, as it lacks detail, it lacks credibility and it is purely and simply political spin. The news for Labor, now that they have discovered broadband, is that Australians can access high-speed broadband right now; they do not have to wait for five years. Around 54 per cent of Australians in capital cities can access typical speeds of around 16 megabits per second. In fact, 91 per cent of Australians in capital cities can access speeds of around six megabits using ADSL2+ right now. So the problem is not principally in metropolitan Australia, but of course there is unfinished business. The problem is in outer metropolitan and regional, rural and remote Australia. That is the issue, and that is why the government, because of market failure, has specifically designed interventions such as the Communications Fund, which—I will say for the umpteenth time—will be abolished by the Labor Party.

The private optical fibre networks already available in the larger capital cities can provide connections at speeds of between 10 to 100 megabits per second. In fact, around 91 per cent of the population is already connected to exchanges offering ADSL and speeds ranging from around 1½ to 20 megabits per second. Around 2.7 million households in Australia can also access up to 17 megabits per second through the Optus or Telstra HFC cable networks. In terms of access in regional Australia, Telstra’s Next G network covers 98 per cent of the population and offers an average download of up to 3.6 megabits per second.

A great deal has been achieved on this government’s watch. There is no sense of complacency, let alone smugness, on our part. We will always continue to drive reform harder and faster than ever before. We want to provide broadband without exception, and we are prepared to spend to assist those in a disadvantaged position. But we are not going to hand over broadband, communications or any other policies to big business. The simple fact is big business is laughing all the way to the bank with the launch of this proposal because the proposal would be investing taxpayers’ funds, at considerable disadvantage to taxpayers, given the source of the Labor Party’s funding, to the benefit of companies that were already going to invest in the commercial areas of metropolitan Australia. Is there anybody in the Labor Party who believes that smacks of equity? Is there anyone in the Labor Party who believes that the sell-out of their long-held opposition to the privatisation of Telstra, which they now warmly embrace, is worth it? I do not believe so.

Australia has a good record when it comes to broadband take-up. We are about average in the OECD but, as I say, our country’s take-up rate was the second fastest, just behind Denmark’s. The residential take-up of broadband has increased by 63 per cent in regional areas and 41 per cent in metropolitan areas up until September last year, and it has increased since then as well. A major factor in broadband take-up is price. Australia has internationally competitive broadband pricing. A 2006 United Kingdom report ranked Australian residential broadband plans as cheaper than those of South Korea and the United States. In my view, the Labor plan or proposal or paper—however you wish to characterise it, except as a policy—gives no indication of pricing. There is no point in having access to broadband if you cannot afford it. The Labor Party have fallen for the three-card trick: they have disentangled access from pricing, whereas the two go hand in hand. Small businesses are taking advantage of the faster speeds now available with the greater capacity for connection. Almost one in five online small businesses use
connections of two megabits per second or greater.

But, as I say, I do not want anybody who might be listening or eventually reading the *Hansard*, however small those numbers might be, to think that I or anyone in the coali- tion believe our task is done. Far from it: we know broadband will underwrite much of Australia’s future economic, social and cultural prosperity. But the government’s approach is that all Australians are entitled to share in that future prosperity. It should not be limited to urban Australia at the cost of regional and remote Australia.

ABS data shows that public investment in telecommunications infrastructure is growing at twice the rate of that for the rest of the economy. The government have committed $1.1 billion in the Connect Australia package to provide a platform for investment in next generation broadband infrastructure. We have the $2 billion Communications Fund to provide a revenue stream for ongoing investment in communications in regional Australia. We amended the laws in 2005 to require the Australian Competition and Consumer Commission to consider the actual cost of a new network investment and the commercial interests of the infrastructure owner when settling access prices. That is the regulatory regime that I speak of.

That is a policy. The government have a long-held approach to the issue of the rollout of broadband. We know what is at stake. We have encouraged it for several years; the Labor Party have woken up one day and decided to pursue it as a political issue. They have reverted to form. They are politically lazy. They have cobbled together a policy that was released two years ago and presented it as a fresh, new paper. It is short on detail. It lacks credibility. They have a couple of companies in the private sector making up—at this stage, I hasten to add—only something of a cheer squad. If I were one of those companies potentially being given access to $4 billion at taxpayers’ expense, I would be cheering it along as well. But I believe it is going to dawn on a number of the so-called supporters of the Labor Party proposal in the private sector that it is against their interests, and we as elected representa- tives certainly believe it is against Australia’s interests.

Mr GIBBONS (Bendigo) (3.54 pm)—On any assessment the Howard government have completely botched the implementation of a comprehensive broadband plan designed to take this nation into the future and enhance our prospects for productivity growth into the future. It is perfectly obvious that the Prime Minister, the Minister for Communications, Information Technology and the Arts and the minister at the table, the Minister for Agriculture, Fisheries and Forestry, just do not understand the technology, let alone the importance of decent broadband services to secure our economic future. It is not just the implementation of broadband that the government have had major problems with in the communications portfolio—problems of their own making, I might add. When you look at the complete fiasco they made of the implementation of digital television and radio, it is little wonder they failed to grasp and botched the broadband implementation so comprehensively.

2006 ACCC figures prove Australia is falling even further behind in the implementa- tion of acceptable broadband services. For example, the September 2006 broadband snapshot released by the ACCC is just one example of the Howard government’s con- stant failure of leadership on broadband and its potential effect in lifting productivity. Those ACCC figures illustrated the third consecutive quarterly fall of Australia’s en- try-level broadband growth rate in 2006.
Australian broadband take-up grew by only 9.3 per cent in the September 2006 quarter compared to growth of 10.5 per cent and 12.6 per cent in preceding quarters. Last year, the nation’s broadband growth rate was barely good enough for Australia to retain its lowly ranking of 17th out of 30 developed countries surveyed by the OECD. The continuing fall in Australia’s broadband growth rate raises the prospect that we will now fall even further behind our international peers in this important area.

Australia’s broadband growth rates of recent times have come off an extremely low base. The ACCC report confirms that Australia’s broadband growth rate has plateaued and is now falling. On top of this, as Labor has pointed out in the past, the ACCC’s figures measure only the take-up of entry-level broadband. As a result, these figures hide Australia’s even worse performance in the take-up of multimegabit broadband caused by the country’s antiquated broadband infrastructure.

Australia needs a nation-building investment in broadband infrastructure to bring the country back into line with our international competitors and maximise the potential for dramatically increasing productivity for our small businesses. In contrast to the Howard government’s complacency on broadband, Labor has been playing a leadership role in the Australian telecommunications infrastructure debate. Labor has a plan for delivering world-class telecommunications infrastructure for all Australians. Labor’s nation-building broadband initiative will revolutionise Australia’s internet infrastructure by creating a new world-class national broadband network. Labor will invest up to $4.7 billion to establish the national broadband network in partnership with the private sector. This will be over a five-year period.

Part of this initiative involves Labor acknowledging that our policy of no further sale of the remaining 17 per cent of Telstra is now obsolete because the Howard government has a majority in the Senate and has used and will continue to use that majority to implement its ideological obsession with privatisation. As someone who will always oppose the privatisation of our essential services like communications, I am bitterly disappointed that we lost the fight to retain ownership of the majority of Telstra by the Commonwealth government and therefore the Australian people. However, Labor is committed to building for the future rather than fighting over the past. This means delivering high-speed broadband that is accessible and available to virtually all Australians to build the economy for the future and to deliver more economic growth, higher productivity and higher tax revenue to sustain us into the future—initiatives that are critical to the interests of our children and the long-term interests of the nation and essential to lifting our prospects for productivity growth.

This initiative is necessary to boost productivity growth and build long-term economic prosperity once the mining boom is over. Together with federal Labor’s education revolution, the national broadband network plan will provide a platform to build and expand Australian business. The national broadband network will connect 98 per cent of Australians to high-speed broadband internet services at a speed more than 40 times faster than most current speeds. Federal Labor will increase the speed to a minimum of 12 megabits per second, and this means that business, education and household services on the internet, including entertainment, will happen in real time.

The remaining two per cent of Australians, in regional and remote areas not covered by this network, will have improved broadband services. Nation building in the
19th century meant building a national rail network and the Snowy Mountains hydro scheme. Nation building in the 21st century means building a national broadband network, and that is precisely what a future Rudd Labor government will do.

Currently, Australia is 25th in the world for available internet bandwidth, behind Slovenia and the Slovak Republic. If we are to remain globally competitive, we must address this as an absolute priority, and that is precisely what Labor is doing. The new services and benefits of the network, particularly in rural and regional areas, include reduced telephone bills for small business; enhanced business services, such as teleconferencing, video conferencing and virtual private networks; enhanced capacity for services such as e-education and e-health; and high-definition, multichannel and interactive television services.

A new national broadband network is critical to building the platform for economic growth, productivity and prosperity. It is estimated that the new network would deliver the national economic benefits I have just mentioned and also up to $30 billion in additional national economic activity a year. It will make Australian small businesses more competitive, create new international and domestic markets for businesses and new jobs for Australians and provide greater media diversity. Essentially, Labor’s plan will partner with private sector contributors to deliver the national network, undertake a competitive assessment of proposals from telecommunications companies that already have a record on the board, ensure competition in the sector through an open access network that provides equivalence of access, charges and scope for access seekers to differentiate between product offerings, and put in place regulatory reforms to ensure up-front certainty for all investors.

A range of domestic and international studies have reinforced the potential for broadband to stimulate economic growth. The national broadband network will be funded by using existing government investments in communications to provide a public equity investment of up to $4.7 billion in the new broadband network. This will include drawing on the $2 billion regional Communications Fund and the Future Fund’s 17 per cent share in Telstra which, consistent with the legislated position, will earn dividends and be sold down to a normal level over time after November 2008. This broadband revolution is a huge win for small businesses, students and personal computer users across the nation and will change Australian business and computing forever. This will be the greatest national investment in improving information and communications technology and broadband internet access in this nation’s history. This pioneering and much needed initiative will bring enormous benefits to central Victoria and all other regional centres across Australia.

As a former small business operator relying on the information technology field, I know and understand the frustration of small businesses in attempting to access useable internet speeds. But it is not just small businesses in central Victoria that will benefit; the ability for students to access the internet at reasonable speeds will enhance their education to a level that will enable them to function at a much higher potential throughout their working lives. The benefits for the delivery of medical services are almost unlimited, especially throughout rural and remote areas. This bold plan has benefits for each and every Australian, whether they live in our capital cities or in the most remote regions in Australia.

The sheer magnitude of this imaginative and vital piece of infrastructure will deliver this nation a project that could only be com-
pared with the legendary Snowy Mountains hydro electricity project in its importance and benefit for all Australians. It will be the most vital piece of infrastructure for many decades and only Labor has the vision to outline and implement this and other policies so essential to the wellbeing of each and every Australian in both current and future generations.

Mr CIOBO (Moncrieff) (4.03 pm)—I could not help but notice that because the speaker before me was reading from a prepared speech he finished three or four minutes early in his allotted speaking time on the matter of public importance. Listening to that entire speech, I was struck by the amount of waffle that we have heard from the Australian Labor Party when it comes to broadband. All we are hearing is populist waffle. When one analyses what the Australian Labor Party has put forward and applies a little bit of intellectual rigour to what it is saying about its fancy broadband network, one discovers a couple of things. The first is that the Labor Party is very big on smoke and mirrors and flashing lights. It has had the big announcement and the big launch of their broadband network, but when one pierces through that and passes through the light show one sees that the Australian Labor Party is completely lacking in detail.

We have seen already a clear instance of the inability of the Australian Labor Party to come up to speed when it comes to details and fact. A case in point is the shadow minister. The shadow minister, Stephen Conroy, spoke at the Press Club yesterday and said at lunchtime that the Labor Party’s proposal to cover 98 per cent of the population at 12 megabits per second would cost $8 billion. But by four o’clock that same afternoon the cost had gone up by a billion dollars. We had seen an increase of a billion dollars by four o’clock that afternoon. This is the way the Australian Labor Party throws money around. It throws money around because it is not up to speed with the detail. I say to the Australian people: this is far too important to get wrong. The Australian economy is far too important to be left in the clutches of the Australian Labor Party, because its fast and loose policy record when it comes to both the truth and economic management indicates that the Australian people will pay the price for the Labor Party’s rush to try to get itself elected later this year. It goes out and says at lunchtime, ‘We want to cover 98 per cent of the Australian population for $8 billion.’ By four o’clock we knew that it was going to be 98 per cent of the Australian population for $9 billion.

What do we know about the actual costs involved? It is interesting that Bill Scales, who was Telstra’s group general manager for corporate relations, said two years ago that he anticipated the cost of fibre to the node across Australia would be in the tens of billions of dollars. To quote from the evidence he provided to the Senate estimates hearing of the Environment, Communications, Information Technology and the Arts Legislation Committee on 14 February 2005:

The whole issue of cable is complex, as you began to discuss today. At the very least, it requires literally tens of billions of dollars of investment.

That is what was said two years ago. Independent experts have also suggested to the Senate that at the time the figure was not less than $20 billion. For example, Caslon Analytics is an Australian research, analysis and strategies consultancy and it said:

Estimates of the cost of rolling out fibre to most households are problematical; it is likely that expenditure of over $30 to $50 billion would be required.

We also heard from Professor Gerrand from the University of Melbourne in the same inquiry, who said, ‘I think a safer estimate’—that is, than Telstra’s $30 billion—’would be about $20 billion.’ So we have industry ex-
perts saying that they approximate the cost of providing broadband to the Australian community not at the $8 billion we heard at lunchtime from Labor and not at the $9 billion we heard at four o’clock from Labor but at the cost of at least $20 billion. That is what industry experts say. That is the kind of detail that the Australian people rightly want to look at. Unfortunately, the Australian Labor Party turns its back on the costs.

Let us have a look at some of the comparisons internationally. We know the Australian Labor Party like to talk about South Korea. South Korea is a country that is less than half the size of Victoria with a population that is more than double the Australian population. There are 48 million South Koreans. Rolling out a fibre network cost them in excess of $A50 billion. I think it can be pretty much taken as a given that, despite the light show from the Australian Labor Party, their prediction at lunchtime of rolling out a network to 98 per cent of the Australian population for a cost of $8 billion—it was $9 billion by four o’clock—should in fact be a lot closer to, say, $20 billion or $30 billion. That is the true cost of what Labor are throwing out there and saying they will be able to do for $8 billion or $9 million.

Mr Tanner—Which is it, 20 or 30?

Mr CIOBO—I will take the interjection, because the Labor Party obviously has no idea. I get a question from the shadow minister as to whether it is $20 billion or $30 billion. It is not my job to provide advice to the Australian Labor Party. What I can say to the Australian Labor Party is that it would be advantageous if the shadow minister actually spoke to his counterpart in the Senate and advised him of the cost, because your counterpart in the Senate does not know if it is $8 billion or $9 billion. You could start by telling Senator Conroy what the cost of your proposal is, because it changed from 12 o’clock to four o’clock. Your Senate counterpart did not even know the cost. Between 12 midday and four o’clock it had blown out by a billion dollars. That is the Labor Party’s record—cost blow-outs all over the place.

More importantly, let us get back to the economic management. We know that the Labor Party is straight-out falling at the very first economic hurdle when it comes to good governance for the people of Australia. We know that because the Australian Labor Party intends to engage in a smash-and-grab, as we heard from the Treasurer. We know that part of the funding for this proposal that has been put forward is to steal from future generations of Australians, our public servants, our Defence Force veterans and our Defence Force employees, their superannuation. That is the Labor Party policy: to take $2.7 billion out of the Future Fund.

Why was the Future Fund established? This government was proud to establish the Future Fund on one core principle, and that was recognition that the Australian population was ageing. With the ageing of the Australian population, we have a responsibility to future generations of Australians to provide for the costs that we are incurring today. And we did that, through the Future Fund, by saying that we will provide $140 billion to meet future liabilities of previous governments, this government and governments after us that will have to be met with regard to superannuation expenses. That was the commitment of this government. We said that we would quarantine those funds and put them into the Future Fund.

The Australian Labor Party has turned its back on that principle. The Australian Labor Party is prepared to steal from tomorrow’s generations in order to get elected later this year. The impact of that thievery, the impact of that economic irresponsibility and the impact of the Labor Party’s inability to manage
the Australian economy will be felt by every single Australian. So I say to Australians: look through the light show that the ALP likes to hold up and actually turn to the substance. They will see that there is no substance to the Australian Labor Party. If Labor can turn its back on costings in four hours and have a cost blow-out of a billion dollars, then I shudder to think what will happen between now and the election. The price will be borne when they take out any extra money they need from the Future Fund. If the real cost is not in fact $9 billion but rather $11 billion, $12 billion or $20 billion, the people who will pay that price are the future generations of Australians.

We know that the Labor Party has no problem turning its back on so-called Labor Party principles. For so long we heard from the Australian Labor Party that it was intrinsically opposed to the sale of Telstra. We heard the Labor Party in this chamber, occasion after occasion, say how it would fight to the death to ensure that Telstra was not fully privatised. Yet it turns its back on that at the drop of a hat. Why did it do it? It did it because it wanted to pursue the populist notion of a national broadband network. I say to the Australian people: we know that the shadow minister cannot even keep the costs under control between lunchtime and four o’clock. We know that the costs blew out by a billion dollars. We know the Australian Labor Party does not have detail and that it is willing to steal some $2.7 billion—at the very least—from future generations of Australians. You cannot trust Labor on detail. You cannot trust Labor to keep its hands off the Future Fund. You cannot trust Labor to make the hard decisions about what is economically responsible for future generations of Australians. Australians should look past this light show and turn their backs on an irresponsible policy that would mean economic chaos in the future if Labor is re-elected. (Time expired)

Mr ANDREN (Calare) (4.13 pm)—The internet was promised as the information superhighway, but just as country Australia has put up with a mix of some highway, some main road, potholed or unpaved rural road and bush track for so long in this vast continent so too around 70 per cent of the country is apparently condemned to barely main road and bush track telecommunications in the years ahead.

Nothing in the government’s plans for regional telecommunications, and very little more in Labor’s plan announced yesterday, is going to realistically address the broadband demand for rural Australia outside the major centres because the market is just not interested. Any plan to deliver universal broadband to all Australians will simply not be feasible under private-public partnerships alone. However a future Labor government might structure and fund such a partnership, whether from selling shares in a company it vowed never to privatise or through other means, the fact remains that around two-thirds of the Australian mainland will simply not deliver a private operator any profit unless the pricing regime dramatically changes. Is this the way that it is going to be made attractive?

The Nationals’ own 2005 Page report showed it could cost up to $7 billion to provide fibre optic broadband to the majority of Australian households. Labor’s plan, I understand, is to provide it to the node at the street corner. Which street corner in Tottonham, for instance? Or which street corner in outback New South Wales, where a collection of properties could be spread over hundreds of square kilometres?

Telstra, by the way, have put a figure of $25 billion on universal broadband delivery. That is the price they have put on it. That is the sort of money we are talking about if we are serious about making the superhighway
via a homogenous network available to all Australians wherever they live, because the pastoral operation at Louth is as important as a stock agency in Blayney or perhaps a real estate agency in Katoomba. Singapore is spending $5 billion to deliver fibre to the home, on an island city state, which puts the cost of providing fibre optic broadband to all Australians in some sort of perspective.

It is misleading, as it was when the Labor government agreed to switch off analog mobiles in the nineties, to accept delivery of services to 90 per cent of the population as getting the job done. That would cover the so-called ‘Golden Banana’ between Brisbane and Adelaide, and the other major cities. It does not mean that 90 or 98 per cent of the country’s vast geography would be covered under the process.

Rural small business is critically dependent on accessing information from government departments—state, federal and local—on a range of day-to-day issues required for running that business. They need to pull down information on their statutory requirements, like OH&S, industrial relations and so on. This information invariably involves large files, so the need for fast broadband is critical, as it is for distance education. And do not try and kid me that 3G mobile technology is the way we are going to do it. Once that band is being heavily utilised, you might as well go to Sydney for a visit, see the Royal Easter Show and get back in time for anything to be downloaded.

Accessing suppliers’ catalogues online is a major requirement for many businesses that supply and service agricultural, mining or aircraft equipment and so on. Broadband is now by far the most cost-effective and time-critical method available for urban business, but much of rural Australia looks like missing out on the superior terrestrial broadband technology unless the sort of money that is being quoted is available. I heard the minister earlier today talking about $50 billion being spent in, I think, South Korea. The $600 million now and the interest from the $2 billion plan of the government or Labor’s $4.7 billion upgrade—hoping the privateers will come on board—is just not enough.

Broadband shortfalls are not only in rural and regional Australia; they are right across the regional areas. CENTROC—consisting of 13 councils—have put in for $80 million, which is a big slice of the $600 million set aside by the government under its broadband regional infrastructure fund, which again shows how underfunded this whole process is. The $160 million broadband guarantee is quite laughably underfunded.

Yes, fast broadband is vital for small business. Many of the people who are expecting it will still be sitting around waiting, even under the Labor plan and certainly under the government’s plan. The only band they will know about is the band on their hat—unless, of course, the government or opposition is suggesting user pays. Is that the real future plan of the government? (Time expired)

Mrs BRONWYN BISHOP (Mackellar) (4.18 pm)—ABN AMRO have concluded that the Labor Party’s policy ought to be termed ‘broadband dreaming’. They have looked seriously at what is already being provided by the government and looked at the 22-page document produced by the Labor Party. They noted that only one page of that 22-page document is devoted to any sort of detail at all. There is no map of coverage provided, no costing table and no level of technical detail. Labor seems to have fixed its mind that the only way to provide high-speed broadband to all of Australia is via a fixed fibre-to-the-node system. It seems to have quite overlooked the use of other technology, such as high-speed wireless networks, which may be a much more efficient
way of providing higher speed broadband connections to many parts of Australia.

If you look at the present situation you will see that the government has been working steadily, assiduously and with competence to provide broadband to those who are in need of it. If we look at the ABS stats we will see that 90 per cent of Australian households are connected to exchanges that are providing speeds of between two megabits per second and eight megabits per second. Many people will say, ‘What does that mean?’ It simply means that that is adequate to download movies, conduct videoconferencing, play games, teleconference and undertake everyday internet and email use. Nearly 50 per cent of the population can—that is, right now—access higher speeds of between 12 and 20 megabits per second from ADSL2 and broadband and pay TV cable networks. In other words, we are penetrating the market according to its need.

Australia’s take-up of broadband grew at a faster rate than that of any other OECD country except Denmark in the 12 months to 30 June 2006. To put more statistics to explain how many people that translates to: 3.9 million broadband subscribers are already in existence; around one-third of Australian homes have broadband. We have put into place policies that ensure that we are up there with the best in the world. We are the second fastest in the world for take-up of broadband—as I just said, with the exception of Denmark.

I think it is important that we look very much at the question of small business and the use that small business makes of broadband. If you define, as the ABS does, a small business as a business with fewer than 20 employees, you will find that an estimated 39 per cent of Australia’s economic production is generated out of that small business sector. It employs 3.7 million people, which accounts for almost half of private sector employment. If you look at use of broadband, you will find that small businesses are taking advantage of the faster speeds to the extent that 20 per cent of online small businesses use connections of 20 megabits or greater.

Fixed wireless networks provide speeds of two megabits per second to almost 6.5 million premises in Australia, including 800,000 that cannot access ADSL broadband. There are now four third-generation mobile phone networks operating in Australia, all of which offer broadband services. Since March 2005, the number of broadband subscribers on 1.5 megabit speed connections or greater has doubled to 1.1 million.

What I have described is a situation where the private sector has entered the area of providing broadband for subscribers who need it and want to use it. Where is the evidence in Labor’s plan to address the problem of the interaction between the rollout of a government owned network and the private sector network? Will heavy-handed legislation be required to compulsorily acquire parts of the Telstra’s network?

Mr Hatton (Blaxland) (4.23 pm)—Throughout Australia there is an absolute hunger for productivity growth and an absolute hunger from small businesses Australia wide for real broadband infrastructure that will provide a national backbone. So far we have had bits and pieces. We have had parts of an answer because this government will not devote itself. It cannot imagine devoting the resources to providing what is needed for the 21st century; rather, it looks to the 19th century. What is not taken into account here is that there is national demand and a national need. In the Netherlands, they not only have fibre to the node, which places them at the forefront of world productivity and world access, but also are looking at doing fibre to...
every single household in the Netherlands. That is an enormous jump forward and will provide them with a great deal of capacity. They will do what Korea has done and they will continue to be world leaders.

The DEPUTY SPEAKER (Hon. IR Causley)—Order! The time allotted for this discussion has expired.

NON-PROLIFERATION LEGISLATION AMENDMENT BILL 2006

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Dr STONE (Murray—Minister for Workforce Participation) (4.24 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

COMMITTEES

Parliamentary Library Committee

Membership

The DEPUTY SPEAKER—Mr Speaker has received a message from the Senate informing the House that Senator Brandis has resigned from the Joint Standing Committee on the Parliamentary Library.

BANKRUPTCY LEGISLATION AMENDMENT (DEBT AGREEMENTS) BILL 2007

BANKRUPTCY (ESTATE CHARGES) AMENDMENT BILL 2007

AVIATION TRANSPORT SECURITY AMENDMENT (ADDITIONAL SCREENING MEASURES) BILL 2007

OFFSHORE PETROLEUM AMENDMENT (GREATER SUNRISE) BILL 2007

CUSTOMS TARIFF AMENDMENT (GREATER SUNRISE) BILL 2007

TOURISM AUSTRALIA AMENDMENT BILL 2007

AUSTRALIAN ENERGY MARKET AMENDMENT (GAS LEGISLATION) BILL 2006

Return from the Senate

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

ANTI-MONEY LAUNDERING AND COUNTER-TERRORISM FINANCING AMENDMENT BILL 2007

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered at the next sitting.

MIGRATION LEGISLATION AMENDMENT (INFORMATION AND OTHER MEASURES) BILL 2007

Second Reading

Debate resumed.

Mr HATTON (Blaxland) (4.26 pm)—As I was indicating prior to question time, the Migration Legislation Amendment (Information and Other Measures) Bill 2007 is a largely technical bill, but it is emblematic of the fact that, 2½ years after the government gave these provisions legislative effect with regard to privacy connected to the disclosure of personal information, signatures, photographs and so on, there continues to be a problem. For 2½ years there has been total, complete and utter inertia in terms of fixing the problem. What does the explanatory memorandum have to say about this? It states that this legislation amends the act to:
address limitations of certain provisions dealing with identifying information;

- broaden the ability of the Department of Immigration and Citizenship ("DIAC") to disclose movement records for the benefit of the person to whom that record relates; and

- amend the definition of ‘fisheries detention offence’.

Prosecutions in a number of fisheries cases have not been able to go forward. People have not been able to be prosecuted simply because the departments have been hamstrung by the way in which they have interpreted the government’s legislation. I want to quote further from the explanatory memorandum to show just how significant these limitations have been. It further states:

(4) The limitations and inflexibility of the permitted grounds for access and disclosure of causing serious problems throughout the DIAC in its day to day work, and for other agencies in the enforcement of the criminal law. DIAC’s ability to continue normal working practices, such as disclosing photos and signatures to other agencies, has been severely hampered and in some instances has been discontinued as a result of the current provisions. The Commonwealth Director of Public Prosecutions has advanced that many criminal prosecutions, some for drug importation, have been affected because of DIAC’s limited ability to provide essential evidence to assist with the prosecution.

As I said before question time, there have been drug cases that have not been prosecuted. There have been fisheries cases that have not been prosecuted or only prosecuted to the extent that the law allowed because of legislation the government put in place 2½ years ago. How is it possible? This government is so tired, so lax and so flaccid that it has delivered a situation where it cannot remedy something it created itself. Is the Public Service so bound by the privacy provisions that it does not have the wit to see that the current legislation and its limitations are a web around it so it cannot move forward? What is wrong with the ministers? For over 2½ years they have not addressed this. Why hasn’t the government enacted further legislation? If it cannot prosecute for drug importation offences and if it cannot prosecute for fisheries offences then the government should not be here. It should get out of the way and give us a go. To not work on these limitations for 2½ years is completely disastrous.

Debate interrupted.

ADJOURNMENT

The SPEAKER—Order! It being 4.30 pm, I propose the question:

That the House do now adjourn.

Broadband

Mr ALBANESE (Grayndler) (4.30 pm)—Yesterday two important policy speeches were given. The Prime Minister gave a speech about the failed and wrong plan in Iraq. The other speech was by the Leader of the Opposition about building a world-class, high-speed broadband network in Australia. The contrast is stark. The Prime Minister is stuck in the past, stuck with bad decisions and with failed plans. The man who wanted the prime ministership so he could pay back all those who tried to stop him along the way is now determined to stay there to pay back the Treasurer, who does not have the courage to challenge him. But there is no forward agenda, as he is incapable of embracing the future.

Contrast this with Labor’s positive plans and vision for Australia, meeting the challenges of the future on climate change, on water, our education revolution and on broadband. Labor regards building a world-class, high-speed broadband network as an important part of nation building for the future. We think improving the broadband capacity of Australia is critical to improving business efficiency, educational opportunity
and the creative, smart future of our economy.

But the Prime Minister says there is no role for the government in this important task. The simple fact is that after 10 years the government does not have any plans or strategies for building important economic infrastructure. Indeed, today we saw a continuation with the Treasurer and the Prime Minister going on an absurd and misguided economic attack—an attack from a government that is no longer connected to the reality of the economic challenges facing rural and regional Australia; an attack that is fundamentally flawed. The government says that a national broadband network is something that really is being attended to by the private sector and therefore there is no need for government involvement. The fact is that the G9 and Telstra proposals only supply fast-speed broadband to the five capital cities and the proposals cannot be rolled out without urgent regulatory reform—regulatory reform that Labor will deliver so we can make a $4.7 billion investment in our future.

We have had 17 separate programs by the Howard government and we are still falling behind the world, ranked 25th by the World Economic Forum for available internet bandwidth. When broadband pressure was on during the last election, the government announced the Metropolitan Broadband Blackspots Program, a quick fix designed to give the impression of government policy action. A letter I received from the Prime Minister today indicated that just $4.1 million of that $50 million that was allocated and promised—less than 10 per cent of the program—had actually been spent. It gets worse. More than a quarter of that, $1.3 million, was spent on administering the program.

The Treasurer is a broadband sceptic, just as the government is dominated by climate change sceptics. They do not understand how important broadband is to the Australian economy. They think broadband is a worthless bounty, not an investment in Australia’s future. We have seen hysterical attacks from the government, but the fact is that the future of this country does depend on a national broadband network. We have had comments from the Treasurer about economic responsibility. The Treasurer is an economic manager for yesterday, not an economic reformer for tomorrow, because if you want to be Prime Minister in the 21st century you have to make decisions for the 21st century. This is the same government that on 25 January made a commitment of $10 billion to the National Plan for Water Security—a plan that did not go to cabinet and a plan that had not been properly scrutinised or costed by Treasury or Finance.

What was Labor’s response to that? Labor’s response was to be constructive and to acknowledge that there is a need for water reform. Compare that with the actions of a government that is acting more like a desperate opposition every single day. The comparisons between Peter Debnam and his behaviour in New South Wales and this government are very stark. This is a government that is negative and simply plays politics. It is unable to get beyond dealing with its own internal crisis. We need a government that is prepared to step forward into the future to meet not just the broadband challenge but the challenges of climate change and water, the challenges to meet the next generation—not a government that is out of ideas, out of touch and out of time. *(Time expired)*

**Environment: Murray-Darling Basin**

Mr CAUSLEY (Page) (4.35 pm)—On the morning of Tuesday, 20 February, an article in the *Sydney Morning Herald* by the journalist Wendy Frew came to my attention. The article quoted statements from the World
Wildlife Fund and the headline was ‘Neglect puts Murray system among the world’s most endangered’. It makes interesting reading because, quite frankly, nothing in the report has any substance. I joined the New South Wales parliament some 24 years ago because I was in conflict with some of the statements made by environment groups which had no scientific basis and no substance, yet it continues to this day.

The journalist is saying that the quality of the Murray River has declined over those years, yet if you go to the Murray-Darling Basin Commission, of which I was a member for at least five years, the facts are starkly different. I seek leave to table a graph from the annual report of the Murray-Darling Basin Commission which clearly shows that the salinity levels at Morgan in South Australia have fallen from some 870 EC units to about 520 EC units from 1980 to the present day and shows that the efforts of the Murray-Darling Basin Commission have cleaned up the Murray-Darling considerably over that time.

Leave granted.

Mr CAUSLEY—The article also goes on to talk about the European carp which escaped into the Murray-Darling system some years ago and which undoubtedly caused considerable problems. But the article does not talk about the current situation in the Murray-Darling system. In fact, what has happened there is that we have an equilibrium in the system and the European carp are no longer the problem they used to be. I do not think there has been any scientific research done on this, but anecdotal evidence from people who have lived along the Murray-Darling all their lives is that the cod are coming back; they are either eating the young carp or the carp have eaten out the food supply and are reaching an equilibrium within the river. As far as the turbidity of the water is concerned, that has improved considerably and the locals will say that at least you can see a metre or more into the water these days and that the turbidity has certainly settled.

The important thing is that we should not allow hyperbole to drive this debate. The Murray-Darling system is the pulmonary artery of Australian agriculture. Sixty per cent of Australian agriculture is in the Murray-Darling system, and it is important that we get the management of that right. There is no doubt that the $10 billion that was put forward by the Prime Minister—and there is no other public interest that is going to put forward that $10 billion; there is no Telstra or Optus that is going to do that—is money that is going to be well spent on managing that system. But we do not need hyperbole. We do not need hyperbole from the scientists—and the Wentworth Group have certainly been guilty of that—and we do not need hyperbole from journalists who are too lazy to do their homework. If they had just gone and looked at the annual report of the Murray-Darling Basin Commission it would have shown them very clearly the present state of the river.

I honestly believe that the fourth estate, as we call the journalists in this place, is an important part of a free democracy, but I would ask that, in future, they abide by their journalists code of ethics. They should not be driving the agenda and a position in these areas; they should be putting forward the facts and not trying to enter the debate through the columns of the newspaper.

Australian Public Service

Mr MARTIN FERGUSON (Batman) (4.39 pm)—I welcome the opportunity to speak this evening and in doing so to recognise the many thousands of Australians who go to work each day in the Australian Public Service. The vast majority of those workers
are skilled administrators, policy makers and technocrats. They are politically neutral—and so they should be. They provide advice without fear or favour. They respect the system of Westminster governance with clear distinctions between the roles of government, parliament, the judiciary and the Public Service. They are prepared to serve successive governments equally.

Australia is one of the few countries with a Public Service Act that sets out the values and ethical standards of public service in legislation. That act, passed in 1999, was supported by both sides of the House and it is an achievement we should all be proud of. Unfortunately, I am not sure that the act is still supported by the Prime Minister and his government. I believe the evidence is clearly to the contrary. Let us just think about it for a minute: ‘children overboard’, Cornelia Rau, Vivian Alvarez Solon and the AWB scandal. In fact, the evidence suggests that the Prime Minister was determined to bring the Public Service into his political process from the beginning of his reign in March 1996. On election, without cause, he sacked six Public Service heads without declared or apparent reason, because he perceived them as being a little sympathetic to the other side of politics—the Australian Labor Party. He sought at the outset to politicise the Australian Public Service with appointments such as that of Max Moore-Wilton to the head of the Department of the Prime Minister and Cabinet. Over time it got worse, with the appointment, for example, of Mark Paterson as Secretary of the Department of Industry, Tourism and Resources. So the message to the Australian Public Service was clear: ‘Do not mess with me; you are either part of me or you’ve got no future.’

Unfortunately, the pattern has continued. For example, why did the Public Service fail to tell the Prime Minister when they knew government statements on the ‘children overboard’ affair were simply false? Why was there cover-up after cover-up in the immigration department—a department that, historically, had a very good name for doing its job in a highly ethical way. And why did DFAT fail to act on the application of sanctions when it came to the AWB? I believe it is this government that expects the Public Service to take its political agenda into account and not to serve the Australian community first and foremost.

As a result, over the last few years the Public Service has been under siege, and the reputation of the vast majority of hard-working public servants has been sullied by the few who have not upheld appropriate values and ethical standards. Many of them have felt powerless, in the face of political pressure to alter advice, to stay silent or to simply do nothing lest unpalatable truths emerge. Some of them then get a little bit of courage.

Labor believes in rebuilding the Public Service and sees the restoration of its faith and courage to do the right thing by the Australian community as a top priority. I think it is very appropriate here today to remember that, despite the pressure the Public Service is under and despite the despair in many departments and agencies around Australia, there are many stories of outstanding public service and commitment.

It would therefore be inappropriate not to specifically acknowledge the ultimate sacrifices made by four public servants in Yogyakarta, Indonesia, on 7 March 2007: Allison Sudradjat, Liz O’Neill, Mark Scott and Brice Steel were outstanding public servants who knew that, in the face of all danger, they would do the right thing by the Australian community. Those four Australian public servants who lost their lives in that horrendous plane crash were engaged in myriad important activities around Australia and
overseas and united in one crucial regard: they were all proud to be Australian public servants and to work in Australia’s best interests. In quite different ways, and through different agencies of government, they each made a huge contribution to this nation. That had been their life—public service. And what they and tens of thousands of their colleagues have done collectively is just as significant as their individual achievements. They have acted in the common good. They were good Australian public servants serving the citizens of Australia. It is time this government stepped back from its politicisation of the Public Service. (Time expired)

Kingston Electorate: Seaford 6-12 School

Mr RICHARDSON (Kingston) (4.44 pm)—I rise today to bring to the attention of the House the outstanding achievement of a school in my electorate of Kingston, the Seaford 6-12 School. Yesterday we celebrated the 2007 National Awards for Quality Schooling, which seek to celebrate great achievements in education and the outstanding teachers who make great personal sacrifices to provide students with the best possible learning environment. Yesterday Seaford 6-12 and the amazing teachers who fall within this category were recognised with their receipt of the Best National Achievement Award and the inaugural Medal of Distinction.

