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SITTING DAYS—2007

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- **ADELAIDE**: 972 AM
- **PERTH**: 585 AM
- **HOBART**: 747 AM
- **NORTHERN TASMANIA**: 92.5 FM
- **DARWIN**: 102.5 FM
FORTY-FIRST PARLIAMENT
FIRST SESSION—TENTH 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

Printed by authority of the House of Representatives
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### PARTY ABBREVIATIONS

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

### Heads of Parliamentary Departments

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

Prime Minister
Minister for Transport and Regional Services and Deputy Prime Minister
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

The Hon. John Winston Howard MP
The Hon. Mark Anthony James Vaile MP
The Hon. Peter Howard Costello MP
The Hon. Warren Errol Truss MP
The Hon. Dr Brendan John Nelson MP
The Hon. Alexander John Gosse Downer MP
The Hon. Anthony John Abbott MP
The Hon. Philip Maxwell Ruddock MP
Senator the Hon. Nicholas Hugh Minchin
The Hon. Peter John McGauran MP
The Hon. Kevin James Andrews MP
The Hon. Julie Isabel Bishop MP
The Hon. Malcolm Thomas Brough MP
The Hon. Ian Elgin Macfarlane MP
The Hon. Joseph Benedict Hockey MP
Senator the Hon. Helen Lloyd Coonan
The Hon. Malcolm Bligh Turnbull MP
Senator the Hon. Christopher Martin Ellison

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SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition, Shadow Minister for Employment and Industrial Relations and Shadow Minister for Social Inclusion
Leader of the Opposition in the Senate and Shadow Minister for National Development, Resources and Energy
Deputy Leader of the Opposition in the Senate and Shadow Minister for Communications and Information Technology
Shadow Minister for Infrastructure and Water and Manager of Opposition Business in the House
Shadow Minister for Homelands Security, Shadow Minister for Justice and Customs and Shadow Minister for Territories
Shadow Assistant Treasurer and Shadow Minister for Revenue and Competition Policy
Shadow Minister for Immigration, Integration and Citizenship
Shadow Minister for Industry and Shadow Minister for Innovation, Science and Research
Shadow Minister for Trade and Shadow Minister for Regional Development
Shadow Minister for Service Economy, Small Business and Independent Contractors
Shadow Minister for Multicultural Affairs, Shadow Minister for Urban Development and Shadow Minister for Consumer Affairs
Shadow Minister for Transport, Roads and Tourism
Shadow Minister for Defence
Shadow Minister for Climate Change, Environment and Heritage and Shadow Minister for the Arts
Shadow Minister for Veterans’ Affairs, Shadow Minister for Defence Science and Personnel and Shadow Special Minister of State
Shadow Attorney-General and Manager of Opposition Business in the Senate
Shadow Minister for Sport and Recreation, Shadow Minister for Health Promotion and Shadow Minister for Local Government
Shadow Minister for Families and Community Services and Shadow Minister for Indigenous Affairs and Reconciliation
Shadow Minister for Foreign Affairs
Shadow Minister for Ageing, Disabilities and Careers

Kevin Michael Rudd MP
Julia Eileen Gillard MP
Senator Christopher Vaughan Evans
Senator Stephen Michael Conroy
Anthony Norman Albanese MP
The Hon. Archibald Ronald Bevis MP
Christopher Eyles Bowen MP
Anthony Stephen Burke MP
Senator Kim John Carr
The Hon. Simon Findlay Crean MP
Craig Anthony Emerson MP
Laurence Donald Thomas Ferguson MP
Martin John Ferguson MP
Joel Andrew Fitzgibbon MP
Peter Robert Garrett MP
Alan Peter Griffin MP
Senator Joseph William Ludwig
Senator Kate Alexandra Lundy
Jennifer Louise Macklin MP
Robert Bruce McClelland MP
Senator Jan Elizabeth McLucas

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Shadow Minister for Federal/State Relations, Shadow Minister for International Development Assistance and Deputy Manager of Opposition Business in the House
Robert Francis McMullan MP

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
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Thursday, 20 September 2007

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

CROSS-BORDER INSOLVENCY BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Pearce.

Bill read a first time.

Second Reading

Mr PEARCE (Aston—Parliamentary Secretary to the Treasurer) (9.01 am)—I move:

That this bill be now read a second time.

The Cross-Border Insolvency Bill 2007 gives effect to the model law on cross-border insolvency adopted by the United Nations Commission on International Trade Law. Adoption of the model law will improve the efficiency and effectiveness with which Australia’s laws deal with cross-border insolvency.

‘Cross-border insolvency’ is a term used to describe the circumstances in which an insolvent debtor has assets or creditors in more than one country. Many businesses have interests stretching beyond their home jurisdictions. Firms are increasingly organising their activities on a global scale. With the advent of sophisticated communications and information technology, cross-border trade is no longer the exclusive preserve of large multinational corporations.

With businesses increasingly having assets, creditors and employees in a number of countries, it is important that laws are in place to deal with the circumstances that arise when such businesses fail. The bill provides for cooperation and coordination between courts with respect to insolvency proceedings that may occur in several countries simultaneously with respect to a debtor.

Debtors with assets or creditors in more than one jurisdiction may not necessarily be incorporated. It can be equally important for cooperation and coordination to occur between jurisdictions with respect to individual debtors as it is for corporate debtors. Accordingly, the bill will also apply the model law to cross-border bankruptcy proceedings.

The bill delivers three key reforms. First, it will ensure that there is no discrimination between foreign and domestic creditors in Australian insolvency proceedings. Second, where there is a foreign insolvency proceeding involving assets in Australia, it will provide the foreign administrator with direct access to assistance from Australian courts. And, third, where there is a foreign insolvency proceeding and a local insolvency proceeding, it will provide for the courts to cooperate with the goals of maximising the value of the debtor’s worldwide assets, protecting the rights of debtors and creditors and furthering the just administration of the proceedings.

The bill will also align Australian law dealing with cross-border insolvency with that of our major trading partners, many of which have already adopted the model law on cross-border insolvency. These include Japan, the United Kingdom and the United States.

In conclusion, I note that the current bill has been developed after extensive consultation. The government appreciates the assistance of the members of the Insolvency Law Advisory Group and the Insolvency Practitioners Association of Australia in the preparation of the bill. I commend the bill to the House.

Debate (on motion by Mr Edwards) adjourned.
TRADEX SCHEME AMENDMENT BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Ian Macfarlane.

Bill read a first time.

Second Reading

Mr IAN MACFARLANE (Groom—Minister for Industry, Tourism and Resources) (9.05 am)—I move:

That this bill be now read a second time.

This bill will decouple the Tradex Scheme from the requirements of the customs drawback provisions and will simplify the administration of the scheme.

The Tradex Scheme was a key initiative in the government’s Investing for growth industry statement. It was introduced to provide a streamlined program for providing relief to businesses paying customs duty and GST on imported products that were to be re-exported or incorporated into other goods that were to be exported.

Decoupling the Tradex and drawback programs will enable the Tradex Scheme to remain consistent with the customs drawback provisions without being dependent on them. Both programs are designed to ensure customs tariffs are not paid on goods that are imported and subsequently exported, and that they are not inappropriately used or consumed while in Australia. This is consistent with the international taxation principle that duty should apply in the country of consumption.

The essential difference between the two programs is that, under the drawback provisions, duty is paid on importation and then is subsequently returned on exportation. Under the Tradex Scheme, duty exemption is provided up-front and only becomes payable if the goods are not exported or are used or consumed inappropriately while in Australia.

The separation of the legislation for the two programs should enable both programs to be better tailored to meet the particular demands of its customer base. Wherever possible, the elements of the drawback provisions will be adapted for incorporation into the Tradex regulations.

The other amendments contained in this bill are aimed at enhancing the administration of the Tradex Scheme and will further reduce the regulatory burden on industry. The Tradex Scheme will continue to provide real benefits to Australian industry and improve our international competitiveness as a trading nation. I commend the bill to the House.

Debate (on motion by Mr Edwards) adjourned.

FAMILIES, COMMUNITY SERVICES AND INDIGENOUS AFFAIRS AND OTHER LEGISLATION AMENDMENT (EMERGENCY RESPONSE CONSOLIDATION) BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Brough.

Bill read a first time.

Second Reading

Mr BROUGHS (Longman—Minister for Families, Community Services and Indigenous Affairs and Minister Assisting the Prime Minister for Indigenous Affairs) (9.08 am)—I move:

That this bill be now read a second time.

This bill introduces amendments to consolidate the government’s major legislation responding to the national emergency confronting the abuse of Aboriginal children in the Northern Territory.

Before outlining the details of the bill, this is an opportunity to provide an update on progress, report on some of the issues that
have emerged and outline some important developments to do with land tenure and engagement with Aboriginal people.

I have just left a meeting with Major General Dave Chalmers, who is overseeing the operation of this intervention. At the conclusion of this speech, I will be chairing a ministerial task force meeting with my colleagues to ensure the implementation of this legislation is carried out to the full.

Of course, we all would like everything in place as of yesterday, but there is a level of complexity that requires care and time, and local people have to be engaged in the process.

The Northern Territory Emergency Response Taskforce is in place, fully staffed and working well under the leadership of Dr Sue Gordon and Major General Dave Chalmers.

All 73 communities that were identified have been visited by departmental survey teams. Fifteen government business managers have been deployed, and more are on their way. Over 2,000 children have received health checks, and arrangements are in place to follow up on the results of those checks.

The process of quarantining welfare payments in the first four communities has been completed. Over 20 people previously on CDEP at Imanpa and Finke have now converted into real jobs in health care, child care, night patrols and municipal services.

Last weekend, the alcohol and pornography bans came into effect.

The government has just announced a further $740 million in additional funding for policing, health, education, employment and housing, bringing the total emergency response so far to $1.33 billion over four years. This clearly demonstrates that the government is here for the long haul to once and for all rid the Territory of the abuse, the neglect and the despair that have plagued it.

But this is not just about spending more money. We are requiring better results on the ground. It is about a radical overhaul of the way we do business. It is about better value for money, and stronger and more positive outcomes.

The response received from the public and people on the ground has been overwhelmingly supportive. Of course, there are issues where people differ in their views, but communication tends to solve most of these problems. Some people still argue about the permit system, even though it only applies to about 0.02 per cent of Aboriginal land in the Northern Territory. But, over time, I expect some of the critics to see the long-term benefits that will be achieved by this very important measure.

Some have expressed concern about the five-year leases of townships. Some, for mischievous reasons, have called it a ‘land grab’. Even the Leader of the Opposition says that he understands the relevance of this particular measure to the prevention of child abuse and he supports our approach.

Since announcing the emergency intervention, more fundamental land reform measures have occurred. The people at Nguiu in the Tiwi Islands have signed a 99-year headlease so that they can enjoy greater economic benefits for their town, and local residents finally have the opportunity to realise what we all take for granted—our capacity to own our own home where we live. The people in the town camps at Julalikari have agreed to negotiate a 99-year sublease in return for a major new investment in housing and infrastructure by the Australian government. That is at town camps just outside of Tennant Creek. Another important model that has emerged recently in the Northern Territory will be outlined later.
The tide is turning. The landscape is changing for the better.

One of the difficulties we have faced in implementation in the early days has been a pushback from people with vested interests who want to maintain the status quo—people who are employees in some of these communities, often not Indigenous people, and people who work for community service organisations that purport to represent the views of Aboriginal people in local communities. It is the people they are paid to serve who are our priority in government. We will not bow to these pressures. We want to involve local people and empower them.

Those who are trying to undermine the intervention have said it is a deliberate attempt to destroy Indigenous culture. The reverse is true. It is being destroyed now by dysfunction, alcohol, drugs and violence. Any culture would be destroyed under those circumstances. We want to empower the elders and allow the strength of Aboriginal culture to come to the fore—a living and vibrant culture engaging with the rest of world and respected by all.

Several weeks ago, I met with Galarrwuy Yunupingu, former Australian of the Year and an important law man in his local community and elsewhere in the Northern Territory. He had sent a message stick to the Australian government asking for a meeting. I responded to that message stick. We talked at length about the intervention and arrived at a meeting of minds. He, like other Aboriginal leaders in the Northern Territory, very much wants children protected and wants a much better future economically and socially for their people.

Mr Yunupingu supports the intervention in its efforts to protect children and create a better future for those children. His concerns were about how the five-year leases of town areas would operate and he wanted to ensure that the task force members and the government would be able to interact properly with local people in a culturally sensitive manner.

His preference is for long-term and more formal leases. The government has signed a memorandum of understanding with him which agrees to the negotiation of an innovative 99-year lease arrangement for his traditional lands. The MOU recognises that the traditional owners can hold a headlease over a town and surrounding areas, with a 99-year sublease over the town to be negotiated with government. This model will become another avenue for other traditional owner groups if they wish to pursue a new pathway.

The Australian government has also instructed government business managers and government agencies to work closely with local elders to make sure that our activities in the townships during the five-year emergency leasing period are fully understood and, most importantly, do not disturb sacred sites or other places of local significance.

Mr Yunupingu also raised the prospect of establishing a senior elders group in the Northern Territory. Respected and legitimate Aboriginal law men and women drawn from local communities across the Northern Territory emergency response could provide a valuable source of advice to the Northern Territory Emergency Response Taskforce, to me and to government. I know Mr Yunupingu is committed to establishing such an important group and I wish him well with this very important undertaking.

The government welcomes this initiative and commits to engaging with and taking advice from such a group, once formed. It is absolutely essential that the senior elders group be formed by local Aboriginal people themselves and not be just another construct of government or a group of government-funded service providers. Ideally, it would be a body that would, in its own way, be truly
representative of local Aboriginal elders in the Northern Territory. This will send the strongest possible message to Aboriginal youth, reinforcing the importance of Indigenous culture and most importantly, in my eyes, the respect for their elders.

On a final matter, Mr Yunupingu also told us that he is fiercely determined to realise the economic potential of Aboriginal land. This is an important discussion that needs to continue to occur and the Australian government is committed to this continuing discussion. Without economic development, there will be no jobs and no future for Aboriginal children. The traditional owners must be full participants in this process if we are to ensure the future sustainability of the regional and remote areas of the Northern Territory.

Returning to the details of this bill, the government’s recent legislation included prohibitions on the possession, control and supply in prescribed areas of pornographic material. This bill addresses a further area of concern about inappropriate material, raised by the Northern Territory government and, again most importantly, by Aboriginal people themselves.

Through amendments in this bill to the Broadcasting Services Act 1992, any subscription television narrowcasting service will be prohibited from providing programming that is rated R18+ to subscribers who receive the service in the prescribed areas. This arrangement will be consistent with the pornography amendments already made to the Classification (Publications, Films and Computer Games) Act 1995, including the sunset provision.

A further measure in the bill will make sure that, if a roadhouse effectively takes the place of a community store in a remote area, it is properly treated as a community store in having to meet the new licensing standards. Assuming the community substantially relies on the roadhouse for grocery items and drinks, the roadhouse should be part of the scheme applying to community stores. Otherwise, roadhouses will continue not to be regarded as community stores.

The legislation passed recently will have the effect of making the Commonwealth a landlord for the purposes of the Residential Tenancies Act in the Northern Territory.

The Residential Tenancies Act normally imposes requirements on a landlord about the state of repair of the premises in question.

However, the fact is that the Northern Territory government has not been enforcing these standards in these communities. Under the new legislation, the Commonwealth has become the landlord of what is often dilapidated housing stock. The Commonwealth simply cannot comply with the already in place Residential Tenancies Act obligations in the short term, although we are committed to bringing the quality of this housing to an acceptable standard as quickly as possible.

This bill now provides for the Residential Tenancies Act and the related tenancy act in the NT not to apply in the situations covered by the new lease arrangements.

I want to make it clear that this does not mean the Australian government is avoiding its responsibilities as a landlord. It is simply to allow the response to do its proper work in making the substantial and essential improvements already announced, and to avoid any mischievous application of the Residential Tenancies Act by the Northern Territory government.

The bill will amend the Defence Housing Australia Act 1987 to enable Defence Housing Australia (DHA) to assist with the construction of housing in remote Indigenous communities, subject to DHA being able to maintain its primary defence focus on meeting the needs of Australian Defence Force
personnel. While DHA’s functions are essentially limited to providing housing and housing related services for defence personnel, DHA has the expertise and construction market knowledge that would be required for assisting with an Indigenous construction program.

The bill also makes minor or technical refinements to the land related provisions in the previous legislation.

I commend the bill and the other measures I have described, aimed at protecting Aboriginal children in the Northern Territory and providing them with a much brighter future, to the House.

Debate (on motion by Mr Edwards) adjourned.

TAX LAWS AMENDMENT (TAXATION OF FINANCIAL ARRANGEMENTS) BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Dutton.

Bill read a first time.

Second Reading

Mr DUTTON (Dickson—Minister for Revenue and Assistant Treasurer) (9.21 am)—I move:

That this bill be now read a second time.

The Tax Laws Amendment (Taxation of Financial Arrangements) Bill 2007 introduces a comprehensive framework for the taxation of financial arrangements (TOFA). The objectives of the bill are to reduce tax induced distortions to investment and financing, to facilitate efficient risk management, and to reduce compliance and administration costs.

The bill will reduce tax distortions by generally ignoring the distinction between capital and revenue in tax law, and taxing financial arrangements on their economic substance rather than their legal form.

In order to align the tax treatment of economically similar financial arrangements, many financial arrangements will be taxed on an accruals basis.

The bill will facilitate efficient risk management by allowing for the alignment of character and tax timing of hedging arrangements, increasing the post-tax efficiency and effectiveness of hedging.

The bill will also reduce compliance and administration costs of Australian businesses by permitting closer alignment between tax and accounting outcomes on an elective basis, and reducing the complexity of accruals calculations. The bill contains a number of elections which allow eligible taxpayers to use results from their financial reports for tax purposes.

The provisions in the bill will apply on a mandatory basis to taxpayers with substantial economic resources and sophisticated financial systems.

Approved deposit-taking institutions, securitisation vehicles or financial entities must follow the new rules if their aggregated annual turnover is $20 million or more.

Taxpayers with an aggregated annual turnover of $100 million or more must comply with the rules. Other taxpayers may choose to apply the new rules.

Full details of the amendments are contained in the explanatory memorandum.

Debate (on motion by Mr Edwards) adjourned.

VETERANS’ ENTITLEMENTS AMENDMENT (DISABILITY, WAR WIDOW AND WAR WIDOWER PENSIONS) BILL 2007

First Reading

Bill and explanatory memorandum presented by Mr Billson.

Bill read a first time.
Second Reading

Mr BILLSON (Dunkley—Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence) (9.23 am)—I move:

That this bill be now read a second time.

I am pleased to present legislation that affirms the government’s ongoing commitment to Australia’s veteran community and assists veterans who have been disabled as a result of their service for our country and our war widows and war widowers.

The legislation increases payments to disability pensioners and war widows and war widower pensioners and changes the methodologies used to index their pensions. This bill will benefit more than 140,000 disability pensioners and approximately 114,000 war widows and war widowers, and ensure that their pensions retain their relative value and equity across the veteran community.

The amendments will provide for a one-off increase of $15 per fortnight to the extreme disablement adjustment rate; a five per cent increase to the general rate; and a change to the methodology used to index the general rate pension for veterans—all with effect from the March 2008 adjustment.

The bill also allows a one-off increase of $10 per fortnight to the former domestic allowance component of war widows and war widowers pensions, and amends the way it is indexed, also with effect from March 2008.

The legislation’s one-off increase to the EDA brings it into line with increases to the special rate and intermediate rate disability pensions introduced in the 2007 budget. Additionally, the bill provides a five per cent increase to general rate disability pensions, which will mean a fortnightly increase of $20 for all pensioners at or above the general rate. These amendments will ensure equity across all veterans’ disability pensions.

The legislation also changes the way the general rate pension is indexed, from indexation to the CPI alone, to indexation with reference to both the CPI and MTAWE—male total average weekly earnings—in the same manner used to calculate service pensions. And, unlike the current methodology, the new means of indexation will take into account the present economic environment of wages growth and low inflation to calculate the relative value of all disability pensions.

Currently there are two components in the calculations for special rate and intermediate rate disability pensions. The general rate provides compensation for non-economic loss or pain and suffering, while the above general rate provides compensation for economic loss. Compensation for non-economic loss is currently indexed to the CPI, while the economic loss component of disability pensions is indexed with reference to both the CPI and MTAWE.

While CPI indexation continues to be used to maintain the value of non-economic loss payments in major injury compensation schemes, some smaller schemes do feature wage related methods of indexation. In keeping with the government’s commitment to a ‘best practice’ and beneficial system of support for service related injuries, illnesses and impairment the non-economic loss component of disability pensions will also be indexed with reference to both CPI and MTAWE in the same manner as the service pension from March 2008.

The veteran community—particularly those veterans on the special rate disability pension—has argued strongly that these calculations are inequitable and should be changed. The government has worked closely with the veteran community on this matter and I am pleased to present a bill that introduces a uniform—and a more rational
and equitable—method of indexation for all disability pensions.

The legislation also ensures that war widows and war widowers will continue to receive equitable pension payments that will retain their relative value into the future. This bill provides a one-off fortnightly increase of $10 to the former domestic allowance component of war widows and war widowers pensions, taking it to $35 per fortnight. Furthermore, this component will be indexed for the first time, also with reference to both CPI and MTAWE.

The implementation of these enhancements is supported by a funding commitment of around $470 million from the March 2008 introduction and through the out years to 2011-12.

This bill continues the Howard government’s ongoing commitment to supporting Australia’s veteran community and will ensure ongoing fairness and value in the pensions for our disabled veterans and war widows and war widowers.

I would like to acknowledge, with my sincere thanks, the work of the Department of Veterans’ Affairs and the Office of Parliamentary Counsel, particularly the department staff—Caroline Spiers, Sean Farrelly, Leanne Kossatz, Jenni Stephenson, Mushtaq Butt and Jacqui Blackall. All have worked very hard with my own department staff to turn around the government decision and bring it to this stage where it can be put before the parliament as a proposed bill. I commend the bill to the House.

Debate (on motion by Mr Edwards) adjourned.

COMMITTEES
Public Works Committee
Approval of Work

Mr McGAURAN (Gippsland—Minister for Agriculture, Fisheries and Forestry) (9.29 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: RAAF Base Amberley redevelopment stage 3, Queensland.

RAAF Base Amberley is the largest operational Air Force base in Australia. The development will sustain Amberley’s growing base population and position it to better embrace the new aircraft platforms that are being introduced and are proposed for the future.

This third stage of redevelopment will include 14 project elements encompassing fuel farm works, training accommodation, medical and dental facilities, trainee living-in accommodation, combined messing facilities, physical fitness training facilities and office accommodation. The estimated outturn cost of the proposal is $331.5 million, plus GST.

In its report the Public Works Committee has recommended that these works proceed subject to the recommendations of the committee. The Department of Defence accepts and will implement those recommendations. Subject to parliamentary approval, construction will commence in early 2008 and finish by late 2011. On behalf of the government I would like to thank the committee for its support and I commend the motion to the House.

Question agreed to.
Mr McGAURAN (Gippsland—Minister for Agriculture, Fisheries and Forestry) (9.31 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: CSIRO collocation with Queensland Government on the Ecosciences and Health and Food Sciences precincts, Brisbane, Queensland.

The proposed knowledge based research business initiative will be a collaborative venture between the CSIRO and a number of Queensland government agencies at two key locations in south-east Queensland. These are: the Ecosciences Precinct at the Boggo Road Urban Village in Dutton Park and the Health and Food Sciences Precinct at Coopers Plains.

The Ecosciences Precinct will be a centre of excellence focusing on climate change adaptation, better managing Australia’s natural resources and environment, and growing Australia’s farming, mineral, forestry, marine and tourism industries so that they are competitive and sustainable. It will consist of laboratories, offices and appropriate support facilities, including staff interaction areas. The Ecosciences Precinct will also create one of the largest concentrations of scientists in their field in Australia. Similarly, the Health and Food Sciences Precinct will consist of laboratories and support facilities, as well as a pilot plant for the development of new food products.

The two precincts will foster increased sharing of skills, equipment and facilities. This will enable efficient and cost-effective research. They will collectively provide accommodation for 1,200 science professionals and support staff. The building designs will maximise opportunities for interaction between the partners, to provide flexibility in the use of space and to meet the changing needs of the research.

The cost of shared facilities will be attributed between the partners and the specific costs of any special facilities will be incurred by the individual agency. The estimated completion cost for the two developments is $375 million, of which the CSIRO component is estimated at $85 million.

In its report the Public Works Committee has recommended that this proposal should proceed subject to the recommendations of the committee. The CSIRO accepts and will implement those recommendations. Subject to parliamentary approval, it is anticipated that early packages will be let to allow site establishment works to commence in February next year for the Boggo Road site and main works to commence at the same time on the Coopers Plains site. On behalf of the government I wish to thank the committee for its support and I commend the motion to the House.

Question agreed to.

Mr McGAURAN (Gippsland—Minister for Agriculture, Fisheries and Forestry) (9.35 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: C-17 Heavy Airlift Infrastructure Project.

The C17 heavy airlift infrastructure project will deliver the necessary permanent facilities and airfield pavements to support C17 operations at its home base, RAAF Base Amberley, and expanded infrastructure at deployment bases, RAAF bases Edinburgh,
Darwin, Pearce and Townsville, to allow the large aircraft to operate effectively.

This project will allow the C17 aircraft to provide a new responsive global airlift capability that will significantly enhance the Australian Defence Force’s ability to support national and international operations as well as major disaster relief and rescue efforts. The estimated outturn cost of the proposal is $268.2 million plus GST.

In its report the Public Works Committee has recommended that these works should proceed subject to the recommendations of the committee. The Department of Defence accepts and will implement those recommendations. Subject to parliamentary approval, construction will commence in early 2008 and will be complete by 2011. On behalf of the government I wish to thank the committee for its support and I commend the motion to the House.

Question agreed to.

Intelligence and Security Committee Report

Mr JULL (Fadden) (9.36 am)—On behalf of the Parliamentary Joint Committee on Intelligence and Security I present the committee’s report on the inquiry into the proscription of terrorist organisations under the Australian Criminal Code.

Ordered that the report be made a parliamentary paper.

Legal and Constitutional Affairs Committee Report

Mr SLIPPER (Fisher) (9.36 am)—On behalf of the Standing Committee on Legal and Constitutional Affairs I present the report of the committee entitled Older people and the law, together with the minutes of proceedings.

Ordered that the report be made a parliamentary paper.

Mr SLIPPER—by leave—On 2 August 2006 the Attorney-General, the Hon. Philip Ruddock MP, asked the committee to investigate and report on the adequacy of current legislative regimes in addressing the legal needs of older Australians. In particular, the committee was asked to focus on fraud, financial abuse, general and enduring power of attorney provisions, family agreements, barriers to older Australians accessing legal services, and discrimination. The committee used the Australian Institute of Health and Welfare definition of ‘older people’ as those aged 65 years and over.

Older people have made an enormous contribution to Australian society in many ways and continue to do so. However, as ageing takes its toll, poor health leaves older people vulnerable to exploitation, abuse and neglect.

Australia faces an inescapable demographic destiny with regard to our ageing population. By 2046 it is estimated that over one-quarter of Australia’s population will be aged 65 years and over. The issue of how well Australia’s legal regimes address the needs of this older segment of the Australian population is, therefore, very important indeed. Evidence to the inquiry highlighted that many older people are unable to access legal services for a variety of reasons.

In response to this demographic challenge, the committee has made 48 recommendations in a range of areas including dispute resolution services, consumer protection measures, substitute decision making instruments, access to legal services, and family agreements. In particular, the committee recommends that the Australian government: work with the banking sector to develop national, industry-wide protocols for reporting alleged financial abuse, work with states and territories towards the implementation of uniform legislation on powers of attorney
and develop a national registration system for the instrument, and investigate ways to improve the access of older Australians to legal services through the use of a rebate scheme.

I would like to express my appreciation to the numerous service delivery and advocacy organisations that contributed to the inquiry. The committee was impressed to receive 157 submissions, 42 supplementary submissions and 168 exhibits. Public hearings were held in Canberra, Sydney, Melbourne, Hobart, Brisbane, Buderim, Perth and Adelaide. These hearings also provided the opportunity for the committee to hear first hand the views of older Australians at a number of public forums. The committee was impressed by the sincerity and thoughtfulness of the evidence it received.

I would like to take this opportunity to thank all members of the committee, both government and opposition, for their cooperative approach to this inquiry and to all of the inquiries we have had during the current parliament. All of our reports have been unanimous. On one report there was a slight expression of concern, but there was no dissent from the findings of the committee in that report.

I would also like to take this opportunity to thank the members of the secretariat—in particular, Ms Joanne Towner, Dr Nicholas Horne, Mr Michael Crawford, Dr Mark Rodrigues and other secretariat staff—for the way in which they were able to assist the committee in its deliberations and, given the time frame and the possibility of an election, for how they were able to expedite the tabling of the report, which has been presented to the parliament today.

If implemented, the initiatives recommended in the report will assist not only older people but also their families and carers and the rest of the community, who benefit from the wealth of experience and wisdom that older people have to offer. I am very pleased to commend the report to the House.

Mr MURPHY (Lowe) (9.41 am)—by leave—I would like to congratulate my friend and colleague the Hon. Peter Slipper, member for Fisher and Chair of the House of Representatives Standing Committee on Legal and Constitutional Affairs, on his management and leadership of this committee during this parliament. It was an unalloyed pleasure working with you, and on behalf of my Labor colleagues I particularly thank you for your bipartisan approach to the work of the committee over the past three years, which stands in stark contrast to your predecessor’s conduct during the 40th Parliament.

I also congratulate the committee secretary, Ms Joanne Towner; the inquiry secretary, Dr Nicholas Horne; the principal research officer, Dr Mark Rodrigues; and the staff of the legal and constitutional affairs committee secretariat for their tireless and cheerful service to the committee and the outstanding quality of their work. No parliamentary committee could wish for a better secretariat than the one that we have enjoyed during this parliament.

This inquiry, as the chairman mentioned, went for more than a year, and our report is very, very timely in our history with the challenges facing our nation in relation to the ageing population. It is sobering that within the next 40 years approximately a quarter of Australia’s population will be aged 65 years or more. This places a great demand on all of us in this place to make sure that we get the law right in a bipartisan way to ensure that we look after the frail and some of the most vulnerable members of our community, the elderly.

As the chairman said, our committee received submissions from a broad cross-
section of interested groups and individuals and the committee travelled right around Australia, taking a wide and diverse range of evidence from some very good witnesses. The exhaustive work of the committee is a monument indeed to both the chairman’s and the secretariat’s level of endurance. I was not able to go right around Australia but I did manage to get to Perth, and that was certainly a great experience. Well done to the committee.

I support what the chairman has said in relation to those 48 amendments. I would particularly like to highlight something from my experience of hearing evidence in Perth in relation to retirement villages. I would like to draw the attention of those interested in this report to chapter 7 and to highlight the issues that came out of retirement villages, namely the complex nature of contracts, fees and charges, misleading advertising and the lack of low-cost and speedy dispute resolution mechanisms. I would also like to highlight the recommendation that the ‘simplification and standardisation of retirement village contracts could assist older people to make better informed decisions about their accommodation options’. I will not go into detail but I draw attention to one witness, Mr Robert Boyne, who appeared before us. His comments at paragraph 7.17 on page 208 of the report really highlight just how complex those contracts can be and how difficult it is for some of the residents to understand them.

But, in concluding, it was a great inquiry. Thanks once again to you, Peter, for the very great bipartisan way you conducted yourself on this inquiry, as you have over the last three years with this committee. It has been a pleasure to work with you.

Mr SLIPPER (Fisher) (9.46 am)—I move:

That the House take note of the report.

The DEPUTY SPEAKER (Mr Jenkins)—The debate is adjourned and the resumption of the debate will be made an order of the day for the next sitting.

Report: Referral to Main Committee

Mr SLIPPER (Fisher) (9.46 am)—I move:

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

Question agreed to.

NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS) BILL 2007

Referred to Main Committee

Mr BARTLETT (Macquarie) (9.47 am)—I move:

That the bill be referred to the Main Committee for further consideration.

Question agreed to.

COMMITTEES

Publications Committee

Report

Mrs DRAPER (Makin) (9.47 am)—On behalf of the Publications Committee, I present the committee’s report entitled Printing standards for documents presented to parliament, together with the minutes of proceedings.

Ordered that the report be made a parliamentary paper.

Mrs DRAPER—by leave—Firstly, I would like to acknowledge and thank my colleagues on the committee for their worthy contributions and efforts in compiling this report: the current and former chairs of the Senate Publications Committee, Senator Julian McGauran and Senator Guy Barnett; and the deputy chair of the House Publications Committee, the honourable member for Lyons. Can I take this opportunity to thank the member for Lyons for his years of experience in this place in assisting the com-
committee and assisting me as chair—Dick, you did a tremendous job; thank you very much. Thank you also to our committee members, the honourable members for Braddon, Isaacs, Werriwa, Riverina—Kay Hull, who assisted the committee no end with attention to detail—and the member for Ryan; Senators Fisher, Hurley, Marshall, Nash, Sterle and Wortley; and former committee members Senators Campbell, Johnston and Polley.

Mr Deputy Speaker, as you are aware, many thousands of documents are presented to the parliament each year. Most are required to be tabled by law, to assist the parliament with its legislative and oversight functions and to contribute to effective and accountable governance. These documents include the annual reports of all government agencies, reports of royal commissions and other government inquiries, parliamentary committee reports and a wide variety of other material. One of the responsibilities of the Joint Committee on Publications is to issue printing standards for documents presented to parliament. These standards ensure that all documents, particularly those selected for inclusion in the parliamentary papers series, conform to certain requirements. The current standards have been effective in ensuring that documents presented to parliament conform to the requirements of the parliamentary papers series with minimal additional cost to author bodies. However, developments in printing technology, the needs of a wider audience and alternative means of accessing documents have all made it appropriate to re-examine the standards.

One of the most significant issues investigated was the use of colour printing. A number of arguments were put to the committee that supported the view that the standards should be revised to allow for more flexibility. Such arguments included the evolving purpose of annual reports; the use of graphs, illustrations and diagrams; web publishing issues; and design matters. The committee is sympathetic to the wish to include more colour in documents that have an audience beyond the parliament, particularly where such bodies are in direct competition with private enterprise. In the past, the committee’s reluctance to allow the use of full colour in documents has been due to the additional cost involved. In its present inquiry, however, the committee found that technological advances have made full-colour printing with a white border nearly as cost-effective as two-colour printing. The exception is colour that bleeds to the edge of the page. Colour bleeding results in a significant cost increase and represents an inefficient use of government funds. The committee has therefore recommended that colour bleeding be avoided in all documents presented to parliament. In light of the numerous valid reasons for allowing greater flexibility in the use of colour, and technological advances in recent years, the committee has issued revised standards, effective from 1 January 2008, which will provide government bodies with increased flexibility in the use of colour in certain circumstances.

It should be noted, however, that the committee expects government bodies to continue to achieve value for money in the production of their documents and maintains that for most annual reports black plus one colour is sufficient for text. In determining whether to use additional colours, author bodies should carefully consider the purpose and audience of the document. They should also weigh the additional costs involved with colour printing against the expected benefits. The report also deals with several other issues, including possible sanctions for non-compliance with the standards, potential cost-saving measures, improved communication with print providers, better training for print procurement officers and environmental issues.
In conclusion, I would like to thank all those who made submissions to the inquiry and particularly the 20 witnesses who appeared before the committee at its very successful roundtable discussion. I would also like to acknowledge the work of the committee secretariat, including the Secretary of the House of Representatives Standing Committee on Publications, Mr Jason Sherd, who is currently on paternity leave; the Secretary of the Senate Standing Committee on Publications, Ms Naomie Kaub; and inquiry secretaries Ms Peggy Danaee and Mr Andrew McGowan. I commend this report to the House.

Mr ADAMS (Lyons) (9.53 am)—by leave—I am pleased to support the tabling of the report, Printing standards for documents presented to parliament, from the inquiry into printing standards for documents presented to parliament by the Joint Committee on Publications. I would like to thank the chair, Trish Draper, for her work on this report and for having chaired the committee throughout the year. It has been a pleasure to work with her and I wish her well in her future life. I also thank my colleagues on the committee and the committee secretariat. This small committee has done a lot of work during its term.

The standards that we set will ensure that all documents conform to certain requirements, including production quality and value for money, use of colour and illustrations, paper size and type, covers and binding and the number of printed copies required. Developments in technology and the ability to access documents by alternative means were reasons why it was considered appropriate to re-examine the standards. In light of the evolving needs of author bodies it is important to achieve flexibility and at the same time ensure that the government achieves value for money.

This report considered the existing printing standards and, in particular, looked at the necessity of using colour and illustrations, the cost of producing documents and whether value for money is being obtained. It also investigated the feasibility of sanctions against organisations that do not follow printing standards.

The committee in March 2007 resolved to undertake the inquiry and in April 2007 issued a discussion paper. Details of the inquiry were published in both the Australian and the Bulletin. Submissions were received from nine departments and organisations. They are listed in appendix A of the report. On 18 June this year a roundtable discussion was held in Canberra with representatives from 12 groups representing both government and industry. They are listed in appendix B of the report.

The use of colour was the main finding. Considering the evolving purpose of documents, the need for flexibility was considered. While parliament is the primary consideration when designing and publishing documents, a number of agencies use their publications for marketing and to communicate with an audience external to the parliament. This has been a recent development. With this in mind and considering other issues such as evidence indicating significant reductions in the cost of colour printing, the committee has issued revised standards that permit the use of full colour if necessary. However, design elements of documents should not result in the colours bleeding to the edge of the page as this process results in significantly increased costs. Covers for reports may continue to be printed in full colour. For most reports it is considered that black plus one colour is sufficient for the text. Illustrations may be included in reports as long as they add value to the understanding of the text.
Value for money was another main finding. The committee considers that there is still some scope for identifying further cost savings. It is recommended that agencies review their demand for hard copies, particularly at a time when electronic copies can be made available. It is also recommended that agencies review the length of their reports and their submission deadlines. A review of internal processes such as deadlines and approval processes is recommended in order to reduce costs. Unrealistic deadlines and approval processes often result in late changes to proofs and design work or late submission of copy. This can add significantly to the cost of printing jobs. The committee recommends that there is early consultation in developing a document prior to entering into a contract and that advice is received regarding cost prior to finalising design work. These measures, along with ensuring timely electronic access to documents and providing information sessions for the staff in government bodies who are responsible for procuring printing services, should ensure that value for money is achieved in the procurement of printing and publishing services.

In regard to compliance, the committee recommends full compliance with the guidelines in the revised standards contained in appendix D of the report. The report recommends that compliance continues to be the responsibility of government agencies, authorities and companies. Currently there are no sanctions if the standards are not adhered to; however, if compliance is not demonstrated, the reprinting cost of any document will be the responsibility of the author body, if the document is to be included in the Parliamentary Paper Series. The introduction of sanctions for noncompliance was considered once again in this inquiry but the introduction of additional sanctions was not supported by the evidence received by the committee.

It is not considered that exemptions should be a part of the standards as they may result in an administrative burden for the committee and they are not effective in ensuring compliance. The committee favours steps to improve agencies’ awareness of the standards, possibly through additional roundtable discussions. The usefulness of the roundtable discussion is one of the main findings of the committee’s inquiry. Such forums have the potential to become a key tool in improving government bodies’ understanding of, and compliance with, the standards. Improvement in the printing industry with future roundtable discussions will also improve the understanding of the printing process by print procurement officers, which will ensure better value for money is achieved by government bodies.

In conclusion, the committee is confident that compliance with the standards will increase, particularly given that the revised standards will allow agencies more flexibility in meeting their evolving needs.

The DEPUTY SPEAKER (Mr Jenkins)—Order! Whilst it is improper for the chair to make any comment on the report, this occupier of the chair, as the Chair of the House of Representatives Standing Committee on Publications in the 35th parliament nearly 20 years ago, understands the unheralded work of the Publications Committee and understands the unrewarded nature of the work of the chair and the deputy chair and wishes to congratulate the committee’s work in the 41st parliament.

Publications Committee Report

Mrs DRAPER (Makin) (10.00 am)—Thank you, Mr Deputy Speaker, for your very kind remarks. I present the report from the Publications Committee sitting in conference with the Publications Committee of the
Senate. Copies of the report are being placed on the Table.


Treaties Committee Report

Dr SOUTHCOTT (Boothby) (10.01 am)—On behalf of the Joint Standing Committee on Treaties I present the committee’s report entitled Report 89: treaties tabled on 7 August 2007.

Ordered that the report be made a parliamentary paper.

Dr SOUTHCOTT—by leave—Report 89 contains the committee’s findings on three treaty actions: a social security agreement with Japan, an agreement with the Philippines on the status of visiting forces and an agreement between Australia and the Hellenic Republic on social security. The committee found all three treaties to be in Australia’s national interest and has recommended that binding treaty action be taken.

The social security agreement between Australia and Japan will improve access to the age pension for people who have moved between Australia and Japan during their working life. Currently, Australian citizens who have worked in Japan and paid contributions into the Japanese pension system are only eligible for a refund of their contribution of up to three years. In other words, if you work in Japan and make contributions for 25 years, you would be eligible only for a limited refund of up to three years. Under the new agreement, Australian citizens will be given a choice of either taking the three-year refund or accepting a part-pension based on their years of contribution or a combination of both. This agreement is based on the principle that underpins Australia’s other bilateral social security agreements, namely the sharing of responsibility between the parties in providing adequate social security coverage for residents of both countries.

The committee also reviewed the status of the visiting forces agreement with the Philippines, a reciprocal document affording the same rights to Australian Defence Force personnel in the Philippines and armed forces of the Philippines personnel in Australia. The committee is supportive of increased defence cooperation with the Philippines, particularly in the areas of counterterrorism and maritime security contemplated by the agreement. The agreement will allow Australia and the Philippines to undertake joint exercises and provide an internationally recognised means to resolve any disputes that may arise from the presence of one country’s forces in the territory of the other.

The third treaty reviewed by the committee in this report, the social security agreement with the Hellenic Republic, will improve income support for people who have lived in Australia and Greece. Similar to the agreement with Japan, the agreement with Greece allows age pensioners who live in either country to claim their entitlement to pensions from both countries. The committee tabled its recommendations in relation to this agreement in Report 88 to allow implementation to proceed quickly. The agreement with Greece incorporates the key principle of shared responsibility for providing social security coverage for current and former residents of both countries. It should be noted, however, that the agreement has a unique formula for calculating the rate of the Australian age pension for those who live permanently in Greece. For the first time, many former Australian residents already living permanently in Greece will be able to claim the age pension upon commencement of the agreement. Under this formula, people currently residing in Greece without a pension may receive a different rate from those who return to Greece after the agreement commences operation. A formula such as this has
not been used in any of Australia’s other bilateral social security agreements.

Finally, Report 89 also includes the committee’s decisions on the first treaties tabled in a new category, category 3. Category 3 treaties were established recently by the committee in cooperation with the government. They are non-substantive treaty actions—mainly minor and technical amendments to existing treaties—which do not impact significantly on the national interest. Category 3 treaty actions are tabled with a one-page explanatory statement and the committee has the discretion to formally inquire into these treaty actions or indicate its acceptance of them without a formal inquiry and report.

Report 89 lists, in appendix E, five category 3 treaty actions that the committee has resolved not to formally inquire into. The committee intends to continue to notify the parliament of its decisions on category 3 treaties in appendices to its future reports and through the committee’s website.

The committee supports the social security agreement with Japan, the status of the visiting forces agreement with the Philippines and the social security agreement with the Hellenic Republic. The committee recommends binding treaty action be taken in relation to all three agreements as quickly as possibly so that Australians who may access the provisions of the agreements once they have entered into force will have the opportunity to do so without delay.

I would like to thank all members of the Joint Standing Committee on Treaties, two of whom are here today—the member for Lyons and the member for Swan. During the last three years of this parliament there has always been a lot of work for the Treaties Committee. We have a regular number of treaties to inquire into. I would also like to particularly thank all members of the committee secretariat. They have been fantastic in the back-up they have given all members of the treaties committee. I would particularly like to thank the committee secretary, James Rees.

I commend the report to the House.

Mr WILKIE (Swan) (10.07 am)—by leave—Report 89 of the Joint Standing Committee on Treaties deals with three treaties: a social security agreement with Japan, an agreement with the Philippines on the status of visiting forces and an agreement between Australia and the Hellenic Republic on social security. I will comment briefly on each.

Australia already has social security agreements in place with 18 other countries. These are important agreements. As the chair of the committee has just stated, all are based on the principle of shared responsibility, which requires parties to provide adequate social security coverage for residents of both countries. The two social security agreements reviewed by the committee in this report also incorporate this principle.

The social security agreement between Australia and Japan will improve access to the age pension for people who have moved between Australia and Japan during their working life. The Department of Families, Community Services and Indigenous Affairs estimates that approximately 1,050 people residing in Australia and Japan will benefit when the agreement comes into force, in the first full year, by being able to claim payments from Australia and Japan to which they currently do not have access. Under the agreement, Australia will treat residents of Japan as Australian residents for the purposes of claiming and qualifying for an Australian pension. Periods of coverage in Japan will count as periods of residence in Australia.
The social security agreement with the Hellenic Republic will improve income support for people who have lived in Australia and Greece, allowing age pensioners who live in either country to claim a pension from either Australia or Greece. As honourable members will be aware, the Greek presence in Australia is large. In March 2007, the Australian government was paying the age pension to almost 57,000 Greek-born pensioners. As at 26 June 2007, there were more than 5,700 Australian residents of Greece, not necessarily Greek-born, receiving the Australian age pension. It is estimated that approximately 50,000 people residing in Australia and Greece will benefit under this agreement by being able to claim payments from Australia and Greece to which they currently do not have access.

For the first time, many former Australian residents already living permanently in Greece without the Australian age pension will be able to claim the age pension upon commencement of the agreement. The agreement will provide access to Australian and Greek retirement benefits and greater portability of these benefits between the two countries. Portability of benefits allows for the payment of a benefit from one country to another. Enhanced access to benefits is an underlying principle of bilateral social security agreements where the responsibility for providing benefits is shared. Under the agreement, residents of Australia and Greece will be able to move between Australia and Greece with the knowledge that their right to benefits is recognised in both countries.

Double coverage provisions are also included in the agreement to ensure that Australian and Greek employers do not need to make compulsory superannuation contributions into both countries’ systems when an employee is seconded to work in the other country temporarily. Under current arrangements, the employer would be required to make contributions under both Australian and Greek legislation. The agreement will provide that, generally, where compulsory contributions are required, the employer and the employee need to contribute only to the relevant superannuation scheme in their home country. At the same time, the agreement will mean many Greek-Australians living in Australia will be able to claim a Greek pension.

The committee also considered an agreement with the Philippines concerning the status of visiting forces. Under this agreement, Australian Defence Force personnel in the Philippines and armed forces of the Philippines personnel in Australia will be afforded the same rights. The agreement sets the legal framework, rights, responsibilities and procedures between the visiting forces and the host government on several matters, including what occurs in the event that a criminal act is committed by a member of the visiting force, the circumstances in which a uniform is worn, taxation and customs relief, environmental protection requirements, immigration procedures and liability issues. The agreement will not authorise either country to deploy troops or conduct operations in the other’s territory but will establish the status of such forces when Australia and the Philippines arrange to send and receive forces to the other country.

The committee has found all three of the treaties tabled on 7 August 2007 to be in Australia’s national interest and recommends that binding treaty action be taken. However, the committee tabled its recommendation in relation to the social security agreement with Greece in Report 88 to allow implementation to proceed as quickly as possible.

I also take this opportunity to thank James Rees and his staff in the secretariat for the magnificent work they have done for the committee over the last three years and prior
to that time as well. They really have done an outstanding job in getting these treaties processed and brought before the parliament. I also thank other members of the committee, in particular the chair, Andrew Southcott, the member for Boothby. We have had a great working relationship and I look forward to that continuing in the future. Other members of the committee have also put in a magnificent effort in taking evidence and helping assist in the preparation of reports. I commend the report to the House.

Dr SOUTHCOTT (Boothby) (10.13 am)—I move:

That the House take note of the report.

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

NATIONAL HEALTH SECURITY BILL 2007

Second Reading

Debate resumed from 13 September, on motion by Mr Abbott:

That this bill be now read a second time.

Ms ROXON (Gellibrand) (10.13 am)—I rise to speak on the National Health Security Bill 2007. The purpose of this bill is twofold. Firstly, the bill seeks to create a legislative framework and underpinning for existing cooperative arrangements between the Commonwealth, states and territories for public health surveillance and information-sharing in relation to public health events of national significance, including the occurrence of certain communicable disease outbreaks, certain releases of a chemical, biological or radiological agent, other public health risks or overseas mass casualties. These provisions also give effect to Australia’s treaty commitments under the International Health Regulations in relation to these matters and provide for the sharing of information with the World Health Organisation and other countries affected by an event relating to public health or an overseas mass casualty. Secondly, the bill also introduces, in line with COAG recommendations, a mandatory regulatory system for security-sensitive biological agents. The bill is a new stand-alone bill and reflects a government commitment in the 2004-05 federal budget to develop national health security legislation.

While Labor believe the purposes outlined are important and worthy of our support, and while this legislation has been in the pipeline for some time, we are a tad frustrated that, yet again, Labor have been given a very short time frame for consideration of this bill. We first sighted the bill just last Thursday, when it was introduced into the parliament, and here it is being rushed through the House only a week later. Given that it is not, I believe, listed for debate in the Senate this week, I am wondering why legislation of such importance is being pushed through here at such a rapid pace. Nevertheless, Labor support the bill and acknowledge the importance of the subject matter that it is dealing with.

This is a substantial bill with several constituent parts. I will turn first to part 2 of the bill, which deals with public health surveillance and information sharing and gives effect to the International Health Regulations 2005. Part 2 seeks, firstly, to provide a national system of public health surveillance to enhance the capacity of the Commonwealth, the states and the territories to identify and respond to public health events of national significance, including the occurrence of certain communicable diseases, certain releases of chemical, biological or radiological agents, the occurrence of public health risks or the occurrence of overseas mass casualties. As such, this bill provides a legislative underpinning for a range of cooperative arrangements that have developed over the
past decade between the Commonwealth, state and territory governments and their agencies.

Secondly, part 2 provides for the sharing of information with the World Health Organisation and with countries affected by an event relating to public health or an overseas mass casualty. By way of background: the government in the 2004-05 budget allocated $1.6 million over three years to develop this national health security legislation. According to the minister’s second reading speech, the government has since then worked cooperatively with all relevant organisations, states and territories to develop legislative foundations for the exchange of health information between jurisdictions. This process coincided with Australia agreeing to adopt the International Health Regulations in May 2005.

The International Health Regulations are an international agreement for the control of the worldwide spread of disease. The regulations were originally adopted in 1969 as a means to control six serious infectious, quarantinable diseases—namely, cholera, plague, yellow fever, smallpox, relapsing fever and typhus. In the light of significant increases in international travel and trade, and the emergence of new international disease threats such as SARS—severe acute respiratory syndrome—and avian influenza, as well as the re-emergence of old ones in recent years, the regulations were substantially revised in 2005.

The revisions broaden significantly the scope of the regulations to include all public health emergencies of international concern. The new regulations require state parties—that is, countries—to develop certain minimum core public health capacities to detect and assess, and to notify the WHO of, health emergencies that are of international concern. At the same time, the regulations aim to avoid unnecessary interference with international traffic and trade.

As I mentioned earlier, the explanatory memorandum to this bill indicates that it does not introduce any new measures for the sharing of personal health information between the Commonwealth, states and territories. Rather, it provides a legislative basis for existing cooperative arrangements between Australian jurisdictions for the exchange of health information.

Part 2, division 2 provides for the development of a national health security agreement between the Commonwealth, state, Australian Capital Territory, Northern Territory and Norfolk Island governments to support the operation of the bill. The agreement may include, but is not limited to, provision for the sharing of information between these jurisdictions in relation to communicable diseases, formalising consultation between these jurisdictions in relation to public health events of national significance, enhancing the ability within Australia to identify and respond quickly to public health events of national significance, and facilitating the monitoring of public health events of national significance within Australia.

It is unclear what format a national health security agreement will take. It could be an agreement between the states and territories that simply mirrors the Commonwealth legislation, or it could become the framework for a cooperative legislative scheme that will reduce the current duplication of legislation at the state level. I would welcome clarification from the minister or departmental staff on this issue.

Division 3 of part 2 enables the sharing of protected information, including personal information, by relevant government officials in a range of specified circumstances, including preventing, protecting against, controlling or responding to a public health
event of national significance. The meaning of 'protected information' is dealt with in detail in division 8 of the bill.

The bill also provides for situations where protected information needs to be shared to facilitate identification, or to assist in the treatment or repatriation, of an Australian who suffers from a disease or is injured or dies as a result of an overseas mass casualty. The bill has a further provision to help bring a person who is not an Australian to Australia for treatment in such situations.

The bill establishes a national focal point which will provide a single contact point for liaison between responsible bodies within Australia in relation to public health events of national significance and will liaise with the WHO and with other countries in relation to, for example, events that may constitute public health emergencies of international concern.

According to the explanatory memorandum, it is proposed that the national focal point will be the Secretary of the Department of Health and Ageing and officers within the department and that it will operate from a national incident room located in the Office of Health Protection of the Department of Health and Ageing.

The bill also establishes a national notifiable disease list. Clause 10 of the bill provides that, after consultation with the Commonwealth Chief Medical Officer and each state and territory health minister, the minister must establish, by legislative instrument, a national notifiable disease list. The list may include any illness or medical condition that the minister considers a public health risk, which has been defined in the bill and is based upon the International Health Regulations. The minister may vary the list by legislative instrument after consultation with the Commonwealth Chief Medical Officer and each state and territory health minister.

Part 2, division 6 deals with notifying, sharing information with and liaising with responsible Commonwealth, state or territory bodies in relation to public health events of national significance. The bill provides a legislative basis for existing cooperative arrangements between Australian jurisdictions for the exchange of health information and to authorise, rather than mandate, the exchange of certain personal or identified information for the purposes of national public health surveillance.

Division 7 of part 2 is intended to give effect to article 30 of the International Health Regulations and provides for public health observation. According to the explanatory memorandum, these provisions are not intended to provide for general health screening of international travellers arriving in or leaving Australia but rather to provide for the sharing of certain information about international travellers in transit whose health requires monitoring but where their travel does not pose an imminent health threat.

As noted in the explanatory memorandum, the expectation is that contact with a traveller will normally be made by a Commonwealth border agency after either an alert from the World Health Organisation or another country, an alert from the commander of an aircraft or vessel or self-identification by an unwell passenger. It is expected that a state or territory body would only become involved if the traveller had left the airport or port without contact with a Commonwealth body.

Division 8 of the bill includes provisions dealing with protected information and in what circumstances agencies of the Commonwealth, states and territories are able to share such information, including to a court or tribunal or to a coronial inquiry, in accordance with an order of a court or a tribunal, or of a coroner, as relevant. The bill also
authorises in division 8 the provision of relevant information to the World Health Organisation or other countries in the event of a public health emergency of international concern. According to the explanatory memorandum, it is anticipated that the information provided to WHO will be de-identified health surveillance data.

Clause 27 provides some protections for situations where personal information is provided to an International Health Regulations signatory country for International Health Regulations purposes so that the country receiving the information is clear about the nature of the information they are receiving and the purposes for which it is transmitted.

Importantly, the bill includes an offence if a person obtains protected information and makes a record of, discloses or otherwise uses the information for a purpose that is not authorised. The maximum penalty for such an offence is imprisonment for two years. Clauses 22 to 26 describe a range of defences to this offence. We understand that the states and territories have been closely consulted on this legislation throughout its development.

The second purpose of this legislation, the introduction of a mandatory regulatory scheme for the regulation of security-sensitive biological agents, is covered in part 3 of the bill. Security-sensitive biological agents can be defined as infectious agents, such as bacteria and viruses that can spread rapidly within a population, and toxins derived from animals, plants or microbial material. Given the potential for either the deliberate or the unintentional use or release of security-sensitive biological agents to cause serious harm, it seems remarkable that there is currently no nationally consistent legislation that addresses the security risks associated with all facilities and entities that handle these agents, nor their location.

The explanatory memorandum clearly outlines the risks this legislative vacuum brings. Firstly, there are limited physical security requirements for facilities and entities holding or using security-sensitive biological agents. Secondly, there is no means of monitoring the location, nature or destruction of these. Thirdly, there is no requirement for checking of facility and entity employees with access to agents to ensure that they do not have criminal or terrorist links and, fourthly, facilities and entities generally do not record individual access to these agents.

In December 2002, the Council of Australian Governments agreed to a national review of the regulation, reporting and security around the storage, sale and handling of hazardous materials. The review has been conducted in four parts, covering ammonium nitrate and radiological, biological and chemical materials. On 13 April this year, COAG agreed to the recommendations from the report on the regulation and control of biological agents, and part 3 of this bill effectively legislates for the mandatory national regulatory scheme for security-sensitive biological agents as agreed to by COAG.

Part 3 contains a range of detailed provisions providing a framework for this new regulatory scheme. I do not propose to go through these provisions in great detail, but they include provisions for: the establishment of a national register of information about the nature and location of security-sensitive biological agents legitimately handled by entities in Australia and the establishment of a list of biological agents—to be known as the List of Security-Sensitive Biological Agents—that the minister considers to be of security concern to Australia; that is, if it could be developed, produced, stockpiled, acquired or retained in types and quantities that could allow the biological agent to be used as a weapon.
I understand from the department that this list comprises approximately 20 pathogens and has been developed in consultation with ASIO in terms of threat and vulnerability assessments. It includes: provisions for the collection and recording of information for the register, requirements to be complied with for the secure handling of these agents, the establishment of an inspectorial system for the monitoring of compliance with reporting and handling requirements, restrictions in relation to the handling of these agents, and confiscation powers for the removal of substances in particular circumstances.

The regulatory scheme is founded on risk management principles to ensure that its effectiveness is maximised and that the regulatory impacts are minimised. The scheme focuses on managing the risks posed by specific security-sensitive biological agents so that potential administrative burdens relate only to dealings with nominated agents rather than to the facility in which they are handled. If a particular facility does not handle or store nominated agents, that facility would not be captured by the regulatory scheme, irrespective of other considerations, including the physical containment level of the facility.

We understand from the department that the new regulatory scheme will be developed progressively over the next eighteen months in close consultation with the laboratories that it will affect—for example, at universities and research labs. We also understand from the department that, although the bill refers to the powers of the Secretary of the Department of Health and Ageing, the department is considering contracting this scheme to a government regulatory agency for its implementation. I look forward to further briefings from the department on this issue as it develops. Labor supports this bill.

Mr ABBOTT (Warringah—Minister for Health and Ageing) (10.28 am)—I want to thank the shadow minister for her contribution to this debate on the National Health Security Bill 2007 and, whatever criticisms I might sometimes have of the shadow minister, I want to congratulate her on the thoroughness with which she approaches the task of the analysis of bills. Her speech today, like her speech yesterday, was a model of explanation and clarity, and we ought to give credit where it is due. So I pay credit to the shadow minister and to her staff; well done. There is really nothing for me to add to what has been said by the shadow minister. All I can say is that the additional briefings that have been requested by the shadow minister will be provided as quickly as possible. I commend to bill to the House.

Question agreed to.

Bill read a second time.

Third Reading

Mr ABBOTT (Warringah—Minister for Health and Ageing) (10.28 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

HIGHER EDUCATION SUPPORT AMENDMENT (EXTENDING FEE-HELP FOR VET DIPLOMA AND VET ADVANCED DIPLOMA COURSES) BILL 2007

Second Reading

Debate resumed from 19 September, on motion by Mr Robb:

That this bill be now read a second time,

upon which Mr Stephen Smith moved by way of amendment:

That all words after “That” be omitted with a view to substituting the following words:
“whilst not declining to give the bill a second reading, the House:

(1) welcomes the extension of FEE-HELP but notes it has been unnecessarily restricted by requiring eligible providers to be corporate entities thereby excluding more than 7,000 VET students in Queensland TAFE Institutes, and secondly by limiting eligibility to those courses that give credit for higher education or University qualifications; and

(2) notes the Senate Inquiry into this legislation also shared Labor’s concerns through their recommendation that the Government consider the practical examples raised regarding the exclusion of the vocational graduate certificate and vocational graduate diploma to ensure the legislation adequately meets its stated objectives”.

Mr HENRY (Hasluck) (10.30 am)—I continue my speech from yesterday on the Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007. The Australian government pays the amount of the loan directly to a student’s education provider. Students then repay their loans through the taxation system once their income rises above the minimum threshold. Voluntary repayments can be made at any time regardless of income. In its first year of operation FEE-HELP borrowing amounted to about $362 million. More than 100 institutions, including 39 universities, are now eligible for FEE-HELP. On 1 August the Australian newspaper reported several large private education institutions offering strong support for the FEE-HELP scheme. The Australian Council for Private Education and Training estimates that some 20,000 students in private institutions are now on FEE-HELP and the number is expected to increase. The University of Notre Dame in Western Australia says that about 60 per cent of fee-paying students have taken advantage of FEE-HELP.

This amendment removes barriers to FEE-HELP that exist for students who have chosen to get further higher qualifications through the VET system. It increases access to technical and vocation diploma and advanced diploma courses. Under current arrangements such students would not be eligible for FEE-HELP unless courses were available at university. Students will now be provided with a real choice with our recognition that many of them want to pursue vocational level courses to prepare them for work and for future university study. FEE-HELP will be extended to full-fee paying students in diploma and advanced diploma courses that are accredited as VET qualifications where agreed credit for any subsequent university degree is available to the student.

The government also wants to hear from training organisations which want to receive FEE-HELP for diploma and advanced diploma students if they have an agreement with a university that their students could move, with appropriate credit transfer, into a related degree qualification. This will ensure VET students get appropriate recognition for any subsequent studies at university and receive credit for what they have already completed. An example of an advanced diploma with credit transfer to higher education could be from the Advanced Diploma of Accounting at TAFE in South Australia, which is a full-time course over two years and costs approximately $2,800. This Advanced Diploma of Accounting from TAFE South Australia meets the educational requirements for membership to the National Institute of Accountants. Courses in banking and finance give students the skills and knowledge to work in a variety of financial institutions and positions. The University of Flinders will award up to 54 units, equivalent to 18 months of study, towards a degree of Bachelor of Commerce. Another credit transfer example is the Diploma of Children’s Ser-
vices. Successful graduates will be awarded credit transfer to the University of South Australia’s four-year full-time Bachelor of Aboriginal Studies, Bachelor of Social Work with 36 credit points, which is equal to one year of study. This also encourages students who already have trade qualifications to build on them. It has been a particular point of interest to me for some time that we should be recognising vocational trade qualifications as an opportunity to gain access to universities and that recognition and credit should be given to allow that transfer to happen.

This is another important foundation stone the Howard government is laying. It provides equity and choice for individuals and ensures Australia continues to build an appropriately skilled and professional workforce. The government expects to loan approximately $221 million to students during the next four years to 2010-11, depending on the number of VET providers which seek approval to provide VET FEE-HELP assistance and the number of students they enrol.

By opening financial help to students to study for higher level VET qualifications, the government is aiming to lift the status of VET by making it easier for students to access these courses and pursue high-level vocational and technical training. Examples of possible VET FEE-HELP take-up could well be, for example, permitting a dual sector private provider to extend FEE-HELP to VET accredited courses. The SAE Institute located at Byron Bay is reputed as a provider of state-of-the-art media recording and digital training in Australia. It has already applied for, and received, FEE-HELP eligibility as a higher education provider for its Bachelor of Digital Music. Under the extension of VET FEE-HELP it would be able to offer students FEE-HELP for its VET accredited diploma courses, including the audio engineering diploma. Another example would be allowing full-fee paying students in TAFE to access VET FEE-HELP for the Diploma of Children’s Services provided by Queensland’s Southbank Institute of TAFE. This is a diploma course of some 18 months of full-time study. Career opportunities from this course are open to occupations currently in schools, including group leaders in long day care, occasional care and outside school hours care; kindergarten and community preschool assistants; and primary teacher aides. The full-fee rate for this course is currently about $5,700.

Another example is allowing full-fee paying students with a private VET based RTO to access VET FEE-HELP. Equals International is a private registered training organisation in South Australia under the AQTF to deliver nationally accredited training. It is also a member of ACPET. It is listed with the South Australian nurse registration board as a trainer of enrolled nurses. It provides fee-paying places to both Australian students and overseas students. It currently delivers a one-year full-time equivalent diploma of nursing, pre enrolment, with a strong focus on excellent nursing practice. Graduates of the course will be eligible to take up careers as enrolled nurses, an occupation in skills need. The current course cost is some $5,695.

The Information Training Institute offers a number of diplomas in information technology—for example, the Diploma in Information Technology (Business Analysis). Successful graduates will be awarded credit transfer in the second year of the James Cook University Bachelor of Information Technology.

Another example is that mentioned by the minister earlier of a certificate or diploma in the vocational graduate diploma in maritime management at Challenger TAFE in Western Australia, which provides students with the skills to manage the business and legal as-
pects of shipping. There is also the vocational graduate certificate in business administration offered by the Royal Brisbane International College to provide higher level skills to managers in the tourism and hospitality sectors.

This all means that the Howard government is embarking on ensuring the best possible opportunity and access for the best possible training and education to meet the career aspirations of Australians. While Australia is experiencing very strong economic growth, thanks to this government’s successful management of the economy, local industry is increasingly competing in a global market and needs to keep its competitive edge through innovation supported by a highly skilled workforce.

In the future it is estimated that some 60 per cent of jobs will need high-quality technical or vocational qualifications, especially high-level VET at the diploma and advanced diploma level. This measure opens up opportunities for individuals to pursue study in the VET sector, without the disincentive of upfront payment of full fees. Aligning funding arrangements between the sectors reduces some inconsistencies and barriers which may act as a disincentive for students to move between the sectors and also eases the administrative loads on providers who seek to offer students both university and VET experiences.

The Australian government introduced FEE-HELP in 2005 to help students studying at university to defray the up-front costs associated with gaining a qualification. There is no such scheme currently available to students studying in the VET sector, although some diploma and advanced diploma qualifications delivered through universities and approved higher education providers are eligible for FEE-HELP. Primary qualifications normally delivered through the VET sector are at the certificate III and IV levels of the Australian qualification framework. The majority of qualifications for traditional trades apprenticeships, other apprenticeships and traineeships are at certificate levels III and IV.

