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- **ADELAIDE** 972 AM
- **PERTH** 585 AM
- **HOBART** 747 AM
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FORTY-SECOND PARLIAMENT
FIRST SESSION—FIRST 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—Mr Harry Alfred Jenkins MP
Deputy Speaker—Ms Anna Elizabeth Burke MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP, Hon. Kevin James Andrews MP, Hon. Archibald Ronald Bevis MP, Ms Sharon Leah Bird MP, Mr Steven Georganas MP, Hon. Judith Eleanor Moylan MP, Ms Janelle Anne Saffin MP, Mr Albert John Schultz MP, Mr Patrick Damien Secker MP, Hon. Peter Neil Slipper MP, Mr Peter Sid Sidebottom MP, Mr Kelvin John Thomson MP, Hon. Danna Sue Vale MP and Dr Malcolm James Washer MP

Leader of the House—Hon. Anthony Norman Albanese MP
Deputy Leader of the House—Hon. Stephen Francis Smith MP
Leader of Opposition Business—Hon. Joseph Benedict Hockey MP
Deputy Leader of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips
Australian Labor Party

Leader—Hon. Kevin Michael Rudd MP
Deputy Leader—Hon. Julia Eileen Gillard MP
Chief Government Whip—Hon. Leo Roger Spurway Price MP
Government Whips—Ms Jill Griffiths Hall MP and Mr Christopher Patrick Hayes MP

Liberal Party of Australia

Leader—Hon. Brendan John Nelson MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Alex Somlyay MP
Opposition Whip—Mr Michael Andrew Johnson MP
Deputy Opposition Whip—Ms Nola Bethwyn Marino MP

The Nationals

Leader—Hon. Warren Errol Truss MP
Chief Whip—Mrs Kay Elizabeth Hull MP
Whip—Mr Paul Christopher Neville MP

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<td>Vamvakinou, Maria</td>
<td>Calwell, Vic</td>
<td>ALP</td>
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### Members of the House of Representatives

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<td>Windsor, Anthony Harold Curties</td>
<td>New England, NSW</td>
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<td>Wood, Jason Peter</td>
<td>La Trobe, Vic</td>
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<td>Zappia, Tony</td>
<td>Makin, SA</td>
<td>ALP</td>
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**PARTY ABBREVIATIONS**  
ALP—Australian Labor Party; LP—Liberal Party of Australia; Nats—The Nationals; Ind—Independent

### Heads of Parliamentary Departments

- Clerk of the Senate—H Evans
- Clerk of the House of Representatives—I C Harris AO
- Secretary, Department of Parliamentary Services—D Kenny (Acting)
RUDD MINISTRY

Prime Minister
Deputy Prime Minister,
Minister for Education and
Minister for Employment and Workplace Relations and
Minister for Social Inclusion
Treasurer
Minister for Immigration and Citizenship and Leader of the Government in the Senate
Special Minister of State,
Cabinet Secretary and
Vice President of the Executive Council
Minister for Trade
Minister for Foreign Affairs
Minister for Defence
Minister for Health and Ageing
Minister for Families, Housing, Community Services and Indigenous Affairs
Minister for Finance and Deregulation
Minister for Infrastructure, Transport and Regional Development and Local Government and Leader of the House
Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Minister for Innovation, Industry, Science and Research
Minister for Climate Change and Water
Minister for Environment, Heritage and the Arts
Attorney-General
Minister for Human Services and Manager of Government Business in the Senate
Minister for Agriculture, Fisheries and Forestry
Minister for Resources and Energy and
Minister for Tourism

Hon. Kevin Rudd, MP
Hon. Julia Gillard, MP
Hon. Wayne Swan MP
Senator Hon. Chris Evans
Senator Hon. John Faulkner
Hon. Simon Crean MP
Hon. Stephen Smith MP
Hon. Joel Fitzgibbon MP
Hon. Nicola Roxon MP
Hon. Jenny Macklin MP
Hon. Lindsay Tanner MP
Hon. Anthony Albanese MP
Senator Hon. Stephen Conroy
Senator Hon. Kim Carr
Senator Hon. Penny Wong
Hon. Peter Garrett AM, MP
Hon. Robert McClelland MP
Senator Hon. Joe Ludwig
Hon. Tony Burke MP
Hon. Martin Ferguson MP
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<th>Hon. Bob Debus</th>
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<td>Minister for Competition Policy and Consumer Affairs</td>
<td>Hon. Chris Bowen MP</td>
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<td>Ministers for Veterans’ Affairs</td>
<td>Hon. Alan Griffin MP</td>
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<td>Minister for the Status of Women</td>
<td>Hon. Tanya Plibersek MP</td>
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<td>Minister for Employment Participation</td>
<td>Hon. Brendan O’Connor MP</td>
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<td>Minister for Defence Science and Personnel</td>
<td>Hon. Warren Snowdon MP</td>
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<td>Minister for Small Business, Independent Contractors and the Service Economy and</td>
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<td>Minister Assisting the Finance Minister on Deregulation</td>
<td>Hon. Craig Emerson MP</td>
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<td>Minister for Superannuation and Corporate Governance</td>
<td>Senator Hon. Nick Sherry</td>
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<td>Minister for Ageing</td>
<td>Hon. Justine Elliot MP</td>
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<td>Minister for Youth and</td>
<td>Hon. Kate Ellis MP</td>
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<td>Minister for Sport</td>
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<td>Parliamentary Secretary for Early Childhood Education and Childcare</td>
<td>Hon. Maxine McKew MP</td>
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<td>Parliamentary Secretary for Defence Procurement</td>
<td>Hon. Greg Combet MP</td>
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<td>Parliamentary Secretary for Defence Support</td>
<td>Hon. Mike Kelly MP</td>
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<td>Parliamentary Secretary for Regional Development and Northern Australia</td>
<td>Hon. Gary Gray MP</td>
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<td>Parliamentary Secretary for Disabilities and Children’s Services</td>
<td>Hon. Bill Shorten MP</td>
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<td>Parliamentary Secretary for International Development Assistance</td>
<td>Hon. Bob McMullan MP</td>
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<td>Parliamentary Secretary for Pacific Island Affairs</td>
<td>Hon. Duncan Kerr MP</td>
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<td>Parliamentary Secretary to the Prime Minister</td>
<td>Hon. Anthony Byrne MP</td>
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<td>Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion</td>
<td>Senator Hon. Ursula Stephens</td>
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<td>Parliamentary Secretary to the Minister for Trade</td>
<td>Hon. John Murphy MP</td>
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<td>Parliamentary Secretary to the Minister for Health and Ageing</td>
<td>Senator Hon. Jan McLucas</td>
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<tr>
<td>Parliamentary Secretary for Multicultural Affairs and Settlement Services</td>
<td>Hon. Laurie Ferguson MP</td>
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SHADOW MINISTRY

Leader of the Opposition
Deputy Leader of the Opposition, Shadow Minister for Employment, Business and Workplace Relations
Leader of the Nationals; Shadow Minister for Infrastructure and Transport and Local Government
Leader of the Opposition in the Senate and Shadow Minister for Defence
Deputy Leader of the Opposition in the Senate and Shadow Minister for Innovation, Industry, Science and Research
Shadow Treasurer
Shadow Minister for Health and Ageing and Leader of Opposition Business in the House
Shadow Minister for Foreign Affairs
Shadow Minister for Trade
Shadow Minister for Families, Community Services, Indigenous Affairs and the Voluntary Sector
Shadow Minister for Agriculture, Fisheries and Forestry
Shadow Minister for Human Services
Shadow Minister for Education, Apprenticeships and Training
Shadow Minister for Climate Change, Environment and Urban Water
Shadow Minister for Finance, Competition Policy and Decentralisation
Shadow Minister for Immigration and Citizenship and Manager of Opposition Business in the Senate
Shadow Minister for Broadband, Communications and the Digital Economy
Shadow Attorney-General
Shadow Minister for Resources and Energy, Tourism
Shadow Minister for Regional Development, Water Security
Shadow Minister for Justice, Border Protection and Assisting Shadow Minister for Immigration and Citizenship
Shadow Special Minister of State
Shadow Minister for Small Business, the Service Economy and Tourism
Shadow Minister for Environment, Heritage, the Arts and Indigenous Affairs
Shadow Assistant Treasurer, Shadow Minister for Superannuation and Corporate Governance
Shadow Minister for Ageing
Shadow Minister for Defence Science, Personnel and Assisting Shadow Minister for Defence
Shadow Minister for Business Development, Independent Contractors and Consumer Affairs, Deputy Leader of Opposition Business in the House
Shadow Minister for Veterans’ Affairs
Shadow Minister for Employment Participation and Apprenticeships and Training

Hon. Brendan Nelson MP
Hon. Julie Bishop MP
Hon. Warren Truss MP
Senator Hon. Nick Minchin
Senator Hon. Eric Abetz
Hon. Malcolm Turnbull MP
Hon. Joe Hockey MP
Hon. Andrew Robb MP
Hon. Ian Macfarlane MP
Hon. Tony Abbott MP
Senator Hon. Nigel Scullion
Senator Hon. Helen Coonan
Hon. Tony Smith MP
Hon. Greg Hunt MP
Hon. Peter Dutton MP
Senator Hon. Chris Ellison
Hon. Bruce Billson MP
Senator Hon. George Brandis
Senator Hon. David Johnston
Hon. John Cobb MP
Hon. Chris Pyne, MP
Senator Hon. Michael Ronaldson
Steven Ciobo MP
Hon. Sharman Stone MP
Michael Keenan MP
Margaret May MP
Hon. Bob Baldwin MP
Luke Hartsuyker MP
Hon. Bronwyn Bishop MP
Andrew Southcott MP
SHADOW MINISTRY—continued

| Shadow Minister for Housing, Shadow Minister for Status of Women | Hon. Sussan Ley MP |
| Shadow Minister for Youth, and Shadow Minister for Sport | Hon. Pat Farmer MP |
| Shadow Parliamentary Secretary Assisting the Leader of the Opposition and Shadow Cabinet Secretary | Don Randall MP |
| Shadow Parliamentary Secretary Assisting the Leader of the Opposition, Northern Australia | Senator Hon. Ian Macdonald |
| Shadow Parliamentary Secretary for Health | Senator Hon. Richard Colbeck |
| Shadow Parliamentary Secretary for Education | Senator Hon. Brett Mason |
| Shadow Parliamentary Secretary for Defence | Hon. Peter Lindsay MP |
| Shadow Parliamentary Secretary for Infrastructure, Roads and Transport | Barry Haase MP |
| Shadow Parliamentary Secretary for Immigration and Citizenship | John Forrest MP |
| Shadow Parliamentary Secretary for Local Government | Louise Markus MP |
| Shadow Parliamentary Secretary for Tourism | Sophie Mirabella MP |
| Shadow Parliamentary Secretary for Ageing and the Voluntary Sector | Jo Gash MP |
| Shadow Parliamentary Secretary for Foreign Affairs | Mark Coulton MP |
| Shadow Parliamentary Secretary for Families, Community Services | Senator Marise Payne |
| Shadow Parliamentary Secretary for Foreign Affairs | Senator Cory Bernardi |
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The SPEAKER (Mr Harry Jenkins) took the chair at 9.00 am and read prayers.

INDEPENDENT REVIEWER OF TERRORISM LAWS BILL 2008

Mr GEORGIOU (Kooyong) (9.01 am)—I seek leave of the House to move a motion to enable order of the day No. 6, private members’ business, relating to the Independent Reviewer of Terrorism Laws Bill 2008 to be called on immediately.

Leave not granted.

Mr GEORGIOU (Kooyong) (9.01 am)—I move:

That so much of the standing orders be suspended as would prevent order of the day No. 6, private Members’ business, relating to the Independent Reviewer of Terrorism Laws Bill 2008, being called on and proceeded with immediately, in light of the following reasons:

(1) the Australian Parliament has enacted more than 30 laws dealing with terrorism since 2001;

(2) offences and procedures have been established which depart significantly from traditional criminal law principles and practices, and restrict fundamental civil liberties;

(3) it is critical that Parliament and the executive are well informed about the effectiveness and impact of the laws;

(4) however, the machinery of vigilance in Australia is deficient—reviews to date have been sporadic and fragmented and with limited mandates. Important issues have not been addressed;

(5) a credible new mechanism of review is essential;

(6) the Joint Committee on Intelligence and Security has twice recommended the establishment of the position of Independent Reviewer of Terrorism Laws, to provide a more integrated and ongoing approach to monitoring the laws;

(7) the committee considered that creation of the position would contribute positively to community confidence as well as provide the Parliament with regular factual reports;

(8) the committee’s recommendation was made unanimously on a bipartisan basis;

(9) the appointment of an Independent Reviewer of Terrorism Laws has been supported by other authoritative commentators, including the Inspector-General of Intelligence and Security and the President of the Human Rights and Equal Opportunity Commission; and

(10) Parliament should have an immediate opportunity to consider this bill to establish a safeguard for the protection of our security and our rights, one which has been strongly endorsed across the political spectrum and within civil society.

On a bipartisan basis, this legislature has—

Mr ALBANESE (Grayndler—Leader of the House) (9.03 am)—I move:

That the member be no longer heard.

Question put.

The House divided. [9.07 am]

(Ayes———74
Noes———61
Majority———13

AYES

Adams, D.G.H. Albanese, A.N.
Bevis, A.R. Bidgood, J.
Bird, S. Bowen, C.
Bradbury, D.J. Burke, A.E.
Burke, A.S. Butler, M.C.
Byrne, A.M. Campbell, J.
Champion, N. Cheeseman, D.L.
Clare, J.D. Collins, J.M.
Combet, G. Crean, S.F.
D’Ath, Y.M. Danby, M.
Debus, B. Dreyfus, M.A.
Elliot, J. Ellis, A.L.
Ellis, K. Emerson, C.A.
Ferguson, L.D.T. Ferguson, M.J.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.)
Gray, G.  
Grierson, S.J.  
Hale, D.F.  
Jackson, S.M.  
King, C.F.  
Macklin, J.I.  
McClelland, R.B.  
McMullan, R.F.  
Murphy, J.  
Neumann, S.K.  
Parke, M.  
Pilberserk, T.  
Raguse, B.B.  
Ripoll, B.F.  
Roxon, N.L.  
Sidebottom, S.  
Swan, W.M.  
Tanner, L.  
Thomson, K.J.  
Turnour, J.P.  
Zappia, A.

NOES  
Abbott, A.J.  
Andrews, K.J.  
Baldwin, R.C.  
Bishop, B.K.  
Cobb, J.K.  
Coulton, M.  
Dutton, P.C.  
Haase, B.W.  
Hawke, A.  
Hockey, J.B.  
Hunter, G.A.  
Jensen, D.  
Katter, R.C.  
Laming, A.  
Macfarlane, J.E.  
Markus, L.E.  
Mirabella, S.  
Moylan, J.E.  
Pyne, C.  
Randall, D.J.  
Robert, S.R.  
Schultz, A.  
Seeker, P.D.  
Slipper, P.N.  
Somiya, A.M.  
Stone, S.N.  
Turnbull, M.  
Vale, D.S.  
Washer, M.J.  
Windsor, A.H.C.  
Wood, J.

* denotes teller

Question agreed to.

The SPEAKER—Is the motion seconded?

Mrs MOYLAN (Pearce) (9.14 am)—I second the motion of the member for Koo- yong. This parliament should—

Mr ALBANESE (Grayndler—Leader of the House) (9.14 am)—I move:

That the member be no longer heard.

Question put.

The House divided. [9.16 am]

(The Speaker—Mr Harry Jenkins)

Ayes............. 76
Noes............. 61
Majority........... 15

AYES

Adams, D.G.H.  
Albanese, A.N.  
Bevis, A.R.  
Biddle, J.  
Bird, S.  
Bowen, C.  
Bradbury, D.J.  
Burke, A.E.  
Byrne, A.M.  
Butler, M.C.  
Champion, N.  
Campbell, J.  
Clare, J.D.  
Collins, J.M.  
Combet, G.  
Crean, S.F.  
D’Ath, Y.M.  
Danby, M.  
Debus, B.  
Dreyfus, M.A.  
Elliot, J.  
Ellis, K.  
Emerson, C.A.  
Ferguson, L.D.T.  
Ferguson, M.J.  
Garrett, P.  
Georganas, S.  
George, J.  
Gibbons, S.W.  
Gray, G.  
Giannou, S.J.  
Griffin, A.P.  
Hale, D.F.  
Hayes, C.P.  
Jackson, S.M.  
Kerr, D.J.C.  
King, C.F.  
Kerr, D.J.C.  
King, C.F.  
Kerr, D.J.C.  
Livermore, K.F.  
Macklin, J.I.  
McClelland, R.B.  
McMullan, R.F.  
Macklin, J.I.  
Macklin, J.I.  
Macklin, J.I.  
Melham, D.  
Murphy, J.  
Neal, B.J.  
Owens, J.  
Parke, M.  
Pilberserk, T.  
Raguse, B.B.  
Ripoll, B.F.  
Roxon, N.L.  
Sidebottom, S.  
Swan, W.M.  
Tanner, L.  
Thomson, K.J.  
Turnour, J.P.  
Zappia, A.  
Ayes............. 76
Noes............. 61
Majority........... 15

CHAMBER
Question agreed to.

Original question put:

That the motion (Mr Georgiou’s) be agreed to.

The House divided.  [9.19 am]
HEALTH INSURANCE AMENDMENT
(90 DAY PAY DOCTOR CHEQUE
SCHEME) BILL 2008

First Reading

Bill and explanatory memorandum presented by Ms Roxon.

Bill read a first time.

Second Reading

Ms ROXON (Gellibrand—Minister for Health and Ageing) (9.26 am)—I move:

That this bill be now read a second time.

This bill will amend the Health Insurance Act 1973 to allow specialists and consultant physicians access to the 90 Day Pay Doctor Cheque Scheme where the original claim is submitted to Medicare Australia using an electronic claiming channel. The existing 90 Day Pay Doctor Cheque Scheme only applies to general practitioners, and this will continue.

When a patient submits an unpaid claim to Medicare Australia, the patient is presented with a pay-doctor cheque. A pay-doctor cheque is a cheque for the amount of Medicare rebate that is made out to the medical practitioner that provided the service. This cheque is provided to the patient who is then responsible for forwarding the cheque on to the medical practitioner along with any co-payment required to satisfy the full account. This arrangement enables patients to use their Medicare rebates towards the payment of their medical bill.

The majority of patients do present the pay-doctor cheques to their doctor; however, some cheques are either presented very late or never received by the practitioner, leading to lengthy delays or bad debts which practices need to chase up, adding cost to their practice. The 90 Day Pay Doctor Cheque Scheme is currently only available to general practitioners. This scheme allows Medicare Australia to cancel the pay-doctor cheque if it is not banked by the practitioner within 90 days and make direct payment via electronic funds transfer to the medical practitioner.

This amendment makes the scheme available to all specialists and consultant physicians where the original claim has been submitted to Medicare Australia via an electronic claiming channel. This amendment will be of benefit to patients, specialists and consultant physicians. Specialist use of the pay-doctor cheque has been declining. Allowing these practitioners access to the scheme will encourage more specialists to accept payment through the use of this facility as it provides assurance that they will receive some payment for the services rendered.

Allowing access to the 90 Day Pay Doctor Cheque Scheme for specialists and consult-
ant physicians will provide an incentive for specialists and consultant physicians to use electronic claiming of Medicare benefits. Electronic claiming allows the doctor’s office to submit a patient’s account directly to Medicare Australia on behalf of the patient. This will be of benefit to patients, as they will not be required to visit a Medicare office to claim their pay-doctor cheque.

Debate (on motion by Mrs Bronwyn Bishop) adjourned.

**QUARANTINE AMENDMENT (NATIONAL HEALTH SECURITY) BILL 2008**

**First Reading**

Bill and explanatory memorandum presented by Ms Roxon.

Bill read a first time.

**Second Reading**

Ms ROXON (Gellibrand—Minister for Health and Ageing) (9.29 am)—I move:

That this bill be now read a second time.

I am pleased to introduce the Quarantine Amendment (National Health Security) Bill 2008. This is the second bill to come before the parliament to implement Australia’s international obligations relating to public health security—obligations of course that this government takes extremely seriously.

The entry into force of the International Health Regulations, also known as the IHR, in June 2007 was a public health landmark for the World Health Organisation and for all member states, including Australia. It provided the global community with a new legal framework to better manage its collective defences against public health risks that can spread internationally and with devastating effect.

The bill I am introducing today gives effect to these IHR agreements, the international standard, in three important ways.

Firstly, the proposed amendments to the Quarantine Act 1908 will require travellers who are subject to quarantine, or people performing quarantine, to submit themselves to vaccination or other prophylaxis if this is necessary for the prevention of the spread of a quarantinable disease, or if the vaccine or other prophylaxis is specified in the IHR or recommended by the World Health Organisation.

While Australia has had, for some time, the capacity to require vaccination, this has not extended to other prophylaxes, nor has it extended to diseases recommended by the World Health Organisation that are not quarantinable diseases. Other forms of prophylaxis include antivirals to treat influenza or antibiotics to treat bacterial infections.

Secondly, the amendments also provide for the issuing of health certificates proving vaccination or other prophylaxis in accordance with the requirements set out in the IHR for standardised certifications.

At this time, yellow fever is the only disease specifically designated under IHR for which proof of vaccination or prophylaxis may be required for travellers as a condition of entry to a country. However, there is a very real prospect that new vaccines or other prophylaxis will be developed for other existing or new diseases. It is therefore critical that Australia, along with our international neighbours, has the capacity to require any necessary prophylaxis and to issue all essential paperwork in line with international standards.

Thirdly, the amendments take the existing provisions in the Quarantine Act relating to charges for certain health measures and align them with the requirements of the IHR.

The amendments provide that, except for persons seeking temporary or permanent residence, charges will not be applied for the certain health measures administered to in-
international travellers to protect public health. This includes measures such as medical examinations to ascertain the health status of a traveller, certain vaccinations or other forms of prophylaxis and restrictions on travel that may be necessary to prevent the spread of a disease.

Charges for such measures will not be levied on travellers who are Australian citizens or who are in transit to other destinations.

However, charges will be able to be levied on persons seeking temporary or permanent residence in Australia. The bill authorises the minister to set, by legislative instrument, fees for the provision of health measures in these cases. Such fees will be limited to the actual cost of the necessary health measures and must be published 10 days before they come into effect.

The Commonwealth may also seek reimbursement of expenses from insurance companies or, in the case of crew members travelling to Australia, from the master, owner or agent of the vessel.

In addition to the amendments giving effect to the IHR, the opportunity has been taken to make some minor, technical, ‘housekeeping’ amendments to the Quarantine Act. One example is to clarify the status of certain documents under the Legislative Instruments Act 2003.

I stress the importance of this bill in ensuring that we deliver on both our international commitments as well as the national imperative to actively improve our capacity to respond to public health risks. I commend the bill to the House.

Debate (on motion by Mrs Bronwyn Bishop) adjourned.

VETERANS’ AFFAIRS LEGISLATION
AMENDMENT (INTERNATIONAL
AGREEMENTS AND OTHER
MEASURES) BILL 2008

First Reading
Bill and explanatory memorandum presented by Mr Griffin.
Bill read a first time.

Second Reading
Mr Griffin (Bruce—Minister for Veterans’ Affairs) (9.33 am)—I move:
That this bill be now read a second time.

I am pleased to present legislation that further improves the operation of Australia’s repatriation system.

The bill will provide greater flexibility in our international agreements with other countries to help provide appropriate care to the veterans of those nations now resident in Australia.

It will also enact measures to further align the income and assets tests under the Veterans’ Entitlements Act 1986 with the social security income and assets tests and to make a number of minor technical amendments.

The bill will extend the availability of treatment for cancer for Commonwealth or Australian Federal Police officers involved in the British nuclear test program.

In addition, the bill will address potential anomalies in the Military Rehabilitation and Compensation Act 2004 to ensure that wholly dependent partners receive the correct amount of war widow or widower pension and that incapacitated members of the Australian Defence Force receive the correct amount of compensation.

Finally, this bill will make a number of technical amendments to the Veterans’ Enti-
tlements Act and the Military Rehabilitation and Compensation Act.

The changes to international agreement arrangements will enhance the department’s ability to provide assistance and benefits to veterans of Britain, New Zealand, Canada and other Commonwealth nations who are resident in Australia and receive entitlements under the repatriation system of their home country.

The Repatriation Commission has a number of agreements to act as the agent for other countries in providing pensions and health services for accepted disabilities.

This legislation will authorise the use of the Consolidated Revenue Fund for the initial payment of benefits and assistance to eligible overseas veterans and their dependants who are resident in Australia.

These amounts will then be reimbursed by the respective foreign governments, to the maximum extent possible.

A second measure will transfer the power to make such agreements from the Governor-General to the Minister for Veterans’ Affairs.

The current arrangements for making agreements with other governments date back to the years after the First World War.

They do not take account of the significant changes in administration and policy since.

This amendment will enable the minister to make agreements that reflect best business practices.

The third measure will remove the current restriction that limits the Repatriation Commission to providing the same benefits to a veteran that they would be entitled to receive in their own country. Veterans’ health services are provided by different countries in different ways. These also are generally different to the way that Australia provides repatriation health services.

Meeting the strict requirements of the current limitation is cumbersome and expensive. These amendments will provide much greater flexibility to offer eligible overseas veterans the care and assistance they need, in a way that is consistent with the repatriation health care arrangements.

This bill will enhance the support provided to some 6,300 overseas veterans and dependants resident in Australia.

Changes to the income support provisions will exclude certain scholarships awarded on or after 1 September 1990 and disability expenses maintenance from the definition of income under the VEA income test.

A second measure will exclude from the assets test the value of any person’s native title rights and interests and any amount that a person has retained from a payment made by the Mark Fitzpatrick Trust.

The bill will also exclude from the deprivation provisions under the income test any amounts of rental income less than the market value which pensioners choose not to receive from family members.

The first two measures are expected to have little impact on the veteran community but will ensure the VEA means test is consistent with the social security means test.

The third measure will make sure that Veterans’ Affairs income support recipients are not penalised if they assist their families with accommodation.

Changes to coverage for nuclear test participants will extend the period for which Commonwealth or Australian Federal Police officers may be considered to be a nuclear test participant for the purposes of the Australian Participants in British Nuclear Tests (Treatment) Act 2006.

This act provides treatment, including testing, for cancers suffered by eligible participants in the British nuclear testing pro-
gram conducted at locations including Maralinga.

The act already covers Commonwealth or Australian Federal Police officers who patrolled the Maralinga exclusion zone up until 30 April 1965.

Scientific evidence indicates that the nature of police duties meant that these officers continued to be exposed to possible contamination at this site until 1988, when a radiation safety monitoring program began.

This bill will extend assistance for nuclear test participants to include Commonwealth police or AFP officers who took part in patrols at Maralinga up until 30 June 1988.

It is estimated that up to 100 police personnel may become eligible for assistance as a result of this extension.

These eligible participants will be able to claim reimbursement for treatment and travel costs dating back to 19 June 2006, when assistance for nuclear test participants originally became available.

However, they will have only six months from the commencement of the amendments to claim any back-dated costs, so it will be important that they check their eligibility with the Department of Veterans’ Affairs.

The department will be writing to any known Commonwealth or Australian Federal Police participants.

DVA also will contact the Australian Federal Police Association to alert other current or former members who may be eligible for this assistance.

Finally, changes to the Military Rehabilitation and Compensation Act will correct potential anomalies in the provisions applying to wholly dependent partners of deceased members and to incapacitated members eligible for compensation.

In the course of applying the act, the department has identified anomalies that might affect the amount of compensation paid in certain circumstances.

These amendments will ensure that widowed partners and incapacitated members receive the correct compensation payments to which they are entitled under the MRCA.

We came to government with a commitment to provide robust services and support to Australia’s ex-service community.

That commitment includes continuing to review the operation of Australia’s repatriation and military compensation and rehabilitation systems.

This legislation will strengthen support in a number of areas, to ensure that the assistance available through the Veterans’ Affairs portfolio is efficient, effective, equitable and fair.

Debate (on motion by Mrs Bronwyn Bishop) adjourned.

MILITARY MEMORIALS OF NATIONAL SIGNIFICANCE BILL 2008

First Reading

Bill and explanatory memorandum presented by Mr Griffin.

Bill read a first time.

Second Reading

Mr GRIFFIN (Bruce—Minister for Veterans’ Affairs) (9.40 am)—I move:

That this bill be now read a second time.

It is my great pleasure to present legislation that will further honour those Australians who have suffered as prisoners of war and recognise the efforts of the people of Ballarat to commemorate Australia’s prisoners of war.

This bill will carry through the government’s election commitment to recognise the Australian Ex-Prisoners of War Memorial in Ballarat as a military memorial of national significance.
The Australian Ex-Prisoners of War Memorial was dedicated in Ballarat in February 2004.

The memorial was the result of an outstanding effort by the Ballarat RSL, the Ex-Prisoners of War Association and the city and people of Ballarat, to recognise the bravery and sacrifice of more than 35,000 Australian prisoners of war held during the Boer War, the two world wars and the Korean War.

They built this magnificent memorial with fundraising appeals and their own hard work. They sought, and rightly received, significant funding from the previous government in support of their project.

But, to the lasting frustration of the people who made the Ex-Prisoners of War Memorial possible, the previous government refused repeated requests to recognise it as a national memorial.

The previous government’s position was that it could not be legally done. They argued that national memorials were located here in Canberra and that the ordinance did not allow national status to be given to memorials established outside the Australian Capital Territory.

The Australian Labor Party, and particularly here I would recognise the efforts of the member for Ballarat, insisted that it could be done, if the government was willing.

And so, in the lead-up to the 2007 federal election, we promised that, if we were elected to government, it would be done.

Today, with this legislation, this government keeps that promise.

This legislation will enable the Australian Ex-Prisoners of War Memorial in Ballarat to be declared a military memorial of national significance.

This bill will also establish a process, separate to the National Memorials Ordinance 1928, to recognise other military memorials of national significance.

The bill will apply to eligible memorials located outside the Australian Capital Territory and specifically will not apply to the establishment of national memorials in the national capital.

The legislation will enable the Minister for Veterans’ Affairs, with the written approval of the Prime Minister, to declare a memorial to be a military memorial of national significance.

The Commonwealth will not be responsible for funding or maintaining a memorial that has been declared a military memorial of national significance and so the memorial must also be owned or managed by an authority at the state, territory or local government level.

The responsibility for ongoing maintenance or any refurbishment of a declared memorial will remain with the authority that owns or manages it.

I want to make it very clear that the purpose of this bill is to provide an appropriate mechanism to recognise military memorials of national significance and not to allow for any provision or appropriation of financial support to be provided by the Commonwealth.

National memorial status should not be something that is taken lightly. To ensure this is the case, the bill sets out clear criteria that must be met before a military memorial of national significance can be declared.