The purpose of the Medal of Distinction was to highlight the achievements of the winner in order to hold them up as an example for other schools to emulate, and I am exceptionally proud that Seaford 6-12 are being held up as that example. I live just around the corner from the school and, having visited the school and seen the students at the local Seaford shopping centre and around the area, I know that they are a credit to themselves and their school. I am very proud to be their federal government representative.

The work the school has undertaken over the last five years and the challenges it has overcome should undoubtedly stand as a beacon for others to follow, involving as they have the principal, the deputy principal, the teachers and support teachers, the volunteers and, most importantly, the students themselves. Seaford 6-12 is a fine example of the difference that improved leadership can make in a school. They were experiencing a lack of work ethic in students, high non-attendance, low retention rates, low staff morale and a lack of direction and vision. This school has now been transformed thanks to the leadership restructure undertaken by the principal, Mary Asikas, in partnership with the entire school community and its divisional superintendent, Mr Mike Hudson. The reforms meant that staff became more engaged in the entire agenda of reform and the school’s performance increased in line with the reforms.

The black and white evidence of the success of the program is in the results. Academic results are up 19 per cent across the curriculum. There is 30 per cent greater student retention and improved attendance. There is a 65 per cent reduction in student management issues, along with increased enrolments and improved parent and student perceptions of their school. The anecdotal evidence of the school’s improvements is even more impressive, though. If you take the time to talk to those involved with the school, you find the parents, the teachers and the students alike are all filled with a new vigour and enthusiasm about their school. As the Minister for Education, Science and Training, the Hon. Julie Bishop, said at the awards:

Schools play a critical role in preparing the young Australians for the challenges they will face as adults and after parents, teachers are the single
most important factor in a child’s educational outcomes.

We need to create an environment where students have every opportunity to reach their potential, and to reach that potential students require a positive learning environment and teachers who provide support and an education which allows them to develop not just academically but personally as well. Seaford 6-12 are providing those quality educational and personal outcomes and they deserve to be highly commended for the role that they play in shaping the lives of their students. I am proud to be a part of their community and proud to represent them in Canberra and in the southern suburbs of Adelaide as their local federal member.

**Fuel-Efficient Cars**

Mr KELVIN THOMSON (Wills) (4.48 pm)—This afternoon I want to sing the praises of factory-built LPG vehicles. I have been driving a factory-built Ford Fairmont for the past couple of months. I am most impressed by its performance, how easy it is to refuel at petrol stations everywhere, its range—which exceeds 500 kilometres—and, in particular, its economy. It has been costing just $33 or $34 to fill up the tank, so for 500 kilometres it represents excellent value. I can also report that there is very little loss of boot space, which is one of the things that people have worried about with LPG conversions. In the case of the factory-built vehicle, the LPG tank is stored below the boot floor leaving just the spare tyre intruding into the boot space, and I personally find that quite manageable.

I want to commend the factory-built LPG vehicles to Australian motorists on two counts. Firstly, obviously there are the running costs. The poor old Australian motorist has been hit hard by petrol price rises in the last few years, so being able to cut those fuel bills is a fine thing, and LPG really does cut them. Secondly, they reduce greenhouse gas emissions. I understand that both the Ford and Mitsubishi dedicated LPG vehicles provide a 10 per cent reduction in greenhouse gas emissions over the equivalent petrol-powered vehicle. Ten per cent might not seem like a lot, but when it comes to tackling climate change every little bit helps and we need to look at every aspect of our greenhouse gas emissions to see how we can do better. Australia’s road transport sector produced 76 million tonnes of carbon dioxide in 2004 and accounted for 13 per cent of total greenhouse gas emissions. Emissions from transport have been growing at two per cent per annum over the past decade and we need to turn this around. Furthermore, LPG not only has fewer carbon emissions; it also has fewer photochemical-producing compounds and fewer air toxics such as benzene.

While I think LPG cars have a really important role to play in Australia, I am not suggesting that they represent the long-term solution. I am a very strong supporter of the $2 billion green car partnership announced in Adelaide this time last week by the Leader of the Opposition, the member for Kingsford Smith, and Senator Kim Carr. This involves a $5 million green car innovation fund designed to generate $2 billion in investment to secure jobs in the automotive industry and tackle climate change by manufacturing low-emission vehicles in Australia. Industry will be asked to match a $500 million government contribution on a $1 to $3 basis. The Commonwealth’s investment in the green car partnership will be conditional on the achievement of solid commercial and environmental outcomes. It is about giving Australians the opportunity to buy Australian made green cars.

The Green Car Innovation Fund complements federal Labor’s green car challenge in March where we pledged to purchase for the Commonwealth fleet value-for-money, envi-
Environmentally friendly vehicles such as hybrid vehicles if they were produced in Australia. Indeed, it is the case that hybrids have great potential to reduce carbon emissions. Standard vehicles manufactured in Australia produce around 250 grams of carbon dioxide per kilometre. Hybrids manufactured overseas produce less than half that—106 grams per kilometre—and the Honda Civic hybrid and the Toyota Prius are now commercially available hybrid petrol-electric vehicles.

Hybrid cars use an electric motor to supplement a petrol engine. This reduces CO₂ emissions by ensuring that the petrol engine is used as its most efficient, for cruising, while the motor kicks in for acceleration. The fact that hybrids still require petrol means that some people see them as a bridge to solutions that reduce emissions even further, rather than the final solution themselves. Many industry insiders are predicting that hydrogen fuel cells will be the way of the future. Fuel cells produce an electric car that produces its own electricity rather than relying on batteries. They do so by creating a chemical reaction between hydrogen and oxygen. While this sounds ideal, a commercially viable product is still some years away.

The important thing is that Australians do not believe that there is nothing we can do about global warming; they do not believe the counsel of despair. There are lots of things that we all can do. Together we can achieve a great deal, and every little bit helps. With leadership from government and engagement from the community we can reduce our greenhouse gas emissions and we can tackle global warming.

Health: Hunter Syndrome

Mr WOOD (La Trobe) (4.53 pm)—In late October last year I was privileged to meet the Webber family and their incredible young son, Jimmy. Jimmy is 12 years old and suffers from Hunter syndrome, or MPS II. Children with Hunter syndrome miss an important enzyme essential in the breakdown of sugar molecules in the body. Consequently, these molecules remain stored in the body and cause progressive damage. The symptoms are wide ranging, but even in the mildest cases the disease can impact greatly on a person’s physical capabilities.

My initial meeting and discussion with Jimmy’s parents, Tracey and Andrew, centred on how we could obtain access to a drug called Elaprase. Elaprase is the only enzyme replacement therapy available for people suffering from Hunter syndrome. It was approved by the US Food and Drug Administration in July 2006 and the European Commission has granted a marketing authorisation for its use. While the drug is currently being assessed by the Therapeutic Goods Administration in Australia, the detailed process of assessment is too lengthy and involved for someone who needs access to the drug immediately—but I do make the point that the TGA has a very important role in this process.

Jimmy required the drug very quickly as the disease was building pressure on his optic nerve and it needed to be relieved urgently. We appealed strongly and persistently to international biotechnology company Genzyme, who are well known for their provision of charitable access. Their CEO, Mr Dan Brown, astounded me with his willingness to assist. He pushed hard for Jimmy, as he knew what was at stake. The company had to make a decision immediately. By December we were relieved and delighted to be informed of Genzyme’s ultimate decision to purchase Elaprase from another company for young Jimmy. The medication will cost several hundreds of thousands of dollars per year but will help Jimmy live a life he and his family have only dreamed of.
As seems to be commonly cited by many patients enrolled in Elaprase trials, Jimmy already feels more energetic. He is much more positive now. This drug is actually going to help him keep up with his mates and be involved in sport. His mum, Tracey, has told us that even at this early stage Jimmy is much more outgoing than before. He used to stay within himself; now he is beginning to shine.

I have been reminded throughout this journey of what can be achieved when people work together. Testimony to the undeniable strength of family and community is the amazing determination and commitment I have witnessed in the Webbers and the unflinching support extended to them by their family, friends, neighbours and schools in order to achieve this fantastic outcome. Many people have contributed their assistance: Andrew’s parents, Anne and Harry; Tracey’s stepfather, Ted; Tracey’s sisters, Denise, Liz and Narelle, and brother-in-law, Stephen; neighbours Paul and Marion; and Dr Martin Delatycki, who is now administering the drug. I must thank the offices of Tony Abbott, the Minister for Health and Ageing, and of Christopher Pyne in his former role as Assistant Minister for Health and Ageing. I also thank the staff of Beaconsfield Primary School and Beaconsfield Kindergarten.

It goes without saying that Mr Dan Brown and Genzyme have made this dream possible and cannot be thanked enough. Mr Brown’s benevolence, willingness and generosity has given this inspirational little boy access to a drug which will halt the disease process and allow him a second chance to embrace life much more fully. Genzyme have touched and transformed the lives of other Australians as well. For the past four years Genzyme has provided the drug Aldurazyme to four patients with MPS I, which is a variation of MPS II. Just today I had the pleasure of meeting 26-year-old Justin Hannan, who lives with MPS I. He is here in Canberra with his parents to lobby the government to provide funding for Aldurazyme. Justin is already on this drug, which has been kindly donated by Genzyme, and is therefore lobbying for other people with the condition.

While the drug has been approved by the TGA, it is never likely to be included on the PBS because MPS I is such a rare disease. I am calling on my own government to strongly consider the appeal to grant funding so people suffering from MPS I are able to get access to the drug Aldurazyme. I am also hoping desperately that the TGA will approve the drug Elaprase and therefore help all people, young and old, in this country who have Hunter syndrome. (Time expired)

Iraq

Mr JENKINS (Scullin) (4.58 pm)—Last week when the Prime Minister was flying around the Middle East, quite rightly visiting our troops in Afghanistan and Iraq, there was much speculation that he was to make a major speech about Iraq. I thought, rather naively, that he might come into the chamber and do it here. But last night this major speech was made to the Australian Strategic Policy Institute. I pose the question: why was there not a prime ministerial statement in this chamber?

I do not wish to elevate this chamber above anything else as a clearing house of comment. But, of course, if there had been a prime ministerial statement made in the chamber there could have been a quite proper debate about the issue of Iraq. It would have given the opportunity for the opposition not only to put our case but also to put an alternative policy that an incoming Labor government under Prime Minister Rudd will put in place about issues to do with the Middle East, to do with Iraq, to do with Afghanistan.
Was it because the Prime Minister wants to hide behind going to a third party to give a speech, allowing people to find it somewhere online, and to put his case on what he believes the opposition’s policy is? So he fits us up with what he says we believe about what should happen in the future. It does not allow us to really ask: are we succeeding? The number of US personnel killed to March 2007 is 3,209; the number of Iraqi security forces, 6,294. This is without talking about the tens if not hundreds of thousands of Iraqi civilians. Yet six weeks after hostilities started we had President Bush land on the USS Abraham Lincoln and declare ‘Mission accomplished’. There is a need for a prime ministerial statement and a full debate in this chamber—

The SPEAKER—Order! It being 5 pm, the debate is interrupted.

House adjourned at 5.00 pm

NOTICES

The following notices were given:

Mr Johnson—to move:
That the House:
(1) recognises the importance of globalisation and open markets to continuing Australia’s record of 16 years uninterrupted economic growth; and
(2) calls on the Australian Government to continue promoting the benefits of free trade, which include alleviating global poverty, especially in developing countries.

Mr Adams—to move:
That the House:
(1) congratulates the Tasmanian Cascade Tigers for their exceptional performance in the Pura Cup final;
(2) recognises the importance of the Pura Cup Cricket competition in encouraging first-class cricket;
(3) acknowledges the fine work that the Tasmanian team does in the local community in encouraging young people to play sport; and

(4) notes that this is the first time that Tasmania has won this event.
Thursday, 22 March 2007

The DEPUTY SPEAKER (Hon. IR Causley) took the chair at 9.30 am.

STATEMENTS BY MEMBERS

Hockey Australia

Mr STEPHEN SMITH (Perth) (9.30 am)—Many Australians are aware of the tremendous success of Australia’s national hockey teams, the Hockeyroos and the Kookaburras, and the success they have had over the last 20 years. Much of this tremendous national success has been a result of Hockey Australia’s high-performance program, which since 1984 has been based at the Perth Hockey Stadium near Curtin University in Perth. Hockey Australia is now reviewing where the home of the high-performance program will be. The board of Hockey Australia was due to make its decision about that matter at its meeting on 17-18 February. That meeting deferred the decision until the board’s next meeting on 20 April.

In the run-up to the board’s February meeting, I very much welcomed the following statement by the new Minister for the Arts and Sport, Senator George Brandis:

Not all the centres for sporting excellence in Australia are in the south-east corner of the country. Nor should they be.

I made the point at the time that both the board of Hockey Australia and the Australian Sports Commission should take very careful note of that message from the minister. I now have very grave concerns that the board of Hockey Australia and the Australian Sports Commission are deliberately ignoring that message sent to them by the minister.

The Australian Sports Commission have made it clear on a number of occasions at Senate estimates that they will simply rubber-stamp whatever decision is made by the board of Hockey Australia. There are clearly national interest issues here which the Australian Sports Commission cannot wash its hands of. I fear that the Australian Sports Commission is effectively engaging in a conspiracy of silence with elements of the board of Hockey Australia to move the High Performance Unit from Perth to Sydney, not on the basis of merit but on the basis of a Sydney and south-east Australia phobia of the west.

I am also very concerned that Hockey Australia is now engaged in a tainted process. When the board delayed its decision in February, it enabled Hockey New South Wales to have full and detailed knowledge of the bid by the Western Australia Hockey Association for the location of the unit to continue in Western Australia. There are members on the board of Hockey Australia who are clearly in a conflict of interest position. There is now a very grave danger that in a conspiracy of silence, without any transparency, without any objectivity, the board of Hockey Australia will change the location of the High Performance Unit from Perth to Sydney. This decision will be based not on merit but on a Sydney and New South Wales phobia of the west. The board of Hockey Australia and the Australian Sports Commission should pay heed to the message sent to them by the new minister. It is not in the national interest to have high-performance units located solely in the south-east corner, and this should be the subject of national attention and national interest. (Time expired)
Petrie Electorate: Redcliffe Hospital

Ms GAMBARO (Petrie—Assistant Minister for Immigration and Citizenship) (9.33 am)—Today I rise to speak about the appalling state of Redcliffe Hospital. I have real concerns regarding this hospital in my electorate of Petrie, but what is the state member for Redcliffe, Lillian Van Litsenburg, doing to fix the hospital? Absolutely nothing, I am very sorry to say. Ms Van Litsenburg and her boss, Queensland Premier Peter Beattie, have a very poor record on health.

I note that in the Redcliffe & Bayside Herald of Wednesday, 14 March, there are no less than three articles which highlight the appalling state of this local hospital and its health services. One newspaper report tells the story of a fit and healthy young Clontarf woman who was hit with a sudden illness so severe that she could not sit up, but she was denied access to the hospital’s emergency department. She spent the whole night on a gurney after being told that nine out of the 10 beds in the emergency department that night were taken up with people suffering from smoking related illnesses. Her commitment to a healthy lifestyle meant absolutely nothing to the Beattie government.

The hospital is currently being reviewed after the public hospitals performance report that was released earlier this month showed higher than normal death and surgery complication rates for some patient categories. This included common complaints such as heart attacks and strokes, and higher than average complication rates for some surgery, including hysterectomies.

I would like to acknowledge the most wonderful work that the hospital staff do, particularly under these very difficult and trying conditions, and I want to pay tribute to them for showing up to work each day, particularly when their budgets are being cut and they are working under incredible conditions. But why is this hospital not being properly resourced? That is what Lillian Van Litsenburg, as the state member, really needs to address. She needs to stand up and fight for funds for her electorate. She needs to fight for better health services for the people of Redcliffe.

There is Peter Beattie’s shameful record on the emergency department of the nearby Caboolture Hospital, which was closed for a while, with all of the emergency patients again transferred to Redcliffe Hospital in my electorate, placing even further incredible burdens on the Redcliffe Hospital.

The low number of ambulance officers in the Redcliffe region is also a real concern to many of my constituents. The electorate has a high percentage of elderly residents who rely on their local ambulance officers to be available when they need them most. Reducing the number of ambulance officers available on the Redcliffe peninsula places enormous pressure on the dedicated officers who remain in the area and who have seen a dramatic increase in their workload. It is unbelievable that the people of Redcliffe have had to put up with a dreadful hospital system and now they also have to put up with a reduction in the funding available to the ambulance services. They deserve more than this. (Time expired)

Werriwa Electorate: Roads

Mr HAYES (Werriwa) (9.36 am)—Today I want to raise an issue of great concern to the residents of Ingleburn, Macquarie Fields, Glenfield, Minto and other suburbs: the state of the crossing at the Cambridge Avenue bridge in Glenfield. The crossing at Glenfield at Cam-

MAIN COMMITTEE
bridge Avenue is not really a bridge; it is a crossing over a causeway. It was constructed by the Defence Force in the 1940s so that they could access the Ingleburn railway station from their Moorebank and Holsworthy facilities. In 1948 the causeway was opened to the public.

The causeway provides an essential transport link to many of the residents of the southwest of Sydney. Anyone familiar with that region would know that a great number of the residents travel outside the area each day to work and many travel across the Cambridge Avenue bridge. The population growth over the last few decades has increased the use of the bridge and has highlighted some of its inherent safety problems.

I have had my own near miss with the bridge when a car came a little too close one morning when I was out running, forcing me to jump from the bridge into the river. This near miss is not an isolated incident and is, sadly, not the worst. I am aware of two fatalities that have occurred in the area, sadly, one as recently as last year when a firefighter, Steven Richardson, was killed in a head-on collision on his way to a fire.

During my by-election the state of the causeway and the inherent dangers were raised with me regularly. At the time I received advice from the Parliamentary Secretary to the Minister for Defence that a transport plan was being prepared and that, once commissioned, the plan would take six to nine months to complete. That was back in April 2005. A year after, the Campbelltown City Council received an almost identically worded letter from the Commonwealth. So in 12 months not only had the government not made any progress in finding a solution; it could not even be bothered updating its letter of response.

In June 2006 the parliamentary secretary informed me that the report on the proposed Moorebank freight hub was expected to be completed later that year. He also indicated that the report would outline the requirement for funding and upgrading of the transport infrastructure. I was still awaiting this report in February this year when another storm event occurred, with flooding closing the bridge to traffic, creating local chaos and shifting the traffic burden to the M5. I immediately wrote to the Minister for Defence to find out the status of the report, but to date I have not received an acknowledgement, let alone an answer to that correspondence. Like me, many local residents, including Barry Jarrett and Melissa Wellfare, continue to wait for pretty simple answers to some simple questions. Minister, what have you got to hide? (Time expired)

Port of Brisbane Motorway Project

Mr VASTA (Bonner) (9.39 am)—All residents in Bonner have a right to drive on safer roads, and businesses need better roads to transport their goods. Improved roads not only help reduce the number of traffic accidents and congestion but also provide a major boost to our economy, and that means more jobs. The port of Brisbane is the third busiest and fastest growing port in Australia. It continues to play an extremely important role in helping local businesses in Bonner export and therefore create jobs. Unfortunately, while we have a first-class port, we have a second-class road network, and the Port of Brisbane Motorway needs not only extending but also immediate improvement. That is why I am fighting to secure funding from this government for the upgrade of the motorway. We have already delivered $1.2 million in Commonwealth funding for a planning study to examine the future extension of the motorway, and I am pleased to report that this study is now well underway.
I also take this opportunity to thank my senior colleague the Hon. Mark Vaile MP, the Minister for Transport and Regional Services, for the interest he has shown in the port of Brisbane, and I commend him for having committed $1.2 million in funding for this extremely important planning study. Of course, there is more to be done and further substantial funds are needed to carry through with the extension and upgrade of the motorway as soon as possible. I will continue to make serious representations to my federal and state colleagues on this matter to secure the needed investment in the Port of Brisbane Motorway. The project has my full support and that of the local community. I am determined to deliver an improved road network that will ensure not only the safety of drivers but also the continued expansion of our booming port.

In recent weeks I have been pleased to announce to the Bonner community the Prime Minister’s $2.3 billion funding commitment to improve the Ipswich Motorway. This motorway is a major arterial road servicing the Brisbane area. I know that a large majority of the Bonner constituency have, at some point, suffered seemingly endless waits in traffic or experienced a near miss while travelling on the motorway. This is unacceptable, and I commend the Prime Minister for committing such a significant sum of funding to improve the motorway and relieve this road of up to 80,000 cars. Most importantly, I believe that this project will ultimately prove beneficial to Bonner’s southside community who, for too long, have had to battle the constant stream of trucks and heavy vehicles on their suburban roads during both night and day. In the meantime, the government’s extension of the toll-free trial on the Logan Motorway is continuing to provide an incentive for these heavy vehicles to move away from our local suburban streets and onto the motorway.

Parramatta Electorate: Lynwood Park Public School

Ms OWENS (Parramatta) (9.42 am)—Last week I had the pleasure of attending a very special event in my electorate: the opening of the parliament of the Lynwood Park Public School. I was privileged to hear policy speeches by each of the ministers and to stay for question time which followed. Like members of this House, members of Lynwood Park parliament are elected. Once prefects and school captains are selected, they are formed into two parties—in this case, the Lynwood Park Party and the Advance Always Party. Potential prime ministers and ministers are selected from each party. Then there is an election—with policies, campaign slogans, budgets, posters and speeches. The election is conducted on the day under the supervision of a representative of the Australian Electoral Commission. All of the children vote. The winning party forms government, and the other party the opposition. The school captains become speakers and the other students in years 5 and 6 become the backbench.

This is not a show parliament. The students at Lynwood Park Public School have real power and input through their parliament, and they use it well. Policy speeches are about real, important school business—standards of education, access to sport and recreational activities and behaviour in the playgrounds. The private members business that I attended, conducted on the day, approved three projects: the reintroduction of structured playtime in the lunch hour, the selection of Bandaged Bear as the parliament’s charity for 2007, and a proposed event, with proceeds going into treasury funds. For each of these three projects, committees of parliament were formed to develop the details and participate in the negotiation of the projects through the senate, which is made up of teachers, before the project returns to the house and is finally signed off by the governor-general, the principal.
Lynwood Park Public School is a very special school. It has a zero per cent suspension rate—that is, no suspensions. In part, that probably has something to do with the fact that the children are actively involved in finding ways to improve behaviour. In fact, it was the Lynwood Park parliament that came up with the idea of putting student mediators in the playground, along with teachers, to assist in finding solutions before trouble grew.

I thought it was appropriate to offer, in this House, my sincere congratulations to the newest members of the Lynwood Park Public School parliament 2007: congratulations to speakers Nicole Ainsworth and Zachary Winslade; Prime Minister Brooke Mancey; Deputy Prime Minister and Treasurer Nicole Bassani; Minister for Communications Samin Kazi; Minister for Health, Safety and Environment Kayla Frary; Minister for Sport and Recreation Jamie Teleiai; and Minister for Education Shane De Salis. I also congratulate Leader of the Opposition Alec Hobbs; Deputy Opposition Leader and Treasurer Chhavi Malhotra; shadow minister for communications Alana Henley; shadow minister for health, safety and environment Jacob Bradley; shadow minister for sport and recreation Lachlan Sugg-Owen; shadow minister for education Britney Edwards; Serjeant-at-Arms Elle Mustapha; and Hansard reporters Alison Go Smith and Lucas Crouse. May they learn and grow through their term in office and may they serve their constituents well.

Mr Jim Kirkbride

Mr BRUCE SCOTT (Maranoa) (9.45 am)—I rise to place on the Hansard record the death of James Kirkbride—or Jim, as he was known to his family and friends. While his name may not be familiar in this place, Jim Kirkbride will be forever part of Australia’s history. He was part of that very special generation of Australians, because Jim was a Rat of Tobruk. With his passing, Australia has lost another living connection with our military history in which Jim played a significant role. I have great respect for all our veterans and Jim was no exception. I was fortunate to have known Jim personally for many years. He was a man very proud of his family and a man of integrity who was highly respected within his community, and yet he was very unassuming about his service to Australia.

It is this trait that is all too common in our dedicated servicemen and women, whereby they believe they have done nothing special. All our defence personnel through history step forward to serve our country with an overwhelming sense of pride, honour and duty. Jim was no different. To Jim, it was a badge of honour to be part of this duty and to show loyalty to the country in which he lived.

While World War I is said to have started the process of shaping our national identity, World War II further cemented Australia’s unique character in our history books. Courage, determination, selfless sacrifice and mateship were the traits which were ever so evident among the soldiers at the Battle of Tobruk. The Tobruk legacy, which Jim was part of, will remain in our history books as one of Australia’s great military victories. Just as the tactical withdrawal from Gallipoli was a major victory for Australia, so too was the defeat of the Germans at the siege of Tobruk. During the eight long months of the siege, the messages home to loved ones were that they would not survive. Defeat was not an option and, true to the spirit of the Anzacs, Jim and his fellow Rats of Tobruk defied the odds.

In closing, I take this opportunity to extend my sympathies to Jim’s widow, Eileen, and his children and grandchildren. Although his family are mourning the loss of a husband, a father and a grandfather, they should be comforted in the knowledge that his legacy will forever be
etched in the hearts and minds of all Australians. Tomorrow in Roma, the town in which he spent his life, a service to honour his life will be held at St Paul’s Anglican Church. Unfortunately, I cannot join the congregation, but I will be there in prayer and thought as our town and his family farewell a great Australian and acknowledge the passing of that great person, Jim Kirkbride, a Rat of Tobruk.

Water

Mr SAWFORD (Port Adelaide) (9.48 am)—The 2nd/48th was a unit my uncle Ralph served in, and I can concur with the member for Maranoa’s comments.

Money talks, even louder than state premiers, and these words led the Sydney Morning Herald’s editorial on the Prime Minister’s $10 billion national water plan on 26 February this year. The editorial went on to further point out that the states have made a real mess of the Murray-Darling Basin. This is particularly true of the last 30 years. It has been ineffective because each state could exercise a veto power. The national interest was the first casualty. The problem with the Murray-Darling river system is easily identified: too much water given to irrigators. The solution is also easily identified: buy back the licences and stop the overallocation—but doing it is much harder.

The Commonwealth’s plan to buy back licences from irrigators to reduce demand, increase water use efficiency and cut water by improving the infrastructure of irrigation is not a perfect plan. However, it does represent a turning point in environmental and constitutional politics, as was pointed out by Paul Kelly in the Australian on 28 February. New South Wales Premier Morris Iemma, whose government could not afford to buy back the licences and the overallocation of water his state has allowed, realised immediately that his state had to agree to the proposal. South Australia, Queensland and the ACT arrived at the same view, albeit with some grandstanding.

However, to the credit of the leaders of these states, some sensible concessions were gained from the Commonwealth without compromising the national management of the rivers. A panel of five experts, to be appointed for their expertise rather than on state loyalty, is a sensible move, and Mike Rann of South Australia should be congratulated for putting that idea forward and having it accepted. Mr Bracks and Victoria have not come on board; however, despite all the huff and puff, they will. The national plan is only at a raw beginning stage. A mass of details has to be resolved before the plan can become a reality. This is a real chance for cooperation and national interest to be front and centre instead of petty state jealousies and a blame game with the Commonwealth. Canberra’s money is most welcome; however, it will take a tremendous amount of goodwill for the plan to be a success. But a success it must be for the sake of all Australians.

Whilst on the issue of water, it is disappointing that other aspects of the water debate are so intellectually shallow. I refer of course to the up to $1 billion desalination plants being planned and built in New South Wales, Western Australia and South Australia and to the building of weirs near the mouths of rivers, while ignoring stormwater conservation and the recycling of water. This will prove particularly disappointing if the Cheltenham racecourse—the last significant open space in Adelaide—is sold for a housing and retail development and to secure a car-racing track and grandstand infrastructure at Victoria Park. A stand for the grand! There is no public seating—not one public seat for a $55 million taxpayer investment of public funding. (Time expired)
Mr TOLLNER (Solomon) (9.51 am)—I wish to speak on an issue dear to my heart, law and order, and on the achievements of a remarkable Territorian in this field. While the Howard government’s National Community Crime Prevention Program has committed $64 million to remote communities’ safety, local crime prevention starts with the community and its citizens. If all levels of government work together, we can make a community safer. We can make a difference.

One Territorian who has made a difference is Bill Somerville, the founder and Chief Executive Officer of Offenders Aid and Rehabilitation Services (NT) Inc., better known as OARS NT. In March, I was pleased to announce funding of $490,000 to OARS under the National Community Crime Prevention Program for a project to reduce the number of ex-inmates who reoffend. Current statistics show that the vast majority of prisoners will commit crimes soon after their release. OARS have demonstrated that they can dramatically reduce the number of reoffenders, and the expansion of this service can only benefit our community.

At a state and territory level, this issue is inevitably political. In any given election year it becomes a ritual which gets down to this: who is the toughest on crime, who will put more cops on the streets, who will increase sentences or who will build more jails. But it is also a national issue and it poses the question: can governments reduce crime by taking a new approach to repeat offenders? Bill Somerville’s model proves they can. He has found a relatively cheap and cost-effective way to stop prisoners from reoffending. He claims an 80 per cent success rate. The crucial factor is that OARS can provide support and stability to released prisoners by helping them to find accommodation and work and by developing their living skills. Their post-release programs are designed to integrate prisoners back into the community and to confront the uncertainties of freedom, dealing with remote bureaucracies, wary employers and the temptation of drugs, old mates and easy money.

ABC’s *Four Corners* recently focused attention on this issue in a program called ‘Road to Return’. To summarise, billions of dollars are fed into a nationwide prison system that has seen the captive population nearly double in a decade, yet in most states only one per cent or even less of corrections budgets is spent on post-release programs for integrating prisoners back into the community.

Projects, like OARS, which adopt a grassroots approach to dealing with crime prevention will make a real difference to local residents. The project provides intensive one-on-one pre-and post-release assistance to offenders and those at risk of becoming offenders. The assistance is provided by qualified counsellors and is focused on the high-risk period of three to six months after release. These are the types of practical on-the-ground projects that the Howard government is funding. They will make a real difference in tackling crime and will make the public feel safer. I take my hat off to Bill Somerville and OARS. (Time expired)

**Banks Electorate: Veterans**

Mr MELHAM (Banks) (9.54 am)—I wish to bring to the attention of the Minister for Veterans’ Affairs a matter raised with me by my constituents Mr Garry Lilley and Ms Maha Aziz. I have been advised there is a new contract process for the dispensing of spectacles to veterans. Mr Lilley and Ms Aziz have been dispensing to the veterans community for 23 years from their business in Mortdale in the electorate of Banks. In response to a letter from the
department advising of the new arrangements, Mr Lilley dispatched one email. Having no response to that, he dispatched a second email 10 days later. Having no response again, Mr Lilley then phoned the department to be advised that tenders had closed the previous day. Mr Lilley was advised during the phone call that he would not be eligible to apply for a contract for another four years on the expiry of the current contract period.

A phone call from the department a few days later provided updated advice. As a result of a meeting with the Optometrists Association of Australia, through which other optometrists advised of similar problems, it was agreed that new tender forms would be placed on a website. Ms Aziz was advised at this point that there could be no guarantee that there would be continuity of the contract. Acceptance of these subsequent tender applications cannot be guaranteed because they will be considered last.

Mr Lilley and Ms Aziz are very concerned about this situation and I share their concern. Their business has provided a vital service to veterans in my electorate for over 23 years. I believe they provide the service not just to make money but rather to assist the community. I am advised that prices are set by the Department of Veterans’ Affairs and are the same for all suppliers of optical goods. The profit margins are extremely low and the focus is on the provision of a service to the veteran community. I would like to quote directly from their letter to me, which I believe indicates better than anything I might say what their motivation is:

We are very concerned about the impact this will have on the veteran community we have been serving and supplying spectacles to for the past 23 years. All our veteran patients are elderly and now having to travel to other suburbs will cause them a great deal of distress. We still have a contract with DVA to supply eye examinations to veterans ... but from May 2007 we will no longer be able to supply our veteran patients with spectacles and we will have to issue them with their prescription and ask them to find another supplier. Since we are the only optical supplier in our suburb it will cause our elderly patients much distress to have to travel elsewhere to order spectacles, travel again for the collection of the spectacles and travel again when needing repairs or spare parts to spectacles, as this is also covered by the contract.

A chain of difficult circumstances has caused this situation to arise and we are regretful that we will be disappointing and causing difficulties to so many of our elderly patients.

Mr Lilley and Ms Aziz are most concerned by the potential impact this situation will have on the veterans in my electorate. I take this opportunity to raise the matter with the minister and request that he take into account the matters I have raised in considering his formal response.

**Water**

Mr TICEHURST (Dobell) (9.57 am)—Today is National Water Day and it is a timely reminder to us to consider water. Water is a critical issue on the Central Coast. It is not a federal obligation to provide water. Water is supposedly delivered by local governments and also state governments. State Labor have failed the people of the Central Coast, hence my involvement. The last move that state Labor made to do something about water on the Central Coast was when they tried to have Sydney Water take over the Central Coast-Wyong Water Authority. The New South Wales Premier, Morris Iemma—

Mr Robb—‘Morris Minor’.

Mr TICEHURST—‘Morris Minor’, that is right. He takes the view that the Central Coast is the population overload area for Sydney. This is not true in any sense of the imagination. They have done no proper infrastructure planning. We have had thousands of people move
into the area, particularly in Dobell, in the last 10 years. Nothing of a major infrastructure project has been created. Yet new home buyers are being fleeced by up to 25 per cent of the purchase price of a house with various taxes, stamp duties on loans, mortgages and also contributions to local requirements.

During this last election campaign, the state Labor government wanted to build Tillegra dam on the Hunter. Premier Iemma reckoned that he knew the situation was desperate on the Central Coast. We are down to 13 per cent in our water supply. Tillegra dam—even if it does happen—will do nothing for 10 or 15 years. They do not even own the land on which to put the dam and now a group up in the Hunter have made note of the fact that where they want to put the dam is on a fault line—the same fault line that caused earthquakes in Newcastle some years ago. So that really is another con.

What will happen? Hunter Water provides millions of dollars to the state government in revenues from water. They want the Central Coast to be indebted to Hunter forever and a day by stitching us up for probably an extra 90c a kilolitre over and above what we can provide water for in our local area.

The Central Coast Water Authority has introduced a plan called Water 2050. This is a follow-up to a plan that was introduced in 1975 by the public works department. It outlines the solutions for water issues on the Central Coast. To complete that plan we need approval from the state government; they have taken over planning. They need to immediately give authority for the local water utility to put in this link between Mangrove and Mardi Dam, and they need to increase the water sharing that can be taken off the Wyong River, because the catchment area puts water into Mardi. That is what we need. Water tanks are not a real solution. We need to look at grey water recycling because you can use that every day of the week. (Time expired)

The DEPUTY SPEAKER (Hon. IR Causley)—In accordance with standing order 103, the time for members’ statements has concluded.

NON-PROLIFERATION LEGISLATION AMENDMENT BILL 2006
Debate resumed from 1 March.

Second Reading

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for Foreign Affairs) (10.01 am)—I present the explanatory memorandum to the Non-Proliferation Legislation Amendment Bill 2006 and I move:

That this bill be now read a second time.

The Non-Proliferation Legislation Amendment Bill 2006 amends the Nuclear Non-Proliferation (Safeguards) Act 1987, which is subsequently to be known as the safeguards act; the Comprehensive Nuclear Test-Ban Treaty Act 1998, the CTBT act; and the Chemical Weapons (Prohibition) Act 1994, the CW(P) Act, which all implement a range of Australian policies and treaty commitments promoting the nonproliferation of nuclear and chemical weapons.

In particular, this bill enables Australia to demonstrate its commitment to strong international measures for the physical protection of nuclear materials and facilities. These measures are essential to counter the heightened risk of nuclear proliferation and terrorism. The bill is the main element of legislative steps that will allow Australia to ratify a 2005 amendment to
the Convention on the Physical Protection of Nuclear Material. That amendment requires states parties to establish robust and comprehensive security regimes for nuclear materials and nuclear facilities.

Several new offences are created by the bill, including an offence for conduct against a nuclear facility which causes, or is likely to cause, death or serious injury, or substantial damage to property or to the environment by exposure to radiation or release of radioactive substances. In addition, a new offence of trafficking in nuclear materials is introduced.

The bill also improves the application of Australia’s existing non-proliferation arrangements. It extends the geographical jurisdiction for offences related to the proliferation of nuclear and chemical weapons by an Australian citizen or resident anywhere. It also updates penalties for the most serious offences so that these provide a significant deterrent to the commission of such offences, and are consistent with penalties under comparable Commonwealth non-proliferation legislation.

Further, the bill introduces a requirement for a permit to be obtained under the safeguards act where a nuclear or related facility is to be decommissioned. This seeks to ensure that non-proliferation safeguards measures can be effectively applied in the course of decommissioning. It underscores Australia’s ability to apply the principle that planned nuclear activities are fully transparent to the International Atomic Energy Agency.

To ensure that Australia’s domestic arrangements are robust, the bill allows that most provisions implementing the amendment to the physical protection convention can come into effect in Australia ahead of the entry into force of the amended convention.

I thank members of the Department of Foreign Affairs and Trade and other arms within the Australian government for their contribution to the development of this bill, and I commend the bill to the chamber.

Mr McCLELLAND (Barton) (10.04 am)—The opposition supports the Non-Proliferation Legislation Amendment Bill 2006. I commend members to the second reading speech of the Parliamentary Secretary to the Minister for Foreign Affairs and also to the report of the Senate Standing Committee on Foreign Affairs Defence and Trade, which has prepared a succinct summary of the provisions of the bill. As that report notes, the bill primarily amends the Nuclear Non-Proliferation (Safeguards) Act 1987, which gives legislative effect to Australia’s non-proliferation obligations under the Treaty on the Non-Proliferation of Nuclear Weapons and also under the safeguards agreement with the International Atomic Energy Agency and under the Convention on the Physical Protection of Nuclear Material.