I would like to deal with any misconceptions there may be about this amendment. It is not the start of any introduction of HECS in VET, nor does it discriminate against VET qualifications such as certificates III and IV. This move does not signal the introduction of income contingent for publicly subsidised training places. We have introduced these measures to offer choice to students between full-fee places in the higher education and VET sectors.

State training ministers agreed last year to increase completion for diploma and advance diploma courses. The Howard government will be ensuring they do not reduce their contribution to training by transferring the cost burden to students. I reiterate: the Commonwealth government will be making sure the states and territories do not shift training places from being publicly funded to full-fee paying and that there is no inappropriate increase in fees to students in TAFEs. There is also a good reason why this measure is not being extended to other VET qualifications. TAFE fees are generally lower than higher education fees, with the average cost per semester being some $523. Fees for apprentices undertaking certificates III and IV are often paid by the apprentice’s employer, and most other VET students or trainees are working while studying, with appropriately structured learning both on and off the job.

The recent budget also contained apprenticeship fee vouchers to help with TAFE fees. Those vouchers are worth up to $500 per year for all first- and second-year apprentices in trades facing skills shortages, to help them or their employers meet the cost of
course fees. The budget measure is the extension of current FEE-HELP arrangements to the VET sector and requires approved providers to be a body corporate. This means currently that TAFEs in New South Wales, Queensland and South Australia may not be eligible. It is now up to the states and territories to determine whether they want their TAFEs to offer VET FEE-HELP and whether they will comply with the body corporate requirement. This is a further argument for the greater autonomy of the TAFE system and would provide some states the chance to deliver a higher proportion of VET graduates with diploma or advanced diploma qualifications.

There is no doubt in my mind that the corporatisation and independence of TAFE is an essential opportunity for Australia and Australian industry to get from TAFE colleges the delivery of the trade qualifications and the skilled workforce of the future that we so badly need at this stage. There is no doubt that state governments have restricted the opportunity for TAFE to deliver a range of services to different industries and ensure that opportunity for trade training is at an all-time high. There is no doubt either that Australian industry must be provided with and be able to access a trained and technically advanced workforce with well-developed skills and trade qualifications.

Measures such as this and the establishment of Australian technical colleges show the government is right on track to improve the nation's ability to deliver to the level necessary to ensure the workplace keeps pace with the continued growth of the Australian economy and needs of industry. Again I make the comment that state governments have been the impediment in ensuring that we have the skilled workforce that we so badly need in growing and further developing Australia's economy. I congratulate the minister for pursuing greater diversity and competition in the tertiary education system by extending FEE-HELP to the vocational education and training sector. I commend this amendment to the House.

Mr HARTSUyKER (Cowper) (10.44 am)—It is always an honour to participate in this debate with the member for Hasluck—the best member for Hasluck that we have seen in the history of this parliament. This is a man who is passionate about vocational training—a man who is leading the drive to ensure that the people in his electorate and in the country generally receive the sort of training that they need to get on with the job and to get the skills they need to boost productivity in Australia. I congratulate the member for Hasluck on his contribution.

It is a great pleasure that I now have the opportunity to speak on the Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007. This legislation is in addition to the coalition government's commitment to improving vocational education and training industry. In speaking on this legislation today, I would like to emphasise three important points. Firstly, I would like to highlight how the coalition government’s policies are improving the skills base and delivering real outcomes to address the skills shortage. Secondly, I would like to outline how my electorate of Cowper is benefiting from this government’s commitment to improving vocational education and training. Thirdly, I would like to lend my support to the detail of this legislation, which will provide further progress towards meeting the skills shortage in Australia.

Thanks to the prudent economic management and intelligent policy decisions of this government, Australians are enjoying one of the greatest periods of national wealth in our
history. Unemployment is at a 30-year low, wages are at all-time highs and there are more people in work than ever before. It is a great economic time for this country. We have arrived at this place not by way of some fortuitous accident, as members opposite would like us to believe, and not purely because of the mining boom, as members opposite like to say. The growth in jobs in my electorate is substantial, and we do not have mining. Mr Deputy Speaker Haase, you have mining in your electorate. I know you are not representing your electorate at this point in time; however, I know that you appreciate the importance of mining and that other areas are growing, despite not having a major presence of mining. This puts paid to the myth that it is only the mining boom that has created the jobs growth and wealth and prosperity that we have seen in this country.

Since the introduction of the new industrial relations system, Australian industry has had the freedom to create over 400,000 new jobs, and most of them are full time. When we introduced the legislative changes to industrial relations in March last year, what we heard from the union movement was that the sky was going to fall in, there were going to be mass sackings, wages were going to fall and there were going to be mass industrial disputes. What happened? Were there mass sackings? There were none; in fact, there were mass hirings—some 417,000 new jobs were created. Did wages fall? No, they did not. Wages actually rose three per cent in real terms. Was there mass industrial unrest? No. Industrial unrest is at record lows. The Australian people have now seen through the improper claims made by the unions and the Australian Labor Party. We are seeing record prosperity, record jobs growth and record improvement in wages, despite the ridiculous claims made by the Australian Labor Party.

We have seen the highest levels of workplace participation. This is a great thing. We have more people coming off the dole and getting into work. We have an increasing number of older people coming back into the workforce. The level of long-term unemployed is falling dramatically. This is great news for Australia—great news economically and great news socially. In addition, Australian industry has matured; it is entering new fields and expanding in others. Our trade and industry policies have seen strong growth in emerging and growing sectors of research and development, manufacturing and exporting. Coupled with the resources boom and an ageing population, exceptional economic management and employment growth have resulted in Australia facing a serious skills shortage.

It is interesting to note that under Labor there was no skills shortage. When you have thrown a million people on the scrap heap you do not have a skills shortage. There were more people looking for jobs than there were jobs. We have a very pleasant problem at the moment, if I could describe it as that. We have more jobs chasing fewer people—a stark contrast to the achievement of the Australian Labor Party, which put 11 per cent of the population on the unemployment scrap heap. Almost 11 per cent of the people in this country were in the unemployment queue. That is bad for society, and it is bad for the individual. More than one in 10 working-age Australians were unable to find a job. That is hardly an economic record to crow about.

Yet when it comes to economic policy the Australian Labor Party say, ‘Me too.’ They have voted against every measure that has got us to where we are today, but they somehow seem to claim that there is bipartisan agreement on economic policy. We have a Leader of the Opposition who does not understand the current tax policy or economic policy, but he is trying to claim that he does. However, he has been seen through as a fraud. He has been seen through as a policy
fraud and an economic fraud. He does not understand the implications of Australia’s tax system. He does not understand the implications of good economic policy for the future of this country.

In 1996 this government inherited a vocational education and training system that was underfunded. It was lacking in vision; it was lacking in forward planning. In their last year of leadership of this country, the previous government spent only $1 billion on vocational training and further education. Compare that to the coalition government’s commitment of $2.9 billion to address our skills needs in 2007-08 alone. Since 1996, the coalition government has provided over $22 billion for vocational and further education and over $12 billion to the states and territories for TAFE and vocational training.

The federal government has developed a number of initiatives which are designed to address skills needs, particularly in traditional trades. Perhaps the most exciting vocational education initiative of recent times has been Australian technical colleges. This initiative, while still only in its infancy, has already proved an unqualified success. Contrary to the claims, the whingeing and the moaning of the members opposite, Australian technical colleges are a success. They are state-of-the art facilities that allow our young people the opportunity to work towards a trade in the final two years of their secondary schooling while still completing a year 12 certificate. This is flexible training meeting the needs of future employers. It also meets the needs of our students by allowing them to earn a year 12 certificate. It is a real win-win for students. But all we hear from the members opposite is negative carping, moaning and whingeing. Over 2,000 students have already enrolled in these colleges, with enrolments expected to reach nearly 10,000 by 2009. It is expected that, once fully operational, each college will graduate as many as 350 students each year, with students having already completed one-third of a trade qualification.

While the members opposite have continued Labor’s 20-year legacy of denigrating the trades by ridiculing those successful colleges, their alternative is a trade training centre policy. A policy is a bit of a change from a committee or a review, however feeble the policy is; we have to grant them that. A feeble policy is better than a review or a new bureaucracy. A feeble policy is better that no policy at all. What does a trade training centre policy do? It puts a microwave oven or a lathe in the corner of a classroom. That is hardly quality vocational training. The best the school could do is perhaps heat up a pie in the microwave and get a soggy outcome. If that is the best they can do in trade training it is pathetic.

In addition to the Australian technical colleges, the government has introduced a group of initiatives designed to encourage participation in apprenticeships in skills shortage trades. These initiatives include a wage top-up of $1,000 for two years for eligible apprentices and $500 per year for two years to help cover the cost of training fees. There are also toolkit vouchers worth $800 for Australian apprentices in skills shortage occupations and allowances for apprentices in regional areas and apprentices that are living away from home. These are very important because apprenticeship wages are relatively modest, by their nature, when students are in the training phase. So the government is supporting those people in rural and regional Australia who have to live away from home to obtain training. These are good initiatives which try to smooth out the bumps in delivering training to people from a range of areas.

To encourage mature Australians to retrain and gain new skills, the government has pro-
vided wage subsidies of up to $13,000 for mature-age apprentices. That is a great initiative, because when I talk to people in my electorate many employers say that they would like the opportunity to take a mature-age worker and upskill him through an apprenticeship. The previous arrangements, with many industrial instruments and the apprentice pay structures, would not have permitted, for instance, a 30-year-old person with two children to take up an apprenticeship, by virtue of their inability to earn enough income to support their family. This top-up will allow them to do that. This top-up will have great benefits in developing Australia's skills base and it will have great benefits for individuals.

To encourage employers to hire new apprentices, the government offers incentives to employers of $4,000 per apprentice and has increased funding for Australian apprenticeship centres to allow them to increase retention and completion rates. This commitment to vocational and further education is already reaping dividends.

During Labor's last year in office, how many apprentices completed an apprenticeship? Was it 100,000? No, it was not. Was it 50,000? No, it was not. A feeble 30,900 people completed an apprenticeship during Labor's last year in office. In the past four years, over half a million apprentices—some 544,000 people—have completed apprenticeships. That is a spectacular contrast. It compares the initiatives of the coalition government with the apathy of Labor in government—not with Labor rhetoric but with Labor in government.

There is no silver bullet that will instantly fix the skills shortage. Some of the factors affecting the skills shortage are beyond our control, but there are some we can control. Investment in skills training is one of the things that we can do, and the coalition government is committed to improving outcomes in vocational education and training. Our investment in vocational education and training has increased by 99 per cent, to almost $3 billion, under the coalition government.

I also note the opposition's plan to combat the skills shortage—not a greater investment in skills training, not a policy to expand the Australian technical colleges and not a plan to encourage new apprenticeships. No. What is Mr Rudd going to do as part of his plan? Mr Rudd is going to form a committee. It is amazing what Mr Rudd is going to do with his whole range of committees. I suggest that very soon he will have to establish a committee to coordinate his committees. So there will be range of committees and an overarching committee to coordinate all of those. Skills shortages affect every region in this country and the Leader of the Opposition proposes to create another bureaucracy. That is the best we can expect, I guess. The Leader of the Opposition does not have a plan to overcome the skills shortage. A couple of microwaves stuffed in the corners of classrooms is hardly a plan, and forming a committee is hardly a plan. The coalition government is making the hard decisions and making the right decisions to address our skills shortage.

May I take a few moments to draw attention to the growth and development of vocational education in my electorate. I recently had the privilege of attending Kempsey High School to present a vocational student prize to Renae Stevens, a year-12 student who has excelled in the Vocational Education and Training in Schools program. For her outstanding achievements I had the honour of presenting Renae with a prize of $2,000 and a certificate. These awards send a strong message to the young people of Australia about the value of vocational education and encourage others to embrace that career path.
When Renae finishes high school later this year she will have the option of training as an Australian apprentice pastrycook or baker, with the added incentives of wage top-ups, toolkits and training vouchers. As a result of the coalition’s investment in vocational education, the Cowper electorate now has 2,100 apprentices in training. This compares with only 700 at the time of the Labor government. There were virtually no apprentices in Cowper, under Labor, before 1996. We have seen a 300 per cent increase to, as I said, 2,100 apprentices in the electorate of Cowper.

Perhaps a good example of the coalition government’s policies in action is Mr Darryn Phinn and his business, Coffs Mechanical Repairs, in Coffs Harbour. About three months ago Darryn needed to hire another mechanic. At the same time, Haman Coulter, a 22-year-old farmhand from Macksville, was trying to decide on his future career direction. With the incentive of $5,000 in government assistance for Darryn, and an $800 toolkit and additional financial support for Haman, Darryn now has a new mechanic in training, and Haman will be a fully qualified motor mechanic in less than four years. I know that Darryn looked for a qualified mechanic also, but with the incentives on offer from the government he has been able to invest in training a young person to fill that role rather than having to compete in the market place for senior qualified mechanics, who are very hard to find.

Last year alone, the coalition paid almost $3 million in incentives to businesses in my electorate that employ apprentices. Cowper now also has four apprenticeship centres that provide advice and assistance for employers and job-seekers throughout the electorate.

I would like to turn to the legislation before the House and note that it is an extension of the government’s commitment to encouraging vocational training. In essence, the bill provides FEE-HELP to students undertaking full-fee diplomas or advanced diploma level courses with an approved vocational training provider. The government believes that it is important to raise the status of vocational and technical education. The bill demonstrates the importance that the government and industry attach to high-level technical qualifications, and will serve to raise the self-esteem of students undertaking these qualifications.

The vocational education and training FEE-HELP measure is just one of a suite of initiatives designed to raise the status of vocational education and training in Australia. Undertaking trade or vocational training is just as important as undertaking a university degree and just as important a pathway to a successful career. Simply put, people should be encouraged to do what they do best and, if that happens to be in a technical area, we should be encouraging them to pursue a career in that area.

This legislation will make it easier for students who have chosen to pursue higher education through the VET system rather than through a university which offers a similar qualification. It increases access to diploma and advanced diploma level courses, which would currently not be eligible for FEE-HELP unless offered through a university. This bill will provide real choice for students wishing to pursue vocational education in preparation for work or university study.

Although Australia is currently experiencing a period of strong economic growth, Australian industries are increasingly competing in a global market and need to maintain a competitive edge through innovation underpinned by a highly skilled workforce. It is estimated that eventually over 60 per cent of jobs will require high-level qualifications,
especially high-level VET qualifications at the diploma and advanced diploma level. This legislation makes access to this training easier by removing the barrier of up-front full fees. This measure will also provide the opportunity for Australians wishing to change careers or to improve their skills base and will provide an option apart from the traditional choice of furthering your higher education in the university sector. A recent study published by the Treasury found that, although VET at the diploma and advanced diploma level can improve an individual’s earning potential, up-front fees were often a deterrent to participating in such courses.

FEE-HELP is a loan scheme that currently assists eligible students to pay their tuition fees in non-Commonwealth supported university places. FEE-HELP can cover all or part of a student’s tuition fees. The Australian government pays the amount of the loan directly to the education provider. The student repays the loan through the tax system once the student’s income has reached a minimum threshold. Students also have the option to make voluntary repayments on the loan.

Under this legislation, FEE-HELP will be extended to full fee paying students in diploma and advanced diploma courses that are accredited as vocational education qualifications where those courses could be then accepted as credit by a university. Training organisations will be encouraged to seek approval to facilitate FEE-HELP diploma and advanced diploma students, provided the organisation has an agreement with a university that their students can transfer to a related degree qualification. This requirement ensures that VET students receive appropriate recognition for what they have already completed in their subsequent university studies. The government expects to lend about $221 million to students over the four years to 2010-11, depending on the number of VET providers which seek approval to provide VET FEE-HELP assisted courses and the number of students who enrol for VET FEE-HELP.

This government takes very seriously the issue of the skills shortage. It takes very seriously the importance of vocational training and trades. We are very focused on the fact that, as a result of the strong economic growth in this country that has resulted from good economic management under this government, we face a challenge in developing and improving our skills to remain world competitive. This government is focused on doing that. This government is delivering the sorts of solutions that are going to build a stronger education sector both in the university sector and in the trade and technical sector. I commend the bill to the House.

Mrs Hull (Riverina) (11.04 am)—It is a pleasure to follow the member for Cowper in speaking about this fabulous initiative that is being put forward by the government to extend FEE-HELP for vocational education and training diploma and advanced diploma courses for those students who want to study a particular area. Before, unless they did this through a university course, they were not eligible for FEE-HELP. This has been one of the inconsistencies and perhaps discriminatory factors that have been in place for such a long time and has been a carryover of the very many years in the past when so much emphasis was placed on going to university. I am on record as saying I think that is a fabulous thing; we must have students going to university, but not every student goes to university. In fact, around 70 per cent of the students in my electorate of Riverina do not attend university. This legislation, the Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007, is providing the much-needed assistance for students doing a diploma or an advanced di-
ploma—they will now be able to apply for FEE-HELP.

I think it is especially pertinent at this time for this bill to be accepted through the House, because over the years we have seen TAFE fees rise and rise. In fact, in New South Wales they have risen about 300 per cent. I could be corrected, but I am sure that I have seen in the last few weeks the New South Wales government again putting TAFE fees up, by another nine per cent. It is very difficult when you are trying to resolve the skills shortage and you have no mechanism to assist students to apply for FEE-HELP.

FEE-HELP will operate the same as HECS does for university students. Once a student has received FEE-HELP and it has eased the up-front financial burden with their tuition fees, they can repay the money to the government over a period of time. Everyone talks about the minimum threshold, and people have the view out in the general populace that HECS is an unfair system that makes somebody pay for a university education. If this bill is passed, it will actually create opportunities for those who are doing diplomas and advanced diplomas in VET. I think many people think that HECS is the unfair imposition of a fee structure. However, while the minimum threshold at which a student is required to start paying back their FEE-HELP generally increases every year, in the 2006-07 financial year a person could earn up to $38,148 and not have to start paying back their HECS debt. It is only after a student earns $38,148 per annum that they are required to start paying back their HECS debt. I do not see anything unfair in that. The majority of my electorate would not be on $38,000 a year and supporting a family. So I do not think that it is an imposition, nor do I think it is an unfair impost on students who choose to do a course that will generally yield a very high and productive salary for them in the future. This government initiative gives them the opportunity to be able to get into such a profession.

We have heard a lot recently about the skills shortage and the trades and services shortage but when I entered parliament nine years ago—and I was only looking at my maiden speech just a few weeks ago—one of the issues I raised was the need for us to recognise the value of skilled apprentices and trades and services.

Next week I will be in Leeton. They have a fabulous VET course going with Leeton Links, and I always feel proud and privileged to be able to attend the award ceremony with the students, with the employers who get involved with Leeton Links and with the parents, who sit with their children and are so proud of their achievements in the trades and services areas, in the apprenticeship opportunities that their children have undertaken and in the skills they have gained. The amount of pride from those kids never ceases to amaze me. I look forward to it every year. It goes right across my electorate.

I so enjoy doing the awards ceremony at Riverina TAFE. I think Riverina TAFE holds up as one of the most extraordinary institutions, providing the exact things that we require across our electorate and other electorates for our students. It is a state run institution and I am very proud of Rosemary Campbell and her team. They are truly committed to the equity and parity of rural and regional students in being able to access VET courses and pursue their careers. An outstanding record of employment right across my electorate has resulted from attendance at Riverina TAFE.

We need a skilled workforce. This legislation will provide an additional assistance package that will help to ensure that our students across rural, regional and city areas will continue to add meaning to the Australian community and be productive.
There has been a huge movement in apprenticeships in my electorate alone. In October 2006 I announced that in the electorate of Riverina there was a 164 per cent increase in the number of apprentices since 1996, when the coalition was first elected. Figures from the National Centre for Vocational Education Research showed that, as at October last year, there were 3,750 apprentices in training in the Riverina electorate. That was up from 1,420 in March 1996. There has been an absolute focus on getting apprentices into systems and on getting employers to value their apprentices. It is no mean task. Employers have to be required to ensure that apprentices are not there for their indiscriminate use; apprentices are there to learn a trade, they are there to get a valuable education and they are there to finally be skilled, certified tradesmen who can add value to any employer’s business.

There are national figures that I believe are extraordinary, and I am very proud to be a part of a government which has applied such a focus to apprenticeships and trades skills. A certificate of registration as a qualified panelbeater, mechanic, plumber or electrician is equally as good and equally as respected as any university degree. That is a point that I have been making continually in this House for many, many years. I see the value; I see how clever these young people are at what they do and it is an absolute credit to them. Finally, they are now being recognised for the value that they provide to the Australian community.

I have said in this House many times that you can build a community, people can make plans on paper and you can have all of the bureaucrats, all of the technocrats and all of the academics in the world putting out fantastic options, but without people with the skills to put them in place—to build a building, construct roadways, construct bridges and construct nation-building infrastructure—you cannot achieve anything. Finally I think this is cutting through and the government are being recognised for what we are doing for young people who have chosen to go along the pathway of doing an apprenticeship or doing a diploma or an advanced diploma through a VET institution.

So it is with great pleasure today that I rise to support this bill in the House. I support the parliamentary secretary, who is here to again expand upon the benefits of this bill. Without doubt one of the most significant things I have seen in my time in this House is the change in attitude towards technical institutions and TAFE and to those students—and their families—who choose to have a vocational education and who choose to have a trades and services background. I commend this bill to the House.

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (11.15 am)—It gives me great pleasure to give the summing up speech on this today, particularly because, whilst a lot of people may know me as Pat Farmer, the long-distance runner who ran around Australia and across America and did various things along those lines, they may not know that I am originally a motor mechanic by trade. Can I say as a motor mechanic that we have been crying out for a long time as tradesmen and women in this country to be recognised as having the same qualifications as somebody who has completed a TAFE course or a university course. It has been noted by all of the speakers on this bill, today and in past times, that we cannot get by without tradesmen and women in this country. We need more tradesmen and women, and it is important that we recognise those qualifications to the highest possible level. Without them this country simply cannot survive.
I rise today to speak on the Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007. Through this appropriation the government will be able to provide loans to students studying at a registered training organisation such as TAFE to help them pay for their up-front tuition fees. The bill gives full fee paying VET students equality with full fee paying university students. This arrangement will also ensure that VET students get appropriate recognition in any subsequent studies at university and get credit for what they have already done. It will encourage those with trade qualifications already to build upon them. The Howard government is confident that this initiative will raise the status of vocational and technical education and signal the significance that the Australian government and the community attach to high-level technical qualifications. In turn, this will raise the self-esteem of those students undertaking these qualifications.

On behalf of Minister Robb I would like to thank everyone who has spoken on this bill. Whilst the minister may not necessarily agree with all of the comments made, he appreciates the input of all the members who have spoken in the VET FEE-HELP debate.

By far the majority of submissions to the Senate Standing Committee on Employment, Workplace Relations and Education were supportive of this bill. The government has taken on board the recommendations of the Senate committee and will move an amendment to include the vocational graduate diploma and the vocational graduate certificate in this bill. In addition, some concerns were raised, and I would like to address these concerns now. One view was that fees may rise as a result of this bill. This is untrue. The current circumstances in the tertiary sector, such as low levels of unmet student demand and competition for students in the VET and higher education sectors, provide a market force against excessive fee rises. Provisions in this bill require providers to publish their fees to assist students to choose their study options. They need to publish these fees up-front. The Department of Education, Science and Training will monitor this very closely and will deal with providers on a case-by-case basis if substantial fee rises are detected. This includes fee rises that could come from the states. It is Minister Robb’s view that the bill will not have an adverse effect on fees.

Current FEE-HELP legislation requires providers to be bodies corporate and this is also a requirement for VET providers. Mr Robb has had consultations with the Hon. Rod Welford, the Minister for Education, Training and the Arts in Queensland, concerning the arrangements which will apply while Queensland is in the process of establishing its TAFE colleges as statutory authorities.

Minister Robb has also agreed that Queensland’s first statutory authority TAFE, to be established in early 2008, will be able to act on behalf of all Queensland TAFEs as the eligible VET FEE-HELP provider for a transitional period of 12 months while the new governance arrangements are completed for the remaining Queensland TAFEs. Minister Robb also informed Queensland that the rollout of new governance arrangements must be completed within the time frame; otherwise, he will act to curtail this transition arrangement.

I want to assure the House that this amendment covers full fee paying courses. Governments will continue to support training through public funding. States and territories have stated their commitment to increasing completions in these higher level qualifications and will be expected to continue to provide their current levels of public funding.
funding for this training and to not withdraw funds simply because the federal government is supporting their roles.

This bill provides another example of the Australian government’s commitment that VET will remain a world-class training sector. Australian government funding to VET, taking into account 2007 budget measures and the Prime Minister’s Skills for the Future package of last year, amounts to $12 billion over the next four years. Through this bill the government is offering students equity and real choice in the studies they wish to pursue. It says that pursuing a trade or vocational qualification is just as important as pursuing a university education as a pathway to a productive future prosperity. These measures, combined with other initiatives announced and currently being implemented by this government, represent a significant investment in the future growth of Australian industry and vocational education and training. I commend this bill to the House.

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

Question agreed to.

Original question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation for the bill and proposed amendments announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (11.24 am)—by leave—I present a supplementary explanatory memorandum to the Higher Education Support Amendment (Extending FEE-HELP for VET Diploma and VET Advanced Diploma Courses) Bill 2007 and move:

(1) Clause 1, page 1 (lines 6 and 7), omit “and VET Advanced Diploma”, substitute “, Advanced Diploma, Graduate Diploma and Graduate Certificate”.

(2) Schedule 1, item 5, page 3 (line 22), omit “7-1”, substitute “6-1”.

(3) Schedule 1, item 17, page 11 (line 9), omit “7-1”, substitute “6-1”.

(4) Schedule 1, item 17, page 47 (after line 4), after subclause 80(2), insert:

2A) If the student is seeking VET FEE-HELP assistance for a VET unit of study, he or she does not meet the tax file number requirements for the assistance unless he or she complies with subclause (1) on or before the census date for the unit.

(5) Schedule 1, item 18, page 57 (lines 8 and 9), omit “* VET Diploma or * VET Advanced Diploma”, substitute “VET Diploma, VET Advanced Diploma, VET Graduate Diploma or VET Graduate Certificate”.

(6) Schedule 1, item 38, page 61 (lines 4 and 5), omit “or a * VET advanced diploma”, substitute “, a * VET advanced diploma, a VET graduate diploma or a VET graduate certificate”.

(7) Schedule 1, page 62 (after line 7), after item 45, insert:

45A Clause 1 of Schedule 1

Insert:

VET graduate certificate means a qualification:

(a) at the level of graduate certificate in the Australian Qualifications Framework; and

(b) that meets the guidelines for a VET award as set out in the Australian Qualifications Framework Implementation Handbook.
Clause 1 of Schedule 1
Insert:

**VET graduate diploma** means a qualification:

(a) at the level of graduate diploma in the Australian Qualifications Framework; and

(b) that meets the guidelines for a VET award as set out in the Australian Qualifications Framework Implementation Handbook.

The SPEAKER—The question is that the amendments be agreed to.

Question agreed to.

Bill, as amended, agreed to.

Third Reading

Mr FARMER (Macarthur—Parliamentary Secretary to the Minister for Education, Science and Training) (11.24 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

HIGHER EDUCATION ENDOWMENT FUND BILL 2007

HIGHER EDUCATION ENDOWMENT FUND (CONSEQUENTIAL AMENDMENTS) BILL 2007

Returned from the Senate

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

TAX LAWS AMENDMENT (2007 MEASURES No. 6) BILL 2007

Second Reading

Debate resumed from 13 September, on motion by Mr Costello:

That this bill be now read a second time.

Mr BEAZLEY (Brand) (11.25 am)—I rise in this chamber, for the 1,932nd and last time, to speak on the Tax Laws Amendment (2007 Measures No. 6) Bill 2007, thanking our shadow minister for allowing me the 30 minute slot on it. I trust, Mr Speaker, that you are going to be liberal with standing orders on this bill today, because I am going to offend mightily over the course of the next 30 minutes. On the way in Simon Crean regaled me with a story about his dad. When he was asked how he felt when he made his last speech in the chamber, he said that he felt nowhere near as good as when he made his first. I can say amen to that! He got that absolutely right.

I want to start today at the opposite end to which most people do valedictories, and that is with my family. I want to thank my wife, Suzie, who is the love of my life and without whom I would not have been in politics for the last 17 years. She has been the support for me and she has been everything to me. I know I could not have gone on without her. For me and for many others it has been a very difficult time in politics. I owe her everything.

I want to thank my daughters, Jessica, Hannah and Rachel, for their tolerance over the years and their support to me. I also want to thank Phil and Andrew, the husbands of my two eldest daughters. I am particularly grateful that Phil and Jessica have provided me with two wonderful grandchildren, Tom and Jacob. I also want to thank my mum and dad. Dad is not in the best of health now but he was always a source of inspiration to me in going into politics.

Families do it hard in politics. I will retell one story about my tough youngest daughter. A couple of years ago she picked up the regular front page headline I got from the Australian, which was ‘Beazley indecent’. I rang Suzie and I said, ‘This is a special, Suz. Keep her home. Don’t send her to school with this one. This is too much of a temptation for the rest of the kids to give her a going over.’ She said ‘okay’ and she had a con-
sultation with Rachel. Rachel said: ‘Oh, no, they’ll think they are idiots. Don’t worry.’ So off she went to school. When she came back at the end of the day, Suz asked her how she got on. She said: ‘Oh, it was all right. The kids all agreed with me that it was the view of idiots.’ Suz asked her how she went with the teachers. She said: ‘I did not go anywhere near the teachers, mum. At my school they are big on counselling. I didn’t want to be counselled.’ Having said that, our families really do it hard. We do not give them enough credit. The truth is that if we are all honest in this place—whether we are on the Liberal or Labor side of politics or with the National Party, or whether we are Independents, for that matter—the hard secret of our lives is that our families come second.

There is another secret too and that is that our Australian family is broader than our own. We live in a set of circumstances where our families have to share us with a broader family. We come to love the children of other people’s families and we also come to have concerns about their elderly parents.

One of the great things about politics is that it extracts you from your natural selfishness; you cannot help it. Even the most selfish human being going into politics will, over time, gradually understand the enormous responsibilities that are laid on his or her shoulders to be the father and mother of the whole nation. When you are in office it is a wonderful thing to be able to implement that. It is a thing to conjure with, a terrific way to spend your life, even if it is, for somebody like my father, only for a very short period of time. For him, it was three years in a 32-year career in politics, but for me it was quite a long time—13 years in a 27-year career.

I want to thank my staff too. I cannot actually name them all. The list I have here contains about two-thirds of their names. They will be at a function for me later this evening. It would be invidious of me to even attempt to start mentioning all of them by name, but there are three here—Karen, Denise and Helen—who have been with me for a very, very long period of time in my life as a minister, as the Leader of the Opposition and as a backbencher, and they deserve a special mention. I would also like to mention Michael Costello. Though we regularly do not see eye to eye on many things, nevertheless he gave up an enormously lucrative job.

He is a great public servant to come to work for me. He has, of course, gone back to public service with the ACT. But he has made an extraordinary contribution to national life, as have many of my staff. Some of them are now senior people in the Department of Defence and some of them have been senior people in the Department of Defence. One is the Ambassador to China, and one has been the head of our trade missions in Japan and Korea. I have had some of the most able public servants of the Commonwealth working for me, and I have had some men and women who are really part of the great engine room of politics—the humble people who really serve and drive our political life. They push the paper and the ideas up to us and they make sure that we are there to do the things we ought to do in the national interests. We owe them everything, and the country owes them an awful lot. In the end, they do not do it for us as individuals; usually, almost invariably, they do it because they have deep ideological political commitments. I am sure that is the case on the Liberal side of politics, and I know that it is the case on ours. That is why we have to treasure our staff: they are more than just our staff; they are the people who give our parties life and make our parties worthwhile.

While I am on the subject of the party, I thank the Australian Labor Party. It was a strange beast when I joined it, I have to tell
you. I see Bob McMullan over there. Having Bob in the House is a pity, because I would love to get into a few lies about what the Labor Party was like when I joined it, but he is a corrective on those things. He knows where my bodies are buried and I know where his are buried. That means we hold each other in terrorem. I am terrified enough to exit this place knowing that he could reply to anything I had to say, so I will leave that to one side. But I am giving a valedictory for Joe Berenson on Sunday night and he will not be there. He will know what that means.

Our political parties are the things that sustain us. I went through some of the most titanic struggles in the Labor Party in the 1960s when we changed our character. There was a fundamental issue in the Labor Party, which was this: are we a party whose basic ideology is committed to the socialisation of the means of production, distribution and exchange or are we a party where our fundamental ideology is equality of opportunity? That was a massive debate in the Labor Party in the 1960s. It underpinned everything else and was manifest in lots of other areas: debates over state aid to private schools, debates over how to extract ourselves from the Vietnam War and debates over the priorities we would assign issues such as poverty versus things like the control ownership of various aspects of Australian industry. Those debates were all euphemisms around that central theme and so were the debates around the structure of our party.

I can remember my first conversation with Bob Hawke—he cannot remember this but I can. I was, by accident, a delegate to the national executive of the Labor Party. I was 22 years old at the time and the intervention in Victoria had been completed and it had just started on New South Wales. The numbers had switched and I had switched the numbers back. I got a call from Bob and he said, ‘Ah, young fella, if you don’t want your political career brutalised, you’ll watch to see what Ray Gietzelt does and you’ll vote with Ray every time he puts his hand up.’ I voted against Ray every time he put his hand up! That was the only meeting of the national executive of the Labor Party that I attended for a very long period of time.

It was also the executive meeting which received an invitation from Chou En-lai to visit China. It was interesting to see the issue conjured between Rex Patterson, who was our spokesman on matters related to wheat at the time, and Gough Whitlam. Gough was not anxious to go. He was genuinely of two minds, because he had seen how these issues were manipulated politically and was aware of how, at the last minute, the 1969 election had been snatched away. He was worried that perhaps we might push the barrow out just a little too far if he went to China at that point in time. But he was convinced. Mick Young was absolutely adamant that this should be done. Billy McMahon thought he had Gough trapped when Gough came out of China, and he made his very ill-advised statements on exactly the same day as it was released that Henry Kissinger was in China also and that President Nixon was about to visit. That set of factors probably destroyed the Liberal Party in 1972 more than any other.

I had not intended talking about that. It was to be about the party and how important the party is to us. The thing I will miss most, having lost the leadership of the party and in leaving it, is the opportunity to get around the place. I do like branch meetings. I do like those occasions when you get in behind candidates, when you sit there and hear one conspiracy theory after another to deflect this or that and when you get one great suggestion after another about what will be decisive that will win the election, and then, when you go back, having not won the election, being informed by the person, ‘If you’d taken some
notice of me, comrade, we would have been
in office.’ I love that remonstrance of the
average party member; it is terrific. It is also
something that I know my current leader will
never experience, because I am sure he will
go around the party after the next election to
utter adulation. He will not experience the
vicissitudes and horrors of what your party
members do to you when they think you
have failed them.

I also want to thank the trade union
movement. I originally started off in politics,
getting a place on the state executive of the
Labor Party, by digging graves. That entitled
me to a card membership of the Municipal
Workers Union, and I then represented them
on the state executive of the Labor Party. On
this basis, I am classified by the Liberal
Party these days as a trade unionist. I am not
sure the average trade unionist would neces-
sarily accept that this was a sufficient quali-
fication on my part to indicate a long-term
commitment to the industrial movement;
nevertheless, so be it. Many others on our
front bench have experienced that from time
to time too.

We were a party that was an outgrowth of
the trade union movement, a determination
on its part that it would participate effec-
tively in democratic politics. It is no accident
that the union movement is now being
abused up hill and down dale by employers
in the advertising you see on your television
every night and that it is being abused up hill
and down dale by our political opponents in
this place. Understand this: when you wish
to assault democracy, first you attack the
unions; when you wish to restore democracy,
first you start with the unions. It is no acci-
dent that the opposition in Zimbabwe now is
led by the unions. It is no accident that they
are the heart and soul of what gives force and
power to the democratic movement in Zim-
babwe.

I recollect when I first came into this place
that the walls in Eastern Europe were crack-
ing. The Soviet empire was falling apart.
What was the first indication that the Soviet
empire was falling apart? Solidarity. I had a
lot of Polish electors in my then constituency
of Swan, and they were fascinated by what
was happening with Solidarity. We held ral-
lies, sent petitions to the Soviet embassy and
the like, but what was absolutely clear was
that it was a challenge that the Soviet Union
could not handle. A challenge of free unions
was something that a dictatorial Communist
Party could not handle. That was the key to
establishing democracy throughout Eastern
Europe. If you undermine unions, if you un-
dermine democracy in the workplace, then
you will undermine democracy in the nation
overall. First destroy the unions; then you
destroy democracy.

The unions have done something else for
this country. When I was a minister in the
best years of my political life, they were
tough times and I will talk a bit more about
them later. The Prime Minister in this place
quite frequently talks about the real wage
growth since this government has been in
office—and it is true. The statistics he gives
out here are true, but they are not the story.
The story is this: when manufacturing indus-
try in this country collapsed in the early
1980s after years of sclerotic protection,
when it could not be sustained even with that
sclerotic protection, the union movement in
this country took a deliberate decision to lift
the profit share. There are union leaders in
this House who were active proponents of
that decision, and it cost them personally
dearly when they took that decision. They
lifted the profit share of the employers in
order to be able to see a regeneration of the
Australian economy. They got a return, of
course, and that was what was called the so-
cial wage. It included things like Medicare,
what we did with education and the like. It also included things on tax.

I notice there has been a little bit of discussion on tax lately. When we came into office, the top tax rate was 60c in the dollar and we cut it to 47c in the dollar, and the bottom tax rate was 30c in the dollar and we cut it to 20c in the dollar. Despite the fact that GST has been introduced, which should have foreshadowed substantial changes in the tax rates, there has been no equivalent cut in the marginal rate by this government since it has been in office. Those were very substantial tax cuts indeed by that government of the day as part of the social wage associated with a deal that was done with the union movement to ensure that Australian industry recovered.

And it is annoying now to see those ads and to see the way in which the employing class in this country has dealt with the union movement in the aftermath of this government’s election to office—to see that that decision on its part, taken to support a return to profitability, has been so comprehensively betrayed when the union movement itself has been prepared to only contemplate wage rises collectively on the basis of productivity changes. That was what it was invited to do by employers and others back in the 1980s and that is where the union movement still is, despite the fact that there have been extraordinary changes in the situation regarding the remuneration of those who own and organise capital and those who work as operatives.

I have the American figures. In 1972 the average CEO earned 30 times that of the average operative. In 1997 it had risen to 116 times that earned by the average operative, and last year it was 300 times that earned by the average operative. The same sorts of statistics would apply here. When you see those ads and you understand the meaning behind them of what happens to somebody these days on an AWA and then you watch failing executives walk away with multimillion dollar payouts, fair dinkum, Mr Speaker, there are things that are still not right in this country and part of the process of putting them right is the trade union movement.

I have been very fortunate to have led the Labor Party, but I have to say that the times of my leadership of the Labor Party have not been the Labor Party’s best years. The Labor Party’s best years in my lifetime were, of course, at the time of the Hawke and Keating governments. I have been trained to do two things in my life. One has been to be a politician. The people around me here and those who came before me trained me to be a politician. We train each other. People in the gallery train us to be politicians and the people in our branches train us to be politicians. The Liberal Party train us to be politicians and we train them. It is a mutual school, a university of hard knocks between all those people who are engaged in the political process. We are all trained, and it is a through-life training process that we engage in here. That is one of the things I have been trained for.

The other thing I have been trained to be is a historian. One of the things that historians do is to impose false order on chaos. History, of course, is written backwards and it is lived forwards. In order to impose false order on chaos, you need dates. If—and I only say if because there is no doubt at all that this next election could go either way—this next election produces a change of government, it will be a boon to historians because it will provide exactly the sort of comparative years that they love to have: 11 years of Howard-Costello, 13 years of Hawke-Keating. It is what they love. That is an incentive for the Liberal Party to try and win this election, because if that is the comparison it will be bad news for the Liberal Party. One governed in adversity; the other governed in serendipity.
When Labor came into office, we had 11 per cent unemployment and we had 11 per cent inflation. I have already talked about what was happening in the manufacturing industry. The 90-day bill rate had risen to its highest ever: 22 per cent. We hear interest rate nonsense from the Liberal Party from time to time but we remember the bill rate. The 90-day bill rate was at the time the highest it had ever been, and the budget deficit was five per cent of GDP. This was in a period where we had gone into negative growth. That was what Hawke and Keating inherited; it is what they had to deal with.

When Keating was talking about a banana republic, he was not talking about a couple of years worth of Hawke’s administration. He was talking about what Australia had managed to become over the course of the previous three decades. That is what Keating was talking about. He was talking about it because our current account deficit was six per cent of GDP. It is still six per cent of GDP, but something has changed and that is called the terms of trade. The terms of trade have changed.

I heard Mr Costello, the Treasurer, last week talking about us getting a tick from the IMF. Let me tell you a thing or two about the IMF. If Mr Costello had had Paul Keating’s terms of trade—that is, the prices that people are prepared to pay for our principal exports, in this case our energy and minerals; the prices then were not the responsibility of Mr Keating, as the prices now are not that of Mr Costello—our current account deficit, at this moment, would be 13 per cent of GDP. We would know the IMF all right: the IMF would be running the Australian Treasury, not Mr Costello, if our current account deficit were 13 per cent of GDP. It is why the Labor Party over here rants and raves about the subject of productivity and the question of trying to generate performance in value-added industries and value-added services, on the simple grounds that we do not trust that, for years to come, we will still get out of our mineral exports and our energy exports what we need in order to survive as a nation. If we do not get that, then of course we will go down hill very rapidly indeed. That is why we obsess about skills; that is why we obsess about spending on investments. That is why Hawke and Keating did. We are no different, really. We are of a different era and there are slightly different issues, but the themes are the same, as are the views that we hold. That is how you govern in adversity. But if you have serendipity, and if Saul Eslake is right—I do not know if he is or if he is not—between 2002 and 2011 what this mineral boom has meant to the bottom line of the Australian budget is $400 billion.

I used to be a finance minister of this country. If I had thought that I would have $400 billion coming into the bottom line over a decade, wouldn’t that have made life useful! I would not have had to beat up so vigorously on my colleague here, Carmen Lawrence, as I used to in those days, or on any of the others, to whom I apologise. I apologise to my colleagues for my behaviour in that period of time. Fortunately, it was done in private and nobody knows what a bad person I was—and she has forgiven me. If you had had that money, life would have been so easy. We used to argue at the ERC about the odd hundred thousand dollars. This Prime Minister walks out and yet another hundred million dollars is blown here and $2 billion on Liberal advertising is blown there. They do what they like, but it is done with $400 billion earned by West Australian and Queensland miners. That goes into the bottom line of the budget here, which allows them to take extraordinary decisions.

I was on the Expenditure Review Committee for part of the time that we were in office and I was a finance minister too, but the portfolio I loved was the defence portfo-
because that was the reason that I came into politics. I was influenced into politics by the Vietnam War. We had to be able to do things better than that. We had to be able to stand up for ourselves, to think through our commitments and to get the right balance in our relationship with the United States to ensure that we had the say over the way in which things were done in the western interest in our region and that errors were not committed in a way that posed long-term threats to Australian security. So I went into politics basically to become defence minister, which is another reason why I say my wife has been critical in keeping me here for the last 17 years, because I finished that in about 1990. You might well ask, ‘What the hell have you been doing here for the last 17 years?’ Indeed, sometimes I ask myself that; I certainly know that a lot of my colleagues do! The point then was to have the opportunity to make changes.

I thank my colleagues at the time and I thank those I associated with in the defence forces. The people who join our armed services are wonderful people. They are people of great honour, people of great ingenuity and great courage. It is a privilege to be their leader, which is what you are when you are the defence minister of this country.

There are things that I am proud of. When I came into office as defence minister, 70 per cent of our equipment budget was spent overseas and 30 per cent was spent domestically. When I left, those proportions had been reversed.

In the Gulf War, if we did nothing for the United States in Iraq—no SAS, no ships, nothing—what is done by the joint facility at Pine Gap, on behalf of the United States, would be worth more to them in that conflict than what has been done in any other conflict by our troops on the ground, as critical or as useful as those contributions are from time to time. It is an essential facility.

There is no equivalent facility of the United States anywhere else on earth that has the level of national participation that we have. It is a product of the negotiation that we put in place at the time, as we were determined that Labor Party policy—that we would have full knowledge and consent of what happened there—would be properly upheld. So that was important to us, and those changes were significant. Getting the direction right and the right equipment associated with the right strategies is essential.

I do not have terribly many complaints in politics—just one: the blackguarding of the Collins class submarine, which is the most complex industrial artefact this nation has ever produced. We cannot crew it now because of the blackguarding it has got; yet it, apart from the SAS, is the only part of our force structure the US actually needs. It fills a hole in the US force structure that would not be filled if we did not have it, so it is absolutely critical. I know the sailors in those submarines—because they are my constituents—feel terrible about the way that they have been blackguarded, even though they have the best conventional submarine in the world and they know that it regularly in exercises sinks American carriers.

There were some problems with the submarine as you would expect—teething problems. This is a question of patriotism. When I became defence minister I understood this and I learned it soon, and it was a temptation to belt the Liberal Party to blazes with it. The radar of our Hornet could not identify most of the aircraft in this region as hostile—in other words, our front-line fighter could not shoot down people who would be the enemies in this region. Wasn’t that a wonderful opportunity for the Labor Party to finally lay to rest the ghost of Liberal Party claims to be
the people who are best at managing the affairs of the defence of this nation? I shut up; I said nothing.

I went to the United States and, for five years, it was up hill, down dale and one knock-down drag-out after another with Cap Weinberger, Dick Cheney and Paul Wolfowitz. I tried to get the codes of that blasted radar out of them. In the end, we spied on them and we extracted the codes ourselves—and we now share another radar that can actually identify them; otherwise, I would not be talking about it now. We got a radar that was capable of doing the shoot-down and the rest of what we wanted. I see there is an agreement signed by the Minister for Defence—mate, I will believe it when I see it! I will believe it when I see it from that particular agreement that you have signed with them. That is not to say that I do not love the Americans and think that they are our most important ally, but they are a bunch of people you have got to have a fight with every now and then to get what you need out of them.

I have had a terrific time here. I have been so grateful for my colleagues. The last people I ought to thank here are my caucus colleagues but, before I do, I will thank the Public Service, although I have done that by implication in many of the things I have had to say. They are a much put upon and much traduced group, but they have served this country well. Finally, my caucus colleagues—they are my family. I spent more time with them when I was a minister and the leader than I did with my own family. They have got all the eccentricities of a family: they are lovely people to be with; they are kind; they are compassionate; they love each other enormously; they treat each other unbelievably well; they engage in no smears; and they are the best of colleagues and the best of friends—as Gough Whitlam said of his colleagues when he campaigned back in 1972.

For 27 years, this House for me has been the battlefield, parade ground and mess hall of national politics. I am proud to have served with some of the great foot soldiers of our political lives, including my dear friend Mick Young. A good many have marched out of this building and some out of this world and into the annals of history. Others have taken their place and many more will take their place soon.

A new parliament will gather here with a new mandate. I hope those who have been sitting on this side these last few years will have conquered new territory. For me this tour of duty is almost done. It is time to hang up these boots, but I am not yet ready to hand in my uniform. My passion to serve this nation burns stronger than before, whatever opportunities might arise. I love this country and I believe in its future. I will look for new fields of endeavour and new battles to join in the years to come. There is so much ground for our nation to cover, some territory to win back and so much to do if Australia is to become the nation it can be.

Mr CADMAN (Mitchell) (11.57 am)—I wish to thank the previous speaker for his speech, not necessarily for the way in which he dealt with history but for his contribution to Australia. I believe history will treat him kindly because, as a Leader of the Opposition, he has made a magnificent contribution to Australia by his personal attitudes and values. I trust the current Leader of the Opposition will continue to make the same contribution in the next parliament.

On 18 May 1974, the electors of Mitchell returned a Liberal for the first time for many years. At that time there were high interest rates, people were having difficulty paying their mortgages and there was stress on families. The Australian Labor Party had estab-
lished a pattern which was to continue for the next 18 months of government: high interest rates and pressure on families. It is amazing how successive Labor parties have the same impact on the community and on Australian families—the impact of high interest rates. It was replicated by the Hawke-Keating government. Part of the problem is that there is a failure to really understand the workplace, business and families, so the intellectual input to the Australian Labor Party is so narrow that they have difficulty in maintaining close contact and a sense of realism with the world.

I was delighted to make my maiden speech shortly after my arrival, as all members do. As a boy who was basically off the farm but who was also involved in a number of industry organisations and familiar with politicians, I found that I was warmly received by my colleagues, to the extent that Kevin Cairns, who was then the member for Lilley, came to me after the speech, congratulated me and said that he did not know the reason but that one of the journalists from the Sydney Morning Herald was intensely interested in my speech and would like to interview me. I asked where I could find this man. He said: ‘If you go up to the press gallery’—this was in the old House—‘which is way up the back there somewhere, I am sure you will find him; he is anxious to interview you.’ I struggled to find my way through the labyrinth of the Old Parliament House and found the journalist that Kevin had referred me to. When I approached him he said, ‘Who are you?’ I explained why I thought he wanted to see me, and he said, ‘No, somebody has been pulling your leg; go back and learn your job.’ That was my introduction to the Liberal Party and my colleagues in this place.

It is an absolute privilege to serve in this parliament. Before coming here, when listening to the radio and to the speeches people made, I formed an opinion of their ability. I often formed a poor opinion based on their capacity to express themselves. But when I arrived here I found that even those who expressed themselves poorly in this place had a great ability and a unique individual capacity to make a contribution to the nation. Nobody in this parliament gets here if they are half-baked, nobody gets here if they do not have a contribution to make and nobody gets here unless they are worth listening to—in any seat in the Australian parliament.

My first lesson was to learn respect for the opinions of my colleagues. We all learn discipline and hard work and we learn to manage our personal affairs, our families and our interests outside this place—and they need to take second place. How you do that if you are a family person can be quite difficult. I remember trying to administer discipline by telephone to three teenage boys, which finished upon my arrival back on a Thursday night or, more often in those days, Friday morning because we used to sit late and I could not get back to Sydney. I would get back on Friday morning and Judy would present me with a long list of the discipline that needed to be administered to our three boys. The impact on them was, ‘Dad’s home; dive for cover.’ That was not very healthy. It started to build tensions in our family and I had to take strong steps to overcome it. So we built a boat. We bought a little sailing boat kit and spent the Christmas holidays talking to each other and building something we had never done before. When we launched this craft and it floated, the boys talked with some of the onlookers—there were a few spectators watching our efforts—and they asked, ‘Where did you learn to sail?’ The boys proudly replied, ‘Dad’s learnt it out of a book.’ But we did sail and we entered state competitions and things like that. That started to build links between family
members, and they have been maintained. But it can be a very dangerous time.

The variety of backgrounds of members who come to this place lends it colour. It is unfortunate that, as I have observed over the years, there has been a narrowing of occupations, particularly on the opposition benches. I say to my colleagues and coalition benchers: if we narrow the pool of human resources coming to this place as elected members we will suffer for it, because every person, no matter what their background or the variety of their experience, brings some part of Australia with them. To have that wealth of knowledge and experience to draw upon makes for a very important contribution. The grey experience of life working for a member of parliament or in the union movement, or perhaps even in an industrial organisation, is far from real life and contributions can be limited by that. I will continue at all times to encourage people with a wide range of interests to become involved in politics and to make a contribution. There are many ways they can do that. We need to be experts in Australia, not in a particular issue. We need to know about Australia and Australians. That is where we need to excel. We need to know their aspirations and the way they think and feel and we need to inform ourselves in detail on particular aspects of life.

In my early days here, the two people that I dealt with most were two wonderful men: Sir Robert Cotton and Sir John Carrick. They were wonderful mentors, great senators and great Australians. One was a prisoner of war from Changi; the other was a pilot and well-known war hero. They were just so helpful to new arrivals. They set so much of the attitudes that we need to remember in the Liberal Party, particularly in New South Wales. Eight years of learning in government followed 18 months of opposition. Those eight years of learning involved me having contact with people in the Prime Minister’s department like Alexander Downer, Petro Georgiou and Alan Jones, who all worked there. We spent time together and endeavoured to take that government into perhaps a more adventurous and bold period of expression than we were able to achieve. It was a formative time. That was followed by 13 years of painful, debilitating opposition. Stop laughing, Laurie! Laurie Ferguson enjoyed a period of government whereas we on the opposition benches really found that at times people just despairs of us. Then we did things that were unbelievable, like losing the absolutely winnable election, and people paid us out for losing opportunities. I remember the wonderful contributions made by federal directors of the Liberal Party—Tony Eggleton, Andrew Robb, Linton Crosby, Brian Loughnane and many others. They have been wonderful servants of the party—a great support with great knowledge and wisdom.

The policy work that went on in opposition was really significant. I found that particularly challenging but also stimulating. Of course, in so much of the policy development, John Howard led the way. But there are others here—Bronwyn is one—and not here. John Hewson played a part, as did Alexander Downer, Chris Miles and Tim Fischer. They all played a wonderful part in developing the ideas that are now being put into place for this current government. That period of rigorous discussion and refinement was an absolutely essential part of becoming a successful government. We are blessed as a nation with certainly the best Prime Minister Australia has seen and an excellent team of support, each individual worthy of the position they hold. This is a period that needs, for the sake of Australia, to continue, and we must make sure that it does.

In government, my job was first as Chief Government Whip. I tried to be a hard whip—and I think I was—because I knew
that, if we were going to sit a long period in government, we had to be really disciplined. We could not have slack ideas at the start, because it is really hard to bring in more rigour, to regenerate and to focus into a disciplined future, after you have had a slack period. I see my friend and colleague Stewart McArthur smiling, because he has shared so much of it with me. Perhaps at times people thought of me as a tyrant and as unnecessarily picky about things, but I meant to do that and I have never apologised for it, because I thought it was for the benefit of our team. We needed to sow, at that time, attitudes and commitments that we would carry forward for many years. I am thankful that we have basically been able to do that.

There were great fighters and campaigners in that first parliament. It was the largest number of people any government had ever had in its ranks, and that took some management because there were people like Gary Hardgrave. When I was trying to find him at one stage, I phoned him. He had not had his poll declared at that point but he was down here in Parliament House trying to find his office. None of it had been set; nothing had been decided by the Speaker—we did not even have a Speaker. We did not have any way of finding out who was going to have what office, but Hardgrave was down here. He was so confident of winning that election that he was down here looking around for his office. That is what they have all been like: a really challenging and exciting group of people to be with.

Looking around the world, I see that MPs in Australia are far more accountable to the public than MPs anywhere else are. If you look at the UK or the USA, they do not have to front their constituents as frequently as we do ours. They do not have to be accountable face to face, day to day. They do at branch meetings, for sure, but there is also the general public. Our colleagues in other countries seem to be able to escape that accountability to a greater degree than we can, and I think that makes us a unique group of people. It makes the discussion and the debate more fruity, more genuine and closer to the needs of people.

During the period in government, it was great to work with Peter Reith, to develop franchise legislation and to work on the issue of unconscionable conduct in the Trade Practices Act, always looking for things that are important for small business. More time for business was a report that we tried to use as the basis for cutting the paperwork in small business. I think the more we cut it, the more Treasury seemed to load in at the other end at times, but I am not quite sure. I never did a count, but I had a feeling that Treasury were working on the other end of things at times. It made points of discussion between Peter Reith’s office and the Treasurer’s office.

I have been involved in parliamentary reports that I think have been important. There was the stem cells report. Even though Kevin Andrews and some Labor Party members were reluctant to get into that, I felt a national framework was necessary, otherwise we would have states all over Australia doing all sorts of different things. Rather than becoming involved in the detail of research, setting a framework was an important thing for us to do as a parliament. I was disappointed that my side of the argument was lost, of course, but we have a national framework. That is more significant, perhaps, than having no framework at all.

I was involved in inquiries on the Family Law Act and in the two inquiries on drugs. Family tax is an issue that I think we still need to deal with, I have to say. The policeman and the hairdresser are among the groups in our society who, with children, start to feel the pressure of home and work. In many families, that is the flashpoint of
disagreement, argument and perhaps separation at times, because it is so hard to be paying off a house and managing family affairs if you have an inflexible workplace, if you cannot manage child care and if you have no relatives.

I represent one of the fastest growing parts of Australia. People are desperate to pay off their very expensive homes, one-third of the cost of which is due to state taxes rather than the cost of the land or the building itself. I think that is absolutely abysmal. It is deplorable that state governments should be so avaricious toward young people and young families in that way.

To be able to deal with the arrangements people make in their homes I think we need to look at the family tax situation, taking into account the cost of child care and the sort of child care people may choose. My view is that we ought to trust families to make the best choice that suits them and, in fact, back families rather than backing childcare centres. So instead of doing what we have done with schools funding—we tend to back institutions rather than individuals—I think that in child care we can go closer to the family and, for those children under the age of five, support families to make the best decisions for the child care they need.

In the press gallery there are many people who may have one or two days formal child care but then depend on relatives or close friends for the rest of the week. It is very expensive to pay for formal child care. The going rate some months ago was $53 a day. It is more than that now. In capital cities it is massively more than that. People cannot afford to pay that and expect to gain any benefit from working except for the pleasure of turning up every day, in many instances. Sometimes maintaining your skills is impossible except by working full time. But there should be some remuneration as well.

I have enjoyed the Australian political exchange program. I have been a member of the Australian Political Exchange Committee right from the beginning. To have a program whereby young people in politics and with a future in their party exchange with people from other countries to get to know the politicians in those other countries has been, I think, very constructive and useful over the 25 years that it has been running. Sir Robert Cotton started this process when he was Ambassador to the United States, and it has continued since. It has been a real pleasure for me to get agreements signed, firstly, with Japan and then Papua New Guinea, the Philippines and Korea. We are looking to add India. India is a growth area. As working politicians, we need to relate to Indian politicians. We need to understand their system. We need to be able to pick up the phone and talk to significant people in India, as we can do with people in the US and in other parts of the world whom we have relationships with. But we do not have that with India yet.

I am also very thankful to the Housing Industry Association for my involvement in the Sir Phillip Lynch Award for Excellence. This award is given every year to the most excellent builder or person involved in the housing industry. That has been wonderful, and I thank Dr Ron Silberberg.

I think the challenges of the future are these. The clashes in this place are really between those people who think that the marketplace may solve the problems and those people who think that it needs to have some rules. It is a value-free versus value sort of scenario. This relates to issues such as drugs, film and television, and family law. These things can tear us apart when we have to make conscience decisions about them and try to work out what is best. I know they are difficult, but those are the challenges.
The clash between capital and labour is no longer significant because everybody works now. There is no person in Australia who does not work. There is a clash of values when it comes to issues such as: let us not decriminalise, but let us have detox instead; let us not say that the kids are okay, but let us say we care about kids. I think we should look after those things in that way, because it is the children who are most affected by these philosophies.

The life issues of euthanasia, stem cell research and late-term abortion are all issues that are very critical for this parliament to look into. I find the matter of Islam extremely challenging. We need to build the bonds across the parliament to deal with these issues. Bonds occur informally, but we need to know each other well enough to form the links that are necessary from time to time to get good results on these issues for the nation. The built and the natural environment is another issue that concerns me.

I must conclude by thanking my family, without whom I would not be in this place. All my options are open at the moment. I am looking forward to the future; but, more than anything else, I am looking forward to the safe return to this place of a Howard government.

Mr Speaker, if I may take a few seconds more, I want to thank the officers of the parliament who help us every day. Every one of them is courteous and helpful. I also want to thank my staff—many of them are listening. They have been wonderful, and without them we could not do our work.

Debate (on motion by Ms King) adjourned.

VETERANS' ENTITLEMENTS AMENDMENT (DISABILITY, WAR WIDOW AND WAR WIDOWER PENSIONS) BILL 2007

Second Reading

Debate resumed.

Mr BILLSON (Dunkley—Minister for Veterans' Affairs and Minister Assisting the Minister for Defence) (12.18 pm)—by leave—I move:

That the resolution of the House agreed to at this sitting making the second reading of the Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007 an order of the day for the next sitting, be rescinded and that the second reading of the bill be made an order of the day for this sitting.

Question agreed to.

Mr GRIFFIN (Bruce) (12.19 pm)—I am very pleased today to speak to the Veterans' Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007. I want to begin by pointing out that this will be a short debate, by agreement, to ensure that the legislation goes through the parliament. I want to sincerely thank the minister for his efforts in bringing this matter to fruition before we break for the coming election. I will say a bit more about the minister with respect to the bill later on, but I want to put that point on the record at this stage. There is no doubt that the veterans community is keen to see this matter enshrined in legislation. This will ensure that the agreement is not only understood but that it is also enshrined in legislation. On that basis, I think this legislation is a very good thing.

I would like to acknowledge representatives of the TPI Federation who are in the gallery. They have had an abiding interest in this issue over many years, and I am very pleased to see them here. I would also like to acknowledge a number of other people a
little later on with respect to this matter. I would also like to make it clear to those who are interested in this debate that it is going to be short to ensure that we get this matter to the Senate—the other place—and passed before the parliament rises. Members who are speaking on this debate will not be using the entire time that they could have used and there will be many members on both sides of the House who would have wished to contribute to this debate but will not have the opportunity to do so. The fact that the debate will be short—and I hope largely sweet—is more to do with our need to see this legislation go ahead than with making points that we could do at some other time or that we have already made in other places.

Having said that, I think this is good news for the veterans community, and I congratulate the government for taking these actions. I particularly congratulate Minister Billson. It is a tough job being the Minister for Veterans’ Affairs. It is a demanding constituency. Although we have our problems and our fights, and we will continue to do so, I want to stress that I still have a fair bit of time, most of the time, for this minister. I generally think that he does the best he can, given what he has got to work with and the circumstances he has inherited.

Having said that, there are a couple of points that I want to make about this issue at this time. The main point that is addressed by this legislation is the question of the indexation system that is employed with respect to above general rate pensions and disability pensions. I will not go through the history of that other than to say that this matter has been outstanding for a long time—it goes back the best part of 10 years. We can argue the toss about whether the erosion has occurred over this time or that time, but this has certainly been a real and abiding running sore for the veteran community. To have it addressed today means that is a very good day for this parliament. I know people out there in the community will be very pleased to see this now finally taking place.

I could make a whole range of points regarding this, but on this occasion I am not going to. I am going to stay positive and constructive because this is good news. It is good news for disability pensioners and war widow pensioners out there. It is a significant amount of money and it goes to the heart of dealing with some long-term grievances.

I want to say to the ex-service community: congratulations and well done. Many have fought for a long time to have governments recognise the injustice with respect to this issue. They can rightly be proud of what they have done. They have certainly made sure that I have understood this issue. I am sure they have also made sure that the minister understands the issue. That has helped us in our endeavours to address issues within our own organisations in order to have this matter come before the parliament today.

I particularly want to mention a couple of people who, to my mind—I can only speak with respect to the contact that I have had—have particularly assisted me to understand these issues. Those people are Blue Ryan, the National President of the TPI Federation, and Graham Walker and Tim McCombe from the Vietnam Veterans Federation. I do not for one minute want anyone to think that these are the only people who have raised these issues, but I can say that they have been the most committed with respect to dealings with me on these issues. I want to thank them for that.

I also want to thank the member for Cowan, who is also present today and will contribute to the debate a bit later on. The member for Cowan, Graham Edwards, has been a great source of information and understanding for me over the last couple of
years in an area where, I am the first to admit—and the minister would confirm this for me—I have a lot to learn. The member for Cowan has helped me to a great extent. I am going to miss him terribly after the election. I wish him all the very best. I am pretty sure I will not get rid of him; I am sure he will be hanging around. I am sure he will still be there when I need him. He had better be, because I will need him. Graham has really helped to get an understanding of these issues within the Labor Party, and has progressed them within the confines of our party. I want to thank him for that.

Beyond that, I would like to say that I think this is an important occasion for the parliament because it addresses a long-term concern. We are in the lead-up to an election and there is a lot of money flowing around, but I have to say that on this occasion these are reforms which are deserving and overdue. This minister can be proud that they have been resolved on his watch. I want to acknowledge that, in speaking today. I have to say, though, that it has taken longer than it should. This is a matter that should have been addressed some years ago. With regard to issues concerning veterans affairs it often takes too long for the parliament to come to grips with longstanding concerns. I think that is a shame, but I hope in the future we will be in a situation where it will happen to a much lesser extent than it has over the last decade.

The legislation is good and it is something that we can all be very proud of. I am keen to see this legislation go through. I am also keen to get back to a meeting with the department head, who is upstairs. I need to be at that meeting because I am the only one who is allowed to talk to him at the moment. I want to assure you that the fact that I will be leaving the chamber as soon as I sit down is not in any respect a comment on the debate or the importance of the legislation. I intend to come back down if I can for the minister’s summation, to ensure that this goes ahead as he has planned, as I have been very pleased to support it. I want to thank all those who have been involved in this issue over the years for their work. I look forward to seeing this legislation off to another place very soon.

Mrs GASH (Gilmore) (12.22 pm)—Before I start, I would like to wish the member for Cowan all the best. He has been a great friend and a great confidant. He has taught me a great deal about veterans affairs. He has been into my electorate a number of times. I know that the member for Cowan—I can say this; he cannot—should have been the shadow minister.

If nothing else, this government listens and delivers—and in no area more than in the area of veterans entitlements. This government has a long and illustrious record of looking after veterans and their needs and this bill is yet another initiative that can be added to the long list of benefits that have been delivered. The coalition government has substantially increased spending on income support, compensation and health care for veterans and their families, and has actively supported the commemoration of Australia’s unique military heritage.

When the coalition came to government in 1996, spending on veterans affairs was $6.2 billion per annum; now, in 2007-08, it is over $11 billion per annum. This increase is at a time when, sadly, the number of veterans is decreasing. The coalition has enhanced and will continue to enhance Australia’s world-class repatriation system. There is no other country in the world that looks after its veterans to the extent that Australia does. The coalition has continued to ensure that this system evolves and improves as the needs of the veteran community evolve and change.
I will turn now to what we have done to date. In 1999 we extended the gold card eligibility to Australian veterans aged 70 or over with World War II qualifying service. In 2006 we announced more than $600 million to ensure that veterans with gold or white cards continued to enjoy access to free, high-quality health care. We provided cancer related health care to all Australians who took part in the British nuclear testing program in Australia from 1952 to 1963. We reinstated the war widows pension for those widows from whom the previous Labor government took it away. We introduced veteran partnering arrangements with private hospitals. We expanded the booked car with driver service to eligible veterans and war widows who are 80 years or over, legally blind or suffering from dementia for travel to all Department of Veterans’ Affairs approved treatment. We provided free treatment for post-traumatic stress, anxiety and depressive disorders, whether they are service related or not.