The criteria to be met will not be easy for any memorial to achieve and include that the memorial:

- must be of an appropriate, scale, design and standard, as well as being dignified and symbolic, in keeping with its purpose as a war memorial;
must be a memorial for the sole purpose of commemorating a significant aspect of Australia’s wartime history;
• must have a major role in community commemorative activities; and
• must observe Commonwealth flag protocols.

These criteria will ensure that the declaration of military memorials of national significance is managed appropriately. A further measure will enable the Minister for Veterans’ Affairs to revoke a declaration, should a memorial cease to meet the legislated requirements.

This legislation will support the strong tradition of commemoration in Australia’s communities, recognising significant memorials that are worthy of being declared as nationally significant. I commend the bill to the House.

Debate (on motion by Mrs Bronwyn Bishop) adjourned.

**COMMITTEES**

**Public Works Committee**

**Reference**

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support) (9.45 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Bridging of Kings Avenue over Parkes Way at the Russell roundabout, Canberra, Australian Capital Territory.

The National Capital Authority has been appropriated funding of $26.6 million over four years to undertake the bridging of Kings Avenue over Parkes Way at the Russell roundabout, Canberra, ACT. Parkes Way will be lowered and a new bridge will carry Kings Avenue traffic over Parkes Way to the Russell defence precinct. This work will also restore Kings Avenue as one side of Walter Burley Griffin’s national triangle. This project will remove one of the worst traffic bottlenecks in Canberra. The new intersection where Kings Avenue passes over Parkes Way will allow traffic movements in all directions and provide safe pedestrian access from the Russell defence precinct to Kings Park and the shores of Lake Burley Griffin. The bridging of Kings Avenue over Parkes Way will provide improved, more reliable and more readily secured transport links between Canberra city, Parliament House and the airport.

The estimated cost of the proposal is $26.6 million plus GST. Subject to parliamentary approval, construction is expected to commence late this year, with completion by early 2010. I commend the motion to the House.

Question agreed to.

**Public Works Committee**

**Reference**

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support) (9.47 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Fit-out of new leased premises for the Department of Education, Employment and Workplace Relations at Block 9, Section 31, Canberra City, Australian Capital Territory.

The Department of Education, Employment and Workplace Relations proposes to undertake at a cost of $66.6 million plus GST, a fit-out of new leased premises at block 9, section 31, Canberra city, in the ACT. The national office of the department is located in the Canberra CBD and the Canberra airport, in leases across 21 separate buildings, with a total net lettable area of approximately 97,000 square metres. With the exception of the airport properties, most of the accommodation is in buildings which are over 15 years old and require major research and
refurbishment to meet Commonwealth standards.

The new building will be constructed on the 4,801 square-metre site of the former Queen Elizabeth II nursing mothers hospital and is part of the rapidly changing City West area. The development will provide approximately 40,000 square metres of high-quality office space, 500 square metres of storage space, 418 secure basement car parks and ground level bicycle parking for 165 bikes.

Subject to parliamentary approval and the satisfactory pricing of the tendered trade packages, the integration of the fit-out is the department’s preferred option. Under this arrangement, the fit-out will be undertaken concurrently with the base building construction, which commenced in February 2008 and is scheduled for practical completion in June 2010. Occupancy is expected to occur in mid-2010. Current leases have been structured to expire no earlier than mid-2010 to avoid the risk of penalties associated with short-term holding leases. I commend the motion to the House.

Question agreed to.

Public Works Committee Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support) (9.51 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Construction of new warehousing facilities at Wadsworth Barracks, East Bandiana, Victoria.

The Department of Defence proposes to undertake the construction of new warehousing facilities at an estimated out-turned cost of $36,369 million at Wadsworth Barracks, East Bandiana, Victoria. The project will provide modern, purpose-built facilities to enhance operational capability and provide efficient logistical and warehousing support to defence. It will reduce occupational health and safety issues and operational inefficiencies associated with the existing facilities.

The proposal mainly consists of the construction of a new purpose-built soldier support warehouse and a dedicated receipts and issues area for the existing freight distribution centre. The new soldier support warehouse will be dedicated to the storage of clothing and other soldier support items and will centralise soldier support stock into one building. The balance of the project involves the demolition of vacated and redundant North Bandiana warehouses as well as minor upgrade works to the remaining North Bandiana warehouses to address occupational health and safety issues. Subject to parliamentary approval, the works will commence early next year and be completed by mid-2010. I commend the motion to the House.

Question agreed to.

Public Works Committee Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support) (9.51 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: RAAF Base Tindal redevelopment stage 5, Northern Territory.

The Department of Defence proposes to undertake stage 5 of the redevelopment of RAAF Base Tindal, near Katherine in the Northern Territory, at an estimated out-turned cost of $58.7 million plus GST. RAAF Base Tindal is part of a chain of airfields stretching across Northern Australia from Learmonth in Western Australia to Townsville in Northern Queensland. It is the
home base for No. 75 Squadron, a tactical fighter squadron equipped with FA18 Hornets. It is also a staging base for exercises conducted in the area.

This proposal will be a mixture of new facilities, refurbishment and extension to existing facilities and will include upgrades to the base engineering services, aircraft maintenance facilities, warehousing, new fuel tanker maintenance and liquid dry oxygen facilities, as well as catering and messing improvements. The proposed project will improve the operational and support capabilities assigned to the base, correct limitations and deficiencies with existing facilities in infrastructure and enhance the working environment for base personnel to an acceptable level. It will address occupational health and safety issues and facilities which no longer meet Australian defence standards. Subject to parliamentary approval, construction is scheduled to commence mid next year and be completed in late 2011. I commend the motion to the House.

Question agreed to.

Public Works Committee
Reference
Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support) (9.53 am)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: RAAF Base Darwin redevelopment stage 2, Darwin, Northern Territory.

The Department of Defence proposes to undertake stage 2 of the redevelopment of RAAF Base Darwin in the Northern Territory at an estimated out-turn cost of $49.8 million plus GST. RAAF Base Darwin is a major military airbase in the Northern Territory. The base primarily supports overseas deployments and transit operations, as well as major defence exercises. This is the second redevelopment plan for RAAF Base Darwin and seeks to address aged, substandard and dysfunctional infrastructure and facilities which do not comply with current standards. The redevelopment project will involve a new logistics headquarters, office accommodation, a fuel farm, a mechanical equipment workshop, a vehicle wash bay and demolition of redundant facilities. Subject to parliamentary approval, the construction phase will commence in late 2008 and be completed in 2011. I commend the motion to the House.

Question agreed to.
INTERSTATE ROAD TRANSPORT CHARGE AMENDMENT BILL 2008

Cognate bill:
ROAD TRANSPORT CHARGES (AUSTRALIAN CAPITAL TERRITORY) REPEAL BILL 2008

Second Reading

Debate resumed from 18 March, on motion by Mr Albanese:

That this bill be now read a second time.

Mr SECKER (Barker) (9.56 am)—Transport is very much an important part of any rural electorate. It is also very important for the cities, because of the transporting of goods all across this country. In my electorate of Barker, we have some very large transport firms—for example, K&S Corporation and MacKenzie Freight Lines at Mount Gambier. Interestingly enough, both of them are about halfway between Adelaide and Melbourne. The transport industry is what really makes Australia tick. Without an efficient transport industry, we would not be able to get goods from A to B. We would not be able to get goods from the farms or the factories to the manufacturers and then to the wholesalers and retailers. It really is an important part of the Australian economy.

Reflecting that the new government’s main mantra is reducing inflation, we have seen stunts and suggestions they are going to reduce their expenditure on airfares by $15 million and take away $100 million in drought relief. Things like the rural apprentices program and the FarmBis program are all being cut. Unfortunately, most of these programs have been cut in rural areas, which, as a representative of a rural area, I find very concerning. In the scheme of things, they really do not cost all that much. The government will probably have a budget of something like $260 billion this year, so a few million here or there out of $260 billion is not all that much.

The government suggest that they are going to bring in a budget with a surplus of at least 1.5 per cent of GDP, which is not all that amazing, really, when you consider that the budget surplus last year was 1.6 per cent and the year before was 1.5 per cent. So to reach their goal of a surplus of 1.5 per cent of GDP is really not all that extraordinary. This is all aiming to fix up the bogeyman of inflation. I do not have a problem with any government trying to ensure that we do not allow inflation to get out of control, but what we have here is legislation under which fuel prices and registration costs for transport will actually go up, increasing Australia’s inflation rate. The Interstate Road Transport Charge Amendment Bill 2008 and related legislation will have a greater inflationary effect than any other bills brought before this parliament by the new government. It has been suggested to me that milk will ‘only’ go up 17c a litre. I think 17c a litre is just indicative of all the other food and grocery prices that will go up as a result of this legislation.

For example, B-doubles with three axles will incur nearly $6,000 in extra registration costs. A firm like Scott’s Transport in Mount Gambier would have at least 600 trucks. Six hundred trucks at $6,000 per truck is more than $3½ million each year. Those costs have to be passed on to the people who need to transport goods from the farms to the factories and from the factories to the retailers and wholesalers all around Australia. It will be a government induced inflationary cost. It will be a direct cost to the CPI and, as a result, it will have a pretty serious effect on inflation in this country. It is amazing that this government has not done some modelling to work out the extra costs on inflation caused by not only the CPI increases in fuel excise on trucks but also by this proposed act and
the road user charges. It will be much higher than CPI because they will be using a different indicator. This bill increases the registration charges for heavy vehicles registered under the Federal Interstate Registration Scheme, or FIRS. These are heavy vehicles which transport goods interstate. Another problem with this is that it will deter transport operators from moving up to the B-doubles and road trains because the semis and the single- or double-axle trucks, the ordinary heavy lorries—for want of a better term—will not have those increased charges. So there will be disincentive to go to the more efficient B-doubles and road trains.

Transport is a major industry in my electorate of Barker, and the road network is a challenge across the whole region. The city of Mount Gambier, in my electorate, is situated midway between Melbourne and Adelaide and is the centre for a large transport industry—in fact, it is a transport hub. It is the transport hub for Scott’s Transport, K&S Freighters, South West Freight—SWF—and other trucking companies. All of Mount Gambier’s industries rely heavily on incoming or outgoing freight services, not only for what would be termed ‘traditional agricultural production’ but also for the very large forestry industry, which relies heavily on the transport industry. There is no capacity to move over to rail because railway lines cannot be moved very easily to different areas, so the truck industry will always be needed to service that industry. Transport is very much an expanding industry elsewhere in Barker. There is lots of heavy transport because of the wine grape industry, the timber industry, the wine tourism industry and the fish industry. Several hundred kilometres of coastline act as a boundary to my electorate, and there is a very large rock lobster and fishing industry. Whilst the Howard government investment in AusLink and Roads to Recovery improved the conditions of major roads of the electorate, a few years ago a road study of the south-east of South Australia reported a real need for future planning for roads in that area. The issue is not only the major interstate routes, as heavy vehicles need roads to the blue gum plantations—which are about to come on line and are all over the place—and providing a temporary road network, and one that is capable of carrying heavy vehicles, will always be a challenge.

Tourism is also a major industry in the electorate so another challenge is the integration of heavy transport and tourism, with the need to share the road network and to make it safe. That goes to the need to build bypasses such as we have in Millicent, which the Howard government provided funding for; the Worrolong Road bypass in Mount Gambier; and the proposed Penola bypass, which will pass right through the greatest industry in the country—the wine industry—and one of the greatest wine areas, the Coonawarra. It is very important that we do not have transport traffic interfering with the tourism industry because of safety problems. Anyone who has been through the Coonawarra will know that the existing trucks and the tourists can sometimes be a dangerous mixture.

Mr Martin Ferguson—And is the mill is going to be built?

Mr SECKER—The member for Batman raises an interesting question about the mill being built. This is a Labor state government project and I support it being built, but we would have to wonder sometimes at the delays that have been happening as to whether it will occur.

Mr Martin Ferguson—Or the commitment of the proponent.

Mr SECKER—that may be so.

The DEPUTY SPEAKER (Hon. BC Scott)—The minister will cease interjecting.
Mr SECKER—The minister may be right but, in the end, I will not be deciding that, nor will the federal government be deciding that. Members of both sides would support that happening but whether or not it does will not be up to this government or this opposition; it will be up to the proponents and whether they come up with the money. So I certainly will not be blaming the federal government if it does fail.

Heavy transport, in particular, is an industry which has successfully reversed many of the negative perceptions the public had about it. It is certainly a much better and safer industry than it was perhaps 10 years ago. People often associated the industry with road deaths, long hours and drugs, but fortunately that image has changed. There has been over the past five years a decrease of about 22 per cent in fatal crashes for articulated trucks. While one death is always one too many, there has been a great rate of improvement in conjunction with high productivity in the industry, and we should always welcome that. If we had the same sort of reduction in road deaths in ordinary cars in Australia, I think we would all be very thankful for that. Heavy vehicles already pay registration charges, which vary by truck type and axle loads, and a diesel fuel excise.

Australia’s national freight load is expected to double by 2015. That is a very large increase. The road transport share of that compared with rail’s share is expected to increase. It follows then that it is important to keep the trucking sector cost efficient to support Australian industry’s international competitiveness. The Howard government went a long way to keeping the transport sector cost efficient and competitive by maintaining and extending the on-road diesel grant and keeping the indirect tax burden low on trucking. Under the Labor government, this is not so any more. The decision by state and federal transport ministers to increase truck charges is short-sighted and counter-productive. It does not make sense in the face of growing freight volumes. The Labor government will be solely responsible for the inevitable serious damage to Australia’s exports and the economy as a result of these ill-considered increased charges.

Trucking operators currently manage the freight task on very limited profit margins and are not in a position to absorb additional costs. This bill will put pressure on freight rates, which will now rise. When I was doing my economics degree, the transport industry was often cited as a near perfect industry in its pricing structures because of the competitiveness in the industry. Customers will feel the impact of increased freight charges and, accordingly, consumers will feel the impact through increased costs of consumables such as food products, white goods and building materials—everything that Australians use daily. Supermarkets will raise their prices and this will further contribute to inflation.

The increased revenue will not be returned to road upgrades where it is collected and will simply disappear into the black hole of consolidated revenue, where it will be eventually lost through Labor’s economic mis-
management at a state government level. There is no hypothecation, there is no guarantee and there is no instruction to the state governments that they must spend that income on roads. Why can’t the federal government insist on state governments spending that increased income from these taxes and registration fees on roads where it is sorely needed? State and federal Labor ministers have ignored the views of the trucking industry and the impact of higher charges.

The Howard government’s introduction of the GST and removal of sales tax had a significant impact on reducing the indirect tax burden on the trucking industry. We all know that batteries and tyres became cheaper as a result of that tax system, and many other areas of the transport industry also became cheaper. Even when there were costs, they became an input tax credit. It was actually very good for the transport industry, given the lack of increases over recent years in transport industry charges. The only real increases have been due to world oil prices, which have increased the price of diesel.

It is very important that we have proper planning for our road needs. Developments like the Alice Springs to Darwin railway line, particularly the development from Alice Springs to Darwin—some 90 years late many South Australians would believe, but it came eventually; again, an initiative of the Howard government—took some pressure off roads, but road transport is a growing need. This bill makes no attempt to fairly attribute road costs. In addition to freight services, road networks provide local access as well as significant services for passenger transport.

In a true user-pays system, road costs could reasonably be attributed to home and business owners. Some costs of road infrastructure also can be attributed to passenger vehicles and, I agree, to some trucks, and some costs inevitably are common to all users. What does not make economic sense is to attribute the need for road capital spending only to heavy vehicles, when there is no viable alternative means of transport. Heavy vehicles already pay their share of road spending through registration fees and a net fuel charge. The trucking industry believe in paying their fair share and do not shrink from the principle that the vehicles should pay their fair share of road construction costs as well as for the damage that they do to the road network. But the industry should not be loaded with more than its fair share. The increase in the road user charge does not ensure parity of road use with fair charges and will have a major impact on a vehicle’s operating costs. Registration charge increases, coupled with an increase in the road user charge, will impose heavy costs on the trucking industry, and these costs will have to be passed on to Australia’s dispersed communities and trade competing industries.

In January of this year, independently verified analysis undertaken by the Australian Trucking Association showed that heavy vehicles are currently overcharged by $130 million a year for road infrastructure spending and not undercharged as Labor has put forward. There is more to road usage than simple axle size and weight. The significant increases in registration charges for highly productive multi-combination vehicles, such as B-doubles and B-triples, do not make sense when compared with their record of delivering greatly enhanced safety and environmental performance. The registration charge increases carry the very real prospect that industry productivity, safety and environmental performance will stall as trucking operators revert back to greater utilisation of the semitrailer configuration and slow the uptake of B-triples.

It will be an unfortunate situation if the first significant road transport deliverable on
COAG’s national reform agenda detracted from the productivity of the trucking industry. This will increase inflationary pressure in the community and reduce the competitiveness of Australia’s trade-competing industries. These changes might be more palatable if they were delivered in conjunction with a commitment to expand and improve routes such as Melbourne to Adelaide via the Dukes Highway, in my electorate, or Adelaide to Sydney via the Sturt Highway, also in my electorate. There is no such commitment other than that which was given by the Howard government; therefore, there will be no gains in productivity. The simple outcome is that the cost to consumers will be greater. It will certainly put up the price of groceries, as well as everything else that households buy. Truckies will struggle to maintain their businesses, and struggling farmers and low-income families in my electorate will be hit as increases flow through to them. (Time expired)

Mr Windsor (New England) (10.16 am)—I listened very closely to the honourable member for Barker’s contribution to debate on the Interstate Road Transport Charge Amendment Bill 2008 and the Road Transport Charges (Australian Capital Territory) Repeal Bill 2008. I am sure he, like me, was pleased to see so many people in the gallery to listen to his contribution today.

The transport industry is obviously critical to our economy in many areas but none more so than in regional Australia, and the member for Barker spoke of some of the issues in that regard. What I think we are seeing today—I hope we are not but I suspect we are, even though it is under the auspices of the COAG process and a national agreement—is another attempt to extract funding from country people, because that is where the major part of the roads network is, where most of the road transport activity occurs and where the least amount of money has been spent on improving the capacity for roads to handle heavy vehicles. The situation in the country is not the same as in city areas, which have a number of options and distances are obviously much shorter. The trucking industry is absolutely critical not only in terms of exports but also in getting the various imported inputs that are required for our industries into the towns.

There has been much discussion. I am pleased that the Minister for Resources and Energy is at the table today because he has had a great deal of involvement in a number of transport issues and this debate has been more wide-ranging than just this specific issue. I would like to take advantage of that if I could and talk about a few of the other issues in terms of costs, particularly those relating to rail and road.

As you would be aware, Mr Deputy Speaker Scott, there is a truckies memorial in Tamworth. Probably one of the most, if not the most, moving function that I have attended as a member of parliament was the first truckies memorial function when the memorial was first opened. I know there is a memorial at Tarcutta, and I presume there are some in other parts of the state. I would suggest to the minister that it would be well worth attending one of those functions, if he has not done so in the past, because he will see the spirit of the people who drive the trucks and provide that very important artery to our communities, and the relationships they share with their families. I pay tribute to those who have been badly injured or killed in accidents on the road.

Many members of parliament who have spoken in this debate have expressed great concern about this legislation’s impact on country people. I share that concern but I would just reflect on a number of issues: firstly, I do not think this is the time to be changing the status of the charges even
though I fully believe that if the Howard government had been re-elected it would have done the same thing. If you look at some of the objectives of the current government’s policy on inflation and interest rates, a change in the charging regime will no doubt have an impact on a range of cost structures in terms of not only the trucking operators—those small business operators—but also the people that they supply. It is not the time to impose that sort of cost impact. Transport costs have a massive impact on the economy. If we are serious about grocery prices and those sorts of things, we should be looking very closely at any impacts that the government’s policy has on the cost structure of those businesses.

Here we see another opportunity taken to garner more funds from an otherwise productive sector. A litany of events have occurred over the last two decades in respect of fuel, which is the lifeblood of many of our productive industries—in fact, all of them—which is now a source of taxation income. Fuel excise was introduced by Liberal Prime Minister Malcolm Fraser many years ago for a variety of reasons, but the most obvious one at the time was that the government of the day was worried about an oil shock; Australia needed to maintain some sort of parity arrangement so that, when that oil shock arrived, the economy could withstand it. Subsequently, fuel became a source of taxation which was then indexed. Fuel excise has become a massive source of revenue that is running at about $14 billion annually now.

To my knowledge something like $2 billion—maybe $2½ billion, depending on how many railway shelters you take out of the equation—is being spent on roads in some shape or other. Probably one of the better programs of the previous government was the Roads to Recovery program, and that is under some degree of doubt at the moment. I would imagine that the Minister for Resources and Energy, who is at the table, would be very supportive of that particular program. I think many country people are waiting with bated breath, because it is one of the few things where there is a direct link between Canberra and local government decision making. In my view, local governments are far better situated to make some of those decisions, rather than having a centralised basis for decision making in terms of road funding. There is a flow-on effect into communities, so it is not just about 0.8c per litre which goes to Roads to Recovery—which is trivial, when 38c a litre is excise and then another dozen or so cents is GST. Local government almost genuflects for 0.8c. It should be doubled or trebled to really have a significant impact on local roads et cetera. The motorists are paying for it—$14 billion and they are getting about $2 billion back. This is another example of where some degree of extraction from road users will take place again.

I interjected when the member for Barker was speaking, when he was making a point about how the new government was going to extract money from regional people. I would agree with him, but his government was part of what was probably history making when it created a two-tiered tax system in relation to fuel taxation and the way in which country people are taxed. I refer to the Fuel Sales Grants Scheme. If you ever wanted an example of something that has disappeared into a black hole somewhere—or consolidated revenue, as the member for Barker referred to it as—and has never been seen again, have a look at the Fuel Sales Grants Scheme. You were a member of this House when the goods and services tax came in, Mr Deputy Speaker Scott, and you would remember that it was shown that, because the retail price of fuel in the country was higher—for a number of reasons, including retail margin, throughput, capacity et cetera—the impact of a 10
per cent charge on a retail price was going to have a disproportionate effect on country road users.

The member for Grey said yesterday—and I agree with him—that some people in the north of South Australia are paying $2 a litre for fuel now whereas in some parts of Sydney they are paying $1.30. There is a 70c disparity. You can just see what a 10 per cent charge on those two numbers means. It is quite a substantial amount. One cent per litre across Australia is equivalent to $360 million of revenue raised. At the time the GST came in, the disparity in retail price was 10c to 30c. Now it is probably 10c to 70c, depending on where you are located in Australia. On top of that is 10 per cent GST. That means that because of the impact of the GST country people are currently paying more fuel tax than their city counterparts.

When the Howard government recognised that particular problem, they said they would implement the Fuel Sales Grants Scheme to compensate for that two-tiered tax system that they were going to impose on those downtrodden country people that they were so sympathetic towards. They did that, and a whole range of statements were made at the time by the Treasurer, by the Leader of the National Party and by others who said, ‘The implementation of our tax reform package will not cause petrol prices to rise.’ John Laws asked the Treasurer at the time, Peter Costello:

Do you still believe that there are limits to compensating country people for the GST hike in fuel?

Mr Costello said:

No, no. What I’ve said in this, the government policy is, the excise will be reduced so that with the application of GST the price is the same.

That did not happen. They introduced a policy to compensate country people for the higher price and then removed the Fuel Sales Grants Scheme sometime later. So to this day, country people, because of their location, suffer a higher taxation regime in terms of fuel than do their city cousins. And here we have a piece of legislation which builds on that. Because country people have to use those road systems, they have to have distance as a disadvantage, they will suffer another double whammy.

Another issue that I would like to raise—and I think the current minister needs to play an active role in this—is climate change, global warming and those sorts of issues. The current government is, to its credit, actually making a lot of noise about these things. Obviously fuel emissions are part of the problem, as are fossil fuels, and there are a whole range of other health and environmental issues that the member for Kennedy is somewhat of an expert on. I am hopeful that he will make a contribution to this debate shortly. The previous government encouraged renewable energy targets, and the reality is that there is less renewable energy now than there was in 2001 when they instigated the program, even though they put in place a series of incentives to create renewable energy.

I think the new government are a bit more serious about it. They are saying that they are going to embark on a whole range of renewable energy targets. I refer the minister at the table, the Minister for Resources and Energy, to the biofuels targets. We have a set of circumstances at the moment where, if you are a biofuels producer, in 2011 you will be taxed at the same rate as for fossil fuels. In 2011, it will start to phase in and, by 2050, the excise paid on biofuels will be the same as that paid on fossil fuels.

I am pleased that the Minister for Infrastructure, Transport, Regional Development and Local Government is here as well, in front of this large gallery, to listen to this
because it is very important. The government has to make clear whether or not it is serious about renewable fuels. If it is serious about renewable fuels, particularly about the biofuels contribution that could be made, it cannot use them as a source of tax revenue. The message that is sent in terms of the broader policy is a nonsense, if you maintain the position had by the former government that renewable fuel, biofuel, was seen as a source of taxation. All of those messages that you are trying to send out to the community—whether they be about plastic bags, solar, wind, geothermal, conservation or carbon storage—will be at risk if you use renewable energy as a source of revenue to be used in other areas. So I urge the minister for infrastructure and transport to pay some attention to that anomaly. It was created by the former government but it is still sitting there. People are quite willing to make an investment in a whole range of renewable energy areas, not just in the biofuels area, but they are fearful that, if they do, the dab hand of Treasury will at some time move and use them as a source of revenue.

I would also like to reflect on the inland rail debate. I know that the two ministers at the table are well aware of that debate, and that, as we speak, another study is about to be performed. About seven years ago there was a stake driven into the banks of the Macintyre River near Goondiwindi, which was supposedly the start of the inland rail, and nothing has happened since. It was a lot of hot air. Irrespective of where that actually goes—it should go where it is best for the nation—I encourage both ministers to expedite activity on that. We say we are serious about some of these trucking issues. The member for Barker, who has now assumed the chair, was most concerned about the interaction of the trucking industry and tourism. If we are serious about those issues, we should look at rail. If we are serious about energy usage, carbon emissions et cetera we should look at the rail issue in conjunction with the freight issue.

We have an absurd arrangement in New South Wales at the moment. As we are speaking about changing the Wheat Marketing Act in this parliament, in New South Wales we do not have any trains to cart wheat to the port. We will have a massive influx of trucks to move the next potentially very large harvest in New South Wales to the port. Pacific National has said it will not cart grain anymore. That used to be a publicly owned instrumentality and now it has sold out on the people that the whole network was developed to service, so there will be much more pressure on the trucking industry.

An issue in relation to the transport industry that I reluctantly take the opportunity to raise today is the recently reported incidences of child sex at Moree and Boggabilla. The allegations are that some truck drivers are paying, with either money or drugs, children as young as eight years old for sex in their trucks. The police say they know about this. The local state government member, Kevin Humphries, has said he knew a year ago and reported it to the police. Many community members are saying that they are aware it has been going on for many years. If this is the case, there needs to be an investigation into what these people are saying. How do they know? What have they been told? What reports have actually gone to the police? Some members of the federal opposition have said that we need a Northern Territory style intervention in Moree and Boggabilla. We have the police there, and they are saying that they cannot do anything about it. This is rape. Regardless of whether or not money or drugs are changing hands, it is statutory rape for anybody to interfere with a child given the nature of these allegations which have been made. I urge the federal minister to look closely at this issue and
carry out an inquiry into some of the information that has been given to police previously but may not have been taken forward in the appropriate fashion.

Mr KATTER (Kennedy) (10.36 am)—In the state of Queensland, we have five centres of population of well over 100,000—some of them are over 300,000—that are 300 kilometres from the nearest city. In fact, a million people live 2,000 kilometres north of Brisbane. Even though we produce about seven per cent of Australia’s fruit and vegetables in North Queensland, they have to travel 2,000 kilometres down to Brisbane to the nearest markets and back again. That to me is extraordinary, but that is what happens. For those of us who live in North Queensland, for example, our fruit and vegetables have to be transported, under refrigeration, 4,000 kilometres at the very least. Under the Interstate Road Transport Charge Amendment Bill 2008, the increase in costs to us will be huge, but the increase to those 1½ million people in a decentralised state like Queensland that live in those five centres over 300 kilometres to the nearest city will be enormous. Even in New South Wales, there are two million people living 200 kilometres away from Sydney. If you increase the cost of transportation, which is built into every single item you purchase in regional New South Wales or regional Queensland, and you then add the GST, you have an enormous inflation of the price of everything in rural and regional Australia, where some two or three million—maybe even four million—people live. Some 300,000 to 400,000 Australians live in north-western Australia, in Darwin, Kununurra and the northern Pilbara, and those people are 4,000 kilometres away from anything at all. Every single thing they buy has built into its cost structure 4,000 kilometres of transportation costs, and on top of that goes the GST.

I remember a famous address by one of our vice-presidents in the early days of the National Party, when we were still the Country Party. He said, ‘The cost of a loaf of bread in Jambin is twice the cost of a loaf of bread in Bundaberg,’ and he went into why that was so. We can see that clearly in the price of petrol. In Townsville, we have about 10 petrol outlets. They are huge outlets and there are about 10 of them for 240,000 people. Each of those service stations services 24,000 people. There are three service stations in Charters Towers servicing 15,000 people. There is one service station in Julia Creek servicing 700 people. The cost structure on a service station is much the same whether you are servicing 24,000 people or 4,000 people. Obviously, the price must be higher to carry the overhead costs in a service station or in any other facility in these places.

We did a very in-depth study when I was the secretary of the Chamber of Commerce in Cloncurry. We got the James Cook University to do a CPI cost comparison in food items between the mid-west towns of North Queensland and Brisbane, and the difference was 22 per cent. If there are any doubts about that, the teachers union commissioned a study at the same time and it was 22.5 per cent. So I think we can safely assume there was a 22 per cent difference between the price of food and grocery items in the mid-west towns of North Queensland and Brisbane. At the time in that area the cost of transport was 60 per cent of the price of the potatoes. The cost of transport was over 60 per cent the price of cement. In motor vehicle parts, it was over 60 per cent. There was almost a doubling of our costs in these areas as a result of transportation costs. So, when you come in here to increase our transportation costs, we must fight tenaciously against it. If we want to be internationally competi-
tive, then the cost structures created by government must be cheap.

If you want to be internationally competitive, your cost input items have to be at a very low price. If you look at what is carted in Australia, one of the really huge items that is carted in bulk is mining product. Unfortunately, and sadly, the vast proportion of our product from north-west Queensland is carried by road transport instead of by rail, reflecting the incompetence of the state government in Queensland. Whether we like it or not, it is being carried by road transport. The cost structure for the mining industry is in part the cost of road transportation.