As the parliamentary secretary indicated, the bill is intended to meet the new requirements of the July 2005 amendments to the Convention on the Physical Protection of Nuclear Material—the physical protection convention—as described by the parliamentary secretary. The bill is also intended to deal with the decommissioning of a nuclear facility, namely, the facility at Lucas Heights in Sydney. I note the speaker’s list contains my friend the member for Hughes, who will no doubt have an interest in that aspect of the bill, given that that facility is in her electorate.

The bill also amends several other related acts of parliament, including the Comprehensive Nuclear Test-Ban Treaty Act 1998, the Chemical Weapons (Prohibition) Act 1994, the Austra-

As the minister indicated, the bill contains three new offences relating to the decommissioning of a nuclear facility. That is of interest to me because my electorate of Barton is the neighbouring electorate to the seat of Hughes. Proposed new section 16B will be included in the Nuclear Non-Proliferation (Safeguards) Act to allow the minister to grant a written permit to allow the decommissioning of the whole or part of a nuclear facility, which includes the Lucas Heights facility as defined in the legislation. That proposed new section requires that the permit to decommission a facility be approved by the Director of Safeguards. The director must also be satisfied that appropriate safeguards could be applied and that adequate physical security could be provided for nuclear material during the decommissioning.

The bill also inserts proposed new section 29A, which makes it an offence for a person to decommission the whole or part of a facility without holding such a permit. Obviously those provisions are desirable—and, indeed, essential—for the safe decommissioning of the Lucas Heights facility. I note that the facility is almost exactly my age. I think it was originally commissioned on the day I was born, or thereabouts. It has gone, but hopefully I will be here for a little longer.

Mr Robb—Two volatile things on the same day.

The DEPUTY SPEAKER (Hon. BK Bishop)—I am sure the chamber is very interested in that anniversary.

Mr McCLELLAND—The effect of the amendment will be to strengthen measures relating to the trafficking of nuclear material and interfering with the operation of a nuclear facility. The bill also increases various imprisonment penalties for offences committed under the act. The bill also extends the geographical scope of jurisdiction for various offences, which will mean that Australian citizens residing overseas will be imprisoned if found guilty of these offences. It is noted that the Standing Committee on Foreign Affairs, Defence and Trade strongly supports Australia’s continued engagement in multilateral disarmament and non-proliferation efforts. Indeed, the parliamentary secretary said that this bill is obviously intended not only to introduce necessary provisions but also to demonstrate Australia’s strong commitment to the non-proliferation regime.

I will place on the record reasonably briefly those areas in which Australia has played a significant role and those in which we believe it could still play such a role. Of course, non-proliferation has become a crucial issue as a result of the nuclear test in North Korea and the controversy in respect of Iran and its apparent intention to develop a nuclear weapons capability.

It was controversy relating to the French nuclear tests in the 1980s that we can recall that motivated the then foreign minister, Gareth Evans, to drive what has become the Canberra commission. He proposed drawing together a panel of military, scientific and administrative experts from around the world who had world-renowned reputations for their expertise. That Canberra commission, as it became known, was given secretarial support by both DFAT and the Australian Department of Defence. Its brief was to come up with practical measures in relation to nonproliferation, the French nuclear tests being seen not only in the context of the
tests but in the whole context of potential proliferation of nuclear weapons and the testing, obviously, by countries as part of that process.

The topics of the Canberra commission included horizontal proliferation—that is, more countries becoming nuclear capable. It included, perhaps with some foresight, the risk of nuclear terrorism. I note that Einstein wrote to the United States President in World War II cautioning him regarding the possibility of a nuclear device being planted in the hold of a ship coming into one of the significant harbours. Even then, intelligent analysis suggested the risk of a nuclear terrorist event. The Canberra commission also realised that it was necessary to address the issue of potential delivery of nuclear weapons and, therefore, focused on the elimination of ballistic missiles as a form of delivery.

Those who read the 2000 non-proliferation treaty will see a remarkable similarity between the wording of that treaty and the recommendations of the Canberra commission. It was intended that Prime Minister Keating, as he then was, would launch the Canberra commission report on the floor of the General Assembly of the United Nations but there was a change of government. The government subsequently presented the report. But it was noted by the then Under-Secretary-General for Disarmament Affairs and former Canberra commission panel member, Mr Jayantha Dhanapala:

The Canberra commission report received lukewarm support from the government that inherited it after Keating’s party suffered an election defeat and did not do more than absolutely necessary.

Indeed, the agenda of the Canberra commission was followed up by a number of countries coming together in June 1998 to form a coalition known as the New Agenda Coalition. They published a document called Towards a nuclear-weapon-free world: the need for a new agenda. It was also part of their legacy that resulted in the striking of the agreement to create and enter into the 2000 non-proliferation treaty to extend the original treaty indefinitely.

So we can see that Australia did play a very significant part. I should add that the new government did not form part of the New Agenda Coalition, if you like taking a backseat role, although they did vote for the motion in December 1998 as a result of recommendations of that New Agenda Coalition. Jayantha Dhanapala has proposed that the model of the Canberra commission, driven by Australia, provide a template for the world and the international community to consider in dealing with the issue of weapons of mass destruction. He proposed the establishment of a new commission based on the Canberra commission format, essentially bringing together people of world renown to consider practical measures to address the issues of weapons of mass destruction. He said that must include nuclear, biological and chemical weapons, and that the mandate of the new commission must extend to both nonproliferation and disarmament of those weapons of mass destruction that already exist.

We should not ignore the fact that, while we all have tremendous fear of these weapons of mass destruction, of nuclear, biological and chemical weapons coming into the hands of terrorist organisations, we should not ignore the reality that many countries in the world—regrettably, many legitimate nation states—have weapons in each of those categories. So it is not simply an issue of nonproliferation—that is, stopping other countries or organisations from acquiring those weapons of mass destruction; it is also very much necessary for the international community to focus upon disarmament of those countries that continue to possess and, regrettably, develop nuclear, biological and chemical weapons.
Dhanapala said that obviously the mandate would also need to very specifically cover and come up with practical measures to address and prevent the possible use of those weapons by terrorists. It is significant that just this month the Leader of the Opposition committed a future Labor government to driving a new Canberra commission type agenda to look at those weapons of mass destruction and to come up with practical measures in respect of both non-proliferation—that is, the spreading of those organisations and countries that possess and develop those weapons—and, significantly, the need for countries to disarm themselves of those weapons of mass destruction.

The Leader of the Opposition also indicated that a future Labor government would be seeking international agreement for a fissile material cut-off treaty to end the production of both highly enriched uranium and plutonium for nuclear weapons—and that is obviously particularly relevant to the events that we are seeing in Iran. Such a treaty would apply directly to a country’s capacity to develop or enrich uranium and plutonium for nuclear weapons, and he is very strongly committed to that agenda. Given Australia’s history in the area of nuclear non-proliferation, I think we could play a very constructive role indeed.

In conclusion, I note that the minister indicated—and sincerely indicated, I believe—the government’s intention to introduce these amendments not only for its own sake to strengthen the control of nuclear material and to impose penalties and greater protections and safeguards against the measures coming into the hands of terrorists or criminals but also to demonstrate Australia’s strong commitment to nonproliferation. In that context, I note that in the near future the government will be confronted with a decision as to whether or not it agrees to sell uranium to India. India, of course, is friendly with Australia. We have significant relations in a number of areas—economically, militarily and culturally—and of course in sport. But the reality is that India has—

Mr Fitzgibbon—We’re better than them!

Mr McCLELLAND—Certainly at cricket. I thank the member for Hunter. Despite all of that, India is still not a party to the nuclear non-proliferation regime. The reality is that they should be. It is in their interests that they are. One can imagine what would happen should an Islamic fundamentalist movement gain control of the government in Pakistan. The fear and risk to the international community would be so much more profound in India. One can understand their anxiety, but the reality is that no-one wins a nuclear conflict. One would think it would be in India’s interests to promote more rigorously than any other country the non-proliferation agenda. Rather than agreeing to sell uranium to India, in circumstances where they are not a party to the non-proliferation regime, the government should be putting pressure on India to become part of that regime if they want to utilise Australian uranium. With those words, I conclude my contribution by indicating our support for these measures.

Mrs VALE (Hughes) (10.21 am)—The Non-Proliferation Legislation Amendment Bill 2006 will be welcomed by the people of Australia, and most especially by the people in my electorate of Hughes, in which is located Australia’s only nuclear research reactor at Lucas Heights. The bill implements Australia’s commitment to strengthened international measures for the physical protection of nuclear material and facilities. Further, it provides for machinery changes to improve the application of existing non-proliferation arrangements.

This bill amends the Nuclear Non-Proliferation (Safeguards) Act 1987 to implement new requirements of the amendments to the Convention on the Physical Protection of Nuclear Ma-
terial and to regulate, with respect to nuclear safeguards, the decommissioning of a nuclear facility to ensure that Australia is able to meet its international obligations to the International Atomic Energy Agency under the additional protocol. It makes penalties for the most serious offences consistent with penalties under comparable Commonwealth non-proliferation legislation and provides a significant deterrent to the commission of such offences.

ANSTO is Australia’s national nuclear research and development organisation and the centre of Australian nuclear expertise. It is the second largest corporate employer in my electorate. It employs around 900 local residents and provides income for several hundred local tradespeople and industry suppliers. As a matter of fact, ANSTO contributes over $70 million to my local electorate economy.

ANSTO is responsible for delivering specialised advice, scientific services and products to government, industry, academia and other research organisations. ANSTO’s nuclear infrastructure includes the research reactor OPAL, which has taken over from HIFAR. It has particle accelerators, radiopharmaceutical production facilities and a range of other unique research facilities. OPAL will be Australia’s only nuclear reactor. It will be used to produce radioactive products for use in medicine and industry and as a source of neutron beams for scientific research and to irradiate silicon for semiconductor applications.

The OPAL—which stands for Open Pool Australian Light-water—reactor is due to be officially opened on the same site as HIFAR at Lucas Heights in my electorate in April this year. The new OPAL reactor is of profound significance for those at the leading edge of science and research. The new reactor will be a world-class neutron source, capable of supporting up to 17 neutron beam instruments. The scope of research that these instruments will allow is tremendous, from research on advanced materials through to molecular biology, using technologies that were unknown at the time that the old HIFAR was opened by Prime Minister Sir Robert Menzies on 18 April 1958.

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

With additional capacity, ANSTO will also be able to expand its support of the Australian manufacturing, minerals and agricultural industries. The estimated gross benefit of support to the minerals industry alone currently exceeds $100 million annually. The replacement reactor will give us significantly more. This modern, high-tech research facility will attract eminent foreign scientists to work in Australia and provide Australian scientists with greater reciprocal access to complementary first-class research facilities around the world. Indeed, the return to Australia from the new research reactor will be significant in attracting to Australia the greatest scientific minds of our age.

To put this into perspective in terms of general everyday use, radioactivity from ANSTO includes applications in the automobile industry, which uses radioactive materials to test the quality of steel in cars. Aircraft manufacturers use radiation to check for flaws in jet engines.
Mining and petroleum companies use radionuclides to locate and quantify mineral deposits. Manufacturers use radioactive materials to obtain the proper thickness of tin and aluminium. Pipeline companies use radioactive materials to look for defects in welds. Oil, gas and mining companies use radioactive materials to map geological contours, using test wells and mine bores, and to determine the presence of hydrocarbons. By showing how plants absorb fertiliser, radioactive materials help researchers learn when fertiliser should be applied and how much is needed. This helps prevent the overuse of fertilisers, a major source of soil and water pollution. Radiation sterilisation techniques are used to control insect pests such as fruit fly—very important to Australian industry. The smoke detectors in our houses and offices rely on a tiny radioactive source to sound the alarm when it senses smoke from a fire. The irradiation of silicon for the semiconductor industry is a significant business for ANSTO. Non-stick pans are treated with radiation to ensure that the coating will stick to the surface. Photocopiers use small amounts of radiation to eliminate static and prevent paper from sticking together and jamming the machine. Cosmetics, hair products and contact lens solutions are sterilised with radiation to remove irritants and allergens. Radioactive materials are also used to sterilise medical bandages and a variety of personal health and hygiene products. The use of radioactive materials, nuclides and isotopes are so varied and extensive within our community that I think many of us do not realise the applications in our everyday use.

I also want to take this opportunity to remind the constituents of my electorate of the existence of ARPANSA. ARPANSA is the Australian Radiation Protection and Nuclear Safety Agency. Depending on your point of view, I will either accept the blame or the credit for its existence. When the Prime Minister informed me many years ago that we would receive in my electorate a new reactor, which is now called OPAL, I asked the Prime Minister if we could have an independent oversight agency. I want to acknowledge the work that was done towards establishing this agency by a previous minister for health, Dr Michael Wooldridge, and a previous member for Adelaide in her role as parliamentary secretary. It took a tremendous amount of work to establish this agency which has a vital role in establishing world’s best practice and overseeing the fact that such is continued on at ANSTO by the professionals that are there. The agency is headed up by Dr John Loy, who is highly regarded, and his team of scientific researchers. My constituents can take great faith and comfort in the fact that this is an independent body, an independent oversight agency of very high expertise. I am grateful to the government for having made sure that this came into existence.

To return to the bill, Australia has international obligations to safeguard nuclear material under the Convention on the Physical Protection of Nuclear Material. The convention sets standards for the international transport of nuclear material used for peaceful purposes. It defines serious offences involving nuclear materials which parties to the convention must make punishable. These include ‘the receipt, possession, use, transfer, alteration, disposal or dispersal of nuclear material’ without lawful authority and a threat ‘to use nuclear material to cause death or serious injury to any person or substantial property damage’.

The convention also specifies certain levels of physical protection needed during international transport of nuclear material. This requires Australia and the other signatories to the convention to ‘take appropriate steps within the framework of its national law and consistent with international law’. The convention was opened for signature in 1980 and entered into force on 8 February 1987. Notably, the original document did not address the protection of...
nuclear facilities and deals only in a limited way with the domestic use, storage and transportation of nuclear material.

On 8 July 2005, delegates from 89 countries agreed on changes to strengthen the physical protection convention. The amended convention makes it legally binding for states to protect nuclear facilities and material in peaceful domestic use, storage and transport. The amendments strengthen requirements for the protection of nuclear material and nuclear facilities against criminal or terrorist attack.

There were four main amendments to the convention: (1) a new article 2A established a series of fundamental principles to be applied to protect nuclear material against theft and sabotage and to rapidly recover any missing or stolen nuclear material; (2) an amendment to article 5 to strengthen cooperation among states in the event of actual or threatened theft of nuclear material or sabotage; (3) the creation of new offences under article 7 of the convention relating to the trafficking of nuclear material and the sabotage of nuclear facilities with the intent to cause death, injury or damage by exposure to radiation; (4) new articles 11A and 11B dealing with extradition and mutual legal assistance in relation to offences under article 7 of the convention that stipulate states cannot refuse to extradite or provide mutual legal assistance for an offence under article 7 on the sole ground that it is a political offence under domestic law.

In a statement to the convention, the Australian Safeguards and Non-Proliferation Office supported the proposed amendments. It stated:

The Australian Government is committed to addressing international concerns about nuclear terrorism, smuggling and sabotage, and to protecting people and the environment from any impacts associated with such activities. The amended Physical Protection Convention aims to address these issues more comprehensively than the existing convention. Australia has played a leading role in developing these changes, and to encourage universal adherence should be among the first to ratify and implement them.

The provisions of the bill are to implement Australia’s commitment to these international measures which increase the physical protection of nuclear material and facilities. In particular, the bill is intended to meet the new requirements of the July 2005 amendments to the physical protection convention. The amended convention makes it legally binding for states to protect nuclear facilities and material in peaceful domestic use, storage and transport. To this end, the bill makes amendments to the Nuclear Non-Proliferation (Safeguards) Act 1987, the Comprehensive Nuclear Test-Ban Treaty Act 1998, the Chemical Weapons (Prohibition) Act 1994, the Australian Federal Police Act 1979, the Extradition Act 1988 and the Mutual Assistance in Criminal Matters Act 1987.

Most of the bill’s amendments are made to the Nuclear Non-Proliferation (Safeguards) Act 1987. This act gives legislative effect to Australia’s international nuclear non-proliferation obligations, establishes a system of permits for the possession and transportation of nuclear material, and provides a legislative basis for the Australian Safeguards and Non-Proliferation Office. The bill inserts a new section 13(3)(d)(da) into this act stating that a permit to possess nuclear material may be granted provided ‘measures are taken that are consistent with Australia’s obligations under the physical protection convention’. The bill also amends this act to introduce new offences and increase penalties for various offences under part III of the act;
extend the geographical scope of jurisdiction for various offences under part III; and require a permit to decommission a facility.

The bill also introduces three new offences and imprisonment penalties under the safeguards act. Under new section 29A, a person found guilty of decommissioning a facility without a permit faces an imprisonment penalty of five years. Under new section 34A, a person commits an offence if he or she carries, sends, or moves nuclear material into or out of Australia or a foreign country. A person found guilty of this offence faces an imprisonment penalty of 10 years. Under new section 35A, a person found guilty of interfering with the operation of a nuclear facility—and who does so intending or knowing that the act will cause injury or damage to property—faces an imprisonment penalty of 20 years.

The bill also strengthens the maximum term of various imprisonment offences under part III of the Nuclear Non-Proliferation (Safeguards) Act 1987. It contains five provisions to lengthen imprisonment penalties under the act. Under proposed section 23(1), the maximum imprisonment term for a person found guilty of possessing nuclear material without a permit will be lengthened from not more than five years to not more than 10 years. Under proposed section 26(1), the maximum imprisonment term for a person found guilty of communicating information about nuclear technology as defined in section 4(1) of the act will be lengthened from not more than two years to not more than 10 years.

Under proposed section 26A(1), the imprisonment penalty for a person found guilty of communicating information that compromises the security of nuclear material will be lengthened from two years to eight years. Under proposed section 31(1), the maximum imprisonment term for a person found guilty of obstructing or hindering an agency inspector in the performance of a duty under the act will be lengthened from not more than six months to not more than two years. Under section 35, the maximum imprisonment term for a person found guilty of using nuclear material to cause serious damage to any person or substantial damage to property will be lengthened from 10 years to 20 years. I have taken time to explain those increased penalties for the benefit of the constituents of my electorate of Hughes.

The bill inserts a new section 16B into the Nuclear Non-Proliferation (Safeguards) Act 1987 to allow the minister to grant a written permit to decommission the whole or part of a nuclear facility. Under this section the bill requires that the permit to decommission a facility must be approved by the director of safeguards as per subsection 12(2) of the act. The director must also be satisfied that appropriate safeguards could be applied during the decommissioning and that adequate physical security could be applied to nuclear material during the commissioning. The bill also inserts a new section 29A which makes it an offence for a person to decommission the whole or part of a facility without holding a permit.

In conclusion, the Non-Proliferation Legislation Amendment Bill 2006 is a strong response to Australia’s new obligations under the amended physical protection convention. It reflects the active role that Australia took in negotiating the amendments to the convention. The system of permits and the list of offences under the Nuclear Non-Proliferation (Safeguards) Act 1987 already includes elements of some of the new offences required by the amendments. The bill responds further to the amendments by increasing the prison penalties and extending the geographical scope of jurisdiction for offences under the safeguards act. It also contains three new offences relating to the decommissioning of a nuclear facility without a permit, trafficking nuclear material and interfering with the operation of a nuclear facility—all very impor-
tant amendments and aspects for the people of Australia but of particular interest to the people of my electorate. I commend this bill to the House.

Mr FITZGIBBON (Hunter) (10.38 am)—I am not surprised to hear the member for Hughes speaking on the Non-Proliferation Legislation Amendment Bill 2006. I know that she has a pretty good understanding of the nuclear industry and the nuclear fuel cycle, which, of course, is very relevant to her electorate. I know that, like most members of this place, she understands the significant contribution that nuclear technology plays towards health in this country in treating a number of deadly diseases in that area commonly coming under the banner of cancer. I appreciate her contribution to the debate.

I am of 1962 vintage, so I am just old enough to remember the Cold War. I think it is true to say that those of us who remember the Cold War take a slightly different attitude to nuclear weapons capability than those younger than me who did not live through that period. It was a period which, I suppose you could say, formally came to an end with the eventual fall of the Berlin Wall in 1989.

Those of us who lived through that era grew up with American television and films: James Bond, Get Smart and programs and movies such as these which highlighted the very strong tussle between the West and the East. I think most of us remember the concept, if not first-hand then through television, of people having bunkers in their backyards to protect them from a possible nuclear attack of some sort. No doubt that is the reason why, in this country, we have such strong opposition to the use of nuclear energy for civil and peaceful purposes. Too many of us are scarred with the fear that we grew up with when we were younger. We all remember the fear, and I suspect many remember the Cuban missile stand-off with President Kennedy. We really were living under the fear of nuclear attack when I was growing up.

I suspect that people significantly younger than me are relatively complacent about the use of nuclear weapons, not having grown up with the fear of them and not having the threat of nuclear attack thrust upon them almost on a daily basis by television programs and movies. That may seem light-hearted, but it is very true. I fear that it is a complacency that is misplaced. The world remains one in which nuclear attack is not likely—certainly not as likely as it may have been in the three or four decades following the Second World War—but where it is a possibility. We have seen that in recent times with the stresses and strains in the Middle East in particular. North Korea, with an apparent nuclear capacity sitting not all that far away from our own continent, possibly has a capability for that nuclear capacity to reach our own shores. We have enormous instability with the emergence of non-state groups and rogue states, so this is not a world with a very good balance. We see the legitimate concerns of the Israelis about the ongoing refusal of the Iranians to comply with their obligations to the international community, to reassure them that their interest in nuclear does not go beyond energy and peaceful, civil purposes.

As the member for Barton indicated, Labor supports the Non-Proliferation Legislation Amendment Bill 2006. It is a bill that strengthens Australia’s commitment to nuclear non-proliferation and all of the issues that go with safeguarding us against the misuse of nuclear facilities and tools. What it does not do, and what it and any Australian government cannot do, is strengthen the foundations of the nuclear non-proliferation treaty itself. Only the international community, acting in concert, can do that. The nuclear non-proliferation treaty is a treaty under much stress and strain.
My colleague the member for Melbourne Ports showed me some interesting research that he has done on new revelations about the Russian attitude to the Iranians. I know that he is going to say something about that, and I am delighted by that news. I will let him expand on that.

The problem for the international community is the nuclear non-proliferation treaty itself. It is a document which is now decades old, and many of the foundations on which it stands have been undermined and changed by the new paradigm in which we all live: the emergence of terror, rogue states and non-state groups. The nuclear non-proliferation treaty is of course premised on the basis of state groups, not non-state groups. If I am wrong about that, I would be more than happy to hear some counterarguments, but that is certainly my interpretation and assessment of the treaty as it stands.

Of course, that treaty amongst other things does recognise five original nuclear states—the United States, the United Kingdom, France, Russia and China. One of the problems of that proposition is that of course we now have other democracies. Those five states also happen to be—not just by coincidence—the five members of the UN Security Council. But we now have other democratic states that also have nuclear capacity. Take India, for example—one reference made by the member for Barton—which still stands outside the nuclear non-proliferation treaty simply because it cannot enter into the treaty without giving up its nuclear capacity.

I am at one with the member for Barton: India should sign up to the nuclear non-proliferation treaty and we should be very reluctant to be engaging ourselves in her nuclear fuel cycle without that commitment. Having said that, you can understand why a democracy like India is not prepared to forgo its nuclear capacity with the neighbouring state of Pakistan with similar capacity. It is like asking them to take their gloves off but allowing their neighbour to leave them on.

While we do not have any sympathy with that view, I do acknowledge and recognise, as I am sure we all do, that this is a problem for the international community. How do we get the Indias of the world to agree? India is an emerging superpower and therefore probably sees itself, particularly given that it is a democracy, as a country that is legitimately entitled to have the same capacity as the Chinas of the world, for example, which are not democracies. This is a big challenge for the international community. That is the first problem with the nuclear non-proliferation treaty, which was first established in 1968. It is a very old document.

The second problem, under the second pillar of the treaty, is that we have this determination to ensure that the five original nuclear weapon states disarm themselves or at least significantly reduce their armaments, their nuclear capacity. But it has not worked—it has worked to an extent, but those countries have, over the decades, found many and quite often legitimate reasons why that commitment is not always possible.

The third pillar has many strengths. It is a commitment to ensuring that all nation states have a right to use uranium for civil and peaceful uses—in other words, for power generation. But in many senses the problems with the first and second pillars undermine the strength of the third, and that was the example given by the member for Barton. We have a situation in which India should be able to enforce its right to nuclear power generation but it cannot source the fuel it needs to do so because it is unable, it would say, to comply with the first pillar of the treaty. There is no point giving it the right to generate nuclear energy if it cannot
get the fuel to supply its nuclear energy generators, and it cannot get the fuel to supply its nu-
clear generators because it is not part of the nuclear non-proliferation treaty. Of course, it
would argue that it cannot be part of the nuclear non-proliferation treaty because it is not pos-
sible for it, in strategic terms—it would argue, not my words—to forgo its nuclear capacity
when it has a neighbouring state which is also not a part of the nuclear non-proliferation treaty
and which can maintain its nuclear weapons. I have not done my research on Pakistan’s en-
ergy needs, requirements and strengths but, for example, Pakistan might not have any need for
uranium for civil purposes and therefore does not face the same dilemma that India does.

These are complex issues for the international community. I was very pleased to have vis-
ited the International Atomic Energy Agency in Vienna last year to look at the very good work
they are doing. The IAEA not only work towards nonproliferation but also assist various
states in assessing their future in nuclear energy. Firstly, the states look at whether or not nu-
clear energy is for them, and, for various reasons, it sometimes is not. They have great exper-
tise in helping nation states work through this process. Secondly, if states draw the conclusion
that it is for them, they advise on how to put the civil industry in place without the threat of
getting it wrong and therefore raising concerns amongst other nation states about nuclear pro-
liferation. They also assist with putting it in place in a way that ensures the safety of their do-
meric community.

One of the strong messages I walked away with from the International Atomic Energy
Agency is that it is underresourced—significantly so. One of the other issues that face the
international community is finding the strength and the will to more sufficiently resource the
agency to ensure it can continue to do its very good work—and, for all the reasons I have out-
lined, that work is getting more difficult and more challenging.

Labor supports this bill, which amends our domestic laws to strengthen our commitment to
our various international obligations. I know that some of them are a bit belated, but we are
not going to be too critical of that. We welcome their introduction in this place. I will close by
reinforcing what I said at the beginning. We are living in testing times. We have emerging
change in the strategic balance in the Asia-Pacific region. The Middle East is as unstable as it
has ever been. I note that the member for Melbourne Ports is agreeing with that point and I
know that he knows the strategic situation in the Middle East better than I do because it has
great significance to a large slice of his constituency. In Africa we have significant problems
as well. The old Soviet Union is struggling under its new form of democracy—I am not sug-
gest ing it poses a threat to us, but it all adds to the stress and the strain of what is happening
go politically across the region. Cyprus is still divided and, although it is not in the daily
headlines, it is still causing significant geopolitical stresses. Enormous energy issues are
emerging, and that brings me back to what we now know as Russia. They now control much
of the energy supply to many energy-dependent nations, and they have already shown their
preparedness to cut off that supply to suit their own strategic and economic ambitions or pro-
tections, or the mix of the two.

Iraq, in my view, has been a disaster for this country—the worst foreign policy decision
ever taken by us as a nation state. I was most disappointed by the Prime Minister’s response
last night on the fourth anniversary of our intervention in Iraq. I thought he had to do one
thing last night before any other: I am not going to say that he should have apologised, be-
cause he never does that, and I know he will not. I had no expectation whatsoever that we
would get an apology from the Prime Minister for his decision to take us to war in Iraq: first to get weapons of mass destruction—very relevant to this bill—which were eventually found not to exist; second to impose regime change—something he said did not in itself justify any intervention in any nation state; and now, supposedly to bed down the fledgling democracy which exists in the country.

Of course, this is all despite the fact that his Minister for Defence, Dr Nelson, told us that victory is not possible in Iraq, nor is the imposition of a Western style democracy. On that basis, I am not sure why we are still there. However, I did expect the Prime Minister to attempt to take some responsibility for the mess in which we find ourselves in Iraq. There was no apology nor any acknowledgement that he got at least part of it wrong. He has never acknowledged that our approach to Iraq could have been handled differently.

I thought I might have heard the Prime Minister succinctly argue the case that Australia is now a safer place as a result of our intervention in Iraq. He talked more broadly and globally about the world being a safer place. He would argue that, but I do not agree. However, he did not specifically focus on whether someone going to a football match in Melbourne or Sydney is now more or less vulnerable to a terrorist attack today than they were before our intervention in Iraq.

The Australian people are entitled to hear the Prime Minister argue his case. His speech was simply a summary of his position on Iraq and the usual rhetoric about how, if we were to withdraw from Iraq, terrorism would suddenly proliferate and the world as we know it would come to an end. He did not argue that case very well; he simply concentrated on the politics and, of course, once again, on instilling fear in the Australian community. He sent the message that if the opposition’s view on Iraq were ever put into effect the world would somehow be a more dangerous place. It would have been fine for him to do that if he had produced the evidence, but he simply failed to prosecute that case.

The Prime Minister tried to suggest that there is some inconsistency in the Labor Party’s approach to Iraq vis-a-vis Afghanistan. That is not true. Iraq has descended into a civil war and the connection to al-Qaeda is, at best, tenuous. Of course, that situation will not be fixed using the guns and bullets of international forces but by using diplomacy and with the will and strength of the Iraqis themselves. Resolution depends on the will and strength of the religious and ethnic groups to sort themselves out, and we need to put pressure on them to do so. The best way to do that is to let them know that we will not be around forever.

Of course, Afghanistan is another situation, where you have a government fighting what is effectively an invasion by Taliban troops trained in Pakistan. It is an entirely different situation. It is a war in a country that is training members of al-Qaeda and associated groups; it is training the terrorists who are bombing Australians in places like Bali. That war can be won and must be won. That is the very simple difference between Iraq and Afghanistan, and the opposition maintains its position. (Time expired)

Mr JOHNSON (Ryan) (10.58 am)—I am very pleased to speak on this very important legislation, the Non-Proliferation Legislation Amendment Bill 2006, because it goes to how global security and global energy can be so intimately linked in our modern, 21st century world. I was delighted to hear the shadow foreign minister, the member for Barton, indicate to the parliament that the federal opposition supports this bill. It is a very important bill that warrants the federal opposition’s support. Of course, I utterly reject the comments of the shadow
foreign minister in relation to Iraq. I did not hear him talking about how the Leader of the Opposition categorically supported the government when we went to war. He did not apologise to the 12 million Iraqis who went and voted at the ballot box. We in this country cherish our democracy, but somehow it is not appropriate for 12 million Iraqis to cast a vote.

The DEPUTY SPEAKER (Ms Corcoran)—Order! I interrupt the honourable member for Ryan. Is the member seeking to ask a question?

Mr Fitzgibbon—I am.

The DEPUTY SPEAKER—Member for Ryan, will you accept a question?

Mr JOHNSON—No, I will not. I absolutely reject the opposition’s views that this government has acted in poor faith. I absolutely reject the comments of the shadow foreign minister and his Labor colleague there in relation to the 12 million Iraqis that went to vote. Why is it—

Mr Danby—Madam Deputy Speaker, I have a question for the member.

The DEPUTY SPEAKER—Member for Ryan, will you accept a question?

Mr JOHNSON—No, I will not.

Mr Fitzgibbon—Coward!

Mr JOHNSON—I reject the assertion that the member for Ryan is a coward. I absolutely reject that assertion. I sat in silence while the shadow foreign minister gave his speech. I sat in absolute silence and courtesy, and here we have his Labor colleague, who refuses to allow—

Mr Danby interjecting—

Mr Fitzgibbon interjecting—

The DEPUTY SPEAKER—Member for Melbourne Ports and Member for Hunter, a bit of order please. Member for Ryan, do not respond to interjections.

Mr JOHNSON—I am pleased to speak on this bill because it is an important bill. When the government has a position which the opposition fails to support, it is entirely appropriate for government members to defend the government’s position. The bottom line is that 12 million Iraqis went to vote at the elections, and you cannot have a situation where the opposition says to the government, ‘No, that’s not good enough.’ Twelve million Iraqis went to vote: that is absolutely good enough for this country. We can sit here and enjoy democracy, but why can’t other people? And that goes to the heart of what we are all about.

Why this bill is important is that it is all about global security, it is all about global energy and these issues are tied together. It is, in fact, quite relevant that the shadow foreign minister spoke about Iraq and the Prime Minister’s presentation last night, because it goes to the status of the US in the world and to the credibility of the US’s position in world affairs. For the United States to be compelled to withdraw from Iraq in the current climate would send the absolute wrong message. I would suggest that those sitting opposite—who claim to have the exclusive monopoly on wisdom in foreign affairs and in international relations—do some basic 101 studies and bone up on foreign affairs, because they have absolutely no idea whatsoever.

I am disappointed that the member for Melbourne Ports, of all people in the opposition, would not stand shoulder to shoulder with the government in relation to a position that tries to
bring about the democratic vote in a country in the Middle East where people want to have the sovereign right to determine their own future. And what is wrong with that? Just as the people of North Korea absolutely want to be able to determine their own future—what is wrong with that? It is a terrific position for us to enjoy in this part of the world. Why can’t we be part of a coalition to bring about freedom around the world? Why can’t we be part of that? I am just so disappointed. Of all members of the opposition, the member for Melbourne Ports in particular goes about trying to defend freedom for this part of the world but not for that part of the world—it is absolutely absurd.

In relation to this important bill, the Treaty on the Non-Proliferation of Nuclear Weapons, or NPT, was negotiated in the mid-1960s between the United States, the Soviet Union and the 18-nation committee on disarmament. We all know that the NPT came into force in 1970, and our country became a party to it in January 1973. There are some 189 states that have signed on to the treaty. It is an international agreement that we very strongly respect and that we are very strongly part of promoting. As part of our commitment to the treaty, Australia also signed a safeguards agreement with the International Atomic Energy Agency in 1974. As a signatory to the treaty, Australia has an obligation—as do all member states, of course—not to transfer nuclear weapons and not to assist any non nuclear weapons state to manufacture or to acquire such weapons or devices. The treaty also outlines that, in the case of a non nuclear weapons state like Australia, there is a responsibility not to receive or manufacture nuclear weapons, and to apply International Atomic Energy Agency safeguards to all nuclear activities carried out within our borders.

Australia also has international obligations to safeguard nuclear material under the Convention on the Physical Protection of Nuclear Material. The convention sets standards for the international transport of nuclear material used for peaceful purposes. It also defines serious offences involving nuclear materials, including the receipt, possession, use, transfer, alteration, disposal or dispersal of nuclear material without lawful authority or making a threat to use nuclear material to cause death or serious injury to any person, or substantial property damage. Australia’s obligation and that of other signatories to the convention is to make those offences enforceable in their domestic law.

I will make a few comments on the current legislative framework for nonproliferation. The Nuclear Non-Proliferation (Safeguards) Act 1987 gives legislative effect to Australia’s obligations under the NPT and the physical protection convention. The act primarily provides for a system of permits for the possession and transport of nuclear material, the establishment of a facility and the communication of information relating to nuclear technology. The act also enshrines a number of offences and their punishments in Australian law including those relating to the nonproliferation of nuclear material such as the possession of nuclear material without a permit, a breach of duty to ensure the security of nuclear technology, the communication of unauthorised information, establishing a nuclear facility without a permit and accessing without a permit areas which are restricted. Offences relating to the physical protection of nuclear material include stealing nuclear material, demanding nuclear material by threats, the use of nuclear material causing injury to persons or damage to property and threatening to use nuclear material.

I turn to the specifics of the bill. I will not go into the changes to the physical protection convention, because they are quite numerous, but I will talk about the changes that this bill
makes to the amendments to the Nuclear Non-Proliferation (Safeguards) Act 1987 to implement Australia’s international obligations as a country that is absolutely committed to the nonproliferation of nuclear material. This bill brings Australian law into line with our commitments as a party to the NPT, the International Atomic Energy Agency’s safeguards agreement and the Convention on the Physical Protection of Nuclear Material. The bill will also demonstrate Australia’s commitment to the physical security of nuclear facilities, material and information.

Firstly, the bill will introduce three new offences under the safeguards act relating to decommissioning a nuclear facility without a permit, trafficking nuclear material and interfering with the operation of a nuclear facility. Secondly, it will make the penalties for the most serious offences in the safeguards act consistent with penalties under comparable Commonwealth non-proliferation legislation. Thirdly, it will extend the geographical jurisdiction for various non-proliferation offences in the safeguards act. The extended geographical jurisdiction allows for Australian citizens residing overseas to be imprisoned if found guilty of these very serious offences. Lastly, the bill will also regulate, with respect to nuclear safeguards, the decommissioning of a nuclear facility to ensure that Australia is able to meet its international obligations to the IAEA.

I think a good way to stress the gravity and importance of this bill is to use the example of North Korea and South Korea. The Korean peninsula is one of the most sensitive geopolitical and security areas in our region. I had the very great privilege last year to be invited by the South Korean government to visit South Korea. I also had the very special opportunity to visit the demilitarised zone, which, as everyone would know, separates North and South Korea. It was a profound experience and one which will certainly live in my memory for a very long time. It did inspire me to take a far deeper interest in the issues of the Korean peninsula and in the relationship between the north and the south in particular.