We introduced a range of health programs, such as the Right Mix and Heart Health. We established Veterans’ Home Care, providing community based care services to more than 120,000 veterans and war widows. We provided transition management assistance to full-time Australian Defence Force members who are being discharged on medical grounds. We introduced the Building Excellence in Support and Training, BEST, program and the Training and Information Program, TIP. BEST provides funding to ex-service organisations for staffing and equipment, while TIP provides pensions and welfare training to ESO nominated practitioners throughout Australia.

We extended eligibility for the Repatriation Pharmaceutical Benefits Scheme to British, Commonwealth and allied veterans aged 70 or over with qualifying service from World War II who have lived in Australia for 10 years or more. We expanded the Long Tan Bursary from 30 $6,000 bursaries over one or two years to 50 $9,000 bursaries over three years. We provided a $29.5 million package of support for Vietnam veterans and their families to address the findings of the Vietnam Veterans Health Study. This was in addition to the extensive range of benefits, treatment and counselling services already available to veterans and their dependants through the Department of Veterans’ Affairs and the Veterans and Veterans Families Counselling Service.

We established the HomeFront program to prevent falls and accidents in the home, to assist the veteran community to remain living independently in their homes for as long as possible. We assumed responsibility for the daily care fees of former prisoners of war in low-level aged care, saving each $250 a fortnight, and now pay aged-care fees for all former prisoners of war. And of course we initiated a full and comprehensive review of entitlements contained in the Veterans’ Entitlements Act, commonly referred to as the Clarke report.

Those are all real achievements, but they do not stop there. There are still many more items that I could mention that have been delivered—too many to mention in the time available to me. This bill adds yet more benefits for our veterans. It ensures that disability pensions maintain their value relative to wages and other payments. The veterans have called for this and we have delivered. From March next year the EDA will be increased by $15 a fortnight. Labor, on the other hand, said nothing until we made the announcement on 11 September. We are also going to increase the general rate of disability pensions by five per cent, and we can do this because of the way we have managed the economy. What better way to thank our veterans than by giving more benefits as we can afford them. We have made these increases affordable—something the other side
cannot guarantee, if the state Labor governments are any guide to the way that Labor run things.

But that is not all. We have also looked after the war widows. We will be increasing the non-indexed component, formerly called the domestic allowance, by an additional $10 per fortnight to $35 per fortnight starting in March next year. That payment, from that time on, will be fully indexed with reference to the CPI and MTAWE. We want to look after our veterans and the families that look after them. That is why we have committed to the $330 million package announced earlier, and that is more than $1.6 billion in new funding in the past 18 months. We listen and we act.

As Chair of the government’s Defence and Veterans Affairs Committee, I am proud to have played a small role in delivering these benefits to our very deserving veterans and their widows. I commend my colleague the member for Gilmore on her contribution and on the work that she has done for veterans. Jo and I have had a couple of blues about things but generally we have had a fair amount of respect for each other. I know that she has been a great champion of veterans issues within her party room. Having spoken to a number of veterans from within her electorate, I know that they have a great deal of respect for her and for the work that she has done, and that really is the way it ought to be in veterans issues. She said that I should have been the shadow minister. I think that would have been dreaming. Perhaps, however, she could have been the minister. Perhaps if she had been, a number of these issues would have been resolved before today. I take the opportunity to return the compliment and wish her all the best for the future. Jo, you have done a good job in terms of veterans.

I can only reiterate to the veterans community that these benefits have only been made affordable by virtue of the strong economy we have built in our term—something that cannot be guaranteed under another regime if the history of past and present Labor regimes means anything. I particularly want to thank all of our veterans, especially those that I represent in Gilmore. Their patience, loyalty and understanding of the issues have been a great support and encouragement, allowing me to continue to be strong in lobbying for further changes. I recognise that there is always more to be done, and, with their continued support, we will continue to deliver. I commend the bill to the House.

Mr Edwards (Cowan) (12.34 pm)—I appreciate the opportunity to speak on the Veterans’ Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007. I thought I had finished speaking in the House as I already made my valedictory speech some weeks ago. But I am very pleased to be able to come into the House today and speak in support of this bill introduced by the Minister for Veterans’ Affairs. I congratulate the government on their recent efforts in relation to catching up with the demands and needs of the veteran community. I want to compliment the previous speaker, the member for Gilmore, on her contribution and on the work that she has done for veterans. Jo and I have had a couple of blues about things but generally we have had a fair amount of respect for each other. I know that she has been a great champion of veterans issues within her party room. Having spoken to a number of veterans from within her electorate, I know that they have a great deal of respect for her and for the work that she has done, and that really is the way it ought to be in veterans issues. She said that I should have been the shadow minister. I think that would have been dreaming. Perhaps, however, she could have been the minister. Perhaps if she had been, a number of these issues would have been resolved before today. I take the opportunity to return the compliment and wish her all the best for the future. Jo, you have done a good job in terms of veterans.

I also want to say what a delight it has been from my point of view to have the opportunity to work with the shadow minister over the past 18 months or so. He had a lot of ground to make up in terms of the opposition and he did that by getting out into the veteran community, listening to them, getting an understanding of the issues and the problems, and responding to them by way of putting forward good, solid policies. I could say
that with this bill the government is playing catch-up, because Alan Griffin has really set the scene and has forced the government, in my view, to respond to his policy initiatives and the real needs of the veteran community.

But I do not want to get into tit-for-tat politics. I agree with the Vietnam Veterans Federation on what they had to say in their document of 16 September this year, a document entitled *The great achievement*, which I tabled with the support of the government in parliament yesterday. In it they give a history of how the falling value of our disability pensions was halted and they tell in a number of pages the whole story. They say:

*You will no doubt know by now that both political parties are committed to indexing the TPI, Intermediate, EDA and General Rate pensions so that they increase in line with increases in the average wage as well as the cost of living.*

*This will ensure that these pensions cease losing value compared with other government pensions and that they keep pace with increases in Australia’s rising standard of living.*

That is what the veteran community have been fighting for over these past 11 years. They have waged a reasonable, balanced and appropriate war on the government over that period.

I well remember when, a few years ago, there was a protest out the front of Parliament House by TPI veterans, their wives, their supporters and members of the PVA. It was a protest strongly supported by local veterans from Canberra, who supplied tucker to the people who were out there for a couple of days; they did a great job in supporting them. I think we have come a long way, in terms of comparing today with that time. I know that the then Minister for Veterans’ Affairs refused to go out and speak to those protesting veterans. I know that the Prime Minister refused to go out and speak to those veterans. I know, too, that those protesting veterans were not supported by all ex-service organisations. Perhaps if they had been better supported, these issues would have been resolved some time ago.

This is a good day for the veteran community. They have worked hard to get here. They have brought both political parties to the table and they have done so because their demands were just; their demands were fair. You cannot continue to deny fair and just demands, particularly on the eve of an election and particularly from the government’s point of view, when it has read the winds and come to terms with the anger and the dissatisfaction of the veteran community.

I do not want to delay this legislation by speaking any longer. I know that the member for Ballarat is going to speak on this bill. I know, too, that she is a passionate, committed supporter of the veteran community not just in her electorate of Ballarat but across the board. I will listen intently to the contribution that she will make.

I congratulate the government again on the introduction of this bill. We certainly changed our attitude in the past few weeks, because I remember the debate that took place in here just a while ago when Kevin Rudd moved a motion in the House which went a long way towards seeing this bill here today. I look forward to a time in Australia when we can get back to a bipartisan approach to veterans’ issues. They deserve no less. People who say that we have a world-class service for veterans in this country ought to be reminded that the service the veteran community gave to Australia through many wars and many conflicts has itself been first-class. Veterans deserve no less than the same sort of treatment from the Department of Veterans’ Affairs, from governments and from oppositions. I support the legislation.
Mr FAWCETT (Wakefield) (12.42 pm)—I rise to speak to the Veterans’ Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007. I wish to talk very briefly about the content of the bill, but I would like to talk a little bit more about the context of the bill and also the future. I will not go into the content in great detail, because I believe most people who are affected by this would by now be aware of the announcements that have been made and the changes to be made. I believe that these are welcomed by the broader ex-service community.

However, one comment I will make about the announcements around the indexation of pensions is that these have overshadowed another announcement that has been made this last week and that I believe is very important. That was the announcement about Operation Life, the program which is looking at increasing and consolidating efforts to work together to improve mental health and reduce the incidence of suicide in the veteran community. I think it is a very important area that we need to continue to invest in. We need to continue to make sure that veterans, their families and those who work with them are aware of programs such as Operation Life that seek to enhance the resilience and health of veterans, increase their understanding of their health issues and, most importantly, ensure their timely access to services. I mention that today because I believe it is something that has been overshadowed but is very important as we continue the fight to support those who have supported us and served their nation in the past.

In terms of context, I want to start by saying that I firmly believe in the obligation that we have as a nation, as a government, to support those people who have put their lives on the line to serve their country. We have encouraged them to join the armed forces; we have chosen to send them into harm’s way. We therefore have an obligation not only to look after their interests and the interests of their families while they are in service but also to help their transition back into civilian life and to support them in the ways that are required throughout the rest of their lives. I think that is an underlying obligation that this nation has.

The member for Cowan mentioned the wish for a more bipartisan approach and I agree with that. I am disappointed that both sides of politics, in terms of the main parties, have taken far too long to reach this point of actually making announcements and deciding to act on behalf of the veterans. It has taken a long time, and I do not resile from that statement.

There are a number of people who I believe do deserve recognition. Blue Ryan and the TPI Federation have certainly been highlighted. I have to say that, even in the three years that I have served in this parliament, I have been impressed by the tenacity and the willingness of a range of veterans groups to engage and to put before members of the government and members of the parliament the issues that are affecting them—the Vietnam Veterans Association, the RSL, Legacy, the National Servicemen’s Association, the RAAF Association and, particularly in Wakefield, the ex-military rehabilitation centre, the Peter Badcoe VC centre. People like Ron Coxon, Moose Dunlop, Denis Burge, Patch Campbell, Ian Jameson, Tony Flaherty, Rob Sandercock, Kerry Lampard and Greg Blyth, just to name a few, have engaged with me to highlight the ongoing needs and issues of the veterans community. If thanks is due for the outcome today it is due in large part to the range of ex-service organisations and their members who have not given up the fight, who have not been prepared to sit back but who have continued to raise the issues, the concerns and the very real needs of veterans.
This is a bit of a pause, a prop, in that activity, as we celebrate the announcement today, but I recognise the fact that the fight is not over and that there are still issues coming back to our obligations that we need to look at. I am aware that the veterans community continue to talk and be concerned about issues such as pharmaceuticals, DFRDB, recognition for people at Long Tan and Ubon and, importantly, the transition issues for people who are moving out of service into civilian life as they transition through the various stages of life beyond service in the military. I welcome some of the recent announcements by the minister towards boosting the whole-of-life approach to our defence service personnel. I welcome the fact that one of those announcements related to Wakefield. I have pushed very hard to make sure that we do put in place some infrastructure to assist that transition so that we really do help people as they move out of the service—and thank you, Minister, for your response.

In terms of the future, I would encourage the ESOs and veterans to continue to lobby members of parliament on both sides, because it is only through that lobbying that we get the information we need, and that we as backbenchers get the push that we need, to be able to work with our respective administrations to get outcomes.

I want to take this opportunity to recognise the work of the member for Cowan, Graham Edwards, not only in this place but for his service with the 7th Battalion during Vietnam. It is good that he has been able to come to South Australia for a couple of recent commemorations. It is also good that one of the new units that is being set up in South Australia will be the 7th battalion moving down from Darwin to South Australia. So there is a good ongoing link there, and I want to thank Graham for his work—as I do Jo Gash, on this side, for the work that she has done. As Graham indicated, she has worked hard to make sure that these things stay on the agenda.

As I talk about the future, though, one of the things that I have learnt as I have left the military and come into this place is that this is a democracy—and, after all, that is what people have served and in some cases fought to preserve—and that a democracy is about meeting a range of competing needs. I have had my eyes opened coming into this place at the needs that are in our community and the passionate way in which people bring those needs before the government. Despite the work of people such as Jo and Graham in advocating for the needs of the veterans community, they are working in an environment where we also have to take into account a range of other things such as health, education, the current defence of the nation, water. They have to be able to put that case forward passionately and convincingly, so there is that tension. We need the ongoing support of the ESOs to provide us with the information and with the evidence base to go forward and put the case convincingly that this is a priority—that, in view of the obligation I mentioned earlier, this is a priority for governments of whichever persuasion to make quicker decisions to support our veterans community. I thank again the ESOs, Blue Ryan in particular, for their support. I thank the minister and I commend the bill to the House.

Ms KING (Ballarat) (12.49 pm)—This is a good day for veterans. I say to those veterans listening to this broadcast and to those who are in the gallery today: well done. Well done on a hard fight. Well done on your tenacity. This issue was a just cause and you did not waver in your support for making sure that veterans got what they were entitled to and that they got justice on this issue.

In speaking on the Veterans’ Entitlements Amendment (Disability, War Widow and
War Widower Pensions) Bill 2007 I want to acknowledge the incredible work of the shadow minister, Alan Griffin, who made a contribution here today as well. Veterans issues are something that are passionate to my heart, something that I have learnt a great deal about since becoming the member for Ballarat, and I really do want to congratulate Alan for listening.

This bill allows for the indexation of the general rate, the five per cent increase on the base of the general rate, the $15 payment for the EDAs and a much-needed adjustment to the war widows pension. I am pleased that the government has taken the decision to introduce the legislation before this parliament concludes. This issue is too important for us to continue to play politics with. And it is essential that veterans have certainty on the issue of indexation of their pensions prior to the election.

In my contribution I also want to acknowledge again the hard work of the veterans community on this issue. The veterans community have been absolutely tireless in their advocacy on this issue. I again acknowledge the presence of representatives of the TPI Association in the gallery today and the many veterans who are listening via broadcast.

The shadow minister has recognised those veterans such as Blue Ryan, Graham Walker and the many others who have been tireless on this issue. I would like to pay particular recognition to the contribution of the many veterans in my electorate who have carried the fight, particularly via email, to the government and the opposition—from their attendance at the rally here in Canberra in 2003 to their constant messages to me about this issue. Ballarat veterans like Bill Dobell, John Hevey, Ray Mende, Charlie Mackenzie and the many at the Ballarat Vietnam Veterans Association have been committed and passionate advocates for this cause. I see from the minister’s face that he knows these names well!

After I was elected, Bill Dobell was one of the first of my constituents to come knocking on my door to take up the issue of pensions indexation with me. Since that time I have spent many hours down at the Vietnam veterans drop in centre in Sebastopol with Bill and other veterans learning about and discussing these issues. When Alan Griffin was made shadow minister for veterans’ affairs, one of the first things I did was take him down to the Sebastopol drop in centre to meet local veterans. The discussions were candid and wide ranging and, while we did not always see eye to eye on some issues, everyone was impressed with the fact that Alan was prepared to listen to them.

It is important to acknowledge the part that Labor’s shadow minister has played in today’s announcement. In my view, we would not be here debating this legislation if Labor had not taken the first step. I congratulate him and I also congratulate the member for Cowan for listening to and acting on veterans’ and community concerns. I also thank the member for Cowan for the support he has given me and the lessons he has taught me since I became a member of parliament. This place is going to be much poorer for his absence. But I know that he will continue to advocate on these issues long after he leaves this place. I also want to congratulate the Minister for Veterans’ Affairs, Bruce Billson, for working through this issue and convincing his party that it had to be addressed. I know that it has not been an easy task. Many of us have seen the sorts of emails and comments that go around on this issue and I know that it has been a very difficult issue for Minister Billson to address. I thank him for listening to the veteran community and for his contribution towards ensuring that
this legislation became reality. I know that it has not been an easy task.

The Vietnam veterans community have put out a very good letter—I think Graham Edwards referred to it in his contribution—about the history of this issue. There will probably be some debate about that as well. I think that it particularly distils the issues and history around indexation. There will be different views but I think it will be a useful document for anyone who is studying this debate in years to come.

Veterans in our community have seen the cost of living skyrocket while their pensions have lagged behind. Some of the veterans still have to support young families and deal with significant medical costs. There is no doubt that these measures will be warmly welcomed by veterans and their families. They are very much needed.

I welcome this legislation but I acknowledge that there are some outstanding issues. I have no doubt that veterans in my electorate will constantly remind me about them. People such as Sue and Geoff Parker, who have fought long and hard for the establishment of the Children of Vietnam Veterans Health Study Inc., should be congratulated for their work. We want to ensure that the study engages with the issues that are necessary for understanding the very real health concerns that Vietnam veterans have about their children, particularly mental health issues. I know that the minister has had many discussions about the COVVH study and I encourage him to ensure that there is thorough and proper consultation with the many people who have worked so hard on the issue. I also want to acknowledge the outstanding issue of medals for those who participated in the battle of Long Tan. It is an issue of concern to veterans in my community.

This week as part of the activities of the Eureka Probus Club, Bill Akell was here in Canberra, in Parliament House, and I had lunch with him yesterday. He again took the opportunity to raise this issue with me. I understand that Harry Smith is not as well as we would like him to be and I would love to see this issue resolved for him soon.

I conclude by reiterating what I said at the start: this is a good day for veterans. We want this debate to be as short as possible. We want this legislation to get through this House and the Senate before we rise, perhaps for the last time in the life of this parliament. That is not in my hands. We want to conclude this debate so that there is absolutely no doubt that the just cause of indexation of veterans’ pensions is well and truly settled, leaving no uncertainty about it as we head into the election.

Congratulations to all of those veterans involved in what has been a long, hard fight—but it was a fight that was absolutely worth having. I congratulate the minister and the shadow minister for their work on this issue.

Mr NEVILLE (Hinkler) (12.57 pm)—The amendments contained in the Veterans’ Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007 will ensure that the value of a range of veterans entitlements will retain their value over time. It has been of great concern to veterans and I am happy to support them in this issue. Our gestures can, of course, never fully compensate veterans for their experiences and the sacrifices they have made at war and the service they have given to the Australian military. But I hope that these changes will go some way towards bridging that gap, as some veterans felt that they had been ignored. That was never the case where I was concerned. This will fill a very important hole in their entitlements.

The changes will increase the extreme disability adjustment and the general rate for
disability pensions, change the indexation arrangements for the general rate disability pension and make changes to war widows’ pensions. They will benefit more than 140,000 disabled pensioners—1,400 of whom live in my electorate—and approximately 114,000 war widows and widowers. It will ensure that their pensions retain their relative values.

I am an unapologetic advocate for veterans. I am proud of the commitment made by the Prime Minister at the recent RSL national congress in Melbourne, where he announced a comprehensive $330 million package to assist veterans. The package is far superior to that proposed by the opposition, let me say. The package has been reinforced by the government’s decision to increase pension payments for Australian war widows and widowers, along with the introduction of a new indexation arrangement. It will bring the combined packages to a total of $470 million.

Under the coalition, from March next year all Veterans’ Affairs disability pensions will be tied to both CPI and MTAWE, in the same manner that the service pension is currently indexed. It means that these pensions will maintain their value relative to wages and other payments made under the Veterans’ Entitlement Act 1986. It will come into effect—please note this, Mr Deputy Speaker—a full six months before Labor’s proposed indexation. As well, the general rate—the compensation that is paid for pain and suffering and loss of function—will be increased by five per cent, bringing it into line with other payments under the Veterans’ Entitlement Act 1986 and benefiting around 140,000 disability pensioners. And guess what—the Labor Party proposed no increase in the general rate disability pension rate until after the Prime Minister announced the coalition’s package. In other words, they were not going to do anything unless we set the bar. Veterans can make their own judgement on that, but it would seem to me that the Labor Party were going to try to get away with as little as possible.

What is more, the 13,000 veterans who receive the extreme disablement adjustment payment, which is for people with profound lifestyle impacts from their service related injuries and conditions, will get a fortnightly increase of $15 from March 2008. This will restore the value of the above general rate component of the EDA relative to those of the intermediate and special rates of disability pension. I point out that the opposition again had no such plans until after the Prime Minister’s recent announcement.

In total the government has committed around $470 million to these changes—a significant amount which is only available because of the coalition’s responsible economic management. I think this point is lost so often. You cannot do these things if you do not manage the economy. If you do not manage the economy properly, you do not have surpluses. If you do not have surpluses, you cannot make these sorts of additional emoluments available. These particular emoluments are real, tangible and substantial benefits for the veterans’ community, and I applaud them.

The Leader of the Opposition thought he was on a winner when he raised veterans’ entitlements in an MPI last month. The opposition stirred up sections of the veterans community and sat back while an orchestrated campaign swung into action. I think most government members would have been on the receiving end of that email campaign by disenchanted veterans. I certainly was, but I think my focus on veterans’ matters probably softened the blow for me. But that has died down, as has the opposition’s cockiness, after the coalition’s announcement, which you really have to say is a far
superior package. In fact, while the Prime Minister was announcing this $330 million commitment, the opposition were cutting sections of their leader’s speech, and they then had the gall to approach the government for the workings and costings of our policy. Hello! ‘What have you done about it?’ is the question that one might ask.

We should not be surprised; the opposition has flip-flopped on veterans’ entitlements and has now dumped its own policy in favour of the coalition’s. We in the coalition are becoming accustomed to the faint cry of ‘Me too, me too!’ echoing around the nation after government announcements. ‘Me too!’ is simply not good enough when it comes to supporting those who have served this nation in wars and conflicts. Our veterans deserve more respect and more commitment from the opposition. The acid test for veterans is just how well they were treated under the previous Labor government. It angers me that Labor seeks to use veterans as a quick headline by peddling dud policies and telling untruths about the government’s record of indexation for veterans’ payments. I point out there were no MTAWE payments at all under the Labor government.

No government in the world takes its responsibilities towards veterans more seriously than this one. The coalition’s commitment to the care, compensation and commemoration of our veterans and war widows is rock solid. I know this because I have contact with a lot of people in the veterans community. I am very close to the two major RSLs in my electorate and some of the smaller ones in the country towns, and I am patron of the Vietnam Veterans Association in Bundaberg. I take my duties with those organisations very seriously, as I did the other night at a particularly fine Legacy charity dinner that we hold every year in Bundaberg to raise money for the children and widows of those who have passed on. This bill will shape an even better payment system for our veterans. I am proud to be associated with it and I commend it to the House.

Mr BILLSON (Dunkley—Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence) (1.05 pm)—in reply—I start by commending all the contributors to today’s debate: the member for Gilmore, with her passion for the veterans community; the member for Wakefield, with his very direct experience of being in the military; the member for Hinkler—an excellent speech, sir, encapsulating the issues; my colleague, sparring partner and, it seems, travelling companion much of the time, the member for Bruce; the member for Cowan, who has been tireless in his advocacy for the veterans community; and, of course, the member for Ballarat. Yes, I did smile when some of those email sources were mentioned. I know the member for Ballarat is very supportive of her veterans community.

This is a good news day. It has been put to me that the Veterans’ Entitlements Amendment (Disability, War Widow and War Widower Pensions) Bill 2007 is one of the most substantial reforms to the compensation system for our veterans community in living memory. Some people’s memories are longer than mine, but this is a remarkable day. It is a very important day. The Howard government and its predecessors have, over many generations, developed a very positive, beneficial, world-class and comprehensive repatriation system that recognises the very special standing and needs of a very special group within the Australian community, and that is our veterans community.

We as a nation have a profound and special duty to those that have served our nation. I often refer to the fact that the peace, prosperity and pluralism we enjoy today did not just happen; there was great courage and sacrifice and for too many there was long
suffering as a result of their service that secured this blessing that we have: to live in this country. Today that work continues as we share our good fortune. It is almost as a demonstration of thanksgiving that our men and women of today’s military continue to work in many theatres around the world in partnership with other nations seeking to achieve what we enjoy here, where decisions about the direction of the nation are determined by the weight of argument, not by the weight of oppression, and where the calibre of leaders and of their ideas, not the calibre of a firearm, shape the direction of the country. We in this country are indeed blessed and our serving men and women carry forward that work and defend the heritage of the service that is encapsulated in our veterans’ support system.

The bill will also change the way the general rate is indexed, so from March 2008 the general rate disability pension will be increased twice annually with reference to both the consumer price index and the male total average weekly earnings index. This method of adjustment currently applies to service pensions and the above general rate disability pension. It does apply and it has applied to those elements of veterans’ payments because they take account of income support and the economic loss of missed opportunity; therefore, the connection between an economic loss and the wage related index is absolutely right and correct.

But, in keeping with our ambition to have a best practice injury compensation system, we are extending that new methodology to the general rate—that is, the non-economic loss element for pain and suffering. Today the major injury compensation systems in Australia still revert to the CPI to maintain the purchasing power of those payments. But we have recognised that there are some jurisdictions where, even for the non-economic loss payment and the compensation for pain and suffering and loss of function, there are to be found some examples where a wage related index is used. It is always our ambition to have a best practice system, the most beneficial system, for those that have served our country. It is right, proper and principled to embrace that method of indexation for all of the payments, the economic loss payment and the compensation for pain and suffering and the economic loss payment, to take account of not only the maintenance of purchasing power—that is, the inflationary impact on those payments—but also the present economic environment of strong wages growth and low inflation and to help maintain the relative value of all disability pensions as they relate to the broader good fortune within the Australian community. So those economic and non-economic loss com-
ponents will now be indexed through that more beneficial arrangement.

The bill also provides for a further one-off increase of $15 per fortnight to the above general rate component of the extreme disablement adjustment disability pension with effect from March 2008. The EDA beneficiaries are receiving additional compensation because of the profound lifestyle effect of their service related injuries, illnesses and impairments after their working life. This is distinctly different from the intermediate and special rates, for which an additional payment is made to recognise that the recipients’ service related conditions have impeded their opportunity to work and that they have missed out on the opportunity and the benefits that are available from engagement in the labour market. This is why the concept of compensation and the way in which we make these payments and index them are very important: it is so that all of us in this parliament can look to the 21 million Australians and say, ‘There are sound and principled reasons why we as a nation invest $11 billion a year in the care and support of the 460,000 members of our veterans community.’ This increase to the EDA rate will be in line with the increases to the special and intermediate rates of disability pension introduced in the 2007 budget. That $160 million package saw the intermediate rate increase by $25 a fortnight and the special rate increase by $50 a fortnight. The recipients well deserved that pay rise, in my view, and the economic circumstances made it achievable and sustainable.

In relation to the war widow and war widower pension, the bill will increase what was formerly called the domestic allowance component by $10 to a $35 per week fortnightly payment. This rate has traditionally been frozen. My research suggests that it has been adjusted twice since 1974—one in 1974, to take account of the inflationary impact of the then Whitlam government, as I understand it, and then more recently when the tax reform package was introduced. That rate has been traditionally frozen save for those two examples. The component will now be indexed twice annually with regard to both the consumer price index and male total average weekly earnings. Although these measures make a significant change to the indexation methodology of the disability pension payment system, the bill also provides significant direct increases to certain disability pensions and war widow and war widower pensions in recognition of the government’s commitment to and appreciation of those who have served and those who have suffered as a result of their service. Finally, it should be noted that these changes come into effect from the earliest possible date, which is March 2008.

I will just touch on the issues raised by some of the other speakers. This package is good news. The shadow spokesman mentioned that some of the discussion and feeling about this matter dates back about a decade. From the emails I receive, it dates back much further than that. It even dates back to the Whitlam era when, at that time, the inflationary impact of economic policies was cited as a reason why disability payments and pensions for veterans were not adequate. As I understand it, the ex-service community has been raising these issues for all of my adult life.

There is also an issue related to protests that the member for Cowan drew attention to. Indexation is one of a range of issues which a nation needs to address. We have a changing veterans community. It is beholden on us to ensure that the system which supports them changes, adapts, evolves and is enhanced to make that system as comprehensive and supportive as it can be for those changing circumstances.
There has been some talk about politicising the matter. I always find that rather amusing, as those who call for bipartisanship usually bookend such a comment with a few gratuitous slaps at their political opponents. Much of the commentary is partisan.

Mr Griffin interjecting—

Mr BILLSON—Much of the commentary, as my colleague opposite says, involves robust engagement. Much of it is politicised. That is the nature of politics, where the battle of ideas is what we are on about. I think it is appropriate that people put forward their respective ideas and let the electorate judge how sound or otherwise they are.

Others have characterised the debate. I recall with glee the opposition introducing the VVF’s account of history. It is at best a characterisation. It is more likely sourced from ALP press releases because it is a very one-sided and partisan commentary. But such is the prerogative of those who put that material out. The member for Wakefield highlighted that the work continues in support of our veterans community, and I recognise that and, like all of us, guarantee him my ongoing positive, passionate and persistent approach to addressing these issues. The member for Ballarat touched on a number of issues. The Vietnam Veteran Family Study, as she would know, is a very high priority for me. Embracing the veterans community is a part of that work, which will see benefits available for the veterans community—insights gained well in advance of the other pathways that were being advocated.

I also want to draw attention to the member for Gilmore’s contribution. Joanna Gash is a tireless advocate for the veterans community, and I value greatly her wise counsel and respect her advocacy. The member for Wakefield, with his military service, is also a source of great insight, and I value and appreciate his advice. The member for Hinkler encapsulated many of the key issues. He has been long held as an advocate of the veterans community, and he works tirelessly in that goal.

I also pay tribute to the ex-service communities generally. I mentioned a number of them when introducing the bill and also in response to a question earlier in the week. Blue Ryan and the TPI Association have been working tirelessly on this issue. But it is also an issue for all in the veterans community and that sentiment is embodied in the government’s response. The package which we are discussing here is just short of half a billion dollars. It is on the back of a $160 million increase in disability pension payments introduced through the budget. So $650 million of change has occurred since May. It is not a small package; it is comprehensive. Labor, to its credit, has been making some calls, but its $116 million package is not $650 million. Some have been saying that it is the same. Again, that is an unfortunate and inaccurate characterisation. The maths alone illustrate how that is misguided. The package that is being embraced today, unlike what has been advocated by those opposite, provides up-front payments, as the budget did. It is a proposition not advanced by the opposition but one embraced, funded and implemented by the government. This package, I think, introduces a much-deserved increase in the general rate table—again, a proposition developed, introduced, resourced and now being enacted by the Howard government. It has not been mentioned by the opposition. It also introduces these changes from March 2008. The opposition was advocating an introduction in September 2008, and that has caused much anxiety within the veterans community. Why was the opposition proposing to delay the introduction of its measures until late 2008? That created some uncertainty.
The government has acted decisively to transform an announcement of a little over a week ago, and a second instalment yesterday, into legislation that is before the parliament today, being debated with the support of the opposition—and I thank them for that—so that it may find its way into the other house and be embraced.

Finally, I wish to thank the ex-service organisations in my own electorate. Some question my judgement for seeking the role of Minister for Veterans’ Affairs. It is a character-building role. The constituency is not shy in putting forward its views. I occasionally joke that a good week for me is only one effigy of me being burnt! It is a challenging role, but it is a role which is a great honour for me to carry forward. Working in collaboration and partnership with the ex-service community, the ex-service organisations and veterans in the greater Frankston and Mornington Peninsula area gave me a fine training. I had been well prepped on all the issues that I have had to address since February last year by the veterans in the Dunkley electorate, and I thank them for their forbearance, their wise counsel and their encouragement. I commend the bill to the House and thank all participants for facilitating its passage.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr BILLSON (Dunkley—Minister for Veterans’ Affairs and Minister Assisting the Minister for Defence) (1.21 pm)—by leave—I move:

That this bill be now read a third time.

Questions agreed to.

Bill read a third time.

TAX LAWS AMENDMENT (2007 MEASURES No. 6) BILL 2007

Second Reading

Debate resumed.

Mr CADMAN (Mitchell) (1.22 pm)—I seek leave to have certain words incorporated into Hansard.

Leave granted.

The document read as follows—

The built environment is critical for the long-term physical and mental health of our community. Crammed conditions with little space for children to play impinge on family disputes. It also ensures that obesity is an ever present concern. Poor eating and exercise habits developed early can cost the Commonwealth a bundle in later years as can all poor designing practices. State Governments refuse to carry the responsibility for the environments they create and this is a future role for the Commonwealth. In foreign relations our close neighbours particularly Papua New Guinea are of significance. When I was first elected the focus was on Europe and the USA. Now it is the Pacific Rim and the Middle East. We must build close bonds with our neighbours and intensify our friendly relationships.

I also wish to thank Comcar drivers, our transport officers and all who make it easier to efficiently fulfil our duties. The local Liberal Party; I want to thank everyone of those members who have been such wonderful help and support to me and in particular leaders of the Mitchell Federal Electoral Conference, Fred Caterson, Harold Cottee, Michael Richardson and Bernie Moriarty. They have been good friends, mentors and leaders. I wish to thank past staff members, and there have been many, but especially Beryl Gaydoul, Lois Davis, Betty Ingles, Joan Andrews, Roberta Bell, Geraldine Rath and Michael Paag. My current staff are wonderful and I thank Jan Cox, Ronnie Quinn, Kath Knox and part-timers Wayne Hampson and Roberta Bell. My Western Sydney colleagues Jackie Kelly, Pat Farmer, Kerry Bartlett and Louise Markus are wonderful friends and colleagues. They are a terrific team to work with. I want to also thank those people who have been involved in the Mitchell Youth Leadership Forum.
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and the Hills Initiative or Excellence, two outstanding features of community activity in the electorate.

Debate adjourned.

AUSTRALIAN CRIME COMMISSION AMENDMENT BILL 2007

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Ms GAMBARO (Petrie—Assistant Minister for Immigration and Citizenship) (1.22 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS) BILL 2007

Report from Main Committee

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

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Ms GAMBARO (Petrie—Assistant Minister for Immigration and Citizenship) (1.23 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

COMMITTEES

Foreign Affairs, Defence and Trade Committee

Report

Mr BAIRD (Cook) (1.24 pm)—On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade I present the committee’s report entitled Australia’s aid program in the Pacific.

Ordered that the report be made a parliamentary paper.

Mr BAIRD—by leave—A considerable proportion of Australia’s aid goes towards assisting our Pacific island neighbours. In the 2007-08 financial year, $872.5 million will be disbursed in the Pacific, with the majority directed to assist citizens of the Solomon Islands and Papua New Guinea. Each of the Pacific island states has different development needs, some more complex than others, and the Australian aid program seeks to help address a wide range of these. The Australian government does so in partnership with, principally, national governments but also other donors, non-government organisations and local communities.

Australia has long had a special relationship and historical links with several Pacific countries, especially with Papua New Guinea. It is not just a case of it being in Australia’s national interest to intervene or to provide aid: Australians genuinely want to help their neighbours. That said, government-to-government assistance is not always the perfect way to deliver aid. It is therefore important that there be a mixture of interventions, including those from civil society, NGOs and the private sector.

In the course of the inquiry, the committee heard from a wide range of stakeholders with an interest in development in the Pacific, Australians and Pacific islanders alike. Witnesses included academics, consultants, government officials, and representatives from
non-government organisations, think tanks and business. The committee invited Pacific high commissioners in Canberra to a round-table discussion and enjoyed talking to a number of Pacific islander recipients of AusAID development scholarships studying at the Australian National University, as well as returned Australian Youth Ambassadors for Development.

Both the Australian government’s white paper on aid and AusAID’s Pacific 2020 report highlight major development challenges facing the Pacific region. In addition to low economic growth, these include rapid population growth, social and political instability and health and environmental issues such as HIV-AIDS and climate change. The committee wished to gauge the Australian community’s response to the ways forward presented in the white paper and Pacific 2020 report and to engage in the debates shaping the aid and development agenda in the region today in order to gain insights into the challenges and successes of our aid contributions. Our inquiry focused on strengthening law and justice; improving economic management and public accountability institutions; maintaining access to basic services, especially health, anticorruption and good governance measures; and supporting peace building and community and civil society development.

One of the main themes to emerge during the inquiry was the need to improve growth in Pacific island economies. Stimulating the private sector has not typically been the domain of aid agencies, for a range of reasons, and public funds are naturally directed to the public sector. However, the committee heard there is much that the Australian government, the Australia-Pacific business councils, the private sector and NGOs like Australian Business Volunteers are doing, and can do more of, to help promote economic reform. This includes working to improve the policy environment as advisers in line agencies, investing in infrastructure and human capital and supporting entrepreneurial activities. To these ends, the committee notes the importance of financial services in the development of Pacific island economies and recommends that the Australian government develop a focused strategy to encourage financial services development, including microfinance.

The committee was impressed with an innovative idea presented to it by Mr Roland Rich, who proposes that the Australian tax rules be amended to encourage companies to become directly involved in building private sector capacities in developing countries by allowing them to deduct from their taxable income the full costs incurred in providing such assistance. The committee recommends that the Australian Taxation Office, in conjunction with AusAID, consider and report on the merits and practicalities of Mr Rich’s proposal. The committee noted the evidence presented to it of the importance to Pacific island economies of access to developed economies for seasonal workers and recommends an active and serious evaluation by the Australian government of the possibility of such a scheme.

Another key theme to emerge throughout the inquiry was the need for strong people-to-people links between Australians and Pacific islanders, not only for development reasons but also to promote a deeper understanding and better appreciation of our respective cultures. Concerns were raised by some that the people-to-people links between our nations—be they government-to-government, business, civil society or educational—have reduced in recent years. However, the committee learnt that many opportunities for engagement exist and that these are increasing. For example, Australia is expanding its scholarship assistance through the Australian Scholarships Program and will
double the total number of education awards offered to the region to over 19,000. Established schemes such as the AusAID Development Scholarships program and the Australian Youth Ambassadors for Development program are very highly regarded throughout the region.

It is with these benefits in mind that the committee recommends that the Australian government consider establishing a Pacific island youth ambassador scheme similar to and possibly linked with the Australian youth ambassadors scheme or AusAID Development Scholarships, whereby young, skilled Pacific islanders can apply for placements in an Australian host organisation’s workplace for the purpose of work experience and cultural exchange. It is the committee’s view that an exchange such as this will build further personal contacts and boost cooperative networks in Australia and the Pacific. The committee also recommends that the stipend rate for scholarship recipients be regularly reviewed to ensure that the scholarship remains commensurate with the cost of living and is adequate for students with accompanying dependants.

Aid and development is a complex area in which to work. The committee acknowledges the efforts of Australians seeking to make a difference in this field, be they AusAID officials or public servants seconded to the Pacific from other government departments and agencies such as the Attorney-General’s Department, Customs, Defence and the Australian Federal Police; church groups; non-government organisations; academics; volunteers; or private citizens. All are collaborating on a daily basis with counterparts in the Pacific, working towards common goals. In some parts of the region it is more a work in progress than in others, but their efforts to promote and enhance human rights and security in the region are something that Australians can be proud of and should continue to support.

The committee heard that interventions like the Australian led Regional Assistance Mission to the Solomon Islands and the Enhanced Cooperation Program with PNG are welcomed, not just by the region’s representative bodies like the Pacific Islands Forum—and RAMSI is very much a regional cooperation effort—but also by the majority of Solomon Islands and Papua New Guinea citizens. This is testament to the good work that Australian personnel, particularly from the AFP, do at a local level to build trust and goodwill.

I am grateful to all those who provided evidence to the committee. I thank my colleagues on the Human Rights Subcommittee who undertook the inquiry on behalf of the committee and the secretariat for their assistance.

Mr Deputy Speaker, if I could have a moment’s indulgence, as this is absolutely my final speech in the House, despite many people accusing me of being Dame Nellie Melba and of having multiple farewells. I would like to make one comment which time prevented me from making at the end of the valedictory speech to recognise the contribution that my wife has made to me. She is a psychologist—she often needs to be! In 43 years of marriage she has been my rock and my great support and I want to acknowledge that here. I would also like to acknowledge my children: Michael, who is now the member for Manly in the New South Wales parliament; his wife, Kerryn; and my grandchildren, Laura, Kate and Luke. Michael is certainly carrying on the flag of the Baird period in politics. He is also a good moderate lad and we hope that he upholds the true small ‘l’ liberal traditions. I also acknowledge my daughter, Julia, who lives in New York with her husband, Josh, and their baby,
Poppy; and my son Stephen and his partner, Anne Marie. Without them, it would not be possible to be here. They have been tremendous support. There is also my faith, which has been so important in these 20 years in politics. Thanks to all of you very much.

Mr SERCOMBE (Maribyrnong) (1.33 pm)—by leave—Our South Pacific neighbourhood is the region in the world where Australia has the capacity to contribute decisively to improving economic development prospects, social and political development and security. It is overwhelmingly in Australia’s national interests to contribute so decisively. This report from the Joint Standing Committee on Foreign Affairs, Defence and Trade, I believe, makes a modest contribution to debate on appropriate ways forward on those national objectives. What is undoubtedly needed is focused energy and creativity in partnership with our Pacific island neighbours. What is not needed is hectoring and megaphone diplomacy.

The recommendations in the report reflect the importance of some of the creative ideas but also the need now for detailed development of such ideas. The first recommendation relates to the importance of financial services in development, and particularly the importance of microfinance. The second recommendation deals with building private sector capacity in the region. It includes, as the member for Cook indicated, a recommendation for active consideration of an interesting proposal by Roland Rich, a former head of the Centre for Democratic Institutions at the Australian National University.

The third recommendation notes the importance to Pacific island economies of access to developed economies for seasonal workers. This is vital to the region’s development and to achieving stronger economic integration in the region. Of course, any such proposals would need to ensure that the interests of Australian workers were protected as well as avoid any prospect of exploitation of Pacific island workers. I am pleased in this context to note that the Minister for Foreign Affairs, no less, at the recent Arthur Tange memorial lecture, said the government was closely monitoring the implementation of such a scheme in our neighbour New Zealand.

The fourth recommendation deals with strengthening the Australian Development Scholarships scheme, a most important scheme on a number of levels, not least the people-to-people connections that it builds within our Pacific region. The fifth recommendation deals with introducing some genuine reciprocity to the Australian youth ambassadors scheme, whereby Pacific island young people can be placed with Australian host organisations to gain work experience and cultural exchange.

I believe the report, as I said, makes a modest contribution, but nonetheless an important one, to taking forward Australian debate on developing some of the creative ideas we need if in fact Australia, in its service of its own national interests—apart from doing the right thing by our neighbours—is going to act in the decisive way we need to in relation to our region and its potential. I commend the report to the House. I move:

That the House take note of the report.

The DEPUTY SPEAKER (Hon. AM Somlyay)—In accordance with standing order 39(c), the debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting and the member will have leave to continue speaking when the debate is resumed.
AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TESTING) BILL 2007

Assent

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

TAX LAWS AMENDMENT (2007 MEASURES No. 5) BILL 2007

Consideration of Senate Message

Bill returned from the Senate with an amendment.

Ordered that the amendment be considered immediately.

Senate’s amendment—

(1) Schedule 10, item 1, page 161 (after line 16), at the end of Division 376, add:

376-275 Review in relation to certain production levels

The Minister must, before the end of 12 months after the commencement of this Division, initiate a review of the effect of this Division in relation to levels of production by the Australian independent production sector compared to levels of production by Australian television broadcasters.

Ms GAMBARO (Petrie—Assistant Minister for Immigration and Citizenship) (1.38 pm)—I move:

That the amendment be agreed to.

Question agreed to.

TAX LAWS AMENDMENT (2007 MEASURES No. 6) BILL 2007

Second Reading

Debate resumed from 13 September, on motion by Mr Dutton:

That this bill be now read a second time.

Mr BOWEN (Prospect) (1.38 pm)—Due to the rather unusual concurrence of events this morning and the series of valedictory addresses, I will be indicating the Labor Party’s position on the Tax Laws Amendment (2007 Measures No. 6) Bill 2007 from the position of second Labor Party speaker. Labor will be supporting this bill. Schedule 1 provides a deduction for capital expenditure for the establishment of trees in carbon sink forests. Expenditure incurred in establishing trees in a carbon sink forest will be immediately deductible in the period 2007-08 to 2011-12. After this initial period, establishment costs will be deductible under a write-off rate of seven per cent per annum for 14 years and 105 days. This provides a substantial encouragement for people to develop carbon sinks, and that is a worthy public policy outcome. The effective life of a forest is, of course, much longer than 14 years, so this write-off is very concessional to encourage the establishment of carbon sink forests. Carbon sink forests are forests which are established for the primary and principal purpose of sequestering carbon from the atmosphere. The carbon stored in the growing forest can then be used for greenhouse gas abatement purposes.

Currently, the costs of establishing trees in carbon sink forests are not deductible. The bill amends the uniform capital allowance rules to allow a deduction for capital expenditure for the establishment of trees in carbon sink forests as long as certain conditions are met, including that, to claim the deduction, the taxpayer must be carrying on a business. The explanatory memorandum makes it very clear that the definition of ‘carrying on a business’ is sufficiently broad to allow those businesses that wish to abate their own greenhouse gas emissions via a carbon sink forest to be eligible for the deduction even though that business may not directly involve the property in question. The primary and principal purpose of establishing the trees must be for carbon sequestration and cannot include the purposes of felling the trees or using them in commercial horticul-
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ture. However, this is flexible, so that a secondary purpose to the forest is allowed. That is a sensible caveat.

The deduction is not available for expenditure on establishing trees in a carbon sink forest incurred by a managed investment scheme or a forestry managed investment scheme. As the House knows, because of the relevant debates, there are different schemes to cover those managed investments. The amount of the deduction is the amount of the expenditure incurred in establishing the trees. Expenditure on assets separate from the trees is not considered to be establishment expenditure. Examples of this include fencing, water facilities for the trees in the carbon sink forest, roads within the forest, and fire breaks. It is also sensible that the deduction applies only where the land used for the carbon sink forest was cleared before 1990 which is used as the base year for the Kyoto protocol.

Unlike many members opposite, we on this side of the House take the issue of climate change seriously. We do acknowledge that it is happening—unlike some members opposite—and we certainly take it seriously in terms of a policy approach. Labor supports this measure as an environmental measure; however, this measure should certainly not be seen as a panacea. As the Australian Conservation Foundation said:

Due to their impermanent nature, carbon sinks cannot permanently offset emissions from burning fossil fuels. Carbon sinks should only be established to replace vegetation where it has been lost from logging and clearing.

The ACF do not oppose this measure, but they certainly do not see it as a panacea, and neither do we. Most importantly, it is also not an excuse for not doing more. And it is not an excuse for not signing Kyoto. It is not an excuse for not giving families more support to invest in renewables and make their homes more energy efficient. It is not an excuse for not investing more in renewables more generally. The government has been caught napping on climate change, and it is kidding itself if it thinks this bill is a huge step forward. It is a welcome step, but not a huge step.

My colleague the member for Kingsford Smith and shadow minister for climate change will be speaking in this debate a little later after question time and he will further outline the Labor Party’s position on some of the more detailed elements of schedule 1.

Schedule 2 ensures grants under the Tobacco Growers Adjustment Assistance program to tobacco growers are tax free. Tobacco growers can receive up to $150,000 under the Tobacco Growers Adjustment Assistance program to assist them to exit the tobacco growing industry and move into alternative business activities. In 2006 legal tobacco production ceased in Australia, and the last state in which tobacco production ceased was Victoria. Licences to produce tobacco can only be issued by the Australian Taxation Office in the case where a grower has formal arrangements to sell tobacco to manufacturers and there are currently no licences on issue.

Government grants paid to business to assist them to exit an industry are generally subject to capital gains tax. This bill lists the grant made under the Tobacco Growers Adjustment Assistance program 2006 as exempt from capital gains tax as long as the recipient exits all agricultural enterprises for at least five years. The bill also lists the grant as exempt from income tax, to put beyond doubt that the grants are not taxable income. These measures ensure that these grants are tax free in the hands of the former tobacco farmers. Labor supports this as a sensible and worthwhile measure.

Schedule 3 of the bill amends the Income Tax Assessment Act 1997 to update the list
of deductible gift recipients or DGRs. This schedule allows deductions for gifts to the Council for Jewish Community Security from 10 August 2007. The Council for Jewish Community Security was established to assist in the provision of security and protection for members and institutions of the Australian Jewish community.

The date of 10 August on which this measure comes into force is a very significant one. It is the date that the Assistant Treasurer and Minister for Revenue issued his press release announcing the measure. As I recall—and I recall it quite well—it was a press release issued quite early in the morning. It also happened to be the day that the Leader of the Opposition, and the shadow minister for education, the member for Perth, released Labor’s schools security policy. We know that the government received a tip-off that that announcement was coming and it was a cynical attempt to play catch-up that they announced their measure before we announced our schools security policy. Perhaps they thought that by whisking out a press release very early in the morning when the Leader of the Opposition was in the car on his way to make Labor’s announcement that they would somehow derail our announcement.

No wonder people are growing cynical about this government. After 11 years in office they whisk out a press release when they hear on the grapevine that the Leader of the Opposition and the member for Perth are in the car on their way down to make Labor’s announcement. They had 11 years to deal with the issue and they did not deal with it until they knew that the opposition was about to make a very substantial announcement in this regard.

Of course tax deductibility of these donations does not derail Labor’s announcement; our announcement is quite separate from tax deductibility. There is a clear difference. The government believes that tax deductibility is enough. The government says that, if they make donations to the Council for Jewish Security tax deductible, that is their contribution to this very important matter. We agree with tax deductibility. We violently disagree that it is enough. We violently disagree that this closes the matter. We support tax deductibility and our schools security project. We are prepared to give bipartisan support to tax deductibility and we call on the government to give bipartisan support to the schools security program.

The schools security program does not of course deal only with Jewish schools but also with schools that are in a sensitive environment in relation to their security, and Jewish schools are a very prominent part of that subset. We have recognised that schools in the Jewish community and in other communities need more support to ensure their security. There is nothing more important than ensuring the security of young children at school. For parents of those children it is of course a vital matter and it is not one where they expect to see games being played like a press release being issued when the Leader of the Opposition is on his way to make an announcement. So we will support tax deductibility on a bipartisan basis because it is sensible and worthwhile. But if the government were serious they would in turn support Labor’s schools security package or come up with their own or make some sort of other measure to fund independent schools that have issues with security. Labor’s position is very clear: we support tax deductibility and we support the extra funding of $20 million in order to assist independent schools that have established security issues.

This schedule also extends the DGR listing of Australia for UNHCR until 27 June 2012, which was established to raise funds for the work of the United Nations High
Commissioner for Refugees, which safeguards the rights and wellbeing of refugees worldwide. Labor of course also supports this measure and wishes this organisation well.

Finally, schedule 4 amends the Farm Management Deposit Scheme to align the tax laws with the guidelines for declaring either all primary producers in a geographical area, or specific classes of primary producers within a geographical area, to be in exceptional circumstances. The Farm Management Deposit Scheme is designed to allow primary producers to set aside taxable primary production income in profitable years, to be withdrawn, usually in lower income periods, in order to deal with adverse economic events and seasonal fluctuations, and of course the drought. Deposits are tax deductible in the year they are made. When the farm management deposit is withdrawn the amount of deduction previously allowed is included in their assessable income in the repayment year.

To qualify for the tax deduction, farm management deposits cannot be withdrawn within 12 months of the deposit other than in certain specific outlined circumstances. However the deposits can be withdrawn within 12 months if the farm is in an exceptional circumstances, or EC, area and the deposit was made prior to the area being EC declared.

A minor inconsistency exists under the current law which denies eligible primary producers the tax benefits of a farm management deposit as a consequence of withdrawing their FMD early. Certain classes of primary producers in an area that has been declared in exceptional circumstances within 12 months may be denied the tax deduction because they withdraw from the deposit that was made when the area in which their farm is located was an EC area at the time of the deposit, even though the exceptional circumstances declaration did not apply to them because of their producer class. This amendment will remove this minor inconsistency to allow these farmers the tax benefits available under the FMD scheme. This minor amendment is in addition to the more substantial changes made earlier in the year in the Tax Laws Amendment (2006 Measures No. 7) Bill 2007. That bill increased the threshold of non-primary production income from $50,000 to $65,000 and increased the deposit limit from $300,000 to $400,000 to allow more primary producers to become eligible for the FMD scheme. Labor supported that measure, as it supports this one, and it supports the other measures contained in this bill.

Mrs MIRABELLA (Indi) (1.50 pm)—I rise to speak on the Tax Laws Amendment (2007 Measures No. 6) Bill 2007. The minutiae of tax laws do not usually bring a great number of speakers from either side of the House rushing to speak, but in this instance I am particularly keen to make a contribution. I want to focus on schedule 2 of the bill, which has a direct impact on a number of constituents in my electorate, which contains the last remaining significant tobacco-growing area in Australia. This measure impacts significantly on very many families and individuals and, indeed, on a tradition and culture that is deeply rooted in the history of the north-east Victoria.

The assistance package contained within this amendment, the Tobacco Grower Adjustment Assistance program, provides grants to help tobacco growers re-establish in alternative economic activities. The scheme assists tobacco growers to change careers following the effective closure of the industry in October 2006. Growers in north-east Victoria voted decisively in Myrtleford, at a meeting of the Tobacco Cooperative of Victoria, to cease growing tobacco and to accept
a buyout of their existing contracts with tobacco manufacturers.

That decision having been made, foreshadowed government assistance became available. The final vote, which was overseen by the Australian Electoral Commission, saw 118 growers vote in favour of exiting the industry, with 12 growers voting against, being a 91 per cent vote in favour—well in excess of the 66 per cent required under the constitution of the Tobacco Cooperative of Victoria. It was an extraordinary event. It was a very emotional time for many families, having grown tobacco for several generations—it being, as I have said, an integral part of the culture and identity of that part of north-east Victoria.

Sadly, many families had come to the realisation that there were many factors working against the industry. A significant factor was the escalation of professional crime gangs getting into illegal tobacco, more commonly known as 'chop chop'. It had reached a point where the personal fear had become too much for many people. I empathise with those families. I understand—obviously not as directly as they do—some of the pain and trauma that many of them went through in reaching this decision.

The package is not intended to be a share buyout. As has been mentioned, grants are capped at $150,000. Similar impacts were felt by North Queensland growers and dependent communities when manufacturers ceased purchasing Queensland-grown leaf in 2004. The high capitalisation of tobacco-specific equipment has made it very difficult for many affected growers to re-establish alternative operations. The focus of the package is therefore on helping tobacco growers to move into alternative agricultural operations or other businesses. In turn, this will boost confidence in the many rural and regional communities that have traditionally been dependent on the tobacco-growing industry and associated industries and businesses. It will also complement other Australian government initiatives to reduce the trade in illegal tobacco.

The $150,000 cap is higher than that available for other government rural assistance programs. For instance, the Sugar Industry Reform Program had a maximum grant of $100,000 and the government’s Farm Help program has a maximum grant of $75,000. In addition, assistance under these packages is subject to an assets test that does not apply to the assistance available to tobacco growers. Usually this type of government assistance payment for those carrying on a business is treated as ordinary income under the Income Tax Assessment Act 1997 or as a bounty or subsidy under the same act.

Farmers who give an undertaking to leave agriculture altogether and not become an owner or operator of an agricultural enterprise within five years of receiving the grant will be eligible for a tax-free grant. Those who remain in agriculture will find that their grant is assessable for income tax purposes. I advocated to change this, wanting to have all grants tax free, but being in a democracy and only one of 150 members in this House, I was unsuccessful. The government assistance to Victorian tobacco is on top of the $14 million provided to local growers by tobacco manufacturers as part of the buyout of their remaining two-year contracts.

Recently we have heard news of the other possible major investment by an Albury company in the old tobacco cooperative storage sheds and buildings at Myrtleford, which may involve millions of dollars of investment and hundreds of jobs for the local community. That would be a great outcome for Myrtleford, which has gone through a difficult time not only with the effective closure of the tobacco industry but also with
drought and fires. If this deal were to be clinched, it would be most welcome for the Myrtleford community and there would be a great sigh of relief.

As anyone associated with the industry well knows, during my tenure I have worked extremely hard to try to keep it viable, eventually as an advocate, at the request of the cooperative, fighting for a fair compensation deal for growers. I have had the great pleasure of working with two extraordinary chairs of the Tobacco Cooperative of Victoria, the first being Angie Rigoni and the second being John Muraca. They are truly decent men of integrity, who worked hard, often against the odds, competing with forces beyond their control, on behalf of families who have grown tobacco for many generations. It has been my pleasure and privilege to have worked with them. Their families have been through a lot. I hope this assistance package will go some way to helping them move forward to exit the industry with some dignity, which was the main concern of the most recent chairman, John Muraca.

The bill implements a very important measure which will benefit a significant number of former growers in my electorate. It will assist them to move on with their lives. I commend the bill to the House.

Mr MARTIN FERGUSON (Batman)
(1.58 pm)—I rise to speak briefly on the Tax Laws Amendment (2007 Measures No. 6) Bill 2007. As we appreciate, the bill goes to a number of matters but of most interest to me is the question of a tax deduction for capital expenditure for the establishment of trees in carbon sink forests, something which is dear to the heart of many members of this House—some more than others! I welcome the introduction of this long sought after scheme. In doing so, I indicate to the Australian community that the Howard government, as usual, has been tardy on the reform front with respect to this major requirement in terms of the greenhouse debate.

I notice the Treasurer, Mr Costello, has had the guts to come to question time a bit early. He is not known for having much ticker. Perhaps he ought to sit down and learn his place—sitting behind the Prime Minister, playing second fiddle, as usual. He is pretty good at playing second fiddle. He has never had the ticker to seek the most sought after job in the land—being Prime Minister of the Australian nation.

Returning to issues at hand—

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 STATEMENTS

Joint Defence Facility Pine Gap

Dr NELSON (Bradfield—Minister for Defence) (2.00 pm)—I ask leave of the House to move a motion to suspend standing and sessional orders to enable me to move immediately a motion relating to a ministerial statement concerning the Joint Defence Facility at Pine Gap.

Leave granted.

Dr NELSON—I move:

That so much of the standing and sessional orders be suspended as would prevent:

(1) the Minister for Defence making a ministerial statement immediately relating to the Joint Defence Facility Pine Gap; and

(2) the Minister for Defence presenting a copy of his statement, a motion being moved to take note of the document and an equal period of time for an Opposition Member...
speaking to the motion to take note of the
document.

I thank the House for the opportunity to
speak on the important contribution that the Joint Defence Facility at Pine Gap makes to
defence and national security on the occasion of the facility’s 40th anniversary. In doing so,
I acknowledge the presence in the House of the US Ambassador to Australia, the Hon.
Robert McCallum.

Since the 1940s, Australia has been part of a shared intelligence community with our
allies, the United States, Great Britain, Canada and New Zealand. This cooperation has
been of great benefit to Australia, as intelligence is a core element of our nation’s security.
Our relationships have given us access to all kinds of crucial information, as well as
the expertise by which to interpret this information into useful intelligence. We have
used this information and the capabilities of the facility to guide and develop our national
security and defence policies and support Australian defence personnel on operations.

Australia’s intelligence relationship with the United States has been especially impor-
tant in this regard. Through intelligence sharing we have consolidated our defence rela-
tionship as much as through our combined military deployments and the conflicts of the
20th century, as well as those of the early years of this century. Much of our earlier
intelligence cooperation was centred on Cold War issues and traditional concerns about
potential threats to regional and global security from other nation states.

But the events of 11 September 2001 and subsequent terrorist attacks in Bali, Jakarta,
Madrid, Mumbai and London, to name a few, have redefined Australia’s intelligence
relationships. Counterterrorism is a global, generational challenge. Both Australia and
the United States realise that greater international cooperation is required to combat a
threat that goes beyond the boundaries of the nation state. Alongside this threat, some
countries are today aggressively pursuing ballistic missile programs, weapons of mass
destruction and, most worryingly in some cases, both. Australia remains a close friend
and a strong ally of the United States, and we remain committed to our mutual security
arrangements. Our intelligence relationship, already strong, has been reinforced over the
past five years. This cooperation, which now borders on seamless, has seen an increase in
information exchange, technical cooperation and embedded liaison officers.

Consistent with my responsibilities as Minister for Defence, I have visited the Joint
Defence Facility at Pine Gap. I was very impressed by the contribution the facility
makes to Australia’s security, by the professionalism of the staff, both Australian and
American, and by the arrangements between the Australian and the United States govern-
ments which allow the facility to function so effectively. I am fully briefed on the activi-
ties and capabilities of the facility and have every confidence in the arrangements that
govern the facilities activities.

Due to the classified nature of the work performed at Pine Gap, it is necessarily the
case that relatively few people are briefed on its functions and very few are briefed on the
most sensitive activities that are undertaken there. It is therefore in the public interest that
periodic public statements on the role and function of the facility are made. This is so
the public can have confidence that its elected representatives are responsibly and
accountably overseeing such activities which are, after all, in their name and are rendering
that accountability in public within the limits of security.

Construction of the Joint Defence Facility at Pine Gap began in 1967 and, in recogni-
tion of the 40 years of outstanding contribu-
tion to our national security made by the facility, I consider it is timely to make such a statement. Before turning to the role and functions of the facility, I should acknowledge that not all Australians agree with its presence here. This is not a new phenomenon. During the Cold War some Australians were concerned about the risk of joint facilities, which prior to 1999 included the Joint Defence Facility Nurrungar at Woomera in South Australia and the North West Cape Naval Communication Station in Western Australia, being targeted by nuclear missiles. This was a risk that successive Australian governments have acknowledged in the process of supporting global security through the operation of the joint facilities.

Other concerns over the years have related to the supposed loss of sovereignty caused by the presence of such facilities on Australian soil and our interaction with so-called US war-fighting systems. While these voices reached their zenith in the 1970s and 1980s, they still echo occasionally in Australian political discourse, including the extent of protest against the facility. While the views held by critics of the joint facility are to be respected, I could not disagree with them more strongly. The Joint Defence Facility at Pine Gap is just that—a joint facility. It is not a US base. It is run by the governments of Australia and the United States as partners, and Australians hold crucial positions at the facility.

I am particularly impressed by the application of Australia’s policy of full knowledge and concurrence. ‘Full knowledge and concurrence’ is an expression of sovereignty, of a fundamental right to know what activities foreign governments conduct on our soil. The people and parliament rightly hold the government responsible for exercising this right. It is through this policy that Australians ensure that our sovereignty is honoured and that we retain complete visibility of the facility’s capabilities, and the Australians that hold those crucial positions at the facility ensure that our requirement for full knowledge and concurrence is maintained.

The Joint Defence Facility Pine Gap continues to make a vital contribution to the security interests of both Australia and the United States of America and is an outstanding manifestation of the level of cooperation that has been achieved in Australia’s closest defence relationship. The facility at Pine Gap has two principal roles: the collection of intelligence by technical means and the provision of ballistic missile early warning information.

The intelligence collected at Pine Gap meets critical requirements of both our nations, providing us with information on priority intelligence targets such as terrorism, the proliferation of weapons of mass destruction, and military and weapons developments. It also contributes to the monitoring of compliance with arms control and disarmament agreements and provides communication support.

The operations at Pine Gap continue to provide us with intelligence which is valuable to our own security. Through the relay ground station at Pine Gap, Australia supports the United States and its ballistic missile early warning program, thereby making a significant contribution to global security. The program provides reassurance against the possibility of surprise or accidental nuclear missile attack as well as early warning capability against shorter ranged tactical missiles. The program also provides information about the occurrence of nuclear explosions.

Our participation in this program, therefore, in addition to contributing to global security, helps us to inhibit the proliferation of ballistic missiles and provides information on ballistic missile launches of interest to
Australia. Ballistic missile launch early warning information could be used in any US missile defence system and, as such, this would be a continuation of a ballistic missile early warning partnership that we have shared with the United States for over 30 years.

The capabilities present at Pine Gap will continue to evolve to meet new demands and to take advantage of new technologies. In that regard, our two nations will continue to have technical exchanges. Pine Gap will remain a central element of Australia’s security and its relationship with the United States for the foreseeable future. All activities at the Joint Defence Facility Pine Gap are managed to ensure that they are consistent with Australian interests. These activities take place with the full knowledge and concurrence of the Australian government, and Australia benefits fully from them.

Australia will continue to pursue its close intelligence relationship with the United States. Pine Gap remains a central element of the Australia-US alliance, and it continues to contribute to our security. The Australian government remains satisfied with the arrangements that govern the facility’s use and warmly welcomes the continued involvement of the United States in the facility.

On the 20th anniversary of the Joint Defence Facility Pine Gap, I particularly pay tribute to the people of Alice Springs for their enduring support. I also thank all of those people, past and present, who have contributed to the facility’s successful operation and, through it, to Australia’s alliance with the United States and to the mutual security of our two nations. I table a copy of the statement.

Mr ABBOTT (Warringah—Minister for Health and Ageing) (2.10 pm)—I move: That the House take note of the document.

Mr FITZGIBBON (Hunter) (2.10 pm)—I thank the House for the opportunity to respond to the statement by the Minister for Defence on the important role that the Joint Defence Facility Pine Gap plays in both Australia’s national security and, of course, global security.

Like the minister, I visited Pine Gap—an opportunity afforded to only a few, among them Kevin Rudd, Kim Beazley and the current foreign affairs spokesman on our side, Robert McClelland. We have seen Australians and Americans working together, side by side, in a joint determination to maintain peace and global order. Their work has never been more important. Big shifts in the distribution of global power, conflicts in Afghanistan and in the Middle East, tensions on the Korean peninsula and in the Taiwan Strait and the rise of radical Islamism are combining to make the work of the joint facility more critical than ever before.

Australians were reminded of the democratic world’s ongoing vulnerability to radical Islamism in the most horrific way on 11 September 2001 and later on when terrorists struck in London and Mumbai. And if they held any doubts about Australia’s vulnerability, those doubts were removed by the tragic bombings in which our citizens were targets and victims in Bali and Jakarta.

The minister noted that the existence of the joint facility does not enjoy the support of all Australians. That, of course, is true. But nothing did more to build public support for the facility—and I do believe it enjoys strong public support—than the Hawke Labor government’s changes to the facility’s operating arrangements in 1988. Those changes reinforced the commitment of both governments to the facility and to our mutual and unwavering commitment to the Australia-US alliance, and they elevated Australia
to partner status in the operation of the facility.

I would like to acknowledge the role Kim Beazley played in the establishment of that key partnership—backed, of course, by the concept of full knowledge and concurrence. Pine Gap was born in 1966, as the minister indicated, but it really came of age under a Labor government in 1988. From that date, Pine Gap became the only such facility in the world in which non-Americans play such a critical operations role. Securing agreement on the changes would not have been easy—indeed, they were hard won—and I pay tribute to the work of Kim Beazley in securing them.