Probably the biggest single item carried in Australia is cattle. The Road Transport Forum of Australia was chaired for many years by the presidents of the Livestock Transporters Association because they were the biggest operators. I cannot help but pause for a moment and pay tribute to Australia’s livestock hauliers. Kevin Pattel—the Pattel families probably own one of the biggest combined livestock hauling operations in Australia—constantly said in his heyday, ‘What industry in Australia had the same charges at the end of the war as we are charging today?’ My old dad charged a pound for a mile per deck—or per K wagon as they were called then. I think Kevin made this statement in 1978. He said, ‘Today we are charging a dollar a kilometre, which is much the same charge as we charged at the end of the war,’ What a great tribute to the competitiveness and the efficiency of the operations of these heroes.

Today I rang the Curley Transport people—Michael and Stephen Curley. Curley Transport are one of the two or three biggest operators in Australia. I asked them what the industry charges are today. Since 1978, they have gone up to only $1.25 a kilometre. So, despite a tenfold or twentyfold rise in the CPI since 1945, the industry’s charges are not much higher than 1945. But government cost burdens keep being added. Let me give one example. The member for Batman will be very interested in this. I know that he has a great interest in energy and a very receptive and questioning intelligence on it as well—and I will ask him for some things afterwards! I served on a committee with him and I say that with all sincerity. We are well aware of the price of energy. I carry around with me and I have in my office a picture of me filling up a Holden motor car in Sao Paulo in Brazil for 74c a litre. Ethanol there retails at the bowser for 74c a litre! In the United States, where 15 per cent of all gasoline is ethanol, it is 80c a litre—that is, 80c Australian. If they can get it for 80c in the US and Brazil can do it for 74c, why are we in Australia paying $1.40? Because we are in the grip of the oil companies; that is why.

If the government feels it has to go down this path, please give us some relief. The oil companies do not buy at spot market prices. They own the wells. They have a cost of production price which is exactly the same now as it was five years ago, when the price of a barrel of oil was $35. It is now $100 and the cost of production is exactly the same, so I leave to your imagination the sorts of profits these people are now making.

But let me return to the cattle industry. I have had cattle since I was about 20 years of age. I have owned cattle all my life. My daddy never owned any cattle or anything, so I have had to make my own fortune and my own way in the world in the cattle industry, and I know it intimately. The Americans are killing us in cattle. The reason is that they buy their grain for $150 a tonne. Even in North Queensland we need this grain, and we pay $250 a tonne for our grain plus $200 freight. I will tell you why they pay only $150 a tonne. It is because the grain they feed to their cattle is distillers grain, which is
a by-product of the ethanol industry. By the end of next year the United States will have 200 ethanol plants, each of them producing around 250,000 tonnes of distillers grain, which is $150 a tonne. How can we compete against that? We have to pay $250 a tonne, and in North Queensland we have to add onto that $200 a tonne for freight. So how can our cattle industry compete against their cattle industry? And the PR of the oil companies is so magnificent that I have had people come up to me and say, ‘Jeez, it’ll put the price of meat up, won’t it?’ It puts the price down, not up! The honourable member for Wide Bay thinks it is funny. I do not know that there is anything funny there, but he is laughing at it. These things obviously bring him mirth. He was in government for 12 years and did nothing about ethanol, but now he thinks it is funny that we should have to pay what we have to pay.

The cost of freighting cattle was $60 a head for us in North Queensland. Perhaps a third and certainly over a quarter of Australia’s cattle industry is in Northern Australia. We paid about $60 to get our cattle down to the major markets in Brisbane or points south. If you are in Western Australia or the Northern Territory you freight them to Adelaide or Perth, and it was $60 a head. But the average cost of cartage has gone up to $100 a head. That is really to do with government charges and allowing the oil companies to run rampant and charge what they please. That has been very serious for the competitiveness of the beef industry, which at this stage is still our fifth biggest industry. So we are suffering very badly as a result of inaction by the previous government.

But the current government are not starting off well by increasing the infrastructure costs. The member for Wide Bay is laughing again. I would like that to be put in the Hansard. He obviously thinks these things are funny. I applaud the new government on their rhetoric, which has been marvellous. They say the last government handed out money on the basis of winning votes. With all due respect, the railway line from Darwin to Adelaide was done on the eve of the South Australian election. It is a railway line that runs from nowhere to nowhere through the biggest desert on earth. Who knows what it is going to carry. At dinner one night a number of Liberal members explained to me that it would help in lowering the cost of imports. So it was a $500 million subsidy for importers. I do not know whether anyone realises how ridiculous that is, but that was their argument.

If, as my colleague from New England has pointed out, we had gone with the route of the great inland railway line, which was the dream of Everald Compton and Donny McDonald up in my area—God bless them—then that expenditure would have been very logical for all of our export industries. There is one million tonnes of phosphate coming out of Mount Isa and all the minerals from Mount Isa Mines and all of that huge mineral belt. There is the giant cattle industry of North Queensland. There is the huge grain production area all the way down to the New England area and through the back of Queensland and the back of New South Wales. And then there is the wool production that we have still got—and it is no thanks to deregulation that we still have half a wool industry. All of those things could have been exported out of those areas quickly and speedily if the rail line had instead come across to North Queensland.

The point made by the government that has come in, the current government of Australia, is absolutely true: the giant spending by the previous government was on the basis of winning votes; it was not on the basis of lowering our infrastructure costs. Today we find an increase in our infrastructure costs. We plead with the government: listen to your
own rhetoric; you want the savings of the Australian people to be injected into infrastructure items. Heaven only knows that we need a giant power station for North Queensland to help us to process our metals and we need a port at Karumba to facilitate export product. We need this giant inland railway to connect Mount Isa to Tenant Creek and then there is some logic in having a line south from Darwin—for a line from Tennant Creek to Darwin at least there is huge logic for this section. We are halfway to getting down to the member for New England’s area so we can take the giant export wealth out of Australia at cheap cost. That is not happening today.

Mr Windsor—Tinkering at the edges.

Mr KATTER—We are increasing infrastructure costs, with all due respect. I take the interjection from the member for New England. We are actually increasing infrastructure costs. You can redress this by introducing ethanol. You could reduce our infrastructure costs by at least 40c a litre, maybe 60c a litre. I am not saying we are going to be able to get down to Brazil’s price of 74c but no doubt we will go very close to it. There is also an increased benefit when we produce it from grain. We get benefit out of sugar cane too, I must say. The member for Wide Bay is in the House. His government told us that you could not mix petrol with ethanol. You people should be ashamed of yourselves. I went to a seminar after that statement was made. A bloke said: ‘Yes, it’s very difficult to mix them! That’s ethanol, that’s petrol and you mix them.’ He poured one into the other and said, ‘Mixed.’ That was the first lie. The second lie was that it caused cancer. They dropped that one pretty quickly. The third lie was that it was going to break your motor—

Mr Truss—Mr Deputy Speaker, I rise on a point of order. The honourable member for Kennedy has accused me of lying and I ask him to withdraw.

The DEPUTY SPEAKER (Mr PD Secker)—The member for Kennedy?

Mr KATTER—I withdraw, Mr Deputy Speaker. We had lie upon lie. Remember, it was going to cost more.

Mr Truss—Mr Deputy Speaker, I rise on a point of order—

Mr KATTER—He is just trying to use up my allotted time because what I am saying is very detrimental—

The DEPUTY SPEAKER—The member for Kennedy does not have the call. He will resume his seat.

Mr Truss—The honourable member for Kennedy has again accused me of lying and I ask him to withdraw.

Mr KATTER—Mr Deputy Speaker, I have accused his government of saying these things, each of which is clearly untrue. I completely withdraw the statement implying that he is a liar. Do not let him use it as a tool to take up my time, because that is all he is doing. I do not blame him, because what I am saying—

The DEPUTY SPEAKER—The member for Kennedy will withdraw unreservedly.

Mr KATTER—Each of these things was said in this place. The latest one to come out was the increase in costs for cattle. I have indicated how ridiculous that is. (Time expired)

Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (10.56 am)—in reply—I thank those members of the House who have contributed to the debate on the Interstate Road Transport Charge Amendment Bill 2008 and the Road Transport Charges (Australian Capital Territory) Repeal Bill 2008. I wish to make some comments on their contributions. According
to opposition members, you would think that the previous government had no role at all in developing this legislation. That is not so. This is yet another example of a coalition that has lost its way, saying one thing when it was in government and the opposite since it has been in opposition. Indeed, you can trace the genesis of the legislation back many years. The 2004 energy white paper endorsed by the Howard government as its policy framework for securing Australia’s energy future has the following to say at page 100:

The transport sector has long argued that the current excise arrangements for heavy vehicles, defined as those with a gross vehicle mass of 4.5 tonnes or more, are inefficient and need reform. The government has listened and will introduce reforms to remove inefficiencies and ensure the excise system plays a more positive role in supporting Australia’s transport task.

The existing partial excise applying to fuel used in heavy vehicles will be formally recognised and set as a non-hypothecated road user charge from 1 July 2006. The value of the charge will be set in accordance with the National Transport Commission’s heavy vehicle charging determination process. This cooperative federal-state process assesses the impact of heavy vehicles on road costs, and is used by the states and territories to set and adjust registration charges for these vehicles. The excise-based charge will be adjusted annually in the way that the states and the territories adjust registration fees. Changes to the charge will be made by the varying level of effective excise through adjustments in the level of the excise credit paid for fuel used in heavy vehicles.

The 2006 Productivity Commission study into road and rail infrastructure pricing commissioned by the Howard government found under-recovery of infrastructure costs occurs in the heavy vehicle industry. In April 2007, COAG, under the Howard government, required the Australian Transport Council to devise a new charges determination that did three things—fully recovered the costs from the heavy vehicle industry, ended cross-subsidisation between heavy vehicle classes and indexed charges. The National Transport Commission devised a determination and commenced consultation with the industry in 2007.

In a speech given on 28 June 2007 entitled ‘The coalition government’s transport reform agenda’ the member for Lyne, the then federal transport minister and Leader of the Nationals, said:

The National Transport Commission will develop a new heavy vehicle charges determination to be implemented from 1 July 2008. The new determination will aim to recover the heavy vehicles’ allocated infrastructure costs in total and will also aim to remove cross-subsidisation across heavy vehicle classes.

That was the coalition policy. The difference between the coalition policy and what is in this legislation is that this legislation delays the charge until 1 January 2009 and we have a safety and productivity package. We have listened to the industry and responded accordingly. The opposition are simply not fair dinkum in saying they oppose these bills. They set up the processes. They said it was their policy. This bill of course allows for a change in cost and cross-subsidisation. At the moment the smaller of the heavy vehicles are subsidising the larger vehicles. Common sense tells you that the smaller vehicles tend to be operated much more by smaller, family owned businesses and often owner-drivers.

Opposition member interjecting—

Mr ALBANESE—The member opposite says, ‘That’s right.’ He should vote with us on this legislation because it is outrageous that owner-drivers and smaller operators are subsidising the big companies, and that is the situation at the moment. This bill removes this anomaly. The opposition understood it when they were in government. Now in an opportunistic move they say they are opposed to it. Twenty-five per cent of the fleet currently pay too much. Twenty-five per cent of the fleet—one in four heavy vehicles—
will get a reduction in their costs as a result of this determination. The increase, which is substantial, will only apply to six to seven per cent of heavy vehicles, on the basis that the heavier the vehicle, the greater the cost on the roads and therefore the greater the cost to the taxpayer.

The other comment that was made by the opposition was that somehow the fact that this was a determination of the ATC on 29 February showed that the Commonwealth was adopting charges forced on it by the states. We know that the blame game simply gets us nowhere. The coalition’s chest beating and posturing in dealing with the states was nothing more than rhetoric and they did not get things done. Good government is about working together and getting results. The Federal Interstate Registration Scheme and state registration charges are correctly pegged at the same rate. The opposition should think about this: if they block this legislation, it will lead to different charges at the state level and for those vehicles which are federally registered. Is there a serious argument that that is sensible economic policy? That would lead to a substantial regulatory burden and a substantial increase in costs.

The member for Wide Bay has also said that indexation arrangements will be higher than inflation. That is simply not the case. The indexation is linked to historical road funding. This is about full cost recovery. What it does is look at the actual costs, so there is nothing hypothetical about the way that this will operate. The other extraordinary fact is that of all the opposition members who spoke not one mentioned the safety and productivity package, the $70 million commitment proposed by this government which will trial new black box technologies, facilitate better speed and fatigue management, provide more heavy vehicle rest stops and provide for increased expenditure on infrastructure to strengthen bridges. The fact is this package has been warmly welcomed by industry. In 2007, tragically 1,611 people died on our roads. Accidents involving heavy vehicles account for nearly 20 per cent of these deaths, with speed a factor in around 30 per cent and driver fatigue a factor in up to 60 per cent of cases, but the opposition has remained silent about this important reform.

Mr Truss—It is not even in the bill.

Mr ALBANESE—The shadow minister says it is not in the bill. There are a lot of things that are not in the bill. This is about registration charges. The changes in excise that you spoke about are not in the bill either. This debate is about two things. One is the Interstate Road Transport Charge Amendment Bill. This adopts new heavy vehicle charges for vehicles registered under the Federal Interstate Registration Scheme from 1 July 2008. It ensures that federal charges are consistent with state and territory registration charges. They will go ahead anyway, so let us not create a two-tiered system. The second is the Road Transport Charges (Australian Capital Territory) Repeal Bill 2008, which repeals the 1993 act and allows the ACT government to introduce new heavy vehicle registration charges into its own legislative arrangements in the same manner as other states and territories. In total the bills deliver the road transport reform requested by the Council of Australian Governments with broad agreement from the industry. The reform follows the self-evident principle that the heavy vehicle industry should pay for its share of the infrastructure costs incurred by governments. I commend the bills to the House.

Question put:
That this bill be now read a second time.

The House divided. [11.11 am]
(The Deputy Speaker—Mr PD Secker)
Wednesday, 19 March 2008  HOUSE OF REPRESENTATIVES 2225

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**AYES**

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- Alabanese, A.N.
- Bevis, A.R.
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- Bird, S.
- Bowen, C.
- Bradbury, D.J.
- Burke, A.E.
- Burke, A.S.
- Debuts, B.
- Debus, B.
- Byrne, A.M.
- Campell, J.
- Champion, N.
- Cheeseman, D.L.
- Clare, J.D.
- Collins, J.M.
- Combet, G.
- Crean, S.F.
- D’Ath, Y.M.
- Danby, M.
- Debus, B.
- Dreyfus, M.A.
- Elliot, J.
- Ellis, K.
- Emerson, C.A.
- Ferguson, L.D.T.
- Ferguson, M.J.
- Fitzgibbon, J.A.
- Georganas, S.
- George, J.
- Gibbons, S.W.
- Gillard, J.E.
- Gray, G.
- Grierson, S.J.
- Griffin, A.P.
- Hale, D.F.
- Hall, J.G.*
- Hayes, C.P.*
- Irwin, J.
- Jackson, S.M.
- Kelly, M.J.
- Kerr, D.J.C.
- King, C.F.
- Livermore, K.F.
- Marles, R.D.
- McClelland, R.B.
- McKew, M.
- McMullan, R.F.
- Melham, D.
- Murphy, J.
- Neal, B.J.
- Neumann, S.K.
- O’Connor, B.P.
- Owens, J.
- Parke, M.
- Perrett, G.D.
- Plibersek, T.
- Price, L.R.S.
- Raguse, B.B.
- Rea, K.M.
- Ripoll, B.F.
- Rishworth, A.L.
- Roxon, N.L.
- Rudd, K.M.
- Saffin, J.A.
- Sidebottom, S.
- Smith, S.F.
- Snowdon, W.E.
- Sullivan, J.
- Swan, W.M.
- Symon, M.
- Tanner, L.
- Thomson, K.J.
- Turnour, J.P.
- Trevor, C.
- Vanvakinou, M.
- Zappia, A.

**NOES**

- Abbott, A.J.
- Andrews, K.J.
- Bailey, F.E.
- Baldwin, R.C.
- Billson, B.F.
- Bishop, B.K.
- Bishop, J.I.
- Broadbent, R.
- Cobb, J.K.
- Costello, P.H.
- Coulton, M.
- Downer, A.J.G.
- Dutton, P.C.
- Farmer, P.F.
- Forrest, J.A.
- Gash, J.
- Georgiou, P.
- Haase, B.W.
- Hartsuyker, L.
- Hawke, A.
- Hawker, D.P.M.
- Hockey, J.B.
- Hull, K.E.*
- Hunt, G.A.
- Irons, S.J.
- Jensen, D.
- Johnson, M.A.*
- Katter, R.C.
- Keenan, M.
- Laming, A.
- Ley, S.P.
- Lindsay, P.J.
- Macfarlane, I.E.
- Marino, N.B.
- Markus, L.E.
- McGauran, P.J.
- Mirabella, S.
- Morrison, S.J.
- Moilan, J.E.
- Pearce, C.J.
- Pyne, C.
- Ramsey, R.
- Randall, D.J.
- Robb, A.
- Robert, S.R.
- Ruddock, P.M.
- Schultz, A.
- Scott, B.C.
- Simpkins, L.
- Slipper, P.N.
- Smith, A.D.H.
- Somlyay, A.M.
- Southcott, A.J.
- Stone, S.N.
- Truss, W.E.
- Turnbull, M.
- Vaile, M.A.J.
- Vale, D.S.
- Washer, M.J.
- Windsor, A.H.C.
- Wood, J.

Question agreed to.

Bill read a second time.

**Third Reading**

Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (11.17 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**ROAD TRANSPORT CHARGES (AUSTRALIAN CAPITAL TERRITORY) REPEAL BILL 2008**

**Second Reading**

Debate resumed from 18 March, on motion by Mr Albanese:

That this bill be now read a second time.

Question agreed to.

Bill read a second time.
Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (11.18 am)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

WORKPLACE RELATIONS AMENDMENT (TRANSITION TO FORWARD WITH FAIRNESS) BILL 2008

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate’s amendments—

(1) Schedule 1, item 1, page 3 (after line 19), after subparagraph 326(2)(b)(i), insert:

(ii) did not commence that employment more than 14 days before the day on which the ITEA was made, and had previously been employed by the employer (not being employment that had ceased for the reason that, or for reasons that included the reason that, the employer would re-employ the person under an ITEA); or

(2) Schedule 1, item 2, page 5 (line 24), after “workplace agreement is”, insert “, so far as the context permits,”.

(3) Schedule 1, item 2, page 5 (lines 31 and 32), omit “employee’s overall terms and conditions of employment”, substitute “overall terms and conditions of employment of the employee whose employment is subject to the agreement”.

(4) Schedule 1, item 2, page 6 (line 4), after “employment of the employees”, insert “whose employment is subject to the agreement”.

(5) Schedule 1, item 2, page 6 (after line 6), after subsection 346D(2), insert:

(2A) For the purposes of subsection (1) or (2):

(a) a law of a State or Territory that:

(i) relates to long service leave; and

(ii) immediately before the agreement was lodged, applied to an employee referred to in that subsection, or would have applied to such an employee if he or she had been employed by the employer at that time;

is taken, to the extent that it provides for long service leave, to be a reference instrument relating to the employee; and

(b) if, apart from this subsection, the only reference instrument relating to the employee is a designated award for the employee—the designated award is to be disregarded to the extent (if any) that it provides for long service leave.

(6) Schedule 1, item 2, page 6 (after line 27), at the end of section 346D, add:

(8) To avoid doubt, if there is a reference instrument in relation to one or more, but not all, of the employees whose employment is subject to a collective agreement:

(a) in a case where the agreement passes the no-disadvantage test under subsection (2)—it passes the test in relation to all employees whose employment is subject to the agreement; or

(b) in a case where the agreement does not pass the no-disadvantage test under subsection (2)—it does not pass the test in relation to any employees whose employment is subject to the agreement.

(7) Schedule 1, item 2, page 10 (lines 6 to 25), omit subsection 346G(3).

(8) Schedule 1, item 2, page 11 (lines 1 to 3), omit paragraph 346G(4)(c), substitute:
(c) must not be an award that regulates the terms and conditions of employment in a single business only (being the single business specified in the award).

(9) Schedule 1, item 2, page 12 (lines 14 to 18), omit subsection 346H(2), substitute:

(2) The Workplace Authority Director must determine that an award is a designated award for the employee or employees referred to in subsection (1), if the Workplace Authority Director is satisfied that:

(a) on the date of lodgment of the agreement or variation (as the case requires), the employee or employees are or would be employed in an industry or occupation in which the terms and conditions of the kind of work performed or to be performed by the employee or employees:

(i) are usually regulated by an award; or

(ii) would, but for a workplace agreement or another industrial instrument having come into operation, usually be regulated by an award; and

(b) there is an award that satisfies the requirements specified in subsection (3).

(10) Schedule 1, item 2, page 12 (lines 31 to 33), omit paragraph 346H(3)(c), substitute:

(c) must not be an award that regulates the terms and conditions of employment in a single business only (being the single business specified in the award).

(11) Schedule 1, item 2, page 12 (after line 37), after section 346H, insert:

346HA Effect of State awards etc.

For the purposes of paragraphs 346G(2)(a) and 346H(2)(a), an industry or occupation in which the terms and conditions of the kind of work performed or to be performed by an employee are usually regulated by an award is taken to include an industry or occupation in which the terms and conditions of the kind of work performed or to be performed by the employee:

(a) were, immediately before the reform commencement, usually regulated by a State award, or would, but for an industrial instrument or a State employment agreement having come into operation, usually have been so regulated immediately before the reform commencement; or

(b) are usually regulated by any of the following instruments:

(i) a transitional Victorian reference award (within the meaning of Part 7 of Schedule 6);

(ii) a common rule in operation under Schedule 6;

(iii) a transitional award (within the meaning of Schedule 6) other than a Victorian reference award (within the meaning of that Schedule), to the extent that the award regulates excluded employers in respect of the employment of employees in Victoria;

or would, but for a workplace agreement or an industrial instrument having come into operation, usually be so regulated.

(12) Schedule 1, item 2, page 15 (lines 31 to 34), omit subsection 346N(2), substitute:

(2) For the purposes of subsection (1), Division 8 does not apply to the variation of an agreement, except for sections 367, 368, 368A, 372, 373 and 374, paragraph 377(1)(b) and section 380A.

(13) Schedule 1, item 2, page 20 (lines 27 to 30), omit subsection 346W(5), substitute:

(5) For the purposes of paragraph (2)(a), Division 8 does not apply to the variation of an agreement, except for sections 367, 368, 368A, 372, 373 and
374, paragraph 377(1)(b) and section 380A.

(14) Schedule 1, item 2, page 30 (line 23), after “section 346M,”, insert “346Q.”.

(15) Schedule 1, page 33 (after line 8), after item 4, insert:

4A Section 349
Before “An award”, insert “(1)”.

4B At the end of section 349
Add:

(2) Despite subsection (1), if:
(a) a person’s employment is subject to a workplace agreement; and
(b) but for the workplace agreement, an award would have effect in relation to the person’s employment;
the terms of the award have effect to the extent that they are about outworker conditions, despite any terms of the workplace agreement that provide, in a particular respect, a less favourable outcome for that person.

(3) In this section:
outworker means an employee who, for the purposes of the business of the employer, performs work at private residential premises or at other premises that are not business or commercial premises of the employer.
outworker conditions means conditions (other than pay) for outworkers, but only to the extent necessary to ensure that their overall conditions of employment are fair and reasonable in comparison with the conditions of employment specified in a relevant award or awards for employees who perform the same kind of work at an employer’s business or commercial premises.

(16) Schedule 1, item 15, page 39 (line 10), omit paragraph 2(2)(b).

(17) Schedule 1, item 15, page 40 (after line 3), after subclause 3(1), insert:

(1A) However, paragraph 405(1)(e) of the pre-transition Act continues to apply in relation to a person whose appointment has ceased to have effect under subclause (1), as if the person continues to be a bargaining agent.

(18) Schedule 1, item 15, page 41 (line 24), omit “the 14 day period referred to in section 342”, substitute “a period of 14 days after the commencement of this Schedule”.

(19) Schedule 1, item 15, page 41 (lines 33 and 34), omit “the 14 day period referred to in section 375”, substitute “a period of 14 days after the commencement of this Schedule”.

(20) Schedule 1, item 15, page 42 (after line 13), after paragraph 8(1)(a), insert:

(aa) paragraph 336(b);

(21) Schedule 1, item 15, page 43 (after line 20), after paragraph 2(1)(c), insert:

(ca) subsections 347(1) and (2);

(22) Schedule 1, Part 2, page 44 (after line 15), at the end of the Part, add:

15A Effect of repeal of section 399
(1) To avoid doubt, if, immediately before the commencement of this item, an industrial instrument had no effect because of the operation of section 399 of the pre-transition Act, the repeal of that section by this Act:
(a) does not cause the instrument to have effect after that commencement; and
(b) does not cause any protected award condition to cease to have effect.

(2) In this item:
industrial instrument means an instrument mentioned in subsection 399(3) of the pre-transition Act, and includes any of the following (except to the extent that they contain protected award conditions):
(a) a common rule within the meaning of clause 89 of Schedule 6;
(b) a transitional Victorian reference award within the meaning of Part 7 of that Schedule;
(c) a transitional award within the meaning of that Schedule, to the ex-
tent that subclause 102(1) of that Schedule applies to it.

*pre-transition Act* means the *Workplace Relations Act 1996* as in force immediately before the commencement of this item.

*protected award condition* has the meaning it had for the purposes of section 354 of the pre-transition Act.

(23) Schedule 1, item 48, page 50 (line 22), omit “section 346W (which deals”, substitute “section 346N or 346W (which deal”.

(24) Schedule 1, item 67, page 53 (line 33) to page 54 (line 1), omit the item, substitute:

67 Paragraphs 390(2)(b) and 392(2)(ba) and (c)  
Omit “AWA”, substitute “ITEA”.

(25) Schedule 1, item 159, page 71 (lines 1 to 3), omit the item, substitute:

159 At the end of subclause 89(1) of Schedule 6  
Add:  
; and (c) section 349 of the pre-transition Act as it applies because of clause 2 of Schedule 7A; and  
(d) section 354 of the pre-transition Act as it applies because of clause 2 of Schedule 7A and clause 2 of Schedule 7B.

(26) Schedule 1, item 165, page 71 (lines 19 to 21), omit the item, substitute:

165 At the end of subclause 95(1) of Schedule 6  
Add:  
; and (c) section 349 of the pre-transition Act as it applies because of clause 2 of Schedule 7A; and  
(d) section 354 of the pre-transition Act as it applies because of clause 2 of Schedule 7A and clause 2 of Schedule 7B.

(27) Schedule 1, item 171, page 72 (lines 9 to 11), omit the item, substitute:

171 At the end of subclause 102(1) of Schedule 6  
Add:  
; and (c) section 349 of the pre-transition Act as it applies because of clause 2 of Schedule 7A; and  
(d) section 354 of the pre-transition Act as it applies because of clause 2 of Schedule 7A and clause 2 of Schedule 7B.

(28) Schedule 1, page 74 (after line 15), after item 191, insert:

191A After paragraph 20(a) of Schedule 7  
Insert:  
(aa) section 327;  
(ab) paragraph 336(b);  
(ac) paragraph 340(2)(a);  
(ad) paragraph 367(1)(b);  
(ea) subparagraph 369(b)(ii);  
(ae) subparagraph 373(2)(a)(ii);  
(af) subparagraph 467(1)(a)(iii);  
(ag) subparagraph 467(1)(b)(ii).

(29) Schedule 1, page 76 (after line 21), after item 210, insert:

210A After subclause 15G(1) of Schedule 8  
Insert:  
(1A) If, after the commencement of this subclause, a preserved individual State agreement ceases to operate in relation to an employee because of subclause (1):  
(a) any preserved collective State agreement binding the employer; or  
(b) if there is no such preserved collective State agreement—any notional agreement preserving State awards that would have been taken to come into operation in relation to the employer and employee on the reform commencement but for the preserved individual State agreement;
has effect in relation to the employer and employee.

(1B) If, after the commencement of this subclause, a preserved collective State agreement ceases to operate in relation to an employee because of subclause (1), any notional agreement preserving State awards that would have been taken to come into operation in relation to the employer and employee on the reform commencement but for the preserved collective State agreement has effect in relation to the employer and employee.

(1C) However, subsection (1A) or (1B) ceases to apply if an award or a workplace agreement comes into operation in relation to the employer and employee.

(30) Schedule 1, page 78 (after line 23), after item 228, insert:

228A Subclause 26(1) of Schedule 8  
Omit “workplace agreement” (first occurring), substitute “pre-transition workplace agreement”.

228B Subclause 26(1) of Schedule 8  
After “section 355”, insert “of the pre-transition Act”.

228C At the end of subclause 26(1) of Schedule 8  
Add “for the purposes of that Act”.

228D Subclause 26(2) of Schedule 8  
After “subsection 355(6)”, insert “of the pre-transition Act”.

228E Subclause 26(2) of Schedule 8  
Omit “workplace agreement”, substitute “pre-transition workplace agreement”.

(31) Schedule 1, page 79 (after line 28), after item 237, insert:

237A Subclause 52A(1) of Schedule 8  
Omit “workplace agreement” (first occurring), substitute “pre-transition workplace agreement”.

237B Subclause 52A(1) of Schedule 8  
After “section 355”, insert “of the pre-transition Act”.

237C At the end of subclause 52A(1) of Schedule 8  
Add “for the purposes of that Act”.

237D Subclause 52A(2) of Schedule 8  
After “subsection 355(6)”, insert “of the pre-transition Act”.

237E Subclause 52A(2) of Schedule 8  
Omit “workplace agreement”, substitute “pre-transition workplace agreement”.

(32) Schedule 2, item 9, page 96 (lines 23 to 30), omit section 576K, substitute:

576K Terms providing for outworkers  
(1) In this section:

outworker means:

(a) an employee who, for the purposes of the business of the employer, performs work at private residential premises or at other premises that are not business or commercial premises of the employer; or

(b) an individual who is a party to a contract for services, and who, for the purposes of the contract, performs work:

(i) in the textile, clothing or footwear industry; and

(ii) at private residential premises or at other premises that are not business or commercial premises of the other party to the contract or (if there are 2 or more other parties to the contract) of any of the other parties to the contract.

(2) A modern award may include either or both of the following:

(a) terms relating to the conditions under which an employer may employ employees who are outworkers (including terms relating to the pay or conditions of the outworkers);
(b) terms relating to the conditions under which an eligible entity (within the meaning of Division 4) may arrange for work to be carried out for the entity (either directly or indirectly) by outworkers (including terms relating to the pay or conditions of the outworkers).

Note: In paragraph (2)(a), employee and employer have the meanings given by subsections 5(1) and 6(1).

(33) Schedule 2, item 9, page 100 (lines 17 to 19), omit the definition of enterprise award in section 576U, substitute:

enterprise award means an award that regulates the terms and conditions of employment in a single business only (being the single business specified in the award).

(34) Schedule 2, item 9, page 100 (line 21), omit “the matter”, substitute “a matter”.