As members who follow foreign policy and international relations with interest would know, North Korea withdrew from the NPT in January 2003. In October 2003 North Korea declared that it had completed processing spent fuel rods in order to obtain the material used in the production of nuclear weapons. Then in February 2005 the North Korean regime openly declared that it had actually manufactured nuclear weapons. We all know that in October 2006 North Korea successfully detonated a nuclear device, and that came as a tremendous shock to all of us—not only to the people of Asia but also to those of us in this country.

The blast was estimated to have had an explosive force of less than one kiloton. The precise nature of the North Korean nuclear program probably is still largely unknown given the absolute secrecy of that regime. But, more than the measure of explosive force, the key impact of that test was a frightening wake-up call to the democracies of the world and to countries like Australia that the sheer potential for something catastrophic in our times and in our part of the world still exists. We must, more than ever, be vigilant about our global security and our global activities that prevent something catastrophic taking place, such as a wider regional conflict that might bring in countries like North Korea to react in the worst possible fashion, including exploding further nuclear weapons if they have them.

As a signatory to the joint declaration on the Korean armistice in 1953, our country would probably have some kind of obligation to be part of a wider solution to such a terrible conflict. It is incumbent on all of us at this time, before such a disaster comes our way, to be as vigilant
as possible and to recognise that North Korea remains a serious threat to global peace and security. The progress that has been made in recent weeks with the United States Ambassador, Christopher Hill, and his counterparts in the six-party talks is to be commended. However, I read a couple of days ago with some disappointment that there may be some difficulties with those talks continuing as successfully as seems to have been indicated in the previous few weeks.

We wish that North Korea and South Korea could perhaps one day unify in peace and security. Unfortunately, at this point in time, North Korea’s successful nuclear test last year continues to cause immense anxiety and concern, not just for us here in Australia but also for the immediate neighbours of North Korea.

One of the results has been to bring into the public domain conversation about whether countries like Japan and South Korea would go towards nuclear protection in an absolutely worst-case scenario. All of us would be aware that Japan remains under the protection of the US security umbrella, as does South Korea. But that is why this bill is so important and this architecture, the NPT architecture, is so important to all of us and that we are able to implement it, we are able to enforce it is much as is possible. Without these kinds of agreements, we really do not have a reference point in which to deal with countries like North Korea.

I want to very strongly commend the bill to parliament. I know that, as we look across the world, particularly to the Middle East, there are worrying signs that other states might be looking to acquire such devices. All of us, with our very best intentions and our very best faith in those with the capacities to prevent that, wish that that would happen.

On the media reports that suggest progress has been made in the six-party talks, if they have any substance to them, that would be a huge setback and would be of immense disappointment. I would hope very much that the North Korean regime would not again waver in terms of its commitment to trying to come to some sort of solution, particularly with the influence the Chinese might be able to bring to bear on North Korea’s future conduct.

I will end my remarks with some thoughts from the former US Deputy Secretary of State, Rich Armitage, who came out to Australia last year and made some comments about things getting done in global politics. He made reference to the fact that active participation in international relations by the United States was still vital to the global peace and security of the world, that the United States certainly was not taking its eyes off what was happening in our part of the world and that, at the end of the day, nothing very meaningful could take place in any part of the world without the involvement of the United States. I think that those comments have some significant merit.

This bill is a strong step in the right direction, reaffirming our commitment to non-proliferation, and I hope that it encourages other countries to be equally committed to this very worthy endeavour. The world must stand strong and united against the threat of the spread of nuclear weapons. We all know that we live in very challenging times and that countries like Australia have an immensely important role to play commensurate with our size and our economic strength.

Mr MARTIN FERGUSON (Batman) (11.17 am)—The opposition supports this very important bill. The Non-Proliferation Legislation Amendment Bill 2006 obviously implements the revised convention on the physical protection of nuclear material as agreed in July 2005. It
regulates with respect to nuclear safeguards the decommissioning of a nuclear facility to ensure that Australia meets its obligations to the International Atomic Energy Agency under the additional protocol. It also deals with appropriate penalties for serious offences—and we all appreciate that we are dealing with a very serious issue when it comes to the issue of nuclear non-proliferation.

Can I say on behalf of the opposition that there is also much more that needs to be done when it comes to the global non-proliferation regime. This is one of the challenges that confront us as a global community, especially as a nation, because we are strategically positioned to be one of the biggest suppliers of yellowcake to the world; therefore, we have additional responsibilities with our huge uranium assets. For that reason, it has been the opposition that have called for serious attention to be given to this issue, because we, in government, will make sure that Australia as a nation takes a lead in the international community in getting the nuclear non-proliferation treaty back on track. I must say that it is a treaty that both sides of politics, the major political parties in Australia, have supported for some considerable time. But you reach a point in time where you have to step up to the challenge of revising the treaty and modernising it for the challenges that confront the global community.

I therefore give credit to the former Labor leader, Kim Beazley, who said in July last year: Australia has no greater international obligations and no greater international opportunities than those granted by our position as a nuclear supplier.

That is about Australia accepting its international responsibilities on that challenging field. Kim understood that the world is threatened by the collapse of the existing non-proliferation regime and we must do everything to prevent that. At the time, he as the Labor leader proposed a new diplomatic initiative against nuclear proliferation to be led by Australia. It was to be about a review to strengthen the nuclear non-proliferation treaty. That is where we believe our nation’s efforts have to be focused—and I can assure you that that is where the Labor Party’s forthcoming national conference’s efforts will also be focused in the context of a major debate about us removing our three-mine policy with respect to uranium mining in Australia; it is an outdated policy and it is time it was thrown out the door.

We are strategically located as a nation to be a major supplier of uranium to the world in the context of guaranteeing that it is mined and handled with safe hands internationally. As part of that decision we also have to accept that we as a nation have to put a bigger effort into modernising and strengthening the nuclear non-proliferation treaty. I can assure honourable members that this will be a key issue in the debate about uranium at our conference at the end of April, because we regard the issues as inseparable.

Let us go to the issue of the United Nations. In working with the United Nations and our allies to exercise the leadership needed to get the nuclear non-proliferation treaty back on track, we have to provide a coherent international framework for the future peaceful use of uranium in nuclear technology. That is the challenge that confronts us as a nation. We are prepared to mine it with safe hands and supply it to the world. The world needs uranium because it is part of the solution to the growing demand for energy throughout the world. Demand for energy is expanding, and not only in Australia; it will double internationally by 2030. Part of the energy mix is going to be nuclear power. We as a nation do not have to make those tough decisions because we are energy rich. Other nations such as China are going to increase their use of nuclear power in the same way as they are going to increase their use of new renewables and
also coal and gas. But, for a whole variety of nations, including the United Kingdom, France and the United States—there are nearly 40 such nations throughout the world—nuclear power is a fact of life. As part of that growth in nuclear energy, we have to make sure that, side by side, we strengthen the nuclear non-proliferation treaty. It is about leadership.

Australia is used to playing above its weight. We do it in the sporting arena, we do it in the arts, we do it in international business and we do it in international politics. I remind the House that in 1988 it was Australia, under the Hawke Labor government, that led the way to a global agreement preserving the Antarctic forever from human exploitation of its minerals. In 1989 it was Australia, again led by Hawke, which established APEC, a very important forum in terms of our own backyard. The Asia-Pacific Economic Cooperation process was established here in Canberra by the Hawke Labor government. It started as a consultative forum of 12 economies with a modest program of sectoral and trade negotiations to promote economic growth, and it will meet in Australia later this year. It was an original Hawke initiative.

We believe that Australia can and should lead the world on nuclear nonproliferation too. Under the nuclear non-proliferation treaty, there is nothing illegal about any country having processing technology. Let us be clear about the facts. The acquisition of highly enriched uranium or separated plutonium is one of the most difficult and important steps towards making a nuclear weapon. If a country with a full nuclear fuel cycle decides to break away from its non-proliferation commitments, a nuclear weapon capacity could be within reach in a very short time. So these are huge responsibilities with respect to the nations participating and supporting the nuclear non-proliferation process. That is why we as a world are frightened of Iran at this point. As the United Nations struggles to hold Iran to account under the nuclear non-proliferation treaty and the International Atomic Energy Agency safeguards regime, it has never been clearer that the NPT must be reviewed to make it more relevant to today’s issues and more relevant in a modern world.

We clearly do not want rogue nations processing uranium. It is very disappointing that so few nations supported Mohamed ElBaradei’s proposal—he is head of the International Atomic Energy Agency—for a five-year moratorium on the enrichment of uranium and production of plutonium at the last nuclear non-proliferation treaty review conference in May 2005. That was a failed exercise, unfortunately, despite the leadership of the International Atomic Energy Agency.

Unfortunately, Australia is one of the many and not one of the few. We have to get the balance right. The peaceful nuclear cycle offers so much to the advancement of society: for clean power generation in those countries less fortunate in their energy resources than Australia, for minerals processing, for advanced industrial processes and for radiopharmaceuticals. I simply remind Australians that there are very few of us who have not been touched in some way by the requirement for a nuclear medical capacity in Australia; yet people say we should not be fronting up to our responsibilities in the nuclear debate, when we are beneficiaries on the medical front. We will continue to be beneficiaries on the medical front, and that is why the future of Lucas Heights and the new OPAL reactor to be opened in April this year is very important for Australia as a nation, and exceptionally important from a research and a medical point of view.

I say that because I think the peaceful nuclear cycle is so important in these contexts that the debate is no longer about uranium mining. The world has moved on. The big marches on
Palm Sunday in the seventies were about nuclear nonproliferation and ending the international capacity of the world to actually embrace nuclear weapons. Uranium mining was a side issue. The world has moved on. It is a new debate—one about climate change and where nuclear power fits into that debate in countries which are not as energy rich as Australia is. We are the envy of the world when it comes to our access to energy; be it coal, gas—which is really a peaking capacity more often than not—renewables or geothermal, we have got it. Other nations have not, and they are going to embrace coal, gas, renewables and nuclear power. They are facts, and it is about time some people in the Australian community had a factual debate rather than an emotional debate about these issues.

When it comes to the nuclear cycle, the Labor Party will always stop to think about national security, global security, the safety of workers and the protection of the environment. They are part of the debate. I remind members of the House that article 4 of the nuclear non-proliferation treaty recognises the importance of the peaceful uses of nuclear energy in the broad sense, not just nuclear power. I also remind the House that Australia has an important contribution to make in this field, which will be further realised when we open the OPAL reactor at Lucas Heights next month. I also remind members that OPAL is fuelled by low-enriched uranium, which is not a proliferation concern. ANSTO in Australia is therefore contributing to reducing the global use of high-enriched uranium, and that is very important. ANSTO’s radiopharmaceutical production process also uses low-enriched uranium, whilst most of Australia’s competitors use high-enriched uranium. We are again leading in a very practical sense on this important non-proliferation issue.

Given that some in the community remain concerned about the safety of the Lucas Heights facility, it is also worth noting that a 2005 US government agencies peer review of security concluded that security at ANSTO is equal to or better than security at any civilian research facility in the world—facts, rather than what you hear from Greenpeace, Friends of the Earth and the Australian Conservation Foundation. Security is critical with respect to the future operation of OPAL, and particular care has been taken to separate the researchers from the reactor itself. This means that scientists from around the world will be able to access the world-class instruments at Lucas Heights without having access to areas of any significance to the safety or security of the OPAL reactor itself.

I believe ANSTO is one of Australia’s iconic research institutions, as important as CSIRO, as important as our CRCs and as important as our universities. It is part of our research capacity as a nation. It is part of our future. It is part of our employment and new manufacturing opportunities of the future. There is no question in my mind that it is the appropriate organisation to be responsible for managing radioactive materials in Australia. ANSTO is Australia’s nuclear research and development organisation and it is the centre of our nuclear expertise. As well as OPAL, ANSTO also operates the national medical cyclotron, an accelerator facility used to produce certain short-lived radioisotopes for nuclear medicine. Interestingly, this is located in the grounds of the Royal Prince Alfred Hospital, Camperdown, in close proximity to Sydney University. In addition, ANSTO manages Australian cyclotron facilities at a number of overseas locations. The Australian facilities overseas have been a critical resource to CSIRO in developing an understanding at an atomic level of its new low-cost processes for the production of titanium powder and metals and parts. The potential of these titanium tech-
The synchrotron facilities have been an important piece of infrastructure that has helped CSIRO reach the level of achievement that it has in these new technologies. I am pleased to say that Australia now has its own synchrotron, which was built by the Victorian government and is located adjacent to Monash University and the CSIRO campus at Clayton in Victoria—a campus that is going to become more important for the centre of CSIRO’s manufacturing research activities. Both CSIRO and ANSTO are foundation investors and members of the Australian Synchrotron Co. It is a world-class facility that will deliver beams of very intense X-rays with unique characteristics that can be used for a wide range of scientific experiments, including new drug design, advanced manufacturing, medical imaging, metals research and mineral analysis. The effective operation of this facility will support a large number of Australian national research priorities and associated goals.

We are fortunate as a nation to have this capacity to develop leading-edge technology in many areas, guaranteeing our future as a nation. There are outstanding research and development opportunities but unfortunately little is known about them, and some of the organisations involved are pilloried for the wrong reasons. Let us stop the fearmongering with respect to some of these debates, because we need these facilities.

Nuclear nonproliferation is an issue that raises the question of waste disposal. The Labor Party when last in government started two decades ago a process to deliver a national approach and a national solution to the issue of nuclear waste. That is still unresolved and it is an indictment of all of us. There is not a member or senator in this parliament who would not agree with me. I simply say that, if the games were stopped and all of us delivered a responsible outcome to the Australian community on this complex challenge, we would be a better nation. Australians deserve better than the cheap politics that has surrounded this complex and important decision for over two decades.

Radioactive material is currently stored at over 100 locations around Australia: in government stores, universities, hospitals and factories in the suburbs of our major capital cities. That is where it is stored now. We are saying we cannot establish a national facility in remote Australia to store it on a long-lasting basis, but, again, the facts speak for themselves. This waste is currently stored in the suburbs of our major capital cities. So let us have a factual debate rather than the emotional debate that has surrounded this issue for far too long.

Radioactive waste is disposed of at the Western Australian government’s Mount Walton East integrated waste management facility and in the Queensland government’s purpose-built radioactive waste store at Esk. Radioactive waste is stored at Woomera in South Australia and at the Lucas Heights facility in Sydney, and in defence facilities in and around Melbourne, Ipswich, Wodonga, Albury, Newcastle, Darwin, Sydney and Nowra. Radioactive waste is stored at CSIRO facilities in Canberra, Sydney, Adelaide, Mount Gambier, Brisbane and Melbourne—and guess where—at the Australian National University, one of Australia’s leading institutions.

It is about time we worked out where to put this waste and how to manage and store it in a proper, professional way. This waste includes such things as contaminated laboratory equipment, protective clothing, paper, rubber gloves, plastic, glassware, lightly contaminated soil arising from previous CSIRO research into mineral extraction that was transported to Woom-
era in 1995, and low-activity, disused radioactive sources such as smoke detectors and exit signs from the buildings we are working in today.

Let us store it properly and stop this stupid political debate that has surrounded this issue for far too long. We need a national repository, we need it sooner rather than later, and we need it in the hands of ANSTO so it is managed in a professional and proper way by an institution that we can trust. The Labor Party started this process, so we have got to be part of the solution. It has become too politicised in recent times, with foolish decisions made in the last election in an attempt to get it off the political agenda in the short term. This has only complicated what should have been an easy decision.

I raise these issues because, as far as I am concerned, they are all interrelated to the debate about the nuclear non-proliferation treaty and our responsibilities as a nation that will potentially be even more important in the global debate about the safe use of uranium into the future. The use of uranium coming out of Australia is going to grow sooner rather than later, with us as a nation potentially having the largest mine in the world and being the largest supplier of uranium in the world. The current policy limits our capacity to three mines, let alone using our capacity to open up a range of new opportunities in most states and territories of Australia.

This treaty is exceptionally important and the Labor Party supports the changes reflected in the bill before the House today. But we have added responsibility to work to strengthen the treaty even further as part of the ongoing debate about modernising the nuclear non-proliferation treaty. We owe that to ourselves as a nation. We owe that to ourselves as part of a global community. We also owe it to Australian scientists and engineers, who have a proud history in nuclear technologies—just as they have in solar technologies, light metals, coal technologies and so on.

It is equally important that we are at the leading edge of nuclear technology into the future as well. I say in conclusion that Labor supports the bill, but I call on the government to take a stronger approach when it comes to nonproliferation and for it to adopt Labor’s call for a new diplomatic initiative led by Australia to get the nuclear non-proliferation treaty back on track. Both sides of politics have supported those endeavours in the past. The global community has failed, at recent conferences, to achieve that. Both sides should renew their commitment because it is of fundamental importance to the future of a safe global community, a global community that will embrace nuclear energy more than ever. I commend the bill to the House.

Mr DANBY (Melbourne Ports) (11.37 am)—I rise to support the Non-Proliferation Legislation Amendment Bill 2006. This is a non-controversial bill which, as the member for Batman has pointed out, the opposition supports. The purpose of the bill is to reinforce Australia’s commitment to the international regime for preventing the proliferation of nuclear weapons by strengthening the physical protection of nuclear material and facilities in Australia. The bill implements new requirements following amendments to the International Convention on the Physical Protection of Nuclear Material. It regulates the decommissioning of a nuclear facility to ensure that Australia is able to meet its international obligations in this respect. It increases penalties for serious offences relating to security of nuclear materials. These are sensible measures and the opposition supports them.

Australia is currently having a debate about the future of nuclear energy in this country and also about the future of uranium mining and exporting. We in the Labor Party will be debating
these issues at our national conference next month, so we will have a sound policy to put to
the Australian people at the election later this year. The scope of that policy is something that
delegates to the conference will determine, but I can tell the House now that our policy will
firmly reject any suggestion of nuclear power generation in Australia. Let me quote from an
excellent article by Senator Chris Evans, the shadow minister for resources and energy:
For countries with limited energy choices, nuclear energy may be a reasonable option despite its sub-
stantial disadvantages. But for a nation with vast reserves of cheap coal and gas, and an environment
suited to renewable energy production, nuclear power makes no sense at all.
Australia has a competitive advantage in coal; we have an abundance of supplies and an established
industry.
What we have got to do is bring the new technology into play to make it cleaner and more efficient.
Labor rejects both the anti-coal fundamentalism of the Greens and the fetish for nuclear
power which seems to have seized the coalition in recent months.
These are discouraging times for those of us who take the issue of nuclear nonproliferation
seriously, which is why I support any moves Australia can take, such as those in this bill,
however limited, to support nonproliferation. Indeed, I echo the excellent sentiments of the
member for Batman in pointing to the call by the former Leader of the Opposition, the mem-
ber for Brand, for a new international diplomatic initiative led by Australia to enhance the
provisions of the nuclear non-proliferation treaty.
Last year we saw North Korea join the club of declared nuclear powers, although it now
appears that the device the North Koreans exploded was small and not very sophisticated.
That a lunatic such as Kim Jong Il should be close to developing a useable nuclear weapon is
a frightening prospect and one which the international community, particularly North Korea’s
neighbours, such as Japan, are increasingly alarmed by. Although I welcome the recent an-
nouncement that North Korea has agreed to suspend its nuclear program in exchange for as-
sertion in developing non-nuclear energy options, I remain sceptical. The North Korean re-
gime’s record of bad faith and broken agreements is too long for anyone to believe that Kim
Jong Il has suddenly given up his strategy of nuclear blackmail. I fear we have not heard the
last of this story.
The extended deterrence of the nuclear umbrella of the Americans over North-East Asia
has provided the security that has underwritten the spectacular economic growth of Japan,
South Korea, Taiwan and even China. But, as a result of nuclear proliferation, I am concerned
that Japan will now be asking the US for a nuclear guarantee—which, of course, no US gov-
ernment could provide. Although the North Korean nuclear threat to Japan has steadily grown
since the end of the Cold War, it is not just about North Korea but also about China. During
the Cold War, China developed nuclear weapons for its own defences, including deterring
both superpowers. Now China is free to use nuclear weapons for other purposes, China’s de-
struction of one of its satellites in January strongly suggests the rise of China might not be too
peaceful. This should be seen in the context of yet another 17 per cent increase in China’s ac-
nowledged defence spending, its lack of transparency, its activities in the East China Sea and
the rapid build-up of the Chinese navy.
Australian policymakers have to be concerned particularly about the effect on Japan of
these developments in North-East Asia. I wonder about the internal debate within the Japa-
nese governing party, the LDP, re extended deterrence of the US nuclear umbrella. Is their
support growing for what might be described as the Gaullist position, long advocated by the likes of Japanese Diet member Shintaro Ishihara? Such a change in attitude in Japan would be based on the belief that Japan could not rely for its nuclear security on more powerful allies who might not prove reliable in a crisis. According to Robyn Lim, professor of international politics at Nanzan University in Japan, a top Australian analyst, who recently testified to the Labor Party national security committee, we are now entering what some strategists call ‘the third nuclear age, in which a much faster pace of nuclear proliferation can be expected—that is, horizontal proliferation; states acquiring nuclear weapons for the usual reasons: power, status and security’. Professor Lim has long questioned whether extended deterrence can possibly work in a multithreat environment. It is important to remember that everything we know—or we think we know—about nuclear deterrence and extended deterrence came out of the particular global strategic circumstances of the Cold War. The problem is, as Professor Lim points out, that the rules of the game have changed. If we have a multithreat environment, not based on two polar opposites who had rational aims, we have a very complicated situation with nuclear proliferation.

Particularly worrying is the rapid progress being made in Iran towards the development of nuclear weapons. Iran does not need nuclear energy any more than Australia does. It has huge reserves of oil and gas. The only reason Iran is building nuclear reactors is so that it can produce nuclear weapons. Indeed, the Iranian regime is scarcely bothering to conceal that fact. Furthermore, while we can reasonably expect that Kim Jong Il does not actually intend to use a nuclear weapon if he finally succeeds in building a rocket that could deliver one, the same cannot be said of Iran. Kim’s reasons for playing the nuclear card are essentially political and economic: he wants to blackmail the West, particularly South Korea and Japan, into perpetuating his economically and morally bankrupt state. His intentions are evil, but based on what Bismarck called an iron logic. President Ahmadinejad does not need Western money and his country is far from bankrupt. Iran is one of the wealthiest countries in the world, although that is not reflected in the living standards of the Iranian people, who continue to suffer under the Islamic republic’s economic mismanagement and corruption. Iran can afford to build nuclear weapons that work and delivery systems that deliver.

Iran is the only country in the world which has openly expressed the desire to destroy another sovereign state, Israel, in blatant violation of the UN charter to which Iran is a signatory. Today even Syria and Libya grudgingly accept Israel’s right to exist. Iran is the last bastion of rejectionism and its most dangerous advocate. I do not think the world quite realises how deep are the religious and ideological convictions that drive the behaviour of President Ahmadinejad and those around him. Shiah Muslims, like Christians and Jews, believe in a great redeeming figure who will return to earth and bring human history to an end. Christians believe in the return of Christ; Jews await the coming of Mosiach the Messiah; but the variant of Shiism to which Ahmadinejad belongs is known as Twelver Shiism. It awaits the return of the 12th or Hidden Imam, whose name is Muhammad al-Mahdi. Twelver Shias believe that Muhammad has been hidden by God since the ninth century and he will one day emerge to fulfil God’s plan. President Ahmadinejad and his circle believe, on the basis of various omens and prophecies, that the return of the Hidden Imam is imminent. Since the return of the Imam will bring human history to an end, they are not particularly concerned about earthly things, like whether the people of Iran can find employment or the broken-down state of Iran’s oil industry; they
are concerned above all about the end of what they see as the greatest affront to God—that is, the establishment of a non-Muslim state in the Middle East, namely Israel.

Honourable members would be aware of President Ahmadinejad’s recent sponsorship of a grotesque conference of Holocaust deniers, led by David Duke of the Ku Klux Klan, in Tehran. They probably think Ahmadinejad’s preoccupation with disproving the Holocaust offensive and ridiculous but essentially harmless. This is a mistake. Ahmadinejad’s objective in trying to refute the irrefutable is to de-legitimise the state of Israel as a prelude to its destruction in fulfilment of what he conceives to be God’s will and as a precondition to the return of the Hidden Imam. That is the basis for his rhetorical attack against Israel. When he speaks to the UN Security Council next week, which is scheduled to discuss extended sanctions against Iran for its failure to observe international demands that it cut back its nuclear program, we can expect to hear more of his deluded view of reality, which he will bring to the UN Security Council, which he sees as a necessary precondition for an actual physical assault on the state of Israel.

This is the essential difference between the North Korean situation and the Iranian situation. North Korea is playing a game of bluff, a dangerous game but essentially a game. Kim Jong-il has his price and it now appears that the US and Japan—Japan less willingly—are willing to pay that price. This may prove to be a mistake in the long run, but it certainly eases the North Korean situation in the short term. President Ahmadinejad, in my view, is not bluffing and he does not have his price. He cannot be talked out of his nuclear ambitions and he will not be bribed out of them. What arguments, what bribes could mean anything to a fanatic who believes in the coming apocalypse? That is why Iran’s nuclear ambitions are so dangerous.

Of course, there are many international diplomatic moves that can be implemented in the meantime to stop the Iranian atom bomb. We can hope that comments made in the Iranian press recently by people associated with the mullahs, the Supreme Guidance Council, denigrating Ahmadinejad are a sign of hope, because many people argue that within the power circles in Iran the mullahs are more interested in keeping control of power than getting involved in a nuclear exchange. They prefer to continue running Iran than to get involved in a nuclear war with Israel. That is again a glimmer of rationality. Hopefully within the power circles in Iran this will be resolved in their favour by their pulling back Ahmadinejad on the nuclear weapons acquisition plan.

It is of course a great pity that this drama with Iran is unfolding at a time when there is a crisis of leadership in the Western world. President Bush has been discredited by the debacle in Iraq. One of history’s greatest Labour prime ministers, Tony Blair, is about to retire in September. The failure in Iraq, particularly the botched post-invasion plan, means that it is almost now impossible to mobilise international public opinion in the Western world to take the Iranian threat seriously. People say: ‘We were lied to about Iraq. Why should we believe you about Iran?’ It is a difficult question to answer.

But this is, in my view, not a problem for Israel alone. People no doubt remember the Israeli air attack on the Iraqi nuclear reactor at Osirak in 1981 which ended Saddam Hussein’s first attempt to acquire nuclear capacity. They assume that Israel could always do the same thing to Iran. Perhaps many world powers secretly hope the Israelis will, so that it will absolve everyone else from dealing with the situation. There are two problems with this rosy
scenario, one military and one political. Firstly, the Iranians also remember what happened to Osirak and are not as dumb as Saddam Hussein. Their nuclear facilities are scattered all over Iran and buried, thanks to North Korean engineers, deep underground. Perhaps the Israelis know where they are, but probably they do not, or they do not know where all of them are. Even if leaders in Jerusalem did, a single air raid would not do the job and they do not have the capacity to bomb every bunker in a country the size of Iran.

In any case, following the demise of Arik Sharon, the Israelis are quite unprepared for the challenge. Few analysts believe that the current shaky coalition government in Israel has the nerve to make a pre-emptive attack on Iran—even if it has the means to—unless the Iranian threat literally becomes imminent. I have no doubt, however, that if Iran really did attack Israel the response would be immediate and overwhelming. I am sure honourable members understand what I mean by this: the whole region, the whole world, would be plunged into a nuclear conflagration. That is why the current Iranian regime is the greatest threat ever faced by the international nuclear non-proliferation regime, of which this bill is a small part. Russia’s move in the last couple of days to withhold nuclear fuel from the nearly completed Bushehr nuclear power plant—I suspect it is unless Iran suspends its enrichment program—is a very encouraging development. When told of Russia giving Iran an ultimatum on its enrichment, a senior European official said:

We consider this a very important decision by the Russians. It shows that our disagreements with the Russians about the dangers of Iran’s nuclear program are tactical. Fundamentally, the Russians don’t want a nuclear Iran.

For a long time, there has been a proposal which would create hundreds of millions of dollars of business for Russia and at the same time ensure that Iran does not go nuclear. The proposal involves Iran receiving, for its power reactors, nuclear enriched material that was produced within Russian territory. Iran has unfortunately rejected that proposal.

Last month the Russian foreign minister, Sergey Lavrov, informed some European officials that Russia had made a political decision not to deliver the fuel to Iran, adding that Russia would state publicly that the sole reason was financial. Then, last week, a senior Iranian official confirmed in an interview that the Secretary of the Russian National Security Council, Mr Ivanov, had threatened Iran with an ultimatum: the fuel would be delivered only after Iran’s enrichment of uranium at Natanz was frozen. In other words, the Russians are happy to provide nuclear fuel for the real domestic nuclear power facility they are building for the Iranians at Bushehr, but they are not prepared to continue providing it if the Iranians go ahead with their nuclear activity with their centrifuges at Natanz, which is where the world fears Ahmadinejad’s Iran is building fuel for their nuclear weapons. Mr Ivanov, the Russian foreign minister, also called on Iran to resolve outstanding questions with the International Atomic Energy Agency about its nuclear program and to stop enriching uranium. The Russians have been pressing Iran to take some sort of pause in its uranium enrichment which might allow the UN Security Council sanction process to halt and bring Iran back to the negotiating table. The Russian foreign minister said:

The clock must be stopped: Iran must freeze uranium enrichment ... The U.N. Security Council will then take a break, too, and the parties would gather at the negotiating table.

I congratulate the Russian foreign ministry and President Putin on this very wise stance of the Russian federation.

MAIN COMMITTEE
Five years ago, President Bush described Iraq, North Korea and Iran as the ‘axis of evil’. Saddam Hussein’s regime in Iraq has been overthrown. Kim Jong Il’s regime is now being bribed and cajoled into abandoning its nuclear program—at least for the time being—although, as Robyn Lim has pointed out, the subject of negotiations with North Korea is its ongoing nuclear program at Yongbyon. The negotiations are not about decommissioning the nuclear weapons that, theoretically or actually, the North Koreans have. This is subject to further negotiations, and I hope that in the political blowback from Iraq in North-East Asia we do not concede too much to the North Koreans. It is a very encouraging development, but we have to remain firm in our purpose in North-East Asia and hopefully decommission their primitive bombs.

President Ahmadinejad’s regime in Iran is the one partner in the ‘axis of evil’ that really does have the capacity to build weapons of mass destruction, really does have a target in mind as it builds them and really does have a regime evil enough and reckless enough to use them. After what has happened in Iraq, I am aware that there is not much appetite in the Western world for the concept of regime change. At this stage any regime change in Iran will be internal and limited, with the mullahs there realising that the whole world, via the UN Security Council, is putting tighter and tighter sanctions on them—financial and economic sanctions—and realising that the particular brand of provocative international behaviour of the Iranian president is going to lead to conflict and to their loss of power. I hope that this will cause them to wake up and to abandon this attempt to acquire nuclear weapons and to use them.

 Unless there is a change of regime in Iran one way or the other, there is a real danger that not only will the nuclear non-proliferation regime be at grave risk, but so will the peace of the world. That is why I strongly endorse the comments of the member for Batman that the proposal of the former Leader of the Opposition, the member for Brand, for a new effort, an international diplomatic effort, by Australia to strengthen the nuclear non-proliferation treaty and non-proliferation regime is an urgent task that Australia should take to its heart. This issue is becoming very live all around the world, and we are going to see more of it at the United Nations Security Council meeting next week when President Ahmadinejad will face all of his critics, including the Russian government, the European Union, the United States and indeed the entire world, who have decided that if Iran will not desist from its policy of acquiring nuclear weapons it will face stronger and stronger sanctions. I hope that, despite Mr Ahmadinejad’s no doubt deluded rhetoric next week, forces within Iran come to the realisation that the international community will not put up with these threats of genocide and the plan to acquire nuclear weapons that would enable them to put that into effect.

Mr SNOWDON (Lingiari) (11.56 am)—Firstly, let me say that I enjoyed listening to the previous member, the member for Melbourne Ports. I do not always agree with him but I think the arguments which he presented about the proliferation of nuclear weapons, in particular in relation to Iran and North Korea, are very apposite. We need to take strong note of them because there is absolutely no doubt in my mind, and I am sure in the minds of many others, that we have to be watching very carefully as to what happens in relation to those matters.

Nevertheless, it is important that we do solidly support the legislation that is before the House today. The Non-Proliferation Legislation Amendment Bill 2006 will implement new requirements of the amendments to the Convention on the Physical Protection of Nuclear Material which were agreed in July 2005. The bill amends a range of acts, including the Nuclear

The 2005 amendment will come into force after two-thirds of the parties to the Convention on the Physical Protection of Nuclear Material have ratified or otherwise accepted the 2005 amendment. Unfortunately, to date only seven parties have done so. The title of the Convention on the Physical Protection of Nuclear Material is expanded under this legislation to include the protection of nuclear facilities. The preamble to the convention is also replaced completely by the new preamble in the 2005 amendment. The paragraph relating to criminal offences is expanded both to include coverage of nuclear facilities and to reflect an urgent need to strengthen existing offences.

There is a new paragraph which reflects the desire to ‘avert the potential dangers posed by illicit trafficking and the unlawful taking and use of nuclear material and the sabotage of nuclear material and nuclear facilities, noting that physical protection against such acts has become a matter of increased national and international concern’. I note that this legislation has gone through the processes of the Senate and the Senate committees, and they have endorsed strongly this legislation as well as Australia’s continued engagement in multilateral efforts on disarmament and nonproliferation.

I want to also attach myself to those recommendations, because, as the member for Batman said, it seems to me that we have a great responsibility for a number of reasons, but, because of our interest in ensuring that the nuclear non-proliferation treaty is back on track, we should be increasing our efforts internationally to ensure that is the case. I say that because we know that there is a debate taking place within the Labor Party at the moment—and other members have referred to it—about the question of expansion of the nuclear industry in Australia through the mining of uranium. That debate will have its culmination on the floor of the national conference in April in Sydney.

I have been involved with this debate on the nuclear industry since the mid-1970s. I did my utmost to prevent the expansion of uranium mining in the Northern Territory in 1977 and 1978, and the arguments about the nature of the nuclear industry which were used then remain valid today. These are issues which this community has to contemplate, and one of these issues is the question of nuclear non-proliferation. There is grave concern, despite the fact of the wealth that the uranium industry might bring to this country, about the question of proliferation of nuclear weapons. As I said earlier, we have heard the member for Melbourne Ports in a very erudite way explain what is happening with North Korea and Iran in terms of nuclear nonproliferation. There is genuine concern in the community, despite the fact that we export uranium, about the question of nuclear nonproliferation, and it is of interest to know that that issue—although not one which is seen in the headlines of major newspapers when we have these discussions—is very important to the Australian community. We need to ensure, as this bill does, that we support every effort that will prevent the expansion of the nuclear industry, but, most importantly, we need to protect—those places where nuclear materials might be stored or otherwise used.

We need also to contemplate the arguments which are used—again, as they were in the early seventies—about the expansion of the uranium industry in Australia in terms of their environmental impact: what that has meant, what has developed over time, what the issues are.
and whether they have been addressed. That is something which I know is, again, at the heart of many of the concerns which are being expressed within the Labor Party as I talk to members of the Labor Party about the proposal to change the Labor Party’s policy at its conference. Those issues go not only to the immediate environmental impacts of the mining operation themselves but also, most importantly, to the question of the downstream effects of nuclear waste. The member for Batman, I think quite properly, said that this country needs to take a far more sophisticated approach to the question of nuclear waste disposal.

Mr Wakelin—Hear, hear!

Mr Snowdon—Whilst I note that the member for Grey said, ‘Hear, hear!’, let me say to him that it is totally inappropriate for the Commonwealth government to seek to impose nuclear waste facilities upon the community of the Northern Territory without consultation and without agreement. The fact is that a great proponent of the nuclear industry in terms of mining, the South Australian government, prevented the siting of a nuclear waste facility, the national repository, in their state because they sought to reflect the concerns which were being expressed in their community about that matter.

The bottom line is—and this, of course, is the rub—that one of the chief proponents of the change to the uranium policy at the ALP national conference will be the Premier of South Australia. To me, you cannot have it both ways. You have got to be in a position to accept that, if you are going to start the process in the nuclear fuel cycle, you have to go to the very end of that process and understand that you have obligations to deal with the nuclear waste generated.

Everyone accepts that there needs to be a national repository. But to have that waste repository now, as a result of the decision by the South Australian government and of decisions taken by the Commonwealth government because of the inability to be able to negotiate a set of arrangements with any state government, and to impose it upon the people of the Northern Territory just because the Commonwealth can do so is, in my view, immoral. The fact is that the Northern Territory community is sick and tired of the way this government has dealt with this situation. When a conservative government in the Northern Territory dealt with a Labor government federally, not once in the 13 years that that Labor government was in power did it seek to impose its view upon the people of the Northern Territory in the way the current government has sought to impose its view on the people of the Northern Territory—on a number of occasions—by denying due process and the right of the Territory community to determine what should happen within the jurisdiction of the Northern Territory.

One of the most heinous of these has been the decision by the Commonwealth government to arbitrarily choose three sites around the Northern Territory, which is Commonwealth land, and say to the people of the Northern Territory, ‘We’ve now chosen three sites; one of these three sites is quite probably going to be the place where we are going to secure our nuclear waste repository.’ They did that without agreement. We heard members of this parliament, ministers in this government, say to the people of the Northern Territory that they thought this country was uninhabited, that no-one was living out there, and so on. Of course, that is just absolute, absurd nonsense. There are Aboriginal people with traditional rights in those communities, and there are pastoralists who live very close to the sites which have been chosen. The community is most concerned about it, yet it was not something which was negotiated; it was something which was imposed.
Whilst the member for Batman is quite right to raise the concerns about our needing to have a national repository, the way in which it has been imposed upon the people of the Northern Territory is not appropriate and, as I said, is totally immoral. But we do have a responsibility, and that responsibility means that we should be engaging all communities nationally to find a solution to the problem—and not, as the Commonwealth has done, just imposing it upon one part of the community just because it can.