Kim shared an anecdote with me earlier today. Back in about 1990 he took the then US Secretary of Defense, Dick Cheney, to the facility. On their arrival they were met by a young woman whom I think Kim described as ‘quite good looking’. Within seconds, the young woman was giving the then Secretary of Defense and Mr Beazley an overview of the facility and an update on its operations. In response, Mr Cheney turned to Kim with a somewhat shocked look on his face and exclaimed: ‘But she’s an Australian!’ It underscores the importance of Australia’s role and the partnership arrangements that are now in place at the facility.

But Labor’s reforms went beyond Pine Gap. They also ensured that when Nurrungar was closed the role of the Pine Gap facility was expanded to allow Australia to use the facility for our own unique purposes for the first time. But, despite the changes at the facility, some Australians continue to protest against its existence. That will probably always be the case. It is a shame that we cannot take every Australian to the facility to give them a broader knowledge of the role it plays in our own security and in global security. Of course, that is not possible, but I am sure that if it were possible there would be very few doubters left.

On this 40th anniversary of the establishment of the Pine Gap facility, we celebrate its role in strengthening the Australia-US alliance and the great friendship our two peoples share.

Debate (on motion by Mr Bartlett) adjourned.

The SPEAKER—Before calling question time, I would remind all members that while there has been some latitude extended with valedictory speeches, standing order 64 is still on the books and I would ask all members to remember that they should refer to another by either the name of their seat or the title of their office.

QUESTIONS WITHOUT NOTICE

Housing Affordability

Mr RUDD (2.16 pm)—My question is to the Prime Minister. Has the Prime Minister now familiarised himself with the Treasurer’s comments made on 30 July regarding the housing affordability crisis and about which I asked the Prime Minister on Tuesday:

Journalist: Do you concede that there is a housing crisis, affordability crisis in Australia at the moment?

Treasurer: House prices are higher than they have been and they are higher than they have been because more people are in work and more people are able to afford to borrow to purchase more expensive housing.

Journalist: So is there a crisis, Treasurer?

Treasurer: Well, no.

Does the Prime Minister agree with his Treasurer that there is no housing affordability crisis in Australia?

Mr HOWARD—The answer to the Leader of the Opposition is that I have familiarised myself with the Treasurer’s statement. I thought it was a very accurate statement.
that the Treasurer made. What the Treasurer said was that you have a crisis when house prices fall.

Opposition members interjecting—

The SPEAKER—Order! The Prime Minister has the call.

Mr HOWARD—We are witnessing the beginnings of a housing crisis in sections of the United States. Those who sit opposite would be well to treat this issue more seriously than they are, because what is occurring in the United States does have the potential to cast a long shadow around the world. It does have the potential to have unintended consequences on credit levels in this country, and I think that at a time like this it behoves everybody to choose their language very carefully. It behoves those who sit opposite not to wish for a crisis that does not exist. I think that a lot of Australians who are wanting to buy their first home are finding it very difficult to do so. The reason they are finding it difficult to do so is that the cost of buying a first home has risen out of proportion to the increase in their wages. That is the fundamental reason why we have got a problem at the present time. Whereas with most other things that people buy the cost of them has not risen out of proportion to the rise in incomes, in the case of housing the cost of buying the first home has risen out of proportion to the increase in incomes. Therefore, in addressing this matter, it is important that we do not aggravate that gap, it is important that we do not widen that gap, and some of the remedies that are simply going to further push up the price of housing are not adequate responses. We need to tackle the supply side, and that is why the Treasurer is focused on having an audit of land.

Mr Crean interjecting—

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

Mr HOWARD—We need to look at local government development charges, we need to look at state government taxes, but the last thing we need is to resort to cheap language which is designed to scare people and to create a situation that is worse than the situation that is facing some young Australians. I would say to the Leader of the Opposition that a true housing crisis in this country is when there is a sustained fall in the value of our homes and in house prices. For the Leader of the Opposition to use careless language is only aggravating rather than helping the situation.

Water

Mr FAWCETT (2.20 pm)—My question is addressed to the Prime Minister. Would the Prime Minister inform the House about water availability and contingency planning in the southern Murray-Darling Basin? What does this mean for a truly national approach to managing our water resources?

Mr HOWARD—I thank the member for Wakefield for his question. I am very sorry to inform the House that the fourth Murray-Darling Basin contingency planning report confirms the very parlous state of water in the southern Murray-Darling. Water availability is at seriously low levels and is deteriorating further. Irrigation allocations are still at either zero or extremely low, the inflows into storages are at record low levels, and there is significantly less water stored today than at an equivalent time last year.

The horticultural and other water dependent industries are, needless to say, the hardest hit of all; and there is now, tragically, a high risk of losses of permanent plantings. This contingency planning report, which has come from the Murray-Darling Basin Commission, recommends that governments in the basin states and, of course, the federal
government consider additional measures. One of the measures recommended in the latest report is the possibility of a reserve for critical needs. I have sought the agreement of the relevant state premiers—the premiers of New South Wales, Victoria and South Australia—and the Chief Minister of the Australian Capital Territory to a joint statement releasing the report. I am pleased to say that the Premier of New South Wales, Mr Iemma, the Premier of South Australia, Mr Rann, and the Chief Minister of the ACT, Mr Stanhope, have all agreed to the release of that report under a joint statement. To date, the Victorian Premier has indicated he is not willing to agree, despite the fact that I gave him assurances on the reserve, including that the officials of the relevant jurisdictions would be fully consulted about the implementation of any recommendations.

I would like to appeal to the Victorian Premier: I would like to ask him to adopt the same attitude as has been adopted by Mr Iemma, Mr Rann and Mr Stanhope. This is not a case of a Liberal Prime Minister attacking a Labor state Premier because, on this occasion, the Liberal Prime Minister and the Labor premiers of New South Wales and South Australia and the Labor Chief Minister of the Australian Capital Territory are all singing from the same hymn sheet. This is not an occasion for state parochialism; this is an occasion for total cooperation.

We are dealing here with a genuine crisis. There is a water shortage crisis in the Murray-Darling Basin. Crisis is not an exaggerated word to use in relation to this water situation, and those of my colleagues who represent horticultural districts of Australia, people like the minister for employment services, the member for Mallee—I could give you a great long list—the member for Riverina and the member for Farrer understand the parlous state of people whose livelihoods are derived from the Murray-Darling Basin.

If it is not the inappropriate word to use, I plead with the Victorian Premier to take the national approach that has been taken by Mr Iemma, Mr Rann and Mr Stanhope. I would like to ask him to reconsider. I would like to invite him to talk to me, to Mr Iemma, to Mr Rann and to Mr Stanhope. The situation is far worse than any of us would have hoped a few months ago. We all thought when there was some rain in June that the drought might break and the Murray-Darling might be saved. Tragically, that has not occurred and the last thing we should have at the moment is any kind of selfish state parochialism. We will solve this only as Australians and we have to share the pain as Australians and not behave like Victorians, South Australians, Queenslanders or New South Welshmen. It is too important for that, and I would ask the Victorian Premier to reconsider his position.

I am going to release the contingency report immediately so that the Australian people and, most particularly, those of our fellow Australians who are most sorely afflicted by this crisis can make judgements for themselves as to what is required in a cooperative spirit to tackle a very real crisis faced by the food bowl of the nation.

Water

Mr ALBANESE (2.25 pm)—My question is to the Prime Minister and refers also to the water crisis in the Murray-Darling Basin. Does the Prime Minister agree that the Commonwealth has a responsibility to put the national interest first and help resolve the issue of the overallocation of water entitlements in the Murray-Darling Basin? Does the Prime Minister agree that water is overallocated in the Murray-Darling Basin? Why did the Prime Minister give written approval on 25 March 2007 for the auctioning of 8,000 megalitres of water entitlements for the Warrego River? Does the Prime Minister’s approval still stand?
Mr HOWARD—I will take that question in two parts. Firstly, do I believe there is overallocation? Yes, I do, and that is why we proposed a $10 billion plan. The whole purpose of that plan was twofold. It was to reduce loss of water by piping and lining the irrigation channels, and that was going to account for about $6 billion, and about $3.5 billion was going to be used to fund the buy-back of overallocated water. If we had received the cooperation we should have received from the Victorian government, then we would be further advanced towards that goal today than what we are. In relation to the second question, the decision as to whether an auction will go ahead in relation to the Warrego is ultimately a decision of the Queensland government. I have indicated to the Queensland Premier that she should not go ahead with the auction in light of the recommendations contained in the CSIRO report, and I drew her attention to that report two weeks ago.

Problem Gambling

Mr HARDGRAVE (2.27 pm)—My question is addressed to the Treasurer. Treasurer, is the Australian government concerned about the spread of poker machines and the effect of problem gambling on Australian families and individuals? Is there anything that can in fact be done to help curb this growing social problem?

Mr COSTELLO—I thank the honourable member for Moreton for his question and I can tell him that the Australian government is concerned about the spread of poker machines in Australia. In fact, we were so concerned about it that we commissioned an inquiry by the Productivity Commission, which reported in 1999 that there are 130,000 problem gamblers in Australia, 160,000 at risk and another 500,000 to 1,000,000 people affected by problem gamblers.

Problem gamblers account for 33 per cent of the industry revenue in relation to poker machines. Let me say that again: problem gamblers account for one-third of the revenue that comes through Australia’s poker machines. On a per capita basis, Australia has roughly five times as many gaming machines as the United States, and those who are losing money tend to be those with lower incomes. The Productivity Commission found there is an inverse relationship between income levels and the density of gaming machines—that is, the higher the income, the less the density of gaming machines in a particular neighbourhood, and the converse applies. According to the Australian Bureau of Statistics, in 2004-05 all gambling activity was estimated to be at $15.4 billion, but poker machines in clubs and pubs accounted for $8.7 billion or 56.3 per cent of gambling revenues in Australia.

I noticed that recently the Leader of the Opposition also expressed his concern about poker machines and his regret at being part of the Queensland government’s decision to introduce them when he was working for the Queensland government. It is a matter of concern the way in which state governments in the late eighties-early nineties embraced poker machines, seeing them as an easy way of generating tax revenue and not looking at the social consequences that were involved. So I welcome the fact that the Leader of the Opposition has changed his position in relation to poker machines and I look forward to getting bipartisan support for the government’s position in relation to this social ill.

As a consequence of the Productivity Commission inquiry, the Australian government set up a Commonwealth-state ministerial forum to deal with those areas recommended by the Productivity Commission on consumer protection, counselling and research, and reform to regulatory governance. The Ministerial Council on Gambling com-
prises both the Commonwealth and the states and, at the Commonwealth leadership, has now agreed on a national framework to respond to problem gambling. We look forward to cooperation from the states in relation to that matter.

In some areas there have been positive steps, such as warnings in relation to gambling for people who might be problem gamblers and an increase in counselling services for those who suffer from this addiction. It is the Commonwealth’s view that more can be done, particularly in restricting the availability of ATMs in venues where there are poker machines. The ATM represents a real temptation for a problem gambler who may have come with a fixed sum of money, gone through it, and now finds it easy to go to the ATM to continue their addiction. We would ask all of the states to cooperate with the Commonwealth in its active program to deal with this scourge, an area where the Commonwealth has taken leadership even though it has no legislative power. We would ask all of the states to cooperate in dealing with this matter.

Let me say, in conclusion, there is no reason why Australia would need more poker machines. At the moment we have high level of poker machines in this country. There is no reason why we need any more and no reason for any state government whatsoever to believe that the introduction of keno or other forms of interactive gambling could actually add to the social cohesion in our country. We ask those state governments that are contemplating such a move not to go ahead with it.

**Water**

**Mr WINDSOR** (2.33 pm)—My question is to the Minister for the Environment and Water Resources and relates to a recent announcement of $6½ million from the Australian government water fund towards a $29 million upgrade of Chaffey Dam in my electorate. Given that the Deputy Prime Minister declared that the funding was a done deal and not an election promise, how does the minister explain comments in today’s *Financial Review*, where his office states in relation to Chaffey Dam:

... there were hurdles to clear before the Commonwealth funding could proceed.

His office also stated that the project needed to be ‘consistent with the principles of the National Water Initiative and the objectives of the National Plan for Water Security’. Could the minister explain these inconsistencies between his office’s statements and Mr Vaile’s announcements? Could the minister guarantee to the people of Tamworth that the upgrade will proceed?

**Mr TURNBULL**—I thank the honourable member for his question. The Deputy Prime Minister’s announcement on 3 September to contribute $6½ million to the Chaffey Dam augmentation project will improve water supply security for Tamworth and Peel Valley irrigators. It is important for the honourable member to remember that the funding is provided through the Australian government water fund, which is administered by the National Water Commission. It is contingent, as is all funding through the water fund, on the National Water Commission being satisfied with the business plan and being satisfied that the project is shown to be consistent with the National Plan for Water Security, the National Water Initiative and the Australian government’s environmental standards.

The dam expansion will undoubtedly be referred for consideration as a controlled action under the EPBC Act, so that is an environmental permitting hurdle that it has to meet. The funding is also contingent on the New South Wales government and other stakeholders meeting their agreed funding
shares. I am optimistic that those conditions can be met, but they are in large measure in the hands of other people. The honourable member must understand that all water funding out of the Australian government water fund has to meet these or similar conditions.

**Taxation**

**Mr HARTSUYKER** (2.35 pm)—My question is addressed to the Treasurer, a man who understands tax policy, unlike the Leader of the Opposition. Would the Treasurer inform the House of the importance of good tax policy to the Australian economy? Is the Treasurer aware of any alternative approaches?

**Mr COSTELLO**—I thank the honourable member for Cowper for his question. I wish him well in the forthcoming election against the trade union candidate that the Labor Party is running against him.

**Mr Albanese**—Mr Speaker, I rise on a point of order. The minister is misleading the House. That is not true.

**The SPEAKER**—The member will resume his seat. That is not a point of order.

**Mr COSTELLO**—I thank the honourable member for Cowper. There is a 70 per cent chance that, if you are running in the next election, the Labor Party candidate will be a trade union official of one kind or another. I wish him all the best in his election activity.

Australia’s tax scales are 15 per cent, 30 per cent, 40 per cent and 45 per cent. They compare to the Labor Party’s tax scales when it left office of 20 per cent, 34 per cent, 43 per cent and 47 per cent. Not only have all the tax rates come down but, because thresholds have increased—for example, under Labor—

**Mr Danby interjecting**—

**Mr COSTELLO**—The member for Melbourne Ports asks me: ‘What were they?’ Under Labor, your first dollar over $50,000 was taxed at 47c in the dollar. No wonder the member for Melbourne Ports interjects. Yes, it is true. It was taxed at 47c in the dollar for each dollar—

**Mr Danby interjecting**—

**The SPEAKER**—The member for Melbourne Ports will not respond. I warn the member for Melbourne Ports!

**Mr COSTELLO**—The member for Melbourne Ports interjects again. Let me remind him: under the Labor Party, you were taxed at 47c in the dollar for each dollar over $50,000. Under the coalition, once you go over $50,000 you will not be taxed at a marginal tax rate higher than 30 per cent. That is real tax reform, and it is real tax reduction.

Yesterday, the Leader of the Opposition was asked to name the tax rates and the tax thresholds. He was unable to name a single tax rate. He was unable to name the 15 per cent rate. Was he able to name the 30 per cent rate?

Government members—No!

**Mr COSTELLO**—Was he able to name the 40 per cent rate?

Government members—No!

**Mr COSTELLO**—Was he able to name the 45 per cent rate?

Government members—No!

**Mr COSTELLO**—Was he able to name any rate?

Government members—No!

**Mr COSTELLO**—What he named was a threshold that does not exist. The spin merchants of the Labor Party yesterday were saying: ‘Rudd’s office said he had made a mistake. He was just $5,000 out, not the $25,000 the government claimed.’ He was $25,000 out—but that is not the point. The point is that he did not know a single rate, let alone a threshold.
Enter stage right, the member for Lilley. The member for Lilley had another explanation as to why the Leader of the Opposition should be excused. Have a listen to this: the member for Lilley was asked this morning: ... don’t you need to know where you’re going from to where you’re going to? That is not bad. The member for Lilley said: We absolutely know where we’re going to, because you see, we authored the current tax cuts that are in the system.

Listen to this:
Eighty-five cents in every dollar of tax cuts in this year’s Budget were authored by the Labor Party.
Blow me down! When I wrote that budget speech, I did not realise my hand had been overcome by the Labor Party. It is getting pretty spooky, isn’t it? My budgets are now being authored by the Labor Party. If I really believed that, I would stand down.

But it gets even spookier. Members will know that the Leader of the Opposition specialises in asking himself questions and giving the answers. The reason he specialises in asking himself questions is that they are the only ones he can answer. He got on Today Tonight last night and he said:

“Someone asked me the other day ‘Who do you model yourself on?’ And I said, ‘Ah... Kevin’. I’m just me.”

That is pretty spooky because now he is modelling himself on himself. Last year he was modelling himself on Dietrich Bonhoeffer. But he has found an even better role model now. ‘Move aside Dietrich. I am now modelling myself on myself,’ he says. He is now authoring tax rates that he does not know exist. He is now auditioning for a job that he is not up to. That is the most important point: he is authoring, auditioning, for a job that he is not up to. He has not done the work, he does not understand the economy and he is not ready to be a leader in Australia.

Mr Kerr—Mr Speaker, I would ask the Treasurer to table the document that he was reading from, with all the rates that he was referring to.

The SPEAKER—Was the Treasurer quoting from a confidential document?

Mr Costello—I was reading from ‘Wayne Swan, doorstop interview, Parliament House, Canberra’, which I table. And I was also reading from ‘Kev’s affair to remember. On the campaign trail’.

Leader of the Opposition

Ms MACKLIN (2.43 pm)—My question is to the Prime Minister. Can the Prime Minister assure the House that no person associated with the government or the Liberal Party was responsible for backgrounding journalists over recent days on the details of the Leader of the Opposition’s private medical history? Can the Prime Minister assure the House that the government or the Liberal Party has not engaged private investigators or forensic accountants to examine the private affairs of Labor members or candidates?

Mr Abbott—Mr Speaker, I rise on a point of order. This is an outrageous smear masquerading as a question, and it should be ruled out of order. They have no evidence. This is just a blatant smear, and this place should not authorise these sorts of questions.

Mr Albanese—Mr Speaker, I rise on a point of order.

The SPEAKER—I have not ruled on anything. The Manager of Opposition Business will resume his seat. The first part of the question in relation to the Prime Minister’s responsibilities is in order. The Prime Minister is not to be held responsible for party matters. I call the Prime Minister.

Mr HOWARD—I am very happy to answer the question. I can provide an absolute assurance of a number of things that I certainly had nothing to do with. I was not
aware of these things. I can provide an absolute assurance to the House that I had absolutely nothing to do with this. I am not aware of where it came from. I am not aware of any suggestion that it came from any member of my party. I am not aware of any suggestion that it came from any member of my government. I regard the question as contemptible. I believe that the member for Jagajaga has deliberately asked this question to generate a false view that my party and my government are responsible for smearing the Leader of the Opposition.

Let me make a couple of things very clear to the member for Jagajaga. The first thing I would make clear is that I wish the Leader of the Opposition a long and healthy life in his current job. That is the first thing that I wish the Leader of the Opposition. I have never observed, in the Leader of the Opposition’s demeanour, any suggestion that he has other than robust health. My argument with the Leader of the Opposition is not in relation to matters of individual physical fitness. I have no doubt about his physical fitness, any more than he should have any doubt about my physical fitness. My argument with the Leader of the Opposition is about his lack of credibility for the job he aspires to concerning matters quite unrelated to his health. I have never raised his health. I have never asked anybody to raise his health. I think it is a piece of contemptible smearing by the member for Jagajaga to raise this.

Everyone knows a question is not asked in this House without the authority of the leader. I regard this question as Kevin Rudd’s question. I do not regard this question as Jenny Macklin’s. This question was authored by the Leader of the Opposition. I know exactly what has happened. The Leader of the Opposition had a bad day at the office yesterday. They have decided that the retaliation is to spear my party.

Can I say very directly, through you, Mr Speaker, that there has been no engagement of private investigators. That is an absolute, contemptible falsehood. There has been no engagement of private investigators. At no stage has any conduct of any kind designed to smear the Leader of the Opposition on the basis of his lack of good health been encouraged, counselled, sought or in any way procured by me. I would reject any attempt to do so. I can beat the Leader of the Opposition without resorting to smears.

Honourable members interjecting—

The SPEAKER—Members on both sides of the chamber are not adding to the dignity of the House.

Honourable members interjecting—

The SPEAKER—Members are holding up their question time.

Roads

Mr CAMERON THOMPSON (2.50 pm)—My question is to the Deputy Prime Minister and Minister for Transport and Regional Services. Would the deputy Prime Minister inform the House how the government’s plans for infrastructure are helping to improve our roads and to keep motorists safe, particularly in my electorate of Blair?

Mr VAILE—I thank the member for Blair for his question—a real question about a real issue that is of interest to Australians, particularly in regional Australia. That is, what the government is doing in terms of the deployment of the prosperity in this country to improve infrastructure, particularly in regional Australia, to the benefit of all Australians. The member for Blair would be well aware of the significant commitment of, and the appropriate decisions that are being taken by, the government in investing in that infrastructure. In the budget this year $22.3 billion was allocated across a range of infrastructure programs, many of which are help-
ing the constituents in the electorate of Blair, ably represented by the current member for Blair and the interest he takes in their well-being.

I mentioned yesterday one major piece of infrastructure that the government took a very long-term strategic view about. It took leadership to take a decision to invest $2.3 billion in the Goodna bypass. There are other very important roads that we are funding across the nation. We took a decision to go straight to local government to provide funding to local roads because the states were failing in their responsibility to support local roads.

Under the very popular Roads to Recovery program, we are delivering significant amounts of money to local government and helping local people in their local communities to make their roads safer and more efficient. To one project in particular in the member’s electorate, we have contributed $1 million towards the replacement of the Three Mile Bridge, which provides very important access to Amberley RAAF base in the member’s electorate. It might be a small project but it is a very important project to that local community. That circumstance is replicated right across Australia. We took a decision in 2001—and something that this government has always been able to do is take decisions when they are required—to allocate $307 million a year to local government across Australia. As of 2009, going through till 2014, that will grow to $350 million a year in the Roads to Recovery program.

Since we were elected in 1996, we have maintained the roads funding Black Spot Program, which was axed by the Labor Party, the former Labor government, and which has been incredibly important to local communities, like those in the electorate of Blair, across Australia. That Black Spot Program over that period of time is estimated to have saved at least 130 Australian lives on the roads and saved 6,000 serious accidents, and it has upgraded 4,200 dangerous sites on local roads in every small community across Australia. It has been funded at $45 million a year and we are going to increase it to $60 million a year directed into local communities across Australia.

The member asked about any threats to this and alternative policies. We know that the member for Batman has said: ‘We support the AusLink funding. We want to see it go ahead.’ Well, that is a good thing, but that is contrary to what the Leader of the Opposition has announced, in that he wants to have another inquiry. He wants to set up another bureaucracy. It is actually review No. 37 out of 97, the national infrastructure audit. We have been through all of this process. We have identified what needs to be done in Australia. We are getting on with doing it. We have got the wherewithal to do it. We are funding it out of budget surpluses, not out of debt and deficit in this country, and that is the hallmark of our government.

We are a government of action; the Labor government would be a government of inaction, choked up with reviews and inquiries into what needs to be done in the country. Strong leadership is about making decisions where and when they are needed. Weak leadership is about having more inquiries and more reviews.

**Liberal Party**

Mr ALBANESE (2.54 pm)—My question is to the Prime Minister. I refer to an article which appeared in the *Australian* on 27 June 2007 concerning the purchase of Kevin Rudd’s and Therese Rein’s family home in Brisbane. Is the Prime Minister aware that this article states:

Liberal Party figures in Queensland, including a forensic accountant, have been examining the purchase, and the links between the vendors and
the Labor Party’s investment companies, for several months.
Is this report correct?

Mr Abbott—Mr Speaker, I raise a point of order. Again, this is a smear in the guise of a question. This bloke does not have the guts to do his own—

The SPEAKER—The Leader of the House will resume his seat. The Manager of Opposition Business has asked a question, and I have not even called anyone to answer the question.

Mr Albanese—Mr Speaker, on the point of order, twice now the Leader of the House has stood up in the guise of, I guess, moving a point of order, has not referred to standing orders and has just echoed abuse across this chamber. I ask you to pull him into line.

The SPEAKER—The Manager of Opposition Business raises a valid point of order on that last point raised by the Leader of the House. In relation to the question, I am having difficulty in working out where that is within the Prime Minister’s responsibility. Unless the Manager of Opposition Business can rephrase that question, I will have to rule it out of order.

Mr ALBANESE—My question is to the Prime Minister. I refer to an article which appeared in the Australian on 27 June 2007 concerning the purchase of Kevin Rudd’s and Therese Rein’s family home in Brisbane. I also refer to the direct quote in that article:

Liberal Party figures in Queensland, including a forensic accountant, have been examining the purchase, and the links between the vendors and the Labor Party’s investment companies, for several months.

The SPEAKER—The Manager of Opposition Business has not brought that—

Mr ALBANESE—I am going to.

The SPEAKER—The Manager of Opposition Business will get straight to it or resume his seat.

Mr ALBANESE—Can the Prime Minister assure the House that no government members or Liberal Party members were involved in this activity?

The SPEAKER—The Prime Minister cannot be held responsible for anything relating to party matters, but, in relation to government members, I will call the Prime Minister.

Mr HOWARD—I can certainly assure the House that I have not set out to do any of the things suggested by the opposition, nor to my knowledge have any of my parliamentary colleagues. I can also inform the House that, since the question authored by the Leader of the Opposition was asked by the member for Jagajaga, I have been informed by the Federal Director of the Liberal Party that he is not aware of, nor has he been in any way responsible for, the appointment of any private investigators to investigate the affairs of the Leader of the Opposition. He has authorised me to say that on behalf of the Liberal Party organisation and he is prepared to publicly refute the allegations the Leader of the Opposition is not prepared to make even under parliamentary privilege.

LEADER OF THE OPPOSITION
Mr COSTELLO (Higgins—Treasurer) (2.58 pm)—I move:

That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition detailing to the House his smear allegation against the Prime Minister, the Liberal Party and the Government.

Mr COSTELLO—Is it accepted?

Opposition members—No.

Mr COSTELLO—Not accepted. I then move:
That so much of the standing and sessional orders be suspended as would prevent the Leader of the Opposition detailing to the House his smear allegation against the Prime Minister, the Liberal Party and the Government.

I have moved to suspend the standing and sessional orders so that the Leader of the Opposition can come to this dispatch box now and, with his own mouth, make the allegations that he is putting through the member for Jagajaga and through the member for Grayndler, which he does not have the decency to put himself.

You cannot come into this place and sit there and pretend you have nothing to do with what is going on. You cannot come into this place and turn your back and studiously write nothing on a piece of paper and pretend that those who are getting up around you have nothing to do with you. I have an unfortunate fact for the Leader of the Opposition: these are your team. These are your people; they work on your instructions. As anybody who has been around this place long enough knows, nobody can come to the dispatch box on the opposition side and ask a question unless the Leader of the Opposition authorises them to do so. It is absolutely inconceivable that the member for Jagajaga could have walked to this dispatch box, could have put a slur on the Prime Minister, could have put a slur on the government, could have put a slur on the Liberal Party, except that she was authorised to do so by Kevin Rudd, the Leader of the Opposition.

As for this saintly persona, that he is some kind of pale imitation of Dietrich Bonhoeffer—that just makes the fraud worse, frankly. To hide behind this saintly image, when you are prepared to have other people go out and do your dirty work for you, actually makes the fraud worse.

So what are the allegations that are now being put by Kevin Rudd, the Leader of the Opposition, against the Prime Minister? The first insinuation and allegation that has been put is that somehow the Prime Minister, the government or the Liberal Party put out a story in relation to his health. Aside from wishing him a long life, which I am sure we all do, nobody on this side of the parliament has any interest at all in his medical conditions. I have no more interest in his medical conditions, or any of his frontbenchers’ medical conditions, than I hope they have interest in my medical conditions.

Opposition members interjecting—

Mr COSTELLO—Oh? You do have great interest, do you? I would have thought that was a smear, was it not? Perhaps you could go and talk to people about it. But we find out, do we not, on the Channel 7 news today—and Channel 7 would know about this—that Smith, who I believe to be Stephen Smith, was out there quoted today, according to the news report, saying:

There was no need to dig dirt. Kevin Rudd revealed he had a transplant three and a half years ago on Seven Sunrise.

Opposition members interjecting—

Mr COSTELLO—All right, it wasn’t this Smith—it was another Smith. I take it back; it must have been a reporter—it was a Smith, certainly, because I have the transcript—who said:

There was no need to dig dirt. Kevin Rudd revealed he had a transplant three and a half years ago on Seven Sunrise.

So, far from this being a great secret, who in fact had revealed this piece of information? None other than the Leader of the Opposition himself! And when it becomes public, who does he try and frame up and fit up with the allegation? None other than the Prime Minister, the Liberal Party and the government. To think that the government would bother itself with a medical condition that occurred many years ago. He is on political life support; he is not on medical life support.
Here we were yesterday when he showed himself to be an ignoramus on tax policy. He cannot name a single rate; he cannot name a single threshold. He has been humiliated in the House of Representatives. And so what would be the logical thing for the government to do? Try and knock that story off the evening news bulletins with an old story about a heart condition? Who in their right mind would think about doing this? Who in their right mind might have the motivation to knock that story off the evening news? I was very surprised myself to see that this story came up last night and knocked the tax story down the batting order on Channel 9. We had the Leader of the Opposition sitting there giving one of his serious exclusives to Laurie Oakes in relation to the medical condition. All right, the medical condition came out last night—but to say that the government would have spiked its own story by putting that out yesterday beggars belief. Let us ask: what possible motivation would there have been? If you don’t want to look at motivation, let me say what the facts are: the government had nothing to do with that, the Liberal Party had nothing to do with that and the Prime Minister had nothing to do with that. To come in here and put up the member for Jagajaga to try and make that insinuation is low, base politics and it tells us something about the low, base nature of the Leader of the Opposition.

Just in case you thought this was not a planned tactic today, we then had the old member for Grayndler, old Mr Dirty Tricks himself, come to the dispatch box. He comes out with this article that was in the *Australian* some time ago—June, I think it was. Was he so concerned about it in June that he got up and asked a question when it was in the *Australian*? He has been asking about it every day since June, has he? Did he ask about it on Tuesday? Did he ask about it on Wednesday? So concerned about that article in June, he was, that he just happens to get up in a coordinated way, with the member for Jagajaga, and he says, ‘Poor old Kevin’—poor old Kevin has been subject to a bit of search and scrutiny in relation to his private affairs. I can tell you: I have been in public life for 17 years, I have been the Treasurer for 11 years, and it is not a new thing to have scrutiny of your personal life—it is not a new thing.

Mr Speaker, if you think somebody looking at your financials is a new thing, I do not think you were in this House when Gareth Evans got up and attacked my wife for owning shares. I do not think you were in the House when that happened. I do not think you were in the House when Alexander Downer’s wife was attacked. I do not think you were in the House when Paul Keating attacked Sir Alexander Downer as being some kind of war coward, although he had been a POW in Changi during the Second World War. Oh, boy, we have seen some attacks in this House over the years! We have seen some personal attacks. The Leader of the Opposition, far from having personal attacks, has probably had the easiest run from the media as a Leader of the Opposition in a very long period of time.

It has been an easy run but, at the first sign, he shows himself to be extremely fragile and extremely touchy. He is willing to try to impeach the reputation of other people in order to make a political point. This is not the character nor the behaviour of somebody who is ready to take tough decisions if he ever gets into a position of responsibility in this country. This is not the position of someone who wants to talk about policy. This is the last question time—

*Opposition members interjecting—*

Mr COSTELLO—It could well be the last question time before the election—and, as far as you are concerned, you would want
it to be the last question time. But do we hear about policy? Do we hear about plans? Do we hear about any of those things? No, we hear an attempt to smear and we hear an attempt to divert. He ought to get on his feet and he ought to explain.

Mr Ripoll interjecting—

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

The member for Oxley then left the chamber.

Mr Rudd (Griffith—Leader of the Opposition) (3.07 pm)—I move:

That all words after “That” be omitted with a view to substituting the following words: “this House repudiates the consistent, negative, year-long campaign by the Government against the Opposition, rather than advancing its own positive plans for Australia’s future”

Just now we have been witness to arrogance unleashed by the Treasurer, the would-be Prime Minister of this country, who has lacked courage year in and year out—month in, month out—and the ticker to do anything about his heartfelt aspirations and ambition to eliminate this man.

It does not take a lot of courage to wander around each restaurant in this town and badmouth the Prime Minister. It does not take a lot of courage to wander around the press gallery and badmouth the Prime Minister. It does not take a lot of courage in Melbourne, Treasurer, to wander around your favourite eating haunts and badmouth the Prime Minister. But it does take courage, conviction and commitment to stand up for your principles and stand for something. It takes courage and conviction to summon forth the courage and conviction to put your hand up and challenge this man for the leadership of the Liberal Party—courage and conviction which you have lacked all year. Now you have to be defended by—

Government members interjecting—

Mr Abbott—Mr Speaker—

The SPEAKER—I have not called the Leader of the Opposition.

Opposition members interjecting—

The SPEAKER—Order! I call the Leader of the Opposition.

Opposition members interjecting—

The SPEAKER—Order! The Leader of the Opposition has the call!

Opposition members—You called him the Leader of the Opposition.

The SPEAKER—Order! I have called the Leader of the House. I cannot hear him, and nor I think can anyone else. The Leader of the House has the call and he will be heard.

Mr Abbott—Mr Speaker, this is a point of order on relevance. This motion is about the opposition leader substantiating his smear. He has to substantiate his smear. He can pass all the character—

Opposition members interjecting—

The SPEAKER—Order! The Leader of the House is raising a point of order, and I am having great difficulty hearing a single word.

Mr Abbott—Mr Speaker, the Leader of the Opposition can cast all the reflections that he likes on the Treasurer’s character, but he is required by the motion to substantiate the smear. You should require him to substantiate the smear and debate the motion.

The SPEAKER—The Leader of the House will resume his seat. The Treasurer has moved a motion to suspend standing orders and the Leader of the Opposition has moved an amendment. I call the Leader of the Opposition—and, in calling him, I would ask all members to show a little bit more courtesy.
Mr RUDD—When it comes to the behaviour of this Treasurer, the gap between courage and performance, the gap between a person who consistently and routinely badmouths the Prime Minister yet who stands up at the ‘bully pulpit’ of the ministerial dispatch box and then proclaims to the country at large that he is a person of strong heart and strong courage, underlines the deep hypocrisy which resides in your breast.

When it comes to the whole question of negative smear tactics, why are these matters raised in the parliament? In the last 24 hours, we have had the extraordinary spectacle of the chief of staff of the Special Minister of State engaging in a campaign of personal smear and innuendo against the Labor candidate for Eden-Monaro, Colonel Mike Kelly. His curriculum vitae describes what he has done, including being deployed to Somalia with Operation Restore Hope, and Legal Adviser, First Battalion, Royal Australian Regiment Battalion Group. Yet what we have, Prime Minister, is your chief of staff in the office of that minister going out and describing Mike Kelly as a representative of the Belsen guards.

Mr Abbott—Mr Speaker, this is a relevance point of order. He makes serious—

The SPEAKER—The Leader of the Opposition is in order. The Leader of the House has an opportunity to debate this matter further if he wishes to.

Mr RUDD—The purpose of the parliament is for the opposition to pose questions to the executive and the purpose of the parliament is to get answers from the executive. When, therefore, we have a report in the nation’s newspaper, in an article by Hedley Thomas, which says, ‘Liberal Party figures in Queensland including a forensic accountant had been examining the purchase of links between the vendors and the Labor Party’s investment companies for several months,’ I would have thought that a forum for asking whether or not that is true is the parliament of the Commonwealth of Australia. What we know for a fact is that, whenever asked beyond this place as to the truth of these things, the actual pressure placed on ministers to answer truthfully is much less than that which applies in this place.

Honourable members interjecting—

Mr Abbott—Mr Speaker, on a point of order: the Leader of the Opposition has accused me of complicity in a smear campaign. What is his evidence? How can he substantiate his claims?

Mr Albanese—Mr Speaker, will you take action against the Leader of the House?

The SPEAKER—The Manager of Opposition Business will not reflect on the chair. The Leader of the Opposition is in order. The Leader of the House has an opportunity to debate this matter further if he wishes to.

Mr RUDD—On the question of the engagement by the chief of staff of the Special Minister of State, we see a pattern of behaviour on behalf of this government and the Leader of the House sitting there sanctimoniously believing that he is not aware of the negative campaigns being run against various members of the opposition over time. Frankly, it flies in the face of the facts. When it comes to the activities most recently engaged in—

Honourable members interjecting—

Fran Bailey interjecting—

The SPEAKER—The Minister for Small Business and Tourism is warned!

Mr RUDD—The second question is this. We then had an article most recently by Jason Koutsoukis in the *Sunday Age*, which began:

THE phone rang one evening last week—

this is on 9 September—

and a familiar voice at the other end said: “I’ve got something for you. It’s hot.” So hot, I thought I could hear it sizzling. Come down for a “chat”,

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the man suggested. All very hush-hush and strictly on the QT.

Walking through the corridors of power to meet my trusted source, dreaming of Watergate, I half wished we were meeting in a dingy car park and not the plush ministerial suite where I was headed.

Into the meeting room I waltzed and there was my source beaming behind two glasses of red and a fat manila folder with the most misunderstood noun in the Coalition lexicon scrawled across the front: Gillard.

That is only two weeks old. The sensitivity on the part of the Leader of the House, the Treasurer and the Prime Minister—

Honourable members interjecting—

The SPEAKER—Order! Members on my right! The Leader of the Opposition has the right to be heard.

Mr RUDD—When these uncomfortable questions are asked of the government, they wish to engage in all sorts of feigned outrage as if these things have never happened, that Mr Koutsoukis made all that up, that Hedley Thomas made all that up. The bare minimum level of accountability is to have, in fact, an answer to these questions.

Honourable members interjecting—

The SPEAKER—Order! Members on my right!

Mr RUDD—On the question that you raised in relation to medical documents—

Mr Abbott interjecting—

The SPEAKER—Order! The Leader of the House is warned!

Mr RUDD—there has been reference some years ago to my being the recipient of an organ transplant but never a representation of any cardiac procedure. That is the first time that has been put into the public debate and those opposite know it. Treasurer, you aspire to be the Prime Minister of this country. You have moved this motion in the House. You lack the courage to ever be Prime Minister of this country. (Time expired)

The SPEAKER—Is the amendment moved by the Leader of the Opposition seconded?

Ms GILLARD (Lalor) (3.19 pm)—I second the amendment.

The SPEAKER—Does the Deputy Leader wish to speak?

Ms GILLARD—I am more than happy to, Mr Speaker. Over there we have them carrying on as if offended by the allegation that they put together dirt files, as if offended by the allegation that they go after members of this parliament personally, when the evidence is there for all to see. Let us listen to the evidence. We have spent this week hearing about how a government staff member, a chief of staff to a minister, made one of the most repulsive allegations you can make against another human being—that is, to compare them to a Nazi, to someone who administered a concentration camp where thousands of people died. When we first raised that in this parliament, what action or what answer did we get from the Howard government? Not an answer about immediate action, not an answer about revulsion, not an answer about how they were disgusted by that remark—no. On the first occasion the minister walked to the dispatch box, he squirmed and said absolutely nothing.

Then, on the second occasion he walked to the dispatch box, he obviously thought better of it and sought to distance himself—ever so softly—from the remark. Of course, his chief of staff had been out that morning basically carrying on and justifying himself. It took absolutely hours for this matter to finally end up in an apology from the staff member involved and still, of course, no Howard government minister—not one of
them—has taken any meaningful action about this matter.

Then on the matter that the Leader of the Opposition referred to, which dealt with me, what we know, on the public record, is that a journalist, Jason Koutsoukis, was invited down to a meeting in a ministerial suite for the purpose of being supplied with a file with my name on it which had been trawled through the press gallery as a dirt file. I am not saying, when we look at this, that we should be talking about the contents—I do not know what the contents are; the dirt file has not been supplied to me—but the suggestion—

Mr Downer—It’s never been used!

Ms GILLARD—It has been used, Foreign Minister, because someone in this government sat in a ministerial suite and gave it to a journalist.

Mr Downer interjecting—

The SPEAKER—The Minister for Foreign Affairs!

Mr Downer interjecting—

The SPEAKER—The Minister for Foreign Affairs is warned!

Ms GILLARD—For the members of this government to suggest that somehow they are mortally offended by the suggestion that they peddle dirt—how does anyone explain that? Whose office was it? Do we have an answer to that? Whose office was it, Prime Minister? You are so concerned about the reputation of your government, are you going to make inquiries about that? Are you going to make sure you find out the truth about that? That is all right, is it? Your little moral outrage only goes so far and under the moral outrage on the surface there is all of this unseemly conduct going on underneath that you avert your eyes from but you know is occurring—you must know is occurring. So do not come into this parliament with a holier-than-thou attitude when, beneath this modicum of moral outrage on the surface, underneath we have the trawling, the dirt and the carry-on.

We come to question time in this parliament and we ask questions for the purpose of getting answers. What do we routinely see from ministers in this government? We see evasion and we see personal attacks. Indeed, the only thing some government ministers do in this place during question time is make personal attacks—the only thing they do. When they are asked questions by their own backbench about government policy, they are lucky if there are two or three words about government policy and the rest of it is personal attack. This is the ordinary stock-in-trade of this government when it comes to the prosecution of its politics, and we know that this is just the start and that there are weeks and weeks of this to come in the future. It has been talked about. It has been rumoured.

Government members interjecting—Rumoured!

Ms GILLARD—Rumoured by this government and its members who have put out little teasers to the press about what is to come. We know that this is what they peddle under the surface. The truth is that you members of the government frontbench know it. Members of the backbench know it as well. So let us not fall for this overacting, absurd display. (Time expired)

Mr ABBOTT (Warringah—Leader of the House) (3.24 pm)—I move:

That so much of the standing and sessional orders be suspended to enable debate continuing until 3.34 pm—

Mr Albanese—A point of order, Mr Speaker.

The SPEAKER—The member for Grayndler will resume his seat. The Leader
of the House has the call and I will hear what—
  Mr Albanese—Point of order, Mr Speaker!

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

  Mr Albanese—I am moving a point of order, Mr Speaker.
  The SPEAKER—You cannot move a point of order.
  Mr Albanese—Yes, I can.
  Mr ABBOTT—Not while I am in the middle of moving a motion.
  The SPEAKER—The Leader of the House has the call and I will hear the Leader of the House. The member for Grayndler will resume his seat.

  Mr Albanese—The time for debate has expired.
  The SPEAKER—It has not. The member for Grayndler will resume his seat. I call the Leader of the House.

  Mr ABBOTT—I move:
  That so much of the standing and sessional orders be suspended to enable debate continuing until 3.34 pm and the Prime Minister being called to speak for a period not exceeding 10 minutes—
  Mr Albanese—Point of order, Mr Speaker.
  The SPEAKER—The Manager of Opposition Business.

  Mr Albanese—Mr Speaker, the time allocated for a suspension of standing orders is 25 minutes. It has expired.
  The SPEAKER—The Manager of Opposition Business will resume his seat.

  Mr Albanese—The Leader of the House—
  The SPEAKER—The Manager of Opposition Business will resume his seat or I will deal with him! The Leader of the House was called before the expiration of the time and the Leader of the House has now moved an extension of the time.

  Mr Albanese—Point of order, Mr Speaker!
  The SPEAKER—The Manager of Opposition Business!

  Mr Albanese—Point of order, Mr Speaker! Ten, plus 10, plus five equals 25, Mr Speaker—
  The SPEAKER—I warn the Manager of Opposition Business!
  Mr Albanese—and time had expired.
  The SPEAKER—I name the Manager of Opposition Business!
  Mr Albanese—Time had expired, Mr Speaker.
  The SPEAKER—The Leader of the House.
  Mr Albanese—You are an embarrassment!
  Mr ABBOTT—I move:
  That the member for Grayndler be suspended from the service of the House.
  Question put.
  The House divided. [3.32 pm]
  (The Speaker—Hon. David Hawker)
  Ayes………… 83
  Noes………… 54
  Majority……… 29

  AYES

Draper, P. Dutton, P.C.
Elson, K.S. Entsch, W.G.
Ferguson, M.D. Falastini, J.
Gambon, T. Fahey, D.
Georgiou, P. Hartsuyker, L.
Hardgrave, G.D. Hockley, J.B.
Henry, S. Hunt, K.E.*
Howard, J.W. Hunt, G.A.
Jull, D.F. Jull, D.F.
Keenan, M. Kelly, J.M.
Kelly, M. Kelly, D.M.
Lawson, S. Leary, J.
Lee, S.P. Laming, A.
Macfarlane, I.E. Lloyd, J.E.
May, M.A. Lucas, P.*
McGauran, P.J. McArthur, T.
Moylan, J.E. Mirabella, S.
Nation, J. Nairn, G.R.
Nolan, B.J. Nossal, S.
Pearce, C.J.一流 Prosser, G.D.
Richardson, K. Robb, A.
Ruddock, P.M. Scott, B.C.
Secker, P.D. Short, G.
Smith, A.H. Somlyay, A.M.
Southcott, A.J. Stone, S.N.
Ticehurst, K.V. Tolmer, D.W.
Truss, W.E. Tuckey, C.W.
Turnbull, M. Vaise, M.A.J.
Vale, D.S. Vasta, R.
Wakelin, B.H. Washer, M.J.
Wood, J. *

McMullan, R.F. Melham, D.
Murphy, J.P. O’Connor, B.P.
O’Connor, G.M. Owens, J.
Plibersek, T. Price, L.R.S.
Roxon, N.L. Rudd, K.M.
Sawford, R.W. Smith, S.F.
Snowdon, W.E. Swan, W.M.
Tanner, L. Thomson, K.J.
Vanvakinou, M. Wilkie, K.
* denotes teller

Question agreed to.

The SPEAKER—Order! The member for Grayndler is suspended from the service of the House for 24 hours.

The member for Grayndler then left the chamber.

Mr ABBOTT (Warringah—Leader of the House) (3.39 pm)—Mr Speaker, as my motion has not been stated to the House, I therefore withdraw it and move:

That so much of the standing and sessional orders be suspended as would prevent the Prime Minister speaking without interruption for 10 minutes on the question that the words proposed to be omitted by the Leader of the Opposition stand part of the question.

Mr Jenkins—Mr Speaker, I rise on a point of order. Under standing order 67, may I request that you, Mr Speaker, state the question that is before you at the moment.

The SPEAKER—The question that is before the House is a new motion just put by the Leader of the House. He has withdrawn his earlier motion. I will read the motion for the benefit of the House.

Mr Jenkins—Mr Speaker, on a further point of order before you do that—

Mr McGauran interjecting—

Mr Jenkins—Just listen, Ginger. Mr Speaker, you have not stated that question. The Leader of the House may have moved it, but you have not stated it. It is not the business before the House.

Government members interjecting—

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Mr Jenkins—The Speaker has not stated it. He does that at the end of the mover’s debate.

The SPEAKER—I thank the member for Scullin and I will respond to him. The Leader of the House had the call and then we had, shall we say, a diversion where there was some disciplinary action taken. Therefore, the call that had been given to the Leader of the House was restated. The Leader of the House has now put a motion. I will read the motion. He has moved:

That so much of the standing and sessional orders be suspended as would prevent the Prime Minister speaking without interruption for 10 minutes on the question that the words proposed to be omitted by the Leader of the Opposition stand part of the question.

Mr Rudd (Griffith—Leader of the Opposition) (3.42 pm)—Mr Speaker, I intend to move an amendment to the motion you have just read. This will provide the House with an opportunity, on what the Treasurer has indicated is its last day, for the Prime Minister to put to the Australian people his plan for Australia’s future. The Treasurer has said often that he wishes to be Prime Minister—

Government members interjecting—

The SPEAKER—Order! The Leader of the Opposition will resume his seat.

Mr Abbott (Warringah—Leader of the House) (3.47 pm)—I move:

That the question be now put.

(Ayes………….... 83

Noes………….... 54

Majority………. 29

AYES


Barresi, P.A. Billson, B.F. Bishop, J.I. Broughton, M.T.

Causley, J.R. Cobb, J.K. Downer, A.J.G. Dutton, P.C.

Entsch, W.G. Fawcett, D. Forrest, J.A. Gash, J.

Haase, B.W. Hartsuyker, L. Hockey, J.B. Hull, K.E. *


Lloyd, J.E. Markus, L. McArthur, S. *

Mirabella, S. Nairn, G.R. Neville, P.C. Prosser, G.D.

Randall, D.J. Robb, A. Scott, B.C. Slipper, P.N.

Smolich, A.M. Stone, S.N. Toller, D.W. Tuckey, C.W.

Vaile, M.A.J. Vasta, R. Washer, M.J.

NOES


Bowen, C. Burke, A.S. Byrne, A.M. Corcoran, A.K.

Crean, S.F. Danby, M. * Edwards, G.J. Elliot, J.

Ellis, A.L. Ellis, K. Emerson, C.A. Ferguson, L.D.T.

Ferguson, M.J. Fitzgibbon, J.A. Garrett, P. George, J.
Mr Tanner—Mr Speaker, I rise on a point of order.

The SPEAKER—I now put the question on the motion moved by the Leader of the House.

Mr Tanner—Mr Speaker, I rise on a point of order.

The SPEAKER—The House has just resolved that the motion be put.

Mr Tanner—I have a point of order, Mr Speaker. I am entitled to raise a point of order. The point of order is: I would ask you to rule on the meaning of the term ‘without interruption’ in the motion. Does this mean that the Prime Minister is able to make any accusation, any claim, without the right of a member to make a point of order or to demand a withdrawal? Is that the meaning of the term ‘without interruption’ in this motion—to protect him from the kind of the treatment that the Leader of the House put out to the Leader of the Opposition while he was speaking?

The SPEAKER—The member for Melbourne will resume his seat. I say to the member for Melbourne: until the motion has actually been put and agreed to, that is a hypothetical question.

Mr Tanner interjecting—

The SPEAKER—Member for Melbourne, I have a motion before the chair; I have to deal with it.

Mr Tanner interjecting—

The SPEAKER—I have taken note of the member for Melbourne. The member for Melbourne will resume his seat. The question is that so much of the standing and sessional orders be suspended as would prevent the Prime Minister speaking without interruption for 10 minutes on the question that the words proposed to be omitted by the Leader of the Opposition stand part of the question.

Question agreed to.

Mr Tanner—I raise a point of order, Mr Speaker. I invite you to rule as to the meaning of the phrase ‘without interruption’ that has just been passed by the House, as to whether that means that if the Prime Minister makes any accusation against a member that member is unable to respond and if the Prime Minister makes any claim nobody can raise a point of order. Is that your interpretation?

The SPEAKER—I have called the Prime Minister, and the member for Melbourne will resume his seat.

Mr Tanner interjecting—

The SPEAKER—I have called the Prime Minister, and the member for Melbourne will resume his seat.

Mr Tanner interjecting—

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

Mr HOWARD (Bennelong—Prime Minister) (3.57 pm)—I know it seems quite a long time ago but this issue started when the member for Jagajaga asked me a question, which we all know was more an accusation than a question. What in effect the member for Jagajaga was doing, presumably with the authority of the Leader of the Opposition, was alleging that either I or, with my knowledge, members of the government had raised issues about the physical health of the Leader of the Opposition. That is how it started. By any measure, by any use of the English language, an accusation of that kind in the absence of evidence supporting it represents about the basest possible smear that can be made in this place. That is why we decided to move a motion inviting the true author of that base accusation to substantiate to the parliament why he believed that I or members of my government were responsible for smearing him in relation to his health.

Can I say this, through you, Mr Speaker, to the Leader of the Opposition: as an individual I bear him no malice. I do not wish him well politically but I wish him no harm on a personal basis, nor do I wish him other than a long and healthy and happy life as an individual. I would suggest that any Australians in the gallery that may be listening to this debate are, frankly, if I can put it bluntly, more interested in the health of their nation than they are in the health of either the Leader of the Opposition or me.

Ms Owens interjecting—

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

Mr HOWARD—It passes strange that a few moments ago the Leader of the Opposition raised this issue—‘Oh, the Prime Minister and I should be debating our respective future plans for the government of the country.’ Not a bad point! I might say rhetorically in reply: why on earth therefore did the Leader of the Opposition waste a question through the mouth of the member for Jagajaga about a smear instead of asking me a question about the policy of the government?

Ms Gillard interjecting—

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

Mr HOWARD—Let me state it very simply to those who sit opposite. The allegation made by the member for Jagajaga is baseless. The allegation made by the Leader of the Opposition is baseless.

Mr McMullan interjecting—

The SPEAKER—Order! The member for Fraser!

Mr HOWARD—We have not been spreading smears about the Leader of the Opposition’s health.

Ms Macklin interjecting—

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

Mr HOWARD—I am a great believer in the doctrine of coincidence in politics. What is coincidental? Yesterday the Leader of the Opposition by any measure had a very bad day.

Ms Gillard interjecting—

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

Mr HOWARD—He had a very bad day: he couldn’t answer the most simple question about taxation. Then we have questions raised in the parliament about that issue and then we go on to the evening news bulletins and out of the blue—

Mr McMullan interjecting—

The SPEAKER—Order! The member for Fraser is warned!
Mr HOWARD—I have to say I was totally surprised to turn on the Channel 9 news. I was expecting Laurie Oakes to have a concoction of the Rudd gaffe on tax and some of the byplay and exchange in relation to the remarks made by the chief of staff of the Special Minister of State. I thought that would be the Oakes package, and I thought to myself, ‘Well, I hope there’s more of Rudd’s mistake’—I’ll be honest about it—‘than there is about the other issue,’ and I think you would understand why I would say that. Then quite out of the blue we have this astonishing thing, this reference to the Leader of the Opposition’s health. Isn’t that interesting?

Mr Costello interjecting—

Mr HOWARD—Yes, with an exclusive. But isn’t that coincidental? As the Treasurer rightly said, why on earth would we spike our own story? If I were a suspicious person—and I am not; I think charitably towards the Leader of the Opposition in relation to these matters—I would say to myself, ‘Well, I don’t think that story has come from our side of politics; I think that story may have come from another side of politics.’ I am not normally a suspicious person but I may well have thought that.

But let me take this opportunity of saying we are not interested in smearing the Leader of the Opposition as an individual; we never have been. What the Labor Party has endeavoured to do all of this year is to construct in the minds of the Australian people the belief that any attack on the Leader of the Opposition is a personal smear of the Leader of the Opposition, that you are not allowed to criticise the Leader of the Opposition, that he is the one political leader in Australian history who we are not entitled to question or we are not entitled to attack.

Ms Roxon interjecting—

The SPEAKER—Order! The member for Gellibrand!

Mr HOWARD—He keeps coming out in the press and he says there is going to be a mother of all fear campaigns. I can tell the Leader of the Opposition that we will be telling the Australian people, when the election campaign starts, of the danger of electing a union dominated government. We will be telling the Australian people of the danger to good government in this country of having a Labor government federally as well as a Labor government in power in each of the states and the territories.

Mr Swan interjecting—

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

Mr HOWARD—we will be telling the Australian people that it is not a good thing to place the management of the Australian economy in the hands of inexperienced people who do not, for example, understand our taxation system at a time when international storm clouds are threatening the stability of the international economy. This, more than at any time over the last five years, is a time for the Australian economy to be in strong, experienced hands, in the hands of people who understand how to withstand the ravages of international economic buffeting.

The Leader of the Opposition would say to the Australian people: ‘Oh, they can’t say that about me. It’s a smear.’ Could I remind the Leader of the Opposition that he has only been in politics since 1998 and a number of us have been in politics for a long time. If he imagines that what has been said about his lack of experience, what has been said about his knowledge deficit in relation to taxation and what has been said about his glass jaw represent a personal attack and a personal smear, can I say to the Leader of the Opposition, through you, Mr Speaker: you haven’t been born.
Mr Tanner interjecting—

The SPEAKER—Order! The member for Melbourne is on very thin ice.

Mr HOWARD—I remember the day my predecessor pointed at Alexander Downer—I have never forgotten it—and accused his father of being part of the appeasement brigade in the late 1930s and called into question the courage of a man who spent four years as a prisoner of war of the Japanese on the Burma-Thailand railway.

Ms Roxon interjecting—

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

Mr HOWARD—And yet the Labor Party sat there and they were perfectly happy to have that. I can remember the Leader of the Opposition jumping up when his predecessor but one—Mark Latham—used one of the most vulgar expressions I have ever heard used in this parliament about a female journalist, and we all know what I am referring to. I remember the deafening silence of the Leader of the Opposition. I remember the deafening silence of all the female members of the Australian Labor Party—not one of them got up to condemn that foul insinuation about Janet Albrechtsen.

I also remember the deafening silence of the Leader of the Opposition when Mark Latham referred to Tony Staley’s physical disability, occasioned by a motor car accident that almost claimed his life. Tony’s life hung in the balance for 12 months, and to this day he is walking with the benefit only of crutches.

Mr Garrett interjecting—

The SPEAKER—The member for Kingsford Smith is warned!

Mr HOWARD—The Leader of the Opposition thinks he has been smeared because people dare to criticise his policies. He has not been born in Australian politics to understand that. I regard the attempt by the Labor Party to implicate us in this smear as a base diversion. The Leader of the Opposition has utterly failed to produce any evidence to support his claim. What is more, he was too gutless to ask the question himself. He should have got up at the first instance. He did not have the courage to do that and he stands condemned as a result. (Time expired)

The SPEAKER—The time for the extension of the debate has now expired. The original question was that the motion be agreed to, to which the Leader of the Opposition has moved as an amendment that all words after ‘That’ be omitted with a view to substituting other words. The immediate question is that the words proposed to be omitted stand part of the question.

Question put.
The House divided. [4.12 pm]
(The Speaker—Hon. David Hawker)

Ayes 81
Noes 52
Majority 29

AYES

Mr Rudd (Griffith—Leader of the Opposition) (4.20 pm)—One of the interesting things about the debate in the chamber this afternoon is that the Prime Minister has just required a prime ministerial protection order from interventions. If this is a serious debate about matters before the House and matters before the nation, why is that particular procedural device necessary to protect the Prime Minister from the indignity of points of order? I find it extraordinary that the Leader of the House would seek to protect the Prime Minister in such a fashion rather than allow the Prime Minister to fend for himself, as other members of this chamber are required to do.

The motion before us asks why these questions have been put to the parliament today. The answer is that the function of the parliament is to provide the executive with the opportunity to answer questions put to it by the opposition. These are matters which therefore demand answers. What we have had from those opposite today is a sense of continued feigned indignation, as if any negative smear campaign has been mysteriously pulled out of space, with which those opposite have had nothing whatsoever to do—no awareness whatsoever on the part of the Prime Minister or on the part of anybody else. But look carefully at the Prime Minister’s response to the questions which were asked: ‘I, the Prime Minister, have no awareness of any such activity. I am not responsible for it and I am not aware of others in the Liberal Party and the government.’ We have heard that through ‘children overboard’; we have heard that through the ‘wheat for weapons’ scandal; we have heard it time in and
time out as you have sought to avoid accountability in this parliament.

Ms Roxon interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—The member for Gellibrand has been warned!

Mr Abbott—Mr Deputy Speaker, I raise a point of order. The motion that the House has passed requires the Leader of the Opposition to detail to the House his smear allegations against the Prime Minister. He needs to speak to the motion.

Opposition members interjecting—

The DEPUTY SPEAKER (Hon. IR Causley)—There is no point of order. I warn members that a number have been warned and I will not give them another warning.

Mr Rudd—I find it interesting also that, apart from the prime ministerial protection order issued by the Leader of the House, the Prime Minister has cut and run from the chamber altogether on these matters. I find it remarkable that a government of courage and a Prime Minister of courage have to hide behind such procedural devices to avoid accountability.

There is a big problem with the argument advanced by the Prime Minister today. The Prime Minister’s conspiracy theory runs along these lines: after a press conference I conducted at Queanbeyan yesterday, I came back into this chamber and organised through my office an exclusive interview with Laurie Oakes. That is the proposition; the Prime Minister just put that. There is a little problem with that conspiracy theory, because Laurie Oakes came and saw me yesterday morning before I went anywhere near Queanbeyan. Laurie Oakes came to my office to put these particular matters which had been put to him. So the prime ministerial conspiracy theory is that we have a press conference out at Queanbeyan—

Mr Costello interjecting—

Mr Rudd—also put by this man, who lacks the courage ever to become Prime Minister—only courage enough to whisper innuendo about his Prime Minister when the Prime Minister is not here. What we have here is the Prime Minister advancing a conspiracy theory which collapses in a heap. The journalist in question, Laurie Oakes, one of the most respected figures in the gallery, came to me yesterday morning before we went anywhere near Queanbeyan and put to me the specific propositions. The conspiracy theory collapses in a heap.

The second point is that other media outlets later in the day also contacted by my office confirmed that the same story was being shopped around—a remarkable coincidence, it seems. And again we have the Leader of the House refusing—

Mr Abbott—Mr Deputy Speaker, I raise a point of order. Is he saying that Laurie Oakes said the government said this?

The DEPUTY SPEAKER—That is not a point of order.

Mr Rudd—Two other media outlets confirmed subsequently that this story had been shopped to them in recent days. Furthermore, we are advised that this story had come forward from a source hostile to the Labor Party. Furthermore, the contents of the story ran along these lines: it contained the date of the medical procedure which I had, it had also the details of the doctor who sup-
posedly performed the procedure, though the name of the doctor was not given to me, and, furthermore, there was a further view put that the source had said that the durability of the aortic valve used in the replacement surgery had a finite duration, it would last 10 years, and therefore my health was in some peril. This was not put to one media outlet; it was put to, we have at least confirmed, three media outlets.

Prime Minister, you were absent from this: the approach from Laurie Oakes came before I went anywhere near Queanbeyan yesterday. Your entire conspiracy theory collapsed in a heap while you were absent from the chamber.

Years ago—and this matter has been raised, I think, by someone opposite—in an interview, I think on Channel 7, we were asked about organ donations. I said I supported organ donations because I had been the beneficiary of one. Furthermore, in private conversations with cardiac patients at various times who have sought some counsel and support I have provided whatever counsel and support that I could.

On top of that can I say this: the three sets of information which these journalists put to me yesterday have never, ever been put into the public domain. We were therefore put in a position where I had to respond to the matters which had been put. The reason why the question was put in this House today is that the job of the parliament is to get an answer back from the executive as to whether these things are true. But it does not stop there. The question is asked, particularly by the Leader of the House, as to why we could possibly suspect that the government may be involved in anything untoward. Here we have, in the Sunday Telegraph from 29 August 2007, ‘Dig round and you’ll soon find a dirt unit’, an article by Simon Benson. It involves an interview involving a radio host, Bill Shorten and Tony Abbott. Bill Shorten says:

“Tony, are you saying you don’t have a dirt unit and it doesn’t have people trying to scour up the backgrounds of Labor candidates?”

The answer from Tony Abbott:

“Of course ...

Government members interjecting—

Mr RUDD—I am reading a transcript.

TONY ABBOTT: “Of course. Obviously you want to look at the files and all that kind of stuff.”

That is the question which was put to him by Bill Shorten in that interview, and that was the response of the Leader of the House. That is the transcript. So you ask with this feigned innocence and indignation why we in the opposition might dare suspect that you guys might be up to no good. I think there is a reasonable basis for looking at that.

Furthermore, when you look at the other matters which have been put into the public debate on all of this, the other matter which was canvassed today in a question goes to the report by Hedley Thomas in the Australian. The report by Hedley Thomas is quite explicit:

Liberal Party figures in Queensland, including a forensic accountant, have been examining the purchase, and the links between the vendors—referring to the purchase of a house by my wife and me—and the Labor Party’s investment companies, for several months.

If that is in the public record and it is there from Hedley Thomas, who is a longstanding journalist with News Ltd, it is equally legitimate to put this matter for the government to seek a response to. But, on top of that, is the government saying that Jason Koutsoukis lies through his teeth—this is the term of art used by those opposite? Jason Koutsoukis, only a couple of weeks ago or less, details precisely his visit to a ministerial
suite to be handed a file which has ‘Gillard’ on the top and deals explicitly with a whole series of allegations concerning the Deputy Leader of the Opposition. And you sit there opposite believing you are purer than the driven snow. It is remarkable—the feigned indignation about these questions, including from Captain Courageous over there, the would-be Prime Minister without any intestinal fortitude whatsoever to ever stand up to the plate and say: ‘I would like to be Prime Minister. I would like to have the guts to challenge the Prime Minister. But—oops!—I’ll step back from the plate again.’ Always privately lacking courage and lacking conviction, always whispering behind people’s backs but never with the fortitude, the conviction, to stand up to the plate and actually challenge the government’s leader, the leader of the Liberal Party, for his job.

Debate interrupted; adjournment proposed and negatived.

Mr Rudd—Then we have the question that concerns the activities of those in the government dirt unit, which we have already referred to in detail concerning Dr Phelps, the chief of staff of the Special Minister of State. The truth of these propositions—and I have only been through three of them: the Koutsoukos article, the Hedley Thomas article, the confession by Tony Abbott in the *Sunday Telegraph*, as well as all these related matters—points to the fact that these matters should be answered by the Leader of the House or the government itself.

Mr Abbott—Mr Speaker, I rise on a point of order. I know this is a debate but he is not entitled to misrepresent me like that. It is extraordinary that the Leader of the House could stand in the chamber and say that it does not exist when, out of his own mouth, he says that it does. The question put to him by Bill Shorten was:

Tony, are you saying you don’t have a dirt unit and it doesn’t have people trying to scour up the backgrounds of Labor candidates?

The answer was then:

**TONY ABBOTT:** “Of course. Obviously you want to look at the files and all that kind of stuff.”

What has happened here is, of course, that the Leader of the House has been hoist with his own petard, hung out by the words that have proceeded from his own mouth, confirming, less than a month ago—on Melbourne radio, I presume—that in fact this dirt unit does exist and engages in that sort of activity.