(35) Schedule 2, page 104 (after line 22), after item 9, insert:

9A After paragraph 2(2)(s) of Schedule 2
Insert:

(sa) subsection 576K(1), definition of outworker;

9B At the end of subclause 3(2) of Schedule 2
Add:

: (j) subsection 576K(1), definition of outworker.

(36) Schedule 5, item 6, page 119 (line 18), omit “termination”, substitute “agreement”.

(37) Page 119 (after line 19), after Schedule 5, insert:

Schedule 5A—Transitional treatment of State employment agreements

Workplace Relations Act 1996

1 After clause 16 of Schedule 8
Insert:

16A Commission may extend or vary preserved collective State agreements

(1) The Commission may, on application by any person bound by a preserved collective State agreement, by order:

(a) extend the nominal expiry date of the agreement; or

(b) vary the terms of the agreement.

(2) However, before making the order, the Commission must be satisfied that:

(a) all parties bound by the agreement genuinely agree to the extension or variation; and

(b) none of the parties have, after the introduction day:

(i) organised or engaged in, or threatened to organise or engage in, industrial action in relation to another party to the agreement; or

(ii) applied for a protected action ballot under section 451 in relation to proposed industrial action; and

(c) in the case of a variation—the agreement as varied would not result, on balance, in a reduction in the overall terms and conditions of employment of the employees bound by the agreement under:

(i) any relevant State award in relation to the employees; and

(ii) any law of the Commonwealth, or of a State or Territory, that the Commission considers relevant.

(3) If the Commission extends the nominal expiry date of the agreement, the extended date cannot be more than 3 years after the date on which the order is made.

(4) The employees bound by the agreement are taken, for the purposes of paragraph (2)(a), genuinely to agree to the extension or variation if:

(a) the employer gives all of the employees bound by the agreement at
the time of making the extension or variation a reasonable opportunity genuinely to decide whether they agree to the extension or variation; and

(b) either:

(i) if the decision is made by a vote—a majority of those employees who cast a valid vote; or

(ii) otherwise—a majority of those employees;

genuinely decide that they agree to the extension or variation.

(5) To avoid doubt, the terms and conditions of employment under a relevant State award may, for the purposes of paragraph (2)(c), include terms and conditions that did not apply on the reform commencement, or that have been varied since the reform commencement.

(6) In this clause:

introduction day means the day on which the Bill that became the Workplace Relations Amendment (Transition to Forward with Fairness) Act 2008 was introduced into the House of Representatives.

relevant State award, in relation to an employee, means:

(a) if, immediately before the reform commencement, the employee was bound by, or a party to, the original collective agreement to which the preserved collective State agreement referred to in subsection (1) relates, under the terms of that agreement or a State or Territory industrial law as in force at that time—the State award that would have bound the employee at that time but for that agreement; or

(b) otherwise—the State award that would have bound, or but for the application of a State employment agreement would have bound, the employee at that time if the employee had been employed by the employer at that time.

2 After clause 21E of Schedule 8

Insert:

Division 5A—Coercion

3 After subclause 22(1) of Schedule 8

Insert:

(1A) A person must not:

(a) take or threaten to take any industrial action or other action; or

(b) refrain or threaten to refrain from taking any action;

with intent to coerce another person to agree, or not to agree, to the extension of the nominal expiry date of, or the variation of, a preserved collective State agreement under clause 16A.

Note: The heading to clause 22 of Schedule 8 is altered by adding at the end “etc.”.

4 Subclause 22(2) of Schedule 8

Omit “Subclause (1)”, substitute “This clause”.

5 Subclause 22(3) of Schedule 8

Omit “subclause (1)”, substitute “this clause”.

Ms GILLARD (Lalor—Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion) (11.20 am)—I move:

That the amendments be agreed to.

The government has moved amendments to the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. The government brought this bill to the House having worked extensively over January with the National Workplace Relations Consultative Council and its subset organisation, the Committee on Industrial Legislation. This was a consultative and collaborative process which had been shunned by the former government. The former government refused to acknowledge that there may be
views and assistance available from stakeholders. We took a very different approach. The bill was drafted quickly because we wanted to honour our commitment to the Australian people to end Australian workplace agreement making as soon as possible. As the bill has made its way through the parliament and through the process of the Senate inquiry—which we supported, provided it was conducted in a timely fashion—it has become apparent in discussions with stakeholders that it is convenient to amend the bill in a number of respects.

The amendments before the House today are in four categories. There are a number of amendments which are strictly technical in nature. There are some amendments to clarify the full range of protection for outworkers. There are some amendments to clarify that the long service leave entitlements of employees stemming from state law will be taken into account for the purpose of the no disadvantage test. There are some amendments to ensure that if an employer was using Australian workplace agreements in December last year and they seek to engage an employee who has formerly worked for them, then they will be able to offer them an interim transitional employment agreement. The government had considered this question earlier. We were concerned that, without a robust anti-avoidance provision, there was some possibility that a provision of this nature could be used by the very occasional employer to terminate people in order to re-engage them on ITEAs. We obviously did not want that effect. We have looked at the question, and I am now satisfied we have been able to draft a sufficiently robust anti-avoidance provision. We have dealt with the question in those circumstances.

Regarding the amendments, they have improved and strengthened the bill, which clearly brings to the parliament and brings to the Australian people our promises to end Australian workplace agreement making. Of course, I anticipate that the opposition will say, in respect of the amendments, that they are an indication that the government needed to amend the bill. I would counsel the opposition, if it is going to make those points, that the number of government amendments that the government is making to this bill is smaller than the number of government amendments made by the former Minister for Employment and Workplace Relations when he brought to this House the so-called fairness test. On that occasion, of course, the government moved 44 government amendments. That is greater than the number of government amendments moved on this occasion, which are 37 in number. I am satisfied that this has strengthened the bill. It has brought to the parliament a bill that implements the government’s policy. I commend it to the House.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (11.24 am)—This must be a humiliating backdown for the Minister for Employment and Workplace Relations. On Tuesday, in a highly dismissive manner—in the high-handed, arrogant manner that is becoming a hallmark of this government—the minister accused me of ‘content-less filibuster’, as I sought to point out the flaws, the inadequacies and the complexities in the government’s Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. But oh, no—the minister would have none of it. Thirty-seven amendments later, the inconsistencies, the inadequacies and the complexities have been exposed for all to see. I pointed out to the minister the significant problems that the mining and construction sector faced because of uncertainty over employees on AWA. I asked what would happen to those workers under Labor’s laws. Given the project-by-project basis of employment in these sectors and the evidence from the Senate inquiry—
and it took the coalition to force a Senate inquiry—I took the minister to that precise evidence from the construction and mining sector. She just dismissed it out of hand.

It is clear that there would be workers under Labor’s proposed laws who would not be able to be re-employed under an AWA, could not then be employed under one of Labor’s individual contracts and then would have to fall back on the awards. If there were no applicable award, they would have to fall back to the minimum wage and the National Employment Standards. That is the position that the Labor government presented as its legislation, and that is the position that the Senate inquiry’s dissenting report said was untenable. In relation to the Senate report: isn’t it an interesting fact that the majority report from the Labor senators contained all of the evidence about the inconsistencies, the complexities and the uncertainties but made not one recommendation to amend the bill? Obviously, somebody has pulled someone else into line—somebody has overridden the minister’s high-handed attitude towards this bill. There were workers in the construction and mining sector who would have been left in an abyss, according to the evidence, but the minister just dismissed my concerns—dismissed them out of hand. The government has now backed down and moved amendments to address the very issues that were so arrogantly dismissed in this place.

The government’s amendments on interim individual contracts now present the following regime. We have a new individual contract introduced by Labor. We now have the situation where the cohort of workers to whom these new Labor individual contracts can be offered has been extended to workers who would not previously have been able to access them, so we have had an extension of the range of employees that can be offered Labor’s individual contracts. We know, through the evidence given at the inquiry and the minister’s admissions in this House, that not only can existing AWAs exist indefinitely but also there are now new, broadened, enhanced individual contracts that can continue indefinitely. If the employee and employer are happy with the terms and conditions of such a contract, they can extend its life indefinitely. It is not true, as Labor keeps suggesting, that there will be no individual statutory agreements in Australian workplaces after 2010 or even 2012—they can go on indefinitely. If these agreements are so evil, as the minister keeps contending, why is Labor introducing its own individual contracts and, through these amendments, extending their reach? Because it knows that choice and flexibility in the workplace have led to greater employment opportunities and greater productivity and respond to the needs and circumstances of 21st century workplaces. Why else is Labor introducing its own individual contract, enhancing that contract’s reach and ensuring that it can continue indefinitely?

In one of the most extraordinary developments in the Senate last night, the Labor senators voted to retain the Work Choices unfair dismissal laws. Labor senators voted to retain the status quo. In other words, Labor wants to hold on to the Work Choices unfair dismissal laws. They were given an opportunity by the Democrats to roll back the unfair dismissal laws that the minister says present an opportunity for employers to dismiss workers. (Time expired)

Mr Rudd (Griffith—Prime Minister) (11.29 am)—The passage of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 marks a major day for working families right across Australia. Today we declare Australian workplace agreements to be dead and buried. Today we declare this shameful chapter in the history of Australia’s workplace relations to be dead and buried. And today, with this legislation,
we begin the process of burying the rest of the Work Choices omnibus once and for all. With this legislation we take the first step towards the creation of a modern, fair and flexible workplace relations system.

The government was elected on a commitment to abolish AWAs. Today the government honours that commitment. There will be no more AWAs. Basic conditions will never again be stripped away from working families without a dollar of compensation, and a genuine safety net is agreed. I am especially proud today that the members of the parliamentary Labor Party are here to support the passage of this legislation through the parliament. Support in the parliament through the debate came from the member for Bennelong, the member for Blair, the member for Bonner, the member for Brad- don, the member for Corangamite, the member for Dawson, the member for Deakin and the members for Dobell, Eden-Monaro, Forde, Hasluck, Kingston, Leichhardt, Lindsay, Longman, Macquarie, Makin, Moreton, Page, Petrie, Robertson, Solomon and Wakefield. Why are they here? They are here because the previous members for those seats failed one simple test—to stand up with courage in defence of the interests of working families. They were prepared to sacrifice the wellbeing of working families under financial pressure to their ideological approach to industrial relations, which would shred the most basic protections which working families expect of this parliament. The previous members who represented those seats would now simply rue the day that they stood in this place and backed Work Choices legislation, because Work Choices was not explained to the Australian people prior to the previous election. They got control of the House of Representatives and control of the Senate, and off they went in pursuit of their ideological folly. And they have paid the price for so doing.

Australians in all these electorates and all around the country have sent us here to pass this law and to end the unfairness of AWAs that require longer working hours and pay less per hour than collective agreements; that in their thousands and tens of thousands have taken hundreds of thousands out of the pay packets of working men and women; that took away rest breaks, penalty rates, overtime pay and shift loadings; and that, according to the Bureau of Statistics, on average compared to collective agreements took $87 per week out of the pay packets of women.

Today is just the first step towards a modern workplace relations system that is consistent with core Australian values. The good news for Australians working in shops, hotels, offices, restaurants, nursing homes and other workplaces all over Australia is that AWAs are now dead and buried. This is good news, not just for these working Australians but for their husbands, wives and kids and for working families right across Australia. This is good news for the hardworking Australians who have built a strong economy and who have the right to expect that a strong economy will deliver for all Australians, not just for some. This goes to the heart of the Australian Labor Party’s DNA. This is the Labor way; this is the Australian way—having fairness in the workplace; rewarding hard work, achievement and success; and valuing Australian working families on the way through. With this bill we deliver exactly what we promised prior to the last election—to give a decent and fair go to all working families under financial pressure throughout Australia, not just to some of them. This bill was the first order of business for this Australian government. That is why the first bill that this government has introduced into the House deals with these important matters for working families. That is why we on this side of the parliament stand with pride, having brought this legislation to
this parliament and ensured its passage despite the extraordinary backflips that we have seen on the part of those opposite. I commend this bill to the House.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (11.34 am)—I have a very simple question for this Prime Minister: will the Prime Minister guarantee that no worker will be worse off under Labor’s industrial relations laws? Will the Prime Minister guarantee that no worker will be worse off under Labor’s industrial relations regime? The Prime Minister will not answer that question. The Prime Minister will deliberately avoid fronting the Australian public and admitting that workers will be worse off under these industrial relations laws. Three times in the Senate last night Senator Wong, the minister’s representative in the Senate, was asked the very simple question: will workers be worse off under Labor’s industrial relations laws? Are you tired, Prime Minister? Are you finding this tedious?

The SPEAKER—Order! The Deputy Leader of the Opposition will refer her remarks through the chair.

Ms JULIE BISHOP—The fact is that the minister has refused to give precisely the guarantee that Labor insisted John Howard give. It is precisely the same question, and no-one on the Labor front bench—not the Prime Minister, not the minister and not her representative in the Senate—will come clean and admit to the Australian public who is going to be worse off under these industrial relations laws. They have done no economic modelling. They have done no analysis at all of the impact on unemployment. The Australian people need to understand the fraud that has been exposed by the 37 amendments that have now been moved by the government to their own legislation. The minister so dismissively said the bill was going to be delivered in full and in whole—but, no, that is not the case 37 amendments later. The fraud that has been exposed is that Labor have not delivered what they promised. Labor are keeping individual statutory contracts. You can call them what you like. They are keeping individual statutory contracts under these amendments. They have broadened the reach of those contracts so that more workers can be offered individual contracts—not fewer. This is not what you went to the election with. They voted last night to retain the Work Choices unfair dismissal laws—an extraordinary outcome. The minister had been going on in this House saying, ‘Employers just want to sack good workers for no reason.’ Those were her words. What an extraordinary statement, as if good workers can be sacked for no reason. She is suggesting, and demonising employers around the country—

Ms Gillard interjecting—

Ms JULIE BISHOP—She is nodding. The minister is at the table and nodding that she says employers around this country are scouring their workplaces to find good workers to sack for no reason. They are your words, Minister. No wonder business confidence in the government’s policies has collapsed. When you have a minister who attacks business relentlessly and says they are scouring the workplaces for good workers to sack, we know that the Labor Party’s industrial relations regime is in disarray. Why else would they vote to retain the Work Choices unfair dismissal laws? If the minister will not come to the table and admit that workers will be worse off, why is it that they voted last night to retain—

Ms Gillard interjecting—

Ms JULIE BISHOP—Why are you rolling your eyes? You admitted last night that the Work Choices industrial relations laws should remain. If the Labor Party are so con-
cerned about the Work Choices unfair dismissal laws, when they had the opportunity to support the Democrats one-page amendment that took out 100 and put in 15—that is how simple it is—why did the Labor senators vote to retain it? What we have seen today are 37 amendments. This is not the legislation that Labor promised the Australian public they would introduce. They have listened to the concerns of the Senate inquiry, for which I am grateful, but the high-handed, dismissive attitude of this government is here for everyone to see. They have not got rid of individual contracts; they are extending them. They have voted to maintain the Work Choices unfair dismissal laws. Labor’s industrial relations policy is a fraud on the Australian public. (Time expired)

Question agreed to.

WORKPLACE RELATIONS
Suspension of Standing and Sessional Orders
Ms GILLARD (Lalor—Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion) (11.39 am)—I ask leave of the House to move the following motion:

That this House agrees that:

(1) at the last election the Australian people voted for the end of Work Choices, which has hurt working families by allowing pay and conditions to be ripped off and decent hard working Australians to be sacked without reason or remedy;

(2) the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 just passed by the Parliament is the first step in ending Work Choices;

(3) from the coming in to effect of this bill there will be no new Australian Workplace Agreements and from 1 January 2010 there will be no new statutory individual employment agreements of any nature; and

(4) in order to ensure the decent and fair treatment of Australian working families, that statutory individual employment agreements should never again be reintroduced into Australian workplace relations law.

Leave not granted.

Ms GILLARD—I move:

That so much of the standing orders be suspended as would prevent the Deputy Prime Minister from moving a motion in relation to workplace relations.

The SPEAKER—Is the motion seconded?

Mr Albanese—I second the motion.

Question put.

The House divided. [11.45 am]
(The Speaker—Mr Harry Jenkins)

Ayes………… 78
Noes………… 62
Majority……… 16

AYES
Adams, D.G.H.  Albanese, A.N.  
Bevis, A.R.  Bidgood, J.  
Bird, S.  Bowen, C.  
Bradbury, D.J.  Burke, A.E.  
Burke, A.S.  Butler, M.C.  
Byrne, A.M.  Campbell, J.  
Champion, N.  Cheeseman, D.L.  
Clare, J.D.  Collins, J.M.  
Combet, G.  Crean, S.F.  
D’Ath, Y.M.  Danby, M.  
Debus, B.  Dreyfus, M.A.  
Elliot, J.  Ellis, K.  
Emerson, C.A.  Ferguson, L.D.T.  
Ferguson, M.J.  Fitzgibbon, J.A.  
Georganas, S.  George, J.  
Gibbons, S.W.  Gillard, J.E.  
Gray, G.  Grierson, S.J.  
Griffin, A.P.  Hale, D.F.  
Hall, J.G.  Hayes, C.P. *  
Irwin, J.  Jackson, S.M.  
Katter, R.C.  Kelly, M.J.  
Kerr, D.J.C.  King, C.F.  
Livermore, K.F.  Marles, R.D.  
McClelland, R.B.  McKew, M.  
Melham, D.  Murphy, J.  
Neal, B.J.  Neumann, S.K.  
O’Connor, B.P.  Owens, J.  

CHAMBER
Ms GILLARD (Lalor—Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion) (11.51 am)—I move:

That this House agrees that:

(1) at the last election the Australian people voted for the end of Work Choices, which has hurt working families by allowing pay and conditions to be ripped off and decent hard working Australians to be sacked without reason or remedy;

(2) the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008 just passed by the Parliament is the first step in ending Work Choices;

(3) from the coming in to effect of this bill there will be no new Australian Workplace Agreements and from 1 January 2010 there will be no new statutory individual employment agreements of any nature; and

(4) in order to ensure the decent and fair treatment of Australian working families, that statutory individual employment agreements should never again be reintroduced into Australian workplace relations law.

The Liberal Party members opposite were muttering amongst themselves that this motion was unimportant. That is because they believe working families are unimportant.

Mr HOCKEY (North Sydney) (11.53 am)—I move:

That the member be no longer heard.

Question put.

The House divided. [11.57 am]

(The Speaker—Mr Harry Jenkins)

Ayes............  62
Noes............  80
Majority........ 18

AYES

Abbott, A.J. Andrews, K.J.
Bailey, F.E. Baldwin, R.C.
Billson, B.F. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Ciobo, S.M. Cobb, J.K.
Costello, P.H. Coulton, M.
Downer, A.J.G. Dutton, P.C.
Farmer, P.F. Forrest, J.A.
Gash, J. Georgiou, P.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hawker, D.P.M.
Hockey, J.B. Hull, K.E.*
Hunt, G.A. Irons, S.J.
Jensen, D. Johnson, M.A.*
Keenan, M. Laming, A.
Ley, S.P. Lindsay, P.J.
Macfarlane, I.E. Marino, N.B.
Markus, L.E. McGauran, P.J.
Mirabella, S. Morrison, S.J.
Moylan, J.E. Nelson, B.J.
Pearce, C.J. Pyne, C.
Ramsey, R. Randall, D.J.
Robb, A. Robert, S.R.
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D.
Simpkins, L. Slipper, P.N.
Smith, A.D.H. Somlyay, A.M.
Southcott, A.J. Stone, S.N.
Truss, W.E. Turnbull, M.
Vaile, M.A.J. Vale, D.S.
Washer, M.J. Wood, J.

* denotes teller

Question agreed to, with an absolute majority.
Ms GILLARD—I can understand why the Liberal Party are playing games with this motion: it requires them to do something that they always hate doing and that is to come clean with the Australian people. This motion has four simple parts. Firstly, it acknowledges that the Australian people rejected Work Choices at the last election because it had hurt Australian working families by allowing them to be ripped off and dismissed without remedy or reason. Secondly, it recognises that the bill that the parliament has just passed ends the making of new Australian workplace agreements. That means that, on and from 1 January 2010, we will move to a workplace relations system that has no new individual statutory employment agreements in it. That is Labor’s way. That is what the Australian people voted for at the last election—a workplace relations system without any individual statutory employment agreements within it.

The fourth part of this motion requires the Liberal Party to do what they do not want to do. It requires them to come clean on whether or not, if re-elected, they will reintroduce at any time Australian workplace
agreements or any other form of individual statutory employment agreement. We on this side of the House come to bury Work Choices.

Mr Hockey—I move that the member be no longer heard.

The DEPUTY SPEAKER (Hon. Peter Slipper)—The honourable member for North Sydney has moved that the speaker be no longer heard.

Mr Albanese—Mr Deputy Speaker, on a point of order: it is being pointed out to you now that, in the past, Speakers have ruled that there needs to be a delay and that successive resolutions that the speaker be no longer heard cannot be moved. In spite of the fact, we know, that they do not want to hear about their record on Work Choices—

Mr Hockey—You’re in government; haven’t you worked that out?

Mr Albanese—He’s getting a ruling, fool.

The DEPUTY SPEAKER—I uphold the point of order and call the Deputy Prime Minister.

Ms GILLARD—Thank you very much. We come to bury Work Choices and we want a tombstone that says ‘rest in peace’.

Mr Pyne—Mr Deputy Speaker, on your ruling and the point of order taken by the Leader of the House: as a 15-year veteran of this House, I have a very clear recollection of the previous opposition moving the same motion against the member for Warringah, when he was the Leader of the House—

The DEPUTY SPEAKER—Order! There is no point of order. I ask the honourable member for Sturt to resume his seat and I call the Deputy Prime Minister.

Ms GILLARD—Thank you. We come to bury Work Choices. We are putting a tombstone on it that says ‘rest in peace’. We want to know whether the Liberal Party seek to exhume it. On this motion—probably they are in a party-room meeting now, trying to work out how to vote—the Liberal Party have three choices. They can vote with the government despite the secret desire of their hearts to keep Work Choices.

Mr Hockey—I move that the member be no longer heard.

Mr Albanese—Mr Deputy Speaker—

The DEPUTY SPEAKER—The Leader of the House does not have the call. I ask him to please resume his seat. The Leader of the House took a point of order before, which I upheld—

Mr Hockey—You can make another ruling.

The DEPUTY SPEAKER—The member for North Sydney has moved that the Deputy Prime Minister be no longer heard.

Mr Albanese—Mr Deputy Speaker, I raise a point of order based on the motion that the member for North Sydney has moved. House of Representatives Practice is very clear. The House has ruled on this motion.

The DEPUTY SPEAKER—I uphold the point of order.

Debate interrupted.

DISSENT FROM RULING

Mr HOCKEY (North Sydney) (12.06 pm)—Mr Deputy Speaker, I move:

That the Deputy Speaker’s ruling be dissented from.

I will speak to this motion now, Mr Deputy Speaker. It is unprecedented for a government to move such a motion. Clearly, the Liberal Party have not worked out that they actually are in government. They are moving this sort of spurious motion to try to get television time tonight. The Leader of the House rang me yesterday and said, ‘We want to get through our bills tomorrow. Can you cut short your speakers list so that we can get
through our bills?’ and then the government moved an absurd motion like this.

Mr Albanese—Mr Deputy Speaker, I raise a point of order, which is in your interest. You would be aware that this is a motion of dissent from your ruling. The member opposite has to refer to your ruling, which upheld a point of order moved by me, based upon *House of Representatives Practice*, that the House had determined a question. He has to refer to your ruling. He has not mentioned one thing about your ruling.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I thank the Leader of the House. I call the honourable member for North Sydney, who will focus on the grounds for his motion of dissent from my ruling.

Mr Hockey—Absolutely; I am more than happy to do so. Mr Deputy Speaker, we have moved a motion of dissent from your ruling, because there has been a rich history in this place on these issues, particularly in relation to when the now member for Warringah was Leader of the House. On numerous occasions the then opposition moved motions, and then subsequent motions, to close him down. If this is the way they are organised in the chamber, Lord knows how they are organised on the Expenditure Review Committee and Lord knows how they are organised in relation to getting the budget right. It should come as no surprise that they have not got any answers in relation to the Chinese trips by the now minister for agriculture, the Prime Minister and the Treasurer.

Mr Albanese—Mr Speaker, on a point of order: the member for North Sydney is straying again. You want to move a motion of dissent from a ruling by someone from your own party—that is up to you, folks. It is just absurd.

The DEPUTY SPEAKER—The Leader of the House ought not to cast aspersions on the neutrality of the chair. As a Deputy Speaker, I exercise this authority regardless of the political party of which I might happen to be a member.

Mr Hockey—This is the background to our motion of dissent, Mr Deputy Speaker: the Leader of the House rang me and said he wanted us to drop speakers off bills that were scheduled for today so that he could bring on those bills and have them finished with today. So what happens today is that they put on this stunt.

Mr Albanese—Mr Deputy Speaker, on a point of order: the member opposite has been given a number of opportunities to speak to the motion. He cannot, because your ruling is right. I take up the invitation that was given by him and the member for Warringah and I move that the motion be put.

The DEPUTY SPEAKER—The Leader of the House cannot move that the motion be put, because the question has not been stated from the Chair.

Mr Hockey—You do not understand the standing orders and you are the Leader of
the House. You do not understand the standing orders that you have put in place. Mr Speaker, it is interesting that—

The DEPUTY SPEAKER—I thank you for the promotion, but I am only a Deputy Speaker.

Mr HOCKEY—They run the parliament. It is the government that set down the order of business for the day. It is the government that set down the legislative agenda for the House. Here they are moving a motion on their own time during government business. They do not understand the standing orders. This is what you call a political stunt by the government.

Mr Albanese—Mr Deputy Speaker, on a point of order: the member for North Sydney is not referring, and has not referred once, to why your ruling is wrong. He has to do that—not state the obvious, that politics are conducted in this place and that we are against Work Choices and they are for it. We know that.

Mr HOCKEY—How ironic it is that the Labor Party now have not yet realised that they are in government. They are moving motions in this chamber to suspend standing orders. I have no recollection in 11 years of the Howard government that the government ever lost control of the chamber in the way that the Labor government have lost control of the chamber today, let alone having moved a motion like that one—there is no precedent for it. We are going back into the Hawke years as we stand, trying to find a precedent. This just illustrates that these people are more interested in stunts, more interested in the charade of government, than in making hard decisions. How ironic it is that they had to move 34 amendments to their own Work Choices bill. I bet the old Greg Combet would be turning in his old union grave if he knew they would have to—

The DEPUTY SPEAKER—Order! The member for North Sydney will resume his seat. He should focus in his speech on identifying why, in his view, the ruling of the chair is not correct.

Mr HOCKEY—In my view the reason that the Deputy Speaker’s ruling should be overturned by this chamber is that the decision is wrong. The decision is clearly wrong. The decision is wrong, based on precedents involving the member for Warringah and based on precedents involving the previous Manager of Opposition Business, who on numerous occasions moved that the Leader of the House be no longer heard and moved subsequent motions within the speaking time allocated to the Leader of the House. Of course, what we know is that the Leader of the House in this place does not understand his own standing orders. He does not understand his own standing orders, and that is why he tried to move that we be no longer heard, in a debate on a motion of dissent.

Mr Albanese—Mr Deputy Speaker, I rise on a point of order. This is a dissent in your ruling.

The DEPUTY SPEAKER—From my ruling.

Mr Albanese—The member for North Sydney must refer to your ruling and why it is wrong.

The DEPUTY SPEAKER—I consider that the member for North Sydney is indeed focusing on the reasons for dissent from my ruling.

Government members interjecting—

Mr HOCKEY—I’ll tell you what; I will give a little warning to the minister: he should not be too outspoken at the moment.

The DEPUTY SPEAKER—Order! The member for North Sydney ought not to warn anybody in the chamber. Only the occupant of the chair has the capacity to warn people.
Mr HOCKEY—I am just giving him some advice, Mr Deputy Speaker.

Mr Albanese—Mr Deputy Speaker, I rise on a point of order. I ask that that threat be withdrawn. You cannot make threats across the chamber—not even from the party of Work Choices.

The DEPUTY SPEAKER—I was listening. I draw the minister’s attention to what I believe the Manager of Opposition Business said, which was that he has ‘a warning for’. I do not consider it a threat.

Mr HOCKEY—We want to get on with the business of the House. We want to get on with dealing with the government’s legislative timetable. It is the government that have suspended their own standing orders to bring on a motion full of politics, vitriol and rhetoric—the same old tired stuff that they had been running in opposition. They ran it in opposition. They won the election; we accept that they won the election. But now that they are in government they actually have to make some decisions. I know it is going to come as a rude shock to the Treasurer, who should be out there studying the economics books rather than in here being party to a political stunt. Economics for Dummies—we’ll send you a copy.

Mr Albanese—I rise on a point of order, Mr Deputy Speaker. Under any circumstances, that was not referring to the motion. I ask you to see if the member for North Sydney can refer to why your ruling was incorrect.

Mr HOCKEY—The member for North Sydney will resume his seat as his time has expired. Is the motion seconded?

Mr PYNE (Sturt) (12.17 pm)—Mr Deputy Speaker, I second the motion. If I could take you back to the circumstances from which this dissent motion has arisen, the Deputy Prime Minister has moved a ludicrous, ridiculous and embarrassingly foolish motion in the House to suspend standing orders today to move a particularly foolish motion. The opposition, quite rightly, are incensed that the government, having not made the transition to government, would reduce the House to this mockery rather than getting on with the business of government. The Australian today has made a point in its own editorial about how this government is big on symbolism and very short on making decisions in government. Unfortunately, today in this lunchtime debate the government is fulfilling the worst thoughts of the editorial in the Australian. The circumstances of this dissent motion—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The honourable member for Sturt will resume his seat.

Mr Pyne interjecting—

The DEPUTY SPEAKER—Order! The honourable member will resume his seat or I will deal with him.

Mr Albanese—This is not a dissent on the Australian editorial.

The DEPUTY SPEAKER—Is this a point of order?

Mr Albanese—Yes, Mr Deputy Speaker. My point of order is that the member for Sturt has not referred to the motion that was moved. This is a motion of dissent from your ruling, and he has to speak to that.

The DEPUTY SPEAKER—I call the member for Sturt, and I would ask him to be very focused in his contribution on his reason for seconding the motion of the dissent from the Deputy Speaker’s ruling.

Mr PYNE—Thank you for your guidance, Mr Deputy Speaker, but I think I was, quite correctly, pointing out the circumstances of this dissent motion. The member for North Sydney quite rightly is concerned by the ruling that you have given that a motion that a member be no longer heard cannot
be moved against the same person speaking at a particular point in time. The dissent motion is that that ruling was incorrect—in fact, a motion that a member be no longer heard can be moved at any time. The precedent for that is very clear. I have been in this parliament since 1993, and the member for Warringah has been here since 1994. I remember times when such motions that a member be no longer heard were taken by the then opposition against the member for Warringah when he was the Minister for Employment Services.