With great respect to you, Mr Deputy Speaker Scott, you come from a rural community and understand, as I do, that rural communities across Australia are sick and tired of being dictated to in the way this federal government seeks to dictate to them. We need to be able to assure the people who live in the bush that they are not going to be subject to arbitrary decisions in the way in which people in the Northern Territory have been subject to decisions about nuclear waste disposal. We have a responsibility to ensure—and I am sure you do; I hope you do—that we speak up on behalf of those rural constituencies. You have a responsibility to say to this government that, just as your rural constituents would not want their land denigrated in the way the Northern Territory land has been denigrated by this government—and their rights denigrated—you would support the people of the Northern Territory in ensuring that their struggle against victimisation by this federal government is successful. I hope that is something you would do in your party room, because we share a common interest, and that common interest is to ensure that the rights of every Australian are protected by this parliament. They have not been protected by this parliament, particularly by your government, in the way in which it has imposed this nuclear facility on the people of the Northern Territory.

I will go to the question of the ALP national conference. As president of the Northern Territory branch of the Labor Party, I have been holding forums across the Northern Territory on the question of uranium mining. That is with the full knowledge that, given the way in which these things happen, in all likelihood the Labor Party will have a discussion about a policy proposal which will be given to it by its leaders at the national conference, there will be a vigorous debate and the policy will be changed.

We all know what the end result is likely to be. Nevertheless, I saw it as my obligation to go and talk to the rank and file of the Labor Party in the Northern Territory about what they thought about these policy proposals. They indicated to me that not only do they still harbour the same concerns that were expressed by me and many others in the seventies but also they remain really concerned about nuclear nonproliferation and waste disposal. They are most concerned that when we have this discussion, as the member for Batman said, we properly address all parts of the question. We need to do that in a sophisticated and relatively detached manner.

Even though I have been opposed to the nuclear industry all my adult life, I am a realist and I understand that we are going to have uranium mining now and into the future. Therefore, we need to rationally address all of these issues. The fact is that we are not going to have a policy change in the Labor Party which will close down any mines. The fact is that, under the existing arrangements, there is the capacity for new mines to be developed across the country. The odd thing is that they have not been, even though I understand that uranium is almost at $100 a pound. The fact is that we have not had a plethora of uranium mines developed across the community, partly because state Labor governments have said they will not countenance them—except, of course, the government of South Australia. That government
has decided that it will not accept a nuclear waste repository, even though it is a chief proponent of the expansion of the uranium industry.

I think, therefore, that there is some logic in us arguing that those people who are proponents of the nuclear industry should come up with a solution for nuclear waste disposal and should not allow decisions which they make to have a detrimental impact upon other people in the community in the way in which the decision taken by the South Australian government has had an impact upon the people of the Northern Territory. They have an obligation.

I say to those people who are going to participate in this debate at the national conference that they should accept that obligation and should come up with a proposal which, on the issue of nuclear waste disposal, addresses the national priorities, needs and concerns. They should accept that if there is an open and fair process in assessing a site—which did take place as a result of initiatives of the Keating government in the early nineties—once the site is selected, on the basis of the best scientific knowledge, negotiations should take place in a proper and ordered manner. All of the communities that might be involved need to be engaged, including the local communities. Then we can get a resolution to this.

It will not happen if, as the federal government has done with the Northern Territory, you seek to impose a solution. But if you accept that you are going to be a party to the discussion about where a nuclear waste facility should be, then you should be prepared to accept that the outcome which is agreed as a result of that discussion is something you will advocate. You should not treat the community with contempt, which is what has been done by the government of South Australia. I think they have been contemptuous of their obligations, partly because they were participants in the process in the first instance but also because we have a national responsibility to address the issue.

Whether or not we end up getting a waste facility in the Northern Territory, if, as I hope, Labor wins the federal election later this year, then the undertaking is very clear: we will go back to the drawing board. Unless contracts have been let, we have an obligation to go back and find a rational way to deal with this issue. The rational way we would deal with this issue is by going through the process which I outlined a little earlier.

I know that there are people on both sides of this parliament who are concerned about the way in which we are dealing with these matters. I know there are people on both sides of this parliament and certainly people in the general community who, whilst they are very concerned about uranium mining, accept that uranium mining is going to continue now and into the future. We need to address these issues of national priority. We must do it in a way which the community accepts as being fair and reasonable and not in a way which imposes upon people or derogates people’s rights and their desires to live safely.

Mr Deputy Speaker, I am pleased that I have had the opportunity to contribute to this discussion, but I say to you that the nuclear industry—uranium mining and all aspects of the nuclear fuel cycle—is not going to leave the community’s psyche. People are going to be engaged in this discussion for many years to come, partly because of the priority that the government is imposing on us to develop nuclear power generation. Let me make it very clear, so that the government and those people who support the government around this place know, that the Labor Party will not be part of it. We will not be part of embracing nuclear power generation.
Mr Hunt—But you do want to expand uranium mining.

Mr Snowdon—No, I never said that. You have missed what I have said, and I have said it very clearly. Expanding uranium mining and nuclear power generation do not go hand in glove, my friend. The fact is that we have sufficient cheap energy resources so that we do not require nuclear fuel generation, as you well know. The fact is that, if the government were prepared to invest in renewables in the way they ought to be prepared to invest in renewables, we would not even be having this discussion.

Mr Hunt—What are the people who are buying our uranium using it for?

Mr Snowdon—I am concerned that the member opposite wants to have a discussion about this, and I am happy to have one with him. But unfortunately, as I only have 56 seconds left, it ain’t going to happen today.

Mr Hunt—In reply—In rising to summarise the contributions to this debate, I want to proceed on three fronts: firstly, to address the arguments made by speakers on both sides of the House; secondly, to deal with the content of the Non-Proliferation Legislation Amendment Bill 2006; and, thirdly, to deal with the process and those who have contributed to the bill.

In dealing with the contributions made by speakers on both sides of the House, I hope that I am characterising their contributions correctly and accurately by grouping them into three main themes. The first of these themes was support for the general provisions of the Non-Proliferation Legislation Amendment Bill 2006. I believe that we have had universal support from all speakers, representing strong and unified support within the parliament for the general notion of protection of the physical materials and strengthening of penalties for any serious offences in relation to nuclear materials within Australia or arising from Australian activities.

The second theme of debate today has been around a general desire for a strong non-proliferation regime. I know from my time in a previous life before being a member of this place that I was engaged with and saw the work of the foreign minister, the Prime Minister, the then defence minister and others in the development and establishment of the comprehensive test ban treaty. Australia was one of the driving forces behind that, and it has been one of the driving forces in maintaining the integrity of and further strengthening the nuclear non-proliferation treaty. So those are two fundamental pillars of the international non-proliferation system. Their work and their standing as foundation treaties are critical. We are proud of the role that we have played and are committed to future work on that front. But there is strong and united support within the House on those points.

The third of the themes raised for debate within this House has been the division which we have seen on the opposition side over the future of uranium mining in Australia. As I understand it, we saw from the member for Batman clear support for extension and expansion of uranium mining and the uranium industry within Australia, and that of course is somewhat at odds with the position presented by the member for Lingiari. So it is representative of a debate currently going on within the opposition but one which I think is a settled debate, even though it is likely that there will be some light and fury over the coming months. But it does highlight the curious position of, on the one hand, expanding uranium mining and, on the
other, opposing nuclear energy, because all uranium mined from Australia is used for one purpose.

Honourable member interjecting—

Mr HUNT—Well, there may be some medical purpose for the uranium that comes from Australia, but essentially it is used globally for the generation of nuclear power. It is not used for paperweights or bookends; it is used for a very clear purpose—that is, contributing to the practice and expansion of nuclear power globally. The counterposition of opposition to nuclear energy is entirely at odds (a) with the continued practice of uranium mining and (b) even more so with the proposed expansion of uranium mining which some within the federal opposition are championing. So there is a fundamental unresolved tension which is contradictory, which the members opposite know to be contradictory, but which they will persist in advancing. I note specifically the tension between the positions of the member for Batman and the member for Lingiari on precisely that front.

I specifically commend the contribution of the member for Hughes, who has within her electorate the Lucas Heights reactor. She has been a strong supporter of the new reactor, which is being used for scientific and medical purposes. The capacity to do different forms of medical imaging in nuclear medicine around Australia is dependent upon the work of that reactor and others of a similar nature around the world. It creates waste which has to be dealt with. At present, that waste is stored in hospital basements around Australia, and so we have opposition to waste management by different state governments but a willingness to allow that waste to remain within hospital basements. Again, that is a fundamental tension.

No person in Australia has strongly recognised this more than the member for Grey, who has said it would be an appropriate place in his own electorate. He has been a champion of a national repository within his own electorate but unfortunately his state government, whilst generating uranium and nuclear waste through the treatment of patients for good and proper reasons in their own hospitals, will not accept that responsibility. So we are left with the tension, which the member for Lingiari set out, that the very people who support the industry and benefit from the medical treatment in South Australia are opposing in quite a venal way the storage in their own area.

I similarly want to commend the words and work of the member for Ryan in relation to nonproliferation and North Korea. There is a long way to go but we are making promising steps. We are not as advanced with Iran and the potential for a breach in the non-proliferation regime there. We will be vigilant. There is a lot of strong international diplomacy, of which Russia plays an important part, still to be carried out.

This brings me to the second part of my speech, which is to re-emphasise very briefly the core elements of the Non-Proliferation Legislation Amendment Bill 2006. These elements can be summarised in three parts. Firstly, there is an establishment of stronger and better physical protection standards. Whilst these are legislative standards, they reflect an existing practice and international regime already in place. It is not as if there has been a lapse, but we are strengthening the legislation to back up that which is already in place.

Secondly, there are clear and precise areas where we are increasing the penalties for serious offences, which may in some way involve Australians acting against the safeguards and the regime for protecting the use of nuclear materials. Thirdly, in this bill there is a strengthening
of the national counterproliferation objectives by extending the territorial jurisdiction for certain offences to include Australian residents anywhere in the world. The law currently applies to Australian citizens, but we are ensuring that it also applies to Australian residents. It is a tough recognition of the challenges we face today but it is an important one, and I am pleased that it has the support of all members of this House.

Finally, I want to thank all of those organisations, institutions and individuals who have contributed to the development of this bill, in particular the members of the Department of Foreign Affairs and Trade, but also all of the different contributors. They serve Australia well. They do a great job. On behalf of the Minister for Foreign Affairs, I thank them. I commend the Non-Proliferation Legislation Amendment Bill 2006 to the chamber.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

ADJOURNMENT

Mr WAKELIN (Grey) (12.25 pm)—I move:

That the Main Committee do now adjourn.

Unemployment: Statistics

Ms GEORGE (Throsby) (12.25 pm)—Since 1960 the Australian Bureau of Statistics has relied on the labour force survey to provide our community with information on employment, unemployment and labour force participation. The survey is done on a monthly basis with a sample of around 29,000 households comprising approximately 65,000 individuals. The ABS definition of an employed person is ‘a person aged 15 and over who during the reference week worked for one hour or more for pay, profit, commission or payment in kind in a job or business or on a farm’. Employment for only one hour or more in that reference week is the test as to whether are you considered to be employed or unemployed.

Despite the huge changes in our labour market since the 1960s—with the growth of casual, part-time and contract labour, and the decline in full-time jobs—the one thing that has not changed is how the ABS measures unemployment. It is a statistical convention set by the ILO which has not changed in four decades. The steady rise in the proportion of people working non-standard hours means that the way we define who is employed actually underestimates the true picture, because it does not measure the extent of underemployment in our economy.

When part-time employment constituted less than 10 per cent of total employment back in the early sixties, adopting a rule that defined employment as working more than one hour a week did not cause any great distortion. Today part-time work accounts for 29 per cent of total employment, the second highest proportion in the developed world. Now that part time, casual and contract work is so much more common, the arbitrary one-hour rule is much more misleading. In the past employment was considered to be a proxy for self-sufficiency, but, as we know, today a casual or even a part-time job is no guarantee of self-sufficiency—let alone a situation where if you work for one hour you are considered to be employed. For example, people searching for full-time jobs are not counted as unemployed if they manage to pick up a few hours of casual work in a survey period.
So when we hear the Howard government loudly proclaim the historic low levels of unemployment in Australia, remember that in the calculation of the unemployment rate, currently at 4.6 per cent, it does not matter whether an individual worked for one hour or 40 hours in a week. Anyone working for more than one hour is defined as employed and by definition cannot be considered unemployed.

We now have in Australia more underemployed workers than officially unemployed. Underemployment has been defined by the ABS as a situation where a worker has a job but works for fewer hours than he or she is willing and able to work. Unfortunately, the ABS only calculates the underemployment figure once a year, in September, and many months pass before it is actually released. The latest broader measures available are for September 2005. They show that the official unemployment rate was 5.1 per cent then, blowing up to an underutilisation rate of 10.5 per cent and an extended underutilisation rate if you include discouraged job seekers of 11.4 per cent. In September 2006, that translated into 521,000 unemployed and 544,600 underemployed Australians. When you look at the figures for the state of New South Wales in September 2006, you see that the official unemployment rate was 5½ per cent and the underemployment rate was 5.1 per cent, leading to an aggregate labour force underutilisation rate of 10.6 per cent.

These figures, I think, are proof that the official unemployment rate that we refer to in fact hides the true labour market situation. The narrow measure of unemployment that we now use, and that the ABS uses, could be rectified by adding a standard question to monthly labour force surveys asking how many hours the person would like to have worked. This would provide both a broader definition of unemployment, along with the narrow official definition that is used to maintain international comparisons. If you take both the official unemployment rate, the underemployment rate and an estimate of discouraged jobless, you get a much broader measure of the true unemployment rate in Australia. This ends up being roughly double the narrow official rate. On this basis, a more realistic measure of unemployment in Australia today is not 4.6 per cent but nearer to nine or 10 per cent. In the region I represent—the Illawarra—it would be in the order of 14 to 15 per cent.

**Water**

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for Foreign Affairs) (12.30 pm)—Today is International Water Day. On International Water Day in my electorate of Flinders at Gunnamatta Beach—one of the great beaches in Australia—every hour, 17 million litres of partially treated sewage will continue to be dumped off our coast. Over five years ago, the then state Labor government, which is the continuing state Labor government, made an ironclad pledge that they would clean up the Eastern Treatment Plant and the Gunnamatta outfall. They have broken that promise; they have failed to fulfil it. Today, International Water Day—as over 400 million litres of waste water is dumped off our coast, is not recycled, is allowed to both pollute the environment and not be used for productive agricultural and industrial purposes—I call on the state government of Victoria to commence works on upgrading the Eastern Treatment Plant by International Water Day 2008.

There is no timetable for this upgrade. There is a vague commitment which was made over five years ago. By next year it will be six years. Every hour, 17 million litres of waste water is polluting the Mornington Peninsula’s coastline. Every day, including today, International Water Day, over 400 million litres of waste water is polluting the Mornington Peninsula’s coast-
line. Every year, 150 billion litres of waste water is polluting our coastline. On every day that this occurs, that water could have been used for industry and agriculture in place of fresh water and to take pressure off our dams and pressure off our communities. It is a waste of water and it should not occur. On International Water Day I repeat my strong view that the state must commit to commencing the upgrade of the Eastern Treatment Plant by International Water Day 2008.

**Electoral Roll**

Mr DANBY (Melbourne Ports) (12.33 pm)—I regret to advise the House that as of 2006 only 48 per cent of all 18-year-olds were enrolled to vote. Of the people in that age bracket, some 260,000, the AEC has only 126,000 enrolments—that is, 134,000 18-year-olds would not have been enrolled to vote if we had had the federal election last year. With state elections in Victoria and New South Wales we will see some young people being picked up by the AEC and a slight improvement in the numbers enrolled. The figure that was cited to me by one of the very capable representatives from the Electoral Commission, Mr Pickering, was that after the federal elections in December 2004 only 68 per cent of 18-year-olds were enrolled to vote and that figure had dropped to 48 per cent by 2006. He was expecting that it would once again rise to a figure like 68 per cent, but that still leaves an enormous number of people off the electoral roll, particularly in the younger age group.

As alarming is the fact that 17 per cent of all 21- to 25-year-olds were not on the electoral roll as of 2006. As at December 2004, 82 per cent of 19-year-olds were on the roll after the election; it is now 79 per cent. It is therefore clear that a vast number of young people all across Australia are not enrolled and will not be participating in the next federal election. I estimate that if you added all of those figures together you would have nearly half a million young people not on the electoral roll. These are very alarming figures.

There are many ways of approaching this. One is to say that it is an ongoing problem, increasing over time, that we have to deal with using long-term solutions. I know that people at the Electoral Commission are planning to do something all around Australia, which I commend them for, and that is to take addresses where there were previously enrolled voters and physically doorknock them. This is a vast expense to the taxpayer but it is something that is really worth while. It shows the seriousness of the Electoral Commission in dealing with the matter of young people not on the electoral roll.

One of the long-term ways of handling this would be for Australia to move, like other countries have, to a fixed election period. People would know when the election was coming and they or the AEC could get themselves on the roll. I favour the great plan of the former Labor Prime Minister and visionary, Mr Gough Whitlam, that we move to a fixed four-year term. I think that would provide more stable government for Australia. Both political parties could support that. It would also have the democratic effect, in a compulsory voting system, of allowing people—especially the missing 500,000 young people—to get onto the electoral roll.

I have to end this speech by pointing to the cynicism of the government. While the Electoral Commission is working overtime to get these people on the electoral roll, particularly the 500,000 missing young Australians, the government has come up with a plan, which we all know about, to close the electoral roll for young people, first-time voters, on the day that
the election is announced. We know that this will be a disaster. Its motivation is not based on any fact of electoral integrity. There have been 72 proven cases of electoral fraud over six elections, where 72 million Australians voted. It is one per million. Therefore there is no serious threat to electoral integrity here, yet 80,000 young Australians who would have been able to use the week of grace that they have been given in every previous election from the early eighties to now will now be disenfranchised. I call on the government to, even at this stage, revise its ridiculous legislation that will disenfranchise young people. (Time expired)

Investing in Our Schools Program

Mrs MARKUS (Greenway) (12.38 pm)—I rise to talk about one of the best programs that has ever been initiated by the Howard coalition government, and that is the Investing in Our Schools Program, which was announced in the lead-up to the last election. It has an allocation of $1 billion: $700 million of that to go to government schools and $300 million to go to non-government schools. I also congratulate the now Minister for Education, Science and Training, the Hon. Julie Bishop, on her work to secure the additional $0.2 billion. That is going to go a long way towards assisting schools in the next round if they have not had the opportunity to apply till now.

I wish to highlight what has been delivered not just in my electorate but in every electorate across the whole nation. Whether you are a member on the opposite side or on this side of the House, you will know that this has benefited schools, students and the living and working environment of teachers and their students on a daily basis. In my electorate of Greenway, government schools have received $4.235 million and non-government schools have received close to $572,000. That is close to $4.9 million. This is money that was not available to schools prior to the last election; this is money that has never previously been available from the federal government. I congratulate the Howard government and the education ministers past and present on their hard work in delivering this.

In many of the schools that I have spoken to, particularly in recent weeks, where I have had the privilege of announcing fresh funds and also talking to them about and opening what we have already been able to deliver, the response from the school students and also the parents has indeed been heartening. Recently I attended Barnier Public School—the principal there is Mr Rod Gibbs, and Mrs Vivienne Husking leads the Friends of Barnier Inc.—and I had the privilege of listening to the students as they showed me the ICT equipment costing $50,000 that was delivered by the federal government. This is enabling these students to learn in an environment that meets their needs and where teaching is delivered in a methodology that is 21st century. So this is indeed wonderful.

I will also talk about a number of other schools. I want to highlight one project that the Minister for Education, Science and Training was able to come and open with me, and that was at Riverstone High School, where they have extreme temperatures, sometimes over 40 degrees. Some of the funding was able to be used to build an outdoor education area which is covered to ensure the safety and protection of the students, particularly in the heat of the summer sun.

I would also like to mention another school, called Lalor Park. This school is going to secure funds that are well overdue. This school has not been able to secure the assistance that it requires from the state government. This school is severely underresourced and was actually advised by the state department that it should not apply. It has secured $142,000 for the con-
struction of a toilet block. The toilet blocks were completely unacceptable for any student in our day and age to use. They were leaking. They were filthy, and not through lack of cleaning. They were completely unacceptable—Third World. So I congratulate Lalor Park.

I had been knocking on their door, talking to them and asking them, ‘How come you haven’t secured funding?’ and they were telling me that they were advised by the state department, by the state Labor government, not to apply. Yet the state Labor government and the member, whose name I will not mention, failed to secure the basic needs of a hygienic toilet block for these children. So I commend this program. I think it is a wonderful program, and I would love to see it continue beyond this round of funding. (Time expired)

International Women’s Day: Ms Malalai Joya

Ms ANNETTE ELLIS (Canberra) (12.43 pm)—I want to talk this morning about International Women’s Day, which was held on 8 March. Particularly, I want to talk about a wonderful opportunity that I was able to share in on the morning of 9 March. UNIFEM, a well-recognised organisation which is very involved in the celebration of International Women’s Day, had invited to Australia for this year’s International Women’s Day a young woman—I believe she is 28 years old—from Afghanistan, Malalai Joya, who is a member of the Afghan parliament. She was invited by UNIFEM to come to Australia this year to assist in celebrating and recognising International Women’s Day. I had the enormous privilege of organising and hosting a meeting here in the House with Malalai Joya on the morning of 9 March. This was an extraordinary opportunity both for me and for a number of women within the ACT community who were able to come along, meet with her and listen to the remarkable story that is represented by Malalai Joya. In fact, the BBC has described her as ‘the most famous woman in Afghanistan’.

Despite continuing death threats, Malalai Joya continues her efforts in Afghanistan, speaking at rallies and on radio and encouraging large numbers of women within her province to attend public gatherings such as International Women’s Day. Amongst many of her concerns—and there are many—is the fact that, since the fall of the Taliban, Iraq has displaced Afghanistan on front page news. I will quote from an article in the Canberra Times of 9 March 2007, which comments very accurately on her views, the sorts of views she discussed with us here that morning. She is very concerned that the complacency reflected by the displacement of Afghanistan in the news ignores the continuing suffering of Afghans, particularly women, at the hands of powerful warlords. She spoke to us very passionately about the role that she has. Despite the death threats, she travels around Afghanistan under the protection of a burqa, with bodyguards where necessary, because she has had so many attempts made on her life that that is the only way she can in fact continue her life and the work that she undertakes representing women in particular within Afghanistan.

I have to say that I was a bit overwhelmed by the commitment of this young woman. We in politics in this country know what we have to do to engage and have an active role in politics. It pales into insignificance when we consider a young woman like Malalai Joya, who has on more than one occasion put her life on the line to try and influence an open and democratic process in Afghanistan and to try and make sure that the road to recovery from her point of
view and the point of view of her community in Afghanistan has some hope of actual success. The article says:

She is also impatient with talk of Afghan women having thrown off the burqa. She describes rapes, beatings, and murders of women and young girls.

Sadly, these continue in her country and represent to an incredibly high level the sort of representation those women really require. I call on all the members of our House, male and female, to make themselves, if they have not already done so, aware of the work of a young woman called Malalai Joya. We are all to learn from her and to understand better the sorts of situations that women and children are facing in Afghanistan even today.

I want to thank Ros Strong, the president of the national board of UNIFEM Australia, and Libby Lloyd more locally for the work they did in getting Malalai Joya here and for managing to allow me and other women in this region to have this valuable hour with this incredible young woman. I look forward to continuing to hear of her success and her work. I wish her every success for her future in her work in Afghanistan.

Iraq

Harmony Day

Mr HARDGRAVE (Moreton) (12.48 pm)—I am indebted to the member for Canberra for putting all of that on the public record in this place, because it very nicely ties in to some of the comments I want to make. It highlights very much in one sense why the government has a commitment to creating a sense of liberation and freedom for the people in Iraq. Having the most culturally diverse electorate in Queensland brought home to me very quickly early on in the whole Iraq debate the reason that Hussein had to go. When I had Kurdish community members coming to me telling me the same sorts of stories as the member for Canberra has just passed on to the House, it made me realise why that vicious and brutal regime had to go and why Australia had to take a stand as a strong democracy. So I thank the member for Canberra because those stories have to be told. It is important that they are told. I think with regard to the way in which Australia meets and greet refugees of conflicts in other places, meets and greets those who have come as business migrants and meets and greets those who have come as the poorest of migrants to this country it is important that we give them an enormous sense of encouragement.

Yesterday was Harmony Day, a government program that I once administered. I know that Harmony Day is meant to be 365¼ days of the year. It is not meant to be an ephemeral orange-ribbon-wearing occasion. It is meant to remind us that Australia is the most culturally diverse nation in the world. One in four of us was born in another place. One in four of us has at least one parent born in another place. So, for many families in Australia, Australia is a very recent experience. I am seven or eight generations along. On my mother’s side it is eight; I am seven on the Hardgrave side, and I always say I am two parts Scottish, one part English and one part Irish.

I see that the member for Bendigo is laughing. But what that means is that I like a drink and I want someone else to pay for it. At the end of the day, our cultural diversity in this nation is part of the economic strength that we have. I know that schools like Runcorn Heights State School value their cultural diversity. They bring the parents of their kids together. They celebrate diversity, show off their cultures and share their food. At Warrigal Road State School
Muslim women arrive, some wearing scarves and some not, for their annual fete every year and provide the food alongside the Greeks and the Italians. This is all fantastic. We all have to eat—some of us less and some of us more—and sharing each other’s food and culture is an important thing to do. But it is more than that.

It is important that we do not create a sense of victimhood in the minds of those new to Australia. And yet you have a lot of the peak bodies writing to us saying: ‘People are being victimised. They are being pinned down by comments in the paper and made to feel awful.’ This has been the Labor Party’s way in the past. When we came to office in 1996, we promised an end to this separate treatment—this favoured treatment for one group over another. I remember the stories that cultural groups were told, ‘Don’t tell anybody else what we are giving you; but if you vote Labor, you’ll get more of it.’ They kept it secret from each other. Australia was in the process of Balkanising under the Hawke and Keating governments.

This government has said, ‘What have we all got in common?’ The No. 1 answer is that we are all part of this country. What brings us together sets us apart from other nations. It is not unreasonable for us to challenge every new arrival to this country to be who they are but to be it for Australia. It is not unreasonable for us to make available to them the tools to integrate, English being the No. 1 tool. And, providing we can get proper and quick recognition of the skills they bring and the educational experiences they have had, and repair the differences between what is required and what they have, we have to get these people to work.

I see people like David Kemp at BDS—a fantastic shopfitting company in Brisbane—going out of their way to bring people like Sudanese refugees into their workforce. He has 130 people in his factory at Crestmead and about 25 per cent of them are Sudanese refugees. Why? Because they are great workers. Why? Because they value the job they have. He wants to see more of that, and I do too—because once we give people a sense of confidence and we give them the competence to participate, they build a commitment to Australia and they have a sense of ownership of the place. That is what this government has done that is so different to the work done by the previous government.

The Federation of Ethnic Communities Councils has asked me to:

... show leadership and provide reassurances to Australia’s vibrant culturally and linguistically diverse communities that Australia is a compassionate, welcoming, empowering and inclusive society and that there is a place for everyone.

I happily do that. I also publicly state that these people have made an enormous contribution to Australia for many decades. (Time expired)

New South Wales: Labor Government

Miss Jackie Kelly (Lindsay) (12.53 pm)—With the upcoming New South Wales state election this Saturday, I rise to draw the state’s attention to the use of public resources by the Premier of New South Wales. He has faxed to all the schools in my electorate his Labor policies on schooling. I would like to table that. It is a statement on Labor’s ‘strong record on new technologies’.

Leave granted.

Miss Jackie Kelly—This is the document in which Morris Iemma claims that he will be connecting classrooms. Yet in the third round of the Investing in Our Schools Program for my area, 12 schools had ICT upgrades, which is basically the installation of computer labs. In
the last two rounds it would have been a similar number. As usual these promises will only be delivered in the fourth year of a Iemma government—by which stage the federal government would have fully kitted out every school in my electorate with ICT upgrades. It is this fraud by the New South Wales government that has got people so frustrated. It is the most unpopular New South Wales government in my memory.

Further to that, Bernie Riordan is mailing out, to the New South Wales Department of Education and Training’s mailing list of students, letters against the NECA Group Training company, saying: ‘Don’t vote for AWAs.’ So this government is in cahoots with the union movement in defeating legitimate negotiations on AWAs, and yet no investigation has been conducted by the Iemma government into who gave Bernie Riordan that list. Was it an authorised disclosure? How did the union get hold of such information and why wasn’t that made known to the company?

Further to that, we also saw the Leader of the Opposition visit my electorate today on a last round of beating the stumps. They must think they are in trouble in Penrith because there he was, pumping the pump with Morris Iemma today. He breezes in through the back door. There was a welcome committee there for Kevin Rudd. A number of people were out the front. They included media, local constituents who wanted to meet him, schoolkids and a few protesters. But Kevin Rudd came in through the back door and he left by the back door before Morris Iemma had even finished speaking.

This man is a coward and he should be held accountable. How many times have I had the Prime Minister come to my electorate and, when there are protesters, John Howard goes up the guts of the protesters every single time? I have never seen John Howard run from protesters like this little weasel did today. He absolutely went in the—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Lindsay will withdraw that remark.

Miss JACKIE KELLY—I withdraw, Mr Deputy Speaker. He went in the back door. This man behaved like a little furry animal running through a pipe to scurry away from possible or imagined dangers on an empty highway. These were constituents who had given up their time this morning; they had flagged that he was going to be there. They thought they could at least meet the member. As far as I am concerned, the sole signal that Kevin Rudd’s visit to my electorate today sent to the electorate was—

The DEPUTY SPEAKER—The member for Lindsay will refer to members by their title or by their seat.

Miss JACKIE KELLY—the Leader of the Opposition—was that they have given up on Lindsay. Basically they have written it off as a safe Liberal seat. He does not care to meet the constituents there. He does not care to meet the media there. He does not care to meet the protesters there. He does not care to get into discussions about issues in Penrith. He breezed in the back door, out the back door, saw the inside of a hall; he did not even visit my electorate, which has wonderful things to visit. We have the wonderful Nepean River. We have a wonderful CBD. We have some great areas. We have some areas of concern that he should see, such as our rail stations, such as our roads infrastructure, such as the upgrades that are required on various community facilities. These are the things that Kevin Rudd needs to be addressing—

The DEPUTY SPEAKER—The member for Lindsay will refer—

MAIN COMMITTEE
Miss JACKIE KELLY—I am sorry—the Leader of the Opposition needs to be addressing, but he has simply sent the message to the electorate of Lindsay that they have given up on Lindsay. They consider it to be a safe Liberal seat and have no further interest in it.

Question agreed to.

Main Committee adjourned at 12.58 pm until Monday, 26 March 2007 at 4 pm
QUESTIONS IN WRITING

Child Care

(Question No. 3678)

Ms Plibersek asked the Attorney-General, in writing, on 19 June 2006:

(1) Do any agencies in the Minister’s portfolio offer childcare to employees; if so, which agencies.

(2) In respect of agencies that offer childcare, (a) is the childcare (i) long day care, (ii) outside school hours care, or (iii) another type of care, (b) is the childcare facility located at the agency’s premises; if so, (i) what is the maximum capacity of the childcare facility, (ii) is enrolment at the facility available to children whose parents are not employees of the agency, and (iii) do the children of agency employees receive preferential enrolment over the children of non-employees; if so, what are the provisions of the preference rule; and (c) will the Minister provide a copy of the information sheet given to employees seeking employer assistance with childcare.

(3) Are employees given the option of salary-sacrificing childcare offered by the agency.

(4) How many employees within each of the Minister’s portfolio agencies have made salary-sacrifice arrangements with the employing agency for childcare expenses.

(5) In respect of the employees identified in the response to part (5), how many use on-site childcare.

(6) Do any of the Minister’s portfolio agencies have salary-sacrifice agreements relating to childcare with employees who do not use the on-site childcare centre; if so, how many agreements of this type are there?

(7) Will the Minister provide a copy of the childcare benefits provisions from the Certified Agreements of each of the Minister’s portfolio agencies.

(8) What financial assistance for childcare, other than salary-sacrificed fees, is available to employees (including those on AWAs) of each of the Minister’s portfolio agencies.

(9) Have any agencies in the Minister’s portfolio sought private or public rulings from the Australian Taxation Office relating to childcare and fringe benefits tax; if so, when.

(10) Do any of the Minister’s portfolio agencies have arrangements with other Government agencies to provide childcare to employees, such as sharing childcare facility costs at a site within, or external to, one of the agencies.

Mr Ruddock—The answer to the honourable member’s question is as follows:
The following information is provided to this question in respect of the Attorney-General’s Department and portfolio agencies.

(1) No.

(2) Not applicable.

(3) Not applicable.

(4) The Attorney-General’s Department has 3 employees who have made salary-sacrificing arrangements for childcare. No such salary-sacrificing arrangements have been made in any portfolio agency.

(5) Not applicable.

(6) As onsite childcare is not offered by the Department or any portfolio agency, the response to part (4) applies.
(7) **Attorney-General’s Department**

AGD has a clause permitting flexible remuneration arrangements in their workplace agreement. There are no specific provisions offering childcare benefits.

The AGD Certified Agreement also contains provision for expenses relating to dependant care responsibilities to be met by the Department in certain limited circumstances. The provision reads as follows:

“3.71 Expenses relating to dependant care responsibilities

This clause applies if:

- an employee is directed to perform additional hours of duty; and
- the direction is given less than 24 hours before the duty is to be performed; and
- the employee must arrange for the care of dependant family members in order to perform the additional duty.

In recognition of the employee’s dependant care responsibilities, the Secretary may approve the reimbursement of expenses reasonably incurred in making the arrangements mentioned in paragraph (1) (c).

In this clause:

- family includes a relation by blood, marriage (in law or fact), adoption, fostering or traditional kinship, or a person who stands in a genuine domestic or household relationship with the employee for more than 12 months.”

**Administrative Appeals Tribunal**


Asitance for Caring Responsibilities

73. The Tribunal acknowledges that employees often have diverse primary caring responsibilities and provides scope for various leave to assist employees in balancing these responsibilities with their work at the Tribunal. However, there may be occasions where operational requirements mean that the Tribunal cannot accommodate a request for leave or may require an employee to work away from home outside his or her normal work pattern. In these circumstances, the Tribunal will provide the following assistance:

(a) reimbursement of some or all reasonable additional costs of caring (eg. holiday childcare, respite care) incurred by employees who, for operational reasons, are unable to be granted annual leave. Reimbursement will be up to $20 per day towards the cost of caring services. The maximum weekly payment is $100 per employee. Approval is subject to the applicant having given notice of intention to take leave 3 months prior to the expected leave commencement and prior in-principle approval from the Registrar for reimbursement. Where the Registrar is satisfied that exceptional circumstances exist a lesser period of notice may be acceptable.

(b) where employees are required to work away from home outside of their normal hours (eg. interstate), reimbursement of some or all reasonable additional costs of caring incurred by the employees provided that they indicate their intention and obtain prior approval from the Registrar.

**Australian Customs Service**

Under the Australian Customs Service Certified Agreement 2004-2007, staff may apply for financial support to a maximum of $500 per annum if they incur domestic care costs while undertaking training and development activities. It does not cover situations that are ordinarily part of the duties of the position, for example interstate travel.
2.8.1 Training for part-time employees will normally be scheduled during their rostered hours. Customs will endeavour to provide as much notice as possible of forthcoming training. If employees are required to attend part of the training outside their rostered hours, overtime provisions of Clause 2.4 of this agreement will apply. Employees may be reimbursed additional costs up to a maximum of $500 per annum in accordance with the Domestic Care Support Scheme.

**Australian Security Intelligence Organisation**

ASIO’s Seventh Workplace Agreement contains two provisions relating to childcare; specifically:

“To assist staff manage the impact of work on their personal responsibilities, it is agreed to reimburse staff when the unexpected demands of their jobs result in additional dependant care costs being incurred, for example, paying a carer to attend to an invalid parent, placing an infant into child care etc.”

“The parties to the Agreement agree to work actively to examine the feasibility of providing child care and gymnasium facilities for Canberra-based staff during the term of the Agreement.”

**Commonwealth Director of Public Prosecutions**

The CDPP CA has a provision that where an employee with school children has approved leave cancelled without reasonable notice or, is recalled to duty from leave during school holidays, the CDPP will contribute up to $15 per day per child towards the cost of care for each child attending an accredited school holiday program. The maximum payment per family is $150.00 per week or the actual cost incurred, whichever is the lesser. No claims have been made under this provision. This provision is also extended to employees on an AWA.

**Federal Court**

The Federal Court has arrangements for staff to bring children and dependents to work as provided in its Certified Agreement, clause 90 of which is set out below.

“90. Child and Dependant Care

90.1 The Court will continue to provide emergency child and dependent care rooms or facilities in each Registry. The Court’s OHS Committee will identify guidelines for Registries on providing rooms/facilities within three months of certification. Once developed, these will be included in OHS audit checklists for use by workplace OHS representatives. Arrangements may be reviewed from time to time, in consultation with the NCC.”

**Federal Magistrates Court**

“53.1 CHILD CARE SUBSIDY: Where employees, who are the sole available carer of dependant children, are required by the FMS to be away from their home base overnight, reimbursement of reasonable childcare costs that would otherwise not have been incurred, will be considered. Application for consideration, including an estimate of the cost involved, is to be made prior to the finalisation of travel arrangements. Evidence of expenditure must accompany any claim for reimbursement.”