The feigned indignation becomes much wider than that. Let us remember a certain individual called Senator Heffernan. The Prime Minister has made reference to all these indignations in the past. Prime Minister, you have a responsibility when it comes to either backing or overturning remarks by Senator Heffernan. What did Senator Heffernan have to say about the Deputy Leader of the Opposition? And what did you say in response to that immediately? ‘But look, I’m not telling people what they should apologise for or not; I’m just stating my own view.’ In other words, when that foul language was used by Senator Heffernan in relation to the Deputy Leader of the Opposition, what the Prime Minister sought to do was quickly step to one side—’Nothing to do with me; it’s old Bill there, running off the tracks. I don’t have anything to do with that.’ Then what happens? The heat gets too much, the political reaction around the country gets too solid and suddenly the Prime Minister has to
change his tune later on. The reason we moved an amendment earlier on, which the government was not prepared to take, was that all these questions go to the absolute heart of the integrity of the operations of this government.

Mrs Howard interjecting—

Mr Rudd—Oh yes it does, Prime Minister! It goes to the whole question of a government grown arrogant, grown out of touch after 11 long years in office, a government that has now sought to use all the instruments available to it in terms of the public servants who work for it, in terms of its own ministerial staff, in terms of the rorting and abuse of taxpayer funded advertising—

Mr Costello—Mr Speaker, I rise on a point of order. The standing and sessional orders have been suspended to allow the Leader of the Opposition to detail the smear allegations against the Prime Minister, the Liberal Party and the government. I would ask that you bring him back to detailing those allegations.

The Speaker—The Standing and Sessional Orders have been suspended to allow the Leader of the Opposition to detail to the House his smear allegations against the Prime Minister, the Liberal Party and the government. I would ask him to come back to the debate.

Mr Rudd—On the question of the glass jaw of the Treasurer, and his inability to respond to the matters which have been raised, it stands for the entire chamber to hear. We have been through, point by point, each of the matters which have required answers by the government opposite. Why is there this feigned indignation from those opposite? Because they do not want to answer the questions. They do not want to answer whose ministerial suite it was where someone provided a dirt file in relation to the Deputy Leader of the Opposition. Whose was it? Have you bothered to check that out? Who is the forensic accountant referred to over here in the other article? Have you bothered to check that out? Has the government also bothered to ascertain precisely what has happened with Tony Abbott’s admission—

Mr Costello—Mr Speaker, I rise on a point of order. The standing and sessional orders have been suspended to allow the Leader of the Opposition to detail the smear allegations to the House. I would ask that you bring him back to detailing those allegations.

The Speaker—The point of order raised by the Treasurer is a valid point of order. The Leader of the Opposition has been asked to provide evidence and the Leader of the Opposition will come back to the motion.

Mr Rudd—On the question of the Laurie Oakes matter—and you were out of the chamber for this, Prime Minister—let me put it before you pure and simple: your contention here in this place was that a conspiracy had been engaged in by me with a journalist to do an exclusive interview subsequent to a press conference at Queanbeyan yesterday, and your conspiracy collapsed into a heap. Do you know why, Prime Minister? Because Laurie Oakes came to see me before I went anywhere near Queanbeyan. Three journalists came to us with the pieces of information that I referred to before, and we were also informed that the sources came from those hostile to the Labor Party.

Mr Andrews—Mr Speaker, I rise on a point of order that goes to the wording of the motion. We ask the Leader of the Opposition to give us just one piece of evidence—just one piece.

The Speaker—As I hear it, I believe the Leader of the Opposition is in order. Before I call the Leader of the Opposition, I would ask him to desist from using the words ‘you’ and ‘your’.

Mr Rudd—Thank you, Mr Speaker. Each of those reports to us by the media
caused us to conclude, given the nature of the information, that legitimate questions needed to be posed. What is remarkable here is the feigned indignation from those opposite about where this material came from. It would have been very simple and straightforward for an unequivocal statement to be made about these matters, and it was not.

Honourable members interjecting—

The SPEAKER—I will warn other members if they continue to interject like that.

Mr Abbott—Mr Speaker, I rise on a point of order on relevance. Did Laurie Oakes say that the government gave him the information?

The SPEAKER—I say to the Leader of the House that the Leader of the Opposition is in order and he has the call.

Mr Rudd—Thank you very much, Mr Speaker. I notice that once again the Leader of the House does not seek to extend the same sort of procedural protection to the likes of me as he sought to extend to the Prime Minister, and did so successfully. Once again, there is a series of interruptions as the response provided by me is delivered. Prime Minister, the country wants to have a debate about plans for the future. Do you know something, Prime Minister: you were extended that opportunity in the parliament today and you declined. The nation wants to know what your plans are for the future of the education system, because there is nothing there.

Mr Michael Ferguson interjecting—

The SPEAKER—The member for Bass is warned!

Mr Rudd—They want to know what your plans are for the future of 750 public hospitals in the country, and they are not there. They want to know what your plans are for the future of broadband, and they are not there.

Mr Costello—Mr Speaker, I rise on a point of order. Standing and sessional orders have been suspended to allow the Leader of the Opposition to detail his smear allegation against the government. I ask that you bring him back to that.

The SPEAKER—The Treasurer has raised a valid point of order. I say to the Leader of the Opposition that if that point of order is alluded to again he will have to resume his seat.

Mr Rudd—On the question of our allegation against this government, I conclude with this: this government stands condemned for having lost touch. It is a government that has no positive plans for the future but is instead determined to wage an unrelenting negative smear campaign against the opposition from here until election day—an election day which Captain Arrogance over there has already announced on behalf of his Prime Minister.

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

DEPARTMENT OF THE HOUSE OF REPRESENTATIVES

Annual Report

The SPEAKER (4.40 pm)—Pursuant to section 65 of the Parliamentary Services Act 1999, I present the annual report of the Department of the House of Representatives for 2006-07.

Ordered that the report be made a parliamentary paper.

DOCUMENTS

Mr Abbott (Warringah—Leader of the House) (4.41 pm)—Documents are tabled as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

Mr Abbott (Warringah—Leader of the House) (4.41 pm)—I present documents on the following subjects, being petitions which
are not in accordance with the standing and sessional orders of the House.

Incentives for the use of public over private transport—from the member for La Trobe—341 Petitioners

Treatment of Falun Gong practitioners in China—from the member for Bennelong—50 Petitioners

Human rights observance in Vietnam—from the member for Sydney—48 Petitioners

Achieving a renewable energy target in Townsville and Thuringowa—from the member for Herbert—1250 Petitioners

HECS debts for Australian woman—from the member for Chisholm—48 Petitioners

Review of Australia’s counter-terror laws and human rights obligations—from the member for Berowra—84 Petitioners

Establishment of Australia Post Office in Penrith marketplace, Nelson Ridge, NSW—from the member for Prospect—4896 Petitioners

Upgrade of Waterfall Gully Road, SA—from the member for Sturt—514 Petitioners

The fate of six Australians facing the death penalty in Indonesia for drug offences—from the member for Moreton—453 Petitioners

Construction of underground powerlines in northern Wamberal, NSW—from the member for Dobell—313 Petitioners

Water security for South Australia—from the member for Sturt—10740 Petitioners

SPECIAL ADJOURNMENT

Mr ABBOTT (Warringah—Leader of the House) (4.41 pm)—I move:

That the House, at its rising, adjourn until Monday, 15 October, at 12.30 pm, unless the Speaker or, in the event of the Speaker being unavailable, the Deputy Speaker fixes an alternative day or hour for the meeting.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Australia’s Future Prosperity

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

The need for fresh thinking and new leadership to secure Australia’s future prosperity.

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

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

Mr RUDD (Griffith—Leader of the Opposition) (4.42 pm)—Mr Speaker—

Mr ABBOTT (Warringah—Leader of the House) (4.44 pm)—I move:

That the business of the day be called on.

Question put.

The House divided. [4.46 pm]

(Ayes—Hon. David Hawker)

Ayes............ 79
Noes............. 44
Majority........ 35

AYES

Abbott, A.J.  Anderson, J.D.
Andrews, K.J.  Bailey, F.E.
Baird, B.G.  Baker, M.
Baldwin, R.C.  Barresi, P.A.
Bartlett, K.J.  Billson, B.F.
Bishop, B.K.  Bishop, J.I.
Broadbent, R.  Cadman, A.G.
Causley, I.R.  Ciobo, S.M.
Cobb, J.K.  Costello, P.H.
Draper, P.  Dutton, P.C.
Entsch, W.G.  Farmer, P.F.
Fawcett, D.  Ferguson, M.D.
Forrest, J.A.  Gambaro, T.
Gash, J.  Georgiou, P.
Haase, B.W.  Hardgrave, G.D.
Hartley, L.  Henry, S.
Hockey, J.B.  Howard, J.W.
Hull, K.E. *  Hunt, G.A.
Jensen, D.  Johnson, M.A.
Jull, D.F.  Keenan, M.
Kelly, D.M.  Kelly, J.M.
Laming, A.  Ley, S.P.
Lloyd, J.E.
Markus, L.
McArthur, S. *
Moylan, J.E.
Nelson, B.J.
Pearce, C.J.
Pyne, C.
Richardson, K.
Ruddock, P.M.
Secker, P.D.
Smith, A.D.H.
Southcott, A.J.
Ticehurst, K.V.
Truss, W.E.
Turnbull, M.
Vale, D.S.
Wakelin, B.H.
Wood, J.

Macfarlane, I.E.
May, M.A.
Mirabella, S.
Nairn, G.R.
Neville, P.C.
Prosser, G.D.
Randall, D.J.
Robb, A.
Scott, B.C.
Slipper, P.N.
Somlyay, A.M.
Stone, S.N.
Tolmer, D.W.
Tuckey, C.W.
Vaile, M.A.J.
Vasta, R.
Washer, M.J.

Adams, D.G.H.
Bird, S.
Burke, A.S.
Crean, S.F.
Ellis, A.L.
Emerson, C.A.
Ferguson, M.J.
Garrett, P.
Gibbons, S.W.
Grierson, S.J.
Hall, J.G. *
Hayes, C.P.
Jenkins, H.A.
Macklin, J.L.
Melham, D.
O’Connor, B.P.
Owens, J.
Ripoll, B.F.
Sawford, R.W.
Smith, S.F.
Swan, W.M.
Thomson, K.J.

Bevis, A.R.
Bowen, C.
Corcoran, A.K.
Edwards, G.J.
Ellis, K.
Ferguson, L.D.T.
Fitzgibbon, J.A.
George, J.
Gillard, J.E.
Griffin, A.P.
Hatton, M.J.
Irwin, J.
Livermore, K.F.
McMullan, R.F.
Murphy, J.P.
O’Connor, G.M.
Price, L.R.S. *
Rudd, K.M.
Sercombe, R.C.G.
Snowdon, W.E.
Tanner, L.
Wilkie, K.

CLASSIFICATION (PUBLICATIONS,
FILMS AND COMPUTER GAMES)
AMENDMENT (TERRORIST
MATERIAL) BILL 2007

FAMILIES, COMMUNITY SERVICES
AND INDIGENOUS AFFAIRS
LEGISLATION AMENDMENT (CHILD
DISABILITY ASSISTANCE) BILL 2007

FAMILIES, COMMUNITY SERVICES
AND INDIGENOUS AFFAIRS
LEGISLATION AMENDMENT
(FURTHER 2007 BUDGET MEASURES)
BILL 2007

SOCIAL SECURITY LEGISLATION
AMENDMENT (2007 BUDGET
MEASURES FOR STUDENTS)
BILL 2007

SUPERANNUATION LEGISLATION
AMENDMENT BILL 2007

FINANCIAL FRAMEWORK
LEGISLATION AMENDMENT BILL
(No. 1) 2007

AUSTRALIAN TECHNICAL
COLLEGES (FLEXIBILITY IN
ACHIEVING AUSTRALIA’S SKILLS
NEEDS) AMENDMENT BILL
(No. 2) 2007

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

ADJOURNMENT
Mr ABBOTT (Warringah—Leader of the House) (4.53 pm)—I move:
That the House do now adjourn.

Sydney (Kingsford Smith) Airport
Mr MURPHY (Lowe) (4.53 pm)—I draw attention to my question on the Notice Paper today in relation to the long-term operating plan for Sydney (Kingsford Smith) Airport. When the coalition came to power in 1996, it had an aviation policy called ‘Soaring into tomorrow’, which promised that the gov-
ernment would fix aircraft noise arising from Sydney airport. When the government introduced the long-term operating plan for Sydney airport, it promised the people who live north of the airport—and that includes the member for Grayndler and people in my electorate of Lowe—that they would get only 17 per cent of air traffic movements to the north of Sydney airport.

Over the decade that the long-term operating plan has been operating, not once has that target of 17 per cent air traffic movements to the north of Sydney airport been met. More to the point, if you look at the question I have placed on today’s Notice Paper, you will see that I have asked the minister why the government has failed to deliver on the promise to the people I represent and the people the member for Grayndler represents that we would get only 17 per cent air traffic movements to the north of Sydney airport.

The latest figures provided by Airservices Australia indicate that we are getting 32 per cent of air traffic movements to the north of Sydney airport, almost double what we were promised. Moreover, when you go back to the coalition’s aviation policy in relation to Sydney airport, you see that the government promised that they would not sell Sydney airport until they had fixed aircraft noise associated with Sydney airport. I stand here today, 10 years after the introduction of the long-term operating plan, and report that the government have monumentally failed to deliver what they promised the people of Sydney, the people I represent.

I remind the government that my predecessor, who was a member of the government, resigned from the government prior to the 1998 election because he understood clearly that the Prime Minister never had any intention of honouring the commitments given—in good faith, as the people of Sydney understood—that the noise associated with Sydney airport would be fixed.

I have been treated arrogantly by the Prime Minister and the Minister for Transport and Regional Services over the years with the hundreds and hundreds of questions that I have asked about it, to the point where the ministers for transport and regional services have said to me that they have exhaustively answered my questions and that the long-term operating plan for Sydney airport has been substantially implemented.

The truth is that the long-term operating plan for Sydney airport has not been substantially implemented. It has not been fairly implemented and, over the whole period of the long-term operating plan for Sydney airport, we have been getting up to 100 per cent more traffic movements than we were promised by the government when they came to power. Worse, the government sold Sydney airport to Macquarie Bank and turned it into a shopping centre and a car park, to look after their mates.

The conflict of interest by Max Moore-Wilton, who was then the chief of staff for the Prime Minister—who then moved over to manage SACL and then moved on to Macquarie bank—is appalling. It just shows you how disingenuous the government have been in relation to aircraft noise associated with Sydney airport and the promises that they have broken repeatedly over the last 10 years.

I stand here today and ask the Prime Minister and the Minister for Transport and Regional Services what he is going to do to require Airservices Australia to honour the commitments of the government to deliver only 17 per cent air traffic movements to the north of Sydney airport. That is the purpose of my question on today’s Notice Paper. My constituents deserve an answer. They deserve some honesty—(Time expired)
Barker Electorate

Mr SECKER (Barker) (4.59 pm)—It is somewhat ironic that I am following the member for Lowe because nine years ago we walked together for our first day at parliament. So it is very interesting and ironic and I suppose we both hope these are not our last speeches. Can I point out that the Deputy Leader of the Opposition today suggested that someone might be thinking that Jason Koutsoukis, the journalist, made something up. Can I say to the parliament he made something up in reference to me some 18 months ago concerning whom I supposedly support.

The SPEAKER—Order! It being 5.00 pm, the debate is interrupted.

House adjourned at 5.00 pm
Thursday, 20 September 2007

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

STATEMENTS BY MEMBERS

Millennium Development Goals

Mr STEPHEN SMITH (Perth) (9.30 am)—Labor believes that the Millennium Development Goals should constitute the new framework for global international development assistance. The key objectives of the Australian aid program should be to work with developing countries to realise the Millennium Development Goals. The goals allow developing and developed countries to move beyond the sometimes flawed relationship that has characterised overseas aid in the past and provide a clear vision and framework for halving extreme poverty by 2015 and ending it by 2025. Labor accepts the internationally agreed aid volume target of 0.7 per cent of GNP for overseas development assistance, and recently the Leader of the Opposition formally committed a future Rudd Labor government to ensuring that overseas development aid is 0.5 per cent of GNI by 2015.

I was very pleased recently to welcome to my electorate office some local members of the Make Poverty History campaign in my electorate in Perth. That meeting occurred on a Friday afternoon a couple of weeks ago. I was very pleased to welcome to the office to discuss these matters Ian Kirk from the Bassendean Church of Christ, Daniel Smith from the Morley Salvation Army, Rodney Olsen from Beechboro Baptist Church, Steve McKinnon from Lockridge Baptist Church, Brian Thorpe from Maylands/Mt Lawley Uniting Church, Ross Fraser from Bassendean Presbyterian Church, Geoff Bice from Lockridge Anglican Church, John Holmes from the Charis Fellowship in Bassendean, Jim McKinnon from Bedford Baptist and Lockridge Baptist Church, Cecilie Holmes from the Charis Fellowship in Bassendean, Colin Craggs from the Inglewood Church of Christ, Pastor Pam Devenish from Highway Church in Beechboro, Captain Niall Gibson from the Salvation Army Catherine Street Church and Amy Fitzpatrick from Lockridge Anglican Church.

We had a very fruitful conversation, and it was so pleasing to see so many people in the local community in my electorate committed to wanting to see Australia act as a good international citizen, committed from a personal point of view to always trying to ensure that someone who is not as well off as you are gets a helping hand up, and as far as Australia being a good international citizen is concerned, ensuring that Australia is committed to overseas development aid, is committed to the Millennium Development Goals and committed in an international sense to making poverty history for so many developing nations around the globe at the moment.

Araluen Botanic Park

Mr RANDALL (Canning) (9.33 am)—I want to put on record today my support for the beautiful Araluen Botanic Park, which is in my electorate. Recently I visited the Araluen Botanic Park to hand over a Volunteer Small Equipment Grant for the purchase of gardening tools et cetera for this magnificent park. Rod Ross, the general manager of Araluen, and Liz Dunn were there to show me around. For those who do not know, Araluen is pretty much the Floriade of Western Australia. It is a beautiful park that has 60,000 visitors each year. During
the winter months, because of its height in the hills, it displays beautiful tulips. There is also a springtime exhibition. This year the exhibition is based on the Year of the Surf Lifesaver. It is supported by one of its largest sponsors, Yates—which is quite topical, because they provide the bulbs for the beautiful springtime tulip festival. Araluen is a credit to the region and makes a wonderful contribution to Western Australia in terms of tourism and being a beautiful place to visit.

The park has been successfully operated and financially run by the Araluen Botanic Foundation since 1995 and is leased from the state government under a lease that will expire on 30 June 2009. The state government’s machinery of government recommendations indicate that they want to transfer the control of this park from the Western Australian Planning Commission to the Botanic Parks and Gardens Authority. While the foundation are not averse to having the Western Australian Planning Commission step aside, as they are not in the business of running parks and gardens, they believe a transfer to the government authority, the BPGA, will place an increased financial burden on Western Australian taxpayers from both the capital and the current expenditure points of view.

Should the transfer to the Botanic Parks and Gardens Authority take place, it would mean that the foundation’s status as an operator would be diminished to a ‘Friends of Araluen’—like the Friends of Kings Park—and, in turn, the foundation would lose its direct management role and a significant amount of volunteer support and corporate sponsorship. We know that when government sticks its hand in and runs things, it runs them far less successfully than do volunteers and people who are passionate about things, such as this group of people.

It is currently with the Minister for the Environment, David Templeman, and I acknowledge that, if this happens, it will cost an extra $380,000. I urge all involved—Alannah MacTiernan, the Minister for Planning and Infrastructure and member for Armadale, and all members in the vicinity—to support the foundation staying in the hands of the local volunteers and the park management, because this is an outstanding example of what can be achieved by a local group running something frugally and for and on behalf of the people. I want to see it stay where the people would have a direct role in running this—(Time expired)

Advertising Campaigns

Mr Charlie Peel

Mrs IRWIN (Fowler) (9.36 am)—From the figures released this week, we know that this government has spent more than $1.8 billion on advertising its policies since it was elected in 1996. If you assume that $300 million of that was actually needed to inform the public on real issues, you would still be left with $1.5 billion that this government has paid out over 11 years to sing its own praises—all at the taxpayer’s expense.

If I were to ask the people in the Fowler electorate what benefit they had received from all that advertising, their answer would be, ‘Absolutely nothing.’ If you took the $1.5 billion that this government has wasted on self-congratulations, that would amount to $10 million for each of the 150 electorates across Australia.

So what could have been done in the electorate of Fowler with their share of the $1.5 billion that this government has wasted on advertising? If I started by looking at the areas now included in the western end of the electorate, areas like Warragamba, Silverdale and Wallacia, the answer would be a resounding call to fix the roads. That was the clear message I got from
my community consultation meetings in Warragamba two weeks ago. That $10 million would
go a long way to improving Silverdale Road, Mulgoa Road or Park Road—the vital transport
links for these areas. In the eastern part of the electorate, that $10 million would just about
finish the missing link in Cowpasture Road between North Liverpool Road and the M7 mo-
torway. Motorists in south-western Sydney pay the highest road tolls in Australia but get pre-
cious little in Commonwealth funding for vital local road projects. Instead, all we get is gov-
ernment propaganda advertising.

I would like to take the few moments remaining to remark on the passing of one of the fin-
est citizens of the city of Fairfield, a man I have known since I was a young girl, as have the
member for Reid and his family. Charlie Peel, a former deputy mayor and councillor of Fair-
field City Council, died this week. Charlie was a stalwart Labor representative, and his 20
years serving the people of the Villawood and Carramar areas of Fairfield City and as a mem-
ber of Prospect County Council deserve the highest recognition.

Charlie Peel will be remembered as a quietly spoken man who held firmly to his Labor
values. He could truly be described as one of nature’s gentlemen. Charlie worked tirelessly for
the people he represented, and he possessed a unique understanding of the issues affecting his
area. Charlie Peel will be sadly missed by his family, the community that he was very much a
part of and the Labor movement that he served with great loyalty.

Roads: Rural and Regional Australia

Mr HARTSUYSKER (Cowper) (9.39 am)—I rise to bring to the attention of the Commit-
tee the failure of the New South Wales state government to deliver services to the people of
rural and regional New South Wales. It is a sad fact that, despite the efforts of the federal gov-
ernment to put more services into regional areas, the New South Wales state government has
deserted the people of our country regions. Unfortunately, it is a trend that has been continu-
ing for some time and, as we move towards the next federal election, Labor will be campaign-
ing hard in many regional seats. I say to the people of New South Wales that you need look no
further than the performance of the New South Wales state government to see how services
would be provided under federal Labor.

Consider the Bonville deviation in my local electorate of Cowper. The federal government
had to provide $5 million to do safety works on the road, which was in fact a New South
Wales state government responsibility. People are being killed on a far too regular basis. The
New South Wales government has abandoned constituents. The Bonville deviation scheme
was to be completed under the 10-year plan by the New South Wales state government. They
failed. It was supposed to have been built years ago. They did nothing. It was the federal gov-
ernment which had to force their hand and require them to commit their funding under the
RONI program to have this piece of road completed.

Also, the federal government had to assist by providing one-third of the cost of the Hogbin
Drive extension in Coffs Harbour—again, a project that the state government was to fund.
Everywhere you look the federal government has been required to step in and make up for the
lack of commitment by the New South Wales state government—to the people of rural and
regional New South Wales—and also, in fact, other state governments, to the people of rural
and regional Australia.
On the issue of rural roads, the Roads to Recovery program is very popular with our rural and regional councils, but again there has been a dereliction of duty by the state government. They fail to step up to the plate. They fail to take on their proper responsibility of maintaining roads in regional areas or assisting councils to maintain roads in regional areas. Look at the timber bridges. Many councils are unable to maintain their timber bridges, despite the additional funding being provided under Roads to Recovery by the federal government. Timber bridges are the very linchpin of many small communities. The failure of a timber bridge can mean that various electricity infrastructure cannot be maintained because of load limits. Our emergency services cannot access many areas of rural and regional Australia without them. There are safety and service delivery issues here far beyond the actual bridges. They are a link to communities. It is about time the New South Wales state government fulfilled their responsibilities. (Time expired)

Holt Electorate: Medicare

Mr BYRNE (Holt) (9.42 am)—Last Saturday afternoon I hosted a neighbourhood barbecue attended by some 200 people who came from Cranbourne—good working-class people, working families, people from every demographic in that area. It was an open gathering and it was intended to restore and remember the sense of community that existed in Cranbourne. Cranbourne gets a lot of bad press, particularly on programs like The Footy Show, with Sam Newman trying to make people from Cranbourne look like village idiots.

Cranbourne is a fantastic place to which a lot of young working families are shifting to make a new life. It is those working families which have been delivering the economic prosperity that our country enjoys. They should get some reciprocation for the work that they put into the country but they are not getting that in a range of areas. For example, a Medicare office has been established in the Cranbourne shopping centre. After 10 years of lobbying in Cranbourne, this office was finally opened by the government in April 2005. But when it was opened, people could not access the service on a Thursday night or a Saturday morning. That really irritated the people. That fact was actually raised at the community barbecue last Saturday. They pay their taxes and they get a Medicare office after 10 years of lobbying, but they do not have access to that service on Thursday evenings or Saturday mornings, unlike Frankston, Fountain Gate and Dandenong.

People from Cranbourne were asking: why is this so? We therefore wrote to the Minister for Human Services, Senator Ellison. His response was, in effect, that we did not need it. That is not the feedback we are getting from the residents of Cranbourne. They are saying that they do want access to this particular service, because they are working families and they would like to be able to access the facility on a Thursday night and a Saturday morning. Having spent 10 years, as I said, along with the residents of Cranbourne—and I note that the member for Flinders has walked into this place—lobbying for a Medicare office, they now have a Medicare office, but they actually want, like Fountain Gate, Dandenong and Frankston, the capacity to access this service on a Thursday night and a Saturday morning.

I also know that, to date, there has been no funding for the Cranbourne aquatic and leisure centre. But I understand that the member for Flinders is strongly supportive of federal government funding for this particular facility. It is an innovative facility. It is a facility that has a two-million-litre underground storage facility.

Mr Hunt interjecting—
Mr BYRNE—The state government has provided funding of $2.5 million but there has been no federal government funding. I know the member for Flinders has given an undertaking that he will support this. The federal government should pay its fair share and fund this project. (*Time expired*)

Workplace Relations

Dr JENSEN (Tangney) (9.45 am)—I rise to inform the House of two events which illustrate the dark truth behind the Australian Labor Party. These cases show that the Australian Labor Party will do anything, including condoning employers breaking the law, to look after their union bosses.

In 1990, under a state Labor government, an employer dismissed a female worker for refusing to join a union. This was clearly an unfair dismissal and against the law. When an officer of the Department of Productivity and Labour Relations made the only recommendations thinkable, the then minister admonished her for submitting a recommendation to prosecute and the officer was instructed by the minister to find legal advice to support a recommendation not to prosecute. It was a minister of the Crown desperately seeking a reason to avoid upholding the law because it was not in favour of her union puppeteers.

Not only was this a disgrace; it also exposed Labor’s spurious claims to protect workers and women. An irony is that both the Premier of the day and the minister concerned were females. The sisterhood had betrayed a woman. The ultimate irony is that this former minister is now WA’s Commissioner for Equal Opportunity. What a sick joke! I call upon the Premier, Mr Carpenter, to ensure that she is removed as soon as possible as her credibility is irretrievably compromised.

The second case involves the current WA Labor government. A constituent of mine had been the CEO of the Broome Port Authority. He and the board had taken the port from an underutilised loss-making facility with old equipment to an excellent port with modern equipment and a great reputation with all who used it. However, as soon as the Labor government was elected, a Maritime Union official told my constituent he would lose his job unless he did what he was told. You can guess what happened next. The CEO suffered false allegations, there was a highly questionable selection process and suddenly he was no longer CEO. Minister Alannah McTiernan stands condemned for this scandal.

These two cases show that the Labor Party will stoop to any depth to do the bidding of their union bosses and that they do not care about the workers whose lives they wreck in the process.

Financial Institutions: Fees and Charges

Mr LAURIE FERGUSON (Reid) (9.48 am)—I rise to defend the current campaign by the consumer movement against unfair bank fees and charges, which has been principally organised by the Australian Consumers Association, known as CHOICE, and the Consumer Action Law Centre of Victoria. According to the campaign, known as ‘Fair go on fees’:

- Banks, credit unions and building societies all hit you with a large penalty fee if you go over your credit limit, are one day late on your credit card bill, or don’t have enough money in your account when a direct payment is due. These fees are way too high—as much as $50.”

CHOICE and the Consumer Action Law Centre believe:
These fees are probably unlawful because they are out of all proportion with the costs incurred. They are certainly unfair and hurt families struggling to make repayments on mortgages and credit cards.

The ‘Fair go on fees’ campaign has centred on grassroots activism. To this end, thousands of letters and emails have been sent by ordinary consumers to their federal members of parliament, the Treasurer and the banks. I have personally received many hundreds of emails calling on banks to reduce their fees and charges.

I also have a good story to tell about the campaign. Whilst the Howard and now Costello regime have steadfastly ignored all calls for greater consumer protection measures, it seems the banks are beginning to respond to consumer demands. According to Messrs Costello and Howard, there is no issue—the complainants have never had it so good. Earlier this month, I was contacted by the National Australia Bank CEO, Mr Ahmed Fahour. In our conversation he informed me that the NAB was planning this: to help low-income earners by extending the current concession card account to remove over-limit fees on NAB credit cards, with the exception of penalty fees; a new zero monthly account-keeping fees option for all accounts; the use of any one of 24,000 ATMs without incurring additional non-NAB ATM fees with ‘gold banking’; and a clearing bank account with no exception of penalty fees.

In this regard the ANZ bank has also been taking the lead, by reducing the penalty fee from $35 to $10 on ANZ credit cards for low-income earners who hold an ANZ basic banking account. In the absence of government regulatory intervention, I congratulate the consumer movement for their efforts in raising this matter of enormous public importance. Likewise I also congratulate NAB and ANZ for responding to the concerns of their customers. I urge other banks to follow their lead.

On indulgence, Mr Deputy Speaker Causley, may I wish you the best in your retirement. As you mentioned in the House recently, we entered the state parliament on the same day 23 years ago. Whilst we did not agree on many issues, we were in a parliament where there was great camaraderie between both sides of parliament—people respected each other and there was a great degree of kinship. Over many years I have found you to be a fine parliamentarian, a firm person in the chair but fair. I wish you the best in your retirement.

Ms Marion Ann Mitchell

Mr NEVILLE (Hinkler) (9.51 am)—Mr Deputy Speaker Causley, I concur with those comments about you and I add my wishes to those of the previous speaker. In this political game there are some people who are called camp followers and some who are called apparatchiks. Then we have another level in the political machine: the people who do all the hard work behind the scenes, people who are always available and who put in unending hours for our political parties and seek no vainglory, as some politicians are prone to do. They do not seek office for themselves but are an essential part of a political party; indeed, they are the fabric of political parties. One such person was Marion Ann Mitchell, who worked in the National Party machine at various levels over the last three decades. Marion was born on 20 October 1940, and she passed away on 27 August, just short of her 67th birthday.

I have vivid memories of Marion. She was the sort of person under whose wing you would put a new and aspiring candidate, a new member who was perhaps floundering a little in trying to find his or her feet or a cabinet minister who needed some reinforcement in an office. She was someone who would organise a conference or campaign with meticulous attention to detail. She worked for a time for former Queensland health minister and opposition leader
Mike Horan, but she was one of the stalwarts of the Sparks era. To anyone in the National Party, the Sparks era was one of incredible achievement, discipline and focus. She was one of the stalwarts from that era.

She had a wicked sense of humour and she would not suffer fools gladly. I remember her one day telling a minister to get his ‘arse over here’, and immediately he complied. We will all miss her, and I extend my condolences to her mother, Eileen, who is still alive, her son, Stuart, and his wife, Deborah, and granddaughter, Ava, and her sisters, Diane and Maureen. Maureen and Bob were great friends of mine when they lived in Bundaberg, and I particularly extend my condolences to them.

Shortland Electorate: Broadband

Ms HALL (Shortland) (9.53 am)—Mr Deputy Speaker Causley, at the beginning of my contribution I would like to wish you all the best for the future. I would like to reinforce the remarks made by the member for Reid. I have enjoyed working with you over the time. I have been on committees with you, and I see you as a fine parliamentarian and somebody that our national parliament can be proud of.

Today I would like to raise the concerns of one of my constituents, a woman who lives in Charlestown and is a detective at Charlestown police station. She moved into a new estate earlier this year and she has been trying to access broadband service to her new home in this new subdivision. Charlestown exchange has apparently reached its capacity and Telstra will not commit to the money needed to put infrastructure in place to allow new residents to go on to broadband, and the dial-up in the area is getting very slow. Residents have been told that they need another 80 requests before they can commit to the upgrade. But Telstra does not keep a waiting list, so if a new applicant rings in today and there just happens to be capacity, that person immediately accesses the service. I hardly think that is a fair way to approach this issue.

I wrote to the minister in April this year and I received a response from her at the beginning of September. In that letter she pointed out that it is an open, competitive market and that there were options that my constituent could look at. Basically she said it was bad luck—to be quite honest. When my constituent received this letter she contacted my office. She was very upset. The minister did mention the government’s new initiative in relation to high-speed broadband. I might note that it is WiMAX that will service this very heavily populated area of my electorate. It is a second-class type of broadband. My constituent was not at all happy. My office is asking Telstra to review their decision. We are also looking at the Australian broadband guarantee that the minister referred to in her letter. But it is a far cry from what Labor is promising the people of Australia: broadband at a fast speed to 98 per cent of all houses. It will be cheap, fast internet access, which is something that the government has failed to commit to people such as my constituent in Charlestown, who is very upset with the government. (Time expired)

Flinders Electorate: Warley Hospital

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for Foreign Affairs) (9.57 am)—I begin by saying it has been an honour to serve with you, Mr Deputy Speaker Causley. You have had a distinguished career and it has been a pleasure and a learning experience working with you. I wish to speak specifically about Warley Hospital in the electorate of Flin-
ders. It is a key part of the services of Bass Coast Regional Health, although it is not formally part of any state system. It is on Phillip Island and needs assistance. The vision for Warley Hospital is very simple. This is a community hospital which has been owned by the community, run by the community and not taken a profit. It has returned any operating surplus to the work of the hospital and to the community since the late 1920s. It is a wonderful bush nursing hospital. What it now needs is twofold. Firstly, it needs assistance in terms of its capital redevelopment and the creation of a new hospital on a new hospital site, a greenfield site. Secondly, it needs assistance for the provision of four public beds.

There is a division of labour on this. The hospital has put together—under its new CEO, Stewart Cramer, and under its old CEO, Arthur Smith, who tragically died prematurely—a wonderful vision. It is a careful business plan which sets out a $14½ million project which would see the hospital move to a greenfield site. I support this plan. As part of it, the hospital have sought federal funding assistance. I have put forward that plan at the Commonwealth level. To that end, I have met with the Minister for Health and Ageing, Mr Abbott, people in Minister Abbott’s office and people in the Prime Minister’s office to advance the case. I do not want to make any false guarantees. There have been no promises from the officers but they have been impressed by the quality of and the detail in the proposal put forward by Warley Hospital. My job is to fight continuously, without any let-up, for funding for Warley Hospital’s new capital redevelopment. I make no false guarantees, but I pledge to continue working until we get there—and I remain hopeful.

The second part of Warley Hospital’s vision is where the state should step in. Warley needs four public beds. It is planning for four and it would like to work to that end. I believe that the fair balance of responsibilities means the state of Victoria should provide four public beds. That would provide ongoing support. We already provide almost $1½ million a year for Warley through recurrent aged-care funding. The state needs to do its bit. My pledge is to work on the capital funding. I seek the state’s support to work on the four public beds. (Time expired)

The DEPUTY SPEAKER (Hon. IR Causley)—Order! In accordance with standing order 193, the time for members’ statements has concluded.

AUSTRALIAN CRIME COMMISSION AMENDMENT BILL 2007

Debate resumed from 19 September.

Second Reading

Mr RUDDOCK (Berowra—Attorney-General) (10.00 am)—I present the explanatory memorandum to this bill and move:

That this bill be now read a second time.

Mr Deputy Speaker Causley, may I first just endorse all the very generous comments about you that I have heard. I do not think that they will ever be made about me in the same way! I acknowledge your outstanding work for the people of Page and for the people of New South Wales, as you served in the New South Wales parliament with distinction before serving here. I have valued your friendship, counsel and advice and I hope it will still be available.

The Australian Crime Commission Amendment Bill 2007 amends the Australian Crime Commission Act 2002 (the ACC Act) to clarify that an Australian Crime Commission (ACC) examiner can record their reasons for issuing a summons or notice to produce before, at the same times as, or as soon as practicable after, the summons or notice has been issued.
The bill will also provide that summonses or notices issued after the commencement of the ACC Act, but prior to the commencement of the bill, are not invalid where reasons were recorded subsequent to their issue.

Further, the bill will provide that a summons or notice will not be invalid merely because it fails to comply with technical requirements set out in the act.

These aspects of the bill have been developed in response to findings made by Justice Smith of the Victorian Supreme Court in ACC v Brereton [2007] VSC 297, which was handed down on 23 August 2007. Justice Smith held that for a summons to be valid, reasons for issuing the summons must have been issued prior to the time the summons was actually issued.

While Justice Smith’s findings in Brereton are confined to the issuance of summonses, his reasoning also has implications for notices to produce issued under the ACC Act.

By clarifying that an ACC examiner may record their reasons for issuing a summons or notice to produce as soon as practicable after the summons or notice has been issued, the provisions of the bill address potential operational difficulties for the ACC presented by the decision in Brereton.

In particular, the amendments proposed by the bill will address situations where summonses or notices need to be issued in urgent situations, or where large numbers need to be issued simultaneously.

The bill will also address potential problems arising from the decision in relation to current operations/investigations, and prosecutions currently before the courts. The bill ensures that summonses and notices relied upon for current investigations/operations and prosecutions are not invalidated simply because reasons were recorded after they were issued.

Preservation of procedural safeguards

This bill preserves important procedural safeguards that ensure the integrity and fairness of examinations conducted under the ACC Act, and of convictions secured as a result of evidence obtained through those means.

The bill, in so far as it provides that a summons or notice will not be invalid merely because it fails to comply with technical requirements set out in the act, does not remove substantive procedural obligations. The bill preserves, for instance, the requirement that an examiner be satisfied that it is reasonable in all the circumstances to issue a summons or a notice to produce. Similarly, the requirement that a summons should, other than in limited circumstances, set out the general nature of the matters in relation to which the examiner intends to question the person, is preserved in the bill.

Retrospective application of provisions in the bill

I note that some provisions in the bill apply retrospectively to provide that summonses or notices to produce issued after the commencement of the ACC Act, but prior to the commencement of the bill, are not invalid where reasons were recorded subsequent to their issue.

I understand that the retrospective application of these provisions could be detrimental to persons who might otherwise have had scope to challenge the validity of a summons or notice to produce. The government considers, however, that this is a just and appropriate outcome in all of the circumstances. It does not consider that a failure to record reasons for issuing a summons or notice prior to issue of the summons or notice should give a person who would
otherwise have been convicted of an offence technical grounds to challenge the admissibility of evidence and escape conviction.

**Further measures**

The bill also makes minor amendments that would allow for a person to appear before, or produce documents to, an examiner who is not the same examiner who issued the summons or notice.

The amendments made by the bill will enable the ACC to continue to play a key role in the investigation and prosecution of serious and organised crime in Australia. The ACC’s intelligence gathering and law enforcement powers are critical to disrupting criminal organisations and significant individuals. Therefore, the government considers it important that these issues are resolved as soon as possible so that matters before the courts are not unduly affected. I commend the bill to the Committee.

Mr BEVIS (Brisbane) (10.05 am) —Mr Deputy Speaker Causley, at the outset I would add my best wishes to you in your life after parliament and also acknowledge the very extensive contribution that you have made here in the national parliament and before that in the New South Wales parliament. On a personal level, I have enjoyed the exchanges down at the horsehoe end of the House. Your experience, your wit and your forthright approach to all issues before the parliament are actually appreciated by all of us, even if we might disagree from time to time about the issues at hand. I genuinely wish you well.

The Australian Crime Commission Amendment Bill 2007 has been brought on in great haste. This is not the parliament at its best. This is not the government at its best. We as an opposition were first advised of the government’s desire to bring this matter before the parliament only on Monday night—late on Monday night, I might add. It was then rushed through the Senate the next day, and here we are on what is probably the last day of sitting of the House of Representatives before the election, facilitating its passage here in the Main Committee rather than in the House of Representatives itself.

That should not be taken as any indication that we think this is not important legislation. It is indeed important legislation. We do not take it lightly. Indeed, we have some reservations in respect of certain elements of it. It should not go unnoticed that the government’s handling of this has been poor. It has been rushed. In part, it has been inaccurate. It is yet another demonstration that for some time the government’s focus has not been on the governance of this country; it has been on internal considerations of who said what to whom over lunch some time ago, who should be leader of the Liberal Party now or who in the Liberal Party might be Leader of the Opposition after the next election.

Mr Kerr interjecting —

Mr BEVIS —Or indeed whether or not the foreign minister might have a future in politics in the South Australian parliament.

This has been the culmination of a distraction and the fact that we are dealing with this in this way is not good practice. As you delve into some of the background to it, it also demonstrates that this is a government that is not only out of touch with the Australian people but even out of touch with its own agencies. The government would no doubt say that the fact that we were only given recent advice of this was a product of the decision made in the Supreme Court of Victoria last month. Frankly, this matter could have been dealt with much earlier than
this if the government had got its act together and not been spending its time worrying about who was stabbing who in the back in the Liberal Party room.

As the Attorney mentioned, this matter deals with some significant changes to the Australian Crime Commission Act and I just wanted, by way of background, to make a couple of comments to place on the record the context of the operations of the Australian Crime Commission. The ACC is a Commonwealth statutory body that works nationally with other federal, state and territory agencies to counter serious and organised crime. It aims to bring together all arms of intelligence gathering and law enforcement to unify that fight against serious and organised crime. That is important to understand at the outset. We are not talking here about petty or minor activity. The ACC should represent the best of our policing force within the nation because it has to deal with perhaps the best organised and best resourced of our criminals. The events that led to this bill being before us indicate that that has not been the case and that government supervision of these matters has been wanting.

Because the Crime Commission has to deal with well-resourced, highly organised and quite dangerous criminal activity, it does have special provisions. The ACC operates an examiner process that is not customary in policing agencies. The examiner may summons a person to appear before them and at that examination they may be required to give evidence and to produce such documents or other things as are referred to in the summons. The examiner has power under the act to conduct an examination for the purposes of a special intelligence operation or for a special investigation. They are independent statutory officers appointed by the Governor-General. These are special people with special powers in a special organisation. We should not take these processes lightly. The purpose of the examination is to inform the examiner on matters that may relate to the subject matter of a special intelligence operation or to any relevant investigations under way.

The government have said that this bill has been presented in a rush to the parliament in response to the Supreme Court action in Victoria, ACC v the Magistrates Court of Victoria and Michael Richard Brereton. I should briefly outline the circumstances of that case. Michael Richard Brereton was called by the ACC examiner to give evidence. Mr Brereton attended but refused to be sworn or to make an affirmation to the truthfulness of that evidence. Consequently, Brereton was charged under section 30 of the ACC Act in relation to that refusal. That section provides that a failure to answer questions is an offence that brings with it a potential penalty upon conviction of a fine not exceeding 200 penalty units or imprisonment for a period not exceeding five years. It is no small matter.

Brereton’s counsel subpoenaed two lots of documents from the ACC to defend him. One related to any documents pursuant to section 28(1A) of the Australian Crime Commission Act 2002, which records or evidences that the examiner was satisfied that it was reasonable to issue an examination summons; and, secondly, any documents pursuant to section 28(1A) of the Australian Crime Commission Act 2002, which records the reasoning for the issue of the examination summons on Mr Michael Brereton.

To my surprise, I found that the ACC sought to have both of those subpoenas struck out as an abuse of process on the grounds that they served no legitimate forensic purpose and constituted a mere fishing expedition—or so said the ACC. I am glad to say I am not a lawyer but, as someone who is not a lawyer, I do find it hard to reconcile the position that the ACC took in relation to those subpoenaed documents and any fair-minded view of serving justice. I am
not quite sure how justice was proposed to be served by denying those documents. The Attorney might like to explain to the parliament why the ACC took that approach.

However, in the event, the magistrate rejected the application to have the subpoena struck out and made comments along the following lines: ‘To demand that a person, say, takes an oath of affirmation in the context of this proceeding there must be first a summons properly issued in compliance with the powers pursuant to section 28 of the Australian Crime Commission Act 2002. It is legitimate for a concern to be raised in relation to the exercise of that power, particularly when there is no record within the material itself as to whether or not the examiner has put his reasons in writing.’ That is, whether the examiner has put reasons in writing and when that occurs may affect the legality of the summons and it is this decision or this reference in the decision that has led the government to introduce this bill.

There are basically two important areas in this bill. The first of those deals with allowing an examiner to execute a summons or a notice to produce documents and to have another examiner actually conduct the subsequent interviews. Labor understands that there may well be situations that arise where an examiner, having formed a view that a summons should be issued, is then for personal reasons—in ill health or operational reasons—unable to deal with the subsequent interview. That, however, should not be seen as some open door for that practice to be adopted. It is clearly desirable that the examiner who forms such an opinion carry through the relevant issuing of the summons and the application of it. We do understand that it is desirable to cover that issue off in the legislation—and we will support that—but I think it is important for the ACC to understand that the parliament in agreeing with this is not assuming or even accepting that that practice should be a common one.

Secondly, and more significantly, the bill allows an examiner to record the reasons for issuing a summons or notice to produce after the summons or notice has actually been issued. The bill’s item 2 will add the following:

The record is to be made:

(a) before the issue of the summons; or
(b) at the same time as the issue of the summons; or
(c) as soon as practicable after the issue of the summons.

This is a matter that has previously been the subject of some consideration in this parliament. When the Australian Crime Commission legislation was before us in 2002 the Parliamentary Joint Committee on the National Crime Authority did look at this issue and in recommendation 14 said that the bill should:

... be amended to explicitly provide that examiners must satisfy themselves in each case that before they exercise special powers under the Act that it is appropriate and reasonable to do so and that they indicate in writing the grounds for having such an opinion.

The current act could be said to reflect that. At section 28(1A) it says:

Before issuing a notice under subsection (1), the examiner must be satisfied that it is reasonable in all the circumstances to do so.

A second sentence says:

The examiner must also record in writing the reasons for the issue of the summons.
It is that provision which lies at the heart of the matters I referred to that were being dealt with in the Victoria Supreme Court and which have prompted the government to pursue the matter here in the parliament this week.

It can be fairly said that the existing act is potentially ambiguous and there is need for clarity. The bill before the House provides that clarity. To that extent it is desirable. However, it does leave a number of issues unaddressed, and we need to take this opportunity to seek from the Attorney-General some answers. I am sure the department staff will take note of this so that the Attorney’s office can ponder it for his comments in concluding the debate.

Mr Kerr—It would have been nice if he had stayed.

Mr BEVIS—Indeed. If the Attorney had thought it important enough to stay, I am sure that would have been appreciated by all of us, but clearly he has other pressing business.

It is alarming to Labor, and I am sure it would be to the wider community, that the government does not appear to have any understanding of how the practice of providing a record of reasons subsequent to the issuing of a summons or a notice to produce actually operates within the Australian Crime Commission. The government, and indeed those who briefed us from the department, were unable to provide any clear advice about whether this practice occurred in a majority of cases or a minority of cases, or whether it was in fact standard practice, even if it is not best practice. Most people would have the expectation that an examiner, having come to the view that a summons should be issued, would record the reasons for that in advance of the summons actually being executed. That would be the normal process—the public would expect it; I am sure many in the legal fraternity would expect that to be the case. The fact that the government has been unable to provide any advice as to whether that is the standard practice or whether the alternative of reasons being recorded after the event is standard practice is a cause of great concern. I am not quite sure what is happening in terms of oversight and management in our premier crime-fighting body, but it is quite clear that at the most senior level in the minister’s office there is no comprehension of what I think is a fundamental point at issue.

It would not be helpful to anybody for a circumstance to arise where the public believe, even if it were not true, that an agency like the ACC could go on fishing trips and, having gone on a fishing trip—that is, having decided that they would issue a summons but not writing down the reasons for doing so—execute a summons, and after that has been done to fill in the paperwork to say, ‘Now that we have found these things out, we’ll record that as the reason that we started the ball rolling in the first place.’

There is no reason why we in this parliament should think that happens but, as we all know, not just politics but also the operation of the law is about perception as well as reality. We should not place the ACC, nor should it place itself, in a position where questions like this can be legitimately raised in the mind of the public. These special powers are not provided for fishing expeditions, and the power to execute warrants of this kind by summons is not provided for fishing expeditions.

The explanatory memorandum and the briefings that we were given said that these provisions to record reasons after the execution of a summons are necessary because of pressing operational circumstances, and we on this side of the parliament accept that that can be the case. But it is not normal practice. By definition that is not normal practice: you do not have
special operational circumstances every time there is a case before you. If you do, something is seriously wrong with the staffing and management of the organisation. Yet the information that has been provided to us so far would indicate that that has been the practice more often than not—that is, in more cases than not the reasons for the summons are not recorded before it is executed. That requires explanation. We have not had that explanation.

One avenue open to the Labor Party in the last two days would have been to try to somehow block the passage of this bill to force that. We are not doing that because we recognise that there are important questions of public safety involved here. The government should not use our goodwill in this matter and our desire to protect the safety of the Australian public to mask unreasonable and unacceptable practices. I do ask, and expect, that the Attorney-General will provide some advice to the parliament about that matter in his closing remarks.

We on this side of the parliament do not want to see a situation where what would be viewed as a legal technicality surrounding the recording of reasons rather than the existence of a substantive reason would of itself allow someone who might be guilty of a serious offence or who is involved in organised crime to be acquitted. But nor should we facilitate fishing expeditions. I have to say that the other side of the process is that, even if it is not a fishing expedition, because the ACC deals with high-end organised crime, these are people for whom the profits are pretty good, too. Very often these are wealthy people and, as wealthy people involved in organised crime, they have at their disposal some of the best legal minds available in the country. It strikes me, again as someone who is not a lawyer, that the practice that has been adopted lends itself to the argument that we just saw happen in the court in Victoria. I do not think a satisfactory response to that situation is to simply try to provide some ‘blanket out’ for a practice that the community would not accept as being desirable normal practice in these matters.

I want to make it clear that the passage of this bill should not be seen as encouraging that practice, whereby reasons are routinely recorded after the issuing of a summons. That should not be the standard practice. We did approach the office of the Minister for Justice and Customs yesterday to ask whether they would be willing to agree to an amendment to the bill which would insert a requirement upon examiners, in circumstances where they are recording their reasons after the issuing, to record the reasons why it was necessary to produce those reasons in writing after the issuing of a summons rather than before it. I believe the minister’s office took a view that they did not think amendments of that kind were necessary.

Again we are in the position on the last day of parliament of not being able to pursue that with an inquiry, which we would like to have so that those matters could be more fully addressed, but I will take this opportunity to ask the Attorney-General whether he would be willing to give an undertaking on behalf of the government, whilst it is not in the act, as a matter of practice they would require examiners to do that. It is a matter that the minister could quite reasonably instruct them to undertake: that is, in circumstances where they are unable for operational reasons to record the reasons in advance of the issuing of the summons they be required to also record why they could not do it—when they record the reasons after the event, that they also record why they had to do so after the event. That can be done administratively, and I would seek from the government their view as to whether they are willing to give a commitment to do just that.
I said at the outset that this bill has been the product of a rushed effort on the part of a government that has been distracted from the real business of governing for the people of Australia. It has caused the parliament to confront a difficult situation in dealing with some of these areas of concern. In the normal course of events we would have had the opportunity for perhaps a Senate inquiry and for some of these things to be more fully fleshed out.

We have been advised that there is concern within the Australian Crime Commission that, in the absence of this bill being given passage by the parliament, a number of important cases involving serious crimes could be jeopardised. It is not in the public interest, we think, for that jeopardy to impair those cases that are, we are told, likely to be dealt with, given that this is perhaps the last day parliament sits for some months. We are therefore willing to allow the bill to go through with our support. I do, however, look forward to the Attorney’s response.

I should make it clear that after the election, should Labor form government, we will be reviewing these provisions and we will be reviewing their implementation and operation within the Australian Crime Commission. I would suggest to those in the Australian Crime Commission that they take some note of the concerns that I as shadow minister have put on the record which after the election, should we win, we will be keen to get their advice on.

Mr Kerr (Denison) (10.27 am)—Mr Deputy Speaker Causley, at the beginning of my remarks might I wish you well in your retirement. If I can be blunt about it, I think that you have a reputation for being a tough old bastard in this place! I will be free in my language, given that the chance of you punting me on the last day is slight. But you also have the good wishes of those with whom you have been involved in the vigorous contest of this parliamentary environment; we know you to be a person of great goodwill as well as one with a hide as tough as a rhinoceros!

Coming to the measures in the Australian Crime Commission Amendment Bill 2007, I can only echo the remarks of the shadow minister, but I would also add some of my own sentiments in relation to these matters. The explanatory memorandum and the government’s approach to this legislation treat as mere technicalities matters which are pretty fundamental. When the former National Crime Authority was reconstituted as the Australian Crime Commission, there was substantial parliamentary attention paid to the powers that would be granted to the new body, the range of matters over which it would have authority and the extraordinary capacity for the examiners, under the new process, to exercise those powers in the way that they currently are permitted to do. One of the compromises that were reached in relation to that process was a requirement that, before an examiner can compel a person to come and provide testimony—where they have no protection against self-incrimination—they must satisfy themselves that there is a substantial basis for the issuing of the summons and, to ensure that there is a public record of the rationale for that, they must put it in writing. That latter step is not a mere technicality. It is an essential element in the safeguards that are required, not simply for record-keeping but also for the due process of the exercise of those powers. Let me as somebody who has been involved in the justice system for many decades say immediately that there is a tremendous utility in the practice of having to write down the reasons you come to a decision.

Quite frequently we have an impression, we jump to conclusions, we imagine an outcome and then, in the course of drafting an opinion or, as judges do, writing a judgement, we start going through the steps and discover that there is a significant gap, a logical omission, which
means that the conclusion which might, on its face, be jumped to simply cannot be sustained and there is no proper reason. So there is a fundamental reason why in all legal proceedings in which our freedom and our economic interests are at stake we require judges to place in writing their reasons before coming to their conclusions.

It is true that the issue of a summons does not of itself expose somebody to the loss of their freedom, a fine or immediate loss of property, but the consequence of failing to attend and failing to answer questions brings with it the penalties that the shadow minister has referred to and the potentiality of imprisonment for up to five years. It is not a small matter.

It also involves a person coming before a body, usually in secret, and being exposed to rigorous examination of their personal and financial affairs—something we would not expect to be exposed to, except with good reason. It is not a licence to drag people off the streets to examine them for no proper reason. Part of the undertaking which was given when the new mechanisms were set up, when there was a transition from the National Crime Authority to the Australian Crime Commission, was to put in place these measures as a safeguard.

I regard with some real concern the reference in the explanatory memorandum that failure to comply with what are dismissively regarded or expressed as technical requirements can be ignored. It is not merely saying that you can issue a summons and then shortly thereafter set down your reasons—a matter which I think this Committee would be relatively content with, if it was explained why those circumstances arose. This bill also means that you can issue a summons without setting down your reasons at all, and failure to do that does not affect the validity of the summons. If that is done in practice then there is limited capacity for anybody to see whether there was a proper basis upon which a summons was issued. And how can you challenge what is said to be the remaining substantive safeguard when the examiner has to be satisfied it is reasonable in all the circumstances to issue the summons? How can you actually establish a failure of the substantive requirement if you do not have to comply with the obligation to set down your reasons? There is a very substantial possibility that we are opening the door to abuses and misuses of these powers. I welcome the shadow minister’s statement that those in the Australian Crime Commission should be aware that this is not intended by the parliament—certainly not by this side of the House—as facilitating that.

I have some discontent with the fact that, as the deputy chair of the Parliamentary Joint Committee on the Australian Crime Commission, which has oversight of the Australian Crime Commission, the committee was not advised that this issue was one requiring attention. It is, I think, a matter of grave concern that the Australian Crime Commission and its board failed to come before the parliamentary committee which was established by legislation to supervise the work of the Australian Crime Commission. The parliamentary committee was not advised of the fact that there was a substantive issue arising which might affect a substantial number of the inquiries and examinations conducted under the legislation. In fact, we found out about this, as the shadow minister says, by the introduction of a piece of legislation into this parliament on Monday. That is an extraordinary thing. That is an extraordinary and contemptuous way to deal with the parliamentary oversight body established under legislation.

That parliamentary committee tabled yesterday a report entitled Inquiry into the future impact of serious and organised crime on Australian society. It is a bipartisan report. It supports the work of the Australian Crime Commission. The Australian Crime Commission has an obligation to report to that committee. It has not done so. As deputy chair of the committee, I
find it virtually a contempt of the obligations under the act that that organisation should not have done so. I am, frankly, angered by the fact that we are facing this circumstance without the opportunity of the body that reviews the work of the commission—looks at how it is operating, can tender advice to the department—having played a role in the remedial legislation, and we are supposed to tick off on this amending legislation, which is plainly deficient in certain regards. The minister himself must acknowledge that. It will require the review of this parliament into the next session. We do not want to open the door to the potentialities that this legislation opens up. We want to make certain that people do not evade their obligations to come before the commission when they should, before an examiner, to be examined on matters which relate to serious and organised crime. We want to close loopholes which would be matters of mere inadvertence or inattention, which any member of this House, were they an examiner, might have themselves committed. Nobody is perfect and mistakes within the organisation can be made.

What I think is inexcusable is when a circumstance arises where there is litigation, where problems become manifest, that they are not reported to the parliamentary oversight committee which has responsibilities to this parliament and there is no opportunity to share the responsibility for the construction of the legislative response with the members of parliament who have the most experience and knowledge of that work; and then we are dealt into this circumstance in the manner that has occurred at the last minute with no opportunity for constructive dialogue with government to propose amendments.

One of the obvious points that the shadow minister has raised is whether there should be an obligation, where reasons are not provided before a summons is issued, to explain those circumstances as part of the obligation to write down those reasons.

Another point is: should we have so open-ended a circumstance that failure to provide any reasons at any time is not a reason for invalidity, given that we expect, as a parliament, that that be done? Every one of us also knows that in the daily workings of our experience, where there is an obligation to provide reasons and they are not provided, it leads to questions about the motive and whether or not there were valid reasons in the first place.

Everybody knows the credibility of an account that is provided substantially after the making of a decision or the witnessing of an event is significantly less than one that is recorded contemporaneously. The High Court itself has overturned decisions by judges made some long time after the hearing of witnesses on the basis that those judgments of judicial officers themselves cannot be given the same weight after the expiry of so much time. Anybody knows that, if you are a police officer and you have a discussion with somebody or witness some event and you record it in your notebook at the time, it is likely to be taken as pretty much gospel, but if you write it down from recall three months later, people will have somewhat natural scepticism about whether you are reconstructing events to accord with what you know to be the desired outcome rather than recording what actually was your view at the time.

So I think there are pretty important matters here. There are also issues of retrospectivity, which this parliament is always concerned about. I must say that, on balance, I well understand why both the government and the opposition in this instance are prepared to accede to retrospectivity in respect of matters where the timing of the recording of reasons might have been slightly after the event. But I would hope we are not in the process, because we were not
briefed and we do not know the circumstances, of also approving of a whole set of circumstances where no reasons at all were recorded. We do not know how many instances there are of examiners under this legislation, where they have a statutory obligation to set down their reasons, who have failed entirely to do that. We do not know what we are approving. We do not know the circumstances. We do not know how many cases there might be. We do not know whether we are being asked to approve something that really is in a sense innocent error or a complete disregard of the parliament’s instructions as part of an agreed package, an agreed arrangement of where we would find the balances between the rights of the citizen not ordinarily to have their liberties interfered with and the respect we have for an organisation that naturally is empowered to look at serious and organised crime.

As I started to say, one of those key balances was to say that we will permit people to be forced into a circumstance where they will be compelled to incriminate themselves, compelled to provide their financial documents or compelled to provide all kinds of personal information about their friends, their acquaintances or their relationships with other people, and to do so in secret, in an inquisitorial forum, but we will only do that if the examiner is satisfied on a proper basis and has recorded the reasons for that satisfaction.

So we are not really sure what we are approving here. We are not sure what the background to this is, and that is why I am—I suppose ‘angered’ is too strong a word—certainly extraordinarily concerned. I do not know the factual background as to what precisely we are approving. Secondly, I am extraordinarily concerned that the Australian Crime Commission has not discharged what I regard as one of its fundamental responsibilities, of saying ‘Look, we do have a problem’ in reporting to the parliamentary committee, the Joint Committee on the Australian Crime Commission of this parliament, of which Senator Ian Macdonald is the chair and I am deputy chair. Its members are not people who cannot be trusted on matters even in the greatest of confidence. There is no reason why we could not have been consulted. The failure to consult in relation to this matter, or simply even to advise, is something that I find fundamentally wrong, and I have not heard any explanation whatsoever for that failure, particularly when the committee was still proceeding with its review of and its report on serious and organised crime as late as last week. The committee was meeting regularly and discharging its obligations to the parliament in a report which was tabled in both houses yesterday.

So there are serious matters which give rise to concern. These measures will pass in this form. I think they do demand the attention of the parliament in the next sitting, whether the government is returned or the opposition becomes the government, because as they are currently framed I do not think they satisfy anybody. They provide the bandaid patch-up that appears to be required to prevent the threatened damage that we understand might happen in relation to a number of investigations, not merely the Brereton investigation. We are given to understand similar difficulties might arise in relation to a number of other matters—involving motorcycle gangs and the like—where summonses have been issued and there have been refusals to provide evidence or to fully cooperate.

Can I say as a final remark I find it particularly disturbing, when the Australian Crime Commission has come before the parliamentary committee upon which I serve as deputy chair and has advocated that it be treated with a similar kind of regard as a court would—and that is to facilitate the capacity for there to be something analogous to a contempt power—that its own statutory obligations of recording its reasons, which is another analogous provi-
sion with the court, have not been complied with. It is a series of issues that remains for later attention. Plainly, at this stage, members of the House can do no more than proceed as they are. But there will be a lot of interesting work to be done in the new parliament by the joint committee. I am certain that there are many unanswered questions that we will be seeking more information on. In my closing remarks, because I think they will be my last comments in the parliament before the forthcoming election, I wish all members the best for the election. I will not say ‘success’, because I could not extend that wish to all, but I wish all members a very relaxing Christmas that will follow.

**Mr Hayes (Werriwa) (10.46 am)**—I fully support the remarks which have just been made by the member for Denison. The Australian Crime Commission Amendment Bill 2007 will probably be met with concern on two counts: firstly, the purpose of the bill itself, the fact that the Australian Crime Commission Act 2002 is to be amended in respect of examiners, the way they go about recording their reasons for issuing a summons before, at the same time or as soon as practicable after the event, and, secondly, the issue of retrospectivity, which I think should be seen as an anathema to all, but I do concede there are particular reasons on this occasion why it is being addressed. There is also the concept—and, Mr Deputy Speaker Barresi, you would be familiar with it—that, save for a legal technicality, it will not void proceedings. You would remember that, Mr Deputy Speaker, when you were processing awards in the Industrial Relations Commission. We are talking here about the country’s premier law enforcement agency.

As most people here know, I have spent a fair bit of my career looking after the professional industrial interests of police officers in all states and territories, including the AFP. Coupled with that, I actually grew up in a police family, so I know how police view their position on fighting crime. It is not an academic exercise for them, with the niceties of court structures. They actually believe that, when they are going out there to make arrests, they are doing it in all good conscience because they want to rid the community of the scourges inflicted by crime.

Consider a body like the ACC that seconds into it either former police officers or sworn police officers from other police jurisdictions. The sentiment is no different. I know how much strife a young constable will get into if they fail to complete procedure when they are making an arrest. It is not necessarily just their boss who will give them the rounds of the kitchen; it is their fellow colleagues, because it goes back to what these people genuinely believe is why they are in law enforcement in the first place. In respect of this organisation, just imagine this issue in the case that is live now, the Brereton case, after the matter has gone before the Magistrates Court, in November last year, and then before the Supreme Court, with a judgement coming down only recently, in August, on someone involved in a serious and organised crime—and I think this one actually came under the Wickenby investigations—and the prosecution fails simply because of the technicality that the statutorily appointed legal officer, who will be the examiner, was going to get around to signing the record of subpoena at some stage. As I raised with the shadow minister the other day, what would be the likely effect if, before he got around to signing this subpoena, he fell off his perch—if he got hit by a bus or something else and was not able to complete the exercise? Would that mean the whole investigation into a matter of serious organised crime would fall over on a legal technicality because someone did not dot the i’s or cross the t’s at the time of putting out a subpoena?
Having looked after police officers for many years I have to say that that would not suffice; it would not satisfy the station sergeant if a constable did that. Yet this seems to be the practice, and we do not know how long it has been in existence. As the shadow minister mentioned, this was dealt with back in the days of the NCA in 2002—as a matter of fact it was in the dying days of the NCA—when there was a unanimous recommendation by the then joint parliamentary committee that this matter should be corrected, that it should be clarified and put beyond doubt. Whilst, as I understand it, the minister did not at that time respond to that recommendation of the parliamentary joint committee, on establishment of the Australian Crime Commission it was nevertheless acknowledged that this matter would be taken up.

I am not sure—and unlike others here I am not a lawyer—but, in reading section 28 of the Australian Crime Commission Act, I have to say that I did think it meant that, if you were going to execute a subpoena, you would record your reasons. I just assumed that you would do that at the time. I have to say that, if those were the instructions given to a constable out there who was applying for this, I am sure the station sergeant would insist that it would be done contemporaneously.

This is of concern to me as a member of the Australian Crime Commission parliamentary oversight body, the Parliamentary Joint Committee on the Australian Crime Commission, because under section 55 the committee has a specific role. There are various obligations. It is part of the counterweight of balance because of the coercive nature of this very special law enforcement body. This body has extreme powers. Its powers are akin to a royal commission and, at the time of its being set up, the parliament in its wisdom decided, as was the case with the NCA, that there would be a measure of parliamentary oversight and that it would be done through a parliamentary joint committee.