Mr Albanese—Mr Deputy Speaker, I rise on a point of order. I wonder if standing order 87 has been complied with, particularly the second sentence.

The DEPUTY SPEAKER—I call the member for Sturt.

Mr PYNE—I think I was being entirely relevant to the motion, which was pointing out that, in fact, we are dissenting from your ruling because it breaks with previous precedent. The precedent for this—after the Prime Minister had slipped out of the House, wanting to avoid the embarrassment of this stunt by his deputy—was when the member for Warringah was the Minister for Employment Services and such motions were taken against him by the then opposition—

The DEPUTY SPEAKER—Order! The member for Sturt will resume his seat.

Mr PYNE—It is another frivolous point of order because they don’t want to hear—

The DEPUTY SPEAKER—Order! The member for Sturt will resume his seat. It is a matter for the chair to determine whether a point of order is frivolous or otherwise. I call the Leader of the House, presumably on a point of order—hopefully not a frivolous one.

Mr Albanese—Thank you, Mr Deputy Speaker. Standing order 87 is:

A Member moving a motion of dissent must submit the motion in writing. Has that happened?

The DEPUTY SPEAKER—I understand that it has been submitted in writing. There is no point of order.

Opposition members interjecting—

The DEPUTY SPEAKER—Order! I have not called the honourable member for Sturt. However, I now call the member for Sturt.

Mr PYNE—Of course, it has been complied with. It was complied with right at the beginning of the debate. Unlike you, we know that you have to put dissent motions in writing, have them moved and seconded. That is why it was put down right at the beginning of the debate, you silly goose! No wonder everyone behind you is talking about getting rid of you as Leader of the House. My point is that we have dissented from the Deputy Speaker’s ruling because his ruling was wrong. It breaches precedent previously established in this House. If the right of the House to ask a member to be no longer heard is taken away from the opposition or, in fact, any member of the parliament, it would be a huge breach of the parliamentary requirements of the Westminster system. This right allows the opposition or any member to move that a member be no longer heard when they are being irrelevant, when they are traducing the good name of the parliament and when they are using motions such as the one moved by the government for stunts rather than for getting on with the business of government. (Time expired)

Mr ALBANESE (Grayndler—Leader of the House) (12.22 pm)—Mr Deputy Speaker Slipper, I am pleased to rise in support of your ruling. I refer to page 514 of House of Representatives Practice, which clearly neither of the speakers opposite referred to, nor did they refer to the standing orders. Under
the heading ‘Closure of Member’, it says the following:

With the exceptions stated below, any Member may move at any time that a Member who is speaking ‘be no longer heard’ and the question must be put immediately and resolved without amendment or debate.

It then says:

The motion cannot be moved when a Member is giving a notice of motion or moving the terms of a motion, or if, when the same question has been negatived, the Chair is of the opinion that the further motion is an abuse of the orders or forms of the House, or is moved for the purpose of obstructing business.

*House of Representatives Practice* is very clear. We know the reason the opposition have moved this dissent motion is so that they can work out whether they are for or against Work Choices today. They have done it so they can have a tactics committee meeting. Your ruling is correct, Mr Deputy Speaker, and your ruling should be upheld.

**Mr Abbott** (Warringah) (12.24 pm)—I am very pleased to support the motion moved by the Manager of Opposition Business, not because it gives me any pleasure to see this motion of dissent in the House. I want to say that, in every other respect, Mr Deputy Speaker Slipper, your chairmanship has been exemplary—but in this important respect you have, I regret to say, breached the ordinary standards, procedures and conventions of this House.

I have been in this House for some time and I have been involved, dare I say it, in a few pretty rugged parliamentary debates. I can remember being in this chamber when I was the Minister for Employment Services and moving a suspension motion on the then member for Dickson. I can remember—and I invite the clerks to go back and look at the *Hansard* and advise you on this very point—being subject to successive closure motions by the then opposition. If it was good enough for the then opposition to close government ministers within a few seconds of the resolution of a previous motion, if it was good enough for the occupant of the chair on that day to allow successive closure motions, the precedent has been set and we are perfectly entitled to move a closure motion on this minister, who has not learnt a new script since she got into government. It was all very well in opposition to run this anti Work Choices script—but you have got to govern now.

When you are a minister in this country, you cannot govern this country by constantly repeating a mantra of opposition; you have actually got to make decisions—and that is what this government has not done in the 3½ months in which it has been in office. I refer to no greater authority than the former Leader of the Labor Party, the former member for Werriwa, who has said that this new government has engaged in nothing less than a circus of symbolism since it has been in office. I refer to no greater authority than the former Leader of the Labor Party, the former member for Werriwa, who has said that this new government has engaged in nothing less than a circus of symbolism since it has been in office. This stunt today is the very quintessence of symbolism. It demonstrates that, rather than get on with government, it is still running the same tired old script. It is basically an opposition which found its way into government because of the longevity of the incumbents, and now it is trying to work out what to do. That is the problem that this government has: it does not actually know what to do now that it finds itself in government. Come on! I say to members opposite, ‘Surely after all those years as union organisers, surely after all those years of delving deeply into workplace law, you must know something about this.’

I do not like it, but I accept that the former government lost the election. But, with our losing the election, members opposite are now in government, and they simply have to get on with the task of governing. Constantly running the sorts of stunts that we saw this
morning, having deceived the opposition about their desire to get on with government business, having engaged in a rank act of deception, pulling on this stunt and then pulling that bogus point of order, which, unfortunately, Mr Deputy Speaker, you have upheld, really demonstrates that the former member for Werriwa, Mark Latham, is right—these guys do not know what they are doing. They are engaging in a circus of symbolism.

Frankly, the time of this parliament is being needlessly consumed by a government which should know better. It is constantly running the old lines at the behest of a minister for workplace relations who was moderately effective in opposition—I will grant her that. But the task is not to criticise the former government; the task now is to be a good government in the stead of the former government. I have to say that the longer this mob opposite is in place, the better the Howard government is going to look. The longer this mob is in place, the more likely that the people of Australia will look back to 2.1 million new jobs, a 21 per cent increase in real wages and a doubling of the real net wealth of Australians as a golden age to which they would like to aspire at the next election.

Ms GILLARD (Lalor—Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion) (12.29 pm)—Mr Deputy Speaker, I rise to speak against the dissent motion and in favour of your ruling. In doing so can I say, Mr Deputy Speaker, it is apparent from the quality of the debate that this dissent motion is not actually about your ruling; it is about buying time for the opposition and the Liberal Party to work out how they want to vote on the motion I have moved. They are trying to characterise that motion as unimportant, but it calls on them to do a very important thing. The reason this dissent motion has been moved is to prevent them for some time from having to come to this point of decision.

Mr Pyne interjecting—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The Deputy Prime Minister will resume her seat. The member for Sturt ought not to talk before he gets the call. I call the member for Sturt.

Mr Pyne—Mr Acting Deputy Speaker, I rise on a point of order. During the presentations by myself—

The DEPUTY SPEAKER—For the benefit of the member for Sturt—

Mr Pyne—the member for North Sydney and the member for Warringah, the government was very clear that we had to stick to the dissent motion.

The DEPUTY SPEAKER—Order! The member for Sturt ought not to talk down the chair! What I was about to say to the member for Sturt, who has been here long enough to know, is that the correct reference to the person occupying the chair is Deputy Speaker and not Acting Deputy Speaker. I now call the member for Sturt on a point of order.

Mr Pyne—Mr Deputy Speaker, thank you for your clarification. The government members have to be relevant to the dissent motion. Obviously, they pointed this out during our presentations, and we were relevant to the dissent motion. The Deputy Prime Minister is now talking about Work Choices and issues that are in the past. I ask you to draw her to the debate.

The DEPUTY SPEAKER—Order! There is no point of order.

Ms GILLARD—Thank you. On the dissent: it is a device. Why is it a device? Because the opposition does not want to declare its hand on the motion I have moved.
Mr Hockey—What are you talking about? You don’t realise you’re in government!

Ms GILLARD—There are only three choices: they vote for it, despite their secret desires to keep Work Choices—

Mr Pyne—What about the dissent motion!

Ms GILLARD—they vote against it, and absolutely show themselves to be the party of Work Choices with a secret plan to reintroduce AWAs—

Opposition members interjecting—

The DEPUTY SPEAKER—Order! The Deputy Prime Minister will resume her seat. There are far too many interjections from the opposition front bench. I draw the attention of members to the provisions of the standing orders.

Ms GILLARD—Or, thirdly, they can cower in the corner because they do not know what they stand for any longer. There are only three choices: cover-up, Work Choices or cower. Those are the three choices: which are you going to choose?

Mr Abbott—Mr Deputy Speaker, I rise on a point of order. In the tradition that was established by the Leader of the House earlier in this debate, the Deputy Prime Minister is required strictly to debate the dissent motion, not to make extraneous points. I would also suggest that she stop shrieking at us. Really and truly, it is an assault on our hearing—it really is!

The DEPUTY SPEAKER—Order! The honourable member for Warringah will resume his seat. I call the Deputy Prime Minister to address the issue of the dissent motion. The people of Australia are waiting for some serious debate—

The DEPUTY SPEAKER—Order! There is no point of order.

Ms GILLARD—Thank you very much. I know they do not want to face this decision. I know they do not want to tell Australians the truth. They are a party with form when it comes to deceit on workplace relations. But you will be required to vote. And you will have to vote in favour or against, or cower in the corner. What are you going to do?

Mr Ciobo—Mr Deputy Speaker, I rise on a point of order. You have drawn the speaker’s attention to being relevant to the motion before the House. We are hearing time and time again the Deputy Prime Minister make reference to Work Choices. This is not about Work Choices. We know that the original motion was a stunt by the government.

The DEPUTY SPEAKER—Order! The member for Moncrieff will resume his seat.
Mr Ciobo—But in this case, Mr Deputy Speaker, I would ask you to bring the Deputy Prime Minister—

The DEPUTY SPEAKER—Order! The member for Moncrieff will resume his seat or I will deal with him! The Deputy Prime Minister will focus on the motion before the House, which is a motion of dissent from the Deputy Speaker’s ruling. I have been advised that the Deputy Prime Minister’s time has expired. I apologise to the House for not noticing the expiration of her time. I call the honourable member for Cowper.

Mr HARTSUYKER (Cowper) (12.35 pm)—Thank you, Mr Deputy Speaker. I certainly respect your position in this House, but I regret that this—

Honourable members interjecting—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! There is far too much noise in the chamber. One is not able to hear the speaker. I certainly am not able to hear the member to whom I have given the call.

Mr HARTSUYKER—Thank you, Mr Deputy Speaker. I am sure it is a matter of much regret to you and the members opposite that they were unable to hear my contribution in this debate. It is of great concern to us that, whilst we respect your ruling, in this case the matter has not been appropriately dealt with. The people of Australia are really expecting action from this government. There are very important matters before this House today that the people of Australia are expecting to be dealt with. But what do we have? As a result of the opposition-like tactics of the members opposite we see the time of this House wasted and, rather than the important matters of the day such as the cost of living, such as how carers and pensioners are going to continue to live against the backdrop of rising prices, we see a childish and trivial stunt by this government, taking up the time of this House. I know that this government can kick carers around, and it can kick seniors around, but we as the opposition do not want to see that happening and we do not want to see it attempt to kick the parliamentary process around. I know that the actions of this government are already causing great distress amongst the people whom I represent. I recommend that the government should be putting its energies into good government rather than political stunts. There is no mileage to be had from this government pulling political stunts and embarking on endless symbolism when in fact—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The time for this debate has expired.

Question put:

That the Deputy Speaker’s ruling be dissented from.

The House divided. [12.41 pm]

(The Deputy Speaker—Hon. Peter Slipper)

Ayes............ 60
Noes............ 79
Majority........ 19

AYES

Abbott, A.J. Andrews, K.J.
Bailey, F.E. Baldwin, R.C.
Billson, B.F. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Ciobo, S.M. Cobb, J.K.
Costello, P.H. Coulton, M.
Downer, A.J.G. Dutton, P.C.
Farmer, P.F. Forrest, J.A.
Gash, J. Georgiou, P.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hawker, D.P.M.
Hockey, J.B. Hull, K.E. *
Hunt, G.A. Irons, S.J.
Jensen, D. Johnson, M.A. *
Keenan, M. Laming, A.
Ley, S.P. Lindsay, P.J.
Macfarlane, I.E. Marino, N.B.
Markus, L.E. McGauran, P.J.
Mirabella, S. Morrison, S.J.
The DEPUTY SPEAKER (Hon. Peter Slipper)—The question now before the chair is that the motion moved by the Deputy Prime Minister be agreed to.

Mr Albanese—Thanks, Mr Deputy Speaker—

The DEPUTY SPEAKER—As the Deputy Prime Minister’s time has expired, I was going to call the opposition.

Mr Albanese—Thanks, Mr Deputy Speaker—

Mr Hockey—No, no.

The DEPUTY SPEAKER—Order! I call the Leader of the House.

Mr ALBANESE (Grayndler—Leader of the House) (12.47 pm)—I move:

That the question be now put.

Mr Hockey—It’s your own motion!

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The Leader of the House has moved that the motion be put.

Ms Julie Bishop—Mr Deputy Speaker, I raise a point of order. I was seeking the call. I came back here to seek the call for the opposition. The members were still taking their places. The Speaker previously, in a situation like this, gave the call—

The DEPUTY SPEAKER—Order! The Deputy Leader of the Opposition will resume her seat. I saw the Leader of the House first.

Mr Hockey—Mr Deputy Speaker, I raise a point of order. The time for the Deputy Prime Minister had expired, the Deputy
Leader of the Opposition was at the dispatch box ready for the call, and then the Leader of the House sought to close down his own motion without an opportunity for the Liberal Party and the National Party to express a view.

The DEPUTY SPEAKER—I was perfectly aware that the Deputy Prime Minister’s time for speaking had expired. I am well aware that, were the debate to continue, the call would have been given to the opposition. However, the government moved that the question be put, as is competent for the government to do, and thus there is no validity in the point of order moved by the honourable member for North Sydney.

Mr Ciobo—Mr Deputy Speaker, I rise on a point of order. You gave the call to the Deputy Leader of the Opposition before you interrupted it for the Leader of the House. You recognised—

The DEPUTY SPEAKER—The member for Moncrieff will resume his seat. A careful scrutiny of the *Hansard* record will disclose that, as the Deputy Speaker, I did not call the Deputy Leader of the Opposition. The question before the chair is that the motion be put.

Mr Abbott—Mr Deputy Speaker, I wish to move dissent from your ruling and I do so move.

The DEPUTY SPEAKER—I am advised that it was not a ruling from which the House is competent to dissent. The question before the House is that the motion be put.

Ms Julie Bishop—Mr Deputy Speaker, I rise on a point of order. The Speaker in this position only this week, or perhaps last week, when the parties were getting back to their places, called on a member and then corrected it when he appreciated that the call was with the opposition.

Mr McMullan—What is the point of order?

Ms Julie Bishop—The point of order is precedent. Mr Deputy Speaker, I was coming to the spot here, I was calling for your attention—

Honourable members interjecting—

The DEPUTY SPEAKER—Order! There is far too much audible conversation in the chamber. I am listening to the Deputy Leader of the Opposition.

Ms Julie Bishop—and in similar circumstances the Speaker gave the call to the government. In that case, it was to the government; in this case, it should be to the opposition. That was why I was seeking to attract your attention. You looked at me and I came in to get the call. In these circumstances, the Speaker did change his mind.

The DEPUTY SPEAKER—I thank the Deputy Leader of the Opposition. There is no point of order.

Mr Hockey—Mr Deputy Speaker, I rise on a point of order. Let me be very clear about the process here. The government came in with a motion to suspend their own standing orders to bring on a motion. On that motion there was debate from the government, there was no opportunity for the opposition to speak to the motion, and now they have moved to gag us before we have the right to speak on a motion that condemns us. That is not a parliament; that is a joke. It is a complete abuse of the parliament.

Ms Gillard interjecting—

The DEPUTY SPEAKER—Order! The honourable member for North Sydney will contain himself, as will the Deputy Prime Minister. There is no point of order. The question is that the question be now put. All those in favour say aye; those against say nay. I think the ayes have it. Division required. Ring the bells.
The bells being rung—

The DEPUTY SPEAKER—The Leader of the House would assist if he resumed his seat for a moment.

Mr Albanese interjecting—

The DEPUTY SPEAKER—Order! There is no point of order because a division was called when opposition members were here and of course, under the standing orders of the parliament, the bells ring for four minutes and members have the opportunity of staying in the House and voting or they have the opportunity of moving in another direction. There certainly were two voices calling for a division and I therefore called a division.

Mr Kerr—Mr Deputy Speaker, I raise a matter of contempt which, first arising, should be drawn to your attention. It is a contempt of this parliament to call a division and then to cease to remain in the chamber for the conduct of the vote. It is a matter first arising rather than a point of order.

The DEPUTY SPEAKER—Order! Would the member for Denison point me to the standing order which says it is a contempt.

Mr Kerr—I do not have the standing orders in my hand in the course of this debate, but I would ask you to consult with the Clerk and I think you will identify it very quickly.

Mr McMullan—Mr Deputy Speaker, on the point of order: the standing order—

The DEPUTY SPEAKER—Order! The honourable member for Fraser ought, under our standing orders, to cover his head if he intends to raise a point of order.

Mr McMullan—Mr Deputy Speaker, standing order 128 says: Members calling for a division must not leave the area of Members’ seats and they must vote with those Members who, in the Speaker’s opinion, were in the minority when the Members called ‘Aye’ or ‘No’.

So at least the members who called for the division are in breach of the standing orders. They have left in breach of the standing orders, and you should call them back. The Serjeant-at-Arms should get them to come back in.

The DEPUTY SPEAKER—Order! Under standing order 128, members calling for a division must not leave the area of the members’ seats and they must vote with those members who, in the Speaker’s opinion, were in the minority when the members called ‘aye’ or ‘no’. I therefore call on the Clerks to request that those honourable members who called for the division return to the chamber. Alternatively, as they are not present, there is probably little point in proceeding with the division. So the question has been determined in the affirmative. The division has been abandoned. I am the Deputy Speaker and I have spoken to the Clerk. The Clerk pointed out that either we could require those members who called for the division to return to the chamber or, alternatively, as they are not here, there is no need to proceed with the division—and that is the way that I have ruled.

Mr Albanese—Mr Deputy Speaker, on a point of order: given the contempt that the members have shown for standing order 128 and their obligations as members of the House, I would ask you to take action against those members.

The DEPUTY SPEAKER—I thank the Leader of the House. This is a matter that I will refer to Mr Speaker.

Original question put: That the motion (Ms Gillard’s) be agreed to.

The House divided. [1.02 pm]

(The Deputy Speaker—Hon. Peter Slipper)
Question agreed to.

HOWARD GOVERNMENT

Suspension of Standing and Sessional Orders

Ms JU LI E B I S H O P (Curtin—Deputy Leader of the Opposition) (1.08 pm)—I move:

That so much of the standing orders be suspended as would prevent the Deputy Leader of the Opposition from moving immediately that the House acknowledges that under the Howard Government:

(1) over 2.1 million new jobs were created;
(2) real wages increased by 21 per cent;
(3) industrial disputes dropped to the lowest level on record; and
(4) unemployment dropped to a 33 year low.

The suspension of standing orders is necessary because the government has passed a motion—

Mr Albanese—Mr Deputy Speaker—
The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The Deputy Leader of the Opposition will resume her seat.

Honourable members interjecting—

The DEPUTY SPEAKER—Order! Honourable members will observe the standing orders. Interjections are disorderly. I call the Leader of the House.

Mr ALBANESE (Grayndler—Leader of the House) (1.09 pm)—I move:

That the member be no longer heard.

Mr Pyne interjecting—

The DEPUTY SPEAKER—The honourable member for Sturt will contain himself; otherwise, he will spend some time outside the chamber.

Question put.

The House divided. [1.14 pm] (The Deputy Speaker—Hon. Peter Slipper)

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

AYES

Albanese, A.N. Bevis, A.R. Kerr, D.J.C.
Bidgood, J. Bird, S. Livermore, K.F.
Bowen, C. Bradbury, D.J. Marles, R.D.
Burke, A.E. Burke, A.S. McKew, M.
Butler, M.C. Byrne, A.M. Melham, D.
Campbell, J. Champion, N. Neal, B.J.
Cheeseman, D.L. Clare, J.D. O’Connor, B.P.
Collins, J.M. Combet, G. Parke, M.
Preece, T. D’Ath, Y.M. Plibersek, T.
Crean, S.F. Debus, B. Raguse, B.B.
Danby, M. Elliot, J. Ripoll, B.F.
Dreyfus, M.A. Ellis, K. Roxon, N.L.
Ellis, A.L. Elliot, J. Sidebottom, S.
Emerson, C.A. Ferguson, L.D.T. Sullivan, J.
Ferguson, M.J. Fitzgibbon, J.A. Tanner, L.
Georganas, S. George, J. Thomson, K.J.
Gibbons, S.W. Gillard, J.E. Turnour, J.P.
Gray, G. Griffin, A.P. Zappia, A.
Hale, D.F. Hall, J.G. * Ayres
Hayes, C.P. * Irwin, J.
Jackson, S.M. Kelly, M.J.

NOES

Abbott, A.J. Andrews, K.J.
Bailey, F.E. Baldwin, R.C.
Billson, B.F. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Ciobo, S.M. Cobb, J.K.
Costello, P.H. Coulton, M.
Downer, A.J.G. Dutton, P.C.
Farmer, P.F. Forrest, J.A.
Gash, J. Georgiou, P.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hawker, D.P.M.
Hull, K.E. * Irons, S.J.
Jensen, D. Johnson, M.A. *
Keenan, M. Laming, A.
Ley, S.P. Lindsay, P.J.
Macfarlane, I.E. Marino, N.B.
Markus, L.E. McGauran, P.J.
Mirabella, S. Morrison, S.J.
Moylan, J.E. Pearce, C.J.
Pyne, C. Ramsey, R.
Randall, D.J. Robert, S.R.
Ruddock, P.M. Schultz, A.
Scott, B.C. Secker, P.D.
Simpkins, L. Smith, A.D.H.
Somlyay, A.M. Southcott, A.J.
Stone, S.N. Truss, W.E.
Turnbull, M. Vaile, M.A.J.
Vale, D.S. Washer, M.J.
Windsor, A.H.C. Wood, J.

* denotes teller

Question agreed to.
The DEPUTY SPEAKER—Is the motion moved by the Deputy Leader of the Opposition seconded?

Mr ABBOTT (Warringah) (1.19 pm)—I second the motion. This is jackboot government, a government which puts a motion here and gags it—

Mr Albanese—I move that ‘People Skills’ over here—

The DEPUTY SPEAKER—The Leader of the House would know that using that form of words is not assisting the chair. I ask the Leader of the House to rephrase his motion in a more parliamentary way.

Mr ALBANESE (Grayndler—Leader of the House) (1.19 pm)—I move:

That the member be no longer heard.

Ms Gillard interjecting—

Government members interjecting—

The DEPUTY SPEAKER (Hon. Peter Slipper)—Order! The Deputy Prime Minister will cease interjecting, as will other honourable members sitting on the government front benches. The question is that the honourable member for Warringah be no longer heard. The ayes will pass to the right of the chair, the noes will pass to the left of the chair. I am sorry. I am getting ahead of myself. I do thank honourable members for their good humour. It has been a very enjoyable experience!

Mr Albanese—We’ll back you up, Mr Deputy Speaker.

The DEPUTY SPEAKER—I am not sure, Leader of the House, whether I need that sort of backing. Having said that, the question is that the member be no longer heard.

The House divided. [1.23 pm]

(The Deputy Speaker—Hon. Peter Slipper)

<table>
<thead>
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<th>Ayes</th>
<th>75</th>
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<td>Noes</td>
<td>58</td>
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<tr>
<td>Majority</td>
<td>17</td>
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**AYES**

Albanese, A.N.  
Bidgood, J.  
Bowen, C.  
Burke, A.E.  
Butler, M.C.  
Campbell, J.  
Cheeseman, D.L.  
Collins, J.M.  
Crean, S.F.  
Danby, M.  
Dreyfus, M.A.  
Ellis, A.L.  
Emerson, C.A.  
Ferguson, M.J.  
Georganas, S.  
Gibbons, S.W.  
Gray, G.  
Hale, D.F.  
Hayes, C.P.  
Jackson, S.M.  
Kerr, D.J.C.  
Livermore, K.F.  
Marles, R.D.  
McKew, M.  
Melham, D.  
Neal, B.J.  
O’Connor, B.P.  
Parke, M.  
Plibersek, T.  
Raguse, B.B.  
Ripoll, B.F.  
Roxon, N.L.  
Sidebottom, S.  
Sullivan, J.  
Tanner, L.  
Thomson, K.J.  
Turnour, J.P.  
Zappia, A.

**NOES**

Abbott, A.J.  
Bailey, F.E.  
Billson, B.F.  
Bishop, J.I.  
Ciobo, S.M.  
Costello, P.H.  
Andrews, K.J.  
Baldwin, R.C.  
Bishop, B.K.  
Broadbent, R.  
Cobb, J.K.  
Coulton, M.
Question agreed to.

Original question put:
That the motion (Ms Julie Bishop’s) be agreed to.

The House divided. [1.28 pm]
(The Deputy Speaker—Hon. Peter Slipper)

Ayes…………… 55
Noes…………… 75
Majority……… 20

AYES
Bailey, F.E. Baldwin, R.C. McKew, M. McMullan, R.F.
Billson, B.F. Bishop, J.I. Melham, D. Murphy, J.
Broadbent, R. Ciobo, S.M. Neal, B.J. Neumann, S.K.
Cobb, J.K. Costello, P.H. O’Connor, B.P. Owens, J.
Coulton, M. Downer, A.J.G. Parke, M. Perrett, G.D.
Dutton, P.C. Farmer, P.F. Plibersek, T. Price, L.R.S.
Forrest, J.A. Gash, J. Raguse, B.B. Rea, K.M.
Georgiou, P. Hartsuyker, L. Rijoff, B.F. Rishworth, A.L.
Hawke, A. Hawker, D.P.M. Roxon, N.L. Saffin, J.A.
Hull, K.E. * Irons, S.J. Sidebottom, S. Snowden, W.E.
Jensen, D. Johnson, M.A. * Sullivan, J. Symon, M.
Keenan, M. Laming, A. Lanyon, N.B. McCrae, P.J.
Haase, B.W. Hartley, L. Mirabella, S. Pearson, A.
Hawke, A. Hawker, D.P.M. Mulan, J.E. Perrett, G.
Hull, K.E. * Irons, S.J. Poyne, C. Ramsay, R.
Keenan, M. Laming, A. Ruddock, P.M. Schultz, A.
Ley, S.P. Lindsay, P.J. Scott, B.C. Secker, P.D.
Macfarlane, I.E. Marino, N.B. Simpkins, L. Smith, A.D.H.
Markus, L.E. McGauran, P.J. Somlyay, A.M. Southcott, A.J.
Mirabella, S. Morris, S.J. Stone, S.N. Truss, W.E.
Moylan, J.E. Pearce, C.J. Turnbull, M. Vaile, M.A.J.
Pyne, C. Pyne, C. Veitch, M.A. Washer, M.J.
Randall, D.J. Robert, S.R. Ruddock, P.M. Wood, J.
Ruddock, P.M. Schultz, A. Secker, P.D.
Scott, B.C. Simpkins, L. Smith, A.D.H.
Simpkins, L. Southcott, A.J. Stone, S.N.
Somlyay, A.M. Southcott, A.J. Turnbull, M.
Stone, S.N. Truss, W.E. Veitch, M.A.
Turnbull, M. Vaile, M.A.J. Veitch, M.A.
Vale, D.S. Washer, M.J. Wyman, C.
Windsor, A.H.C. Wood, J. Xiong, M.
* denotes teller

NOES
Albanese, A.N. Bevis, A.R.
Bidgood, J. Bird, S.
Bowen, C. Bradbury, D.J.
Burke, A.E. Byrne, A.M.
Butler, M.C. Champion, N.
Campbell, J. Clare, J.D.
Cheeseman, D.L. Combet, G.
Collins, J.M. D’Ath, Y.M.
Crean, S.F. Debus, B.
Danby, M. Elliot, J.
Dreyfus, M.A. Ellis, K.
Ellis, A.L. Ferguson, L.D.T.
Emerson, C.A. Fitzgibbon, J.A.
Ferguson, M.J. George, J.
Georganas, S. Gillard, J.E.
Gibbons, S.W. Gillard, J.E.
Gray, G. Griffin, A.P.
Hale, D.F. Hall, J.G. *
Hayes, C.P. * Irwin, J.
Jackson, S.M. Kelly, M.J.
Kerr, D.J.M. King, C.F.
Livermore, K.F. Macklin, J.L.
Marles, R.D. McClelland, R.B.
McKew, M. McMillan, R.F.
Melham, D. Murphy, J.
Neal, B.J. Neumann, S.K.
O’Connor, B.P. Owens, J.
Parke, M. Perrett, G.D.
Pilger, T. Price, L.R.S.
Raguse, B.B. Rea, K.M.
Ripoll, B.F. Rishworth, A.L.
Roxon, N.L. Saffin, J.A.
Sidebottom, S. Snowden, W.E.
Sullvan, J. Symon, M.
Mr HARTSUYKER (Cowper) (1.34 pm)—I welcome the opportunity to speak in continuation on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. It is interesting to see that we are now getting on with the real business of this House, and that is discussing matters of interest to the people of this country. Telecommunications is, as I said in my earlier contribution, vitally important to the people of regional and rural Australia.

We saw many services expanded and improved by the Howard government—services in the areas of health, education, telecommunications and infrastructure. The coalition government was a government which looked to regional Australia and its needs and delivered on those needs. What we have seen from Labor in their brief few moments in office is that they have already begun to roll back the level of services in regional and rural Australia, roll back the degree of support for the people of regional and rural Australia.

We know that regional areas are strong drivers of economic growth. But, in order to continue to deliver jobs and wealth, not only for regional areas but for the nation generally, we need the support of good infrastructure—both physical infrastructure and telecommunications infrastructure. This bill strikes at the heart of the improvements that have been made in recent times. One of the drivers of growth, particularly in my electorate, has been the ability of businesses to access ever-improving telecommunications services. This allows businesses to relocate and operate effectively in a regional area. It allows them to compete effectively from regional locations, and in some cases remote locations, against metropolitan and international competitors.

The government are going to roll back the support that is being offered. What does this bill do? This bill potentially takes away the opportunity for regional businesses and regional telecommunications consumers to access future technology. Not only do we have to make allowances for the technologies that exist today; we have to ensure that there is equity in the delivery of future technologies. What we are seeing today is just like when Labor slammed the door on the analog network and put nothing in its place. They turned off a communications lifeline that was necessary not only for business but also for safety out in regional areas. They closed it down and put nothing in its place. I guess that really is what the Labor Party offer regional Australia: nothing. In winding back this potential access to future technologies, they are continuing to stay true to form.