**Office of Parliamentary Counsel**

Schedule 6 – Clause 9 of the Office of Parliamentary Counsel Certified Agreement 2004-2007:

Dependant care costs –

The First Parliamentary Counsel may approve reimbursement of reasonable costs arising from dependant care arrangements which are required:

- because an employee is required to travel out of Canberra for official purposes; or
- because an employee is directed to work additional hours or to attend a conference or training course outside the employee’s approved hours of work; or
- to ensure that a part-time or full-time employee is available, if required, to work outside his or her normal hours of duty (but within the span of hours during which employees may work normal hours); or
- because of other special circumstances which, in the First Parliamentary Counsel’s opinion, justify the reimbursement.

(8) In addition to the assistance for childcare provided for Certified Agreements, as described in (7) above, the following arrangements also apply.

**Administrative Appeals Tribunal**

New draft AWAs refer to Personnel Direction 11 (PD 11) but there were no references in previous AWAs. The relevant excerpt from PD 11 is below:

“**Personnel Direction No. 11, Family Responsibility Policy Statement**

**Assistance for Caring Responsibilities**

The Tribunal acknowledges that employees often have diverse primary caring responsibilities and provides scope for various leave to assist employees in balancing these responsibilities with their work at the Tribunal. However, there may be occasions where operational requirements mean that the Tribunal cannot accommodate a request for leave or may require an employee to work away from home outside his or her normal work pattern. In these circumstances, the Tribunal will provide the following assistance:

(a) reimbursement of some or all reasonable additional costs of caring (eg. holiday childcare, respite care) incurred by employees who, for operational reasons, are unable to be granted annual leave. Reimbursement will be up to $25 per day towards the cost of caring services. The maximum weekly payment is $125 per employee. These amounts apply for the 2006/07 financial year and will increase to $26 per day/$130 per employee in 2007/08 and $27 per day/$135 per employee in 2008/09. Approval is subject to the applicant having given notice of intention to take leave 3 months prior to the expected leave commencement and prior in-principle approval from the Registrar for reimbursement. Where the Registrar is satisfied that exceptional circumstances exist a lesser period of notice may be acceptable.

(b) where employees are required to work away from home outside of their normal hours (eg. interstate), reimbursement of some or all reasonable additional costs of caring incurred by the employees provided that they indicate their intention and obtain prior approval from the Registrar.”

(9) No.

(10) No.

**Media Monitoring and Clipping Services**

(Question No. 4139)

Mr Bowen asked the Minister for Small Business and Tourism, in writing, on 7 September 2006:

(1) What sum was spent on media monitoring and clipping services engaged by the Minister’s office in 2005-06?

(2) What was the name and postal address of each media monitoring company engaged by the Minister’s office.

Fran Bailey—The answer to the honourable member’s question is as follows:

(1) The Department of Industry, Tourism and Resources engaged media monitoring and clipping services on behalf of the Minister for Small Business and Tourism. The sum spent in 2005-06 was $875.49.
(2) The Department engaged the services of:
   Media Monitors Australia P/L
   PO Box 2110
   Strawberry Hills, NSW 2012

Freedom of Information
(Question No. 4363)

Mr Kelvin Thomson asked the Minister for Agriculture, Fisheries and Forestry, in writing, on 14 September 2006:

(1) How many freedom of information applications have the Minister’s department and agencies received in each financial year since 1 July 2000.

(2) In respect of the applications identified in Part (1), how many resulted in documents being released (a) in full, (b) in part and (c) not at all.

(3) Has the Minister’s department issued any conclusive certificates since 1 July 1996; if so, what are those details.

(4) In respect of each of the conclusive certificates identified in Part (3), will the Minister provide (a) the sections of the Freedom of Information Act 1982 to which the certificate relates and (b) the details of any appeal against the certificate lodged with the Administrative Appeals Tribunal, including the outcome of the appeal.

Mr McGauran—The answer to the honourable member’s question is as follows:

(1) Information is publicly available in annual reports made under the Freedom of Information Act 1982 (FOI Act).

(2) Information about the outcome of Freedom of Information applications finalised each financial year by each department and agency is publicly available in annual reports made under the FOI Act.

(3) The Secretary of the Department of the Prime Minister & Cabinet (PM&C) issued a conclusive certificate on 20 September 2001 in relation to a Freedom of Information request to the Attorney-General’s Department, PM&C and the Department of Agriculture, Fisheries and Forestry from Mr William Toomer.

(4) (a) Section 34 Cabinet documents. (b) An appeal was brought before the Administrative Appeals Tribunal (AAT) through Toomer and Department of Agriculture, Fisheries and Forestry and Ors [2003] AATA 1301. The AAT affirmed that the decision to issue the certificate was based on reasonable grounds.

Families, Community Services and Indigenous Affairs: Accommodation
(Question No. 4637)

Mr Kelvin Thomson asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 14 September 2006:

Is the Minister’s department, or any portfolio agency, in the process of having office accommodation constructed at a new location; if so, (a) what is the total construction cost and (b) when will construction be completed.

Mr Brough—The answer to the honourable member’s question is as follows:

The table below provides response to the question, the construction costs are estimates, and reflect Departmental expenditure for fitout works.

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MAIN COMMITTEE QUESTIONS IN WRITING
<table>
<thead>
<tr>
<th>Construction Project</th>
<th>Total Project Cost</th>
<th>When Will Construction Be Completed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nhulunbuy, New Precommitment Building</td>
<td>1.2 million</td>
<td>November 2007</td>
</tr>
<tr>
<td>Centra Plaza, Woden ACT, New Precommitment Building</td>
<td>10.2 million</td>
<td>April 2007</td>
</tr>
</tbody>
</table>

**Education, Science and Training: Accommodation**

(Question No. 4638)

**Mr Kelvin Thomson** asked the Minister for Education, Science and Training, in writing, on 14 September 2006:

Is the Minister’s department, or any portfolio agency, in the process of having office accommodation constructed at a new location; if so, (a) what is the total construction cost and (b) when will construction be completed.

**Ms Julie Bishop**—The answer to the honourable member’s question is as follows:

The Department, and any portfolio agencies, are not in the process of constructing new office accommodation.

**Veterans’ Affairs: Accommodation**

(Question No. 4640)

**Mr Kelvin Thomson** asked the Minister for Veterans’ Affairs, in writing, on 14 September 2006:

Is the Minister’s department, or any portfolio agency, in the process of having office accommodation constructed at a new location; if so, (a) what is the total construction cost and (b) when will construction be completed.

**Mr Billson**—The answer to the honourable member’s question is as follows:

No.

**Commonwealth Funded Programs**

(Question No. 4782)

**Ms King** asked the Minister for Transport and Regional Services, in writing, on 16 October 2006:

(1) In respect of the federal electorate of Ballarat, does the Minister’s department, or any agency in the Minister’s portfolio, administer any Commonwealth-funded programs under which community organisations, schools, businesses or individuals can apply for funding; if so what are the details of those programs.

(2) In respect of each Commonwealth-funded program identified in Part (1), how many (a) community organisations, (b) schools, (c) businesses or (d) individuals received funding in (i) 2001, (ii) 2002, (iii) 2003, (iv) 2004, (v) 2005 and (vi) 2006.

(3) In respect of each Commonwealth-funded program identified in Part (1), (a) what is the name and address of the funding recipient and (b) what sum was allocated in (i) 2001, (ii) 2002, (iii) 2003, (iv) 2004, (v) 2005 and (vi) 2006.

**Mr Vaile**—The answer to the honourable member’s question is as follows:

(1) Details of programs administered by the Department of Transport and Regional Services are available in the Department’s Portfolio Budget Statements, its Annual Reports and their website http://www.dotars.gov.au.
(2) (3) For the electorate of Ballarat, the following funding to community organisations, schools, businesses or individuals was approved during 2001, 2002, 2003, 2004, 2005 and to 30 June 2006. Air Services Australia, the Civil Aviation Safety Authority, Australian Maritime Safety Authority and the National Capital Authority do not administer any Commonwealth funded programs in the Ballarat electorate.

**Regional Partnerships Program**

**Approved in 2005-06**
- Kids Foundation - $95,000
- The Sovereign Hill Museums Association - $500,000
- Hollioake Park Tennis Association Inc - $150,000
- Great Dividing Trail Association Inc - $15,000
- Dean Hall & Mechanics Institute Incorporated - $24,500

**Approved in 2004-05**
- Alfredton Sports and Community Club Inc - $66,000

**Approved in 2003-04**
- Coghills Creek Progress Association Inc - $27,200
- Central Highlands Group Training Inc - $26,000
- Ballarat Community Development Centre Cooperative Limited - $95,000

**Regional Solutions Program**

**Approved in 2001-02**
- BRI Wendouree - Working Together Growing Together - $300,000
- Glenorchy Memorial Hall Committee Inc - $11,750

**Rural Transaction Centres Program**

**Approved in 2001-02**
- Talbot Task Force - $2,945

**Rural Communities Program**

**Approved in 2000-01**
- Stawell Gymnastics Club Inc - $3,000

**Regional Assistance Program**

**Approved in 2000-2001**
- Central Victoria ACC - $2,658
- Ballarat Tourism - $73,150
- The Sovereign Hill Museums Association - $275,000

**Approved in 2001/2002**
- The Great Grape Road - $44,000
- Australian Institute of Export (Vic) Ltd - $132,550
Mr Murphy asked the Minister for Transport and Regional Services, in writing, on 18 October 2006:

1. Can he confirm that in 2000 the then Minister told the public that the Government would upgrade Bankstown Airport “…so it will operate as an overflow for Sydney Airport and, in time, become an attractive alternative for some airline services”; if not, why not.

2. Can he advise whether Bankstown Airport has been upgraded, or will be upgraded, to include (a) a longer runway, (b) a larger turning circle, (c) a new passenger terminal and (d) other facilities for passengers; if not, why not.

3. Did the Government announce in 2000 that Sydney Airport would be able to handle air passenger demand over the next ten years and that a second Sydney airport was unnecessary.

4. Will Sydney Airport continue to handle increases in air passenger demand beyond 2010; if so, how; if not, what steps is the Government taking to accommodate projected increases in air passenger movements to and from Sydney.

5. What are the most recent projections for regional, domestic and international aircraft movements to and from (a) Sydney Airport and (b) Bankstown Airport over the next (i) five, (ii) ten, (iii) 15 and (iv) 20 years.

Mr Vaile—The answer to the honourable member’s question is as follows:

1. The former Minister for Transport and Regional Services, the Hon John Anderson MP actually said in December 2000 that ‘the sale conditions for Bankstown Airport will encourage its operator to upgrade the airport so it will operate as an overflow for Sydney Airport and, in time, become an attractive alternative for some airline services.’ This view was qualified by the Acting Minister for Transport, Wilson Tuckey MP in April 2003, who said that ‘changes to the aviation environment since 11 September 2001, the collapse of Ansett and the trend to using larger aircraft, particularly on regional routes, means there is no longer a need for Bankstown Airport to develop an overflow capacity to supplement Sydney Airport.’


3. Yes.

4. Yes. The Sydney Airport Master Plan, which was approved by the former Minister for Transport and Regional Services, the Hon John Anderson MP in March 2004, indicates a capacity to meet Sydney’s forecast future traffic growth over the twenty-year planning period to 2023/24, without projecting a need for additional runway infrastructure beyond an upgrade of the airfield system (taxiways, aprons, etc) and supporting aviation technology.

5. (a) The most recent aircraft actual and forecast movements for Sydney (Kingsford-Smith) Airport, which cover the period 2001/02 – 2023/24, are publicly available in the approved Sydney Airport Master Plan 2003/04 on the Sydney Airport Corporation Limited website: http://www.sydneyairport.com.au.

(b) The most recent aircraft actual and forecast movements for Bankstown Airport, which cover the period 1998/99 – 2024/25, are publicly available in the approved Bankstown Airport Master Plan 2004/05 on the Bankstown Airport Limited website: http://www.bankstownairport.com.au.
Asia-Pacific Economic Cooperation 2007 Meetings
(Question No. 4819)

Mr Melham asked the Prime Minister, in writing, on 19 October 2006:

(1) How many members of the Asia-Pacific Economic Cooperation (APEC) 2007 Taskforce are (a) permanent officers of the Department of the Prime Minister and Cabinet; (b) staff on secondment from (i) other Commonwealth departments and agencies and (ii) State and Territory departments and agencies; and (c) staff engaged on non-ongoing contracts.

(2) How many members of the APEC 2007 Taskforce are based in (a) Sydney (b) Canberra and (c) other locations.

(3) How many other officers of the Department of Prime Minister and Cabinet, who do not form part of the APEC 2007 Taskforce, are engaged in preparations for APEC 2007.

Mr Howard—The answer to the honourable member’s question is as follows:

As 1 February 2007

(1) (a) 25. (b) (i) 35 non-ongoing moves and secondments, (ii) 5. (c) 137.

(2) (a) 195. (b) 31. (c) nil.

(3) 5 officers in International Division are working on APEC policy (not all on a full time basis). As part of normal operations the Taskforce consults with officers from other divisions of my department as the need arises.

Sydney (Kingsford Smith) Airport
(Question No. 4856)

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 2 November 2006:

(1) Further to the Minister’s response to Part (1)(a) of question No. 3822 (Hansard, 30 October 2006, page 126), what are the full details of each of the four incidents of trespass at Sydney International Airport including (a) the date of each incident, (b) the prohibited areas accessed by each trespasser, (c) whether each trespass incident was connected or isolated, (d) the circumstances under which each trespasser was able to enter a prohibited area and (e) whether the same access point to any prohibited area was utilised by more than one trespasser.

(2) Can the Minister advise whether the trespassers referred to in Part (1) were (a) non-citizen members of the public, (b) citizen members of the public or (c) employees of any organisation, the workplace of which is located within Sydney International Airport; if so, what are those full details; if not, why not.

(3) Did the trespassers referred to in Part (1) have any form of security clearance to enter other restricted areas within Sydney International Airport; if so, what are those full details; if not, why not.

(4) Did any of the trespassers referred to in Part (1) have access to the tarmac or to those baggage make-up areas in Sydney International Airport where CCTV cameras were discovered to be pointing in the wrong direction or out of focus; if so, what are the full details; if not, why not.

(5) Do all prohibited areas within Sydney International Airport have CCTV cameras installed to record any irregularity or impropriety within, or around, those areas; if so, what are those full details; if not, why not.

(6) Is there CCTV footage of each trespasser’s actions immediately prior to, during and following the trespass, and what does that footage reveal; if not, why not.

(7) Has an inquiry been undertaken by (a) the Australian Federal Police (AFP), (b) any government department or agency, (c) Sydney Airport Corporation Limited (SACL) or (d) any other organis-
tion to establish the reasons behind each episode of trespass referred to in Part (1); if so, what were the findings, conclusions and recommendations of each investigation into each episode of trespass; if no inquiry has occurred, why not.

(8) In respect of each incident of trespass referred to in Part (1), is the Minister able to say how long each trespasser was within a prohibited area before being discovered; if so, what are the full details of each occasion; if not, why not.

(9) Did (a) an AFP officer, (b) an Australian Customs Service (Customs) officer or (c) some other person discover that trespassers had entered a prohibited area; if the alert were given by a person other than a Customs or an AFP officer, what was the occupation of that person and what were the incident reporting obligations of that person.

(10) Will the Minister provide details of each officer or employee who discovered trespassers in a prohibited area, including the details of (a) any written report, (b) any oral report, (c) to whom each report was made, (d) the date of each report and (e) the action taken by the recipient(s) of each report, including the date on which each action was taken; if not, why not.

(11) Can the Minister confirm that court proceedings against each trespasser have either commenced or been concluded; if so, what are the full details of each case, including (a) the court in which proceedings were conducted, (b) the conclusions and orders of the court and (c) whether an appeal has been brought against any of the decisions; and if so, the details of each appeal; and if not, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a), (b) and (d):

Incident 1: On 31 December 2003, a male person was intercepted by Australian Protective Service (APS) Officers near International Departure Gate 33. The male person was not in possession of an airline ticket, passport or outgoing passenger card and appeared to be in an incoherent state. The person was detained by AFP members before being transported to hospital for psychiatric assessment. It was later determined that the person suffered from a mental health condition which required treatment, further assessment and observation. The person was detained under the Mental Health Act 1990 (NSW).

Incident 2: On 21 April 2004, NSW Department of Fisheries (NSW Fisheries) was patrolling Botany Bay, in the vicinity of the airport, when they observed a small boat with two male occupants and a third male in the water. NSW Fisheries officers suspecting illegal fishing approached the boat and obtained identification details from the occupants. When they attempted to speak to the male in the water, the intercepted boat departed the area. The male in the water attempted to evade NSW Fisheries by hiding in the rocks at the southern end of the runway and was later observed running on the north/south runway. Sydney Airport Corporation Ltd (SACL) and the Department of Transport and Regional Services (DOTARS) closed the main north/south runway for approximately forty minutes. During this time two domestic flights were diverted and the arrival of several international flights delayed. NSW Police Air Wing and Dog Squad were called to assist locating the trespasser. A police dog tracked the trespasser who was subsequently detained by the NSW Police Service (NSWPS) and APS officers. Custody of the male was then transferred to the AFP.

Incident 3: On 7 July 2004, a male person was prevented from boarding a Qantas aircraft after he claimed he had “lost all his papers” and needed to leave the terminal. The aircraft was stationed at International Terminal 1, being a restricted area. The person was escorted to the (then) Department of Immigration and Multicultural and Indigenous Affairs (DIMIA) office. He then fled from the sterile area. The person was pursued and detained by AFP and DIMIA officers as he attempted to catch a taxi. The person was later assessed by a Mental Health Crisis Team which determined he
was experiencing a psychotic episode. The male person was subsequently detained under the Mental Health Act 1990 and admitted to a psychiatric hospital.

**Incident 4:** On 14 July 2005, a male person breached the perimeter fence line adjacent to Terminal 1 and entered the Security Restricted Area (SRA) of Sydney Airport by cutting the fence line with wire cutters. The person obtained unauthorised access to the apron area, a restricted area of the Airport, for a period of 14 minutes. During that time he was under observation by a number of Qantas employees who contacted the AFP for assistance. He was then arrested by AFP Counter Terrorist First Response (CTFR). It was determined the person did not gain unauthorised access to aircraft

(c) The trespass incidents were isolated and not connected.

(e) Precise entry points related to Incidents 2 and 3 can not be established. As such, it can not be determined if the same access point was utilised on multiple occasions.

(2) (a), (b) and (c) All persons referred to are Australian Nationals. None of these persons were or are employed by a workplace located within the Sydney International Airport.

(3) No. The trespassers were not employed by an organisation associated with the Airport.

(4) The Australian Customs Service (ACS) advises it has no evidence that any of the trespassers accessed these areas. At the time of each incident, ACS cameras in the basement areas were only utilised to support specific ACS operations

(5) Neither the AFP nor the ACS can confirm if all prohibited areas are covered by CCTV surveillance. SACL is responsible for security monitoring. However, since these incidents, the ACS has expanded its CCTV coverage.

(6) Neither the AFP nor the ACS has CCTV footage of any of the four incidents. SACL is responsible for CCTV security monitoring within the airport grounds.

(7) (a) The AFP conducted inquiries in regards to all four incidents. Formal charges were laid against two of the trespassers and no further action was taken against the remaining two due to mental health considerations.

(b) The ACS assisted the AFP in its investigations into each incident.

(c) and (d) The AFP is unable to comment on the actions of other agencies or organisations.

(8) The AFP was unable to determine how long the persons involved in Incidents 1 and 3 remained within restricted areas as it was unclear how these persons gained entry in the first instance. With regard to Incident 2, the person remained in a restricted area for about 2 hours prior to detection. With regard to Incident 4, the person remained with the restricted area for about 14 minutes.

(9) (a) (b) (c):

Incident 1: The person was detected by the APS and its normal incident-reporting procedures were followed.

Incident 2: The person was detected by NSW Fisheries and reported to SACL.

Incident 3: The person was detected by Qantas personnel and reported to SACL.

Incident 4: The person was initially detected by Chubb Security and reported to SACL prior to the person trespassing. However, the person was detected in the Security Restricted area of Sydney Airport by Qantas personnel and reported to SACL.

(10) (a) (b) (c) (d) (e)

The additional detail you have sought in relation to this question would result in an unreasonable diversion of AFP resources.
Incident 1: The AFP received advice from a consulting psychiatrist that the person was not responsible for his actions at the time of the offence, due to the onset of a psychotic episode. No further action will be taken.

Incident 2: This person was charged by the AFP with “trespass on Commonwealth property” and “endanger safety of a person on a Commonwealth aerodrome”. On 3 August 2004, the person was found guilty on both counts and fined $750 for the first offence. He was convicted and released without sentence on condition he enter self-recognisance to be of good behaviour for 18 months, or face a fine of $500.

Incident 3: This person was not charged by the AFP due to his mental health at the time of the offence.

Incident 4: This person was charged by the AFP with one count of “trespass (Commonwealth land)”, one count of “damage Commonwealth property” and one count of “resist Commonwealth public official”. All three charges were dealt with by way of 5.20Bq (1) (d) (ii) of the Crimes Act 1914, concerning offenders with mental illness and/or intellectual disability. The person was then admitted to the St Vincent’s Hospital for treatment.

Sydney (Kingsford Smith) Airport

Question No. 4857

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 2 November 2006:

(1) Further to the Minister’s response to Part (1) (a) of question No. 3822 (Hansard, 30 October 2006, page 126), what are the full details of the bomb threat hoax and “bomb threat involving person with mental health issue”, including (a) the time and date of each bomb threat, (b) the circumstances under which each bomb threat occurred and (c) the specific locations within Sydney International Airport that were the subject of each bomb threat.

(2) Can the Minister advise whether the “bomb threat involving person with mental health issue” was a hoax; if so, what are the full details; if not, why not.

(3) In respect of each bomb threat referred to in Part (1), was the threat received by (a) an Australian Federal Police (AFP) officer, (b) an Australian Customs Service (Customs) officer or (c) some other person; if the bomb threat was received by a person other than a Customs or an AFP officer, what was the occupation of that person.

(4) Will the Minister provide full details of the rank of the officer, employee or other person who received each bomb threat, including the details of (a) any standard procedures applicable to that officer, employee or other person, (b) any written report, (c) any oral report, (d) to whom each report was made, (e) the date of each report and (f) the action taken by the recipient(s) of each report; if not, why not.

(5) Was a report provided to the New South Wales Police Bomb Squad; if so, what are the full details of that report; if not, why not.

(6) Which (a) government departments, (b) agencies and (c) other organisations assessed the veracity of each bomb threat received.

(7) Following the assessment of each bomb threat, was the threat considered to be real; if so, what information was provided to all persons located within, or around, Sydney International Airport at that time; if no information was provided, why not.

(8) Can the Minister confirm that court proceedings against those who made each bomb threat have either commenced or been concluded; if so, what are the full details of each case, including (a) the
court in which proceedings were conducted, (b) the conclusions and orders of the court and (c) whether an appeal has been brought against any of the decisions, and if so, the details of each appeal; if not, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a) (b) (c)

Incident 1: On 21 September 2005, a statement was made by a passenger to a private security employee at the Emirates check-in counter. The statement was unclear and ambiguous with words spoken to the effect of either “I do not have explosives in my bag” or “I have a bag full of explosives”. The passenger was allowed to proceed through Customs and to board the aircraft. Later, the passenger was asked by Emirates staff to disembark and the AFP was notified. Despite the risk having been assessed as negligible, in the interests of public confidence and at the request of Sydney Airport Corporation Limited (SACL), an AFP Bomb Appraisal Officer conducted a hand search of the luggage and found no hazardous material. The person was subsequently questioned by AFP and denied making any threat.

Incident 2: On 15 November 2004, a female person entered the Sydney Airport International Terminal after ramming her vehicle into another vehicle outside the terminal. The female was observed to be wearing a black jacket inscribed with the words, “Don’t shot bom”. The female was approached by AFP Counter Terrorist First Response (CTFR) officers and instructed to stop. The female stated, “Get out of my way; I have a job to do”. AFP CTFR officers then obstructed her entry into the terminal. AFP CTFR cordoned, contained and evacuated the immediate area as a precautionary measure and NSW Police were requested to attend. The female removed a black case from under her jacket and placed it on her lap. The black case had words inscribed on it stating “Don’t Shot Bomb” with wires that appeared to lead from the case to her left thumb. NSW Police then attended and commenced negotiations with the female, known to be suffering from a mental illness. She was then searched. No explosives were located on her or inside the black case. The female was transported by NSW Police to hospital for assessment.

(2) This incident was confirmed as a hoax.

(3) (a) (b) (c)

Incident 1: The threat was received by a private security guard.
Incident 2: The threat was observed by AFP CTFR personnel.

(4) (a) (b) (c) (d) (e) (f) The additional detail you have sought in relation this question would result in an unreasonable diversion of AFP resources.

(5) Incident 1 was not reported to NSW Police as the incident was resolved by the AFP. A full report of Incident 2, being AFP Protection Incident Report number 838/04 titled “Bomb Threat/Hoax”, was provided to NSW Police on 15 November 2004.

(6) Airline operators are responsible for assessing the veracity of the type threat referred to in Incident 1. As an added precaution, an AFP Bomb Appraisal Officer also conducted a hand search of the luggage and found no hazardous material. In the case of Incident 2, the AFP made the initial assessment and treated the threat as credible. The AFP then provided a CTFR capability by cordoning, containing and evacuating the immediate area until NSW Police attended to make further assessment.

(7) Incident 1 was not considered real. Incident 2 was initially assessed as being real. Subsequent assessment deemed the threat to be a hoax.

(8) (a) (b) (c) The person involved in Incident 1 was not charged by the AFP as there was insufficient evidence to proceed. The person involved in Incident 2 appeared before the Central Local Court on
19 November 2004 and, pursuant to section 33 of the Mental Health Act 1990 (NSW), was admitted to the care of a mental health facility.

Sydney (Kingsford Smith) Airport
(Question No. 4860)

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 2 November 2006:

(1) Further to the Minister’s response to Part (1)(b) of question No. 3822 (Hansard, 30 October 2006, page 126), what are the full details of each of the “two incidents of threats made” at Sydney Domestic Airport, including (a) the date of each threat, (b) the nature of each threat, (c) whether each threat was connected or isolated, (d) the circumstances that gave rise to each threat and (e) the specific individuals and/or locations within Sydney Domestic Airport that were the subject of these threats.

(2) Which (a) government departments, (b) agencies, (c) officers and (d) other organisations assessed the veracity of each threat received and were the threats considered to be real; if so, what are the full details; if not, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a), (b), (d) and (e)

*Incident 1:* On 4 April 2005, the AFP was advised that a Regional Express (REX) flight scheduled to depart Sydney Airport for Wagga Wagga had been terminated as a result of a male passenger making threats regarding an improvised explosive device (IED). The passenger was charged by the AFP under s 9.01 of the Aviation Transport and Security Regulations 2005, being ‘threats regarding aviation security’. The passenger was issued with a Court Attendance Notice and subsequently released by the AFP.

*Incident 2:* On 29 January 2005, a passenger checked-in to board a Virgin Blue flight from Sydney Airport began pacing between rows at the departure gate. He was heard saying “I’m going to hijack this plane”. The passenger was arrested and charged by the AFP under s 24(2) of the Crimes Aviation Act 1991, which was later amended to section 24(1). The passenger was issued with a Court Attendance Notice and then released.

(c) The threats were isolated and not connected.

(2)

*Incident 1:* The AFP established the threat to be non-genuine following a conversation with the passenger.

*Incident 2:* A search of this person’s personal belongings was conducted by the AFP and no hazardous items were located. As such, the passenger’s threats were assessed by the AFP to be non-genuine.

Sydney (Kingsford Smith) Airport
(Question No. 4861)

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 2 November 2006:

(1) Further to the Minister’s response to Part (1)(b) of question No. 3822 (Hansard, 30 October 2006, page 126), what are the full details of the “incident of improvised incendiary device being located onboard domestic aircraft”, including (a) the date of the incident, (b) the full description of the device—including its chemical composition, (c) the origin of the device, (d) the airport at which the
device was first loaded on board the aircraft and (e) whether the incendiary device was on board a domestic freight or passenger flight.

(2) Can the Minister advise whether the individual(s) responsible for the presence of an incendiary device on board a domestic aircraft were (a) members of the public or (b) employees of any organisation the workplace of which is located within Sydney Domestic Airport; if so, what are those full details; if not, why not.

(3) Can the Minister advise (a) the bona fides of the individual(s) responsible for the incendiary device and (b) whether the loading of an incendiary device onto an aircraft could threaten the safety of passengers and/or employees; if not, why not.

(4) Was the incendiary device discovered on board the aircraft before that aircraft (a) landed at or (b) departed from Sydney Domestic Airport; if not, where and when was the discovery made.

(5) Did (a) an Australian Federal Police (AFP) officer, (b) an Australian Customs Service (Customs) officer or (c) some other person discover that an incendiary device was, or had been, on board a domestic aircraft; if the discovery were made by a person other than a Customs or an AFP officer, (i) what was the occupation of that person, (ii) what were the incident reporting obligations of that person and (ii) what are the full details of the action taken following the discovery.

(6) Can the Minister advise whether the device was screened prior to cargo being loaded, and/or passengers boarding the relevant aircraft; if so, (a) was the incendiary device detected, and if not, why not; (b) why was the incendiary device allowed to be taken on board; and (c) what action has been taken to prevent the future loading of an incendiary device on board a passenger or freight aircraft, and what are those details.

(7) Will the Minister provide the full details of the rank of the officer, employee or other person who discovered that there was an incendiary device on board a domestic aircraft, including (a) any standard incident reporting procedures that the officer, employee or other person was obliged to follow, (b) any written report, (c) any oral report, (d) to whom the reports were made, (e) the date of each report and (f) the action taken by the recipient(s) of each report; if not, why not.

(8) Has an inquiry been undertaken by (a) the AFP, (b) any government department or agency, (c) SAACL, or (d) any other organisation to establish the reason why an incendiary device was able to be loaded on board a domestic aircraft; if so, what were the findings, conclusions and recommendations of the investigation; if no inquiry has been conducted, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) (a) The incident occurred on 20 September 2004.
(b) The device was composed of a sparkler head, a cardboard tube filled with match heads and a substance suspected of being magnesium. The device was 15-20cm long and approximately 3cm in diameter. The end of the cardboard tubes was sealed with black electrical tape.
(c) The device was constructed by a 13 year old juvenile.
(d) The device was first loaded on board a Virgin aircraft at Maroochydore Airport.
(e) The device was loaded onto a passenger flight.

(2) (a) The person found responsible for the device is a member of the public.
(b) They have no affiliation with Sydney Airport.

(3) (a) The person responsible for placing the device on the aircraft is a 13 year old juvenile.
(b) The design of the device was such that it was extremely unlikely to have activated while in the cargo hold and, thus, posed little threat to the safety of passengers or airline employees.

(4) The device was located in the aircrafts cargo hold on arrival into Sydney Airport.
(5) (a), (b) and (c)
(i) The device was initially discovered by a Virgin Airlines representative who reported it to a private security company, contracted to monitor screening points by Sydney Airports Corporation Limited.
(ii) This information is not held by the AFP.
(iii) The AFP Counter Terrorism First Response (CTFR) responded to the location of a suspicious item at a screening point. It was established the suspect item was recovered by baggage handlers within the cargo hold of a Virgin flight and transported to the primary screening point for assessment. CTFR Bomb Appraisal Officers examined the item and determined it to be hazardous. Contact was then made with NSW Police Rescue to render the device safe. The device was relocated to an adjacent valet car park area prior to the arrival of NSW Police. This area was cleared and a cordon was established by the AFP. NSW Police Rescue re-examined the device and rendered it safe. A search of the aircraft cargo hold, where the item had been stored for transportation, was conducted by the AFP and NSW Police using explosive detection canines. No hazardous items were detected.

(6) (a) (b) (c) The AFP is not responsible for baggage screening at airports and is unable to comment on the actions taken or decisions made by baggage screening personnel.

(7) (a) (b) (c) (d) (e) and (f) The AFP is unable to comment on internal reporting requirements of Virgin Blue staff and does not have access Virgin Blue records and/or reports.

(8) (a) (b) (c) (d) The AFP is unable to comment on enquiries that may or may not have been conducted in relation to this incident by other agencies. On 24 September 2004, a statement was obtained by the AFP from the juvenile who admitted to making the device and carrying it on board an aircraft in his checked bag luggage. Due to the circumstances and the age of the juvenile, no further action was taken.

Afghanistan
(Question No. 4885)

Mr McClelland asked the Minister representing the Minister for Justice and Customs, in writing, on 27 November 2006:

(1) What is the Government’s position on the assessment made by the US Drug Enforcement Administration (DEA) that, based on previous eradication programs in other countries, it will take ten to 20 years of intensive operations to eradicate poppy cultivation in Afghanistan.

(2) Are any Australian drug enforcement agencies conducting training or mentoring programs with Afghani drug enforcement agencies; if so, which agencies are involved and what are the details of those programs.

(3) What is the status of poppy cultivation in Oruzgan Province.

(4) What plans does the Government have to (a) eradicate poppy cultivation in Oruzgan Province and (b) develop the drug enforcement capabilities of the Afghani Government in that province.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) The Australian Government accepts and agrees with the conclusions of assessments conducted by the US DEA and international organisations such as the United Nations Office on Drugs and Crime (UNODC) and World Bank that eradicating poppy cultivation in Afghanistan is a long term issue. The Executive Director of the UNODC, Antonio Maria Costa, in announcing a joint UNODC/World Bank study on Afghanistan’s drug industry on 28 November 2006, stated that ‘History teaches us that it will be a generation to render Afghanistan opium-free’.
(2) The Australian Federal Police (AFP) was approached in early 2006 by British officials involved in developing the Counter Narcotics Police of Afghanistan (CNPA). Preliminary discussions have been held with the British but no Australian participation in training programs has taken place to date. In response to the British approach the AFP will deploy four officers to Afghanistan around March 2007. Two officers will provide assistance to CNPA officers working in Jalalabad and two officers will provide assistance to the Afghan National Police (ANP), as part of the Combined Security Transition Command in Kabul. Government has approved an initial contribution for a period of two years.

(3) The UNODC publication, *Afghanistan Opium Survey 2006*, states that poppy cultivation in Oruzgan Province in 2006 increased to 9,773 ha.\(^1\) In 2005 there was a much lower poppy cultivation of 2,024 ha while in 2004 11,080 ha of Oruzgan Province was used for poppy cultivation. For 2006 this represents 6% of total poppy cultivation in Afghanistan.

(4) The Australian Government will not comment on current or future operational plans for Oruzgan Province.


**Australian Taxation Office: Audits**

*Question No. 4893*

Mr Fitzgibbon asked the Minister for Revenue and Assistant Treasurer, in writing, on 27 November 2006:

(1) Is the Australian Tax Office (ATO) conducting audits of the New South Wales sex industry; if so, how many (a) legal and (b) illegal brothels have been audited to date?

(2) Why has the ATO decided to review model four of the Goods and Services Tax?

(3) Have any official complaints been lodged in respect to the ATO’s conduct of the adult industry project; if so (a) what deficiencies have been highlighted and (b) what has been done to rectify deficiencies?

(4) How many sex workers, acting as independent contractors, have an Australian Business Number (ABN)?

(5) What proportion of the sex workers referred to in Pt (4) is estimated to have an ABN.

Mr Dutton—The answer to the honourable member’s questions are as follows:

(1) The ATO has either completed or is presently conducting 91 audits of businesses in the NSW adult services industry. The ATO does not have any information on compliance with NSW planning laws and is unable to respond to (a) and (b).

(2) “Model 4” relates to explanatory material issued by the Tax Office covering a range of industry scenarios and their possible taxation consequences. This material is being reviewed to ensure that it is consistent with the recently released taxable supply ruling GSTR 2006/9. Changes will only be made after consultation with industry representatives.

(3) One formal complaint was received relating to an ATO audit of one taxpayer. The complaint has since been withdrawn.

(4) and (5) The ATO records currently indicate that there are 554 ABN registrations identified by descriptions that could be associated with the adult service industry. These could be held by either business establishments or individual sex workers.
Asia-Pacific Economic Cooperation 2007 Meetings
(Question No. 4929)

Mr Melham asked the Prime Minister, in writing, on 29 November 2006:

1. What government-to-government level agreements have been concluded concerning cooperation between the Commonwealth and State and Territory governments in relation to hosting APEC 2007 meetings and events, and when was each agreement signed.

2. In respect of any agreement between the Commonwealth and New South Wales (NSW) governments, what arrangements have been made for the sharing of security and other costs associated with hosting APEC 2007 meetings and events in NSW, and in the event of any financial support being made available by the Commonwealth to NSW, is this cost included in his answer to question No. 3549 (Hansard, 9 October 2006, page 200).

3. What is the text of any agreement between the Commonwealth and NSW governments.

Mr Howard—The answer to the honourable member’s question is as follows:

1. The Commonwealth has signed a memorandum of understanding with each state and territory in which APEC meetings will be held. The dates on which the memoranda were signed are:
   - New South Wales – 17 October 2005;
   - Queensland – 5 September 2006;
   - Western Australia – 14 March 2006;
   - South Australia – 17 March 2006
   - Tasmania – 4 April 2006;
   - Australian Capital Territory – 4 June 2006; and

2. The Commonwealth and New South Wales governments have agreed that the Commonwealth will provide up to $77.8 million to New South Wales for agreed APEC specific security costs. This amount is included in the answer to question No. 3549.

3. The text of the memorandum of understanding between the Commonwealth and New South Wales government is reproduced below.

Memorandum of understanding between the COMMONWEALTH OF AUSTRALIA and the NEW SOUTH WALES GOVERNMENT for holding the APEC 2007 Leaders’ Week in Sydney

<table>
<thead>
<tr>
<th>List of definitions and abbreviations</th>
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<td>ABAC</td>
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<td>APEC 2007 Taskforce</td>
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APEC economy

Members of APEC are referred to as economies not countries because the APEC cooperative process is predominantly concerned with trade and economic issues.