I and the member for Denison, who is the deputy chair of that committee, had the opportunity only recently of participating in the most recent inquiry of the committee. In that inquiry various submissions were made and, interestingly, one of those submissions actually came from one of the examiners. When the examiner, Mr William Bolton, appeared before the committee he wanted to talk about an issue that seemed to be emerging in their investigations into serious and organised crime: a practice is apparently developing, particularly in relation to outlawed motorcycle gangs, whereby the witness whom they subpoena simply refuses to take the oath or affirmation and refuses to supply documentation. It was argued by the examiner that:

'We need to have some more streamlined procedures because this is now being used as an orchestrated tactic to ensure that people cannot be forced into giving evidence at this stage. If we have to wait another 2½ to three years for a prosecution on that basis, the trail has sometimes gone cold, the investigation has moved on and all that was going to be targeted in a particular operation has simply evaporated.'

That being the case, I was one of those on the committee who thought that we needed to do something and encourage the government to look at that aspect of it. I mean not that it should be referred to as contempt but that, quite frankly, we should look at streamlining the provisions of what occurs where somebody, when they respond to a subpoena, simply refuses to answer questions. Otherwise it usurps the ability of an examiner to coerce people to answer questions and produce documentation and to then make judgement on whether or not a prosecution should take place. We were very sympathetic to that and we dealt with it. By the way, that was not the first time that this committee has dealt with that. As a matter of fact—and I
will be corrected by the member for Denison if I am wrong—this is probably the second or third time. On the last occasion, we recommended to the Attorney streamlining arrangements, where the appropriate courts would deal with contempt in these matters. We consider this a body which, apart from being our premier law enforcement organisation, by definition operates in respect of serious and organised crime. Therefore, we support the coercive nature of this body. We support that, in this instance, there will not be the right to silence as there is in the normal application of courts. There will not be those things. Therefore, it is considered—and we support this—to be almost at the same level as a royal commission.

Having said that, we supported what the examiner was looking for in streamlining that which could be considered—and I will use a colloquial term; I am not sure it is necessarily a legal term—contempt of an examiner’s questioning. Yet only this week we learned that back in November, before a Magistrates Court in Victoria, there was a matter about the validity of a subpoena being issued. At no stage was that ever raised with the parliamentary oversight committee. The committee was set up under section 55 of the act to oversight the body. For all intents and purposes, the committee is the contact that the Australian Crime Commission has in its responsibilities to the Australian parliament. At no stage was that mentioned. Yet, as I said, they did want to have a discussion about contempt powers. I also refer to the report by Mark Trowell QC that will soon be coming down. I think that also deals with this. I think the report has gone to the intergovernmental committee. I understand it deals with contempt. On this issue, something that could possibly invalidate a lot of existing prosecutions and jeopardise existing investigations, there has been not one word.

One obligation of the parliamentary joint committee is to review the annual reports. We reviewed last year’s annual report this year, and I would like to take you through a couple of things that occurred in that review. We deal with the issue of the coercive powers. We deal with the position that there must be accountability and the necessary counterbalances. Apart from the PJC itself, those other counterbalance measures are the Minister for Justice and Customs, the intergovernmental committee of the Australian Crime Commission, the board of the Australian Crime Commission and the Ombudsman. You cannot say—or at least I hope we are not saying—that none of these organisations or the people in authority knew what was occurring.

It is also relevant to note that the report last year essentially indicated that coercive powers were used on 480 occasions out of 605 examinations that were conducted. In that period, 218 people were charged. There were something like 894 charges against offenders and 77 people were convicted. I do not know where all these people went, but if they are in Long Bay, I suspect there will be a hotline to defence lawyers at the moment to see about getting their clients out on the basis of a legal technicality.

This was dealt with in the transitional period of the NCA into the ACC. It was certainly spelt out on that occasion. The minister—I think it was Senator Campbell at that stage—indicated that, in setting up the ACC, recommendation 14 was accepted, although it was not prescribed in the legislation that the examiner would have to issue his reasons before or at the time of issuing a summons. If this is a practice within the ACC, a practice which was before the courts, a practice which the oversight bodies were not made aware of—including the Commonwealth Ombudsman, who, on a yearly basis, reports to the parliamentary joint committee about its investigation of this body as well—I would hate to think that we were, yester-
day, at the threshold of seeing a lot of people who are either subject to investigations or prosecutions for serious and organised crime escaping on the basis of a legal technicality.

I reiterate our support for this organisation. It is the premier law enforcement body in this country. It has significant and special powers and rightly so, but there must be not only a counterbalance in name but in substance. That includes not just paying lip-service to the parliamentary joint committee on these matters. I do not know what transpired, whether briefings were given to the government since November of last year, but, quite frankly, the last thing those 50,000 police officers involved in crime fighting want to see is our premier law enforcement body not being able to satisfactorily prosecute serious crime figures or have their investigations into serious and organised crime fall over simply because another form of independent statutory appointed legal officer decided to read down this provision in section 28, that as long as we get around to it at some stage, here or whenever, to go through the details about the reasons for issuing a subpoena, everything will be right. Everything is not right at the moment. It needs to be corrected. It is certainly not just the government in this. I do not know the extent to which the government was aware of this. I think there is sloppiness and tardiness within the ACC on this matter. Certainly from my perspective, Minister, being on the parliamentary joint committee and not being knowledgeable about this as being an issue going to the administration of the ACC in procedures, I think there is a clear break in accountability, which is the counterweight for significant and special powers exercised by this body.

In terms of the questions that the shadow minister has asked, I do not think it is unreasonable, if an examiner has not completed the reasons at the time of issuing the subpoena, to have the examiner also be responsible for why he or she has not and to require them to put that in writing as well. It is regrettable that we must treat this as retrospective legislation. There is no way around that. I know from what I have read in the papers of late that it has certainly reached some magnitude of criticism from some areas of the civil liberties movement as well as from certain defence lawyers. But realistically—I want to be quite forthright—our position must be to collectively seek to protect the Australian people from the ravages of serious and organised crime. We do not see this as a game. We do not see that this could or should fall over simply on the basis of a legal technicality. Those niceties might be great for lawyers, but those at the sharp end of looking after the community—police officers throughout this country—support strong measures to protect the community from crime.

Mr Ruddock (Berowra—Attorney-General) (11.06 am)—I thank the honourable members who have contributed, the members for Brisbane, Denison and Werriwa. I thank the opposition for the support that has been given to this measure. The Australian Crime Commission Amendment Bill 2007 clarifies that the commission examiner can record reasons for issuing summons or notices to produce before, at the same time as or as soon as practicable after a summons or notice has been issued. The amendments also validate summonses and notices issued by examiners prior to the commencement of the bill where reasons were recorded subsequent to their issue. Further, the amendments validate summonses or notices that fail to comply with technical requirements. I note that the Minister for Justice and Customs will be writing to the Chair of the Parliamentary Joint Committee on the Australian Crime Commission to invite the committee to review these amendments after they are made.

I say to the honourable member for Werriwa that this matter came to notice in a judgement on 23 August. We are dealing with issues that have arisen in less than 30 days. In terms of the
broader reporting and suggestions that there may have been some awareness of these issues before that decision, the understanding I have is that the examiners were certainly not aware of that. Two of them are former judges who have formed the view that the validity of the documentation that they were party to authorising would not be brought into challenge. It is in the context of the particular decision that this matter has been pursued. The view was that these matters were of such importance, particularly the Wickenby investigation, that to allow that prosecution or that examination to fail on what appear to be merely technical grounds— not issues of substance—would leave us all exposed and cause more abundant caution. These issues are being pursued now and I assume that is the reason that the opposition is supporting them. Obviously we are concerned that the committee should be involved in reviewing the amendments after they are made. If some deficiency is found or if there is a need identified for further amendments, the government would consider those findings.

Let me, hopefully, deal with the issues that have been raised. If they are not, I will draw them to the attention of the minister. The member for Brisbane asked the government to justify why the ACC sought to have two subpoenas for Mr Brereton struck out in that case. The first point I would like to make is that the government—and this is the course that I have taken and I expect my colleague would take—does not interfere with operational decisions in relation to bodies. I do not do it with the AFP. I do not do it with the Director of Public Prosecutions. They are independent agencies. I think it is important, and I think the Australian public would think it is important, that the government does not interfere in the operational decisions made by the ACC or its examiners. If they were being given political direction, I think that would be a matter of concern.

The ACC reports to a board. That board consists of federal, state and territory police commissioners, among others. It was established deliberately at arm’s length from day-to-day ministerial control. But the government in this case has received advice from the ACC on the handling of the particular case. The ACC considered that the reasons for the issue of the summons were not relevant to the prosecution of the non-compliance charge. However, Justice Smith rejected the ACC’s view; thus the reason for the legislation.

Criticism was raised at the haste with which this bill has been dealt with. We were not prepared to allow this issue to remain unresolved and for serious crimes potentially to be undressed because of what was a purely technical argument—that is, about whether reasons had been recorded before or later. It was not about the validity of the reasons or the substance of the issues that were being raised but the mere technical point about when those reasons were recorded. We considered that it was appropriate to have the matter dealt with by the parliament this week; however, we have also demonstrated an ongoing commitment to parliamentary review. The Minister for Justice and Customs has announced that he will ask the parliamentary joint committee to review the amendments after the event and, if later changes are merited, he intends to pursue them, subject to whatever other matters might intervene.

The member for Brisbane asked the government to advise whether reasons for issuing summonses were usually recorded by examiners before or after the event. I am told that the practices in relation to the issuing of summonses and notices were determined by examiners individually. However, the ACC advises that, before the Brereton decision, in over 90 per cent of the cases the reasons were recorded by examiners after the issuing of the notice or summon. This was based upon the legal assessment that sections 28 and 29 of the act allowed the
urgency of issuing a summons or notice in many cases and the desire to prepare detailed and
thorough reasons. However, since the Brereton decision and pending these amendments, deci-
sions, I am told, have been recorded prior to issue.

I might say that from time to time I have been in situations where I have been asked to
make decisions with a degree of urgency, particularly in matters where there is a concern that
evidence might be tampered with or dealt with, where one wants to proceed as quickly as pos-
sible to ensure that it is secured and where, because of the complexity of the issues that are
canvassed, after you have taken the decision you start to document your reasons. I am not
saying that it should always be the case, but I can understand how in particular cases that
might be so.

The only further point I would make is that past, current and future ACC examiner prac-
tices can be looked at in detail as part of the parliamentary committee inquiry and, if it forms
another view, those issues can be raised. But I do make the point that there can be circum-
stances in which the urgency of the matter, particularly in relation to preserving evidence, can
mean that you have to act very quickly.

The member for Brisbane sought from me undertakings to direct examiners, when they re-
cord reasons for issuing a summons or notice after the event, to also record reasons for that
delay. I simply make the point that I do not think it is open to me, nor do I think it would be
appropriate, to direct ACC examiners in how they exercise their powers. However, the ACC is
conducting a detailed review of practices in this area and will be further briefing the Minister
for Justice and Customs on the issues raised in that review. The idea of recording reasons for
delay in recording reasons for the issuing of a subpoena, summons or notice can be consid-
ered further in that context, with due regard to the operational realities and advice that we re-
ceive.

The member for Denison expressed concern that the Brereton decision and its implications
were not drawn to the attention of the parliamentary committee. I think in the comments I
made earlier I raised the reasons for urgency. But, despite the complaints that have been
made, I am pleased that the opposition has agreed that this bill does need expedited passage.
The minister has announced that he will ask the PJCACC to look into the area of law and
practice, so the committee can I think have further examination of these issues.

Criticism has been expressed about the retrospectivity of parts of this bill. The member for
Denison referred to those matters raised by the Law Council and the Democrats. The govern-
ment’s view—and we have been quite open about this—is that it does involve retrospectivity,
and we flagged this clearly in the second reading speech in each chamber and in the explana-
tory memorandum. The effect of the retrospectivity is to ensure that summonses to produce
documents or notices to appear issued by the ACC examiner in the past are not invalidated by
a failure to record reasons before the issuing of the summons. We believe that trials for crimi-
nal offences should turn on the facts and the evidence—the issues of substance. Some of these
offences involve the most significant and severe issues of law breach, and I think the commu-
nity would see a failure to pursue those matters—particularly given the quantum of money
that is involved—as being a real concern if it were only because of a technical reason. If a
summons or notice yielding probative evidence were seen to be struck down simply because
reasons were not recorded before a summons or notice were issued, but only afterwards, I
think the public would see it in that light.
The amendments do leave the substantive safeguard in place; that is, a person can still challenge the validity of a summons, notice or resulting evidence if there is not, in the argument, a proper basis for the issuing of the document and adequate reasons for the issuing of it. The member for Werriwa criticised poor practices in the ACC for failing to record reasons before the issues. As I said before, two of the examiners are former judges who took the view that it was legally open and appropriate to record the reasons after the event. In the light of the findings by Justice Smith, who took a different view, the ACC is reviewing the practices in this area and has ensured that the judge’s view is complied with. I noted earlier the prospect of the PJCACC being able to look at these matters.

The amendments are to clarify that the ACC examiner may record the reasons for issuing a summons or notice to produce as soon as practicable after the summons or notice is issued. It will address potential operational difficulties for the ACC arising from the finding made by Justice Smith in the Victorian Supreme Court in ACC v Brereton that, for a summons to be valid, reasons for issuing a summons must have been issued prior to the time the summons was actually issued. Ensuring that summonses and notices issued prior to these amendments are not invalidated simply for reasons recorded after they were issued will address potential problems arising from the findings in Brereton in relation to current operations, investigations and prosecutions that are before the court. Allowing a person to appear before or to supply a requested document to an examiner who is not the same examiner who issued the summons or notice to produce will address circumstances where the examiner who issued the summons or notice is on leave, ill or otherwise unavailable.

The government does not consider that a failure to record reasons for the issuing of a summons or notice prior to the issue of the summons or notice should give a person who would otherwise have been convicted of an offence a technical ground on which to challenge the admissibility of evidence and escape responsibility for their actions. This bill will ensure the validity of evidence obtained by the ACC in carrying out its functions. It is still subject to very important procedural safeguards. By advancing this bill, the government is ensuring that the ACC is not unduly hampered in the performance of its key role in investigating and prosecuting serious and organised crime in Australia. I commend the bill to the chamber.

Question agreed to.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr BEVIS (Brisbane) (11.19 am)—I will take this opportunity to refer to items 2 and 5 of the bill, which were the key areas addressed by me and the member for Denison. I have listened to the response of the Attorney on those two things. I just want to make a couple of very quick points. I think it will come as a severe surprise to members of this parliament, members of the joint committee and, if my reading of the briefing the other day is correct, some members of the government that 90 per cent of summonses have had their reasons recorded after their issuing rather than prior to or at the time of issuing. That is not something that was known to people in this parliament. I think it is something that does require review. I am pleased that the Attorney-General has indicated that, should the government be returned, they are happy for the
committee to look at it. I already made plain in my speech in the second reading debate that, if we form government, we will be revisiting the provisions within this bill. I think that is a significant piece of information that warrants recognition.

I am concerned about the matters contained in item 5 of the bill that the member for Denison referred to. The possibility that the provisions in item 5 could be used to enable no written record to be undertaken on a regular basis is somewhat alarming. I would like some indication if possible from the government that that is not their intention. It is one thing to provide a mechanism whereby the reasons can be recorded prior to, at the time of or as soon as practicable after—and we can argue the toss about what the ratio should be or on how many occasions it needs to be done and what provisions might apply; it is quite a different thing to facilitate a process which could see no reasons being recorded as a standard practice and that regarded as acceptable. I just want to get clear the government’s intention on that. The Labor Party opposition has been keen to facilitate the passage of this legislation for all the reasons that the Attorney has mentioned, but we should not, in facilitating that, open up an area of potentially greater concern. I would just ask the Attorney whether he is able to provide any comment on that application of item 5.

Mr RUDDOCK (Berowra—Attorney-General) (11.22 am)—I will just say on this matter that I wanted to ensure that all of the information was available. I answered the question that was raised during the debate so that that information was clearly before the chamber. I must say that it was not a matter known to me before today. It may have been known to my colleague, but it was not known to me.

On the point that is being made, there is an expectation that reasons will be given, but the introduction into the legislation of the potential for a further claim to be made that the reasons did not adequately canvass issues on timing would leave us exposed to another round of technical arguments. Nevertheless, I would expect—and I believe my colleague will give some consideration as to how this is brought to the attention of the board—that these issues—requiring people to try to ensure that the reasons are recorded as early as possible and preferably before a final decision is taken, and the need for some explanation as to why it has not occurred—will be outlined for the examiners to consider. In considering the suggestion that there might be a legal requirement introduced, the government’s view was that it was likely to leave the whole system further exposed to arguments about whether or not it was adequately done and issues of that sort, which I think, in the public’s mind, would be seen as technical arguments that lead to failure in matters where there would otherwise be substantial evidence that would secure a prosecution.

Bill agreed to.

Ordered that this bill be reported to the House without amendment.

NATIONAL HEALTH AMENDMENT (PHARMACEUTICAL BENEFITS) BILL 2007
Debate resumed from 13 September.

Second Reading

Mr PYNE (Sturt—Minister for Ageing) (11.25 am)—I present the explanatory memorandum to this bill and move:

That this bill be now read a second time.
The National Health Amendment (Pharmaceutical Benefits) Bill 2007 contains amendments for two different purposes.

Schedule 1 of the bill proposes changes to the Health Insurance Act 1973 and the National Health Act 1953 to implement a 2007 budget measure. The amendments extend prescribing under the Pharmaceutical Benefits Scheme (PBS) to include optometrists as PBS prescribers, which will allow optometrists to prescribe some eye medicines as pharmaceutical benefits.

The PBS has been providing affordable access to high-quality medicines for all Australians for over 50 years. By subsidising the cost of PBS medicines and limiting the amount that people pay for prescriptions at the point of sale, it delivers benefits directly and immediately for the medicines people need—when and where they need them—through local pharmacies and hospitals in the community. In addition, the PBS safety net protects individuals and families who require a large number of medicines from high cumulative costs. The PBS serves Australians well and is regarded as one of the best systems of its kind in the world.

Under the current PBS legislation, the prescribing of PBS medicines is limited to medical practitioners and dental practitioners. Under state and territory laws, optometrists can be accredited to prescribe certain eye medicines. However, as an optometrist’s prescription cannot be used under the PBS, the cost of the prescription to the patient is the full dispensed price. If the patient is referred by the optometrist to a medical practitioner to obtain a PBS prescription, this can result in inconvenience and cost to the patient, a possible delay in treatment, and additional costs to government under Medicare.

The bill amends the Health Insurance Act 1973 and the National Health Act 1953 to provide for:

• suitably qualified optometrists to be approved as authorised optometrists able to prescribe medicines as pharmaceutical benefits;
• optometrists to be regulated as PBS prescribers in a similar way to doctors and dentists;
• the PBS medicines for prescribing by optometrists to be specified in a separate list; and
• entitlements associated with pharmaceutical benefits, including subsidies and PBS safety net benefits, to apply for PBS prescriptions written by optometrists.

Optometrists who are accredited to prescribe under state or territory legislation will be able to apply to Medicare Australia for approval to prescribe pharmaceutical benefits as an authorised optometrist.

Applications will be required to satisfy certain criteria to ensure that optometrists are suitably qualified. Approvals will be subject to conditions, as determined by the Minister for Health and Ageing by legislative instrument. Optometrists will need to establish that they have the necessary professional registration and prescribing accreditation under state or territory requirements prior to approval to prescribe PBS medicines.

An approval as an authorised optometrist will be able to be suspended or revoked in the event that the optometrist no longer meets the criteria for approval, breaches a condition of approval or engages in inappropriate practice. Reconsideration and review processes will apply for decisions to reject an application for approval, or suspend or revoke an approval. Optometrists will be subject to the same arrangements under the Professional Services Review.
Scheme regarding conduct and appropriate practice as those that apply to other practitioners
who prescribe pharmaceutical benefits.

The bill introduces a new term, ‘PBS prescriber’, to describe collectively medical practi-
tioners, participating dental practitioners and authorised optometrists as practitioners author-
ised to prescribe under the PBS. ‘PBS prescriber’ is used in amendments where it is intended
that the same provisions will apply to authorised optometrists as for medical practitioners and
participating dental practitioners. For PBS prescriptions, this includes the circumstances in
which a person is entitled to have a prescription supplied as a pharmaceutical benefit, the pa-
tient payment amounts to be taken into account for the purposes of the PBS safety net, and the
recording of Medicare card information.

The medicines for prescribing by authorised optometrists will be determined by the Minis-
ter for Health and Ageing taking into account the advice of the Pharmaceutical Benefits Advi-
sory Committee. The list of medicines is expected to include a limited range of eye drops and
eye ointments and will be specified by legislative instrument separately from other PBS
medicines.

PBS prescriptions written by authorised optometrists will be able to be dispensed by com-
munity pharmacies and hospitals which supply PBS medicines.

The changes proposed for optometrist prescribing under the PBS also apply to the Repa-
triation Pharmaceutical Benefits Scheme.

Commencement of these amendments is in two stages. Provisions relating to approval of
optometrists as PBS prescribers commence on royal assent to allow application and approval
processes to proceed before 1 January 2008. Provisions relating to the writing of prescriptions
by authorised optometrists, dispensing, payment of subsidies and application of Safety Net
entitlements as pharmaceutical benefits commence on 1 January 2008. Amendments to regu-
lations will also be required to give effect to the new prescribing arrangements.

Subsidies for optometrist prescriptions will make better use of optometrist services, reduce
delays in access to eye treatments, reduce costs to consumers and support continuity of ther-
apy for chronic eye conditions. The benefits are expected to be particularly significant for
concession card holders and people in rural and regional areas.

PBS prescribing by optometrists may help to free up GP and specialist medical resources
for other uses. As a result of consultations with the ophthalmologist profession, the govern-
ment has decided to allow PBS prescribing based around the range of drugs permitted by the
most restrictive state and consistent with the advice of the Pharmaceutical Benefits Advisory
Committee.

This component of the bill demonstrates the government’s commitment to having a PBS
which reflects developments in professional practice. The new arrangements are sensible and
practical, and build on well-established PBS procedures. There are safeguards to ensure that
optometrists are adequately qualified prior to approval and that appropriate practice standards
are maintained.

Schedule 2 of the bill proposes minor amendments to the National Health Act 1953 to clar-
ify the meaning of section 90 for granting approval to pharmacists to supply pharmaceutical
benefits.
Pharmacists are approved under the act for the purpose of supplying pharmaceutical benefits to their local community. It is important that the public can obtain pharmaceutical benefits at the pharmacy of their choice and there are an appropriate number of pharmacies to meet community need.

The act currently uses the term ‘at or from’ premises in relation to the supply of pharmaceutical benefits by approved pharmacists. This means, if an approved pharmacist is conducting a mail order business, there is no need for the pharmacist to have a shopfront pharmacy supplying to their local community.

The proposed amendments provide that an approved pharmacist must supply pharmaceutical benefits ‘at’ their pharmacy—that is, to have a shopfront for people to physically attend the pharmacy. In addition, an approved pharmacist may also choose to supply pharmaceutical benefits ‘from’ their pharmacy to people who do not physically attend the pharmacy—for example, to nursing home residents or to a person by mail order.

The act also uses the term ‘on demand’ to describe how pharmaceutical benefits are supplied. This term does not adequately describe the intent that a pharmacy should be open reasonable hours for the purpose of supplying pharmaceutical benefits to their local community.

The proposed amendments also provide that a pharmacy must be accessible to the public during reasonable times. ‘Reasonable times’ generally means providing pharmaceutical benefits during normal business hours. What are considered reasonable times may vary according to the particular circumstances—for example, in a heavily populated urban area it would be expected that a pharmacy open for at least standard business hours each working week. However, in a small rural town where a pharmacy may be serviced by a pharmacist from another town, something less than standard business hours may be acceptable.

For consistency, the proposed amendments also provide that the secretary may cancel an approval if the approved pharmacist is not supplying pharmaceutical benefits ‘at’ the pharmacy or if the premises are not accessible at reasonable times by the public for the purpose of receiving pharmaceutical benefits.

I commend the bill to the House.

Ms ROXON (Gellibrand) (11.33 am)—I rise today to also speak briefly about the National Health Amendment (Pharmaceutical Benefits) Bill 2007. The bill has two purposes. Firstly, it amends the National Health Act 1953 and the Health Insurance Act 1973 to allow authorised optometrists to prescribe certain ophthalmic eye medicines under the Pharmaceutical Benefits Scheme and the Repatriation Pharmaceutical Benefits Scheme. Secondly, the bill amends the National Health Act 1953 to clarify the intent in relation to the supply of pharmaceutical benefits by approved pharmacists. Labor will be supporting the passage of this legislation through the parliament. Given my and the minister’s other commitments today, I will deal with these issues very briefly.

Let me turn firstly to the extension of the limited prescribing rights to optometrists or, more precisely, the benefits that there will be to consumers that will flow from this change. Those prescribing rights already exist, but the arrangements will enable consumers not to go to a GP or, at least, to receive the benefit from their pharmacist when purchasing these products. Under the current arrangements, only medical practitioners and participating dental practitioners can prescribe pharmaceutical benefits. As the minister has pointed out, this means that pa-
tients who need eye medicines are obliged to follow a visit to an optometrist with a visit to a GP for a prescription if they wish to receive subsidised medicines under the PBS. This bill will change that to allow for authorised optometrists to come within the ambit of those provisions that have applied only, in the past, to medical and dental practitioners, and it will allow authorised optometrists to prescribe certain medicines under the PBS and RBPS. I do want to emphasise that this ability has been there already and that this is not giving optometrists new prescribing rights but is removing the inconvenience to patients or the cost to consumers—something that Labor is prepared to support.

Optometrists who are authorised to prescribe certain medicines under relevant state or territory legislation will now be able to apply to the Secretary of the Department of Health and Ageing to be given the authority to prescribe from a limited list of eye medicines under the PBS. According to the explanatory memorandum, the minister may determine any criteria that must be satisfied first before an optometrist is approved, and any conditions that might attach to that approval.

It is clear that the PBS will apply only for certain ophthalmic preparations. This change will not only provide convenience and cheaper medications; in rural and regional areas where GP workforce shortages are acute it will achieve a more efficient deployment of the health workforce and will potentially reduce some Medicare costs.

I want to note that the Optometrists Association of Australia have advised of their strong support for this change, arguing that it will improve access to subsidised medicines for people who cannot afford to pay the full price or for people who live in remote and rural areas. I note that, whilst the optometrists have no concern about this enabling legislation, they are frustrated about restrictions on which medicines will be available for optometrists to prescribe. The Royal Australian and New Zealand College of Ophthalmologists has advised that the college is not, in principle, concerned about these changes to the legislative framework under this bill; however, it does remain concerned that optometrists who are not medically qualified should have access to the full range of legal drugs. The college believes its concerns will be addressed via regulations, which, as we understand it, are not yet available.

We know that some doctors are opposed to this change because they fear it is a sign of increased role substitution to come in the future. The AMA, for example, has previously raised concerns regarding optometrists performing ophthalmological diagnosis and more interventions from a very restricted knowledge base. They are concerned that this will encourage role substitution and potentially sideline the role of GPs and specialists. Whilst we take on board these concerns, these prescribing rights for optometrists have been in existence for a long time. What is changing through this legislation is that patients who previously did not have their prescriptions covered by the PBS will have that, and this change will mean less dual handling or lower costs to patients. We do not agree that any risk exists for patients. In fact, the benefit to patients in terms of both cost and convenience is the reason we support this bill. Obviously, arguments are yet to be had about what will be included in the regulations, and we need to ensure that high standards of appropriate care are maintained while giving maximum benefits of convenience and access to cheaper medicines for the public.

I think, for the benefit of the chamber, I do not really need to go through with these other comments that the minister has covered in his speech. I can indicate that Labor supports the government’s decision to proceed with these changes, despite the resistance of some doctors,
on the basis that they will provide a better outcome for patients in terms of convenience and
cost, which must be our focus in this House.

Turning briefly now to the second object of the bill, schedule 2 of the bill amends the Na-
tional Health Act 1953 to clarify the intent in relation to the supply of pharmaceutical benefits
at or from approved premises by approved pharmacists. While neither the explanatory memo-
randum nor the second reading speech nor the minister’s comments today make any specific
mention of a recent Federal Court decision or of concerns about the court’s interpretations of
section 90 of the National Health Act, it appears that the amendments in schedule 2 are in-
tended to address what is effectively a loophole that was created in relation to the supply of
medicines by pharmacists. Whilst we support these changes, it would be helpful if the gov-
ernment could be a little more transparent in its legislative intentions. The rationale for these
amendments really only became apparent when we were advised that the amendments are in
reaction to the recent Federal Court decision of Holtzberger v the Secretary of the Department
of Health, where the term ‘at or from’ in section 90 was interpreted as referring to a supply at
or from the premises in question, indicating that the supply of pharmaceutical benefits need
not necessarily occur at the approved premises. The department no doubt would be concerned
about this interpretation and those concerns have been addressed with provisions that are in
this other part of the bill.

I turn to the changes, which we support. I would remind the House that the purpose of the
location rules which will be protected by closing this loophole is to ensure widespread com-

munity access to pharmaceutical services and to ensure the continued viability of existing
pharmacies’ objectives, which Labor strongly support. Once approved, pharmacists must also
comply with a range of other conditions in order to continue to be able to supply pharmaceu-
tical benefits—and obviously these sorts of loopholes can threaten those sorts of conditions.
For example, a pharmacist can only supply benefits from a pharmacy that he or she is operat-
ing and may not supply to anyone any pharmaceutical benefit that attracts a Commonwealth
contribution for free or for a price less than the relevant patient contribution. The amendments
in schedule 2 will tighten the conditions applying to pharmacists who are approved to supply
medicines for which benefits will be paid by the Commonwealth under the PBS. While the
government’s explanation for these changes has been a tad ambiguous, we support the phar-
macy location rules and legislation which seeks to clarify the intention of the act in relation to
those, and the supply of pharmaceutical benefits is supported by Labor. We commend the bill
to the House.

Question agreed to.
Bill read a second time.

Ordered that the bill be reported to the House without amendment.

COMMITTEES

Economics, Finance and Public Administration

Report

Debate resumed from 19 September, on motion by Mr Baird:

That the House take note of the report.

Mr McARTHUR (Corangamite) (11.41 am)—I would like to make some comments on the
Review of the Reserve Bank of Australia Annual Report 2006 (Second Report), which was
tabled some days ago. It is very relevant in the current economic climate. I note that overnight
the US reserve bank governor reduced the US interest rate to 4.75 per cent, a reduction of 50
percentage points. There has been a lot of debate in the public domain about the activities of
the US reserve bank governor, the interest rates in the US and their impact on the Australian
economy. The subprime rate is a major difficulty for lenders in the US. I think the US sub-
prime rate difficulties are fundamentally a problem that emerges from the fact that the lender
and the borrower have been separated and that those borrowings have been segregated to an-
other segment of the market. Of course the ability to service those borrowings and the interest
rates that are attached to those borrowings have been under a lot of pressure. In my view, an
irresponsible position has arisen. Also, the ability of those borrowers to service their loans and
the deposits has been a matter of ongoing debate. It has impacted on Australia’s position with
the Reserve Bank and on our position to maintain our economy in a stable position.

In my opening remarks I compliment the Reserve Bank and our outgoing chairman, Mr
Bruce Baird, the member for Cook, for the congenial way he has conducted the committee
hearings, allowing members of the committee to participate and ask questions. I put on the
record his great skill and his contribution both to the parliament and to the committee. As a
member of that committee, I appreciate the fact that the Reserve Bank now twice yearly con-
duct these open hearings with members of the committee and the broader public. This is a step
in the right direction in that the Reserve Bank, which historically has been somewhat a closed
shop, now is prepared to discuss these major issues with members of this parliament and put
them on the public record.

Going to their report, it is worth noting that the Reserve Bank raised the cash rate here in
Australia on 8 August by 25 basic points to 6.5. That was regarded as a step in the right direc-
tion, given the strength of the economy. In my own view, it is a reflection of prosperity that
the demands within the economy were such that the bank took action that it deemed fit to re-
strain demand and restrain credit. The Reserve Bank were indicating that growth picked up
sharply in December and that the real GDP is estimated to expand about 3.7 per cent in the
year to March. So on their own figures they were suggesting that this economy was buoyant
and had the possibility of overheating.

They also noted the global economy remained strong, with estimates for growth in 2007 at
over five per cent and, in particular, the growth and demand from China and India being very
significant. I guess we all know of the impact of China in particular on the Australian econ-
omy, and we need to be very cautious about and take into account their huge growth rates.
The bank also noted that growth in the domestic economy remains strong, as I have men-
tioned, and that the strength of commodity prices together with higher interest rates in Austra-
lia have underpinned the rise of the Australian dollar against the US dollar. These things, as
you well know, Mr Deputy Speaker Secker, are matters for rural Australia and all our export-
ers.

The Reserve Bank, in their charter, suggest that inflation is likely to be around three per
cent over the coming year and near the top of the target zone in the following year. With all
the debate about inflation and the control of the economy, this is in the top of the target area. I
suppose the government and any thinking Australian would like to restrain inflation at that
lower band. I note the importance of the Reserve Bank conducting monetary policy and that
in the board’s opinion their independence will contribute to the stability of the currency of
Australia and the maintenance of full employment, economic prosperity and the welfare of the people of Australia. Again, I put on the record the importance of the independence of the Reserve Bank. Beyond political pressures they can, in their own view, maintain the strength of the economy, and I think the current board and the current governor have done that very well.

On the matter of interest rates, I raised with the Governor—and Chairman—of the Reserve Bank the suggestion that the raising of interest rates was a blunt instrument of monetary policy. I was interested in his response, which was that around the world the use of interest rates to maintain and control inflation has been adopted by most Western countries and that higher interest rates did restrain individuals and companies from extending too much credit and then moving the economy into the inflationary cycle. I was particularly interested in that very important policy point, as I judge it, compared to some of the other measures that have been used over past decades to control inflation and have demonstrably failed. The Governor of the Reserve Bank said, ‘We have had a look at all the other possibilities and we generally agree that interest rate mechanisms are the way to help in the controlling of inflation.’ There are other factors, of course, and nobody would be foolish enough to suggest that interest rates are the key feature.

I will move on to the unemployment rate, which is running at its lowest in 30 years, at 4.3 per cent. The tight labour market was emphasised repeatedly by the Governor of the Reserve Bank. He also said there had not been a wages breakout leading to inflationary pressure. The flexibility in the wages system was examined and Mr Stevens stated:

That is clearly, I think, a much more flexible labour market handling the shock much better than it would have 20, 30 or 40 years ago. I think that has been quite important.

He was discussing the problem of the mineral boom in Western Australia and the possibility that that would be reflected across the rest of Australia. We know that in 1981 under Prime Minister Fraser the mineral boom moved to other parts of Australia, with an outbreak of huge inflation at that time. I note that the Governor of the Reserve Bank in careful language was supporting the government’s position of a more flexible labour market. That will be a matter of some discussion, obviously, during the forthcoming election.

The other matter I draw to the attention of the House is housing affordability, which has been at the forefront of political debate in recent days. The committee challenged the Governor of the Reserve Bank about this issue. I well recall other discussions with the previous governor about Sydney house prices having gone through the roof, so to speak, although they have come back to more reasonable levels in more recent times. When the Governor of the Reserve Bank was challenged about this at the hearing on 17 August, he made the comment:

Household assets are still rising, debts rising too but for most people I think that is manageable. By all indications, confidence is high, incomes are growing well and contrary to what we sometimes read in the papers, about servicing debt and so on, the evidence from what the lenders have, and they are the people with an interest to know, is that the proportion of loans where there is a real struggle going on, it has gone up a bit. But it remains very, very low. So I think on the whole, households are in good shape.

The Reserve Bank governor is basically saying that people have jobs, they have good sources of income, incomes are rising and, on that basis, people are able to handle their housing debt. Again, I recall there was some discussion about this household debt and it was pointed out by the board that, whilst household debt has risen and that has been a focus of public commentary, on the other hand, housing equity has risen.
It has been as a result of the government’s good economic policies that people are in jobs and have received a 21 per cent increase in real wages since 1996. They have the capacity to service these higher debt levels for their domestic dwellings. The lower interest rate regime under the current government has also been an incentive for people to borrow just a little bit more and that has encouraged people to take out bigger loans than they might have done under a previous regime. They have had the confidence to do that. I concede the point that the first home buyer has always found it difficult to get into the housing market. Obviously, it is just a bigger leap of faith and some of the commitments and the problems facing the first home buyer are a problem for all younger Australians.

In the time available, Mr Deputy Speaker Secker, I want to refer to the report of the New Zealand parliamentary committee exchange that took place from 15 July to 19 July in which both you and I were participants. This report was tabled yesterday and I would like to make a few remarks about our visit to New Zealand. Personally, I have an interest in New Zealand and in how they have handled their economy. They were the leaders in a deregulated economy and in deregulated labour markets. I went there on a previous occasion to look at the operation of the GST in New Zealand.

On this occasion, the situation with New Zealand’s economy was not as clear cut. They are Australia’s sixth largest market, accounting for about six per cent of Australia’s exports. We have a close association with them. The CER has been the basis of an argument going back to 1983 where Australian dairy farmers were very worried about the outcome. We were concerned about the exchange rate, about their higher level of interest rates at, I think, 8.3 per cent and the cash rate at 8.25 per cent. So there was a lot of discussion about the state of the economy in New Zealand, their higher interest rates and some of the problems confronting them.

There are two things I would like to make an observation about in the few minutes left. The wages and salaries of New Zealanders are 25 per cent lower than in Australia. I quote from our report:

Wages and salaries are around 25 percent lower on average than those in Australia. As the cost of living is comparable to that in Australia and with easy work entry across the Tasman (including mutual recognition of qualifications), skilled labour has been migrating to Australia.

There are approximately 1 million New Zealanders working offshore. With a population of 4.2 million...

I think the major problem facing New Zealanders is that over time their wages and productivity have declined. When I raised this with senior officials, they said there had been a reduction of the productivity on a year-by-year basis such that now there is a 25 per cent differential. I think that is a real problem for our friends in New Zealand.

Finally, I want to talk about the ‘white gold’ boom. This is to do with the dairy industry. There was a lot of emphasis from our friends in New Zealand placed on the idea that their economy will be saved by their dairy industry. You know about the dairy industry, Mr Deputy Speaker, in your good seat of Barker. Some of the figures now emerging with the boom conditions in the dairy industry in New Zealand are very interesting. The dairy industry is very efficient. It is based on grass not on fed animals. The increased cost for feedstock for the dairy industry in other parts of the world brought about by biofuel discussions and competition has meant that New Zealand dairy farmers are competing very strongly with other countries.
Prices for dairy products around the world have gone up by between 30 per cent and 40 per cent, so there is an appreciation in New Zealand that the dairy industry could be the salvation of their export problem.

In my assessment New Zealand has a difficult parliamentary system, where no real conclusion is given to the ruling party because of the remarkably complex quasi proportional system, which is even a bit hard for me to understand. The net result is that it does not give a final position to the ruling party. It means that what I consider to be bold decisions in the economic area are not being made.

I hope New Zealanders do recover from some of these difficulties of higher interest rates and lack of productivity. They are wonderful people, but I do fear for their future, unless there is a dramatic change in some of the approaches to productivity, labour relations and some of the welfare arrangements provided by the New Zealand government. We enjoyed the trip. I thank all those associated with the trip, particularly our leader, Mr Bruce Baird, the member for Cook.

Debate (on motion by Mr Randall) adjourned.

ADJOURNMENT

Mr RANDALL (Canning) (11.57 am)—I move:

That the Main Committee do now adjourn.

Estate Property Group

Ms GRIERSON (Newcastle) (11.57 am)—In May this year the Estate Property Group and 26 associated companies, including Australian Capital Reserve, entered voluntary administration, with debts of around $600 million. The companies were behind property developments around the country, including the half-finished, 42-unit Kingfisher Grove site at Shortland, a suburb in my electorate.

Recently the building group Becton bought a number of the construction developments, including Kingfisher Grove. It is believed that this transaction means the secured creditor, Adelaide Bank, will receive its money and the administrators of the various companies will receive their lucrative fees. It is also believed that investors in the project might see about 60c in the dollar upon completion and sale of the development. These investors have been through a great deal of stress, and I do hope they get at least 60c in the dollar out of this settlement. Many of these investors are self-funded retirees and older people, who have now lost 40 per cent of their retirement savings in many cases. This is a huge social issue that we are going to have to confront, with so many of these schemes collapsing in recent times. I repeat Labor’s call for ASIC to be more proactive in education about, and monitoring of, unsustainable investment schemes.

But there is one group involved who look like they will get, at best, only 10c in the dollar, if anything. They are the subcontractors, who contributed their labour and materials to actually build Kingfisher Grove. One small business owner who contacted my office is owed $100,000 for materials and work already completed, and yet he has been told to expect nothing. The loss of $100,000 for unpaid work has a devastating impact on a small business. This company has had to reduce its staff from 10 to three. So the people who actually built Kingfisher Grove rank lower when it comes to recouping money than the big banks or the well paid administrators. There are about 30 subcontractors in my region in this situation. Those
who have contacted me are owed amounts ranging from $10,000 to $100,000. This is morally wrong, but it is legal. The Howard government needs to look at these legal loopholes that deprive people of moneys that should be theirs and should give greater protection to subcontractors and to investors.

We have seen too many collapses in recent times—those of Westpoint, Fincorp, Australian Capital Reserve and Bay Building, all of which affected people in my region in the Hunter—but have we seen any action from the government? No, we have not. I have not, I wrote to the Treasurer in June seeking some answers for investors in the Australian Capital Reserve collapse. I have not had a response. When Labor proposed a parliamentary inquiry into these collapses, the government refused point blank. It really does show how out of touch the government is. Mum and dad investors, sole traders, contractors and small business people have already been doing it tough—and now they are left in the lurch. So if the Howard government will not help, what can we do?

If the building work recommences at Kingfisher Grove, I would suggest that there is scope for Becton to negotiate with existing subcontractors, or pre-existing subcontractors, to complete the work and be compensated for work they have already done. Becton have a very good reputation in our region. As a former member myself of the Honeysuckle Development Corporation, and having worked with Becton very successfully, I know they worked well with our community on those projects.

I am told that the deal between Becton and the administrator was the best deal going. Well, it may be, in commercial terms, for those players, and I sincerely hope it will help the 700 mum and dad investors affected, but it certainly has not, at this stage, helped the contractors who are estimated to be owed a combined $1 million.

There are other realities than simply commercial realities. There are moral realities that we need to consider. As one of my constituents put it to me: ‘Is it fair and reasonable that a company can buy and sell goods and services—assets—for which the original provider has not been paid?’ I would suggest that it is not fair. But we know, unfortunately, that the Howard government has abandoned subcontractors like these, by refusing to look at the flaws that exist in this area.

The Treasurer and ASIC should be breathing down the neck of every unsustainable investment company raising money from unsuspecting pensioners and taking on the labour of subcontractors working in good faith. It is not good enough to sit on their hands. And, since I have been waiting since June for a response from the Treasurer, I will not be holding my breath for a response to other representations I have made more recently.

I will keep discussing this issue, though, with the administrators, and with Becton, with the affected subcontractors, with industry and with the unions. With good will, I am sure we can find a solution for those subcontractors who find themselves in such a terrible situation. And, more broadly, I am sure it is not beyond the wit of the government to look at how we can stop these collapses, and how we can better protect investors and subcontractors. I hope to be part of a government that does that.

**Trade Practices: Franchises**

*Mr RANDALL* (Canning) (12.02 pm)—Unfortunately I have to report to the parliament again on an issue which I raised in this chamber several week ago, and that is my constituents’
dispute with Lenard’s chicken. The issue, which I raise in order that I represent my constituents, was that my constituents have had franchises with Lenard’s in Mirrabooka and Livingston. The allegation is that Lenard’s contributed to them going broke and going out of business.

I reported to the House previously that I was to arrange a meeting in my electorate office—which I did—between Mr Bruce Myers, the Chief Executive Officer of Lenard’s, and the affected constituents, plus another franchise holder, Elizabeth, who is in Forrestfield. This meeting was generally cordial. The two master franchisees from Dune Pty Ltd in Western Australia attended. I had no problem with the conduct of the meeting. Unfortunately, it did not go anywhere. People got it off their chests, but it did not go anywhere in terms of resolving this dispute. I have also, as I reported previously I believe, written to the ACCC about this matter and they have responded to me.

I was asked to wait at least three weeks so that some mediation could be arranged or just-terms settlement towards my constituents could be made. I could be taking on constituents on this issue all over Australia, but I have confined myself to the constituents in my electorate. I waited this period of time because I was asked to, to give it time to resolve itself, but nothing happened. So, on Friday 14 September, I wrote to Mr Lenard Poulter, rather than to Mr Myers, explaining to him that I had waited, on advice, and that I now would be forced to report to the parliament as to the personal and financial hardships inflicted on my constituents and that this had not been addressed. Whether or not he considers it morally or legally binding, the fact is that there is an issue. If they had not been Lenard’s franchisees, they would not be in this position.

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I wrote what I thought was quite a civil letter. I have sought leave, previously, to table these letters at the end rather than read them out. I received on 17 September a letter from someone signing for Bruce Myers, probably from their company lawyers, which essentially set out to try and head me off. I will not be headed off on this issue, because I am trying to get justice and equity for my constituents, Rochelle Bailey and Brad Jarvis, and Leanne McCullagh and Justin Pearce. In this letter they say that they will not take my without prejudice letter to them as without prejudice. They have decided it will be an ‘open’ letter and that there is an inference about further action.

I have discussed this letter with the clerks. Should I be returned to the next parliament, if there is any further action in this regard I would consider it a contempt of the parliament. I would refer it as a matter of privilege if people are going to try and stop me doing my business as an elected representative on behalf of my constituents. I recall that the last two people jailed under privilege were people who did just that—they tried to stop a member doing their business in their electorate. They might want to take that on board.

In this letter it says, ‘I am instructed that a settlement has been reached in relation to this matter with Rochelle Bailey and Brad Jarvis.’ I spoke to Rochelle Bailey yesterday. She is a police officer in my electorate who has lost her home. She is now living in a demountable behind the Pinjarra police station because she is essentially broke. She told me there has been no such settlement and that mediation has not happened. I believe I have been misled by this letter from Lenard’s. Leanne McCullagh cannot afford to pay for her half of the mediation. The company lawyer, Mr Bates, said that to be involved in mediation they have to pay half
the cost. I received advice yesterday that there are many cases where, in order to resolve these issues if the person is broke, the company pays the whole cost of mediation.

I am saying to both Mr Poulter and Mr Myers: do the right thing by these constituents; pay them just terms; do not pay them ‘nick off money’. They have lost their house and their entire savings. They deserve help. Do not allow Lenard’s reputation to go down the tube because you will not help two people in this case. As I said, there are many more whose names I can produce if required, but these people are desperate. I appeal to the executive and the owner of Lenard’s to hop in and make sure that these people do not do any more harm to themselves and their own personal wellbeing. In the interests of Lenard’s reputation you might help them in this matter.

Health Care

Ms VAMVAKINOU (Calwell) (12.07 pm)—Access to affordable health care and to adequate health services is a key priority for any community. This is certainly true for my electorate of Calwell. However, under the current government, the gap between service demand and service capacity in health care has continued to widen in Calwell. For the last 11 years the Howard government’s record on healthcare funding and allocation has been a story of neglect, coupled with a misleading campaign to blame state and territory governments for Australia’s healthcare woes. A report released in June this year entitled Caring for our health? A report card on the Australian Government’s performance on health care revealed that the Commonwealth’s share of funding for public hospitals has dropped from 50 per cent in 2000 to 45 per cent in 2007.

You cannot cut the Commonwealth share of funding to hospitals and then blame the states for the inevitable problems that this creates. We have lost $100 million of Commonwealth funding for public dental care under the Howard government. Out-of-pocket costs when visiting a doctor have more than doubled since 1996. Private health insurance premiums have risen by 47 per cent since 1999, and one in three Australians now cannot get health care or dental care because they simply cannot afford it. All in all, the Howard government’s report card on health care is riddled with failure.

In Calwell we face a number of challenges in the areas of health care and service provision, especially when it comes to primary care. Strong urban growth in suburbs like Craigieburn, for example, mean that there is a perpetual need for more healthcare services and additional infrastructure in Calwell. Calwell is home to some of Melbourne’s strongest growth corridors. Our population is expected to grow significantly over the next decade. In particular, many young families are now relocating to my electorate of Calwell. Additional infrastructure, alongside improved access to community based and specialist health services, is crucial if we are to keep up with the demands of our fast-growing population.

Calwell is also home to a disproportionately ageing population, with the number of residents aged 65 and over expected to nearly triple by 2016. Attwood, Roxburgh Park, Craigieburn and Greenvale are all expected to see a significant increase in their aged population. As well as planning for additional healthcare services to look after our ageing population, more emphasis needs to be placed on primary care initiatives that help keep elderly residents active and healthy so that they can remain at home for as long as possible.
Calwell is also home to a number of different ethnic communities and some of Melbourne’s most disadvantaged communities, especially in Broadmeadows, Campbellfield and Dallas. Both communities introduce new and significant challenges in the provision of adequate healthcare services and the need for better preventative healthcare measures. My local Hume City Council, in partnership with Dianella Community Health and the Sunbury Community Health Centre, recently released a report titled Municipal public and community health strategic plan 2007-2012 for Hume City, which outlines in detail many of the health needs facing the people who live in my electorate of Calwell. In the area of early childhood, the report cites long waiting lists for services to highlight the need for more specialist services for babies and young children in my electorate, especially in disadvantaged communities. The report also draws attention to the significant service gaps that exist for young people in Calwell. What we particularly need are more mental health and counselling services for young people in my electorate. Mental health now accounts for over 20 per cent of all cases in Calwell where an extended illness or disability prevents an individual from living a healthy and productive life. The incidence of diabetes is also growing exponentially in my electorate, with rates of diabetes now significantly higher than the state average. Diabetes now accounts for nearly half of all hospital admissions that could have been avoided with earlier intervention and better healthcare management.

Accessing public hospitals and emergency after-hours services is also a problem in my electorate of Calwell. With no hospital located in the electorate, visiting a hospital means having to travel long distances. Most local residents visit the Northern Hospital, the Royal Melbourne Hospital, the Royal Women’s Hospital or the Royal Children’s Hospital, with the latter three located at least 20 kilometres away. Particularly pressing is the need for an after-hours bulk-billing healthcare service for Broadmeadows and surrounding suburbs. In March and May 2006, I tabled two petitions calling on the Howard government to re-establish Commonwealth funding for an after-hours bulk-billing GP service at Dianella Community Health in Broadmeadows. Strong population growth and an increase in the number of young families moving to Calwell, a fast-ageing population and pockets of significant disadvantage mean that improving healthcare and service delivery is my highest priority in this place. I urge the government to respond to the needs of the people who live in my electorate, especially insofar as primary health care is concerned.

Flinders Electorate: Gunnamatta Outfall

Mr HUNT (Flinders—Parliamentary Secretary to the Minister for Foreign Affairs) (12.12 pm)—I wish to place before the chamber my strong, clear and unequivocal view that it is time to close the Gunnamatta Outfall at the base of the Mornington Peninsula and to commence works to do so now. I want to speak about this in three phases: first, to speak about the problem; secondly, to speak about the solution; and, thirdly, to speak about an impediment to that solution. The problem is very clear—it is well known to this House and it is well known to the people of the Mornington Peninsula. The Gunnamatta Outfall discharges water from the south-eastern treatment plant. All up, it discharges about 42 per cent of Melbourne’s total sewage effluent. Firstly, there is a problem of quality and, secondly, there is a problem of quantity. To outline it very simply, the quality of the water which is discharged there is secondary treated or class C water. This has a series of impacts. Firstly, it is water of low quality which has an impact on the marine environment. Secondly, the volume, which is so great—
approximately 150 billion litres a year, 420 million litres a day or 17 million litres an hour—
represents an extraordinary impact on the marine environment, an extraordinary risk to the
surfing community at the magnificent Gunnamatta beach, one of the great surf beaches in
Australia, and an extraordinary waste of recyclable water.

Given all of those elements, it is fundamental that this water be cleaned up, recycled and
used for industry and agriculture. In turn, this will take pressure off Victoria’s freshwater sup-
plies. Rather than using drinking water for industrial and agricultural purposes, we must use
the most appropriate quality of water for the most appropriate use. As a representative of a
rural area, Mr Deputy Speaker Secker, I am sure this would be an issue of importance to you.
That very principle was laid down by Abraham Lincoln 150 years ago about the appropriate
quality of water for the appropriate quality use.

Having defined that problem, the solution is clear and has been clear for a considerable
time now. In 2002, the Victorian government, through the agency of Melbourne Water, made
an ironclad commitment to upgrade the Gunnamatta Outfall, to increase the level of treatment
to the highest level—tertiary treatment—and, in turn, to use that as the basis for recycling
water for industry, agriculture, parks and gardens. Five and a half years later, this has not hap-
pened. The result is simple: during the worst drought in Victoria’s history, as far as records are
concerned, we have seen over 750 billion litres of water wasted—almost half the volume of
our largest dam, the Thomson Dam. This water could have been recycled, should have been
recycled and should be recycled for industry and agriculture in the future.

Having said that, there is a proposal on the table from the state to upgrade the treatment
plant but not to close down the outfall. I welcome that proposal. However—and here I come
to my third point—the concern that I have is information provided to me by the extremely
professional, extremely well-organised and highly reputable Clean Ocean Foundation. They
have said that they have real concerns that the funding for this upgrade has not been pledged
and that there is some doubt as to whether the upgrade will occur. We need immediate clarity
on two elements: firstly, that the upgrade will proceed—the new Premier of Victoria, John
Brumby, must confirm that this upgrade will proceed—and, secondly, that funding will be
allocated now so that the upgrade can proceed. Gunnamatta Outfall must be closed. It is a
disgrace to dump that volume of water on the environment and it is a disgrace to waste it.
(Time expired)

New South Wales Bike Week

Ms OWENS (Parramatta) (12.17 pm)—I rise today to draw the House’s attention to the
forthcoming New South Wales Bike Week that begins on 22 September and involves over 51
events around the state of New South Wales. I should confess that I am a bit of a bike nut. I
am one of those mad cyclists you see out at the crack of the dawn wearing loud lycra and rid-
ing around in packs on the streets of Western Sydney. I cannot overestimate the tremendous
benefit that cycling can provide to the community. I believe that it is opportunities such as
New South Wales Bike Week that open up cycling to either the old or new convert. Around
four million people in New South Wales participate in active recreation, and sixth on their list
of top activities is cycling. But participation decreases with age, and, while 92 per cent of 15-
to 24-year-olds participate in sport, by the age of 65 years and over only 60.5 per cent are par-
ticipating. There is significant evidence that regular activity helps reduce the effects of ageing
such as limited mobility, balance, flexibility and muscle strength. It also greatly decreases the risk of heart problems and osteoporosis.

One of the best forms of physical activity for both the young and the old is cycling. It is a sport that is enjoyed in our youth or in later years and it can be as low or high intensity as you make it. More importantly, it does not take the same toll on the joints as some higher impact sport, which I know is why so many people in their late 40s, or very late 40s in my case, take it up. But while governments grapple with the problem of childhood obesity and to and fro about more and better ways to spend more money on advertising, participation rates continue to decrease. Little is being spent at federal and state levels to provide a physical environment to increase our freedom to undertake the type of less formal physical activity that creates long-term benefit to the whole community.

A safe and convenient physical environment is essential if the great majority of our children are going to enjoy good health throughout their lives. One of the greatest joys of childhood that many in this chamber will remember is the freedom to jump on your bike and escape the confines of your immediate environment. My dad made my bicycle out of parts from the local dump, and I rode it to school when I was in the 3rd and 4th grade. In those days I rode to school on the roads. You would not do that these days, but it was easy to be fit and healthy when I was a child. Organised sport was an add-on, but we were fit because of the way we moved through our everyday lives not because of what we did on the weekends. But our children no longer have the freedom to be able to participate in physical activity in the way we did. While some of this is because we fear to let them out of our sight, there is also no longer the freedom of movement in an environment where cities have become more congested and crowded.

While much has been done to create cycle tracks, an integrated cycleway system between suburbs and major towns needs a more active approach by the federal government. Yet we in my electorate, I am reliably told, have around 30 creeks—great, green corridors that snake through our communities from Blacktown to Parramatta, to Merrylands to Castle Hill. Many of our community sporting fields, clubs and community centres back onto them, as do many of our school sports fields, because in past decades flooding made the land less valuable. These green corridors remain. Some have remnant bushland, some have great environmental value or hide our convict and Indigenous histories, while others are little more than drains. Some bits are cared for by bushcare groups and some parts have already been commandeered by mountain bike and BMX riders. Other sections, particularly the long, flat, cleared sections, already have bike paths and playgrounds provided by local councils. But as a network, a recreational and environmental network that criss-crosses at least four local councils, this great community asset has the capacity to reinvent the way we move through our community, to reconnect us to our environment and history and to provide real spaces where it is natural to move, to walk, to run, to ride, to push a pram or to walk the dog, where physical activity is a natural part of our lives, not something that we have to squeeze in in our congested cities or something that we have to pay for.

The provision of open recreational space and environmental freedom would significantly add to the long-term wellbeing of the people of Western Sydney, both in quality of life and improved life expectancy. This, of course, also has an underlying benefit to portfolio budgets, particularly the health portfolio. We can continue the game of explaining why someone else
should fund it, but the reality is that, if we want to fight childhood obesity and increase physical participation and if we want to make a real impact on the prevention of disease and illness and the ever-increasing burden that that places on our health budget, then the physical environment that we live in plays a vital role. New South Wales Bike Week starts on 22 September and runs until 30 September. I congratulate the New South Wales government and local councils on the initiatives for the week.

I would like to close by wishing some of our sporting teams well. First of all, I wish the mighty Eels all the best in the semifinal against the Melbourne Storm. We do not like to see you crossing the border and going down to AFL land, but we are looking forward to you coming back victorious. Likewise, we wish the Wallabies well in the Rugby World Cup and congratulate the Matildas on their fantastic performance, particularly against the reigning world champions, Norway. Thanks to SBS for playing these games on television. We have all been rewarded by the determination and skill of the mighty Matildas.

Volunteers

Mr BALDWIN (Paterson—Parliamentary Secretary to the Minister for Industry, Tourism and Resources) (12.23 pm)—Today I rise to pay tribute to all the fantastic volunteers who give so much to our community, particularly those in my electorate, which is why I have fought so hard on their behalf to secure funding to assist them to continue to do the great work they do. Volunteers do the work that no government could ever do, and, even if the government could afford it or provide the people, it would never be done with the same amount of passion, commitment and interaction that our volunteers provide. That is why the Howard government has made such an investment in the volunteers in our community.

In the past few weeks, I have announced nearly $200,000 in Volunteer Small Equipment Grants for around 84 projects in my electorate. The 2007 program has provided 7,700 community grants across our great nation. The funding recognises the great volunteer work of organisations such as the SES, the Rural Fire Service, the school P&Cs, Meals on Wheels, community groups, coastal patrols, sporting groups and environmental groups. There are myriad organisations who work hard in our community that deserve this funding, and this funding recognises their commitment. The Volunteer Small Equipment Grants is one of the most popular programs that the Howard government’s Stronger Families and Communities Strategy is providing.

I announced the successful organisations for Gloucester, Port Stephens, Dungog, Great Lakes and the Maitland Shire Council regions. That is right: part of Maitland is in the seat of Hunter. The Howard government does not discriminate between volunteers on the basis of whether their seat is held by a government member or non-government member—unlike the Labor Party in New South Wales, who continue to play politics over the recognition of volunteers.

I have made a speech in this place before revealing how people in the Hunter have missed out on being recognised under the New South Wales Premier’s Community Service Award simply because they do not live in a Labor-held seat in New South Wales. One of these volunteers in my electorate, Hope Simpson, is from Karuah. She is an advocate of the Tidy Towns committee and has worked with Karuah Meals on Wheels for 12 years. She is also a long-serving member of Karuah’s community centre. Mrs Simpson was nominated for a Premier’s Community Service Award but denied it after that seat changed hands at the last state election.
I have raised this issue before. I have fought on behalf of volunteers to have their work recognised. I have challenged the Labor Party to overturn its political game with these awards. But no, these volunteers still do not have the recognition they deserve from the New South Wales Labor government. They have still not received an award, and it appears they will not be receiving an award. It seems that anyone who lives in a seat which is not held by the Labor Party in New South Wales is discriminated against. We do not do that in the federal government; we support volunteers across the nation for what they do, not for where they live or who their member is.

We have an amazing group of volunteers in our community. We have instituted a program whereby, through recognition, certificates have been provided by the Prime Minister and signed by Mal Brough as well. We have been presenting those in a series of programs to recognise this vital work throughout our community. The Australian government has distributed over $62 million to more than 29,000 community groups since 2001 for our volunteers in the community to aid them to buy materials, to make their jobs as volunteers just a little bit easier. We support our volunteers.

In the federal budget there was an additional $66 million over four years for these small equipment grants. They have been expanded to sporting groups to make their job a little bit easier. Why should our volunteers have to make such an effort raising money to buy equipment to serve the needs of their community? That is an outrageous argument. In recognition of this, within the electorate of Paterson, I will be holding the Paterson Citizen of the Year awards again on 8 October. There are four awards: Citizen of the Year, Corporate Citizen of the Year, Young Citizen of the Year and Sports Achiever of the Year. This is an exciting opportunity to congratulate and say thank you to those in our community who serve our community— unlike the Labor Party, who would discriminate against such people. It is about time that people understood that volunteers in our community are above partisan politics. They deserve to be recognised from wherever they come for the work that they do and not for the political affiliations of their seats.

Oil for Food Program

Mr KELVIN THOMSON (Wills) (12.27 pm)—Something is rotten within Austrade. Minister Vaile, who is the minister responsible for Austrade, the government’s trade agency, needs to explain to the parliament and to the Australian people how much his former Regional Manager for Europe, Middle East and Africa, Mr John Finnin, knew about AWB’s payment of kickbacks to Saddam Hussein using the Jordanian trucking company Alia to circumvent United Nations sanctions. I say this because an email of 23 September 2003 from Austrade’s manager in Jordan refers to a meeting he attended with Mr Finnin, along with the former director of the Iraqi Grains Board and the family which owned 51 per cent of Alia. The email says that the final AWB contracts, which included the notorious Tigris Petroleum payment, were discussed at this meeting.

This meeting makes a joke of Minister Vaile’s claim that the government knew nothing of Alia until the Volcker inquiry was established in 2004. The government says the Cole inquiry has dealt with the AWB scandal. It has done no such thing. The 2003 meeting at no time figured in testimony at the Cole inquiry. The Cole report made no mention of it. Neither of the Austrade officials, John Finnin or Ramzi Maaytah, even appeared at the Cole inquiry. Can Minister Vaile explain why John Finnin did not appear before the Cole inquiry? Indeed, after
Richard Baker in the *Age* raised Mr Finnin’s links with Alia in November last year. Mr Finnin suddenly went overseas for a week. His nonappearance is a glaring omission in the work of the Cole inquiry.

John Finnin and Mr Maaytah left Austrade in July last year. Mr Finnin became the chief executive of the company Firepower. Firepower had done pretty well out of Austrade. TPS Firepower Pty Ltd of Australia received four export market grants between 2002-03 and 2005-06, totalling over $394,000. This would not be so troubling if Firepower was actually developing export markets. In fact, it has not been selling anything much at all. It did start selling its Firepower pill in Western Australia, which led to the Western Australian Department of Fair Trading launching a prosecution. Firepower then removed its pills from the service stations which were selling them.

Austrade’s grants to Firepower would not be so troubling if it were not the case that Firepower is also being prosecuted by ASIC. I understand that matter is being heard in the Federal Court on 16 October. Austrade’s grants to Firepower would not be so troubling if the tax office were not pursuing it as well. Austrade’s grants to Firepower would not be so troubling if it were not the case that not only John Finnin but also two other Austrade officials have gone off to work for Firepower—Robert Boylan and the former head of Austrade in Russia, Gregory Klumov. Austrade’s grants to Firepower would not be so troubling if Firepower’s claim that its products are used by the armed forces of Australia and New Zealand had any truth to it.

Austrade’s grants to Firepower would be less troubling if ASIC had any record of a company called Firepower Group Pty Ltd, the company Austrade says is an export success story in Russia. Austrade’s grants to Firepower would be less troubling if the Firepower company that is listed in the phone book, Firepower Operations Pty Ltd, were not a $1 company, first registered in December 2004, in turn owned by a company with an address in the Virgin Islands.

I have been told that earlier this year John Finnin, in the aftermath of adverse media publicity, rang no less a person than the secretary of the Department of Prime Minister and Cabinet, Peter Shergold. The question here is: how does John Finnin know Peter Shergold? Does it relate to Mr Finnin’s knowledge of AWB’s Alia contracts and the kickbacks to Saddam Hussein? What did Mr Finnin say to Mr Shergold? Were the details of this conversation passed on to the Prime Minister? They may well not have been. Under this government it has become the job of the departmental head to make sure information is not passed on to ministers and prime ministers.

But something is definitely rotten in Austrade, and Minister Vaile has a lot of explaining to do. The Minister for Foreign Affairs might also give us an explanation. He should tell us why his department rang Firepower to demand that a press release Firepower had put out saying John Finnin had a top secret security clearance from the Department of Foreign Affairs and Trade be changed to say that the clearance was from Austrade. Did that department know something about John Finnin which meant they wanted it to be crystal clear that it was Austrade not them who had cleared Mr Finnin? If so, what was it, and did they inform Austrade of their concerns? This is just the latest chapter in a monumental and ongoing cover-up of the AWB scandal and the role of the government’s trade agency Austrade in it.
Climate Change

Ms GAMBARO (Petrie—Assistant Minister for Immigration and Citizenship) (12.32 pm)—Today I rise to speak about the coalition’s international leadership and its practical, sensible and balanced approach to the global challenge of climate change. The Sydney declaration on 9 September heralded a new era in global cooperation addressing the challenge of climate change. The Sydney declaration by 21 APEC leaders is a more substantial achievement than the Kyoto protocol. The Sydney declaration is a great achievement because, for the first time, it includes key developing countries who are the major carbon emitters. It included China, Indonesia, Korea, and Malaysia.

The Kyoto protocol does not require commitments from developing nations who are the major carbon emitters, therefore the Kyoto protocol cannot deliver the level of global reductions that we all need. APEC leaders agreed to work towards achieving an APEC-wide regional goal of reduction in energy intensity of at least 25 per cent by 2030. The Sydney declaration strikes a very careful balance between the need for economic growth, energy security, social development and action on climate change. It recognises that all countries have a responsibility to tackle climate change.