We see Dr Bill Glasson, a man I respect greatly, conducting the review into telecommunications in regional areas—travelling the countryside, having hearings with people in regional areas and assessing their needs—but the concern for regional consumers, on the findings that he delivers, is where the money is going to come from to finance those improvements and where the money is going to come from for those new technologies that are going to be needed by business. I think it is an absolute disgrace that the return from that fund, the $2 billion invested at a return,
will not be dedicated solely to regional and rural telecommunications. Regional areas are being ripped off. Regional areas are again, under Labor, going to become a poor cousin. That has some very dramatic effects. I have seen unemployment plummet in my electorate in recent times due to the good economic policies of the previous government. We have seen a strong economy generate jobs. What we know is that it is an ever more competitive economy, that businesses have to become smarter at what they do just to stay level with their competitors and that they have to become a lot smarter at what they do to grow and get ahead.

The way in which this government is neglecting regional areas and the way in which this government is neglecting future technology are going to mean higher unemployment in regional areas, lower incomes in regional areas and a lack of ability of regional areas to compete. It will be on the heads of the Australian Labor Party when, in a few years time, they wake up to the fact that regional areas are no longer progressing and that they are losing their competitive advantage. I think they will have to appoint another inquiry. They will probably have to have an inquiry into why regional areas are falling behind and perhaps appoint a telecommunications commissioner to make a lot of meaningless gestures about the future of telecommunications in regional areas. We do not need another inquiry. We do not need another commissioner. What we need is a commitment by this government not to political stunts like we saw in the House this morning but to supporting regional telecommunications and to ensuring that the funds that were to be dedicated to future technologies remain for the benefit of regional Australia.

The coalition government, as I said, supported regional telecommunications, and Labor is taking it away. What is the Labor Party going to say to young people in my electorate when they can no longer get a job as a result of lack of business competitiveness in regional areas? What is it going to say? What is its telecommunications commissioner going to do—make a few grandiose statements? Are we going to have a long, involved inquiry into why regional areas are not keeping up? This is where symbolism needs to stop and good policy needs to develop. We have seen endless symbolism from this government. Regional Australia has a symbol of its own. It is a symbol of what can be achieved with good support. The successes we have achieved in regional areas are a symbol of what can be achieved outside of our metropolitan areas. It is a symbol of what can be achieved when business works together with the support of government to deliver jobs and to improve the lot of people in regional areas.

We see many of our metropolitan areas struggling to cope under the stresses of their large populations, yet we have huge opportunities to provide employment in regional areas, taking pressure off metropolitan areas and giving people a lifestyle choice—whether they want to pursue a rewarding career in a regional location as opposed to pursuing a career in a metropolitan location. If you take away the telecommunications backup, the system will fall down. The Labor Party knows it, but it does not care about people in regional areas. It has contempt for people in regional areas. It has got form on this. I do not commend the bill to the House. I register my strong objection to the contents of this bill.

Mrs MIRABELLA (Indi) (1.41 pm)—I rise to speak on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. By way of background, it is important to note the significant record of assistance given by the former coalition government in upgrading telecommunications
infrastructure over the past decade. The crowning glory of these achievements was the $2 billion Communications Fund created by the former government, which is under threat by this bill. We know the Labor Party never liked the fund. They wanted to get rid of it, just like they wanted to raid the Future Fund, to suit their own partisan political motives. The former government, of course, reinforced the integrity of the Communications Fund by passing the Telecommunications Legislation Amendment (Protecting Services for Rural and Regional Australia into the Future) Bill 2007, which augmented the effectiveness of this fund through making it a perpetual fund and requiring it to maintain a minimum principal of $2 billion. Sadly, as my colleagues have noted, the Telecommunications Legislation Amendment (Communications Fund) Bill 2008, among other things, essentially reverses this important mechanism.

This is yet another example of what we can expect under Labor. They are going to raid the coalition’s Communications Fund for their own purposes, leaving many thousands of consumers and telecommunications users in the lurch. It is clear that the Communications Fund is of critical importance to some of the potentially more disadvantaged consumers—namely, those in rural and regional areas. Here we have another prime example of Labor’s disdain for those living in the country. It is nothing new to people in my electorate—they are used to Labor Party saying one thing and doing another—but the very legislation we debate today removes an inherent and ingrained aspect of the former government’s legislation that proudly protects the people in rural and regional areas, those who rely so heavily on telecommunications and access to quality services. All throughout the recent election campaign, the coalition challenged the Labor Party to provide the costings, coverage maps and technical information about their broadband proposal for the full scrutiny of the Australian public. It became quite clear that the Labor Party did not have a genuine broadband strategy for Australians beyond the major capital cities. Their plan continues to be light on detail with no technical backing. The Labor Party’s city focused plan is to build fibre-to-the-node services that will cost taxpayers around five times more, yet deliver speeds that are no faster than ADSL2 or WiMax. It will not provide for fibre to every isolated farmhouse, unlike the satellite subsidy that was the coalition government’s policy.

Over the last few years, Labor has failed to keep up with the coalition in having a policy for bringing telecommunications to rural areas. Does anyone genuinely believe that Labor will now install new fibre to the node to every isolated farmhouse? Of course not, and that is why a wireless service is far more practical and affordable for rural internet users and for the taxpayer. At the recent election, my Labor opponent in the electorate of Indi blundered badly when she said:

Labor’s broadband plan is to connect all exchanges to broadband, so if you’re connected to a telephone exchange, you’ll have access.

This confession, that fibre will only be laid to the exchange, was a major blow for the Labor Party’s rural broadband credentials. It means that the so-called ‘last mile’ between telephone exchanges and residences will not be upgraded. This is where the bottlenecks currently exist—between the exchanges and the users. This is exactly what the coalition government’s clear plan for using innovative wireless technology was all about. Further, the technology advocated by the Labor Party is only accessible by users who are within four kilometres of an exchange. This means that anyone who is currently unable to access broadband services will remain unable to access broadband services under Labor’s plan, which some wits have described as
‘fraudband’. Clearly, the Labor candidate in my electorate did not realise that the current hurdle to high-speed broadband services is copper cabling between a telephone exchange and a residence. This is due to the physical properties of copper cabling, not due to any government or telecommunications company policy. It is simply not physically possible to send data at broadband speeds down copper cabling that is more than about four kilometres long. This left a huge hole in Labor’s claim that their broadband service would serve people in rural areas of north-east Victoria.

I believe this bill represents a sneaky raid on important future-proofing measures that were implemented by the former coalition government and that readily protected the interests of consumers in rural and regional Australia. Labor has now turned its back on these consumers so that it can raid the fund to pay for its half-baked policy. The communications minister was said to have been grumpy with his department recently when wanting to implement Labor’s so-called broadband plans. He will have to do better than that if he wants Australians to believe his utopian promise—that they are somehow going to be better off as a result of Labor’s plot to raid the Communications Fund.

I hold grave reservations for the future state of telecommunications facilities and standards in rural and regional areas as a result of the measures contained in this bill. Together with my coalition colleagues I will oppose this bill, which is an assault on the very viability of businesses and an assault on the very viability of social infrastructure in rural and regional Australia. If we want people to live outside the capital cities, we have to be honest with ourselves. And governments have to be honest and ask the question: do we want people to live outside capital cities? If the answer is yes, there is an absolute obligation to provide minimum infrastructure services—whether that is roads and bridges or whether that is telecommunications infrastructure and social infrastructure, such as schools. These services are an integral part of maintaining viable communities outside capital cities. This short-sighted, ill conceived, technologically flawed proposal by the Labor Party will put telecommunications in non-metropolitan parts of Australia way behind the eight ball. Sadly, it will disappoint many who believed that Labor would deliver. I condemn this bill and look forward to fighting for access to telecommunications for those living in rural and regional Australia, including and particularly those living in my electorate in north-east Victoria.

Mr VAILE (Lyne) (1.49 pm)—It is necessary to make a few brief comments on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008, particularly given that it is going to have a profound impact on those consumers in rural and regional Australia who look to government to guarantee an appropriate level of service. As the previous government, we did that by establishing the perpetual Communications Fund. Mr Deputy Speaker Scott, you would recall the exact circumstances of that decision being taken, given the critical role that a particular conference in Queensland played in putting together a set of guidelines that the government of the day ultimately adopted not only for the sale of the third tranche of Telstra but also to address the remaining issues as far as communications across regional Australia were concerned.

In the minister’s second reading speech he indicated that this bill will enable money in the Communications Fund to be used for purposes relating to the creation or development of a broadband telecommunication network, if required. The final decision on the use of the fund will be made in the context of the government’s overall fiscal strategy. That
gives a blank cheque to the department of finance and to the minister for finance as he frames the budget this year to pick up the $2 billion that has been set aside and invested as a capital based fund to generate revenue streams to be used for the betterment of consumers in rural and regional Australia. I understand the government saying that it may be used. It is at the discretion of the overall fiscal strategy. But the Australian Labor Party in the lead-up to the last election made no bones about the fact that they were going to attack this fund, to steal $2 billion from the bush and spend it elsewhere on their flawed broadband plan—a plan that is purported to cost about $4.7 billion and a plan that should be funded by the marketplace. It should be funded by the companies that are going to benefit from the network.

The reason this $2 billion fund exists is to ensure that there is a flow of revenue in perpetuity to provide services and new technology in remote parts of Australia that the market might not provide—because we know that the market is not strong enough in those areas. The whole rationale at the time was based on our move to privatise the balance of Telstra—T3, as it became known—and our concern for the future. We were able to secure confidence in what was to be done and we ultimately set in place arrangements with the OPEL group to spend $1.8 billion, I think the figure was, to establish a wireless broadband network across those parts of Australia that were not covered by the mainstream carriers with their own networks. That is being rolled out now.

We needed to be able to give certainty about the future to consumers in rural and regional Australia. We needed to be able to future-proof the bush. That was what this fund was all about. When new technology becomes available and the market provides it to consumers in metropolitan areas and major provincial cities, the market might not provide it to consumers in rural and remote Australia. So this perpetual Communications Fund was set up as an investment body to accrue interest on an annual basis, with an independent review to be undertaken every three years—and there is one underway now, chaired by Dr Bill Glasson, former president of the AMA—to find the gaps in the system in rural and remote Australia so the revenue stream from this fund can be deployed. That is why it was called a ‘perpetual’ Communications Fund, because the capital base, the $2 billion, was never to be touched. It was to be invested, because we could afford to invest it. It was to be invested, because the nation had become very prosperous.

We put a significant amount of money in the Future Fund. We put $2 billion in the perpetual Communications Fund to future-proof the bush. We put a significant amount of money in the higher education fund. These were all investments for the future, so that the community did not have to come to each annual expenditure review committee—or the razor gang, as the current government calls it—with their begging bowl out seeking fundamental services that everybody else in the country often takes for granted. That is the reason that we put this fund in place. It is the reason that the National Party argued so vigorously at the time that it should be part of the response as far as telecommunications in Australia is concerned.

We know that the Australian Labor Party have form as far as their attitude toward communications in rural and regional Australia is concerned. We should never forget, and the people of regional Australia should not forget—and I do not think they ever will—what happened in the latter years of the Hawke-Keating government when they were going to unilaterally turn off the analog phone system and they had no replacement. You will recall the dilemma that that caused in rural and remote Australia. They were go-
ing to turn it off and they had no replace-
ment. Fortunately, at the time, the communi-
ties of regional Australia were able to voice
their concerns loudly enough so that a
CDMA system was introduced, and that has
been in existence for 12 or so years since
then.

Last year, Telstra announced that they
were going to switch off the CDMA system
and replace it with the Next G network. That
is fine, but we said, ‘Telstra, you do that but
you have to reassure your customers and the
government of the day that the service pro-
vided by the Next G network is equal to or
better than the CDMA system to be turned
off.’ Of course, the designated date for the
switch-off of CDMA was reached and the
community was not satisfied with the re-
placement technology, and a lot of work had
to be done. I have nothing against the Next G
network. It actually enabled many people in
rural and remote Australia who could not get
access to a broadband connection to be able
to access broadband. I just happen to be one
of them. I live in a coastal seat in New South
Wales where the Next G network enabled me
to connect to the broadband network at
home.

In government, we see the Australian La-
bor Party being very careless with their deci-
sion making and neglectful towards the peo-
ple of rural and regional Australia as far as
communications are concerned. There is no
guarantee that the people who were going to
benefit from the perpetual Communications
Fund and the revenue stream that flowed
from it are going to be looked after in the
new regime of the Labor government. I raise
in this parliament today my concerns about
the government moving so quickly on this
legislation and giving themselves the ability,
through the Minister for Finance and De-
regulation, who is now in the chamber, to
quickly grab hold of another $2 billion and
load it back into the budget surplus and say:

‘What a great government we are. We are
going to produce a $17 billion or $18 billion
budget surplus this year’—but it will be done
to the detriment of consumers and communi-
cations services in regional Australia.

This fund was put in place to give cer-
tainty about the provision of new technology
in remote Australia well into the future. It
was put in place to future-proof the bush as
far as telecommunications into the future—
not today, not tomorrow but for years and
decades into the future. The government
aims to take that ability away. Therefore, we
will be back to the bad old days when con-
sumers had to band together in lobby groups
and lobby the minister for communications
and the government of the day to get much-
needed funding spent in their area to ensure
they had access to telecommunications sys-
tems that every other Australian takes very
much for granted today. Obviously, I oppose
this move by the government. I supported
and continue to support the establishment
and maintenance of this perpetual Communi-
cations Fund because we believe it is the
only way to future-proof telecommunications
services to consumers in rural and remote
Australia.

The SPEAKER—Order! It being 2.00
pm, the debate is interrupted in accordance
with standing order 97. The debate may be
resumed at a later hour.

QUESTIONS WITHOUT NOTICE

Beijing AustChina Technology

Mr ROBB (2.00 pm)—My question is to
the Prime Minister. Will the Prime Minister
advise the House of his relationship with
Beijing AustChina Technology, including
their sponsorship of his round-the-world trip
in 2006 and the reasons for that sponsorship?

Mr RUDD—I thank the honourable
member for his question. When the honour-
able member came into the chamber a couple
days ago, he asserted from the floor of the
parliament that I had accompanied this company to Sudan. That was untrue. He asserted further that I had made commercial representations in Sudan on behalf of this company. That was untrue. I have made it very clear in my public comments that I have known Mr Ian Tang, of this company, for two or three years—for several years—and all travel of mine that Mr Tang and his company have supported has been fully declared, as has been that of my colleagues, on the pecuniary interests register.

Coming from opposition, I simply make this point: in opposition, as shadow foreign minister for five years and shadow minister for foreign affairs and trade for a further year, there was no budget allocated for travel; we were required to depend on private sponsorship for overseas travel. Perhaps it is one of these things we should look at in the future in terms of how it might be changed.

Workplace Relations

Mr DANBY (2.01 pm)—My question is to the Prime Minister. Will the Prime Minister inform the House of the impact of the abolition of Australian workplace agreements on working families?

Mr RUDD—I thank the member for Melbourne Ports for his question. Today in this parliament we have declared dead and buried Australian workplace agreements. We have declared dead and buried in this parliament a set of industrial laws which made it possible for workplace agreements to strip working families of basic wages and conditions. Our attitude, which we took to the last election—was that AWAs had to be scrapped lock, stock and barrel—and that is what the legislation which has been put through this parliament by the Deputy Prime Minister has done.

Let us look at the AWAs we have got rid of. These are the AWAs that required longer working hours and paid less per hour than collective agreements. These are the AWAs that, in their thousands and tens of thousands, have taken hundreds of thousands of dollars out of the pay packets of working men and women. These AWAs stripped away rest breaks, penalty rates, overtime pay and shift loadings. These AWAs, according to the Bureau of Statistics, made workers endure industrial arrangements which took, on average, $87 per week out of their pay packets compared to collective agreements. These are the AWAs and the industrial relations regime which those opposite were so proud to support.

On our side of the chamber we stand proudly by the fact that, in our legislation, we have honoured to the letter what we committed to the Australian people before the election. We have honoured to the letter the abolition of AWAs. We have honoured to the letter our commitment to Australian working families to construct in place of AWAs a decent, fair and balanced set of industrial relations arrangements for the future. ‘Decency’ in the Australian way of life means that everyone in the workplace gets a fair go, not just some. Looking to the future, I therefore find it extraordinary—absolutely extraordinary—that, on this day when we declared dead and buried Australian workplace agreements, when it was put to a vote in this parliament in a motion just before question time, those opposite could not bring themselves to support the part of the motion that read as follows:

In order to ensure the decent and fair treatment of Australian working families that statutory individual employment agreements should never again be reintroduced into Australian workplace relations laws.

The Liberal Party and the National Party of Australia opposed that. The Liberal Party and the National Party of Australia are therefore saying to the nation at large that they hold open the prospect—the intention—of
reintroducing AWAs should they ever regain the Treasury benches. We on this side of the chamber made clear prior to the election our commitment to abolish AWAs. The Liberal Party and the National Party have made it clear today their intention to reintroduce AWAs.

**Distinguished Visitors**

The Speaker (2.04 pm)—I inform the House that we have present in the gallery this afternoon a former Speaker of the New South Wales Legislative Assembly, the Hon. John Murray and Mrs Maureen Murray. On behalf of the House I extend a very warm welcome to our visitors.

In addition, we have the Hon. John Thwaites, a former Deputy Premier of Victoria. On behalf of the House I extend to very warm welcome to our visitors.

Honourable members—Hear, hear!

**Questions Without Notice**

Beijing AustChina Technology

Mr Robb (2.04 pm)—My question is to the Prime Minister. Can the Prime Minister confirm that he has met Mr Ian Tang, Chief Executive Officer of Beijing AustChina Technology in the last few months? Prime Minister, what was discussed in those meetings?

Mr Rudd—As I said in a press conference earlier today, I met Mr Tang some time in November or December for 10 or 15 minutes for a cup of coffee in Brisbane. The nature of the conversation was: ‘Hello, how are you? I haven’t seen you for a bit.’

Opposition members interjecting—

Mr Rudd—It is true; I would be very interested, given the level of interest on the part of those opposite and given that this company, which the opposition now has great concerns about, has contributed not $100,000—I misled the House the other day!—but $150,000 to the National Party. If there is a concern about this, what discussions occurred between this company and the former Deputy Prime Minister of Australia, other senior National Party ministers or others? What was the content of those discussions? If there is a concern about the nature of this company or its relationship with members of parliament, I would be very interested to know from the shadow foreign minister whether there are concerns in that regard given the nature of the financial support given to the National Party by the company concerned. All these facts, for my part and the part of my colleagues, have been declared fully on the pecuniary interests register.

Workplace Relations

Ms Owens (2.06 pm)—My question is to the Minister for Education, the Minister for Employment and Workplace Relations and the Minister for Social Inclusion. Is the minister aware of support for the reintroduction of Australian workplace agreements?

Ms Gillard—I thank the member for Parramatta for her question. Today has truly been an important day in the workplace relations history of this country. Today this parliament passed Labor’s transition to Forward with Fairness bill. This is the beginning of getting rid of Work Choices. This is taking handfuls of dirt and throwing it in the grave of Work Choices because we want to bury it.

From the coming into operation of Labor’s new laws, there will not be a working Australian who will have to fear that they will walk into a workplace only to be confronted with an Australian workplace agreement which strips away basic pay and conditions for no proper compensation. That was the essence of Work Choices: Australian workplace agreements and the ability to strip the safety net away. When Labor’s fair, balanced and flexible system is in full operation on 1 January 2010, there will be no new
statutory individual employment agreements of any nature. There will be a safety net on which working Australians can stand, and, standing on that safety net, they will be able to bargain with their employer, either collectively or for a common-law contract, but a common-law contract that always must give them the safety net.

Working Australians are entitled to know whether this reprieve from Australian workplace agreements and Work Choices is enduring or whether it is the policy of the Liberal Party that, should they ever resume government, they will reintroduce Australian workplace agreements and Work Choices. This is the simple question that they have always refused to answer. In their rhetoric about not supporting whilst not opposing Labor’s legislation, they never answered that simple question. What do they stand for? If re-elected to government, do they stand for the re-introduction of Work Choices and Australian workplace agreements? Or have they finally heard the voice of the Australian people, and are they truly going to respect it, as the Leader of the Opposition suggested yesterday?

We need to know the answer to this question, because working Australians are entitled to know it, and working Australians know that the Liberal Party is a political party with a track record of deceit on workplace relations—a track record of deceiving working Australians about their intention after the election. That is what they did in 2004. Australians are entitled to know.

Today we got the answer. Indeed, we got 62 answers from those who sit opposite. Today, when asked to vote whether or not they were planning to introduce new statutory individual employment agreements, they revealed their hand. We put to them a very simple proposition: would you agree with us that never again will we see in this country the reintroduction of individual statutory employment agreements? Will you agree with us to never again reintroduce Australian workplace agreements? Will you agree with us to never again reintroduce Work Choices? And they voted no. We now have the Liberal Party’s policy revealed. Should they ever become the government again, they will reintroduce Australian workplace agreements, they will reintroduce Work Choices. We flushed them out. We know they were running up and down the corridors, trying to work out how they were going to vote; we know that they played all sorts of procedural tricks in this parliament to give them the maximum amount of time to work out how they were going to vote, but ultimately they voted for the reintroduction of Work Choices. That is all any Australian will ever need to know about the values of the Leader of the Opposition and the party he leads. Everything working Australians need to know about the Liberal Party has been revealed today.

Today the Liberal Party had the opportunity to put their signature on the death certificate of Work Choices and, instead of doing that, they sought to revive it. Australians will judge them on that.

DISTINGUISHED VISITORS

The SPEAKER (2.11 pm)—I inform the House that we have present in the gallery this afternoon members of a parliamentary delegation from the Republic of Lithuania. On behalf of the House, I extend a very warm welcome to our visitors.

Honourable members—Hear, hear!

QUESTIONS WITHOUT NOTICE

Beijing AustChina Technology

Mr ROBB (2.12 pm)—My question is to the Minister for Agriculture, Fisheries and Forestry. Will the minister confirm that he
was accompanied by a staff member on his five trips to China that were paid for by Beijing AustChina Technology? Given the minister outlined only three individual meetings from his 33 days overseas, will the minister advise the House of the circumstance in which the sponsorship arose, the minister’s understanding of the reasons for Beijing AustChina Technology providing this sponsorship, what meetings were held, who attended the meetings and the subject matters that were discussed?

Mr BURKE—I would remind the honourable member of the answer I gave yesterday and of the further information that I put out in the papers this morning. I would also remind him, with respect to the information that he has raised today, that the reason that he has that information about the staff member is that it too was on the public register. It was put there at the time. A staff member did not accompany me on every trip, and the register shows which ones the staff member accompanied me on and when they did.

Discretionary Grants

Mr KELVIN THOMSON (2.13 pm)—My question is to the Minister for Finance and Deregulation. What steps is the government taking to improve the management of discretionary grants? How will improving the grants system help in the government’s fight against inflation and rising interest rates?

Mr TANNER—I thank the member for Wills for his question. Inflation is now at 3.6 per cent, and that has been putting upward pressure on interest rates. The government is committed to clamping down on government spending, which is rising at 4½ per cent in real terms, and getting better value for money out of Australian taxpayers’ dollars and greater efficiency in government spending. One particular area where we are committed to doing this is with respect to individual grants, or discretionary grants, that are made by the government to individual organisations for a variety of purposes.

Recently my department gave me some data on developments in that area of discretionary grants, and it makes very interesting reading. In 2000 the then Liberal government handed out a total of 3,941 discretionary grants at a cost of $579 million. In 2002 the figure was 6,141 grants at a cost $451 million—the number of grants went up; the amount of money went down. By 2006 the number had gone up to 14,539 grants at a total cost to taxpayers of slightly over $2.7 billion. And in 2007, last year, the number leapt dramatically to 49,060 grants at a total cost to the taxpayer of over $4.5 billion. So, within the space of five years, the total amount being spent by the Australian government on discretionary grants had multiplied tenfold, from $450-odd million to $4.5 billion. The increase in the amount of money involved in 2007 alone—last year, the election year—was 67 per cent.

It is also worth noting that, of the 49,000 individual grants handed out by the former Liberal government last year, 30,700 were for figures below $5,000. Indeed, when you look at the list of the smallest grants, it is an interesting picture. The smallest individual grant handed out by the Howard government last year was for the grand total sum of $70. That is not a unique figure by any means. When you look at the list from smallest upwards, the next largest is $79. Then there is an $85 one, another $85 one, another $85 one, a $90 grant, a $96 grant and a $98 grant. There is a very long list of very, very small grants. That explains why there are 30-odd thousand of them under $5,000 and why such a huge leap occurred.

My department advises that the cost of administering many of these grants would have been significantly higher than the actual
amount of the grants themselves. It advises that the cost of $4.5 billion to the taxpayer does not, of course, include the cost of administering the grants, which perhaps explains the blow-out in the total cost of government and the size of the Public Service over the past few years. It advises that many agencies are failing to use the central register of discretionary grants to ensure that we do not get double dipping—individual grant recipients doubling up on grants. And it also advises that we have over 150 separate grant-processing IT systems in the Commonwealth at present.

Many of these grants are worthwhile. However, there are a few that are a bit dodgy—for example, the rainmaker. The member for Wentworth had a recommendation of $2 million on a grant for a bit of cloud seeding and he decided that he would make that a $10 million grant. Others are for cheese factories that get money after they have closed their doors, historic railways where no trains run or ethanol plants that never produce any ethanol—and the list goes on.

The former Liberal government converted the Australian government into a giant vote-buying machine. It presided over an appalling misuse of Australian taxpayers’ money. This government, the Rudd government, is committed to introducing strict rules to ensure that we get genuine benefit for taxpayers from the application of these grants and that they are handled in a proper and prudent way. The rules we have already introduced include: no minister can make a decision about a grant that applies in his or her own electorate; no minister can make a decision about a grant without getting departmental advice; no minister can unilaterally override departmental advice; and ministers are required to announce decisions on grants promptly. We have a detailed further review underway to analyse all aspects of delivery of discretionary grants to ensure that the taxpayer gets value for money, that there is genuine probity and accountability and that we ensure, in overall terms, that the value that is delivered to the Australian economy and Australian society justifies the amount of money that is spent.

The reason for this is simple. The Rudd Labor government is committed to delivering value for money for Australian taxpayers, greater efficiency in the way the government spends its money and greater benefit to the Australian community because we understand that, of that $4½ billion, every last dollar is coming from working families’ budgets and we have a very serious obligation as a government to ensure that we do not fritter it away in the way the former government did.

**Beijing AustChina Technology**

**Mr ROBB** (2.19 pm)—My question is to the Treasurer. I refer to the Treasurer’s disclosure of two trips totalling eight days in 2006 and 2007 paid for by Beijing AustChina Technology. Given the failure of the Minister for Agriculture, Fisheries and Forestry to provide key information to the House, will the Treasurer advise the House of the circumstances in which the sponsorship arose, the Treasurer’s understanding of the reasons for Beijing AustChina Technology providing this sponsorship, what meetings were held, who attended and the subject matters discussed?

**Mr SWAN**—I thank the member for the question. I have travelled overseas, both in my capacity as a member of parliament and as shadow Treasurer, on numerous occasions in the three years leading up to now. As the member is very well aware, the moneys available to shadow ministers for international travel are not great; we just have the basic entitlement that every member of parliament has for one three-year period. So if you want to do your job as a shadow minis-
ter, if you want to get out there in the big, wide world—whether it is going to the United States, whether it is going to China or whether it is going to Britain—then you have to have some assistance.

I met this company some time ago. They did sponsor some of my travel. All of that has been disclosed. When I was travelling I was doing my job both as a member of parliament and as a shadow minister. Given the importance of China to the economy of this country, that is what I should have been doing. All of those matters have been disclosed. If the member has some allegation to make, let him make it and let him come clean on all the sponsored travel on the other side of the House.

Workplace Relations

Mr CLARE (2.21 pm)—My question is to the Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion. Can the minister outline any current support for Work Choices from members of this House?

Ms GILLARD—I thank the member for his question. I know of his deep concern for the working families in his electorate, who do not want Work Choices. We have seen the opposition today vote in favour of the continuation of Work Choices. People might find it hard to imagine how you can come into the parliament, do that and at the same time say, as the Leader of the Opposition does, that you respect the views of the Australian community, who voted against Work Choices at the last election. What chain of reasoning puts these two things together? What would you have to believe in order to conduct yourself like that? Fortunately, we know what the opposition believes. We have got a very good source for knowing what it believes. That source is the member for Warringah, one of the most senior members of the opposition, formerly one of the most senior members of the Howard government, having served in this place as Leader of the House and minister for health and in other capacities. The member for Warringah was asked today, at a press conference, about the bill that bans AWAs, which passed in the Senate last night: Is Australia today a better place?

He said:

Well, Australia will be over time a different place as a result of the change of government.

He went on to say, and this is the important quote:

So the Howard government’s industrial legislation—it was good for wages, it was good for jobs and it was good for workers, and let’s never forget that.

The member for Warringah, on behalf of the opposition, one of its most senior members, said:

So the Howard government’s industrial legislation—it was good for wages, it was good for jobs and it was good for workers, and let’s never forget that.

The political party of Work Choices speaks. It has so lost touch with the Australian community that it believes that Work Choices was good for workers. The Liberal Party has so lost touch with ordinary working Australians that it believes Work Choices was good for workers.

Mr Downer—Fancy someone disagreeing with you! They should go to jail. What about show trials?

Ms GILLARD—I would ask the member for Warringah, the member for Mayo, who is interjecting, and the rest of the opposition, who today have voted for Work Choices and described it as ‘good for workers’, to explain to the 70 per cent of workers who lost their shift loadings in AWAs whether it was good for them; to the 65 per cent of workers who lost their penalty rates through AWAs whether it was good for them; and to the 61 per cent who lost their substitute days for
public holidays whether it was good for them. Was it good for the 50 per cent of people on Australian workplace agreements who lost public holiday pay? Was it good for the 31 per cent who lost rest breaks? Of course, the statistics of shame that relate to Work Choices go on—they are just the start of the statistics. Does the Leader of the Opposition agree it was good for workers for them to lose amounts of up to $500 a week, as I have disclosed in this House? Was that good for workers? Is that what you mean by ‘good for workers’ in the Liberal Party these days?

The SPEAKER—The Minister for Employment and Workplace Relations will address her remarks through the chair.

Ms GILLARD—The view of the Liberal Party of this country is that Work Choices was good for workers. Every statement it has made since the election about Work Choices being dead, about respecting the decision of the Australian people, about listening to their voice, about having a changed view—every statement made by any member of the opposition since the election—was a false statement. It has shown it today by how it voted to continue Work Choices. The member for Warringah has helpfully laid bare, for every working Australian to see, that it believes being able to be ripped off is good for workers. It believes being able to be sacked for no reason and with no remedy is good for workers. This is a political party that has lost touch, lost its way and understands nothing about the circumstances of working Australians. As we have seen from today’s vote and today’s statement by the member for Warringah, it never will.