APEC Leaders’ Week

The programme of events preceding and including the two AELM retreats, starting with the Concluding SOM and finishing with the official press conference.

ASOA

APEC Security Operational Agreement

ASOG

APEC Leaders’ Week Security Operations Group

CSOG

Central Sydney Operations Group. A NSW Government inter-agency forum that ensures a cooperative and coordinated approach between agencies for the staging of events in Sydney.

Event time

The period of time between the arrival in Sydney of the first APEC delegations and the departure of the final APEC delegations. This period does not include any APEC delegation that arrives early or departs late due to private activities or other official engagements such as guest-of-government visits.

NCTC

National Counter Terrorism Committee

NCTP

National Counter Terrorism Plan

NSWG

New South Wales Government

NSWP

New South Wales Police

Official Leaders’ Dinner

The dinner, held on the evening between Leaders’ Retreat I and Leaders’ Retreat II, hosted by the Prime Minister and attended by VIPs and guests.

PM&C

Department of the Prime Minister and Cabinet

PSCC

Protective Security Coordination Centre

PSCC APEC 2007

The branch within the PSCC responsible for coordinating APEC 2007 security arrangements in consultation with relevant Commonwealth departments and agencies, including the provision of advice to the APEC 2007 Taskforce.

SCEC

Sydney Convention and Exhibition Centre

SOM

Senior Officials’ Meeting

The Commonwealth

The Government of the Commonwealth of Australia

1. Parties to this Agreement

The parties to this Memorandum of Understanding (Agreement) are the Commonwealth of Australia (the Commonwealth) and the New South Wales Government (the NSWG).

2. Introduction

The Commonwealth will host the Asia-Pacific Economic Cooperation (APEC) programme of events for 2007 (APEC 2007). APEC is the premier forum for facilitating economic growth, cooperation, trade and investment in the Asia-Pacific region. The 2007 programme will encompass a wide range of ministerial, officials’ and business meetings and events across Australia that culminate in meetings of APEC economy leaders (AELM), to be held in Sydney, New South Wales on 8 – 9 September 2007. Several of the preceding meetings and events are held in the week leading up to the AELM and are collectively referred to as the APEC Leaders’ Week.

The purpose of this Agreement is to identify the organisational and administrative arrangements associated with holding the APEC Leaders’ Week in Sydney including services and obligations to apply for the term of the Agreement. This Agreement only relates to coordination of events associated with the facilitation of the APEC-related events in the APEC Leaders’ Week. A list of scheduled APEC meetings and events, that comprise the APEC Leaders’ Week are at Attachment A.
3. Aims
The Commonwealth and the NSWG (the governments) agree that their principal aim is to ensure that Australia’s hosting of the 2007 APEC Leaders’ Week is successful. A successful APEC Leaders’ Week, and, in particular, a successful AELM will:

- facilitate bilateral and multilateral outcomes that are in Australia’s national interest,
- be secure,
- have a distinctive Australian style and effectively showcase Australia and Australia’s business community,
- be involving and acceptable to the wider community,
- minimise disruption to the general public, and
- enhance Australia’s international reputation to be able to deliver complex, high security international events.

4. Guiding Statements
The governments agree that the following principles will guide their approaches to the APEC Leaders’ Week:

- that the Commonwealth, and specifically the Prime Minister, is the sole host of the APEC year and the APEC Leaders’ Week.
- that in order to deliver a successful APEC Leaders’ Week, an effective and cooperative relationship between the governments is vital.
- in accordance with Constitutional conventions, as well as extant law enforcement and security frameworks such as the National Counter Terrorism Plan (NCTP), the NSW Police (NSWP) is responsible for operational security of APEC events held in NSW.
- Australia’s international standing and profile will be enhanced by a successful APEC Leaders’ Week.

5. Term of the Agreement
This Agreement covers the period from the date of signature to the conclusion of all activities associated with the APEC Leaders’ Week.

6. Commonwealth Security Support to New South Wales
The Commonwealth recognises that the size and complexity of the APEC Leaders’ Week will generate demands on security resources above and beyond that normally encountered for government events and that the NSWG has finite capability in these areas. Accordingly, the Commonwealth agrees to make available Commonwealth assets and other resources including but not limited to commercial security contractors, appropriate elements of the Australian Defence Force (ADF) and the Australian Federal Police to secure the APEC Leaders’ Week.

Calls on Commonwealth assets and other resources to complement the APEC security overlay, identified during APEC Leaders’ Week security planning, will be endorsed by the APEC Leaders’ Week Executive Management Committee (AEMC) prior to any request for such assets being made to the Commonwealth. These processes do not replace or alter any Commonwealth – State relationship under the NCTP or any ADF deployment under the Plan.

7. APEC Related Cost Framework

Security Costs
The governments acknowledge that at the time of signing security planning was at a relatively early stage resulting in specific requirements and costs not being clearly defined.
The Commonwealth, while noting that constitutional responsibility for the maintenance of law and order within the State of New South Wales including the protection of life and property rests with the NSWG, will cover those APEC specific security costs, provided such costs are agreed by the Commonwealth and the NSWG to be APEC-specific. This will include costs incurred in preparation for APEC Leaders’ Week, operational costs at event time as well as post-event matters directly related to the event. Security for APEC 2007 and the Leaders’ Week means provision of planning and the policing related response for the maintenance of law and order and the protection of life and property. Security will be conducted in coordination with APEC 2007 Taskforce resources. The conduct of activities will be executed with APEC 2007 Taskforce resources, NSWP or other response organisations. The general areas of security include but are not limited to traffic and transport, intelligence, emergency response, personal safety, public order, tactical response, dignitary protection and venue related protection.

The APEC 2007 Police Command will work closely with the Commonwealth APEC 2007 Taskforce and the PSCC to identify the security arrangements for the APEC Leaders’ Week under the current security environment.

The development and management of a detailed security framework for the APEC Leaders’ Week is the responsibility of the APEC Leaders’ Week Security Operations Group (ASOG) as defined under the governance section of this Agreement. The ASOG will develop an APEC Security Operational Agreement (ASOA). The roles and responsibilities of the ASOG are outlined at Attachment E.

Non-Security Costs

The Commonwealth also recognises that there will be other APEC-specific costs, not directly related to the APEC security overlay. Subject to the governments agreeing on these other APEC-specific non-security costs, the Commonwealth agrees to meet these costs. Such costs could include, but are not limited to, medical and emergency services, public outreach programmes, unusual utilities required for APEC activities and costs related to adjusting public works schedules that ensure disruptive projects do not impinge on APEC activities.

The governments agree that the responsibility for meeting the costs of provision of non-security related services by NSWG instrumentalities will be dealt with through an APEC Operational Agreement (AOA) to be developed and managed by the APEC Leaders’ Week Operations Group (AOG). Arrangements for the provision of these services and cost recovery arrangements will be detailed in the AOA.

Financial Agreement Schedule

All payments by the Commonwealth will be in accordance with the agreed payment schedules developed as part of the ASOA and AOA. The operational groups (the ASOG and AOG) will identify financial milestones that will form the basis of these financial schedules to be submitted for endorsement by the AEMC. Release of funds for an activity may be deferred until agreed actions for that activity have been completed to the satisfaction of the AEMC.

8. Contract Negotiations and Compensation

Contract Negotiations

Arrangements between the APEC Taskforce and APEC 2007 venues such as the Sydney Opera House (SOH) and the Sydney Convention and Exhibition Centre (SCEC) will be subject to commercial negotiations between the Taskforce and the venues.

It is noted that some NSW venues the Taskforce will hire may be heritage listed or significant NSW icons such as Government House and the SOH, therefore the Taskforce will seek advice and consult with appropriate NSW representatives regarding their use.

Compensation to Corporate Entities

The Commonwealth, while recognising that APEC Leaders’ Week activities may cause a level of disruption to some business entities, aims to minimise the range and magnitude of this disruption.
The Commonwealth assesses that any disruption to normal levels of activity of business entities located in or near APEC events may be offset by patronage from APEC accredited delegates and by contracts to the Commonwealth, as represented by the APEC 2007 Taskforce in the Department of the Prime Minister and Cabinet (PM&C) for the provision of services to the APEC Leaders’ Week.

Cancellation Compensation

In the event that the Commonwealth is forced to cancel the APEC Leaders’ Week in Sydney, the Commonwealth accepts that it may in some circumstances be liable to provide compensation to the NSWG. Any such compensation claims should be raised using the dispute resolution framework outlined in this Agreement.

9. State and Territory Government Access to APEC Events

The NSWG recognises that the Commonwealth, and specifically the Prime Minister, is the host of the APEC Leaders’ Week and that the hosting of the APEC year is an Australia-wide commitment. The NSWG also recognises that the core APEC programme of meetings, specifically dialogues between senior officials, APEC ministers and economy leaders, cannot be accessed or used for promotional purposes by the NSWG.

The Commonwealth recognises that the government and people of NSW are playing a key role by providing the venue for the APEC Leaders’ Week.

As part of the show-casing aspect of hosting APEC and to maximise the business leverage of the APEC Leaders’ Week the NSWG, along with other state and territory governments and business entities, may be given access to supplementary activities related to the APEC Leader’s Week that may include but are not limited to:

- promotional opportunities at some venues including the SCEC and the SOH,
- elements of the Chief Executive Officers’ Summit,
- elements of the APEC Business Advisory Council forum, and
- the Official Leaders’ Dinner.

10. Commonwealth and State Legislative Amendments

The governments realise that there may be some requirement for short term legislative amendments at both the state and Commonwealth level in order to ensure that APEC specific operations can occur. Any requirements for legislative changes will be identified by the operational groups (ASOG and AOG) and endorsed by the AEMC before being forwarded to the respective government for consideration.

11. Governance

The governments agree to establish a governance framework that seeks to ensure that structures and processes are in place to maximise performance and meet accountability requirements. The governance framework will cover strategic, operational and tactical level elements of planning for and delivery of the APEC Leaders’ Week. The governments agree to establish organisational groups which form the key components of the APEC planning and decision-making process as described below and interact as illustrated in Attachment B.

A. Executive Management Committee

The APEC Leaders’ Week Executive Management Committee (AEMC), chaired by the Head of the APEC 2007 Taskforce, is the senior governing body that is to manage the relationship between the Commonwealth and the NSWG and review and endorse all major planning components for and oversight the implementation of APEC Leaders’ Week. The structure, responsibilities and reporting requirements of the AEMC are detailed in Attachment C.
B. Coordination Group
The APEC Leaders’ Week Coordination Group (ACG), chaired by the APEC 2007 Taskforce Operations Manager and co-chaired by the Senior Manager of Special Events Policy and Planning (Office of Protocol and Special Events, NSW Premier’s Department), is the central information sharing forum between all stakeholders and other interested parties involved in any aspects of the APEC Leaders’ Week in Sydney. The ACG does not have any operational authority. The structure, responsibilities and reporting requirements of the ACG are detailed in Attachment D. It is agreed that, at the time of signing, the functionality of the ACG will be provided by the NSW Government’s Central Sydney Operations Group (CSOG). The APEC Leaders’ Week will be a standing CSOG agenda item and the Taskforce Operations Manager will attend the monthly CSOG meetings to ensure that APEC Leaders’ Week events are coordinated with other CSOG stakeholders. The AEMC will review the functionality of the CSOG and call ACG meetings if required.

C1. Security Operations Group
The APEC Leaders’ Week Security Operations Group (ASOG), chaired by the NSWP Deputy Commissioner Operations and co-chaired by the APEC 2007 Taskforce Assistant Secretary Venue, Logistics and Security Branch and the PSCC Assistant Secretary APEC 2007 Security Branch, is responsible for the detailed management of the security arrangements for the holding of the APEC Leaders’ Week in Sydney. The structure, membership, responsibilities and reporting requirements of the ASOG are detailed in Attachment E.

C2. Operations Group
The APEC Leaders’ Week Operations Group (AOG), chaired by the APEC 2007 Taskforce Operations Manager, is responsible for the detailed management of the organisational and logistical arrangements (excluding security) for the holding of the APEC Leaders’ Week in Sydney. The structure, membership, responsibilities and reporting requirements of the AOG are detailed in Attachment F.

12. Intellectual Property
It is the intention of the parties that the Commonwealth will own or be entitled to use all intellectual property pertaining to APEC 2007. The detailed arrangements in relation to intellectual property will be managed by the AEMC.

13. Confidentiality Clause
Neither government will, without the written approval of the other (which will not be withheld unreasonably), make public or disclose the information of the other which is confidential except:
(i) internally within that government;
(ii) where required by a Minister, House or committee of the Commonwealth Parliament or NSW Parliament; or
(iii) where required by law.
Confidential information includes information marked as confidential, and information which by its nature is confidential, is known to be confidential or which the party ought to have known was confidential. This includes all information, budgets, plans and documentation related to APEC 2007 Leaders’ Week.

14. Public Announcements
It is the intention of both parties at all times to endeavour where possible to inform each other prior to any media and public announcements in relation to operational and logistical issues (excluding policy) on APEC 2007 in Sydney.
15. Dispute Resolution

The governments agree that a dispute arising under this Agreement will be dealt with initially by the respective operational group (the ASOG or AOG). Should this mechanism be unable to resolve the dispute, it will be referred to the AEMC. If the AEMC is unable to resolve the dispute it will be referred to the Dispute Resolution Executive, a two person committee, comprising the Secretary for PM&C and the Director-General of the New South Wales Premier’s Department.

16. Variations to this Agreement

Either party may seek amendment to the terms of this Agreement by notice to the other party in writing. Any proposed amendments will be subject to discussion between the parties and will be binding only if agreed in writing and signed by the parties. The relevant contact for the Commonwealth will be the Secretary of PM&C. The relevant contact in NSWG will be the Director-General of the New South Wales Premier’s Department.

17. Termination of this Agreement

Either party may terminate this Agreement by giving six months notice in writing. The relevant contact for the Commonwealth will be the Secretary of PM&C. The relevant contact in NSWG will be the Director-General of the New South Wales Premier’s Department.

18. Acceptance of this Agreement

SIGNED FOR AND ON BEHALF OF EACH OF THE PARTIES BY:

The Honourable John Winston Howard MP   
Prime Minister of the Commonwealth of Australia   
Date 17 October 2005

The Honourable Morris Iemma MP    
Premier of New South Wales   
Date

ATTACHMENT A

APEC LEADERS WEEK 2007 – meetings and events
EVENT
CONCLUDING SENIOR OFFICIALS’ MEETING
APEC MINISTERS’ MEETING (PLENARY)
APEC MINISTERS’ MEETING (RETREATS)
APEC ECONOMIC LEADERS’ MEETING (RETREAT 1)
APEC ECONOMIC LEADERS’ MEETING (RETREAT 2)
APEC BUSINESS ADVISORY COUNCIL DIALOGUE
MAIN MEDIA AND SUPPORT CENTRE
CHIEF EXECUTIVE OFFICER SUMMIT
ABAC MEETING
OFFICIAL LEADERS’ DINNER
OFFICIAL PHOTO
FINAL DECLARATION CEREMONY
FINAL PRESS CONFERENCE
ATTACHMENT B
DIAGRAM OF APEC 2007 LEADERS’ WEEK ORGANISATIONAL GROUPS

ATTACHMENT C
APEC Executive Management Committee (AEMC)

ROLE:
The APEC Leaders’ Week Executive Management Committee (AEMC) is the senior governing body that is to manage the relationship between the Commonwealth and the NSWG for the delivery of the APEC Leaders’ Week.

STRUCTURE:
The AEMC will be chaired by the Head of the APEC 2007 Taskforce. Other members of the AEMC are the Executive Director PSCC, the First Assistant Secretary of International Division (PM&C), Australia’s APEC Ambassador (Department of Foreign Affairs and Trade), Assistant Director General of Counter Terrorism and Disaster Recovery (NSW Premier’s Department), Assistant Director General of the Office of Protocol and Special Events (NSW Premier’s Department), and the Commissioner of the NSWP.

All members are required to provide a representative if they are unable to attend.
The AEMC will call for observers and other attendees as required.
RESPONSIBILITIES:

Oversight of Operations Groups
As the peak organisational group the AEMC has oversight of the APEC Security Operations Group (ASOG) and APEC Operations Group (AOG). The ASOG and the AOG report to the AEMC. To assist with oversight and reporting, the chairs and co-chairs of the ASOG and the AOG will regularly report to AEMC and contribute expert advice in AEMC discussions on relevant issues.

Operational Level Agreement and Financial Schedule
The AEMC will endorse the operational level agreements and financial schedules between the governments, as developed by the ASOG and AOG, and consider any funding issues between the Commonwealth and NSW Governments.

Dispute Resolution
Should a dispute be unable to be resolved in the respective operations group (ASOG or AOG) the AEMC will serve as a higher authority in the dispute resolution process. If the AEMC is unable to resolve the dispute it will be referred to the Dispute Resolution Executive.

Commonwealth and State Legislative Amendments
The AEMC will be responsible for endorsing any requirement for short term legislative amendments identified by the operational groups (ASOG and AOG) prior to it being taken forward for consideration by the relevant government.

ATTACHMENT D

APEC Coordination Group (ACG)

ROLE:
The APEC Leaders’ Week Coordination Group (ACG) is the central information sharing forum between stakeholders and other interested parties involved in the APEC Leaders’ Week in Sydney. The ACG does not have any operational authority.

While the functionality of the ACG is provided by the Central Sydney Operations Group, the APEC 2007 Taskforce Operations Manager is responsible to ensure that the required information exchange between APEC Leaders’ Week stakeholders is maintained and that pertinent information is delivered to the APEC Security Operations Group (ASOG) and the APEC Operations Group (AOG).

STRUCTURE:
When raised, the ACG will be chaired by the APEC 2007 Taskforce Operations Manager and co-chaired by the Senior Manager of Special Events Policy and Planning (Office of Protocol and Special Events, NSW Premier’s Department). At the earliest opportunity the chair is to define a core membership of major stakeholders and is to make available ad-hoc membership to other stakeholders as required. The core membership is to be approved by the APEC Executive Management Committee (AEMC).

RESPONSIBILITIES:
The ACG does not have any primary responsibilities but serves as the central information sharing forum between stakeholders involved in all aspects of the APEC Leaders’ Week in Sydney. The Group will enable all stakeholders to be informed and provide comment on the planning process for the APEC Leaders’ Week. The Group seeks to build rapport, convey intentions of the operations groups and seek feedback, input and buy-in to the APEC Leaders’ Week.

REPORTING REQUIREMENTS AND GOVERNANCE:
The ACG will inform the AEMC, AOG and ASOG of any stakeholder concerns.
ATTACHMENT E

APEC Security Operations group (ASOG)

ROLE:
The APEC Leaders’ Week Security Operations Group (ASOG) is responsible for the detailed management of the security planning and arrangements for the holding of the APEC Leaders’ Week in Sydney.

STRUCTURE:
The ASOG will be chaired by the Deputy Commissioner Operations (NSWP) and co-chaired by the APEC 2007 Taskforce Assistant Secretary Venue, Logistics and Security Branch and the PSCC Assistant Secretary APEC 2007 Security Branch with membership including the Assistant Commissioner, Counter Terrorism (NSWP) and the Commander, APEC 2007 Police Command (NSWP). At the earliest opportunity the chair and co-chair are to define the remaining membership. This membership is to be approved by the APEC Executive Management Committee (AEMC).

All members are required to provide a representative if they are unable to attend.

RESPONSIBILITIES:
Operational Agreement
The ASOG will be responsible for developing, implementing and managing an APEC Security Operational Agreement (ASOA) between the Commonwealth and the NSWG.

Financial Schedule - Security-related Costs
The arrangements for the funding of APEC-related costs will be dealt with under the Financial Schedule to the ASOA. The ASOG is responsible for defining APEC-specific security services to be provided by NSWP and their respective costings and any relevant performance indicators for endorsement by the AEMC.

Other areas
The ASOG will be responsible for developing and managing sub-groups and working groups as necessary to ensure that all operational security planning is conducted in a detailed, cooperative and coordinated manner.

The ASOG will need to develop a Communications Plan to ensure interoperability between Taskforce and NSWP on security matters.

REPORTING REQUIREMENTS:
The ASOG will report directly to the AEMC. The ASOG is to advise the AOG and inform the ACG of discussions, findings and actions as appropriate.

ATTACHMENT F

APEC OPERATIONS GROUP (AOG)

ROLE:
The role of the APEC Leaders’ Week Operations Group (AOG) is to be responsible for the detailed management of the organisational and logistical planning arrangements (excluding security) for the holding of the APEC Leaders’ Week in Sydney.

STRUCTURE:
The AOG will be chaired by the APEC 2007 Taskforce Operations Manager with membership including the APEC 2007 Taskforce Assistant Secretary Venue, Logistics and Security Branch; the Senior Manager of Special Events Policy and Planning (Office of Protocol and Special Events, NSW Premier’s Department) and the Commander, APEC 2007 Police Command (NSWP). At the earliest opportunity...
the chair is to define the remaining membership. This membership is to be approved by the APEC Executive Management Committee (AEMC).

All members are required to provide a representative if they are unable to attend.

**RESPONSIBILITIES:**

Significant areas of responsibility for the AOG will include (but not be limited to) the following:

- Medical Services
- Transport/Traffic Management
- Public Communication Strategies (to advise of changes to regular schedules).
- Communications and Media
- Protocol

The AOG will be responsible for developing and managing sub-groups and working groups as necessary to ensure that all operational planning is conducted in a detailed, cooperative and coordinated manner.

**Operational Agreement**

The AOG will be responsible for developing, implementing and managing an APEC Operational Agreement (AOA) between the Commonwealth and the NSWG.

**Financial Schedule – Other APEC-related Costs**

The governments recognise that there will be other APEC-related costs, not specifically related to the APEC security overlay. The AOG is responsible for identifying such costs and recommending any contractual or payment arrangements with certain entities, and any relevant performance indicators, for endorsement by the AEMC. The arrangements for the funding of APEC-related costs will be dealt with under the Financial Schedule to the AOA.

**REPORTING REQUIREMENTS:**

The AOG will report directly to the AEMC. The AOG is to advise the ASOG and inform the ACG of discussions, findings and actions as appropriate.

**New South Wales Law Society**

(Question No. 4944)

Mr McClelland asked the Attorney-General, in writing, on 4 December 2006:

Has he received any representations, or approaches of any kind, asking him to consider an appointment for a currently serving officer of the New South Wales Law Society; if so, on behalf of which officer, by whom and when.

Mr Ruddock—The answer to the honourable member’s question is as follows:

I do not disclose publicly any representations made to me in relation to particular candidates for appointment to offices which fall within my portfolio responsibilities.

**Antarctic Treaty**

(Question No. 4949)

Mr Martin Ferguson asked the Minister for the Environment and Water Resources, in writing, on 4 December 2006:

(1) Given the sharp increase in the number of tourists visiting the Antarctic over recent years and the requirement of the Antarctic Treaty that tourism operators operating within the region are subject to their country of origin’s established environmental requirements, (a) what requirements are placed
on Australian operators, (b) how are these requirements enforced and (c) what is the estimated or known level of compliance of the operators.

(2) As the level of tourism to the Antarctic increases, will these requirements be reviewed to assess their suitability.

Mr Turnbull—The answer to the honourable member’s question is as follows:

(1)(a) Australian-based Antarctic tourism operators are required to obtain an authorisation for Antarctic activities under the Antarctic Treaty (Environment Protection) Act 1980 (ATEP Act) and the activity must be carried out in accordance with this authorisation. Authorisations may only be issued after an environmental impact assessment has been carried out by the tourism operator on the proposed activities. In addition, a permit under the ATEP Act is required for certain activities, including entry to some protected areas.

(b) The Department of the Environment and Water Resources regularly consults with Australian-based Antarctic tourism operators and seeks to ensure that all those planning Antarctic activities are aware of and comply with the requirements of the ATEP Act. The Department investigates any reports of activities that may have been conducted in contravention of the ATEP Act.

(c) As far as it is known, all current Australian-based Antarctic tour operators obtain appropriate authorisations and permits for their Antarctic activities and conduct their activities in compliance with these instruments.

(2) The environmental requirements for Antarctic tourism activities are derived from the Antarctic Treaty and its Protocol on Environmental Protection. Australia monitors the development of Antarctic tourism and will continue to work with other Antarctic Treaty member countries to ensure that the environmental requirements for Antarctic tourism are adequate.

Commonwealth Scientific and Industrial Research Organisation

(Question No. 4952)

Mr Murphy asked the Minister for the Environment and Water Resources, in writing, on 4 December 2006:

Further to the Minister’s response to Part (5) of question No. 4170, notwithstanding that the CSIRO may be responsible for determining its own policies in relation to matters such as public comment, will the Minister investigate whether members of his staff have spoken to managers at the CSIRO regarding what scientists can, cannot, should or should not say in the course of their duties; if so, when; if not, why not.

Mr Turnbull—The answer to the honourable member’s question is as follows:

No.

Commonwealth Scientific and Industrial Research Organisation

(Question No. 4953)

Mr Murphy asked the Minister for the Environment and Water Resources, in writing, on 4 December 2006:

Further to the Minister’s response to Part (6) of question No. 4170, notwithstanding that the CSIRO may be responsible for determining its own policies in relation to matters such as public comment, will the Minister investigate whether officers from the Department of Education, Science and Training have spoken to managers at the CSIRO regarding what scientists can, cannot, should or should not say in the course of their duties; if so, when; if not, why not
Mr Turnbull—The answer to the honourable member’s question is as follows:
No.
The Department of Education, Science and Training is not within my portfolio responsibilities.

Volunteer Small Equipment Grants
(Question No. 4959)

Mr Bowen asked the Minister for Families, Community Services and Indigenous Affairs, in writing, on 6 December 2006:
In respect of the Volunteering Small Equipment Grant, for 2006: (a) what was the total sum awarded; (b) how many grants were made under the program; (c) what was the (i) name, (ii) postal address and federal electorate of each organisation that received a grant; (d) how many unsuccessful grant applications were received for each federal electorate; and (e) in respect of each successful application, (i) what sum was granted and (ii) for what purpose.

Mr Brough—The answer to the honourable member’s question is as follows:
Information in relation to grants for VSEG can be found publicly at www.facsia.gov.au and in the Ministers release attachment.

Attachment
MAL BROUGH MP
Minister for Families, Community Services and Indigenous Affairs
Minister Assisting the Prime Minister for Indigenous Affairs
28 November 2006

Australian Government funding of over $6 million has been announced to deliver grants of up to $3,000 to more than 2,800 community organisations across Australia.
The Minister for Families, Community Services and Indigenous Affairs, Mal Brough, today announced the successful recipients of the 2006 Volunteer Small Equipment Grants (VSEG).
“This is the eighth time the Howard Government has delivered these grants, with over $35 million distributed to approximately 16,800 community organisations across Australia since 2001,” Mr Brough said.
“The grants have been allocated to volunteer organisations which demonstrated their work significantly contributes to supporting families and strengthening local communities.
“This funding helps these organisations purchase a wide variety of equipment items to make the valuable work of volunteers easier, safer and more enjoyable.
“This includes the purchase of equipment such as urns, microwaves, computers, lawn mowers and tools - items which make a significant difference to volunteers’ work, and which organisations may not have otherwise been able to afford.”
Mr Brough said that this round of VSEG attracted an unprecedented 15,000 applications reflecting the popularity and usefulness of the grants.
“While in any single round only so many can be funded, I was so impressed by the nature of the applications in general that the Government has determined to automatically roll over most of the unsuccessful applications so they can be considered in the next round.
“Volunteers provide essential support and services to members of the community who are most in need, and the Howard Government will continue to support organisations’ commitment to their communities,” Mr Brough said.
All applicants will be notified in writing as to the outcome of their application, with a full list of successful applicants available at http://www.facsia.gov.au/internet/facsinternet.nsf/aboutfacs/programs/sfsc-vseg2006.htm

United States Studies Centre
(Question No. 4961)

Mr Melham asked the Prime Minister, in writing, on 6 December 2006:

In respect of his announcements of 16 May 2006 and 14 November 2006, concerning the establishment of a United States Studies Centre: (a) what are the terms of any agreement that has been concluded between the Australian Government and the American-Australian Association concerning the establishment and operation of the Centre; (b) over what period will the Australian Government contribute $25 million to the establishment of the Centre; (c) what contribution is the United States Government making to the establishment of the Centre; and (d) what representation will the Australian and United States governments have on the governing body overseeing the work of the Centre.

Mr Howard—I am advised that the answer to the honourable member’s question is as follows:

(a) The agreement signed on 26 June 2006 between the Australian Government and the American Australian Association (AAA), under which the Australian Government contribution towards the establishment of the Centre was provided, requires that the AAA assist in the establishment of a United States Studies Centre at an Australian university. The agreement specifies that the objectives of the Centre are to:

• deepen the appreciation and understanding of the United States’ culture, political climate and government, and strengthen the relationship between both countries;
• complement and provide leadership on current Australian-United States educational endeavours;
• increase the awareness of the study of American politics and government;
• promote collaborative research between institutions in Australia and the United States; and
• operate as a think-tank for the Australia-America relationship.

(b) Under the agreement, the funding was paid to the AAA in June 2006 and covers the project period up to 30 June 2013. At this stage, it is expected that the funding will be available to generate revenue to contribute to the operations of the Centre on an ongoing basis.

(c) None

(d) None

Migrant Resource Centres
(Question No. 4980)

Ms Roxon asked the Minister representing the Minister for Immigration and Citizenship, in writing, on 7 December 2006:

(1) For each financial year from 1999-2000 to 2005-06, (a) what was the total sum allocated nationally for Migrant Resource Centre/Migrant Resource Agency core funding, (b) what was the total sum allocated to services in Victoria and (c) which centres in Victoria received funding and what amount did each receive.

(2) For each financial year from 1999-2000 to 2005-06, (a) what sum of Migrant Resource Centre/Migrant Resource Agency core funding was received by services in the federal electorate of Gellibrand, (b) which centres received funding and (c) what amount did each receive.
Mr Andrews—The answer to the honourable member’s question is as follows:

(1)  
(a) The following table depicts Migrant Resource Centre/Migrant Resource Agency core funding allocated nationally from 1999-2000 to 2005-2006:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$8,745,414</td>
<td>$8,802,125</td>
<td>$9,182,716</td>
<td>$9,530,441</td>
<td>$8,077,007</td>
<td>$8,010,823</td>
<td>$8,138,140</td>
</tr>
</tbody>
</table>

(b) The following table depicts Migrant Resource Centre/Migrant Resource Agency core funding allocated in Victoria from 1999-2000 to 2005-2006:

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>$2,621,644</td>
<td>$2,646,606</td>
<td>$2,734,081</td>
<td>$2,966,950</td>
<td>$2,317,233</td>
<td>$2,124,897</td>
<td>$2,167,390</td>
</tr>
</tbody>
</table>

(c) The list of organisations in Victoria which received Migrant Resource Centre/Migrant Resource Agency core funding from 1999-2000 to 2005-2006 is at Attachment A.

(2)  
(a), (b) and (c) The Department of Immigration and Citizenship does not store funding information based on electorates.

Attachment A

<table>
<thead>
<tr>
<th></th>
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<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Geelong Ethnic Communities Council Inc. (Geelong West)</td>
<td>$253,561</td>
<td>$258,632</td>
<td>$263,805</td>
<td>$275,048</td>
<td>$274,463</td>
<td>$279,952</td>
<td>$285,550</td>
</tr>
<tr>
<td>Gippsland Multicultural Services Inc (Morwell)</td>
<td>$138,927</td>
<td>$141,706</td>
<td>$147,784</td>
<td>$147,431</td>
<td>$150,380</td>
<td>$153,388</td>
<td>$156,455</td>
</tr>
<tr>
<td>Inner Western Region Migrant Resource Centre Inc. (Footscray)</td>
<td>$402,507</td>
<td>$405,457</td>
<td>$413,566</td>
<td>$427,803</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Migrant Information Centre (Eastern Melbourne) Ltd (Box Hill)</td>
<td>$260,000</td>
<td>$265,710</td>
<td>$271,024</td>
<td>$292,411</td>
<td>$281,973</td>
<td>$287,612</td>
<td>$293,365</td>
</tr>
<tr>
<td>Migrant Resource Centre North West Region (St Albans)</td>
<td>$265,427</td>
<td>$270,736</td>
<td>$306,150</td>
<td>$415,211</td>
<td>$344,306</td>
<td>$293,052</td>
<td>$298,915</td>
</tr>
<tr>
<td>Migrant Resource Centre Westgate Region (Altona North)</td>
<td>$122,327</td>
<td>$124,774</td>
<td>$122,569</td>
<td>$125,125</td>
<td>$247,520</td>
<td>$130,070</td>
<td>$132,670</td>
</tr>
<tr>
<td>Northern Metropolitan Migrant Resource Centre (Glenroy)</td>
<td>$284,061</td>
<td>$279,542</td>
<td>$285,133</td>
<td>$189,675</td>
<td>-</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Northern Migrant Resource Centre (Preston)</td>
<td>$285,266</td>
<td>$267,090</td>
<td>$278,432</td>
<td>$417,744</td>
<td>$289,890</td>
<td>$295,688</td>
<td>$301,600</td>
</tr>
<tr>
<td>South Central Region Migrant Resource Centre (Oakleigh)</td>
<td>$365,007</td>
<td>$372,307</td>
<td>$379,753</td>
<td>$393,315</td>
<td>$452,095</td>
<td>$402,997</td>
<td>$411,055</td>
</tr>
<tr>
<td>South Eastern Region Migrant Resource Centre (Dandenong)</td>
<td>$244,561</td>
<td>$260,652</td>
<td>$265,865</td>
<td>$283,187</td>
<td>$276,606</td>
<td>$282,138</td>
<td>$287,780</td>
</tr>
<tr>
<td>Total</td>
<td>$2,621,644</td>
<td>$2,646,606</td>
<td>$2,734,081</td>
<td>$2,966,950</td>
<td>$2,317,233</td>
<td>$2,124,897</td>
<td>$2,167,390</td>
</tr>
</tbody>
</table>

Asia-Pacific Economic Cooperation 2007 Meetings

(Question No. 4986)

Mr Melham asked the Prime Minister, in writing, on 7 December 2006:

What is the projected cost of official hospitality associated with APEC 2007 meetings and events.

Mr Howard—The answer to the honourable member’s question is as follows:

MAIN COMMITTEEQUESTIONS IN WRITING
Australia was instrumental in the establishment of APEC in 1989. Since then, a pattern of hospitality events held as part of the APEC meetings has been established by successive annual host economies. For Australia’s hosting of APEC in 2007, it is appropriate that the Australian Government host a distinctive programme of events that is consistent with the established pattern and which is befitting of such a significant gathering of world leaders.

At this stage, however, the government is not in a position to detail the specific elements of the hospitality programme that is being developed for the APEC 2007 leaders’ meeting.

Asia-Pacific Economic Cooperation 2007 Meetings
(Question No. 4987)

Mr Melham asked the Prime Minister, in writing, on 7 December 2006:
What is the projected cost of fireworks displays planned for APEC 2007 meetings and events.

Mr Howard—The answer to the honourable member’s question is as follows:

Australia was instrumental in the establishment of APEC in 1989. Since then, a pattern of ceremonial and hospitality events associated with APEC meetings has been established by successive annual host economies. For Australia’s hosting of APEC in 2007, it is appropriate that the Australian Government host a distinctive programme of events that is consistent with the established pattern and which is befitting of such a significant gathering of world leaders.

At this stage, however, the government is not in a position to detail the specific elements of the ceremonial and hospitality programme that is being developed for the APEC 2007 leaders’ meeting.

Oil for Food Program
(Question No. 4997)

Mr Kelvin Thomson asked the Prime Minister, in writing, on 7 December 2006:
In respect of his statement of 31 January 2006 suggesting that AWB maintaining close contact with his Government showed that he was doing his job, how he did not know AWB was paying bribes to Saddam Hussein and breaching UN sanctions.

Mr Howard—The answer to the honourable member’s question is as follows:

The knowledge of the government, including myself and other ministers, of AWB’s activities in relation to the United Nations Oil-for-Food Programme has been comprehensively addressed by Commissioner Cole in his report.

Transport and Regional Services: Staffing
(Question No. 5037)

Mr Kelvin Thomson asked the Minister for Transport and Regional Services, in writing, on 7 December 2006:
(1) For the remainder of the 2006-07 financial year, how many additional staff does the Minister’s department and agencies expect to employ.
(2) For the 2006-07 financial year to date, what efficiency gains have been made by the Minister’s department and agencies.

Mr Vaile—The answer to the honourable member’s question is as follows:
(1) Department of Transport and Regional Services:
(2) The Department expects to operate within the average staffing levels listed on p.27 and p.30 of the Portfolio Budget Statement 2006-07, Transport and Regional Services Portfolio.
Airservices Australia:
Airservices Australia expects to have a net increase of 20 staff by the end of 2006-07.

Australian Maritime Safety Authority:
Nil.

Civil Aviation Safety Authority:
Nil.

National Capital Authority:
The NCA expects to operate within the average staffing level listed on p.163 of the Portfolio Budget Statement 2006-07, Transport and Regional Services Portfolio.

(2) The Minister for Finance and Administration will respond to this part of the question.

Transport and Regional Services: Telecommunications
(Question No. 5075)

Mr Cameron Thompson asked the Minister for Transport and Regional Services, in writing, on 7 December 2006:
For each financial year from 1 July 2004, what was the total cost to the Minister’s department of all (a) landline and (b) mobile telephone calls.

Mr Vaile—The answer to the honourable member’s question is as follows:

2004/2005
Landline call costs - $326,000
Mobile call costs - $221,289

2005/2006
Landline call costs - $357,769
Mobile call costs - $293,954

All figures provided are GST exclusive.

Transport and Regional Services: Unauthorised Access
(Question No. 5113)

Mr Kelvin Thomson asked the Minister for Transport and Regional Services, in writing, on 7 December 2006:
For each financial year from 1 July 2004, how many instances of trespass have been recorded by the Minister’s department, and for each instance of trespass, (a) what type of trespass occurred, (b) what action was taken against the offender and (c) what action was taken to prevent a future occurrence.