The coalition government is climate clever. The Australian government has already committed some $3.5 billion to tackle climate change—that includes support for solar energy, clean coal technology, hot rock technology and wind power. We are also developing a world-class national emissions trading system to further drive investment in low emission technologies. The Australian government is working with industry, top scientists and the community.

I want to contrast the government’s sensible approach with Labor’s ideological strategy. Labor’s environmental policy is just like the rest of Labor’s policies, if indeed those policies can be found. Labor is about spin, not substance. Labor is about sound bytes, not substance. Labor is about symbolism, not substance. Labor is about stunts, not substance. Labor is about stunts on climate change, but that is Labor for you.

While pretending to care for working families, Labor is hell-bent on pursuing irrational carbon emissions targets, without any reference to the huge emissions of developing nations. This will result in nothing more than job losses in Australia and huge costs to working families for everyday items such as bread and milk. Even Labor’s environment spokesman, the member for Kingsford Smith, has given up on Labor’s environment policies. In fact, the member for Kingsford Smith does not believe in Labor’s environment policy—for vastly different reasons than those of members on this side, I am quite sure. Why else would he be crafting a new tax policy to provide more welfare benefits for unemployed artists if not because he has been all but stripped of his shadow environment portfolio?

Australia does not need the cheap stunts and phoney policies offered by the opposition. Labor offers no leadership and no vision for the future. The people in my electorate of Petrie need real leadership on climate change—real leadership that only the coalition can provide. So far we have given much environmental funding for community water grants for places like the Holy Spirit Nursing Home. We have cleaned up Moreton Bay and Cabbage Tree Creek and we have provided environmental funding for the Mountains to Mangroves corridor at McDowall and the Chermside Hills.
These are practical help measures for the environment, not empty gestures. On 23 August, Northside Christian College, at Everton Park, received a $50,000 Green Voucher from the Minister for the Environment and Water Resources. The government has committed $336 million to the Green Voucher program, which will see all Australian primary and secondary schools receive funding of up to $50,000 to install rainwater tanks and hot water systems. This is a very practical initiative. It encourages educational awareness about wise energy use. Even the schoolchildren in my electorate have a deeper practical understanding of addressing climate change than does the opposition. That says it all!

Bendigo Electorate

Defence: LAND 121 Project

Mr GIBBONS (Bendigo) (12.37 pm)—I want to express my disappointment with a decision by the Australian Broadcasting Corporation not to televise any home games of Bendigo Spirit in the Women’s National Basketball League. It has been a great achievement for Bendigo to get a team into the WNBL—in fact, the Spirit will be the only Bendigo based team competing in the national sporting competition and there has been significant community support to make this happen. Local furniture manufacturer, Jimmy Possum, is the team’s major sponsor, and several other local businesses have also chipped in support. The City of Greater Bendigo has made a major contribution, and the Victorian state government has provided an initial $100,000 over two years to help the team get established.

Just when all was looking positive for the opening of the new season, the team was told that the ABC will not be broadcasting any games from Bendigo. The ABC has traditionally been a terrific supporter of regional sport, women’s sport and so-called minority sport, so it is pretty clear this decision has come because of a lack of resources within the corporation. Bendigo is less than two hours from Melbourne, and the ABC regularly covers Victorian Football League games from the city. It is extremely disappointing, therefore, that regional women’s sport is not to be given similar coverage, especially as this is a national competition.

The Commonwealth has the responsibility to fund the ABC so that it can provide all Australians, including those in rural and regional Australia, with quality broadcasting services. Yet the Howard government’s contribution to the corporation’s operating revenue has declined in real terms, from $642 million in 1997 to $606 million in 2007. I urge the government to investigate this matter and provide sufficient funding to the ABC so that they can reverse this decision and continue their broadcasting of regional sport.

Phase 3A of the Department of Defence LAND 121 project starts the replacement of the current fleet of field vehicles of the Australian Defence Force. High-readiness units, including units currently deployed in war zones overseas, will be the first to get the new equipment. I understand that the tender evaluation process is now complete and that the government is in a position to announce the successful suppliers. This announcement was originally scheduled for June this year, and there were expectations that it would be made at last month’s Defence and Industry Conference 07, in Adelaide. But it now appears that the Prime Minister is playing politics with the Australian defence industry. He is holding back any announcement until the election campaign is formally underway, when he will no doubt try to use it to shore up support in marginal Liberal-held electorates. This is an outrageous political tactic that risks damaging the Australian defence industry and delaying the ultimate delivery of the best available equipment to our fighting men and women.
Australia’s defence manufacturers spend an enormous amount of time and millions of dollars tendering for these large defence contracts. They are entitled to, and deserve, more certainty from the Howard government so they can plan their investment in the manufacturing facilities needed to meet the ADF’s required delivery times. Instead, all they are getting is more of John Howard’s political games designed to save his own skin. Thousands of jobs in the defence industry are hanging on the outcome of this tender, including the 400 workers at Thales Australia that produce the world-beating Bushmaster armoured personnel carrier in my electorate of Bendigo.

Existing ADF contracts for Bushmaster will run until 2010, but after that the future of the Bendigo plant is uncertain. It is made more uncertain because of the Prime Minister’s refusal to use his special relationship with the United States to ease the entry of Australian defence products into the lucrative US market. Our American allies are more than happy to take orders from Australia for more than $25 billion of defence equipment, but they are not the slightest bit interested in giving Australian defence products any consideration—even world-beating products like the Bushmaster.

Unfortunately, we currently have an Australian government and a Prime Minister that are too timid to demand a fair go and reciprocal trade in defence contracts with the United States. Thales Australia has made a considerable investment in the Land 121 tender process and it deserves the courtesy of a prompt decision—a decision that should have been announced months ago. John Howard must announce the result of the tender now and stop playing around with people’s lives and jobs for selfish political gain.

I also place on record my sadness that the CEO of the City of Greater Bendigo, Mr John McLean, has announced today that he is stepping down from that post. John McLean has been an outstanding public servant and an outstanding community leader in Bendigo. I know he is experiencing some health difficulties and I sincerely regret that he has had to make the decision to stand down from his position. As I said, he has been a first-class servant of the Bendigo region. I wish him and his family well in the future.

**Wonya Iringi Agreement**

**Mrs GASH** (Gilmore) (12.42 pm)—In late July this year I had the pleasure of witnessing the signing of the Wonya Iringi shared responsibility agreement at Batemans Bay in the Eurobodalla Shire of New South Wales. The agreement was signed on behalf of the Australian government by my colleague the Minister for Employment and Workplace Relations, Joe Hockey, and signalled an undertaking by 30 young Indigenous people to stay engaged with the community. The young signatories were students from the four local high schools of Batemans Bay, Moruya, Eden and Bega, and aged between 14 and 17 years. It is an incentive based program where participants agree that they will not commit any offences, they will not be involved with illicit drugs and they will assist in fundraising for the community.

As part of the incentive program, 13 young Aboriginals undertook to walk the Kokoda Trail, revisiting the places where their forebears served their country in World War II. The purpose of the excursion was to encourage leadership, individuality and confidence and, by all accounts, the initiative proved tremendously successful in achieving its goals. The group was accompanied by Sergeant Janeene Michelle and Senior Constable Scott White of the Batemans Bay Police Crime Prevention Unit, as well as a corrective services officer, a teacher
and a councillor from the Eurobodalla Council. Janeene Michelle said that the kids were absolutely fantastic and they thoroughly enjoyed it.

During the journey, the group performed a dawn service at Isurava, which included a traditional dance ceremony honouring all those Aboriginal soldiers who served in World War II. Apparently, on the last day some of the young people in front, when they had finished, dropped their packs and went back to help other members of the group. To me, that gesture is reminiscent of what our diggers symbolised all those years ago and I applaud those youngsters for doing what they did. That is team work and mutual support, the very things we are trying to encourage. One of the students who participated was 15-year-old Ashley Peachey from Batemans Bay. I would like to read part of her report onto the record:

My experience of Kokoda Dreaming was a dream achievement that I may never be able to experience in my life again. I found it to be physically and mentally extremely challenging yet very satisfying to know that all participants helped each other to get through rough times.

Peers and students had to help each other get through one day at a time.

We had 16 legends to show us the places that the indigenous people of Australia and Papua New Guinea fought to save the land we live in now.

The legends had showed us the weapons as well as giving a demonstration of how they were used in the battles to fight for the country that we all call home.

Along the way, we had the chance to interact with the men, women and children of each village we had visited.

It was eye opening to experience just how disadvantaged these people are compared to modern day society.

We had provided the children of each village with small gifts, and it was quite an emotional experience to see the excitement and appreciation on their faces.

I am confident that young Ashleigh is going to grow up into a worthwhile and responsible young woman, such is the power of programs like this. It is not enough to demand of another human being your expectations of them. Rather, if you want change, help set the framework for that motivation to grow and to thrive. The shared responsibility agreement to which we are signatory is the type of intervention that will produce results because it fuels pride in oneself and the confidence to help others while you are helping yourself.

On 2 November the participants, family and sponsors will be having a reunion dinner and screening of photographs. There is also a possibility that a DVD will be prepared. Already plans are underway to extend this program into other areas, one suggestion being walking the rabbit-proof fence. I commend all those concerned with developing the program and giving it life, for in a way we have energised young people who conceivably may have taken another life path, far more arduous than that of the 96-kilometre Kokoda Trail.

I can say that already the school absentee rate for Wonya Irangi youth has improved over that of nonparticipants. For my part, I am anxious to follow up on the program because the high level of juvenile offenders within Gilmore in the program goes to show that we can interact with young people. It will be a challenge for me to see this program introduced on a national level for, as Minister Hockey said on the day, if the pilot was successful, others would follow.
I give my personal thanks to both Janeene and Scott, who travelled to Nowra to ask me for support for the program. I am very proud to say that the Australian government did partly fund the trip, but so also did many of the businesses in Batemans Bay and local residents and especially the main sponsor, Campbell Page. They never wavered in their faith in these young people.

To Batemans Bay High School, I know how proud you are of your students. Principal Neil Simpson could not stop smiling when he told me of the way his students had behaved. I too am so proud, as is, I know, the whole community. You showed by your personal achievement that it can be done. It is something from which good will flow, and it can flow into other areas. We must support success and not accept that the work is finished. It has only just begun.

Fowler Electorate

Mrs IRWIN (Fowler) (12.47 pm)—The redistribution of seats in New South Wales, which has laid out the boundaries for the election due in a few weeks time, has had one of its biggest impacts on the seat of Fowler. Over 40 per cent of the existing seat has been transferred to adjoining electorates and Fowler has picked up territory from five other electorates. Over 25,000 voters from the areas of Fairfield East, Carramar, Lansvale, Canley Vale and Cabramatta have been transferred into the electorate of Blaxland and more than 8,000 from the areas of Liverpool and Warwick Farm have been transferred into the electorate of Hughes.

Fowler has gained voters from Prospect in the areas of Greenfield Park, Prairiewood, Bossley Park and Abbotsbury. It has gained voters from Werriwa in Hinchinbrook, Green Valley and Cecil Hills. Fowler has gained the rural areas of Kemps Creek, Badgerys Creek, Austral, Bringelly and Rossmore from Macarthur, and Luddenham and Wallacia from Lindsay. Warragamba and Silverdale from the electorate of Hume have also been added to Fowler.

The electorate has gone from one of the smallest in Australia, at 47 square kilometres, to a much larger electorate, increasing in area by a neat 200 square kilometres to a total of 247 square kilometres. I know that is still quite small on the scale of many rural electorates, but it is a big change and the change is not just to the area of the electorate. I would like to take the opportunity today to farewell, in a sense, those areas that I have had the privilege to represent in this parliament. Under its old boundaries, Fowler was the most multicultural electorate in Australia. Fowler has had the highest proportion of its population born overseas—over 52 per cent—and the highest proportion of people speaking a language other than English at home, which is over 65 per cent.

These factors have made Fowler quite a unique and wonderful electorate. If you need proof of these figures, you only need to visit Cabramatta to see for yourself. As I mentioned, Fowler is to lose the Cabramatta town centre, and I will certainly be sorry to lose what has been the heart of the Fowler electorate. Cabramatta has its problems but, having worked with the community there for the past nine years, we can all see improvements. I have been proud to be associated with some of the initiatives that are making Cabramatta such a great place.

While I will not have the same direct contact with some of the community organisations, I will retain a close interest in their affairs and, as many of their members will still be living in the Fowler electorate, I am sure that we will not lose touch. So I cannot say I am leaving, because Cabramatta will remain an important centre for much of the Fowler electorate. I know
that my replacement there—the Labor candidate for Blaxland, Jason Clare—will be as sensitive to the needs of the Cabramatta community as I have been.

Mr Slipper—But not as good as you.

Mrs IRWIN—Thank you. The same could be said for the areas of Liverpool and Warwick Farm. Liverpool will remain an important centre for much of the new Fowler, and I will be pleased to maintain my interest in Liverpool. I know that the Labor candidate for Hughes—a great man who has wonderful potential—Greg Holland, is very grateful for the strong support given to Labor in Liverpool and Warwick Farm.

Areas have come into Fowler from the adjoining electorates of Werriwa and Prospect, and I look forward to representing these fine communities. A big challenge for me, however, are the areas to the west of the old boundaries. These small semirural communities face different challenges to other parts of Fowler. Some challenges, however, are the same. The Badgerys Creek airport affects the whole of Fowler, but its biggest impact will be in the areas close to the airport site and directly under the proposed flight paths. I have spoken in the parliament on a number of occasions expressing my opposition to Badgerys Creek airport and I will continue to press for the scrapping of its designation as an airport site. That and other issues facing those communities will be my greatest challenges in the next parliament—challenges I greatly look forward to.

Fisher Electorate

Mr SLIPPER (Fisher) (12.52 pm)—I suppose as this parliamentary term draws to a close it is time for reflection. I wish you, Mr Deputy Speaker Causley, a long and happy retirement. You have been an outstanding occupant of the chair. I regret that you were not able to achieve a change of name to a more appropriate title for the second chamber of the House of Representatives, but that is obviously a work in progress.

The honourable member for Fowler mentioned that, with the redistribution, she was losing certain areas and gaining certain areas. One aspect of our rigorous and robust democracy in Australia is that, as populations grow or diminish, seats move to where the populations are. It is important to recognise that the parliament of Australia is elected to represent people and not areas or, for that matter, sheep or other animals.

The electorate of Fisher changes substantially in this redistribution, as it seems to every three years, because with the rapid growth of population in Queensland, particularly in southeast Queensland, our state seems to gain a seat at the expense of a southern state at every election. The seat held by the former Deputy Prime Minister, the honourable member for Gwydir, disappears and that seat moves to Queensland and, consequently, there is a reshuffle of all of the boundaries in Queensland. This will result in members seeking, when the poll takes place, to represent variations of the communities that they currently represent.

I am particularly sorry to see the departure from the electorate of Fisher at this redistribution of areas like Buderim and Maroochydore but welcome the return to Fisher of the rest of the City of Caloundra, areas like Beerwah, Glasshouse, Landsborough, parts of the Caboolture shire and the very rural Kilcoy shire, which incidentally is having a meeting tonight to protest against the forced amalgamation of that shire with the Esk shire to form the Somerset Regional Council.
As redistributions come and redistributions go, often the nature of electorates change. My seat previously was based on the central and southern Sunshine Coast. While I still have some of the central Sunshine Coast and all of the southern Sunshine Coast, I have been privileged to be given the opportunity to represent once again the interests of rural Australians in the new parts of the electorate—the rest of Caloundra City, some of Caboolture shire and all of the shire of Kilcoy.

I would also like to say how privileged we are to serve as members of the Australian parliament. Only about 1,000 people since Federation have had the opportunity of being members of the House of Representatives. I suppose politicians collectively do not have a very good reputation in the community. I think there is the perception that, just because one happens to disagree with others politically, somehow we disagree for the sake of disagreement. The community so often does not really appreciate that bills that pass through the parliament overwhelmingly do so with the support of both sides of the House.

The committee system of the Australian House of Representatives—and, for that matter, of the Australian Senate—really is a template for other parliaments to follow. While the government in the House of Representatives has a majority on all committees, and that is appropriate, very few of those committees operate in a partisan manner. Often when you listen to the contributions you really would not know whether those making contributions are members of the government parties or members of the opposition.

I have been privileged in this term to serve as Chairman of the House of Representatives Standing Committee on Legal and Constitutional Affairs, with the honourable member for Lowe, opposite, as my Deputy Chair. We have worked very well together. We have worked very well with other members of the coalition parties and also with members of the Labor Party. We tabled our fifth report today. There has been no dissent in any of the reports, the committee has worked very well, and I believe that we have made substantial contributions to good policy outcomes within the areas of the responsibility of the committee. Having said that, an election is coming along, and I would like to wish all of those retiring members—those who know they are retiring and those who do not—every success in the future. It is a great privilege to serve in the Australian parliament. (Time expired)

**Exodus Foundation**

Mr MURPHY (Lowe) (12.56 pm)—I would like to support the words of the member for Fisher. Yesterday I had the great privilege of meeting with my good friend the Reverend Bill Crews and another good friend and parliamentary colleague, the defence minister, Dr Brendan Nelson, in the company of a number of representatives from the Exodus Foundation men’s group at Parliament House. Reverend Crews presented to Dr Nelson the petition I am now holding, which is signed by 1,000 people who are concerned about alcohol dependence and abuse.

As members would be aware, Reverend Bill Crews does a tremendous job running the Exodus Foundation in Ashfield in Sydney’s inner west. On a daily basis Reverend Crews deals with the desperate and the destitute, those wreaked by drug and alcohol dependence and living in indigent circumstances. When a man with the knowledge, experience and compassion of Reverend Crews calls for action, we must all feel duty bound not only to listen but to act.
The Exodus Foundation men’s group petition calls on the federal government to introduce mandatory warning labels on bottles of alcohol to warn of the destructive effects of alcohol abuse. As the statistics show, this is not a trifling matter. One in three Australians drink at a level which risks short-term harm such as violence, injury and accidents. One in 10 Australians drink at a level which risks long-term harm such as addiction, dependence, brain damage, and liver and heart damage. Sixty-four per cent of boys and 69 per cent of girls aged 14 to 17 are drinking regularly. We may glaze over such statistics but we cannot glaze over the experience of those on the front line, including service providers, individuals and families, and particularly the Reverend Bill Crews, who have seen firsthand the devastation caused by the abuse of alcohol.

According to the New South Wales Bureau of Crime Statistics and Research, alcohol related violence is costing New South Wales police at least $50 million a year. The bureau has said that this is the tip of the iceberg and that the true cost would be much higher. Healthcare workers would be all too aware of the costs of alcohol abuse. Suicides, road deaths, murders, assaults, domestic violence, strokes and liver sclerosis can often be traced back to alcohol abuse. This is not to mention the alarming figures which show the number of babies born with foetal alcohol syndrome, which can lead to mental retardation and birth defects. That has doubled from 15 in 2001 to 32 in 2004.

The call for cigarette style warnings on alcohol drinks is becoming even more important in light of concerns that we are seeing a new generation of alcohol abusers. Unfortunately, alcohol is being consumed by an increasing number of children, which is not helped by the increasing number of popular ‘kiddie grog’ premixed drinks. It is fair to say that there is a general lack of understanding in the community about safe levels of alcohol consumption, and we must do something about it. As Reverend Crews has said, there is a veil of permissiveness that hides the real cost of alcohol abuse to the whole community. We believe this must stop.

Alcohol labelling is not about stopping people from enjoying a drink. We all like a drink. It is about telling people—particularly young adults—that they will pose a risk to themselves and others if they go over certain limits. A clear labelling system devised by health experts—not the manufacturers of drinks—would be a valuable addition to other responsible drinking campaigns.

Confronting people with graphic images similar to those on cigarette warning labels would get the message across. These images have, over time, worked for anti-smoking campaigns and there is no reason why they would not work for responsible drinking campaigns. I know Dr Brendan Nelson has shown an abiding interest in this matter and he is also a great supporter of Reverend Bill Crews and the Exodus Foundation. I trust that we can pursue the Exodus Foundation’s request with a spirit of bipartisanship, because it deserves nothing less. On behalf of the Exodus Foundation men’s group, Dr Nelson and me, I table this petition from 1,000 people who are very concerned at the lack of labelling of alcoholic drinks in Australia.

The petition read as follows—

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

The petition of certain citizens of Australia, within the electorate of Lowe draws to the attention of the House that the misuse of alcohol causes significant harm to both the individual and the community. We are aware that standard drink labelling for alcohol beverages is compulsory in Australia, such labelling
however does not contain sufficient information for consumers to be able to make an informed decision as the risks associated with alcohol misuse are not included on current labelling.

Your petitioners therefore request that the House legislate to ensure the introduction of health warning labels on alcohol products, similar to those on tobacco products, from 1,000 citizens.

The DEPUTY SPEAKER (Hon. IR Causley)—I will accept your petition. The Speaker will check it just to see that it complies with the standing orders.

Mr Murphy—Thank you, Mr Deputy Speaker. I wish you well in your retirement and support those earlier remarks made by the member for Fisher.

Water

Mr TICEHURST (Dobell) (1.01 pm)—Today I would like to talk about some of the issues affecting the area of Dobell on the Central Coast. They relate to the failure of state Labor governments, and in particular their planning. In relation to Central Coast water, we have secured $80.3 million to provide the missing link. But to make this project a viable option it needs the state Labor government to approve the water-sharing agreement for the water coming out of the valleys down into the Wyong River. They need to approve the environmental concerns.

The state government needs to reject the longwall coalmining proposal by Korean Coal. Korean Coal are looking at putting a longwall mine under the Wyong River, which has the potential in four areas to cause a problem with the water coming down into this catchment. Potentially, they could destroy the water table, and 50 per cent of the water for the Central Coast comes down over these valleys. The state government also needs to reject the coal loader that is proposed to be built at Blue Haven. The longwall coalmining under the valleys causes the water issue, and in Blue Haven, just up at the top of Dobell, we have all sorts of issues with noise, pollution and dust. And they want to put a rail loader there to take this coal off to Newcastle.

The other issue relates to the failure of state government planning. In June 2006, the state Labor government took the planning powers from the Wyong Shire Council for the area of Warnervale, and to date they have done absolutely nothing. Frank Sartor did that under the guise of having a preferred plan and wanting to make sure that this whole development was done under a controlled process. We know what Labor’s controlling is all about! But nothing has happened. We hear nothing from the state Labor members. Why is that? Because they are all members of the Labor government in the state.

Also we have the Warnervale Economic Zone, which is the industrial part of Warnervale. Again, development of that was usurped by Frank Sartor and nothing has happened. We are relying on this area to create new businesses. We have businesses wanting to come into the area and there is no planning at all in this Warnervale area. We have a couple of large factories operating right now. We have a Woolworths distribution centre and a few other areas, but much of this land is there to be developed and the planning needs to be done.

Over the past six years I have been the only voice there opposing the failure of the state Labor government. Much of what I get involved with to support the constituents of the Central Coast relies on stirring up state Labor to do something. In many cases they do not do anything, and then I have to rely on the federal government coming in to fix the problem. We saw a similar situation six years ago now with Tumbi Creek. Finally I can say that the operations
at Tumbi Creek are underway. Dredging started about three weeks ago—but no thanks to state Labor. They totally walked away from that and left a third of the cost to be borne by the local ratepayers, and two-thirds to be picked up by the Australian government.

The other issue that is quite vital is the North Wyong primary healthcare unit. This primary healthcare unit was set up with contributions from the local Wyong Council, the University of Newcastle and the state government and with federal government funding. Recently I announced funding of another $220,000 to keep this project going. But now we find that Land-com owns this land, which forms part of the Warnervale town centre. It has given this primary healthcare unit at North Wyong until the end of December, which is when its lease runs out, to move. This is totally disgraceful. We had the Leader of the Opposition up at Wyong the other day. He sneaked in one Sunday, went to Wyong hospital and talked about setting up primary health care. We already have primary health care there—it is about a kilometre away from where he was—yet Labor want to kick it off the site and for the land to be resumed by Land-com. Until they come up with a program for what they will do with the Warnervale town centre, nothing will happen.

It is essential that the people of the Central Coast realise that I am the only person there who, for the last six years, has been speaking out on these issues that are of such vital importance to them. We need to make sure that we keep this work going—because, if we have wall-to-wall Labor governments, you can forget the Central Coast. We are being ignored by the state in so many areas. They have sent a blow-in up from Victoria to run against me in the coming campaign; he would not know where the area is. The last thing we need is another union heavyweight from Victoria coming up to the Central Coast.

New South Wales Business Chamber

Mr McMULLAN (Fraser) (1.06 pm)—It is quite appropriate that I should be speaking after that little exercise in the blame game from the member for Dobell, because I want to speak about a very constructive proposal for dealing with the blame game from a group that would normally be associated with supporting the Liberal Party, which is the New South Wales Business Chamber. It released a report today entitled Australian business priorities 2007: Fixing the Federation. It has—obviously, by definition—said that reform of the Federation is a priority. But unfortunately for that chamber, with the Howard government, it has been falling on deaf ears. It states, for example:

... it can be argued that the failures of the Federation are impacting on the performances of both Federal and State governments.

And:

... a climate has developed whereby interactions between the Commonwealth and the States have become subservient to the politics of the day, or are being dealt with through a complex, haphazard and undisciplined distribution of cash that inspires little confidence in the integrity of the process.

I think that is a very apt description of what has been happening recently in places like a certain hospital in Tasmania. I welcome the fact that the New South Wales Business Chamber has joined a list of other important organisations that recognise that Australia’s Federation is becoming increasingly dysfunctional and that this will impact adversely on Australia, both economically and socially. A report for the Business Council of Australia estimated the cost of the duplication and inefficiencies between the Commonwealth and the states to be approximately $9 billion per year. Every indicator is that this is not just some arcane argument about
the nature of our governance; it is about the next round of microeconomic reform and it is about the efficient and effective delivery of services to citizens.

I do not agree with all the recommendations in this report. There are some I strongly disagree with, some which I think need a bit more consideration and some which, in my view, are for later. But it is very significant that this important business organisation has recognised the importance of fixing the Federation to the efficiency of our economy in the future and the quality of services to our citizens. In particular, I want to draw on recommendation No. 9 from the report, which is actually a direct articulation of Kevin Rudd’s policy, as outlined, in calling for the appointment of a federal minister for infrastructure who will work with the states to develop a national infrastructure plan. The report highlights this need, which Kevin Rudd has been speaking about for some time. The appointment of a federal infrastructure minister to provide national coordination and leadership in the planning, delivery and financing of infrastructure makes sense.

Australia has a $90 billion infrastructure deficit, so it is vital that a federal infrastructure minister be appointed and that infrastructure priorities are matched with investment capital. Currently, there is no vehicle to drive the coordination of infrastructure development that many business groups have been calling for. This is not the first articulation of this, but it is a very powerful one from this important business organisation about this need.

The shadow minister for infrastructure and the Leader of the Opposition have been talking about an independent statutory authority, Infrastructure Australia, so that infrastructure investment priorities can be determined based on need rather than on the margin of a seat. More broadly, going to this question that reform of the Federation is not about just processes of government but about practical outcomes, I outlined last week a 10-point plan for the reform of the Federation, and we have announced since that time the Commonwealth dental health program to work with the states. These will constitute a major commitment to fixing the Federation in areas like infrastructure, housing, education, health, water, aged care, local government and, most recently, the re-establishment of a national dental care program. It is fundamental to the future of our country. It is hard to imagine a 21st century leader of this country who is not committed to reform of the Federation. To my utter amazement we have one, which is the current Prime Minister, who has no interest in this question other than as troubled waters in which to fish for political advantage. We need some new leadership that cares about and will work on the task outlined by Australian business, amongst others, of fixing the Federation.

Main Committee adjourned at 1.11 pm
QUESTIONS IN WRITING

**HMAS Sydney**  
(Question No. 5688)

Mr Fitzgibbon asked the Minister for Defence, in writing, on 8 May 2007:

1. What was the original date, not the re-baselined date, on which HMAS Sydney was expected to return to service after it had been through the Adelaide Class Guided Missile Frigate (FFG) Upgrade program (SEA 1390).

2. When is it now anticipated that HMAS Sydney will be accepted back into service with the Royal Australian Navy?

3. Is HMAS Sydney currently capable of firing and accurately targeting an SM1 missile?

4. When will the upgraded FFGs have the capability to fire SM2 missiles?

5. Will the upgraded FFG combat system be capable of supplying the necessary targeting and guidance for an SM2 missile?

6. Has the Australian Distributed Architecture Combat System fitted to HMAS Sydney met the originally stipulated capability requirements; if not, which specific requirement has the system failed to meet?

7. Does his department still intend to upgrade four FFG frigates; if not, how many will be upgraded?

8. What use is being made of the two extra ship sets of upgrade equipment ordered when the intention was to upgrade six FFGs?

9. Is his department considering options for abandoning the FFG Upgrade project (SEA 1390).

10. What sum has been spent to date on the FFG Upgrade project (SEA 1390).

11. What was the original budget for the FFG Upgrade project (SEA 1390).

12. Will his department be pursuing liquidated damages from the prime contractor of the FFG Upgrade project (SEA 1390) for delays and specification delivery failures.

Dr Nelson—The answer to the honourable member’s question is as follows:


2. HMAS Sydney returned to service at provisional acceptance in December 2006. This was with identified deficiencies in the underwater warfare systems, electronic support system and Australian distributed architecture combat system software. Thales Australia is required to rectify shortfalls before acceptance (scheduled to occur by November 2008). HMAS Sydney recently completed Navy Unit Readiness Evaluation and was assessed ready to conduct short notice tasking requirements including trials and exercises.

3. Yes.

4. The initial in-service date for the Guided Missile Frigate SM-2 lead ship is 2009.

5. Deploying SM2 missiles from the upgraded FFG is not part of the scope of the Sea 1390 Phase 2 FFG Upgrade Project. Sea 1390 Phase 4B, approved by the Government in July 2004, is being progressed in parallel with the FFG Upgrade Project and will deliver the capability to integrate and fire the SM2 missile from the FFG platform.

6. Technical and performance issues are still to be resolved for the underwater systems and electronic support system for the first of the three baselines of software intended. The second software baseline build is now being tested.

7. Yes.

QUESTIONS IN WRITING
Alternative use options include the following:

- A MK41 Vertical Launch System (VLS) has been installed at the Anzac System Support Centre at HMAS Stirling for the in-country conduct of MK 41 VLS system training for the Royal Australian Navy.
- The establishment of a shore-based MK-92 Fire Control System to deliver in-country maintenance and operation training, replacing that previously provided in the United States, and as mitigation against assessing government furnished equipment condition.
- Items of the FFG Upgrade Ship 6 equipment, namely the Lockheed Martin Solid State Continuous Wave Illumination and the AAI Corporation On-Board Training System equipment, are necessary for FFG SM-2 system development and test in the US. These items have been pre-positioned at the Original Equipment Manufacturer’s facilities in accordance with the Sea 1390 Phase 4B acquisition strategy.
- Equipment items are also proposed to be employed in FFG support and development activities.

(9) No.

(10) The sum spent on the FFG Upgrade project at 30 April 2007 was $1060.355 million.

(11) The Government approved the initial budget for the FFG upgrade project of $1266 million in December 1997.

(12) Liquidated damages will be pursued within the provisions of the contract if the contract requirements are not met. To date, the liquidated damages provisions have not been contractually triggered.

In 2006, the FFG Upgrade contract was renegotiated through a partial termination contract change proposal. A settlement was reached, with adjustments to contract price, which included descoping from six to four ship upgrades, revised milestones and schedules, and extant claims and commercial issues were addressed.

**Defence: Foreign Languages**

(Question No. 5706)

Mr Brendan O’Connor asked the Minister Assisting the Minister for Defence, in writing, on 8 May 2007:

1. What opportunities are available to current and prospective members of the Australian Defence Forces to study foreign languages.
2. Is it currently possible for ADF members to study Arabic at an undergraduate level
3. Does he acknowledge that Australia has ongoing commitments in the Middle East; if so what steps is the Minister taking to improve the level of Arabic language competency in the ADF

Mr Billson—The answer to the honourable member’s question is as follows:

1. The Australian Defence Force (ADF) School of Languages at RAAF Williams in Melbourne runs training programs in the languages considered to be priorities for Defence. The ADF nominates members to attend language programs at the school on the basis of Defence’s foreign language capability requirements. Members who have graduated from the school are encouraged to maintain and enhance their skills, through the provision of a Language Proficiency Allowance and access to skills maintenance packages. In addition, the Army and the Air Force make provision for members posted overseas to access in-country follow-on training to maintain and enhance skill levels.
Members may also seek support to undertake language studies on a part-time basis, on their own initiative. This may occur under the auspices of Civil Schooling, or the Defence Assisted Study Scheme.

(2) Yes, it is possible for a member to study Arabic at an undergraduate level, through Civil Schooling or the Defence Assisted Study Scheme.

(3) Defence has sought to improve the level of Arabic language competency in the ADF since commencing operations in the Middle East Area of Operations in 2001. The ADF School of Languages has run courses in Arabic since 2002. They comprise ad hoc courses, which provide members with: a very limited communication capability, usually memorised phrases; a basic course that produces graduates with some effective communication capability in a limited range of subject areas and topics; and a longer general language course that produces graduates who are capable of being quite effective communicators on general and familiar or specialist topics. Since 2002, there have been 502 graduates from the ad hoc course, 184 graduates from the basic course and 47 graduates from the general course. There are currently 12 students enrolled in the general course for 2007.

**Pharmaceutical Benefits Scheme**

**(Question No. 5730)**

Mr Murphy asked the Minister for Health and Ageing, in writing, on 10 May 2007:

(1) Has he read the article titled ‘Cost on scripts to rise by $22’ published in the *Daily Telegraph* on 4 May 2007.

(2) Can he confirm that patients could face a surcharge of up to $22 per script if drug companies pass on price cuts imposed on them as a result of recent changes to the Pharmaceutical Benefits Scheme; if not, why not.

(3) Will drug companies seeking to recoup any price cuts from patients be required to apply to the Government for a price premium on their product; if so, (a) who will approve such applications and (b) what guidelines will determine whether an application is approved or rejected; if not, why not.

(4) Is he aware of any examples where branded drugs are recommended by doctors for use by patients because the alternative generic drug would be unsuitable, due to the patient’s specific medical condition; if so (a) will those branded drugs be exempted from the Government’s price cuts and (b) will any application to have a patient surcharge imposed on those branded drugs be refused; if not, why not.

(5) Can he ensure that no patients will pay a higher price for branded drugs that are specifically prescribed to them for medical reasons; if so, how; if not, why not.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) Under the provisions of the *National Health Amendments (Pharmaceutical Benefits) Act 2007* (the Act), where a statutory price reduction is applied to a PBS-listed item, any special patient contributions associated with brands of that item will also be reduced by the same percentage. Companies will be unable to “pass on” statutory price reductions to patients at the time of those price reductions.

(3) Under Section 85B of the Act, where a price agreement for a PBS-listed item cannot be reached with the responsible person, the Minister may determine that a special patient contribution applies. There are policies that govern the application of brand premiums and therapeutic group premiums that require that there is always an alternative for patients at the standard co-payment amount. These policies are outlined in the Pharmaceutical Benefits Pricing Authority’s annual report available at http://www.health.gov.au/internet/wcms/publishing.nsf/content/health-pbs-general-pricing.htm
(4) I am unaware of specific examples where “branded drugs” are recommended by prescribers for use by patients because the alternative generic brand would be unsuitable due to the patient’s specific medical condition. This would be a clinical decision for the prescriber and the prescriber has the ability to specify this when completing the prescription.

(a) No brands of a PBS-listed item will be exempt from the statutory price reductions, which apply to that drug.

(b) Applications for new or increased special patient contributions are considered individually and the Act provides that this is a matter for Ministerial determination. It is not possible to predict the outcome of an application which has not been made.

(5) There will always be a brand of a PBS-listed item or, in the case of therapeutic groups, another PBS-listed item that is able to be used by the patient, available at the standard co-payment amount, without patients having to pay a special patient contribution. In addition, for therapeutic group premiums and “other special patient contributions” there are arrangements whereby prescribers can apply, on clinical grounds, for patients to be exempt from paying the special patient contribution. Patients can discuss their clinical options relating to the appropriate brand of a PBS-listed item with their prescriber and pharmacist.

Defence: Water
(Question No. 5811)

Ms Burke asked the Minister for Defence, in writing, on 29 May 2007:

(1) For each financial year since 1 July 2000, what was the total water usage, in litres, by each department and agency in the Minister’s portfolio.

(2) Since 1 July 2000, what measures has the Minister’s department instigated to reduce water usage.

Dr Nelson—The answer to the honourable member’s question is as follows:

(1) Water usage is monitored locally at Defence sites.

Data is not aggregated nationally. Water usage across the whole of Defence was in the order of 9.2 gigalitres in 2005 (based on a water use and consumption profile study of Defence facilities).

(2) Defence is proactively addressing water management issues through the Defence Environmental Management System, site environmental management plans and the Defence Sustainable Water Management Strategy. This strategy was launched in February 2004 and was recently updated in December 2006.

The key objectives of the strategy are: maximising the efficiency of water use; eliminating losses through leakage and waste; and reducing potable water use by substituting lower grade sources of water where they remain fit for purpose (for example the collection and use of rainwater and stormwater, recycling of grey water and waste water).

To achieve these objectives Defence has: identified 45 high-water-use sites across the Defence estate; commenced the identification of opportunities at these sites for reducing potable water consumption and increasing the use of rainwater and stormwater, and the recycling of grey water and waste water; set a 30 per cent water saving target in potable water in new buildings and major refurbishments; specified water efficient fittings, fixtures and appliances which have a minimum AAA rating or equivalent water efficiency labelling and standards scheme star rating; and developed regional and site water management plans for the Defence Estate.

Examples of water efficiency projects that have been implemented across the Defence Estate include: the implementation of waste water recycling for irrigation of the sports ground at the Royal Military College Duntroon and the Australian Defence Force Academy; the installation of recycled water washpoint facilities at Gallipoli Barracks and Lavarack Barracks; rainwater harvesting for
HMAS Cairns redevelopment and Oakey Army Aviation Centre; the installation of waterless urinals at RAAF Richmond and Enoggera Army Barracks; and the installation of dual flush toilets in various facilities.

**Defence: Soft Nose Rifle Ammunition**

(Question No. 5884)

**Mr Fitzgibbon** asked the Minister for Defence, in writing, on 31 May 2007:

Has soft nosed rifle ammunition been used by the Australian Defence Force since 1980.

**Dr Nelson**—The answer to the honourable member’s question is as follows:

Yes. It is used by Special Forces for counter-terrorist applications where the objective is to minimise the danger to innocent bystanders by limiting target penetration. All other ADF small arms users fire military specification ball ammunition.

**Centrelink: Newstart**

(Question No. 6112)

**Mr Gibbons** asked the Minister representing the Minister for Human Services, in writing, on 7 August 2007:

(1) Why were Newstart clients who attempted to hand in their earnings statements to Centrelink on Friday, 8 June 2007, prior to the public holiday of Monday, 11 June 2007, turned away and told to present them on Tuesday, 12 June 2007.

(2) What is the Minister’s response to the fact that payments into the accounts of the Newstart clients identified in Part (1) were delayed by one day, meaning that some were unable to meet their fortnightly financial obligations on time.

(3) Will the Minister provide assurance that in future, Newstart clients can report their earnings to Centrelink prior to a public holiday to ensure that they are not financially disadvantaged.

**Mr Brough**—The Minister for Human Services has provided the following answer to the honourable member’s question:

(1) When a customer’s regular application for payment form (often including a declaration of earnings) falls due on a national public holiday, Centrelink accepts the forms one working day prior to the national public holiday occurring. This ensures payments can be received on time. However, early form lodgement can lead to customers being overpaid, because their circumstances can change between the time they lodge a form and the form’s actual, due date.

Given the large number and variability of local public holidays, establishing early lodgement arrangements in only some locations, increases complexity and the risk of customers being overpaid. For this reason, Centrelink accepts forms the working day immediately following a local public holiday.

(2) Centrelink can facilitate immediate payments for customers in financial hardship and can accept applications for immediate payment in the instance of local public holidays.

(3) For the reasons outlined in parts one and two, assurance cannot be given early lodgement can always be provided.
General Practitioners
(Question No. 6146)

Ms George asked the Minister for Health and Ageing, in writing, on 7 August 2007:
Further to his responses to question No. 76 (Hansard, 30 May 2005) and question No. 5796, for each financial year from 2000-01 to 2005-06, for the Statistical Local Areas of Wollongong (C) and Shellharbour (C), will he provide
(a) the full-time equivalent number of general practitioners (GPs) and
(b) the GP-to-population ratio;
if not why not and what changes, if any, have been made to the statistical data collection practices of his department since May 2005 that would prevent this data from being supplied.

Mr Abbott—The answer to the honourable member’s question is as follows:
Statistical Local Area level data for full-time equivalent number of GPs is not publicly released.
Statistical Local Area data at the GP-to-population ratio level is not publicly released.
In response to privacy and confidentiality concerns, the Department has implemented more stringent data release protocols around the release of general statistics for small areas. Divisions of General Practice are the smallest area for which GP workforce statistics are routinely published. These statistics are available on the Department’s website at:

National Disability Advocacy Program
(Question No. 6281)

Ms Owens asked the Minister representing the Minister for Community Services, in writing, on 16 August 2007:
Under the National Disability Advocacy Program, what federally funded advocacy services are available for residents with disabilities living in the postcode area (a) 2115, (b) 2116, (c) 2117, (d) 2118, (e) 2142, (f) 2145, (g) 2146, (h) 2147, (i) 2148, (j) 2150, (k) 2151, (l) 2152 and (m) 2153.

Mr Brough—The Minister for Community Services has provided the following answer to the honourable member’s question:
There are eight disability advocacy agencies that receive funding through the National Disability Advocacy Program to provide advocacy support for people with disability living in the postcode areas identified. Six provide state-wide advocacy services. They are:
• The Brain Injury Association of NSW Inc provides state-wide advocacy support to people with an acquired brain injury, their families and carers.
• The Institute for Family Advocacy and Leadership Development provides state-wide advocacy support to people with intellectual and developmental disability.
• The Intellectual Disability Rights Service Inc provides state-wide legal advice and advocacy support to people with an intellectual disability or others acting on their behalf.
• The Multicultural Disability Advocacy Association of NSW Inc provides state-wide advocacy support to people with disability culturally diverse backgrounds, their families and carers.
• People with Disability Australia Inc provides state-wide advocacy support to people with all types of disability.
• Spinal Cord Injuries Australia Ltd delivers state-wide advocacy support to people with physical disabilities.
Self Advocacy Sydney Inc assists people with intellectual disability to advocate on their own behalf and covers the Sydney metropolitan area.

The Sydney Regional Aboriginal Corporation Legal Service Inc covers the western Sydney areas and identified areas of high need in regional NSW.
The following Questions in Writing were circulated after the rising of the House of Representatives on 20 September 2007 and before the prorogation of the Parliament on 15 October 2007.

**Media Monitoring and Clipping Services**

(Question No. 4158)

Mr Bowen asked the Minister for Industry, Tourism and Resources, in writing, on 7 September 2006:

(1) What sum was spent on media monitoring and clipping services engaged by the department and agencies in the Minister’s portfolio in 2005-06; and

(2) Did the department or any agency in the Minister’s portfolio order newspaper clippings, television appearance transcripts or videos, radio transcripts or tapes on behalf of the Minister’s office in 2005-06; if so, what sum was spent by the department or agency on providing this service.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) Department of Industry, Tourism and Resources $347,423.28
Geoscience Australia $93,777.82
IP Australia $27,467.64
Tourism Australia $319,119.90*
National Offshore Petroleum Safety Authority $0.00

The figures shown above are inclusive of GST.

* This figure includes all media monitoring conducted by Tourism Australia’s Australian and international offices.

**Communications, Information Technology and the Arts: Credit Cards**

(Question No. 4400)

Mr Kelvin Thomson asked the Minister representing the Minister for Communications, Information Technology and the Arts, in writing, on 14 September 2006:

(1) How many credit cards have been issued to employees of the Minister’s department and agencies in each financial year since 1 July 2000.

(2) Of the credit cards identified in Part (1): (a) how many have been reported lost; (b) how many have been reported stolen; (c) have any been subject to fraud; if so, what was the total cost of each fraud incident; (d) what is the average credit limit for each financial year; (e) what was the total amount of interest accrued; and (f) have any employees been subjected to criminal proceedings as a result of credit card fraud.

Mr McGauran—The Minister for Communications, Information Technology and the Arts has provided the following answer to the honourable member’s question:

**Department of Communications, Information Technology and the Arts**

(1) 319* credit cards issued to employees between 2000/01 – 2005/06.

* In 2001-02 the Department changed credit card providers. This change resulted in the bulk cancellation of cards and the subsequent bulk issue of new cards.
(2) (a) Cards Reported Lost: 39
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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<td>Average Credit Limit for Each FY</td>
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(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**Artbank**

ArtBank maintains its own financial services and records and therefore the response has been provided separately from the Department’s answer.

(1) 28 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: None.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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<td>(2)(d) Average Credit Limit for Each FY</td>
<td>$14,750</td>
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(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**Portfolio Agencies**

**Australian Film, Television and Radio School**

The Australian Film, Television and Radio School does not use credit cards, it uses charge cards.

**Australia Business Arts Foundation**

(1) 10 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: 1.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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<td>(2)(d) Average Credit Limit for Each FY</td>
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(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**Australia Council**

(1) 16 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: None.
(b) Cards Reported Stolen: 1.
(c) Cards Subject to Fraud: None.

(d) Average Credit Limit for each Financial Year:

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<td>(2)(d) Average Credit Limit for Each FY</td>
<td>10,000</td>
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(e) Total Interest Accrued: This information has not been separately recorded in an easily accessible form. However, any interest accrued would be minimal as available credit is rarely fully utilised and credit cards are generally paid by the due date thereby incurring no interest charges.

(f) Employees Subject to Criminal Proceedings: None.

**Australian Film Commission**

(1) 59 credit cards issued to employees between 2000/01 – 2005/06.

(2) (a) Cards Lost: 1.

(b) Cards Reported Stolen: None.

(c) Cards Subject to Fraud: None.

(d) Average Credit Limit for each Financial Year:

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(e) Total Interest Accrued: Nil.

(f) Employees Subject to Criminal Proceedings: None.

**Australian National Maritime Museum**

(1) 37 credit cards issued to employees between 2000/01 – 2005/06.

(2) (a) Cards Reported Lost: 12.

(b) Cards Reported Stolen: 1.

(c) Cards Subject to Fraud: None.

(d) Average Credit Limit for each Financial Year:

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(e) Total Interest Accrued: Nil.

(f) Employees Subject to Criminal Proceedings: None.

**Australian Sports Commission**

The ASC currently uses two credit card service providers, listed here as:

- Credit Card Service Provider A; and
- Credit Card Service Provider B.

(1) Number of credit cards issued to employees.

Credit card provider A
There are 271 current cardholders with credit card service provider A. The Commission has requested the information sought in this Question from the provider, but has been advised that an annual breakdown of cards issued cannot be provided.

Credit card provider B

8 credit cards issued to employees between 2000/01 – 2005/06.

The ASC opened an account with credit card service provider B in July 2004; therefore there is no information to report for 2000/01 to 2003/04.

(2) (a) Cards Reported Lost:
Credit Card Provider A: 18.
Credit Card Provider B: 2.

(b) Cards Reported Stolen:
Credit Card Provider A: 5.
Credit Card Provider B: None.

(c) Cards subject to Fraud: None.
Several instances of suspicious activity against card account numbers have been detected by the card providers’ own electronic audit methods, resulting in the cancellation of affected Australian Sports Commission cards. These actions were taken as a precaution by the card providers to prevent any fraudulent transactions and no expenses or charges were borne by the Australian Sports Commission.

(d) Average Credit Limit for each Financial Year: Credit card provider A

The Commission has requested the historical information sought in this Question from the provider, but has been advised that an annual average credit limit cannot be provided. The average credit limit for current cards from credit card provider A is $5,712.

Credit Card Provider B

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</tr>
</thead>
<tbody>
<tr>
<td>(2)(d) Average Credit Limit for Each FY</td>
<td>$22,857</td>
<td>$24,000</td>
<td></td>
<td></td>
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<td></td>
</tr>
</tbody>
</table>

(e) Total Interest Accrued: Nil

(f) Employees Subject to Criminal Proceedings: None.

Australian Sports Anti-Doping Authority

(1) 68 credit cards issued to employees between 2000/01 – 2005/06.

(2) (a) Cards Reported Lost: None.

(b) Cards Reported Stolen: None.

(c) Cards Subject to Fraud: None.

(d) Average Credit Limit for each Financial Year:

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</thead>
<tbody>
<tr>
<td>(2)(d) Average Credit Limit for Each FY</td>
<td>$5000</td>
<td>$5000</td>
<td>$5000</td>
<td>$5000</td>
<td>$5000</td>
<td></td>
</tr>
</tbody>
</table>

(e) Total Interest Accrued: Nil.

(f) Employees Subject to Criminal Proceedings: None.
Bundanon Trust
(1) Credit cards issued to employees.
A total of five credit cards have been issued to employees of Bundanon Trust since 1 July 2000. There is currently only one card in use which was issued on 11 October 2006.

(2) (a) & (b) Since 2000, five cards have been cancelled. No details are available as to why these cards have been cancelled.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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</thead>
<tbody>
<tr>
<td>(2)(d) Average</td>
<td>$10,000</td>
<td>$10,000</td>
<td>$20,000</td>
<td>$35,000</td>
<td>$25,000</td>
<td>$20,000</td>
</tr>
</tbody>
</table>
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

Film Australia Limited
(1) 54 credit cards issued to employees between 2000/01 – 2005/06
(2) (a) Cards Reported Lost: 2.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

<table>
<thead>
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</thead>
<tbody>
<tr>
<td>(2)(d) Average</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>$11,111</td>
<td>$12,000</td>
</tr>
</tbody>
</table>
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

Film Finance Corporation Australia Limited
(1) 57 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: 1.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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</thead>
<tbody>
<tr>
<td>(2)(d) Average</td>
<td>$6,000</td>
<td>$6,000</td>
<td>$6,000</td>
<td>$6,000</td>
<td>$6,000</td>
<td>$6,000</td>
</tr>
</tbody>
</table>
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

National Archives of Australia
(1) 68 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: 2.
(b) Cards Reported Stolen: None.

QUESTIONS IN WRITING
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td>(2)(d) Average Credit Limit for Each FY</td>
<td>$6,400</td>
<td>$6,300</td>
<td>$6,700</td>
<td>$6,700</td>
<td>$5,500</td>
<td>$5,400</td>
</tr>
</tbody>
</table>
(e) Interest accrued: $1,204 in interest was accrued during the period 2000/01 to 2005/06.
(f) Employees Subject to Criminal Proceedings: None.

**National Gallery of Australia**
(1) The National Gallery of Australia maintains records of cards issued to individual staff members but not on a financial year basis. As of November 2006, 81 credit cards had been issued to Gallery staff.

At the last reissue of all cards in November 2004, the Gallery had 79 credit card holders.
(2) (a) Cards Reported Lost: 8.
(b) Cards Reported Stolen: 1.
(c) Cards Subject to Fraud: 1.

Costs associated with the fraudulent use totalled $13,356, which was recovered.
(d) Average Credit Limit for each Financial Year:

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</thead>
<tbody>
<tr>
<td>(2)(d) Average Credit Limit for Each FY</td>
<td>records unavailable</td>
<td>$8,850</td>
<td>$8,965</td>
<td></td>
<td></td>
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</tr>
</tbody>
</table>
(e) Total Interest Accrued: $1,215 in 2003/04.
(f) Employees Subject to Criminal Proceedings: None.

**National Museum of Australia**
(1) 19 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: None.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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<tbody>
<tr>
<td>(2)(d) Average Credit Limit for Each FY</td>
<td>$15,000</td>
<td>$15,000</td>
<td>$15,909</td>
<td>$13,182</td>
<td>$14,000</td>
<td>$14,000</td>
</tr>
</tbody>
</table>
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**National Library of Australia**
(1) 32 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: 3.
(b) Cards Reported Stolen: 1.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

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</thead>
<tbody>
<tr>
<td>(2)(d) Average Credit limit for Each FY</td>
<td>$6,059</td>
<td>$7,654</td>
<td>$7,926</td>
<td>$8,160</td>
<td>$8,458</td>
<td>$8,630</td>
</tr>
</tbody>
</table>

(e) Interest Accrued: Nil.

(f) Employees Subject to Criminal Proceedings: None.

**Australian Broadcasting Corporation (ABC)**

(1) 802 credit cards issued to employees between 2000/01 – 2005/06.

(2) (a) Cards reported lost: 65.

(b) Cards Reported Stolen: 19.

(c) Cards reported subject to fraud: 4.

   Total cost of each fraud incident:

   $7,696.55;
   $340.13;
   $1,618.00; and
   The fourth is an ongoing legal matter.

(d) Average Credit Limit for each Financial Year.

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</thead>
<tbody>
<tr>
<td>(2)(d) Average credit limit for each FY</td>
<td>$2,779</td>
<td>$3,243</td>
<td>$3,869</td>
<td>$4,101</td>
<td>$3,885</td>
<td>$3,713</td>
</tr>
</tbody>
</table>

(e) Interest accrued: Nil.

(f) Employees Subject to Criminal Proceedings: 2.

**Special Broadcasting Service Corporation (SBS)**

(1) 49 credit cards issued to employees between 2000/01 – 2005/06.

(2) (a) Cards Reported Lost: 8.

(b) Cards Reported Stolen: 2.

(c) Cards Subject to Fraud: 3.

   All instances of fraud were detected by the credit card service provider. None were the result of employee’s actions. All fraud was the incorrect usage of credit card number by an unknown third party.

(d) Average Credit Limit: $11,000.

   This is the current figure. Information is not available for each financial year, but limit would be similar.

(e) Total Interest Accrued: $80.

(f) Employees Subject to Criminal Proceedings: None.

**Australian Communications and Media Authority**

(1) 122 credit cards issued to employees in 2005/06.

   The Australian Communications and Media Authority was created in July 2005. The question does not apply to earlier years.

---

QUESTIONS IN WRITING
(2) (a) Cards Reported Lost: 1.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) Average Credit Limit for each Financial Year:

<table>
<thead>
<tr>
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<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>(2)(d) Average</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>$6,555</td>
</tr>
<tr>
<td>Credit Limit</td>
<td></td>
<td></td>
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<td></td>
<td></td>
</tr>
<tr>
<td>for Each FY</td>
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<td></td>
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</tr>
</tbody>
</table>
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**NetAlert**

(1) 2 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) Cards Reported Lost: None.
(b) Cards Reported Stolen: None.
(c) Cards Subject to Fraud: None.
(d) The credit limit for each financial year is $5000 and $2000 respectively.
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: None.

**Australia Post**

(1) 1926 credit cards issued to employees between 2000/01 – 2005/06.
(2) (a) & (b) Cards Reported Lost or Stolen: 295 credit cards were replaced after reported lost or stolen.
(c) Cards Subject to Fraud: 9, 3 of which were by persons outside Australia Post.
(d) Average Credit Limit: $2,000 per transaction and $10,000 per month.
Held consistent at these levels.
(e) Total Interest Accrued: Nil.
(f) Employees Subject to Criminal Proceedings: 6.

**Telstra**

Credit cards for Telstra staff are provided by arrangement with an external company. Telstra considers all contracts between the Company and external service providers to be commercial in confidence.

**Health and Ageing: Staffing**

*(Question No. 5042)*

Mr Kelvin Thomson asked the Minister for Health and Ageing, 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 Abbott—The answer to the honourable member’s question is as follows:

In the following answer, Department includes the core Department of Health and Ageing, the Therapeutic Goods Administration (TGA), The Office of the Gene Technology Regulator (OGTR) and the National Industrial Chemicals Notification and Assessment Scheme (NICNAS).

(1) The following table shows the additional staff employed by the department and its agencies up to the end of the financial year.

<table>
<thead>
<tr>
<th>Headcount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Department 481</td>
</tr>
<tr>
<td>Aged Care Standards and Accreditation Agency 0</td>
</tr>
<tr>
<td>Australian Institute of Health and Welfare 0</td>
</tr>
<tr>
<td>Australian Radiation Protection and Nuclear Safety Agency 0</td>
</tr>
<tr>
<td>Cancer Australia 0</td>
</tr>
<tr>
<td>Food Standards Australia New Zealand 5</td>
</tr>
<tr>
<td>General Practice Education and Training 0</td>
</tr>
<tr>
<td>National Blood Authority 0</td>
</tr>
<tr>
<td>National Health and Medical Research Council 51</td>
</tr>
<tr>
<td>Private Health Insurance Administration Council 1</td>
</tr>
<tr>
<td>Private Health Insurance Ombudsman 1</td>
</tr>
<tr>
<td>Professional Services Review 0</td>
</tr>
</tbody>
</table>

(2) The Minister for Finance and Administration will respond to this part of the question.

Health and Ageing: Telephone Costs
(Question No. 5080)

Mr Kelvin Thomson asked the Minister for Health and Ageing, 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 Abbott—The answer to the honourable member’s question is as follows:

Information extracted from the department’s financial systems, after excluding certain fixed costs, provides the following expenditures in the categories requested:

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Landline Telephone calls</th>
<th>Mobile Telephone calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>2004-2005</td>
<td>$1,449,807</td>
<td>$188,000</td>
</tr>
<tr>
<td>2005-2006</td>
<td>$1,584,069</td>
<td>$331,000</td>
</tr>
</tbody>
</table>

* Excludes 1800/1300 numbers, PABX & Facilities Management fixed costs

Health and Ageing: Fuel Costs
(Question No. 5156)

Mr Kelvin Thomson asked the Minister for Health and Ageing, in writing, on 7 December 2006 for each financial year from 1 July 2004, what sum has the Minister’s department spent on fuel.

(2) How many cars does the department currently own or lease and how many of those cars run on LPG.

(3) Does the department plan to purchase any cars that run on LPG or to convert cars running on petrol to LPG.
Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Fuel costs are as follows:
   Financial Year 2004/05 $238,825.99* including GST
   Financial Year 2005/06 $211,237.98* including GST
   Financial Year 2006/07 $125,970.50* including GST
   * Incorporates fuel costs for vehicles which have been or are currently included under the Department’s LeasePlan agreement.

(2) The Department currently leases 83 vehicles nationally. Two vehicles in Western Australia use LPG.

(3) There are no plans to convert cars running on petrol to LPG

Health Costs

Mr Gibbons asked the Minister for Health and Ageing, in writing, on 21 May 2007:

(1) Is he aware that (a) out-of-pocket health costs have increased by 100 per cent since the current Government was first elected and (b) that out-of-pocket costs for visits to general practitioners have increased by 12 per cent since the 2006 December quarter.

(2) What steps will the Government take to rein in spiralling health costs.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) The 100 per cent increase referred to by Mr Gibbons appears to be the figure for out-of-pocket costs on page 53 of the ALP’s Family Watch Taskforce Report. This figure seems to refer to out-of-pocket costs for all health services, not just those for which the Commonwealth Government provides direct financial assistance through Medicare.

   The parts of the health sector with the largest and fastest growing out-of-pocket payments are those in which the Commonwealth Government is either not involved, such as aids and appliances, or has only recently become involved, such as dental services.

   This Government is committed to promoting affordable and accessible health care for all Australians. As a result of the Strengthening Medicare initiatives introduced in 2004, bulk billing for visits to general practitioners increased from 66.5 per cent in the December quarter 2003 to 77.4 per cent in the March quarter 2007.

   With the higher rate of bulk billing, there are fewer services where patients face co-payments. Many services that previously attracted small co-payments are now being bulk billed. This has a perverse impact on Medicare statistics with the average co-payment made by consumers appearing to increase.

   The Commonwealth Government recognises that some individuals and families face high health care costs. To make sure that these people continue to receive the services that they need at an affordable cost, and in addition to the bulk-billing incentives, the Government introduced the Extended Medicare Safety Net (EMSN) in 2004.

   Under this initiative, once individuals and families reach the annual threshold, the Commonwealth Government pays 80 per cent of out-of-pocket costs for all non-hospital Medicare services.

   The increase in out-of-pocket costs for visits to general practitioners between the December quarter 2006 and the March quarter 2007 largely reflects the start of a new Medicare Safety Net year on 1 January and is seasonal in its effect.
(2) Since 1996, the Commonwealth Government has provided strong financial incentives, including the 30 per cent rebate, to increase private health insurance coverage and to ensure the future viability of Australia’s health system.

In 2006-07, $1.4 billion was spent on ‘Strengthening Medicare’ initiatives. These initiatives include bulk-billing incentives, practice nurse items, allied health services, the EMSN, 100 per cent rebates for non-referred (GP) attendances, the new Medicare Benefits Schedule item for planning and management of pregnancy and the new after hours non-referred (GP) attendance items.

The extended Medicare safety net protects families and individuals from high out-of-pocket medical expenses for out-of-hospital services.

In 2006, around 1.5 million Australians qualified for the EMSN and 445,687 families and 65,467 singles were helped by the EMSN. Almost $260 million was paid out in safety net benefits.

Like the assistance available to individuals and families for medical services under the EMSN, the Pharmaceutical Benefits Scheme (PBS) Safety Net operates in a similar way to help people facing high costs for their prescription medicines. Once the safety net threshold is reached (currently $1,059 for general patients and $274.40 for concession card holders for this calendar year), patients can apply for a PBS Safety Net Card. With the card, prescription medicines cost $4.90 for general patients and are free for concession card holders for the remainder of the calendar year.

In addition to the safety nets, the Net Medical Expenses Tax Offset scheme allows Australian residents to claim a tax offset of 20 per cent – 20 cents in the dollar – of net medical expenses over $1,500. There is no upper limit on the amount that can be claimed and claimable items are not restricted to items covered by Medicare. Most expenses relating to an illness or operation paid to legally qualified doctors, nurses or chemists and public or private hospitals can be claimed.

Autism Spectrum Disorder

(Question No. 5755)

Ms Roxon asked the Minister for Health and Ageing, in writing, on 22 May 2007:

(1) What is the current prevalence rate of autism spectrum disorder (ASD) in Australian children and young adults.

(2) Does the figure provided in response to Part (1) represent an increase in the rate previously used to plan service provision; if so, by what amount has the figure increased.

(3) What was the previous level of treatment and rehabilitation services for people with ASD.

(4) How has the Government increased service levels to meet demand for treatment and rehabilitation for people with ASD.

(5) Where does autism/ASD rank on the list of “Leading causes of burden of disease and injury in children aged 0–14 years”.

(6) What steps has the Government taken to ensure people with autism/ASD receive the treatment and rehabilitation they need.

(7) How does Australian law protect the rights of children with autism/ASD to receive the treatment and rehabilitation they need.

(8) Can people with ASD who do not qualify as having an intellectual disability access the new Medicare rebate for people with an intellectual disability; if not, will the Government create a rebate scheme for people with ASD who are unable “to recognise and communicate symptoms”.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) The current prevalence rate of ASD in children between 6-12 years of age in Australia is approximately 1 in 160, or 62.5 per 10,000 children according to data collected by Centrelink in 2005.
The prevalence of ASD in the 6-12 year age group is higher than in the 13-16 age groups.

**Total Number of children known to Centrelink with a diagnosis of ASD in 2005:**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>0-5 years</th>
<th>6-12 years</th>
<th>13-16 years</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASD</td>
<td>8.5 to 15.3/10,000</td>
<td>35.7/10,000</td>
<td>17.4/10,000</td>
</tr>
</tbody>
</table>

(2) According to Centrelink data between 2003 and 2005 there was an increase in the numbers of children with a diagnosis of ASD.

**Estimated national prevalence, from Centrelink data**

<table>
<thead>
<tr>
<th>Age Group</th>
<th>0-5</th>
<th>6-12</th>
<th>13-16</th>
<th>0-5</th>
<th>6-12</th>
<th>13-16</th>
</tr>
</thead>
<tbody>
<tr>
<td>Prevalence/10,000</td>
<td>16.2</td>
<td>45.9</td>
<td>25.8</td>
<td>19.2</td>
<td>53.2</td>
<td>30.5</td>
</tr>
</tbody>
</table>

[The Prevalence of Autism in Australia, Australian Advisory Board on Autism Spectrum Disorders, September 2006]

(3) The Commonwealth Government provides national leadership and funding to support mental health reform in Australia. State and Territory Governments are responsible for planning service provision for ASD in their State.

The Department of Health and Ageing supports health interventions for people with ASD through the medical and pharmaceutical benefits schemes and through funds given to State and Territory Governments, by the Department of Families, Community Services and Indigenous Affairs (FaCSIA), to assist them in carrying out their responsibilities with regard to people with disabilities. The Commonwealth/State Disability Agreements (CSDAs) administered by FaCSIA, partially fund the States and Territories for their responsibilities for planning, services, accommodation and support for children with ASD and their families. CSDAs also fund the Commonwealth responsibility for special employment assistance, in addition to specific purpose payments to assist States and Territories. Under the current CSDA the Commonwealth Government provides $4.84 billion to States and Territories for these responsibilities.

The Commonwealth Government also provides a range of assistance to children with ASD and their families mainly through the Department of Families and Community Services and Indigenous Affairs (FaCSIA) and Department of Education, Science and Training (DEST).

(4) Specialised services and treatment for people with ASD are managed and provided by State and Territory Governments.


- Males: 2nd – 9.4% of total burden of disease and injury.
- Females: 8th – 2.1% of total burden of disease and injury.

(6) The Commonwealth Government supports the treatment and rehabilitation needs of people with ASD through providing funding for these services under special agreements with the State and Territory Governments. Specialised services for people with ASD are managed and provided by State and Territory Governments.

(7) Issues of treatment and rehabilitation of children with autism is primarily a matter for the States and Territories. Australia is a party to the Convention on the Rights of the Child, of which article 23, provides that states shall ensure that children with physical or mental disabilities have a full and decent life, and have access to information regarding methods of rehabilitation. While the Convention cannot operate as a direct source of rights in Australian law, when ratifying the Convention,
Australia was satisfied that its laws, policies and practices complied with the Convention. Australia has also recently signed the Convention on the Rights of People with Disabilities, of which article 26 provides that states should strengthen rehabilitation programs.

(8) The new Medicare health assessment items 718 and 719 were made be available from 1 July 2007 for people with an intellectual disability.