Beijing AustChina Technology

Mr ROBB (2.26 pm)—My question is to the Minister for Foreign Affairs. I refer to the minister’s disclosure of vehicle transport, meals and hospitality paid for by Beijing AustChina Technology when he visited China in 2005. As the previous two ministers have failed to answer my questions to them, will the minister advise the House of the circumstances in which this hospitality arose and his understanding of the reason Beijing AustChina Technology provided this hospitality? Will the minister advise the House if any meetings were held with Beijing AustChina Technology? If so, who attended these meetings and what subject matters were discussed?

Mr STEPHEN SMITH—I thank the honourable member for his question. I can confirm that I travelled to China from 28 March to 3 April 2005 while I was shadow minister for industry, infrastructure and industrial relations. In accordance with the procedures which bind all members of this House, I declared that travel in the register of parliamentary interests. That has been a matter of public record since May 2005. While I was in China, I visited Guangdong province, Guangzhou, Beijing and Shanghai. I have also declared on that parliamentary register—and this declaration has been there since May 2005—that as part of that trip I received hospitality and other service provision from Beijing AustChina Technology. That has been declared. I also received a gift of a Chinese tea set, which has been declared. Whilst I was in China I had a meeting with Mr Ian Tang, where we discussed matters about China and Australia and the important economic relationship between our two nations. Since that time I have had, I think, one meeting with Mr Tang, when he came to Canberra. It was a short meeting where we wished each other well. Mr Tang requested to see me at the beginning of this year or late last year upon my becoming Minister for Foreign Affairs. I was happy to see him. In the event, I was not available to see him at the required time. I saw nothing inappropriate with that meeting.
As the Treasurer has made clear, any number of the members in this place, on your side or on this side, have been the recipients of sponsored travel. The important thing here is: was that sponsored travel declared? In my case it was, and it has been on the public record since May 2005. If the member is making any suggestions of impropriety or any allegations, just make them—just make them. You might also, if you propose to make any such baseless allegations, cough up on all the sponsored travel on your side.

The SPEAKER—I remind the Minister for Foreign Affairs of the need to address his remarks through the chair.

Climate Change

Mr SYMON (2.29 pm)—My question is to the Treasurer. Will the Treasurer explain what the government is doing to make sure working families are looked after as we begin tackling climate change?

Mr SWAN—I thank the member for his question. The government understands that the cost of inaction on climate change is greater than the cost of action—for all Australians. That is why the guiding principle for the government’s response to climate change is ‘least cost’. We are deeply committed to addressing climate change by reducing domestic emissions at the very lowest cost that is possible. I think most Australians will appreciate that the cost of climate change inaction is far greater than the cost of action. This was acknowledged even by the former Prime Minister, who is a climate change sceptic. He said reducing carbon emissions will mean higher energy and petrol prices. Australians need to understand that. When it comes to climate change, we on this side of the House will look after working families. We will provide the leadership and the foresight that is required to deal with this properly by bringing in an emissions-trading system. This is terribly important in terms of business investment and to deal with this problem in the long term. That is why the government was so pleased that the Minister for Climate Change and Water was able to publish her timetable for the development of an emissions-trading system. We support a comprehensive response which protects the interests of working families.

Beijing AustChina Technology

Mr ROBB (2.31 pm)—Will the Prime Minister provide details to this House of all meetings and conversations that have occurred since the election between his ministers and Beijing AustChina Technology, including with its chief executive officer, Mr Ian Tang?

Mr RUDD—I thank the honourable member for his question. The ministers who have answered questions from the member today have responded to this point, as I have myself. If the honourable member has any substantive allegations to make, he should make them.

Defence

Mr NEUMANN (2.31 pm)—My question is to the Minister for Defence. Will the minister please outline to the House the changes to the Defence leadership team? What will be their new priorities and what new measures will the government take to support the service chiefs?

Mr FITZGIBBON—I thank the member for Blair for his question. His electorate is home to RAAF Base Amberley, so naturally he has a deep-seated interest and is very active in the area of defence policy. This morning the Prime Minister and I had the pleasure of announcing that Air Chief Marshal Angus Houston will be reappointed as the Chief of the Defence Force. We were also pleased to announce a number of other senior Defence appointments. Lieutenant General David Hurley will be appointed as the new Vice-Chief of the Defence Force, Rear Admiral
Russell Crane will be appointed as the new Chief of Navy. Lieutenant General Ken Gillespie will be appointed as the new Chief of Army and Air Vice Marshal Mark Binskin will be appointed as the new Chief of Air Force. I know the House will agree that these are all very fine appointments. I wish them all well and acknowledge in this place the very fine work of those people who they will replace.

The single biggest challenge facing the Australian Defence Force is its people and skills shortage. This will be a key focus for the new service chiefs. I am tasking this new Defence leadership team with an increased emphasis on one of their existing responsibilities. In addition to training and sustaining their respective services, each service chief will be directly responsible for ensuring that sufficient trained and skilled personnel are available. Every three months, or more often if necessary, the service chiefs will spell out in detail the progress they have made in meeting the exacting requirements of their respective services for skilled trades and professions. This is a tough challenge they face in an era of almost full employment and at a time when the mining industry is booming. But succeed we must.

Our people challenge is just one of the challenges the new government has inherited in the Defence portfolio. The defence budget is in a mess and many of the capability projects we have inherited are in crisis. The cost of sustaining capability has been alarmingly underestimated and underfunded. The Howard government had been committing to new capital projects without taking proper account of their ongoing funding requirements. As I said in a speech last night, it is like factoring into the family budget the cost of a new car but not accounting in that same budget for the fuel, the insurance, the rego and the maintenance—or, in the case of the member for Wentworth, the chauffeur!

The government remains committed to growing the defence budget by three per cent in real terms out to 2016. This is a big call, given the inflationary environment we have inherited from the former government. But it will do so because, as the Prime Minister says, it is core business for any government. But, given the mess we have inherited from the former government, we will need three per cent real growth and more. The waste and mismanagement in defence procurement must end and internal efficiencies will need to be found so that the money saved can be reinvested into defence. Every dollar spent in one area of defence capability is a dollar that is not available to be spent in another. We have an obligation to get it right. We cannot afford to waste a cent. Labor is determined to clean up the mess we have inherited from the now Leader of the Opposition, who was gambling not only with taxpayers' money but, indeed, with national security. In partnership with our new leadership team, the government is determined to put the defence budget back on track. We will fill that $6 billion hole we have been left with in net operating costs. We will put the defence procurement system back on track and we will develop a plan to address Defence's people and skills shortage.

Beijing AustChina Technology

Mr ROBB (2.36 pm)—My question is to the Minister for Finance and Deregulation, representing the Minister for Superannuation and Corporate Law. Can the Minister for Finance and Deregulation confirm that the Australian arm of Beijing AustChina Technology is a one dollar company and that its principal place of business is a suburban house in the Sydney suburb of Warriewood? Will the minister for finance disclose all information held by the Australian Securities and Investments Commission on AustChina Technology, including its relationship with a Chinese parent company?
Mr TANNER—I thank the honourable member for his question. I cannot confirm any of those matters. I am happy to refer them to the Minister for Superannuation and Corporate Law for further advice.

Dr Nelson—Mr Speaker, I rise on a point of order. I ask the minister to report that information to the House.

Council of Australian Governments

Mr GIBBONS (2.37 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the progress relating to the Council of Australian Governments?

Mr RUDD—I thank the honourable member for his question. The Council of Australian Governments languished under our predecessors. It has been in the past a core vehicle for national microeconomic reform. For the last 12 years it languished and in effect did very little. Our intention as a government, reflected in the pre-election commitments we made to fix the federation, is to put COAG—the Council of Australian Governments—back onto the centre stage when it comes to delivering effective long-term microeconomic reform. If you look at the overall challenges of productivity growth, what we invest in terms of human capital, what we invest in infrastructure and what we do on the deregulation front, so much of that is bound up with the actual state of our federation. The federation has become somewhat sick in recent years with functional duplication and overlap, and a plethora of regulatory regimes which affect businesses trying to earn a living, as well as the impact on working families as they seek to deal with various levels of government to consume basic health, education and other services.

At the end of last year, within six weeks or so of the government taking office, we convened the first meeting of the Council of Australian Governments since the new government had assumed office. We outlined a comprehensive program of action for the year 2008 covering education, health, business deregulation, climate change, water and the rest. That is important because, if you are going to achieve real outcomes for the nation, you need to work in cooperation with the states and territories. If you simply want someone to blame on the way through then you play a political tactic, as our predecessors did for 12 years, because COAG is either a vehicle for change or it is an alibi for inaction. Our predecessors demonstrated a strong predilection for the latter approach. When it comes to the upcoming COAG, to be held in Adelaide at the end of next week, we have a substantial agenda of work on our plate. We intend to work methodically, carefully and with diligence through the agenda of microeconomic reform which we have put to the Australian people.

One of the areas where the Commonwealth and the states can work better together is in dealing with the challenge which was the subject of a question in this place yesterday—and again I go to the whole challenge of homelessness. This is an important matter. All families across the country are concerned about housing affordability. Many families across the country are concerned about homelessness. After 16 years of economic growth, it is unacceptable that any given night we have 100,000 Australians who are homeless and, on average, between 10,000 and 14,000 who are sleeping rough. Before the election we committed to halve the number of people turned away from crisis accommodation within five years. That is a very big commitment. We committed to a policy called A Place To Call Home, which is a $150 million investment to build or purchase 600 new homes for people in crisis accommodation.
Today in the parliament I am pleased to confirm that we have reached agreement with the state and territory governments on the implementation of this election commitment. For the first time, the new accommodation will be delivered in those areas where homelessness problems are most acute and the funding will now start to flow. This scheme will provide a permanent home so that families will no longer have to uproot and move from crisis accommodation to crisis accommodation.

One of the great feedbacks we got from the community sector on this, reflected in the discussion we had as a parliamentary party yesterday, is that, when someone goes into crisis accommodation, within a short period of time they are often relocated to crisis accommodation or transitional accommodation elsewhere, which means that kids have to be ripped out of school, which means their school performance goes through the floor—and that, in turn, creates a whole series of other problems as well.

What we are seeking to move towards is a situation and a set of policies and programs across the country where we deal with the homelessness challenge in situ, so that when we relocate someone to a crisis accommodation centre, a crisis accommodation home or a rented apartment, it has a reasonable prospect of being their long-term place to live. This is a first step—and I emphasise it is a first step—in this government’s new approach to homelessness, which also includes our commitment to deliver the first white paper of this government, which will set out a comprehensive plan of action for the decade ahead. On this side of the parliament we believe in putting an end to the blame game. Homelessness is about decency—

_Opposition members interjecting—_

**Mr Rudd**—I find it remarkable that those opposite laugh about homelessness. I would have thought a mark of decency is a program of action to deal with homelessness. It may be of surprise to many of those opposite that there are homelessness crises and problems in each of their electorates. It may be invisible to them but it is not invisible to the government. We intend to prosecute a program of action to deal with this challenge. Rather than just blame the state and territory governments, we have a cooperative program of action with the states and territories to enable people who find themselves in these desperate circumstances to at least have that level of basic human decency and support.

**Beijing AustChina Technology**

**Mr Robb** (2.43 pm)—My question is to the Prime Minister. Prime Minister, do you think there is anything unusual about the Labor Party accepting $170,000 in donations, 16 trips for himself, members of his parliamentary party and staff—

**Mr Albanese**—Mr Speaker, I rise on a point of order. Under standing orders, questions cannot ask for an opinion. The shadow minister obviously began his question asking for an opinion.

**The Speaker**—The structure of the first part of the question is out of order but I will listen to the rest of the question. The member should understand that the wording as it stands is out of order.

**Mr Robb**—Can the Prime Minister explain whether there is anything unusual about the Labor Party accepting $170,000 in donations, 16 trips for himself, members of his parliamentary party and staff from a Chinese company whose principal place of business in Australia is a Sydney suburban home in Warriewood?

**Mr Rudd**—The key consideration here is whether all supported travel has been declared. It has been. The key consideration here is whether all political donations have
been properly registered with the relevant political party. My understanding is that they have been with the Labor Party. As I understand it, they have been with the National Party—at least I hope so.

**Housing Affordability**

*Ms REA* (2.44 pm)—My question is to the Minister for Housing and the Minister for the Status of Women. Will the minister inform the House of the progress made in the COAG Housing Working Group to address housing affordability and homelessness?

*Ms PLIBERSEK*—I would like to thank the member for Bonner for her question. We know that housing affordability in Australia is at an all-time low. We had more figures yesterday from AMP.NATSEM showing that 62 per cent of first home buyers are now in housing stress, and at the other end we have got more older people also in housing stress. The number of older Australians in housing stress has doubled, according to this report.

A working group on housing was established by COAG in December 2007 to develop implementation plans for the housing affordability policies that Labor took to the last election—the Housing Affordability Fund, that $½ million fund to bring down the cost of building new homes; the National Rental Affordability Scheme, initially a program to support the building of 50,000—now 100,000—new affordable rental properties; our plan for 600 new homes for the homeless, A Place to Call Home, and the new and innovative approach of leaving people in place and moving services around them rather than forcing homeless families to move from pillar to post; our National Housing Supply Research Council to make sure that the dire straits we find ourselves now in when it comes to housing affordability do not recur in the future; and our proposal to release surplus Commonwealth land for housing and for other community uses. I am very pleased to chair the Housing Working Group established by COAG. It has representatives from state central agencies and, of course, from state housing departments, and I am very happy to be able to report that those implementation plans and policies are ready to roll.

Of course, that is not the end of the challenge. We do not imagine for a moment that the work on housing affordability is complete. After 12 years of substantial neglect in this area we have got a lot of problems to overcome. We know that demand began to outstrip supply seriously in 2004. We saw this semitrailer hurtling down the highway at us as a nation and the previous government never lifted a finger to address some of the issues that were contributing to the shortfall of housing that we now face. The reason housing, rental housing in particular, is so unaffordable is that we have a serious supply problem, a supply problem that we saw coming and that the previous government did nothing about.

The COAG implementation plans, when agreed, will see these policies, and also our first home saver accounts, ready to roll. They will be available in the second half of this year. Local government will be able to look to the Housing Affordability Fund for help to bring more affordable blocks of land onto the market and use the Housing Affordability Fund to support the rollout of e-processing—development application processing—to reduce the holding costs of land. The applications for the National Rental Affordability Scheme will open in June-July this year, and we will see the first 3½ thousand incentives available in the next financial year.

The building of new homes for the homeless will start within months. In 3½ months the government has agreed an agenda with the states and territories that the previous government was not able to come to in 12
years. In fact, a large part of the reason for that is that we had no real understanding or interest from the previous government when it came to housing affordability and, indeed, when it came to homelessness. This morning we heard the member for Warringah criticising Labor members of parliament for visiting homeless services. Why would you talk to Mission Australia about homelessness—or St Vincent de Paul or the Salvation Army or Wesley Mission! Why would you talk to any of these people about homelessness or, indeed, to any of the people living in those shelters who have the firsthand experience of becoming homeless and living as homeless people in our community! Why on earth would you talk to those people, Member for Warringah?

We have committed $150 million already to building new homes for the homeless. We have committed to extra support for organisations like RecLink, which engage homeless people with support services and are the originators of the Choir of Hard Knocks. Any of this could have been done in the 12 years of the previous government. There was no action. After 16 years of record growth we saw record numbers of homeless people and record numbers of homeless families with children. I am very pleased to be able to report to the House and to my Labor colleagues that our implementation plans, worked on by the COAG Working Group on Housing, are proceeding apace and that COAG has become a real vehicle for change, not an excuse for inaction.

Prime Ministerial Travel

Dr NELSON (2.50 pm)—My question is to the Prime Minister. Given the Prime Minister has already spent 10 days overseas in his first four months in office and is due to leave for an 18-day trip, including four days in China, why is the Prime Minister not spending even one hour in Japan, Australia’s largest export market?

Mr RUDD—I welcome the question from the Leader of the Opposition. I would have thought the first responsibility of a government of any political persuasion is to ensure that our principal foreign relationships are in good working order. Therefore, one of the first decisions undertaken by this government, within a week or so of taking office, was to travel to Indonesia. For what purpose? To ratify the Kyoto protocol, something which I seem to recall it took you a long, long time not to do.

The second decision that the government took was to visit Dili in East Timor. That was important because, when it came to the challenges of security for that country and the further deployment of military personnel and police personnel, it was absolutely the responsible thing to do to assist our nearest neighbour in need. Then it came to our neighbourhood—that is, the South Pacific—which the honourable member for Mayo has displayed such a comprehensive lack of interest in for the last decade or so.

Honourable members interjecting—

Mr RUDD—And I can report to the honourable member for Mayo that he is deeply missed across the South Pacific. They were constantly inquiring after the honourable member’s wellbeing. When you arrive at an extraordinarily unsustainable situation of a ban on ministerial contact between Australian government ministers and Papua New Guinea, our nearest neighbour to our north—and that ban had proceeded for virtually a year—it is not the way in which this government proposes to do business with its neighbours.

The purpose of a visit to Papua New Guinea and to Goroka and to the Solomons, where we still have several hundred troops and police deployed, was to rebuild bridges
with our principal partners within the South Pacific and also to look firsthand at what was necessary to deal with the challenges of development in the South Pacific, where most of the development indicators are headed in the reverse direction. That answers the first part of the question about what official travel has been engaged in by me as Prime Minister since the change of government.

As far as upcoming travel is concerned, as soon as I became Prime Minister, the Ambassador of the United States came to see me and said that the President would like me to pay an early visit to Washington. We then began negotiations with the United States about when that could occur and the dates were arranged. In addition, our friends in China—our largest trading partner—discussed dates and suggested that we would need to ensure that a visit was undertaken well short of the Olympics because there would be a crowd of visits as they got near to the Olympics.

The third element in the equation was a decision relating to our troops deployed in Afghanistan. That goes to NATO strategy for the deployment of troops in Afghanistan and the upcoming NATO summit, which is to be held in Bucharest. That has a fixed date; it occurs early next month. If you put the three together, it defines the architecture of the visits abroad. That is why they are being undertaken.

As for the final part of the honourable member’s question, concerning our friends and partners in Japan, in the period that the government has been in office Japan has been the kind host of visits by the foreign minister, the trade minister, the minister for industry and the minister for resources. There have been four ministerial visits. I do not think that any of these ministers have yet travelled to China. I may be wrong.

The priority we attach to our relationship with Japan is underpinned by the fact that these ministers have seen an absolute necessity of making early contact with their Japanese ministerial counterparts. Furthermore, the Japanese have been in contact with us over a long period of time about an invitation for me as Prime Minister to attend the G8 meeting to be held in Tokyo in July. They have indicated that they want to have bilateral discussions and meetings with me on that occasion. On top of that, we are in continued negotiations and discussions about a further bilateral visit by me to Japan.

Where does all this come together? If honourable members opposite have paid close attention to the state of the global economy, they will know that we are travelling in uncertain economic times globally. It is of deep importance, therefore, that at the level of Prime Minister of Australia we have direct dealings with the Americans, who are currently engaged in very difficult decisions concerning the health and robustness and state of US financial markets and upcoming actions both by the US Treasury and the US Fed. Similarly, developments in the City of London, affected by decisions undertaken by the Bank of England, are important in terms of our current global economic circumstances, as are the upcoming economic developments in China, our principal trading partner, with whom we have a deep and vested interest to ensure that that export relationship is expanded further. It is because the economic interests of this nation are at the forefront of the government’s attention that we have embarked upon this visit, and I am actually surprised that the Leader of the Opposition would choose, in a partisan nature, to engage in an attack on it.

Welfare Reform

Mr ZAPPIA (2.56 pm)—My question is to the Minister for Families, Housing, Com-
community Services and Indigenous Affairs. Will the minister update the House on the government’s election commitments to develop a national child protection framework and related policies?

Ms MACKLIN—I thank the honourable member for Makin for his question and his understanding that payments like the baby bonus are intended to serve the interests of children. If that is not happening, the government needs to act to make sure that it does. I want to draw the House’s attention to what a caller had to say on the Alan Jones program yesterday, talking about the baby bonus:

I am a recovered drug addict—a caller said—I exploited the system. It was heaven for me with an extra $5,000 bonus, mate, and I’m telling you right now I wouldn’t spend one—I didn’t spend one cent of the bonus. I just took it off my missus. He went on to say:

I know hundreds of people who have no intention of getting work who are on methadone and drugs and everything else and it’s heaven when they get the bonus. I don’t see any new prams or extra clothes for the kids, mate. I’m telling you that right now.

That is appalling. It is appalling that this misuse of government support is going on, and it cannot be allowed to go on any further. So that is why the government are intent on delivering on our election commitments to ensure that payments like the baby bonus serve the interests of children and are not spent on gambling, drugs or alcohol. That is why we have already begun the work that is necessary to develop a national child protection framework. One aspect of this national child protection framework will be to give the state and territory child protection authorities the power to recommend to Centrelink that family payments, including the baby bonus, are able to be income managed or quarantined so that those payments are spent in the interests of children, on things like food, rent or clothing for children, and are not spent on drugs or gambling.

Most parents do the right thing. Most parents spend family payments or the baby bonus in the interests of children. Unfortunately, some do not. Where parents are responsible, then the baby bonus will continue to be paid in the normal way. But where they are not responsible, where they neglect their children, it is time that we made some serious changes.

Those changes are underway already in the Northern Territory. One of my first decisions as Minister for Families, Housing, Community Services and Indigenous Affairs was to implement income management in a number of Northern Territory communities. Decisions such as this mean that the baby bonus is quarantined; in fact, 100 per cent of the baby bonus is income-managed in these communities. We have made a commitment also to income-manage the baby bonus in the Cape York welfare trials, and the same will take place in the income management trials that we will undertake in the Kimberley with the Western Australian government. It is true that these are not easy decisions to make, but they are decisions that should be made to protect children.

I might remind members that the extension of income management to these payments, like the baby bonus, would not have happened if the Howard government had continued in office. They did copy Labor’s policy—the policy that we put forward in opposition—but, unfortunately, they did nothing to fund the measures in that policy. There was no money to fund them. There was a lot of talk from the previous government, and even the passing of legislation, but no money put into the budget and no action taken to make sure that these changes were
made. This really is not good enough. This government is getting on with the job, making sure that family payments, including the baby bonus, are there to be spent in the interests of children, not squandered on drugs or gambling.

Mr ABBOTT (Warringah) (3.01 pm)—On indulgence, Mr Speaker: I would like to say that I thoroughly support what the minister has said, and it completely confirms the measures that were put in place by the Howard government.

Prime Ministerial Travel

Dr NELSON (3.01 pm)—My question is to the Prime Minister. Given the concerns held in Japan for a strong relationship with Australia, will the Prime Minister consider dropping one of his four days in China during his imminent overseas trip and instead spend a day in Japan?

Mr RUDD—I begin this answer by repeating how I concluded my last answer, which is that I am disappointed that the Leader of the Opposition, as the alternative Prime Minister of the country, would choose to be partisan on questions that go to our principal foreign relationships. When it comes to the organisation of itineraries with foreign governments—those of the United States, those of China, those of Japan and those of the United Kingdom and elsewhere—as the Leader of the Opposition would know from his experience as a minister, these are complex negotiations which involve complex questions of scheduling between and across multiple governments.

When it comes to the visit to Japan, already dates are under discussion for a further visit on top of the July visit. I look forward very much to undertaking that visit to Tokyo. I have visited Japan on number of occasions in the past; it remains for us a principal economic and foreign policy partner for the future. I look forward very much to visiting Tokyo.

Wheat

Mr TREVOR (3.03 pm)—My question is to the Minister for Agriculture, Fisheries and Forestry. Minister, what is the greatest threat to certainty that is facing wheat growers with this year’s harvests?

Opposition members interjecting—

Mr BURKE—I thank the honourable member for Flynn for his question and I note his strong interest in agricultural issues. I also acknowledge the level of enthusiasm for the subject that has come from across the chamber. I have to say that I thought there might have been a question from the other side about this issue. Clearly, there is a lot of passion coming through the papers on this. However, what we need to understand with the legislation that is to be introduced in the budget sittings is: what happens if nothing changes? What happens to certainty for wheat growers if that legislation does not go through?

If nothing changes, on 30 June this year the veto power of the minister will disappear. That is what will happen under the legislation that was left to this government. However, the second thing that will happen is that growers will be exposed with no protections—no protections, which otherwise will be provided by the legislation being brought through by the government. First, there would be no probity test to make sure that a buyer of wheat is in a financial position to carry out the purchase, and, secondly, there would be no guaranteed access arrangements—no arrangements to make sure that we do not end up with monopoly situations being abused at the ports.

How can growers be given certainty? How can we make sure that we send a message to growers that goes beyond the old National Party policy that growers will not be allowed
to choose who they sell their wheat to? That is the guts of the Nationals policy on this. They will not allow growers to choose who they sell to. Certainty can be given very simply. It is for the Leader of the Nationals—not in his role as the Leader of the Nationals but in his role as a coalition frontbencher—to declare a coalition position in support of reform of the current wheat arrangements.

There is a reason why he cannot do that. Quite simply, the relationship between the Liberal Party and the National Party has broken down entirely. On 10 March, the Manager of Opposition Business in this House made a comment to the media, referring to the Nationals:

... they now have lost their unique identification with the country.

That is his position. Interestingly, that is the position also of the member for North Sydney—and in a moment I will get to the affinity that North Sydney has with the Nationals. However, before I do that, it was also put well today by another Liberal MP from out Goulburn way, the member for Hume. He commented:

There’s two options—the Liberal Party can sit back and wait for them to die and contest their seats, or the remnant—

Mr Hartsuyker—Mr Speaker, I rise on a point of order. It may come as some surprise to the minister but the question was in relation to wheat marketing. I draw your attention to the relevance of his answer.

The SPEAKER—The minister will return to the question.

Mr BURKE—The concern that we have is to make sure that we can provide growers with certainty. The Senate numbers being what they are, certainty is only going to be provided by a unified coalition position. That is how it becomes possible to give certainty to the growers. While the member for North Sydney clearly understands the concerns and why that certainty is not being provided, the New South Wales Nationals are holding their next state conference in his seat. Here is the brochure for the next New South Wales conference of the National Party; they are going to be at the Kirribilli Club. The Nationals, ‘the party of the bush’, now make the Kirribilli Club their place to meet.

Dr Nelson—Mr Speaker. I rise on a point of order. Could you please ask the minister to come back to the substance of the question.

The SPEAKER—The minister should refer more specifically to threats, not to other business.

Mr BURKE—The threat of the legislation being defeated in the Senate by the coalition failing to have a unified position creates a real threat to every wheat grower in Australia. I remind the Leader of the Nationals of comments he made in this House last week where he objected to some of the approvals of permits which had been made, without recognising that, when I did not exercise veto with respect to those permits, after 30 June my veto power will be gone and they would have been automatically registered anyway. Those individual ones would have been automatically registered. The Nationals do not seem to understand the problem that the legislation that is currently in place faces. You only have to walk past the office of the Leader of the Nationals. You see his photo there in the corridors of parliament; it has the sign ‘Deputy Leader of the Nationals’.

The SPEAKER—Order! The minister will get back to the question.

Ms Julie Bishop—Mr Speaker, I rise on a point of order on relevance.

The SPEAKER—The minister will get back to the question.

Mr BURKE—I said ‘Deputy Leader of the Nationals’ and I should correct that to...
‘Leader of the Nationals’; the word ‘Deputy’ has got green sticky tape over it. For wheat growers to be given certainty, the legislation that we currently face has to be taken into account. The legislation that we currently face was given clear sunset provisions, which expire on 30 June. Any debate, and the need to make sure we have sensible arrangements from 1 July onwards, needs to take that into account.

**Beijing AustChina Technology**

Mr ROBB (3.10 pm)—My question is to the Prime Minister. Does the Prime Minister recall referring to Mr Ian Tang, the chief executive of Beijing AustChina Technology, as his ‘Chinese controller’? The PM went on to say, ‘In terms of detail, I am not really across what he does.’ Prime Minister, who was at your postelection meeting with Mr Tang, what day was that meeting held and what was discussed?

Mr RUDD—I have no such recollection, other than it being some sort of humorous conversation. On the other question which has been raised by the honourable member concerning the meeting in November—December, I answered that question earlier on.

**Energy**

Mr RIPOLL (3.11 pm)—My question is to the Minister for Resources and Energy. Minister, will you inform the House about the work of the Ministerial Council on Energy and, in particular, the progress of the rollout of smart meters?

Mr MARTIN FERGUSON—I thank the honourable member for Oxley for this question because he, like everyone on this side of the House, knows the importance of energy market reform. Energy market reform is clearly about microeconomic reform in Australia. It is not just about the bottom line for consumers and the business community. It is also about us putting together a national energy market that is central to our ongoing debate about climate change in Australia. In that context, I am pleased to say that the ministerial meeting was held in December last year, less than two weeks after the appointment of the Rudd Labor government. This important meeting focused not only on further progress in microeconomic reform but on putting together an ongoing process which guarantees proper attention to reducing energy costs in Australia through the establishment and finalisation of our national gas laws. It was also about locking in, once and forever, the establishment of the Australian energy market operator.

In the context of this ongoing energy reform, can I also report to the House that, following a cost-benefit analysis prepared for the Ministerial Council on Energy, not only are we now in the process of finalising the minimum functionality for smart meters so as to guarantee the best possible consistency across all state and territory governments but, perhaps more importantly, state governments are now giving consideration to the commencement of the rollout of the smart meters. This process is exceptionally important because the cost-benefit analysis prepared for the ministerial council says that the rollout of smart meters can effectively represent savings to the Australian economy as high as $4 billion. When you think about the cost pressures on Australian consumers at the moment, because of the failures of the other side of the House, you can understand that better consumer information on the use of energy can assist them in managing the pressures that they confront as ordinary households. It is about better education and opportunities to use energy more smartly.

It is also smart for business in Australia. One of the biggest challenges to energy providers in Australia in the generation of capacity is the pressure put on the Australian community in terms of peak power. It effec-
tively means that at particular times of the year we have energy requirements far in excess of what is required for the greatest part of the year. By way of example, in some parts of the network about 20 per cent of infrastructure capacity is used for less than one per cent of the year.

So, with the growing demand for energy in Australia, if we can actually assist in rolling out smart meters and locking in once and for all the national energy market, we can take the pressure off investors in Australia for additional energy capacity. Interns of the COAG process, which is about state and federal governments not only working together but also working in cooperation with the private sector, the ongoing work of the Ministerial Council on Energy is exceptionally important.

In conclusion, we will commit, in cooperation with the state and territory governments and the private sector, to put in place these smart meters. They are not only smart for consumers but also good for industry and for climate change and the ongoing requirement to reduce greenhouse gas emissions.