Mr Vaile—The answer to the honourable member’s question is as follows:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Number of Instances</th>
<th>(a)</th>
<th>(b)</th>
<th>(c)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004/2005</td>
<td>2</td>
<td>Unauthorised access</td>
<td>Offender ran off from premises</td>
<td>Security guards increased roving patrols.</td>
</tr>
</tbody>
</table>
Transport and Regional Services: Stationery
(Question No. 5170)

Mr Kelvin Thomson asked the Minister for Transport and Regional Services, in writing, on 7 December 2006:
(1) For each financial year from 1 July 2004, what was the total cost of paper purchased by the Minister’s department.
(2) Does the department have policies relating to duplex printing; if so, what are those details.

Mr Vaile—The answer to the honourable member’s question is as follows:
(1) The purchase of paper is recorded in the stationery general ledger code and is not separately identifiable without significant diversion of resources, which I am not prepared to authorise.
(2) No.

Employment
(Question No. 5188)

Mr Kelvin Thomson asked the Minister representing the Minister for Human Services, in writing, on 7 December 2006:
(1) What is Centrelink’s definition of a person deemed to be employed.
(2) Is he aware of the Australian Bureau of Statistics (ABS) definition, which deems a person to be employed if they have one or more hour of paid work each week.
(3) What are the reasons for any differences in the definitions of employment used by Centrelink and the ABS.

Mr Hockey—The answer to the honourable member’s question is as follows:

There are no definitions of what it means to be employed in the Guide or Social Security Act 1991. However, Section 595 of the Social Security Act 1991 provides a definition of ‘unemployed’ which is used for the purpose of identifying who is eligible for income support payments.

(2) Yes.

(3) Social Security legislation defines unemployment only in regard to qualification for income support. The Australian Bureau of Statistics uses a definition appropriate to its purpose and methodologies.

To prepare this answer it has taken approximately 3 hours and 5 minutes at an estimated cost of $176.

Government Members’ Secretariat: Staffing
(Question No. 5278)

Mr Kelvin Thomson asked the Prime Minister, in writing, on 7 December 2006:
In respect of the Government Member’s Secretariat: (a) who are the members, what positions do they hold and what remuneration do they receive; (b) what is its primary purpose; and (c) for each financial
year since 1 July 2000, (i) how many times has it met and (ii) what sum has been appropriated for its operation.

Mr Howard—The answer to the honourable member’s question is as follows:
The Government Members’ Secretariat (GMS) was established in 1996 to provide training and support to Government Senators, Members and their staff to assist them in servicing their constituents.
The Prime Minister allocates staff to the GMS and the number and level of positions is taken into account in the total Government staff establishment. Therefore, the staff allocation of the GMS is taken into account when assessing the ratio of staff to the Opposition and it is open to the non-government parties to utilise their staffing resources in a similar way.

United Nations Convention Against Corruption
(Question No. 5290)

Mr Melham asked the Minister for Foreign Affairs, in writing, on 6 February 2007:
How many Asia-Pacific countries have been encouraged by Australia to become party to the United Nations Convention against Corruption (UNCAC) and which countries are they.

Mr Downer—The answer to the honourable member’s question is as follows:
The Australian Government supports international cooperation against transnational crime and corruption, including through encouraging Asia-Pacific countries to become parties to the UNCAC. Australia provided $300,000 for the joint Australia-UN Office of Drugs and Crime-Thailand Workshop (Bangkok, January 2006) to promote UNCAC ratification. Nine Asia-Pacific countries participated in this Workshop: Australia, China, Fiji, Indonesia, Malaysia, Mongolia, Philippines, Thailand and Vietnam. Since the Workshop, China and Indonesia have ratified the UNCAC. Of the nine countries mentioned, only Fiji and Mongolia have yet to sign the UNCAC.

Australia is a member of the Asia Development Bank - OECD Anti-Corruption Initiative for the Asia-Pacific and provides financial support to the Initiative. There are currently 27 members of the Initiative: Australia, Bangladesh, Cambodia, China, Cook Islands, Fiji, Hong Kong, India, Indonesia, Japan, Kazakhstan, Kyrgyzstan, ROK, Macao, Malaysia, Mongolia, Nepal, Pakistan, Palau, Papua New Guinea, Philippines, Samoa, Singapore, Sri Lanka, Thailand, Vanuatu and Vietnam. Australia has also promoted UNCAC through the APEC Anti-corruption and Transparency Experts Task Force and the Conferences of Parties for United Nations Convention against Transnational Organized Crime and United Nations Convention against Corruption.

Organisation for Economic Cooperation and Development
(Question No. 5293)

Ms Plibersek asked the Minister for Foreign Affairs, in writing, on 6 February 2007:
In respect of the decision made at a November meeting of the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC), to remove names of individual donors from the OECD’s published survey of donor performance against Paris Declaration indicators of aid harmonization and effectiveness, which are intended to ensure transparency and accountability in aid partnerships: (a) what position did Australia’s representative at the DAC’s November meeting take on this issue; (b) what position did Australia’s representative on the DAC take on this issue at the OECD Global Forum on Development held on 7 December 2006; and (c) will Australia strive to ensure that OECD donors report fully against their Paris Declaration commitments, and that reports and analyses of individual donor performance against these commitments are published.

Mr Downer—The answer to the honourable member’s question is as follows:
(a) The November meeting of the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee (DAC) did not consider, nor did the Australian representative take any position on, any proposal to remove the names of individual donors from the OECD published survey of donor performance. The meeting did however, discuss how information on individual donor performance is to be presented in future with this issue being referred to the December Senior Level Meeting (SLM) for consideration.

(b) The 7 December OECD Global Forum (GF) on Development did not consider any proposal to remove individual donor country names from the OECD published survey on donor performance. The 6 December OECD SLM did however, consider three options for presenting data on individual donor performance for inclusion in the 2006 Survey on Monitoring the Paris Declaration. While none of the options considered proposed removing individual donor identification the Australian position was that option C (donor results by indicator) was the most appropriate in terms of monitoring Paris Declaration commitments.

(c) Yes.

**Small Business Field Officers**

(Question No. 5294)

Mr Fitzgibbon asked the Minister for Small Business and Tourism, in writing, on 6 February 2007:

For each forward estimates year, what is the cost of deployment of new and existing Small Business Field Officers.

Fran Bailey—The answer to the honourable member’s question is as follows:

For each forward estimates year, the cost of deployment of new and existing Small Business Field Officers is as follows.

2007/08 $7,190,464.42 (GST Exclusive)

Current contracts end in June 2008.

**Anthrax**

(Question No. 5302)

Mr Bevis asked the Minister for Health and Ageing, in writing, on 6 February 2007:

In respect of Australia’s anthrax identification and detection capacity: (a) how long does it take to positively identify the anthrax organism; (b) which States and Territories have identification equipment; and (c) for each State/Territory, how many technicians have been trained to identify anthrax.

Mr Abbott—The answer to the honourable member’s question is as follows:

(a) Anthrax spores can be identified in environmental samples in a fifteen (15) minute rapid screening test using specialised diagnostic equipment. Confirmatory testing in a laboratory, requiring culture of the specimen, takes between 24 to 48 hours.

(b) All Australian states and territories have identification equipment that allows rapid screening for anthrax spores in environmental samples.

(c) The Department of Health and Ageing does not have access to this information. Within the jurisdictions, different groups can test for anthrax, for example, ‘first responders’ and state/territory-managed public health laboratories and animal health laboratories. This type of information could be obtained from individual jurisdictions.
Deportations
(Question No. 5303)

Mr Bevis asked the Minister for Immigration and Citizenship, in writing, on 6 February 2007:

(1) For each year since 2001, how many deportees have died during the return journey to their countries of origin.

Mr Andrews—The answer to the honourable member’s question is as follows:

(1) For each year since 2001, no person in immigration custody has died during either removal or deportation from Australia.

The answer refers to both removals and deportations because the deportation power is no longer widely used. Most enforced departures from Australia occur under section 198 of the Migration Act which requires that unlawful non-citizens be removed as soon as practicable. A deportation order may be issued against a non-citizen under s200 on security grounds or because they have been convicted of serious criminal offences.

Terrorism
(Question No. 5307)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 6 February 2007:

(1) During his address to the 61st session of the United Nations (UN) General Assembly, did he say: “States should conclude a comprehensive convention on international terrorism. This would demonstrate an unambiguous commitment, ensuring all terrorist acts are criminalised in international law. It is disappointing that the UN still cannot agree on the scope of such a convention… too often in the world of politics, the temptation is for governments to strike an attitude and then leave the substantive action for another day, or offload the responsibility onto others”.

(2) Will he support a motion in Parliament calling on the UN to sponsor an international convention on suicide terrorism, as outlined in my Private Members’ motion of 16 October 2006; if not, why not.

(3) Will he outline Australia’s contribution to the progress of the UN Comprehensive Convention on International Terrorism referred to in his speech.

Mr Downer—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) The Government does not support the motion’s call for the UN to sponsor an international convention on suicide terrorism and seeks to disallow the motion moved for reasons outlined as follows.

First, the Australian Government does not see the benefit in initiating an International Convention on Suicide Terrorism, since there are already 13 existing international conventions on terrorism that cover all types of terrorist acts and behaviours. The Government has a long-standing policy of seeking a Comprehensive Convention on International Terrorism though negotiations with United Nations member states. It supports a comprehensive instrument on terrorism, rather than seeking separate conventions on specific forms like suicide bombings, additional to those that already exist.

Second, current offences defined in the Criminal Code already capture all types of terrorist activity, making it unnecessary to create a separate offence of suicide terrorism either in domestic or international law. There are also practical constraints, such as difficulties the prosecution would face in identifying the perpetrators remaining after a suicide terrorist attack. The definition of a terrorist act in the Criminal Code makes it an offence to engage in, train for, prepare, plan, finance or otherwise support terrorist activities. In its June 2006 report, the Security Legislation Review Committee approved the Criminal Code’s definition of a terrorist act.
Third, the Government’s policy is to focus on strong intelligence and security measures, as well as other strategies to prevent terrorism, including suicide attacks. Prevention strategies include working closely with mainstream Muslim communities in Australia and overseas to reject notions that such actions are either heroic or supported by religious doctrines. I (Mr Downer) emphasised the need to address terrorist ideology and propaganda in my address to the seminar convened by the Indonesian Government in February 2006, “International Cooperation Against Terrorism: Focusing on Suicide Bombing as a Symptom of Terrorism.”

Fourth, the Government considers that suicide terrorism may already be considered a crime against humanity, both at the international level where the International Criminal Court has jurisdiction and under Australia’s domestic law. Crimes against humanity are defined in the Rome Statute of the International Criminal Court. The Government legislated in 2002 to make crimes against humanity an offence under the Commonwealth Criminal Code.

(3) Australia has been contributing to progress on the UN Comprehensive Convention on International Terrorism (CCIT) through constructive and active engagement in the Ad Hoc Committee’s negotiations on the text through our Mission to the United Nations in New York. The Government has strongly supported the adoption of the UN Global Counter-Terrorism Strategy, the most comprehensive CT statement ever adopted by the General Assembly. We have sought to move CCIT negotiations forward in New York through coordinated and combined efforts with other countries to build consensus. These countries include the CANZ subgrouping (Canada, Australia and New Zealand), as well as other like-minded countries on this issue. In statements with CANZ, Australia has urged States to redouble their efforts to conclude the CCIT and demonstrate unambiguous commitment to criminalise all terrorist acts, and cooperate in the prosecution of those responsible for such acts.

We have also engaged in advocacy on a bilateral basis with a range of other countries, urging them to support the conclusion of the CCIT negotiations.

In the 2006-07 budget, the Australian Government committed $92.3 million in regional CT assistance over the next four years, including to capacity-building in law and justice sectors to help countries comply with, and ratify international CT conventions.

**Papua New Guinea**

**Question No. 5309**

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 6 February 2007:

Is he aware of a report by the Australian Conservation Foundation and Papua New Guinea’s Centre for Environmental Law and Community Rights titled Bulldozing Progress: Human Rights Abuses in PNG’s Large Scale Logging Industry; if so, (a) has he sought advice in respect of the contents of the report and (b) what is the Government’s response to the issues raised in the report.

Mr Downer—The answer to the honourable member’s question is as follows:

I am aware of the report.

(a) Yes. The information in (b) below reflects advice from the Department of Foreign Affairs and Trade and AusAID.

(b) The Government is concerned by the allegations of human rights abuses contained in the report, many of which involve police intimidation and assault on communities in logging areas. Australia has been seeking to encourage and assist the PNG Government to reform the Royal Papua New Guinea Constabulary (RPNGC), in order to improve the law and order situation in the country and address a range of problems within the RPNGC, including indiscipline, violence and corruption.

Assistance to the RPNGC was a key focus of the Enhanced Cooperation Program established by the two governments in 2004, until the PNG Supreme Court ruled in May 2005 that aspects of the
The ACF report also refers to the abuse of women in logging areas. The Government is concerned about violence against women in Papua New Guinea, which extends well beyond the forestry sector. The Australian Government, through programs conducted by AusAID, has provided support for the justice system, including village courts, to deal with family and sexual violence, and funded community initiatives to raise awareness and support victims of sexual violence. We have also supported local organisations, such as the Family and Sexual Violence Action Committee, which played an important role in encouraging legislative changes in Papua New Guinea to protect women from sexual violence.

The ACF report raises allegations of poor governance and unsustainable practices in PNG’s forestry sector. The Australian Government takes these allegations seriously and has called for the Papua New Guinea Government to ensure that relevant legislation and procedures are enforced, including those pertaining to environmental and landowner protection. Australia is strongly committed to sustainable forest management. We have sought to improve the capacity of the Papua New Guinea Government to tackle these problems by funding four advisers in Papua New Guinea’s National Forest Authority to strengthen the agency’s corporate governance and financial accountability functions. The Australian Government is also supporting the development of a sustainable forest industry in Papua New Guinea by providing funding for forestry projects sponsored by the International Tropical Timber Organization. Discussions are continuing between PNG and Australia on possible further support to the National Forest Authority.

Energy Initiatives
(Question No. 5311)

Mr Martin Ferguson asked the Minister for Industry, Tourism and Resources, in writing, on 6 February 2007:

For each calendar year from 2000-2006 and in each State and Territory:

(a) how many service stations sold unleaded petrol containing ethanol, bio-fuel petrol blends and liquefied petrol gas and

(b) how many (i) litres of unleaded petrol containing ethanol and bio-fuel blends and (ii) tonnes of liquefied petrol gas were sold through these outlets.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

The detailed data has not been collected by my department. However, information that is provided publicly by petrol retailers indicate that the number of service stations selling biofuels has been increasing rapidly in recent years.

(a) The number of service stations selling unleaded petrol blended with 5 or 10 per cent ethanol (E5 and E10 respectively) in June 2005 was approximately 70. By mid-September 2006 this had increased to around 395; and by the end of January this year the number of service stations selling E5 and E10 had increased to about 525.

There is limited information available regarding the number of service stations providing biodiesel and the total number of service stations selling biodiesel is not available. However, Caltex announced in October 2006 that they are in process of rolling out their New Generation Diesel that contains 2 per cent biodiesel to 185 service stations in NSW.

With the introduction of the $17.2 million Ethanol Distribution Program the number of service stations selling ethanol blended fuels should increase over the course of the year.

The number of service stations selling liquefied petrol gas (LPG) is approximately 3,200.
(b) The volume of biofuels sold through individual service stations is not available for the time period requested.

The volume of LPG sold from retail outlets since 2000 to 30 November 2006 is:

<table>
<thead>
<tr>
<th>Year</th>
<th>Litres</th>
</tr>
</thead>
<tbody>
<tr>
<td>2000</td>
<td>1,978,322</td>
</tr>
<tr>
<td>2001</td>
<td>2,452,650</td>
</tr>
<tr>
<td>2002</td>
<td>2,366,853</td>
</tr>
<tr>
<td>2003</td>
<td>2,481,006</td>
</tr>
<tr>
<td>2004</td>
<td>2,452,144</td>
</tr>
<tr>
<td>2005</td>
<td>2,568,456</td>
</tr>
<tr>
<td>Jan to November 2006</td>
<td>2,256,182</td>
</tr>
<tr>
<td>Total</td>
<td>16,555,613</td>
</tr>
</tbody>
</table>

**Overseas Development Assistance**

*(Question No. 5317)*

Mr Georganas asked the Minister for Foreign Affairs, in writing, on 6 February 2007:

Has the Government established a timetable to ensure that Australia will donate 0.7 per cent of its gross national income towards Official Development Assistance by 2015, consistent with the United Nations Millennium Project and the commitment made by the Organisation for Economic Co-operation and Development’s Development Assistance Committee; if not, what measures has the Government put in place to ensure that this target will be met.

Mr Downer—The answer to the honourable member’s question is as follows:

While the Australian Government will continue to support the United Nations Millennium Project goal of 0.7 per cent of GNI as an aspiration, it does not support a time bound target to reach this goal. The Government is committed to increasing Australia’s official development assistance (ODA) to around $4 billion per annum by 2010.

**Indigenous Health**

*(Question No. 5340)*

Mr Murphy asked the Minister for Health and Ageing, in writing, on 6 February 2007:

1. Can he confirm that the Department of Health and Ageing is leading a Council of Australian Governments trial in the Anangu Pitjanjatjara Yakunytjatjara Lands that includes a Healthy Stores Policy component; if so what are the full details of the Healthy Stores Policy; if not, why not.
2. Can he confirm that the Mai Wiru Policy encourages the provision of cheap, nourishing food in remote Indigenous communities; if so, how; if not, why not.
3. In what year was the Mai Wiru Policy and Healthy Stores Policy initiated and fully implemented.
4. Can he advise the average price of fresh fruit including, but not limited to, apples and oranges (a) in the financial year prior to the implementation of the Mai Wiru Policy and (b) following the implementation of the Mai Wiru Policy; if not, why not.
5. Can he advise the average price of fresh meat including, but not limited to, mince and stewing steak, (a) in the financial year prior to the implementation of the Mai Wiru Policy and (b) following the implementation of the Mai Wiru Policy; if not, why not.
6. Can he advise the average price of baby formula (a) in the financial year prior to the implementation of the Mai Wiru Policy and (b) following the implementation of the Mai Wiru Policy; if not, why not.
Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Yes, the Department of Health and Ageing is leading a Council of Australian Governments trial in the Anangu Pitjanjatjara Yankunytjatjara Lands. The Mai Wiru Regional Stores Policy and associated regulations were developed on the Anangu Pitjanjatjara Yankunytjatjara Lands following a decision by the Anangu Pitjanjatjara Executive. The Mai Wiru Regional Stores Policy has the endorsement of both the Commonwealth and the South Australian governments. It is guided by a comprehensive plan that addresses the issue of food security, food access (including affordability) and food availability (including range and quality). Activities are carried out by the Mai Wiru Stores steering committee under the auspice of the Ngalampa Health Council.

(2) Yes. The provision of affordable healthy food is covered under a Memorandum of Understanding with all community councils.

It provides for:

(a) Negotiation of a system for the bulk purchasing of supplies.
(b) Negotiation of a coordinated freight system.
(c) Standardisation of stores management systems and practices.
(d) Human resource management improvement.
(e) Coordination of public health nutrition activities.
(f) Development and negotiation of a subsidy on identified food, health consumables and health hardware items.

(3) Mai Wiru policy and regulations were developed in 2000-2001. Implementation of the policy has occurred since 2002. Preferred supplier agreements were signed in April 2006 which allow for rebates based on volume and a flat freight rate across the lands.

(4) (5), and (6). No. There are several factors that influence the price of goods in the stores.

- Historically there have been no store budgets. For the 2006–07 financial years budgets have been prepared for each store with the intention of determining the true cost structures and the running costs of the individual stores. This will assist in determining where price reductions can occur without impacting adversely on the viability of the store.
- Some stores have been servicing a debt that usually involves a price rise.

Mr McClelland—The answer to the honourable member’s question is as follows:

(1) Mr Peter Foster was most recently issued with an Australian passport on 31 July 2003. His passport was cancelled on 5 February 2007 and he was granted a limited validity travel document to facilitate his return to Australia. That document was impounded on arrival in Australia.
An Australian citizen is entitled to be issued with an Australian passport subject to the requirements of the Australian Passports Act 2005. The Act provides for a competent authority to request that a person who is the subject of an arrest warrant issued in Australia for an indictable offence or who is prevented from travelling internationally by force of a court order, parole or bail condition or direction under a law of the Commonwealth, should be refused issue of an Australian passport.

According to passport records, Mr Foster was not subject to any legal restraint that would have prevented issue of a passport under the passport legislation in force at that time (Passports Act 1938).

The Australian Passports Act 2005 provides the Minister with the power to cancel and/or refuse to issue a passport to a person at the request of a “competent authority” which suspects on reasonable grounds that a) the person is the subject of an arrest warrant issued in a foreign country in respect of a serious foreign offence, or b) the person is prevented from travelling internationally in connection with a serious foreign offence, or c) the person would be likely to engage in conduct that might prejudice security or endanger the health or physical safety of other persons in Australia or overseas.

Death Penalty
(Question No. 5351)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 7 February 2007: What instructions, if any, has the Australian Government given to our Ambassador to the United Nations in respect of any proposal from that body to oppose the death penalty.

Mr Downer—The answer to the honourable member’s question is as follows:
The Australian Government instructs its Ambassadors and Permanent Representatives to the United Nations in New York and Geneva on a range of multilateral issues, including the death penalty.

By way of recent example, in 2006, the Australian Government instructed our Permanent Mission to the United Nations in New York for Australia to:

(a) Join other UN Member States in supporting a statement on the death penalty in the United Nations General Assembly. This statement was delivered on 19 December 2006 by the Ambassador and Permanent Representative of Finland on behalf of 85 Member States, including Australia.

(b) Deliver a statement to the Third Committee of the General Assembly in which we strongly encouraged other Member States to work towards abolition of the death penalty and to join Australia as a State Party to the Second Optional Protocol to the International Covenant on Civil and Political Rights. This statement was delivered on 27 October 2006 by Senator Brett Mason, MP, Parliamentary delegate to the Australian delegation to the United Nations.

Iraq
(Question No. 5352)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 7 February 2007: Prior to the decision by President George Bush to escalate the US presence in Iraq by dispatching a further 21,000 US troops to that country, did the President, or his advisers, seek the view of the Australian Government in respect of the proposed future strategy for the war in Iraq.

Mr Downer—The answer to the honourable member’s question is as follows:
The Australian and United States Governments consult closely on Iraq matters.
Terrorism
(Question No. 5393)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 12 February 2007:

To which countries in Asia and the Pacific does Australia provide assistance and/or advice in their fight against terrorism and what is the nature of that assistance and/or advice.

Mr Downer—The answer to the honourable member’s question is as follows:

Australia has provided extensive counter-terrorism (CT) assistance and advice to partners in Asia and the Pacific, with an emphasis on those facing the greatest terrorist threat and those least equipped to address it. Australia has established a network of bilateral CT cooperation arrangements that underpin and facilitate practical, operational-level cooperation in countering terrorism with regional partners. CT Cooperation Memoranda of Understanding have been concluded with Indonesia, Malaysia, Thailand, the Philippines, Cambodia, Brunei, East Timor, PNG and Fiji. Most assistance and advice is provided under bilateral programs. Some is provided to regional or sub-regional groups of countries, such as ASEAN and the Pacific Islands Forum.

Assistance and advice has been provided to our partners in a wide range of areas, including law enforcement; border control; transport security (including protecting aviation against Man-Portable Air Defence Systems); CT legal frameworks; intelligence; terrorist financing; defence; Chemical, Biological, Radiological and Nuclear terrorism; and strengthening of national CT coordination arrangements. The assistance takes many forms, including, where appropriate in each case, training, technical assistance, exchange of information, expert advice, provision of equipment, seminars/conferences and the conduct of CT response exercises. For further information on Australia’s offshore CT engagement see the recent Government publication Protecting Australia Against Terrorism (www.pmc.gov.au/publications/protecting_australia_2006/index.htm).

Australia and Indonesia are leading Southeast Asian CT efforts through a regional CT ministerial meeting process. An important mechanism for providing practical assistance is the Jakarta Centre for Law Enforcement Cooperation – also an Australia-Indonesia initiative – which is building the expertise and professionalism of regional law enforcement agencies, with around 85 courses conducted so far for more than 1900 regional participants. The Philippines is an increasingly important CT partner, with cooperation focused on law enforcement, port security, border management and defence issues.

Funding arrangements for CT assistance to the region are as set out in DFAT’s Portfolio Budget Statements and those of other relevant agencies.

Australian Transport Safety Bureau
(Question No. 5402)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, in writing, on 12 February 2007:

Since the Australian Transport Safety Bureau was given the capacity to conduct safety investigations on the Defined Interstate Rail Network and responsibility for the Marine Confidential Reporting Scheme, (a) how many rail safety investigations have been conducted, and what are the details and (b) how many reports have been received under the Marine Confidential Reporting Scheme.

Mr Vaile—The answer to the honourable member’s question is as follows:

(a) Thirty one investigations on the Defined Interstate Rail Network, (including investigations into separate derailments on 30/1/2005 which were incorporated in one report), have been conducted by the Australian Transport Safety Bureau’s rail safety unit since 1 July 2003. Details are tabulated below. In addition, the rail safety unit completed four investigations initiated prior to 1 July 2003 at
the request of the relevant jurisdictions. The rail safety unit also provided assistance to other jurisdictions on four further investigations during the period from 1 July 2003 to the present, including the NSW Waterfall Commission of Inquiry and the Queensland Tilt Train.

<table>
<thead>
<tr>
<th>Accident/ Location</th>
<th>Incident type</th>
<th>Date of Occurrence</th>
<th>Report Number</th>
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<tr>
<td>SA Bates</td>
<td>Derailment</td>
<td>9/11/2003</td>
<td>2003/004</td>
</tr>
<tr>
<td>VIC Ararat</td>
<td>Derailment</td>
<td>28/11/2003</td>
<td>2003/005</td>
</tr>
<tr>
<td>NSW Sandgate</td>
<td>Collision</td>
<td>25/02/2004</td>
<td>2004/001</td>
</tr>
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<td>Derailment</td>
<td>15/03/2004</td>
<td>2004/002</td>
</tr>
<tr>
<td>QLD Murarrie</td>
<td>SPAD</td>
<td>28/06/2004</td>
<td>2004/003</td>
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<td>20/09/2004</td>
<td>2004/004</td>
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<td>Derailment</td>
<td>21/11/2004</td>
<td>2004/008</td>
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<td>Derailment/Collision</td>
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<tr>
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<td>Serious Injury</td>
<td>2/02/2005</td>
<td>2005/003</td>
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<tr>
<td>VIC Horsham</td>
<td>Collision at LX/Death</td>
<td>11/08/2005</td>
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<tr>
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<td>2006/009</td>
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<td>Collision at LX/Serious injuries</td>
<td>12/12/2006</td>
<td>2006/015</td>
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</tbody>
</table>

(b) Thirty five reports have been received by the Confidential Marine Reporting Scheme since it became operational on 20 May 2004.

**Iraq**

(Question No. 5411)

**Mr McClelland** asked the Minister for Foreign Affairs, in writing, on 13 February 2007:

Has the Government produced or received any estimate of the number of people who have (a) been permanently incapacitated, (b) been permanently disfigured or (c) lost their lives in Iraq since the 2003 invasion of that country; if so, what is the estimate and what was the source of that information.

**Mr Downer**—The answer to the honourable member’s question is as follows:
The Government remains concerned about the security situation in Iraq. There are no authoritative estimates on the total number of Iraqi civilian casualties, or the number permanently debilitated and disfigured. Estimates, and the methods used to compile them, vary widely.

**Afghanistan**

(Question No. 5421)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 14 February 2007:

1. Which European countries have troops serving in Afghanistan.
2. Which, if any, of the countries identified in Part (1) have imposed restrictions on their troops being reassigned from northern Afghanistan to southern Afghanistan.
3. During his recent visit to Europe, did he raise the matter referred to in Part (2) with representatives of any country that is a member of the European Union; if so, what was the response in each case.
4. Are there any European countries that have troops serving in Afghanistan, but have not imposed restrictions on the movement of their troops; if so, which countries.

Mr Downer—The answer to the honourable member’s question is as follows:

1. Of the 37 countries participating in the NATO-ISAF mission in Afghanistan, 33 are European. The 33 are: Albania; Austria; Azerbaijan; Belgium; Bulgaria; Croatia; Czech Republic; Denmark; Estonia; Finland; France; former Yugoslav Republic of Macedonia; Germany; Greece; Hungary; Iceland; Ireland; Italy; Latvia; Lithuania; Luxembourg; Netherlands; Norway; Poland; Portugal; Romania; Slovakia; Slovenia; Spain; Sweden; Switzerland; Turkey, and; United Kingdom.
2. It would not be appropriate for me to comment on the national policies of other countries. Furthermore, restrictions may be classified for operational reasons.
3. I delivered an address to the Munich Security Conference (10 February 2007) in which I urged nations involved in the NATO-ISAF mission to relax or remove caveats that restrict their troop deployments in Afghanistan. I said such action would “give the ISAF commanders the flexibility they need to achieve victory”. Ministers and high-ranking officials from many NATO-ISAF mission nations attended the Munich Conference. I will continue to encourage NATO members to take such action. Other countries involved in Afghanistan - US, UK and Canada – have also appealed for caveats to be relaxed.
4. It would not be appropriate for me to comment on the national policies of other countries. Furthermore, restrictions may be classified for operational reasons.

**European Union**

(Question No. 5422)

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 14 February 2007:

1. Did he state that some members of the European Union are saying positive things about Turkey’s inclusion in that body, “…but then find a thousand reasons for why it is not a good idea and why it cannot be done immediately.”
2. Which member nations of the European Union are supportive of Turkey’s admission to that body and which oppose it.

Mr Downer—The answer to the honourable member’s question is as follows:

1. Yes.
2. In December 2006, British Prime Minister Tony Blair in a press conference during his visit to Ankara, underlined the strategic importance of Turkey to the EU, particularly in relation to the situa-
tion in the Middle East. He said Turkey’s EU membership was not just important to Turkey, but to the future of Europe. Other countries supporting consistently Turkey’s EU ambitions include Sweden, Italy and Spain.

While not rejecting such a prospect out of hand, France, along with Austria, has pledged to hold a referendum on Turkey’s EU accession. German Chancellor Merkel has also talked about a possible privileged partnership for Turkey rather than full membership.

**Solomon Islands**

*(Question No. 5423)*

Mr McClelland asked the Minister for Foreign Affairs, in writing, on 14 February 2007:

(1) Is he aware of the report in the *Sydney Morning Herald* of 10 February 2007, which stated that the Australian-led Regional Assistance Mission to Solomon Islands is close to breakdown; if so, is the report correct; and if so, what is the most recent report on this matter from the Solomon Islands.

(2) What is the current state of relations between the Solomon Islands and Australia.

(3) Has he established a precedent in Australian diplomatic relations by paying for the publication of an open letter to the people of the Solomon Islands in that country’s media; if not, on what previous occasions was such action taken.

(4) In respect of the open letter referred to in Part (3), (a) what was the wording, (b) in which publication or publications was it published and (c) what was the cost of publication.

(5) Did he, or his department, consult with any member nation of the South Pacific Forum prior to publishing the open letter; if so, (a) with which nations was the matter discussed and (b) what advice was received.

(6) What has been the response of the Solomon Islands people to the open letter.

Mr Downer—The answer to the honourable member’s question is as follows:

(1) Yes I am aware of the report. RAMSI continues to do very good work in maintaining security in Solomon Islands and in helping to equip Solomon Islands overcome the many difficulties the country faces. The political environment is challenging, but the Australian Government is working hard to keep RAMSI in place and effective.

(2) Australia remains committed to Solomon Islands through both RAMSI and bilaterally. We continue to look for ways to engage with the Solomon Islands Government (SIG) in order to deal effectively with issues as they arise, and have urged the SIG to provide an opportunity for our High Commissioner to present his Letter of Introduction, to enable him to carry out his duties.

(3) The High Commission in Honiara took the decision to buy space to ensure the letter was printed in full. I understand this is the first time that space has been bought for such a purpose in Solomon Islands newspapers.

(4) (a) See Attachment A for copy of my letter to the people of Solomon Islands.

(b) The letter was published in the Solomon Star, Island Sun, and the National Express newspapers.

(c) Total cost was SBD12,003 (approximately AUD 2265.00) for publication in the three newspapers.

(5) RAMSI contributing countries were briefed on the letter on the day of publication.

(6) It is difficult to gauge public reaction. However, the editorial in the Solomon Star on 9 February 2007 highlighted the need for Solomon Islands and in particular Prime Minister Sogavare, to mend the relationship with Australia.

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MAIN COMMITTEE QUESTIONS IN WRITING
Attachment A

A Letter to the People of Solomon Islands

From the Hon. Alexander Downer
Minister for Foreign Affairs, Australia

I have taken the step of writing directly to you, the people of Solomon Islands, because I believe you have a right to know the plain facts of what is happening in the relationship between my country and yours, and in particular the current attempts being made to undermine Australia and the Pacific region’s efforts to help you through the Regional Assistance Mission to Solomon Islands (RAMSI).

It would seem that Solomon Islands is once again at a cross roads. At such a crucial time in your country’s history, I feel it is important that the people of Solomon Islands have access to accurate information about the views of Australia, your friend and neighbour, who has been working so closely with you these past years, especially through our leadership of RAMSI.

I know - because you have told me - that the majority of you appreciate very much this partnership and what we have managed to achieve together in the past four years. Solomon Islands is a very different place now than it was prior to RAMSI’s arrival. I also know each and every one of you remembers only too well the fear and intimidation, the breakdown in basic services, the closure of hospitals, schools and medical clinics, the hopelessness that took over so many of your lives.

 Australians and indeed your regional neighbours who make up RAMSI remain committed to working with you to prevent a return to those bad old days; we remain committed to keeping RAMSI in place, so that Solomon Islands can continue to move forward.

Sadly there seems to be a deliberate push to undermine RAMSI, to tarnish its reputation, and make it hard for it to continue its work. For instance, personnel are finding it difficult to enter the country and take up their positions in RAMSI, and for their families to stay in Solomon Islands with them. At the same time, the Solomon Islands Government has spoken about removing the legal protection which allows RAMSI personnel to undertake their work efficiently and independently.

There has also been an insulting attempt to smear RAMSI with the allegation that prostitution was being allowed on RAMSI premises. No evidence was ever produced to justify this shameful allegation.

More recently the outrageous allegation was made in a Solomon Islands court that Australia was behind an alleged plot to assassinate your Prime Minister. Not only is this not true, it is a grave insult to the people and government of Australia.

It would appear that you, the people of Solomon Islands, are currently facing two very important decisions: 1. Whether RAMSI and its partnership with you is to continue and 2. Whether certain units of the Solomon Islands Police Force (SIPF) should be re-armed.

Moves by the government to re-arm the SIPF are of very great concern. RAMSI has acknowledged that the SIPF will need to use some arms in the future. But despite what has been achieved so far in building the capacity of the SIPF, it is clear that it is too early yet for such a sensitive step.

It appears most Solomon Islanders agree. I understand a recent newspaper poll found that 95 per cent of the many asked were opposed to re-arming. The RAMSI Special Coordinator believes, and we support his judgement, that it would be against RAMSI’s mandate to support re-arming in the face of such strong concerns from the people of Solomon Islands.

The security of the Solomon Islands Prime Minister is, of course, a very serious matter. RAMSI provided armed close personal protection to Prime Minister Sogavare until he – not RAMSI – asked for this protection to be removed in late 2006. RAMSI remains ready and willing to assist in meeting the Prime Minister’s security needs.

Australia has also been watching with some concern as government institutions in Solomon Islands, designed to ensure the government and people are accountable for their actions, have been undermined.
The government dismissed the Attorney General, a Solomon Islander, and replaced him with a man wanted in Australia on child-sex charges. Late last year, the Solicitor General, a RAMSI deployee, was forced to leave after being personally threatened. Without giving any reason, the government then banned the Police Commissioner, Shane Castles, from the country.

Despite all of this, Australia has attempted to move ahead on the bilateral relationship. We have welcomed to Australia a new Solomon Islands High Commissioner, His Excellency Victor Ngele. We have also appointed a new High Commissioner to Solomon Islands, Peter Hooton, who is keen to advance our shared interests. Unfortunately, the Solomon Islands Government has now cancelled two appointments for Mr Hooton to present his letter of introduction, thereby preventing him from carrying out his legitimate duties as Australia’s representative to Solomon Islands.

Australia has been accused of not respecting the sovereignty of Solomon Islands. In fact the whole reason for RAMSI’s existence has been to support and strengthen that sovereignty. Before RAMSI, Solomon Islands’ sovereignty had been seized, at the point of a gun, by bands of thugs and criminals. Since then, RAMSI has been working very hard to ensure that the people of Solomon Islands can live their lives in peace and security. We have helped Solomon Islands to build institutions capable of delivering essential services, such as health and education, to the people. These are the basic building blocks of sovereignty.

Sovereignty, of course, entails responsibility. Leaders are responsible for ensuring they work for the benefit of their people and for listening to and respecting their people’s wishes - this is particularly relevant to the re-arming debate. It is also important that governments play a constructive role in ensuring social and ethnic harmony.

Australia wants to continue to help Solomon Islands face the challenges of your nation’s future. But we are finding this increasingly difficult due to the obstacles being placed in our path. The coming weeks and months will be a critical time. The decisions that your country is currently considering – on RAMSI and the question of re-introducing guns to the police – will lay the foundations for the future. I urge Solomon Islanders to consider these issues very carefully, and to go out of your way to encourage your leaders to listen to you, their people, and make wise decisions for the future of your country.

God Bless Solomon Islands