For the purposes of these items, a person will be deemed to have an intellectual disability if they have significantly sub-average general intellectual functioning (two standard deviations below the average intelligence quotient (IQ)) and would benefit from assistance with daily living activities.

ASD is not regarded as an intellectual disability and ASD of itself is not an eligible condition for the intellectual disability health assessment items, however, many patients with ASD have a co-morbid intellectual disability and will be eligible to access these items.

There is currently no plan to create a separate rebate scheme for people with ASD who are unable to ‘recognise and communicate symptoms’. However, a psychiatric attendance MBS item (319) is available for persons under 18 years of age who have been diagnosed with a pervasive developmental disorder (including autism and Asperger’s disorder). For persons 18 years and over, they must also have been rated with a level of functional impairment within the range 1 to 50 according to the Global Assessment of Functioning Scale to be eligible for this service. This item allows for an attendance of more than 45 minutes duration at consulting rooms. As part of normal medical care, Medicare can also assist with the cost of visits to general practitioners and other medical specialists such as paediatricians to whom patients with autism are referred.

**Health and Ageing: Information Technology**

(Question No. 5827)

Ms Burke asked the Minister for Health and Ageing, in writing, on 29 May 2007:

For each financial year since 1 July 2000, what was the total cost of outsourcing information technology services for each department and agency in the Minister’s portfolio.

Mr Abbott—The answer to the honourable member’s question is as follows:

The actual spend for outsourced information technology services* is:

- 2000/01, $25.0m
- 2001/02, $29.5m
- 2002/03, $29.8m
- 2003/04, $29.3m
- 2004/05, $32.4m
- 2005/06, $30.5m
- 2006/07, $32.4m

The above figures are inclusive of the Department’s Portfolio Agencies that are part of the Department’s IT network.

* Outsourced information technology services are services provided by a third party vendor to support IT infrastructure such as mainframe, desk support and data networks but do not include costs for telecommunication transmission such as voice call charges.
Wireless Internet Technology  
(Question No. 5844)

Mr Bevis asked the Minister for Health and Ageing, in writing, on 30 May 2007:

In respect of the Minister’s department:
(a) what research has been undertaken into the potential health risks of wireless internet technology;
(b) what health risks are associated with wireless internet technology;
(c) does the research into wireless internet technology take account of the latest generation technology; and
(d) what monitoring and/or safety measures does the government require providers of wireless internet technology services to undertake to protect end-users of the technology.

Mr Abbott—The answer to the honourable member’s question is as follows:

I am advised by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) of the following:

(a) Wireless local area networks (WLANs) are an increasingly common technology using radiofrequency radiation (RFR) – a type of electromagnetic energy. Some recent studies have investigated exposure from WLANs and found that the levels are extremely low; in general almost a million times lower than the appropriate radiofrequency exposure standard. It would be almost impossible to conduct meaningful research at such low levels. Our knowledge of the interaction of RFR with the human body is very extensive. Human exposure to the actual technology used is not expected to have any unique health outcomes.

(b) There are no known health risks associated with wireless internet technology.

(c) Wireless communications are based on a range of technologies. The different systems deliver RFR in a variety of packages or modulations. There is no substantial evidence to suggest that the type of modulation has an impact on the interaction with the body to an extent of resulting in adverse health outcomes.

Advice from the Australian Communications and Media Authority (ACMA), is as follows:

(d) The ACMA administers the national electromagnetic energy (EME) health exposure regulatory arrangements for radiocommunications transmitters. The EME regulatory arrangements require providers of telecommunications services to limit electromagnetic energy emissions to levels well below those where any known adverse health effects might arise.

The EME regulations and associated standards are based on international experience and best-practice and are considered to provide adequate safety measures to protect end-users of Australian telecommunication services.

Under the Radiocommunications Act 1992, the operation of wireless internet can be authorised under one of three licensing arrangements, known as spectrum, apparatus and class licences. Higher power radio transmitters can be permitted under a spectrum or apparatus licence whilst class licences restrict transmitter operation to lower power.

Those internet wireless base stations that operate under a spectrum or apparatus licence must comply with the EME requirements of the Radiocommunications Licence Conditions (Apparatus Licence) Determination 2003 which makes the exposure limits prescribed by ARPANSA in the Radiation Protection Standard for Maximum Exposure Levels to Radiofrequency Fields - 3 kHz to 300 GHz (2002) mandatory for such installations.

Those wireless internet providers who operate under a class licence issued by ACMA are restricted to levels of radiated power of 4 watts which is small compared to other communications systems. ACMA is presently amending class licence conditions to make compliance with ARPANSA’s EME
limits a mandatory condition of operation for these types of low power wireless internet base stations. It has made available self-assessment guides to inform providers of the steps they need to take to ensure compliance with the emission limits.

ACMA monitors compliance of certain types of radiocommunications base stations to deliver wireless internet by auditing the compliance records which they are required to maintain. By close of this financial year, ACMA will have conducted some 400 EME health exposure audits of base stations.

The widespread use of low power wireless internet installations is not considered to pose adverse health risks to end-users of the technology.

Under the Radiocommunications (Compliance Labelling - Electromagnetic Radiation) Notice 2003 manufacturers and importers of consumer wireless internet devices designed for use in close proximity to the human body (such as wireless internet enabled laptops) are required to have their products assessed for compliance with prescribed exposure limits before these products can be placed on the Australian market. They are also required to maintain compliance records for ACMA audit purposes.

Significant penalties will apply for breaches of the EME regulatory arrangements.

Media Training
(Question No. 5955)

Ms Burke asked the Minister for Health and Ageing, in writing, on 12 June 2007:
Did the (a) Minister and (b) his/her personal staff receive any media training in 2006; if so, (i) what was the cost of the media training and (ii) what was the name and postal address of each company engaged to provide media training.

Mr Abbott—The answer to the honourable member’s question is as follows:
(a) No.
(b) N/A.

Media Training
(Question No. 5956)

Ms Burke asked the Attorney-General, in writing, on 12 June 2007:
Did the (a) Minister and (b) his/her personal staff receive any media training in 2006; if so, (i) what was the cost of the media training and (ii) what was the name and postal address of each company engaged to provide media training.

Mr Ruddock—The answer to the honourable member’s question is as follows:
(a) and (b) No.
(i) and (ii) Not applicable.

Media Training
(Question No. 5965)

Ms Burke asked the Minister for the Environment and Water Resources, in writing, on 12 June 2007:
Did the (a) Minister and (b) his/her personal staff receive any media training in 2006; if so, (i) what was the cost of the media training and (ii) what was the name and postal address of each company engaged to provide media training.
Mr Turnbull—The answer to the honourable member’s question is as follows:

(a) No
(b) No.
   (i) Not applicable
   (ii) Not applicable

Mr Mamdouh Habib
(Question No. 6033)

Mr Melham asked the Minister representing the Minister for Justice and Customs, in writing, on 14 June 2007:

(1) What specific inquiries have been undertaken by the Australian Federal Police (AFP) in respect of allegations that Mr Mamdouh Habib was subjected to torture or inhumane treatment while he was detained in (a) Pakistan, (b) Egypt and (c) United States military custody.

(2) What is the outcome of any inquiries made by the AFP.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) It is not the AFP’s role to monitor the treatment of persons in custody whilst overseas. The Department of Foreign Affairs and Trade (DFAT) provides a range of assistance to Australians detained overseas to help ensure their welfare is protected. However, on rare occasions, including in Mr Habib’s case, where foreign authorities have not allowed DFAT to conduct consular visits to an Australian detainee, Australian security and law enforcement officials have assisted in providing DFAT with information regarding the detainee’s welfare obtained during interviews with the detainee. Any complaints made by Mr Habib to AFP members were forwarded to DFAT.

(2) Not applicable.

Formaldehyde
(Question No. 6076)

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 21 June 2007:

(1) Has the Minister read the article titled ‘Chinese textiles could pose cancer risk’, which appeared in the *Sydney Morning Herald* on 21 May 2007; if not, why not.

(2) Is the Minister aware that (a) the carcinogenic chemical formaldehyde has links to leukaemia, lung cancer, skin and respiratory irritations and (b) textiles recently imported from China have contained high levels of formaldehyde; if not, why not.

(3) Are there restrictions on the importation of textiles containing formaldehyde; if so, what are the full details of those restrictions; if not, why not.

Mr Ruddock—The Minister for Justice and Customs has provided the following answer to the honourable member’s question:

(1) I have read the article titled ‘Chinese textiles could pose cancer risk’, which appeared in the *Sydney Morning Herald* on 21 May 2007.

(2) (a) I am now aware that formaldehyde is a potential carcinogen and can also cause skin and respiratory irritations. (b) I am also aware that textiles recently imported from China have been reported to contain high levels of formaldehyde.

(3) Customs controls the importation of certain goods at the border on behalf of a range of Government agencies. Customs considers recommendations for new prohibitions or restrictions on goods
following representations from the Government agency having policy responsibility for those goods. There are no current restrictions on the importation of textiles containing formaldehyde. Responsibility for this matter rests with both the Department of Health and Ageing and the Australian Competition and Consumer Commission.

**Employment Service Organisations**

(Question No. 6113)

Mr Gibbons asked the Minister for Workforce Participation, in writing, on 7 August 2007:

1. Can she confirm that upon receiving complaints about an employment service organisation, her department is instructed to advise the service organisation that it intends to undertake an audit of the organisation’s finances, prior to any such audit taking place.

2. What is her response to the claim that prior warning of an audit may provide an employment service organisation with the opportunity to falsify records for the auditor.

3. What mechanisms exist to prevent employment service organisations from falsifying records following warning of an audit; if no such mechanisms exist, what action will be taken in future to prevent the presentation of falsified records by employment service organisations.

Dr Stone—The answer to the honourable member’s question is as follows:

1. It is usual for the department to give reasonable notice to an employment service provider when the department requires access to the provider’s premises, sites or records as part of the normal contract management process. However, the general conditions to the Employment Service Contract 2006-2009 note that the provision of reasonable prior notice does not apply where a matter is being investigated which may involve a breach of the law, or suspected fraud.

2. The risk that prior warning of an audit may allow an employment service provider an opportunity to falsify records must be balanced with providing appropriate notice to such organisations as part of the normal contract management process. This balance has been addressed within the context of the department’s risk management analysis, and adequate controls are in place.

3. The department has in place a range of mechanisms to both prevent and detect fraud. While it is not appropriate to detail these mechanisms (as to do so may undermine the integrity of such controls), some examples include record retention requirements, data matching of electronic records submitted to the department with paper records kept by the provider, and robust programme assurance and compliance processes undertaken within the contract management and fraud control environment.

**Crime**

(Question No. 6114)

Mr Bevis asked the Attorney-General, in writing, on 7 August 2007:

In respect of the *Proceeds of Crime Act 2002* and for each financial year since July 2003, (a) what sum has been generated from the proceeds of crime, (b) from which sources has money been recovered, (c) which Commonwealth departments and agencies have received proceeds of crime funding and, for each body identified, what sum; and (d) which non-government departments and agencies have received proceeds of crime funding and, for each body identified, what sum.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(a) The sums generated by action taken under the *Proceeds of Crime Act 2002* in each financial year are as follows:
1. The amounts in the first column reflect the dollar value of money and other assets actually removed from offenders, whilst the amounts in the second column reflect the sums subsequently transferred into the Confiscated Assets Account. Reasons for the difference between the two sums include:

- prior to transferring confiscated amounts to the Confiscated Assets Account, the Official Trustee, pursuant to the Act, deducts amounts for remuneration and costs, charges and expenses incurred by it in relation to the management of restrained property and realisation of confiscated property
- in some matters money has been forfeited overseas and may not be repatriated to Australia for transferring to the Confiscated Assets Account
- in some matters action under the Proceeds of Crime Act 2002 is resolved in a manner which does not result in funds being paid into the Confiscated Assets Account (e.g. money is returned to the victim), and
- money may be removed from a defendant and subsequently transferred to the Confiscated Assets Account in different financial years.

(b) The immediate sources of money recovered under the Proceeds of Crime Act 2002 are the offenders who are the subject of action under the Act.

Numerous different agencies are involved in the identification and investigation of offences which lead to action under the Proceeds of Crime Act 2002. However, because only a limited number of agencies are able to exercise the full range of powers under the Act (currently the AFP, ACC, ASIC and Customs), often other agencies (especially the AFP) will need to become involved in proceedings under the Act.

Statistics are able to be provided regarding the ‘source agency’ in respect of proceedings under the Act. In this context ‘source agency’ means the agency which commences the investigation or identifies the criminal activity.

<table>
<thead>
<tr>
<th>Financial Year</th>
<th>Dollar value removed from offenders ($million)</th>
<th>Amount transferred to Confiscated Assets Account ($million)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2003–04</td>
<td>$3.46</td>
<td>$3.00</td>
</tr>
<tr>
<td>2004–05</td>
<td>$6.54</td>
<td>$5.82</td>
</tr>
<tr>
<td>2005–06</td>
<td>$14.69</td>
<td>$12.44</td>
</tr>
<tr>
<td>2006–07</td>
<td>$16.54</td>
<td>$13.03</td>
</tr>
</tbody>
</table>

Notes

2003–04

<table>
<thead>
<tr>
<th>Source Agency</th>
<th>Percentage of Recoveries</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFP</td>
<td>79%</td>
</tr>
<tr>
<td>ATO</td>
<td>12%</td>
</tr>
<tr>
<td>Centrelink</td>
<td>2%</td>
</tr>
<tr>
<td>Customs</td>
<td>2%</td>
</tr>
<tr>
<td>Medicare</td>
<td>5%</td>
</tr>
<tr>
<td>Other agencies*</td>
<td>Less than 1%</td>
</tr>
</tbody>
</table>

2004–05

<table>
<thead>
<tr>
<th>Source Agency</th>
<th>Percentage of Recoveries</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACC</td>
<td>18%</td>
</tr>
<tr>
<td>AFP</td>
<td>37%</td>
</tr>
</tbody>
</table>
### Source Agency Percentage of Recoveries

<table>
<thead>
<tr>
<th>Source Agency</th>
<th>Percentage of Recoveries</th>
</tr>
</thead>
<tbody>
<tr>
<td>ASIC</td>
<td>5%</td>
</tr>
<tr>
<td>ATO</td>
<td>12%</td>
</tr>
<tr>
<td>Centrelink</td>
<td>2%</td>
</tr>
<tr>
<td>Customs</td>
<td>5%</td>
</tr>
<tr>
<td>Medicare</td>
<td>12%</td>
</tr>
<tr>
<td>Other agencies*</td>
<td>9%</td>
</tr>
</tbody>
</table>

#### 2005–06

<table>
<thead>
<tr>
<th>Source Agency</th>
<th>Percentage of Recoveries</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACC</td>
<td>5%</td>
</tr>
<tr>
<td>AFP</td>
<td>9%</td>
</tr>
<tr>
<td>ASIC</td>
<td>10%</td>
</tr>
<tr>
<td>ATO</td>
<td>65%</td>
</tr>
<tr>
<td>Centrelink</td>
<td>4%</td>
</tr>
<tr>
<td>Customs</td>
<td>2%</td>
</tr>
<tr>
<td>Other agencies*</td>
<td>3%</td>
</tr>
</tbody>
</table>

Other agencies* includes agencies such as DIMA, Defence, agencies no longer in existence and State agencies.

(c) Full details of funded programs under sections 297(1)(a) and 298 of the *Proceeds of Crime Act 2002* are published by the Government at <www.crimeprevention.gov.au>.

The Commonwealth departments and agencies that have received funding under the *Proceeds of Crime Act 2002* and the amounts in each financial year since 2003 are as follows:

#### 2003–04

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGD</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>ITSA</td>
<td>$40,000.00</td>
</tr>
</tbody>
</table>

#### 2004–05

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFP</td>
<td>$1,000,000.00</td>
</tr>
<tr>
<td>AGD</td>
<td>$1,721,727.00</td>
</tr>
<tr>
<td>AGD (NGO Funding)^</td>
<td>$1,788,916.00</td>
</tr>
<tr>
<td>Customs</td>
<td>$890,000.00</td>
</tr>
<tr>
<td>DoHA</td>
<td>$105,000.00</td>
</tr>
</tbody>
</table>

(questions in writing)
<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ITSA</td>
<td>$25,847.91</td>
</tr>
<tr>
<td>Legal Aid Commissions</td>
<td>$116.00</td>
</tr>
</tbody>
</table>

* This amount reflects funding awarded to non-government organisations (NGOs) and administered under funding agreements by AGD. Full details of NGOs awarded funding is listed at (d).

### 2005–06

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>ACC</td>
<td>$33,950.00</td>
</tr>
<tr>
<td>AFP</td>
<td>$394,000.00</td>
</tr>
<tr>
<td>AGD</td>
<td>$30,000.00</td>
</tr>
<tr>
<td>AGD (NGO Funding)*</td>
<td>$1,978,100.00</td>
</tr>
<tr>
<td>AIC</td>
<td>$760,000.00</td>
</tr>
<tr>
<td>AUSTRAC</td>
<td>$1,919,419.00</td>
</tr>
<tr>
<td>CDPP</td>
<td>$50,000.00</td>
</tr>
<tr>
<td>Crimtrac</td>
<td>$713,333.00</td>
</tr>
<tr>
<td>ITSA</td>
<td>$58,546.00</td>
</tr>
<tr>
<td>Legal Aid Commissions</td>
<td>$270,627.68</td>
</tr>
<tr>
<td>Examination Costs*</td>
<td>$50,000.00</td>
</tr>
</tbody>
</table>

* This amount reflects funding awarded to NGOs and administered under funding agreements by AGD. Full details of NGOs awarded funding is listed at (d).

* Examination costs were paid to both government and non-government bodies in 2005–06 and included: Auscript, CDPP, Interpreters Connection, On-call Interpreting Service, Phillip Gould and Verbatim Reporters.

### 2006–07

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AFP</td>
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</tr>
<tr>
<td>AGD</td>
<td>$2,368,446.90</td>
</tr>
<tr>
<td>AGD (NGO Funding)*</td>
<td>$9,437,089.00</td>
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<td>AIC</td>
<td>$750,000.00</td>
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<tr>
<td>CDPP</td>
<td>$59,795.17</td>
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<tr>
<td>Crimtrac</td>
<td>$4,123,000.00</td>
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<tr>
<td>Customs</td>
<td>$1,500,000.00</td>
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<tr>
<td>ITSA</td>
<td>$44,201.27</td>
</tr>
<tr>
<td>Legal Aid Commissions</td>
<td>$130,804.57</td>
</tr>
<tr>
<td>Examination Costs*</td>
<td>$50,000.00</td>
</tr>
</tbody>
</table>

* This amount reflects funding awarded to NGOs and administered under funding agreements by AGD, and $4 million yet to be awarded in the current NGO funding round. Full details of NGOs awarded funding is listed at (d).

* Examination costs were paid to both government and non-government bodies in 2006–07 and included: Administrative Appeals Tribunal, Auscript, Brian Amrose, Clements Reporting Service, On-call Interpreting Service, Ramanther and Rayben Services.
2007–08

<table>
<thead>
<tr>
<th>Department/Agency</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>AGD</td>
<td>$252,000.00</td>
</tr>
</tbody>
</table>

Notes

The column labelled ‘Amount’ refers to the total of all determinations for each Commonwealth department or agency in the specified financial year. Actual payments by ITSA to a department or agency may occur in a different financial year, depending on the nature of specific determinations.

The amounts listed for AGD include funds AGD received for the administration of non-government funding rounds, such as advertising costs.

The amounts listed for the ITSA include the Official Trustee reimbursements and annual management fees.

The amounts listed for Legal Aid Commissions are paid directly from funds within a matter under the Proceeds of Crime Act 2002 and not from the Confiscated Assets Account.

(d) The non-government departments and agencies that have received funding under the Proceeds of Crime Act 2002 and the amounts in each financial year since 2003 are as follows:

2003–04

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Republic of Indonesia</td>
<td>$642,540.46</td>
</tr>
<tr>
<td>Government of Queensland</td>
<td>$94,622.74</td>
</tr>
</tbody>
</table>

2004–05

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Banyan House</td>
<td>$304,183.00</td>
</tr>
<tr>
<td>Drug Arm WA</td>
<td>$150,000.00</td>
</tr>
<tr>
<td>Grampians Community Health</td>
<td>$258,331.00</td>
</tr>
<tr>
<td>St Luke’s Nursing Service</td>
<td>$218,367.00</td>
</tr>
<tr>
<td>The Buttery</td>
<td>$385,800.00</td>
</tr>
<tr>
<td>Uniting Care Wesley</td>
<td>$330,341.00</td>
</tr>
<tr>
<td>Wollongong Crisis Centre</td>
<td>$141,894.00</td>
</tr>
</tbody>
</table>

2005–06

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>National Institute of Forensic Science</td>
<td>$960,000.00</td>
</tr>
<tr>
<td>Odyssey House Victoria</td>
<td>$666,000.00</td>
</tr>
<tr>
<td>OzCare</td>
<td>$652,100.00</td>
</tr>
<tr>
<td>Wesley Mission</td>
<td>$660,000.00</td>
</tr>
</tbody>
</table>

2006–07

<table>
<thead>
<tr>
<th>Organisation</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Baptist Community Services SA</td>
<td>$572,737.00</td>
</tr>
<tr>
<td>BAYSA Youth Services</td>
<td>$744,109.00</td>
</tr>
<tr>
<td>Jesuit Social Services</td>
<td>$97,771.00</td>
</tr>
<tr>
<td>Odyssey House McGrath Foundation</td>
<td>$250,000.00</td>
</tr>
<tr>
<td>Odyssey House Victoria</td>
<td>$735,000.00</td>
</tr>
</tbody>
</table>
The column labelled ‘Amount’ refers to the total of all determinations for each organisation in the specified financial year.

In most cases, funding awarded to NGOs are administered by AGD through funding agreements.

**Asia-Pacific Economic Cooperation 2007 Meetings**

(Question No. 6115)

Mr Bevis asked the Minister for Health and Ageing, in writing, on 7 August 2007:

In respect of the upcoming APEC summit in Sydney:

(a) What has the Government done to prepare medical services for victims of a potential terrorist attack resulting in between 100 and 200 major casualties;

(b) What consultation has he or his department undertaken with trauma services in Sydney and when, and with whom, did consultation take place;

(c) What measures have Sydney Hospitals instigated to prepare for possible mass casualties; and

(d) What preparations has the Commonwealth made for ambulance services to handle a potential terrorist attack resulting in between 100 and 200 major casualties.

Mr Abbott—The answer to the honourable member’s question is as follows:

(a) Under existing emergency arrangements the NSW Government is responsible for the provision of medical services within its borders. These arrangements are not altered for large scale events such as the Olympics or APEC leaders week. If an event occurs that threatens to overwhelm or exhaust the resources of the NSW Health system, national coordination arrangements, including the possible redistribution of patients, are activated.

(b) In a large scale event, trauma services in Sydney are coordinated by the NSW Department of Health (NSW Health Counter Disaster Unit - CDU). I am advised that the CDU has undertaken extensive planning in conjunction with the APEC Taskforce in preparation for APEC 2007. Representatives from my department have participated regularly in APEC Taskforce planning meetings during 2007 and liaised frequently with the CDU.

(c) I am advised that under the NSW health plan, each of Sydney’s nine major trauma hospitals have a dedicated role. Under the plan NSW Health and the Ambulance Service will provide a range of patient transport services for APEC leaders and officials and each of the metropolitan health services will maintain dedicated medical response teams during APEC Leaders Week on a 24 hour basis. Medical clinics will be established at secure APEC venues, staffed by GPs, nurses and paramedics.

(d) In a large scale incident the ambulance services will be coordinated by the NSW CDU. If an event occurs that threatens to exhaust the resources of the NSW Health system, national coordination arrangements, including possible redistribution of patients, are activated.
Aviation Security
(Question No. 6119)

Mr Martin Ferguson asked the Minister for Transport and Regional Services, in writing, on 7 August 2007:
In respect of the Government’s requirement for 26 additional airports to have explosive trace detection equipment in place by 1 December 2007, (a) will the Government require single view technology (SVT) or multiple view technology (MVT) machines and (b) what is the cost of (i) an SVT machine and (ii) an MVT machine.

Mr Vaile—The answer to the honourable member’s question is as follows:
(a) Explosive trace detection equipment does not operate using x-ray technology and therefore does not have single view or multi view capability.
(b) Refer to question A.

Duchenne Muscular Dystrophy
(Question No. 6123)

Mr Kelvin Thomson asked the Minister for Health and Ageing, in writing, on 7 August 2007:
Can he confirm that Duchenne Muscular Dystrophy:
(a) is the most common and severe form of muscular dystrophy;
(b) is progressively disabling and terminal, and
(c) that it affects one in every 3,300 boys.
If so, what action is the Government taking to promote research into Duchenne Muscular Dystrophy.

Mr Abbott—The answer to the honourable member’s question is as follows:
(a) Yes.
(b) Yes.
(c) Duchenne muscular dystrophy (DMD) is the most common serious form of childhood muscular dystrophy and occurs at an estimated frequency of about 1 in every 3,500 live male births¹.

Between 2000 and 2006, the Commonwealth Government through the National Health and Medical Research Council funded forty grants which involved expenditure of $9 million into research of all forms of muscular dystrophy. This included research specifically into DMD comprising ten grants and expenditure of $2.5 million.

¹ Australian Neuromuscular Research Institute and Centre for Neuromuscular and Neurological Disorders, UWA Annual Report 2005. Australian Neuromuscular Research Institute, QEII Medical Centre, Nedlands WA Australia. Web www.anri.uwa.edu.au

Alcoholic Beverages
(Question No. 6126)

Mr McClelland asked the Minister for Health and Ageing, in writing, on 7 August 2007:
Has the Government considered establishing a requirement for the labelling of alcoholic beverages; if so,
(a) what reports, if any, have been received in respect of the benefits of labelling and
(b) what is the Government’s intention in respect of the labelling of alcoholic products.
Mr Abbott—The answer to the honourable member’s question is as follows:
The Commonwealth Government has not considered establishing labelling requirements for alcoholic beverages at this point. The Commonwealth Government has however recently supported and endorsed the “standard drink” logos developed by industry as a voluntary labelling initiative.
In respect of (a) there have been no specific reports produced for the Commonwealth Government on the benefits of labelling alcoholic beverages.
In respect of (b) the Commonwealth Government co-ordinates its approach to labelling of alcoholic products through Food Standards Australia New Zealand (FSANZ).
FSANZ, the joint Australian and New Zealand agency responsible for food labelling in both countries, is currently considering an application to require information on low risk drinking levels on alcoholic beverage containers.
Further steps may be considered in light of the outcomes of the current review of the National Alcohol Guidelines being undertaken by the NHMRC. The development of any strategies emerging from the review will be shaped by the National Alcohol Strategy 2006-2009.

Cunningham Electorate: Grants
(Question No. 6139)

Ms Bird asked the Attorney-General, in writing, on 7 August 2007:
Were any applications for the Local Grants Scheme (LGS) and the National Emergency Volunteer Support Fund (NEVSF) submitted by any community organisation or local government authority from the electoral division of Cunningham; if so, what was the name of each organisation and the amount of funding sought.

Mr Ruddock—The answer to the honourable member’s question is as follows:
Since the introduction in 2004 of the Australian Government’s ‘Working Together to Manage Emergencies’ initiative, comprising the Local Grants Scheme and the National Emergency Volunteer Support Fund, a total of thirteen applications for funding have been received from organisations in the Electorate of Cunningham. Details of all applications submitted are provided in the attached table.
Details of Applications Received From the Federal Electorate of Cunningham
Under the Local Grants Scheme and the National Emergency Volunteer Support Fund

<table>
<thead>
<tr>
<th>2004/05</th>
<th>2005/06</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Title of Grant</strong></td>
<td><strong>Amount Sought</strong></td>
</tr>
<tr>
<td>Flood Education School Program</td>
<td>$40,000</td>
</tr>
<tr>
<td>Preparation and Implementation of Emergency Risk Management (ERM) for Shellharbour City Council, Wollongong City Council and Kiama Municipal Council</td>
<td>$90,000</td>
</tr>
<tr>
<td>VERTI SEARCH</td>
<td>$10,900</td>
</tr>
</tbody>
</table>

QUESTIONS IN WRITING
### 2006/07

<table>
<thead>
<tr>
<th>Title of Grant</th>
<th>Amount Sought</th>
<th>Date Approved</th>
<th>Applicant</th>
<th>Scheme/Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>Recruiting and Retention within the Volunteer Emergency Management Sector</td>
<td>$25,000</td>
<td>n/a</td>
<td>Australian Emergency Management Volunteer Forum</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
<tr>
<td>Maintain NSW SES Team Safety Noticeboards</td>
<td>$39,600</td>
<td>n/a</td>
<td>NSW State Emergency Service (NSW)</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
<tr>
<td>Forward control mobile Units upgrade, Wagga &amp; Griffith SES Operational Base Plans, Bellambi Flotilla</td>
<td>$17,000</td>
<td>n/a</td>
<td>State Emergency Service (NSW)</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
<tr>
<td></td>
<td>$5,000</td>
<td>n/a</td>
<td>Australian Volunteer Coast Guard Assoc Inc Southern NSW Squadron</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
</tbody>
</table>

### 2007/08

<table>
<thead>
<tr>
<th>Title of Grant</th>
<th>Amount Sought</th>
<th>Date Approved</th>
<th>Applicant</th>
<th>Scheme/Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td>PC Upgrade Project</td>
<td>$38,189</td>
<td>n/a</td>
<td>NSW State Emergency Service - Sutherland Shire</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
<tr>
<td>CCTV Camera Network Expansion - Public Address System, Wollongong CBD Wollongong CBD Evacuation - Permanent and Portable Messaging Boards</td>
<td>$50,000</td>
<td>n/a</td>
<td>Wollongong City Council</td>
<td>Local Grants Scheme</td>
</tr>
<tr>
<td></td>
<td>$326,000</td>
<td>n/a</td>
<td>Wollongong City Council</td>
<td>Local Grants Scheme</td>
</tr>
<tr>
<td>Project Officers - Community Education Program for Wollongong CBD Evacuation Plan</td>
<td>$60,000</td>
<td>n/a</td>
<td>Wollongong City Council</td>
<td>Local Grants Scheme</td>
</tr>
<tr>
<td>Equipment Procurement to Enhance Response Capacity, Wollongong Emergency Operations Centre Upgrade of Navigational Equipment for Flotilla’s Rescue Vessel</td>
<td>$40,100</td>
<td>n/a</td>
<td>Wollongong City Council</td>
<td>Local Grants Scheme</td>
</tr>
<tr>
<td></td>
<td>$16,228</td>
<td>n/a</td>
<td>Australian Volunteer Coast Guard Association (AVCGA) - Wollongong</td>
<td>National Emergency Volunteer Support Fund</td>
</tr>
</tbody>
</table>

### Health: Magnetic Resonance Imaging Machines
(Question No. 6140)

**Ms Bird** asked the Minister for Health and Ageing, in writing, on 7 August 2007:

1. Further to his response to question No. 5769, is he aware of the Prime Minister’s announcement on 12 July 2007 of the allocation of a Medicare-eligible magnetic resonance imaging (MRI) unit to north-west Tasmania.
2. In relation to the allocation of the MRI unit to north-west Tasmania:
   (a) upon what criteria was the placement of the unit based;
   (b) when was the decision made;
   (c) will the same criteria apply to the allocation for the two remaining MRI units announced in the 2007-08 Budget; and
   (d) have the locations of the two remaining MRI units been decided; if so,
(i) where will they be located,
(ii) when and by whom was the decision made, and
(iii) when will the decision be announced.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) (a) The placement of the unit was based on the lack of ready access to MRI for the population for north-western Tasmania.
(b) The decision was made during the week of 9 July 2007.
(c) The Commonwealth Government has yet to determine what criteria will apply to the two remaining MRI units announced in the 2007-08 Budget.
(d) Yes. Announcements are imminent.

Orrcon Operations (Pty) Ltd
(Question No. 6145)

Ms George asked the Minister for Industry, Tourism and Resources, in writing, on 7 August 2007:

(1) Does it remain the Government’s intention that grants under the Port Kembla Industry Facilitation Fund (PKIFF) should “fund the creation of jobs in the Region that will be sustained into the future without ongoing government support”; if not, why not.

(2) Can he confirm that a grant of $486,500 from the PKIFF was provided to Orrcon Operations to generate 14 additional direct jobs.

(3) Is he aware that 29 workers employed by Orrcon have recently lost their jobs, while the company received Commonwealth funds to create sustainable employment opportunities.

(4) Is he aware that a number of employees from the Unanderra site were relocated to work at the Port Kembla site, together with casual employees, and that no sustainable jobs were created; if not, why not.

(5) Can he confirm that Orrcon Operations has not generated 14 direct jobs and that the company is in breach of the funding guidelines; if not, why not.

(6) What action does he propose to take to recover taxpayer funds granted to Orrcon Operations in contravention of the funding guidelines.

(7) Will he provide a progress report on the remaining eight grant recipients to ensure that the 159 direct jobs that were to be created have in fact eventuated; if not, why not.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) Funding of $486,500 was provided to Orrcon Operations Pty Ltd (Orrcon) Port Kembla site from the PKIFF to undertake a project titled “Commercialise an opportunity to end form steel pipes”. In their application, Orrcon estimated that the project would result in 14 sustainable direct jobs and a number of indirect jobs when the plant reached full capacity.

(3) I am aware that Orrcon also operates a pipe mill at Unanderra which manufactures product for the gas and oil industry and that this facility has unfortunately had to reduce shifts and lay off a number of workers due to a downturn in demand for its product.

(4) My department has determined that eight new staff members have been employed at the Port Kembla site and an additional three transferred from Orrcon’s Unanderra pipe mill.
(5) My department has been advised that further new staff will be employed as the plant ramps up to full capacity in response to winning additional tenders to supply water pipe. I am advised that Orrcon is not in breach of the funding agreement.

(6) See answer to 5.

(7) I am advised that the other eight projects funded by the PKIFF are yet to be completed but are progressing well and it is expected that all project commitments will be met.

Attachment 1

Australian Government
Department of Industry
Tourism and Resources
AusIndustry
Industry House, 10 Binara Street
Canberra City ACT 2601
GPO Box 9839
Canberra ACT 2601 Australia
Phone: +61 2 6213 7470
Facsimile: +61 2 6213 7344
Email: bill.peel@industry.gov.au
Web: www.ausindustry.gov.au
ABN: 51 835 430 479

Ms Sharon Bird MP
Federal Member for Cunningham
PO Box 387
WOLLONGONG NSW 2520

Dear Ms Bird

Request relating to Port Kembla Industry Facilitation Fund

On 8 July 2007 you wrote to the Australian National Audit Office (ANAO) requesting an inquiry into a funding grant provided under the Port Kembla Industry Facilitation Fund (PKIFF) to Orrcon Operations Pty Ltd (Orrcon) located at Unanderra.

The ANAO has referred your concerns to me and asked that I respond. The ANAO considered that your central concern is whether the funding assistance of $486,500 provided through the PKIFF has been used appropriately.

The PKIFF funding provided to Orrcon was for a project located at their Port Kembla site and this project has recently been completed. As is normal practice subsequent to making any final payment, officers from AusIndustry conducted a project final visit and compliance check on 2 August. The result of this visit is that the project has been completed in accordance with the Funding Agreement and all PKIFF funds have been used appropriately.

The facts are as follows:

• Orrcon applied for funding of $486,500 under the PKIFF. The funding was to “fully commercialise an opportunity to end form steel pipes” at their Port Kembla site. In their application, Orrcon estimated that the project would result in 14 sustainable direct jobs when the plant reached full capacity. The planned production facility capitalises on in-house R&D and will have the capacity to cold form the ends of pipe of various diameters for the water industry.

• An offer of funds to Orrcon was made on 22 December 2006 and accepted on 8 January 2007. The Funding Agreement with the Commonwealth was signed 12 March 2007.
The original estimated project budget was $973,000 with the PKIFF funds representing 50% of this amount.

The final milestone for the project was “Commercialisation”

During our end of project visit and compliance check the company provided evidence of:
- commercialisation, in the form of contracts to supply two major water pipeline projects and plans for tendering for others,
- expenditure, in the form of invoices for project related items.; and
- employment of eight new staff members plus three transferred from Orrcon’s Unanderra pipe mill. Further new staff will be employed as the plant ramps up to full capacity in response to Orrcon’s winning additional tenders to supply water pipe. Final staff levels are expected to meet or exceed the original estimate.

The company has been paid all PKIFF monies except a 10% retention amount pending receipt of a final financial audit from an independent auditor.

As a result of our end of project and compliance visit my officers are confident that all contractual obligations have been met and that funding paid to the Orrcon head office in Brisbane has been expended at the Port Kembla site.

Yours sincerely
Bill Peel
Executive General Manager
AusIndustry
October 2007

Sydney (Kingsford Smith) Airport
(Question No. 6162)

Mr Murphy asked the Minister representing the Minister for Justice and Customs, in writing, on 7 August 2007:

Can the Minister advise whether any security cameras used by the Australian Customs Service in the cargo-handling areas of (a) Sydney Airport and/or (b) any other Australian airport were stolen, interfered with or were otherwise not functioning properly between April 2006 and July 2007; 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:

The Australian Customs Service is not aware of any security cameras, either owned or used by Customs, in the cargo-handling areas of (a) Sydney Airport and/or (b) any other Australian airport that have been stolen, interfered with or otherwise were not functioning properly between April 2006 to July 2007.

Legal Practitioners
(Question No. 6164)

Mr Price asked the Attorney-General, in writing, on 7 August 2007:

(1) Are legal practitioners in the Federal and State jurisdictions required to be persons of good character and fame.

(2) Does he require the maintenance of high professional standards by legal practitioners.

(3) Can a solicitor registered in New South Wales (NSW) practise in Federal jurisdictions.
(4) Can a solicitor registered in NSW practise concurrently in another capacity, such as a migration agent or marriage celebrant; if so, is a disbarred solicitor prevented from continuing to act as a migration agent or marriage celebrant; if not why not.

(5) If a solicitor is barred from practising in NSW, does the NSW Attorney-General advise him that this has occurred.

(6) Does he advise his NSW counterpart if a migration agent or marriage celebrant is suspended; if not, why not.

(7) Does he initiate any action with the relevant legal disciplinary when a solicitor also practising as a migration agent is suspended for misconduct; if not why not.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) In the past, a ‘good fame and character’ (or similar wording)-based test was applied in State and Territory jurisdictions. However, consistent with the outcomes of the national legal profession Model Bill project, most jurisdictions have recently adopted a less subjective ‘fit and proper person’-based test to determine suitability to both: (i) be entered on the role of practitioners in their local Supreme Court and (ii) be issued a practising certificate from the local regulatory authority (typically the State or Territory Law Society). Western Australia, South Australia and Tasmania, which have not yet implemented legislation based on the Model Bill (but have advised that they will do so in the near future) use ‘of good fame and character and fit and proper’, ‘of good character’ and ‘of good fame and character and is a fit and proper person’, respectively. The entitlement to practise in a federal court depends, in turn, upon an entitlement to practise in the Supreme Court of a State or Territory (described above), and entry in the Register of Practitioners kept in the High Court. In addition, under the Judiciary Act 1903, certain Commonwealth officers and lawyers of the Australian Government Solicitor may appear in federal, State and Territory courts.

(2) Regulation of the conduct and professional standards of legal practitioners is the direct responsibility of State and Territory Governments. Nevertheless, I have been working closely with my State and Territory counterparts to ensure that a consistently high level of conduct and professionalism is required in all jurisdictions. The outcome of that work is reflected in the various State and Territory Legal Profession Acts.

Regarding legal practitioners who are engaged by the Commonwealth, I have issued the Legal Services Directions 2005, which require, in litigation, Commonwealth agencies (and, by extension, their legal representatives when acting on their behalf) to behave as model litigants. Further, the Directions require that the Commonwealth must not brief a barrister who has been bankrupt and whose bankruptcy was the subject of an adverse disciplinary finding by the relevant State or Territory regulatory authority, without my approval.

(3) Yes.

(4) I am advised that New South Wales has no rules barring legal practitioners from also practising as migration agents or marriage celebrants. The Commonwealth similarly has no bar on migration agents or marriage celebrants also being legal practitioners.

When a person’s practising certificate is revoked in New South Wales, the Legal Profession Regulations 2005 (NSW) allow the Law Society of NSW to share information regarding that refusal with the Migration Agents Regulatory Authority (MARA). I am advised that, in addition, the MARA regularly checks the Legal Practitioners Disciplinary Register on the website of the Office of the Legal Services Commissioner. Where a registered migration agent has been disciplined by the Law Society, the MARA will conduct its own investigation concerning the disciplinary action to determine whether the lawyer-migration agent is not a fit and proper person to provide ‘immigration assistance’, or is not a ‘person of integrity’ as defined by the Migration Act 1958. If the MARA con-
cludes that either, or both, is the case, it will sanction the agent. The sanction imposed may be a caution, suspension or cancellation of registration.

Lawyer-migration agents, when applying for registration or re-registration as a migration agent, must disclose to the MARA whether they are subject to investigation or disciplinary measures related to their legal practice. The MARA then investigates these issues and considers whether the solicitor’s conduct is sufficient for the MARA to refuse registration, and/or bar the agent from returning to the industry for a certain period of time if they are applying for re-registration.

A Commonwealth-registered marriage celebrant may be deregistered for a number of reasons set out in subsection 39I (1) of the Marriage Act 1961, including that the Registrar of Marriage Celebrants is satisfied that the marriage celebrant is no longer entitled to be registered. If a NSW solicitor, registered as a Commonwealth-registered marriage celebrant, was removed from the roll or refused a practising certificate then the Registrar of Marriage Celebrants could consider whether the behaviour which caused the that removal or refusal, also caused him or her to no longer meet the ‘fit and proper’ person test in the Marriage Act.

(5) The New South Wales Attorney-General does not, in the ordinary course, raise individual decisions of that type directly with me. When a solicitor is removed from the roll of the Supreme Court of New South Wales, the Registrar of the Supreme Court is required to notify the Registrar of the High Court. When a solicitor is refused a practising certificate in New South Wales, the Legal Profession Regulations 2005 (NSW) allow the Law Society of NSW to share information regarding that refusal with the Registrar of the High Court.

(6) I do not, in the ordinary course, raise individual decisions of that type directly with the New South Wales Attorney-General. I am advised that the MARA advises the relevant legal disciplinary body of all cases of misconduct that come to its notice where action by the relevant legal body might be warranted. When the MARA sanctions a registered migration agent, (i.e. caution, suspension, cancellation, or bar) the MARA places the information on the Register of Migration Agents, available on the MARA website, with a link to the decision record.

In accordance with section 39B of the Marriage Act, the Registrar of Marriage Celebrants maintains a Register of Marriage Celebrants and all information contained in the Register is available on the Internet. When a marriage celebrant is deregistered, the Registrar of Marriage Celebrants removes the celebrant’s name from the Register of Marriage Celebrants. In addition, every month, the Registrar of Marriage Celebrants circulates a list to all State and Territory Registrars of Births, Deaths and Marriages. This list provides details of all marriage celebrants whose registration has been revoked during that month.

(7) I do not, in the ordinary course, raise individual decisions of that type directly with the responsible State or Territory legal disciplinary body. I am advised that the MARA advises the responsible legal disciplinary body of all cases of misconduct that come to its notice where action by the legal disciplinary body might be warranted. When the MARA sanctions a registered migration agent, (i.e. caution, suspension, cancellation, or bar) the MARA places the information on the Register of Migration Agents, available on the MARA website, with a link to the decision record.

Nuclear Power Stations: Risks Posed by Earthquakes

(Question No. 6174 to 6176)

Mr Garrett asked the Prime Minister, the Minister for Environment and Water and the Minister for Industry, Tourism and Resources, in writing on 7 August 2007:

(1) Are the Minister’s department and/or agencies aware of the 16 July earthquake, measuring 6.8 on the Richter scale, that hit Japan’s north-west coast and disabled the world’s largest nuclear reactor, the Kashiwazaki Kariwa power plant.
(2) Are the Minister’s department and/or agencies aware that as a result of the earthquake, the Kashiwazaki Kariwa nuclear plant experienced 50 cases of “malfunction and trouble”, including burst pipes, fires, a leak of about 315 gallons of water containing radioactive material that was flushed out to sea, the release of Cobalt-60 and chromium-51 into the atmosphere and damage to approximately 100 drums of low-level nuclear waste.

(3) Are the Minister’s department and/or agencies aware that the Kashiwazaki Kariwa nuclear plant has been closed indefinitely and that this has caused major disruption to regional power supplies.

(4) Are the Minister’s department and/or agencies aware that officials at the Kashiwazaki Kariwa nuclear plant admitted that they had not foreseen such an earthquake hitting the facility.

(5) Are the Minister’s department and/or agencies aware that Kashiwazaki Kariwa nuclear plant’s No. 1 reactor recorded tremors of 680 gals in the east-west direction and that this was more than twice the designed capacity of 273 gals.

(6) Are the Minister’s department and/or agencies aware that Japan’s chief government spokesman, Yasuhisa Shiozaki, said the designs of other Japanese nuclear plants will be re-examined to make sure they are strong enough to resist all potential earthquakes.

(7) Are the Minister’s department and/or agencies aware that Yumio Ishii, President of the Japan Society of Civil Engineers, said on 20 July 2007: “I strongly feel we were lucky the disaster wasn’t worse than it was. The quake-resistance standards for nuclear power plants definitely need to be reviewed.”

(8) Have the Minister’s department and/or agencies undertaken work to assess risks posed by earthquakes to nuclear power stations and nuclear waste dumps in Australia; if so, what are the details.

(9) Did the Minister’s department and/or agencies provide advice relating the risks associated with earthquakes to the Uranium Mining, Processing and Nuclear Energy review; if so, what are the details.

(10) Did the Uranium Mining, Processing and Nuclear Energy review commission any research into, or seek any advice on, the risks associated with earthquakes; if so, what are the details.

(11) Have the Minister’s department and/or agencies undertaken any action based on the impact of the 16 July Japanese earthquake upon the Kashiwazaki Kariwa power plant; if so, what are the details.

(12) Is the 16 July 2007 Japanese example of the underestimation of the risks posed by earthquakes to nuclear power stations consistent with the understanding of the Minister’s department and/or agencies concerning nuclear power station building safety standards.

(13) Have the Minister’s department and/or agencies provided any advice about the costs of nuclear power and waste disposal safety standards; if so, what are the details.

Mr Ian Macfarlane—I provide the following answers on behalf of the Prime Minister, the Minister for Environment and Water and myself, to the honourable member’s questions. The answers to the honourable member’s questions are as follows:

(1) The Australian Government is aware of the 16 July 2007 earthquake in Niigata Prefecture Japan and its effects on the Kashiwazaki Kariwa power plant.


(3) The Government is aware that the plant has been shut down until all investigations and any plant modifications have been carried out. The Government understands that there was no significant disruption to power supplies. The plant operator, TEPCO, met its customer needs from alternative generators and adjustments to its load profiles.
(4) The safety of nuclear power plants in Japan is a matter for the Japanese Government.

(5) The safety of nuclear power plants in Japan is a matter for the Japanese Government.

(6) The safety of nuclear power plants in Japan is a matter for the Japanese Government.

(7) The safety of nuclear power plants in Japan is a matter for the Japanese Government.

(8) No potential nuclear reactor sites in Australia have been assessed. Investigations on a low and intermediate level waste facility are taking place but no decision has been made. The risks posed to any nuclear facilities would need to be assessed on a site by site basis in the normal course of any approvals process. This was the case for the Lucas Heights replacement reactor.

(9) Geoscience Australia made a submission to the Uranium Mining, Processing and Nuclear Energy Review (UMPNER). It stated that “Australia is the most geologically stable of the continents. It has areas which appear geologically suitable for waste disposal. These are particularly in Precambrian granite-gneiss terranes and clay-rich sedimentary strata, where it is possible to predict the future behaviour of the geological and hydrological systems and provide information on the risks.”

(10) UMPNER did not commission any research into, or seek advice on the risks associated with earthquakes. See the response to part 9.

(11) Officials are monitoring developments.

(12) The safety of nuclear power plants in Japan is a matter for the Japanese Government.


**Terrorism**

(Question No. 6185)

Mr Bevis asked the Attorney-General, in writing, on 8 August 2007:

In respect of terror suspects and those charged with terror-related crimes: (a) how many, if any, are required not to talk to the media as a precondition of bail; (b) by whom, when and where are such conditions imposed; (c) how many terror suspects are known to have breached such a precondition.

Mr Ruddock—The answer to the honourable member’s question is as follows:

(a) One person, who has been charged with an offence under Part 5.3 (Terrorism) of the Criminal Code Act 1995 (Cth), was released on bail on his own undertaking, with conditions including:

1. I will not publish or authorise or approve to be published collected or produced any material for publication, either in written, visual or audio form.

2. I will not make any public appearances or make any statement for publication in any form to any person relating to any public or political issue….

7. I further undertake not to cause anyone else to send or receive any messages on my behalf or to publish anything on my behalf or at my request or my encouragement”

(b) These bail conditions were imposed by The Honourable Justice Greg James of the Supreme Court of NSW on 24 June 2004, following his review of a Magistrate’s bail decision. The bail, with these undertakings and the other conditions, was continued at various times by various judicial officers presiding over the matter.

(c) No action has been taken with respect to a breach of any of the above undertakings.
Maritime Security Guards
(Question No. 6188)
Mr Bevis asked the Minister for Transport and Regional Services, in writing, on 8 August 2007:
In respect of Maritime Security Guards: (a) how many work full-time; (b) how many work part-time; (c) where are they located; (d) on how many occasions have they physically restrained a person; and (e) on how many occasions have they removed persons, vehicles and/or vessels from a maritime security zone and why.
Mr Vaile—The answer to the honourable member’s question is as follows:
(a) (b) and (c) Security arrangements for maritime industry participants, including the employment of Maritime Security Guards, are a matter for industry participants. My Department does not collect data on the number or location of people employed as Maritime Security Guards.
(d) and (e) My Department has not received any reports of Maritime Security Guards restraining persons, or removing persons, vehicles or vessels from maritime security zones.
Asbestos
(Question No. 6200)
Mr Murphy asked the Minister for Health and Ageing, in writing, on 8 August 2007:
(1) Is he aware that mesothelioma is a malignant, incurable cancer directly attributed to asbestos exposure; if not, why not.
(2) Can he confirm that Alimta is the only pharmacological agent registered by the Therapeutic Goods Administration for the treatment of mesothelioma; if not, why not.
(3) Is he aware of a randomised control study, which has shown that Alimta (a) slowed disease progression and (b) increased survival for many patients living with mesothelioma; if not, why not.
(4) Can he confirm that not all mesothelioma patients can obtain access to Alimta through State/Territory workers’ compensation schemes, or may live in a State/Territory without a compensation scheme; if not, why not.
(5) Will he explain why Alimta is not listed for subsidy on the Pharmaceutical Benefits Schedule (PBS) for the treatment of mesothelioma when it is the only drug registered to treat mesothelioma and is currently subsidised for people with lung cancer; if not, why not.
(6) Will he ensure that all Australians have timely and affordable access to Alimta by providing a government subsidy for this treatment, including, but not limited to, listing on the PBS; if not, why not.
Mr Abbott—The answer to the honourable member’s question is as follows:
(1) Yes.
(2) ALIMTA® (pemetrexed disodium) is the only prescription medicine product on the Australian Register of Therapeutic Goods (ARTG) indicated for the treatment of patients with malignant pleural mesothelioma; and for the treatment of patients with locally advanced or metastatic non-small-cell lung cancer, after prior platinum based chemotherapy. This product was registered on 30 June 2004 and the sponsor of Alimta is Eli Lilly Australia Pty Limited.
(3) Yes.
(4) This is a matter for individual state and territory governments.
(5) Medicines are included in the Schedule of Pharmaceutical Benefits on the advice of the Pharmaceutical Benefits Advisory Committee (PBAC) - an independent, expert advisory body whose members include a range of health professionals and a consumer representative.

QUESTIONS IN WRITING
In considering an application for listing a medicine on the Pharmaceutical Benefits Scheme (PBS), the PBAC must take into account the medical conditions for which the product has been approved for use in Australia, as well as its clinical effectiveness, cost effectiveness and clinical role compared with other treatments.

The PBAC has considered the listing of ALIMTA® (pemetrexed disodium) on the PBS for the treatment of mesothelioma on several occasions. The PBAC rejected these submissions because of unacceptable cost effectiveness. The PBAC acknowledged the severity of the condition and the lack of an effective treatment for mesothelioma. However, at the price proposed in the submissions, even these important factors were insufficient to enable the PBAC to recommend the listing of ALIMTA for this patient group.

(6) The company has announced that it has made a new submission for ALIMTA® (pemetrexed disodium) for consideration by the PBAC at its November 2007 meeting. The results from this meeting will be made known six weeks after the meeting.

All sponsors of medicines for treatment of patients with mesothelioma are welcome to submit information for consideration by the PBAC at any time.

**Health: Oncology**

(Question No. 6201)

Mr Murphy asked the Minister for Health and Ageing, in writing, on 8 August 2007:

(1) Can he confirm that a survey of oncologists, published in the *Annals of Oncology*, has previously found that some oncologists may fail to discuss expensive drug treatment options with their patients if the drug is not subsidised; if not, why not.

(2) How will he ensure that all patients diagnosed with mesothelioma have been provided with the necessary information about Alimta, enabling them to make an informed choice about their treatment.

Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) It is the responsibility of doctors and specialists to discuss all relevant treatment options with their patients.

**Asbestos**

(Question No. 6202)

Mr Murphy asked the Minister for Health and Ageing, in writing, on 8 August 2007:

(1) Can he confirm that mesothelioma is a rare form of cancer that may develop decades after casual exposure to asbestos.

(2) Is he aware that Australia has the highest per capita incidence of mesothelioma in the world, in part caused by the large amount of asbestos used in commercial and domestic products; if not, why not.

(3) Is he aware of reports that (a) there is a new wave of cases of asbestos-related disease appearing among home owners who are renovating, or working on, homes built before 1980; (b) workers in the home building industry now account for the biggest percentage of new cases of mesothelioma; and (c) it is expected that there may be as many as 11,000 mesothelioma cases still to develop and be diagnosed; if not, why not.

(4) What activities or programs has the Commonwealth Government commenced to (a) increase public awareness of the hazards of asbestos exposure, (b) assist home owners to identify products and materials made from asbestos and (c) provide guidance on how to avoid, or reduce, the risk of asbestos-related disease.
Mr Abbott—The answer to the honourable member’s question is as follows:

(1) Yes.

(2) Yes.

(3) (a) Yes. (b) Yes. (c) Yes.

(4) (a) Currently there are two Commonwealth documents covering asbestos related issues:

- the Occupational Health and Safety (Safety Standards) Regulations – Part 6 - Hazardous Substances (the Regulations); and

- the Approved Code of Practice on Asbestos.


In 2005, the Commonwealth Government in association with the then enHealth Council, produced the Management of Asbestos in the Non-Occupational Environment guidelines to inform home owners of the risk of exposure to asbestos products in homes. This guidance has been referred to by individual state and territory jurisdictions which have produced detailed guidance for renovators and home owners on dealing with asbestos-containing products in their homes.

Commonwealth Occupational Health and Safety regulations require employers falling within the Commonwealth’s jurisdiction to ensure that the removal of asbestos from premises is by asbestos removalists operating according to the relevant State or Territory laws. This might require the removalist to obtain a license, permit or some other authorisation by a State or Territory authority to remove asbestos from premises.

The transport and disposal of asbestos waste is controlled by the Environment Protection Authority, which stipulates the safe handling and disposal through specific licensing.

(c) In September 2006, the Commonwealth Government committed $6.2 million through the National Health and Medical Research Council to establish the National Research Centre for Asbestos Related Diseases and fund eleven research projects for three years.

Motor Vehicle Fleet: Fuel Consumption

(Question No. 6206)

Mr Murphy asked the Minister for Industry, Tourism and Resources, in writing, on 9 August 2007:

(1) Can he provide figures showing the effect of the Fuel Consumption Label on the average fuel consumption of the Australian motor vehicle fleet; if so what are those full details; if not, why not.

(2) Has the average fuel consumption of Australian vehicles decreased since the introduction of the labelling scheme in 1999; if so:

(a) what has been the average fuel consumption for each year since the labelling scheme was introduced and;

(b) how can he be certain that the estimates referred to in Part (a) are correct; if not, why not.

QUESTIONS IN WRITING
Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) No. It is not possible to determine the impact one initiative, such as the Fuel Consumption Labels, has on the average fuel consumption of the Australian motor vehicle fleet. There are many factors that influence average fuel consumption.

(2) The estimates provided to the Government from the Bureau of Transport and Regional Economics (BTRE) indicate that the national average fuel consumption (NAFC) of new passenger cars has decreased since 1999.

(a) The Government has been provided estimates of the annual NAFC from the BTRE, shown in the table below. These estimates have been calculated using VFACTS sales data, compiled by the Federal Chamber of Automotive Industries (FCAI). It should be noted that the test procedure has changed from AS2877 as prescribed for ADR81/00 and from Jan 04 all new vehicles had to be tested under the new ADR81/01 using the UNECE R101 drive cycle.

<table>
<thead>
<tr>
<th>Year</th>
<th>NAFC</th>
</tr>
</thead>
<tbody>
<tr>
<td>1999</td>
<td>8.63</td>
</tr>
<tr>
<td>2000</td>
<td>8.62</td>
</tr>
<tr>
<td>2001</td>
<td>8.62</td>
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<tr>
<td>2002</td>
<td>8.62</td>
</tr>
<tr>
<td>2003</td>
<td>8.47</td>
</tr>
<tr>
<td>2004</td>
<td>8.42</td>
</tr>
<tr>
<td>2005</td>
<td>8.33</td>
</tr>
<tr>
<td>2006</td>
<td>8.20</td>
</tr>
</tbody>
</table>

(b) As provided in part (a) above, the BTRE estimates are based on data provided by the FCAI. It is assumed that the tests are conducted to all required procedures, and the BTRE is confident the estimates are accurate measures, particularly the trend in the improvement of fuel consumption. However, fuel consumption estimates may be typically lower than actual fuel consumption because the tests cannot account for factors such as individual driving behaviour and traffic congestion.

Automotive Competitiveness and Investment Scheme

(Question No. 6207)

Mr Murphy asked the Minister for Industry, Tourism and Resources, in writing, on 9 August 2007:

(1) Can he provide figures showing how the Automotive Competitiveness and Investment Scheme (ACIS), introduced in 1998, has improved the average energy efficiency of the Australian motor vehicle fleet; if so, (a) what are the full figures that demonstrate the improvement in average energy efficiency for each year since the introduction of the ACIS and (b) how can he be certain that the figures are correct; if not, why not.

(2) Can he provide figures showing how the ACIS has improved the average fuel consumption of the Australian motor vehicle fleet; if so, (a) what are the full figures that demonstrate the improvement in average fuel consumption for each year since the introduction of the ACIS and (b) how can he be certain that the figures are correct; if not, why not.

(3) Since its introduction, which part of the ACIS has provided incentives for (a) improved fuel consumption, (b) reduced vehicle emissions and (c) the use of alternative fuels; if the scheme makes no provision for such incentives; why not.

(4) Can he provide figures showing the reduction of vehicle emissions, including carbon dioxide emissions, since the introduction of the ACIS; if so, how can he be certain that these figures are correct; if not, why not.
Can he provide figures to show the displacement of petroleum fuels by alternative fuels since the implementation of the ACIS; if so, how can he be certain these figures are correct; if not, why not.

Mr Ian Macfarlane—The answer to the honourable member’s question is as follows:

(1) The purpose of ACIS is to provide transitional assistance to encourage competitive investment and innovation in the Australian automotive industry in order to achieve sustainable growth, both in the Australian market and internationally, in the context of trade liberalisation. Registered ACIS participants earn assistance in the form of duty credits from the production of motor vehicles and engines and from investment in approved plant and equipment and research and development in Australia. Duty credits may be used to offset Customs duty on eligible imports, or may be sold or otherwise transferred.

The Government does not dictate to ACIS recipients the types of research and development investment that must be undertaken. This gives ACIS recipients maximum flexibility to develop new technologies and products that meet customer demands and international market expectations.

(2) The requested figures are not collected under ACIS. See response to Question 1.

(3) ACIS participants receive assistance for eligible expenditure. This may be in the areas of improving fuel efficiency, reducing emissions and developing alternative fuel technologies.

More specifically, research into fuel efficiency and the uptake of alternative fuels by the motor vehicle manufacturers in Australia is being assisted through the $150 million ACIS Motor Vehicle Producer R&D Scheme, which has provided grants to assist with the development of alternative fuel engine development technologies and hybrid power train development.

Outside of ACIS, the Government has recently provided one-off assistance of $52.5 million to Ford Australia, part of which was to assist with the development of a diesel engine Territory/Falcon, while GM Holden was granted $6.7 million to develop fuel economy and emission improvements for the VE Commodore.

(4) The requested figures are not collected under ACIS. See response to Questions 1 and 3.

(5) The requested figures are not collected under ACIS. See response to Questions 1 and 3.

National Security Hotline

(Question No. 6213)

Mr Murphy asked the Attorney-General, in writing, on 13 August 2007:

(1) How many telephone calls were received by the National Security Hotline for each month of (a) 2004, (b) 2005 and (c) 2006.

(2) To date, how many telephone calls have been received by the National Security Hotline for each month of 2007.

(3) Did any of the telephone calls identified in Parts (1) and (2) contain information that required further investigation; if so, (a) what was the broad nature of each of the complaints, (b) which government agencies, government departments or other organisations conducted the investigation, (c) what was the approximate length of time taken to complete each investigation and (d) what were the findings, conclusions and/or recommendations made in respect of each telephone call received by the National Security Hotline that prompted further investigation; if not, why not.

(4) For each investigation identified in Part (3), did it result in the prosecution of the person, or persons, investigated; if so, what are those details; if not, can he say why not.

(5) What action is taken by the National Security Hotline in respect of telephone calls that do not contain information warranting further investigation.
Mr Ruddock—The answer to the honourable member’s question is as follows:

(1) (a) In 2004 the National Security Hotline received the following number of calls for each month:

<table>
<thead>
<tr>
<th>Month</th>
<th>Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>845</td>
</tr>
<tr>
<td>February</td>
<td>856</td>
</tr>
<tr>
<td>March</td>
<td>1717</td>
</tr>
<tr>
<td>April</td>
<td>1311</td>
</tr>
<tr>
<td>May</td>
<td>1123</td>
</tr>
<tr>
<td>June</td>
<td>958</td>
</tr>
<tr>
<td>July</td>
<td>897</td>
</tr>
<tr>
<td>August</td>
<td>801</td>
</tr>
<tr>
<td>September</td>
<td>1629</td>
</tr>
<tr>
<td>October</td>
<td>3224</td>
</tr>
<tr>
<td>November</td>
<td>1520</td>
</tr>
<tr>
<td>December</td>
<td>1395</td>
</tr>
</tbody>
</table>

(b) In 2005 the National Security Hotline received the following number of calls for each month:

<table>
<thead>
<tr>
<th>Month</th>
<th>Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>1221</td>
</tr>
<tr>
<td>February</td>
<td>1203</td>
</tr>
<tr>
<td>March</td>
<td>1116</td>
</tr>
<tr>
<td>April</td>
<td>1097</td>
</tr>
<tr>
<td>May</td>
<td>1064</td>
</tr>
<tr>
<td>June</td>
<td>996</td>
</tr>
<tr>
<td>July</td>
<td>4383</td>
</tr>
<tr>
<td>August</td>
<td>2793</td>
</tr>
<tr>
<td>September</td>
<td>3265</td>
</tr>
<tr>
<td>October</td>
<td>3402</td>
</tr>
<tr>
<td>November</td>
<td>4788</td>
</tr>
<tr>
<td>December</td>
<td>2693</td>
</tr>
</tbody>
</table>

(c) In 2006 the National Security Hotline received the following number of calls for each month:

<table>
<thead>
<tr>
<th>Month</th>
<th>Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>1665</td>
</tr>
<tr>
<td>February</td>
<td>1749</td>
</tr>
<tr>
<td>March</td>
<td>2077</td>
</tr>
<tr>
<td>April</td>
<td>1212</td>
</tr>
<tr>
<td>May</td>
<td>1296</td>
</tr>
<tr>
<td>June</td>
<td>1316</td>
</tr>
<tr>
<td>July</td>
<td>1233</td>
</tr>
<tr>
<td>August</td>
<td>1701</td>
</tr>
<tr>
<td>September</td>
<td>1426</td>
</tr>
<tr>
<td>October</td>
<td>1315</td>
</tr>
<tr>
<td>November</td>
<td>1148</td>
</tr>
<tr>
<td>December</td>
<td>895</td>
</tr>
</tbody>
</table>

(2) In 2007 the National Security Hotline has received the following number of calls each month for the period from 01 January until 31 August:

<table>
<thead>
<tr>
<th>Month</th>
<th>Calls</th>
</tr>
</thead>
<tbody>
<tr>
<td>January</td>
<td>1077</td>
</tr>
<tr>
<td>February</td>
<td>1608</td>
</tr>
<tr>
<td>March</td>
<td>1220</td>
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<td>April</td>
<td>1568</td>
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<tr>
<td>May</td>
<td>1614</td>
</tr>
<tr>
<td>June</td>
<td>1399</td>
</tr>
</tbody>
</table>
(3) Not known. The staff of the National Security Hotline do not analyse or filter the information received, but forward the details immediately to the police in the jurisdiction/s relevant to the call, to the AFP and to ASIO for their analysis and possible investigation.

(4) Not known. See 3 above.

(5) The National Security Hotline treats all calls seriously, and does not analyse or investigate the information provided to it. All information is forwarded immediately to the police in the jurisdiction/s relevant to the call, to the AFP and to ASIO. See (3) above.

Westpoint Investors Group: Correspondence
(Question No. 6278)

Mr Murphy asked the Treasurer, in writing, on 16 August 2007:

(1) Has he read correspondence sent to him on 13 August 2007 by Mr Graham MacAulay, President, Westpoint Investors Group; if not, why not.

(2) What is his response to Mr MacAulay’s correspondence, including, but not limited to, Mr MacAulay’s criticisms of the procedures and powers of the Financial Industry Complaints Service.

Mr Costello—The answer to the honourable member’s question is as follows:

(1) and (2) No, as the matter falls within the portfolio responsibility of the Minister for Revenue and Assistant Treasurer, the correspondence was referred to his office for an appropriate response.