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

PERSONAL EXPLANATIONS

Mr Abbott (Warringah) (3.15 pm)—Mr Speaker, I wish to make a personal explanation.

The Speaker—Does the member claim to have been misrepresented?

Mr Abbott—I do, Mr Speaker.

The Speaker—Please proceed.

Mr Abbott—In question time today, the Minister for Housing claimed that I had criticised Labor members for visiting homeless shelters. I did no such thing, and I challenge the minister to produce a transcript to the effect that I did. What I did say was that it was one thing to actually make a difference to the plight of homeless people. I challenge the government to get on with it.

The Speaker—Order! The member has explained how he has been misrepresented.

Mr Slipper (Fisher) (3.16 pm)—Mr Speaker, I wish to make a personal explanation.

The Speaker—Does the member claim to have been misrepresented?

Mr Slipper—I do, Mr Speaker.

The Speaker—Please proceed.

Mr Slipper—in today’s Courier-Mail at page 10, there is a report on a speech given by the Leader of the Opposition at the National Press Club. In that report, it was written that I, along with a number of others, was present.

Government members interjecting—

Mr Slipper—While no inference should be made over the fact that I was not present, I wanted to correct the record and state that, despite what the Courier-Mail said at page 10, I was not at the National Press Club yesterday.

QUESTIONS TO THE SPEAKER

Question Time

Mr Hockey (3.17 pm)—Mr Speaker, I refer you to House of Representatives Practice and note that it states that, in relation to answers to questions, it has been a tradition of this place that question time goes for a set period of time, normally to the point of 3.30 pm. The trade-off for having a set period of time for question time is that answers can go for as long as the minister chooses. The alternative practice has been that answers are of a limited duration and there are a set number of questions. I would ask you to report back to the House on what has been the set
procedure over the length of question time in the last 20 years.

The SPEAKER—I really do not intend to do that. If the member wants the answers to those questions, he can go to Chamber Research. If he reads Practice, he will find that what happened today is what has happened for many, many years. It is in the hands of the Prime Minister as to when he asks that further questions be placed on the Notice Paper.

Standing Orders

Mr ALBANESE (3.18 pm)—Mr Speaker, I refer you to standing order 128, which makes it clear that those members who call for a division:

… must not leave the area of Members’ seats and they must vote with those Members who, in the Speaker’s opinion, were in the minority when the Members called ‘Aye’ or ‘No’.

Prior to question time, there were members of the opposition who called for a division and then left the chamber in breach of standing order 128. When this was raised with Mr Deputy Speaker Slipper, he indicated that he would refer the matter to you. I would ask that you consider the matter and report back to the House on what action you will take with regard to those members opposite who breached their obligations under standing orders.

The SPEAKER—Consistent with what I have been saying, it is not going to be my intention as the chair to review, by way of video reference or whatever, items that have occurred before. I am sure that if that member of the Speaker’s panel wants to have a discussion with me about that matter or any of the other matters that, in his nearly two hours in the chair, he had to deal with, he can. Might I say—not that I was able to observe the whole time—that I thought he dealt with that in a very efficient matter. I think that sometimes we just have to have a little bit of give and take. I am sure that, if the occupant of the chair did not believe that he could deal with the matter at the point in time and there were reasons for doing that, that is likely where the matter will be left.

Mr Hockey—Mr Speaker, I rise on a point of order. To be perfectly clear about it: the government introduced a motion attacking the opposition and then denied the opposition the right to speak.

The SPEAKER—Order! The member for North Sydney will resume his seat. It is a very bold statement to say that I was very pleased with the tranquillity of question time, so much so that, by the time we got to about the 21st question, I could not actually remember what it was to give a ruling on whether the Minister for Agriculture, Fisheries and Forestry was anywhere near his question. Having said that, I do not think that we should review what occurred around about lunchtime today. I think that we learn lessons from it. As I said, the main thing for me is that I have faith in the actions that the occupant of the chair took. I think that we should just move on with the business of the House.

DEPARTMENT OF PARLIAMENTARY SERVICES

The SPEAKER (3.22 pm)—I am pleased to announce that Mr Alan Thompson has accepted an offer to take up the position of Secretary of the Department of Parliamentary Services. Mr Thompson has extensive leadership and policy experience at state, territory and national levels. He is currently the Secretary for the New Zealand Ministry of Transport and, in that role, he is overseeing major changes to the New Zealand land transport sector’s funding and organisational arrangements and developing a new transport strategy for New Zealand. He has served as secretary of three Victorian government departments—justice, conservation and natural resources, and housing and construction. Mr

CHAMBER
Thompson was also Chief Executive of the
Australian Capital Territory Department of
he was seconded to lead the Canberra bush-
fire recovery team.

Mr Thompson was selected in an open and
transparent merit based process from a
strong field. His employment will be for a
period of five years, commencing in May
2008. He replaces former secretary Hilary
Penfold QC, who has recently been ap-
pointed as a judge of the ACT Supreme
Court. The Deputy Secretary of DPS, Mr
David Kenny, will continue to act as secre-
tary until Mr Thompson’s arrival.

DOCUMENTS

Mr ALBANESE (Grayndler—Leader of
the House) (3.23 pm)—Documents are pre-
sented as listed in the schedule circulated to
honourable members. Details of the docu-
ments will be recorded in the Votes and Pro-
ceedings.

MATTERS OF PUBLIC IMPORTANCE

Workplace Relations

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

The dramatic collapse in business confidence
and the ongoing uncertainty about the impact of
the government’s industrial relations laws on
small business and employment.

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

More than the number of members re-
quired by the standing orders having risen in
their places—

Ms JULIE BISHOP (Curtin) (3.24
pm)—Given that the coalition members were
denied the right today to speak on the gov-
ernment’s motion—the fact that they were
gagged from speaking on the government’s
motion—this matter of public importance
assumes even greater significance. Australia
is facing a period of economic uncertainty.
There are challenges in the United States
with their financial system. The impact of
that is flowing through to the Australian
share market and will be felt in the broader
economy. There are concerns about the sta-
bility of the world economy as the subprime
crisis continues to take its toll.

While the Australian economy remains
strong, with the latest jobs figures showing
the lowest unemployment rate for 34 years,
we cannot take this for granted. Small busi-
ness is the powerhouse of our economy.
Many small businesses are family busi-
nesses. People often take significant risks to
start and run a small business. The almost
two million small business operators in Aus-
tralia are the single biggest business em-
ployment sector in this country. It is vital that
business remains strong and that business
confidence remains high so that small busi-
ness, in particular, is able to continue provid-
ing job opportunities in record numbers.

This year, the Sensis business index—the
SBI survey—questioned 1,800 small busi-
nesses in the three months to March. The
federal government approval indicator—that
is, the small business support for federal
government policies—dropped 34 per cent-
age points over the quarter. That is the big-
gest fall in the survey’s 15-year history. The
report finds that small business does not ap-
prove of Labor’s changes to industrial rela-
tions policies and that small business is pes-
simistic about the economy. This is an alarm-
ing finding, but there is more. In March, it
was found that confidence among Australian
consumers had collapsed to the lowest level
since 1993. Members will recall that 1993
was in the middle of the worst recession
Australia had experienced since the Great
Depression. The March index was down 23
per cent from a year earlier. So we have the Sensis business index dropping 34 per cent over a quarter and the March index dropping 23 per cent from a year earlier.

Attitudes and expectations play a major role in economic outcomes. It has been concerning to hear this new government talking down the economy in its mad rush to demonise the Howard government. Obsessed with scoring political points, the Prime Minister and his ministers have used reckless language and shown disregard for the impact of their comments on the confidence of the nation. Small business should be concerned, because the government—the Labor Party—has not undertaken or commissioned any economic analysis, any economic modelling or any impact statement in relation to its industrial relations laws. What do we get from the Minister for Employment and Workplace Relations? In the middle of a crisis in business confidence in the government and in the middle of a crisis in consumer confidence, we get the minister, full of hubris and arrogance, going on the attack by moving a self-congratulatory motion after the transition bill had passed the House. Then the government denied opposition members the opportunity to speak on that motion. The arrogance is becoming a hallmark of this government.

The attack by the minister reflected on every business operator and employer in this country—the people who create the wealth, who create the prosperity and who offer the opportunities for Australians to have a job. We have had years of this minister demonising employers who dared to negotiate individually with their employees. Once again, today in the House the minister stuck her boots into employers. Does everybody remember her attacks on the Lilac City Motor Inn operators?

Ms JULIE BISHOP—And does everyone recall her attacks on beauty therapy operators and nail technicians?

Opposition members—Yes!

Ms JULIE BISHOP—These attacks and her hypocrisy in this matter do not go unnoticed in the business community. The minister is, though, strangely silent when it is pointed out that union officials have been negotiating collective agreements that trade away the terms and conditions that individual agreements focus on. And yesterday the minister refused to answer a question about the fact that union officials, in this case a Labor senator-elect for South Australia, negotiated away terms and conditions of a union collective agreement against the wishes of the union members. The minister says nothing about that. She cannot bring herself to utter even a mild rebuke of the Labor senator-elect or union leaders who exploit their members, but she never hesitates when it comes to small business.

Last year, when employers dared raise their concerns about Labor’s industrial relations laws, she threatened them with ‘injury’ if they dared to voice their concerns publicly. I am told that the minister is not shy about making veiled statements to business operators during her meetings with them—heavy on the innuendo. And don’t forget: this is a party that thrives on payback, retribution and revenge.

The minister is antibusiness to the core. The minister, whose very DNA is antibusiness, truly believes that family-run small businesses are there purely to exploit the workers. This kind of antibusiness rhetoric belongs in another age; it does not belong in the workplaces or the parliaments of the 21st century. The minister’s demonising of employers who offered individual contracts is of great concern. The minister has effectively accused every employer who has ever sat...
down and negotiated terms and conditions of employment with their employees, for their mutual benefit, of ripping them off. That is what the minister has charged small business with. Their crime in the minister’s eyes has been to sit down and individually negotiate an employment contract with an employee for their mutual benefit.

The minister will no doubt use the same emotive language she has been using for months and years about how workers are being ripped off by unscrupulous employers. But the minister should be mindful that her words are resonating out in the business sector, resonating amongst small business, and continuing to drive down their confidence that the national government of this country is supportive of them. The minister is fond of repeating the claim that an exemption for small business from unfair dismissal laws is designed to make it easy for small business owners to sack good workers for no reason. She said it again in the House on 17 March:

… if you were a long-term worker, the breadwinner in your family and you had always done the right thing by your employer, it was okay if you went to work one day and were dismissed for no reason and you had no remedy.

Does the minister truly believe that small business employers in this country scour their workplaces looking for good workers who have always done the right thing and then sack them for no reason? Is that what the Minister for Employment and Workplace Relations is saying about the business owners and operators in this country? It is such an outrageous claim; it reveals that the minister has no idea how businesses in this country operate. Can anyone in this place seriously envisage a small business operator scouring the workplace, finding the best employees and then sacking them for no reason?

The minister showed her true ideological colours today. Time and time again we have heard repeated attacks from the minister, and the Labor Party when they were in opposition, on the two million businesses across the country, who are simply trying to have a go and keep their heads above water—in an economy that, under Labor, in less than three months is starting to go backwards. In just three months the minister appears to have forgotten that it is the business community, in conjunction with the economic management of the coalition government, that for the last 10 years has largely been responsible for creating over 10 million jobs, the highest number of jobs in this country since World War II. Our country is currently enjoying the lowest level of unemployment and the highest number of jobs created in decades.

I appreciate that the minister has limited experience in business, but I can assure her that Australian businesses are treating their good workers with kid gloves. They want their workers to continue to support the businesses, to ensure that these businesses can continue to operate in challenging economic times. The recent unemployment rates released by the ABS show that we should be proud of the 10 years of economic and labour market reform that have enabled us to experience the lowest unemployment rates and highest participation rates in this country for 34 years—over three decades.

How long will our business community be able to continue creating jobs with the uncertainty surrounding the Labor Party’s industrial relations laws? The minister has created new legislation, and it passed through the House, but the evidence to the Senate inquiry showed that it is adding to the regulatory burden of businesses across the country. In particular, the most important new regulation introduced by the Rudd government—and certainly Labor’s first substantive piece of legislation—clearly fails the test set out under Labor’s own guidelines indicating that policy proposals that are likely to have a sig-
Significant impact should be subject to detailed analysis, including compliance costs measurement to be undertaken and documented in a regulation impact statement. None of this has occurred—no economic analysis, no regulation impact statement and no economic modelling. Where is the analysis of the business compliance costs of the transition bill?

Evidence before the Senate inquiry highlighted the high level of confusion and the difficulty there would be for business, particularly small business, once Labor’s transitional workplace relations legislation was in place. Businesses raised concerns about increased costs associated with industrial action and disputes. Under the 10 or 11 years of labour market reform under the Howard government, industrial disputation fell to the lowest level in Australia’s history. The number of strikes, the level of industrial disputation, fell to the lowest level ever. But, believe me, the unions now think they are back in control. Businesses also raised concerns about the costs associated with the reinvigoration of the award system, and Senator Marshall of the Labor Party suggested last week that the Labor Party plan for award modernisation without disadvantaging workers or increasing employers’ costs was ‘contradictory and an impossible ask’. So, if a senior Labor member believes that award modernisation will disadvantage workers, and the senator in charge of this legislation in the Senate, Senator Wong, has refused on three separate occasions to give a guarantee that workers will not be worse off under Labor’s industrial relations laws, then is it any wonder that business confidence in government policies is plummeting?

Where is the analysis of the costs imposed on businesses from the abolition of AWAs and from award rationalisation? Where is the economic analysis conducted by the minister’s own department providing a guarantee that Labor’s changes will not lead to a reduction in the unemployment levels and increases in inflation? There is none—well, certainly none that the minister is prepared to share with the Australian public. The government know that their changes will have a damaging impact on the economy. They know that their recent bill will increase regulation for small business. They know that it will disadvantage workers. (Time expired)

Mr BRENDAN O’CONNOR (Gorton)—Minister for Employment Participation (3.39 pm)—I certainly do not agree with the contention that is expressed within the MPI—that is, that the business community has lost confidence in the government. That could not be further from the truth. The fact is that the Rudd government has been negotiating now with the business community and employee representatives, unions and others, about the transition bill and about the substantive provisions of the bill that will come before the House later in the parliamentary term. The conversations being held by the Deputy Prime Minister—the Minister for Employment and Workplace Relations—with the business community are going very well. They are held often. They are amicable. And the reason they are amicable is that those people representing employees and employers are at the table. This is the first opportunity in more than a decade to ensure that, when we discuss the way in which we will regulate employment conditions in this country, employees have a voice—a formal voice.

There is no question that the business community are involved in that process. They have already publicly spoken about the positive cooperation that is occurring, and I am advised that there has been much movement on areas of difference. Indeed, I think it is fair to say that the bill that was debated in this House and has gone through to the Senate was a culmination of the negotiations of this government with industrial parties across the spectrum. That is unlike the previous
government, which just sent off to some law firms its views on the world without properly consulting with employee representatives or unions or even consulting with unions at all—indeed, without even properly consulting with many of the employer bodies. Unlike the previous government, this government believes in proper consultation. That has occurred, and the transition bill is the outcome. And I can say to those opposite that the business community are very happy with those proceedings.

I think it is also important to ask: if the opposition is being in any way genuine about the criticisms that they have with respect to the transition bill, then why didn’t the opposition senators seek to move amendments to that bill in the Senate? Why is it that, if there are problems with the bill, the opposition senators failed to move amendments to that bill in terms of the way in which it was expressed in the Senate report? There has been no indication by the opposition senators that that would be the case.

I think it is very important that we discuss this matter, to really get down to what we are talking about. And what we are talking about is removing one of the most radical pieces of legislation this parliament has ever seen—one of the most radical, pernicious pieces of legislation affecting working families that this parliament—indeed, this country—has ever seen. We needed to remove that law. And we will continue to debate and prosecute the argument on behalf of working families until we have finally removed all traces of Work Choices, because we know, as the people of Australia know, that at no time before that bill was introduced into this place did the then Prime Minister, John Howard, or any minister representing the former government, say to the Australian people prior to an election: ‘This is what we will do in the area of industrial relations.’ On 28 September 2004, during the election campaign, when the then Liberal government announced its industrial relations policies, there was not one word or sentence that went to the main provisions of the Work Choices legislation. And, after winning that election and winning a majority in the Senate, the government then brought into this place the most pernicious provisions we have seen in the area of industrial relations, without any notice being given to the people of Australia. So there was no genuineness, no consultation and no capacity for people to raise concerns. The Senate committee that was set up to consider that legislation went for five days and never left Canberra. It did not involve the working families that would be affected. And can I say, as the then shadow parliamentary secretary in the last parts of the last parliamentary term, that after visiting 60 electorates across this country I am very well aware of how many people were hurting as a result of the Work Choices legislation.

I met young workers in the hospitality industry who said to me that they were now working on Saturday and Sunday evenings without penalty rates, without overtime. I met administrative workers who had been working in one particular job for more than 20 years and were sacked for no reason whatsoever. A person who had shown competence was sacked for no reason whatsoever, because that was what the law allowed. One of the most revealing things to me was when, in a hearing of the House of Representatives committee on employment, the head of a peak employer body said to the committee—and it is in the transcript—that the great thing about Work Choices is that you can now do lawfully what was once illegal. That to me underlined the fundamental problem, the fundamental unfairness, of Work Choices. That representative said that in the hospitality industry you could now do legally something that was once unlawful. I can assure those opposite that no previous
conservative government would have introduced that legislation. That is one of the reasons—and there are some others—why they find themselves on that side.

It was extraordinary to watch the performance today by the Deputy Leader of the Opposition and the member for North Sydney, playing games in this place, not confirming to the Australian people one way or the other whether in fact they support or oppose WorkChoices. What we could not believe today was that the opposition voted against a motion that effectively reflects the expression of the will of the people that occurred on 24 November last year. The motion said, in part:

That this House agrees:

(1) At the last election the Australian people voted for the end of Work Choices which has hurt working families by allowing pay and conditions to be ripped off and decent hard-working Australians to be sacked without reason or remedy …

The opposition voted against that. The motion went on:

(2) the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, just passed by the Parliament, is the first step in ending Work Choices …

They voted against that. The motion went on:

(3) from the coming into effect of this bill there will be no new Australian workplace agreements and from 1 January 2010 there will be no new statutory individual workplace agreements of any nature …

They voted against that. What they now have to do is to explain to the Australian people, via the parliament, where they stand in this area. They have to get up on their hind legs, come up to the box here and indicate to the people of Australia, via the parliament, where they stand on industrial relations.

What we do know is that there are those in the Liberal Party room who support Work Choices and will support it to its death and others who want to at least provide the appearance that they do not support it. We do not know where they stand. The people of Australia do not know where they stand. At least we did not know until today, because today they confirmed to us for the first time—before now there was equivocation; there was fighting going on within the Liberal Party room—by voting against that motion, that they have not changed one iota in relation to the Work Choices legislation.

If we thought they were going to in any way show some form of contrition for their acts of not providing consultation and of introducing such a piece of legislation into this place, there were no signs of contrition; indeed there was an acknowledgement, by their willingness to vote against the motion moved by the Deputy Prime Minister, that they have not changed their position one iota in relation to industrial relations. So that is where they now stand.

As a result of the motion moved today—despite the shenanigans of the opposition in playing games with the processes of the House—at least we now know that they were not fair dinkum when they said they had changed, when they said they actually considered that Work Choices had gone too far. We have it on the record that they are willing to support the major tenets of Work Choices legislation. That is a very important thing for the people of Australia to understand.

Let us remember: Work Choices was never put to the Australian people before an election. Then for the first time, at the last election, the Australian people had a chance to make their views clear—and they did. But the opposition are contemptuous of their views, do not support the mandate of the Australian people and are willing to fly in the face of the democratic expression of the Australian working families of this nation.
They should be condemned for that behaviour.

Let us just remember how bad some of those Australian workplace agreements were. It was revealed in the Office of the Employment Advocate report of May 2006 that 64 per cent of those agreements cut annual leave loading, 63 per cent cut penalty rates, just over half cut shift work loadings, 51 per cent cut overtime loadings, 48 per cent removed monetary allowances, 40 per cent cut rest breaks and 36 per cent cut declared public holidays. The list goes on. The AWA—the statutory capacity to remove people’s entitlements—was a vicious instrument used against working families and used effectively. The only way that was ever going to stop was with a change of government.

As we have seen today, if the Howard government had been re-elected we would have had WorkChoices-plus. There is no way that the former Prime Minister would have listened to the concerns of ordinary working families. The coalition would have introduced further legislation into this place to even further erode the employment conditions of ordinary working families and used effectively. The only way that was ever going to stop was with a change of government.

Mr BRENDAN O’CONNOR—I am speaking to the member opposite. We know his form. This man does not have the guts to get up and speak on industrial relations. Do you want to get up to the dispatch box now and say you support Work Choices? You should get up and say you are supporting Work Choices.

Mr Ciobo—You do not even know what you are talking about; I spoke to the bill.

The DEPUTY SPEAKER (Ms AE Burke)—The member for Moncrieff will get his turn in a moment.

Mr BRENDAN O’CONNOR—The member for Moncrieff voted today against the motion that effectively said Work Choices was hurting working families, was hurting people. The fact is that the member for Moncrieff today showed his true colours. He voted, and all the workers and working families of his electorate in Queensland know he now supports Work Choices. You supported it then, you supported it today and you will continue to support it. I say to the honourable member: don’t worry, the constituents of your electorate of Moncrieff will understand your behaviour with respect to that! Not only the member for Moncrieff but every member of the opposition voted against it. The member for Farrer is another member—

Ms Ley—Madam Deputy Speaker, I rise on a point of order. Constant calling of ‘you’ and insulting other members across the chamber is unparliamentary.

The DEPUTY SPEAKER—I call the minister.

Mr BRENDAN O’CONNOR—It would be seen by me as an insult to be told that I was supporting Work Choices. I would understand the member for Farrer would see it as an insult. It would be an insult if it were expressed to me that I was supporting Work Choices. As we know, the members opposite
supported Work Choices at the time and today they showed their true colours. They revealed that they have not changed their minds and that in no way are they contrite with respect to the impacts of Work Choices. They continue to support that policy. What will happen at the next election is that the Australian people will make their judgement. If indeed the opposition have not changed their view, there will be a day of reckoning for those members—those that still have their seats. The constituents of this country spoke loud and clear on 24 November, when they said via the ballot box that they do not support Work Choices and they do not support its effects, and they got rid of the Howard government. (Time expired)

Mr CIOBO (Moncrieff) (3.54 pm)—I am pleased to speak to this matter of public importance. I note that the Minister for Small Business, Independent Contractors and the Service Economy was not even able to make it into the chamber for this debate on issues that affect some two million Australian small businesses. I note that the minister that comes to the dispatch box to speak on this is the Minister for Employment Participation. The MPI that is before the House goes very directly to the core of small business confidence in the Australian government and, more broadly, in the Australian economy. It is no wonder that small businesses know that they can have no confidence in this government, no confidence in the Treasurer and absolutely no confidence in the minister for small business.

Honourable members interjecting—

The DEPUTY SPEAKER (Ms AE Burke)—The member for Moncrieff will be heard in silence.

Mr CIOBO—The reason why the two million-plus small businesses of Australia have zero confidence in this government is that they know what this government is actually all about. They know the real motive of the Rudd Labor government. The real motive of the Rudd Labor government is tied up in the whole history of the Australian Labor Party. You hear the Prime Minister stand up in this chamber and talk about how proud he is to see $2 million go towards the Labor ‘stump of knowledge’. We hear the Labor Party talk about its proud union history. We start to uncover some very interesting things about the Rudd Labor government and about the Labor Party more broadly. Recently there was an interesting article in the Sunday Telegraph that spoke about the way the Australian Labor Party operates and the way that the Rudd Labor government deals with small business. It spoke about the TWU, the Transport Workers Union, one of the unions that we hear members opposite talk about so often and in such glowing terms. What do we find out about the way the TWU operates? I quote from the newspaper:

Union whistleblower Tony O’Donnell alleges union officials were ordered to perform time-consuming company inspections for alleged breaches of workplace safety laws until they agreed to pay into the fund. If they did not allow you entry, you’d have them over a breach of the law, Mr O’Donnell said. A legitimate inspection can bring a small business to a grinding halt, a medium business pretty close to it ... I could ask for records over the last five years. That is the Labor Party record: ‘Let us apply whatever pressure we can on Australia’s small businesses and on Australia’s medium sized businesses and rake in all that money to the Labor Party coffers.’ We know they have form because the Labor Party were happy to suck in rivers of gold, millions and millions of dollars from Australian taxpayers, through Centenary House—and now we know that the Labor Party are happy to shut down small businesses to protect their union mates. Why? Because they take the money for their campaigns. I have no doubt that the
minister at the table probably took money directly from the TWU.

Mr Brendan O’Connor—Madam Deputy Speaker, I rise on a point of order. The fact is that I haven’t, but I also ask the member to withdraw that statement.

The DEPUTY SPEAKER—I ask the member to withdraw.

Mr Ciobo—What statement am I withdrawing? That Labor members took money from the TWU?

The DEPUTY SPEAKER—The member for Moncrieff made a statement about the individual member taking money.

Mr Ciobo—I take back that the member opposite took funds from the TWU if he says he did not, but no doubt other members opposite did. No doubt other members opposite took money from the TWU, money that came from the pockets of the two million hardworking men and women of the Australian small business community, who have no representative in the government because the minister for small business is nowhere to be seen. He is not even speaking to this MPI, a matter that goes to the very core of Australian small businesses and their lack of confidence in this new government.

I asked a question the other day of the Prime Minister. I asked the Prime Minister whether he had any particular comment to make about the fact that, according to the Sensis business index, small business confidence in the government has plummeted to the lowest level ever. That was the track record, according to the business index, of the new Rudd Labor government. The Prime Minister got up and spoke about the Australian economy and he belted on about inflation coming from the opposition—that old hoary chestnut. It is the only possible negative thing they can say about the Australian economy. On what do we know the Prime Minister has never uttered one word? He has not uttered one word on why small business confidence in the policies of this government is at its lowest level ever.

I say to all members opposite: it will be very clear what the implications of your policies are. They may not want to do the economic modelling about the impact of the repeal of Work Choices and about the impact of the Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008. They may not want to know what the answer is in terms of the economic impact. But let me tell you what the unemployment impact will be: the result of this government’s policies on unemployment will be that it will go up, in the same way that the result of this government’s new taxes on fuel excise will be that fuel prices will go up. So we will see more Australians on the unemployment queues as a direct result of this government’s attack on small business in Australia.

I am not surprised that members opposite do not truly understand small business, because so few of them have any knowledge of or background in small business. In fact, the vast bulk of them have probably only entered a small business to shut it down. As someone who comes from a part of the country that has the highest concentration of small businesses on a per capita basis, let me explain some fundamentals. I wish the Minister for Small Business, Independent Contractors and the Service Economy was here because, quite frankly, he could do with a lesson. Especially when unemployment is down to 3.97 per cent, small business employers know one thing: the key asset of their company is its employees. That is the most fundamental lesson a small business person will talk to you about. What do we get from members opposite? What we get from the
Deputy Prime Minister of this country is a full-frontal attack on employers, on small business people, on men and women who mortgage their home to take a risk in small business. They are directly attacked by the Deputy Prime Minister, who makes a claim that small business employers will go around looking to sack employees. That is the kind of representation that this union based, union owned party brings to the Australian parliament. It is absolutely an indictment on the government that that is their track record.

I could not help but reflect on the previous member’s contribution to this debate, when he spoke about the evils of Work Choices and about how the Labor government would make sure that they never supported any aspects of Work Choices. Last night in the Senate, on three separate occasions, Senator Wong was presented with an opportunity to guarantee that no Australian worker would be worse off under these new labour laws that the Labor Party has introduced. How ironic it is that, all three times, she refused. But perhaps the greatest irony is the fact that the Labor Party actually voted to retain the Work Choices unfair dismissal exemption threshold of 100 employees. The Labor Party voted to keep the Work Choices 100-employee threshold in place. The member opposite stands up and says that Labor will have no part of Work Choices and that the Labor Party professes all this concern about employees, but it actually voted to retain the Work Choices unfair dismissal exemption threshold. That is what the Labor Party did. How remarkable!

It must be a sad day for Sharan Burrow and the ACTU. They pumped tens of millions of dollars into getting the Rudd Labor government elected, they bought them the campaign, and they thought to themselves, ‘We’ll overturn the unfair dismissal exemption.’ What happened? The Labor Party turned their backs on the 15-employee threshold. They had the opportunity to vote for it last night but they turned their backs on it and kept the Work Choices threshold. The reason is that the Labor Party just want to run a scare campaign. They are happy to talk down Australian small businesses. They are happy to scare Australians by telling them they can be fired for no reason at the drop of a hat. That is what the Australian Labor Party like to do.

The member opposite sought to have me withdraw my statement that he had not received funding from the TWU, yet I note that the member opposite, the member for Watson, is a member of the Labor Party in New South Wales and that the TWU actually contributed $129,000—

The DEPUTY SPEAKER (Ms AE Burke)—You have got the wrong member.

Mr Brendan O’Connor—I want to tell the Queensland member for Moncrieff that I am from Victoria.

Mr CIOBO—I understood it to have been a New South Wales seat. Nonetheless—(Time expired)

Mr CLARE (Blaxland) (4.04 pm)—What a perfect end to such a pathetic performance. Today the people of Australia are breathing a sigh of relief. At long last, AWAs are being buried—and not a minute too soon. Like all members on this side of the House, I welcome the passage through the Australian parliament today of legislation to abolish AWAs. This will be a great relief for the working people of Australia. It will be a very great relief for the working people of my electorate of Blaxland, many of whom have suffered from these extreme and unfair workplace laws. I know this because everywhere I go, whether it is to a street stall, a railway
station, a shopping centre or at the coalface in the workplaces of my electorate, I hear shocking stories from people who have lost their jobs or their working conditions. They have had their shift loadings, leave loadings, rest breaks and penalty rates all stripped away and unfair contracts shoved down their throats.

What was confirmed on 24 November last year is that Australians care about fairness. They expect fair workplace laws—and that is why they threw that lot out. In November 1907, Justice Henry Bourke Higgins handed down the Harvester decision, which enshrined the concept of fairness in our industrial relations laws. What happened in November 2007? The people of Australia threw out the party that had installed and instituted a lack of fairness into our industrial relations system and workplace laws—piece by piece and chunk by awful chunk. The Deputy Prime Minister has revealed in this place the horror stories of Work Choices and AWAs. Here is the smoking gun. Since the election, the Workplace Authority has confirmed, from a sample of AWAs from April to October 2006, the types of protected award conditions that were removed by AWAs. It found that 89 per cent of AWAs removed at least one protected award condition, 83 per cent excluded two or more, 78 per cent excluded three or more, 71 per cent excluded four or more, 61 per cent excluded five or more and 52 per cent excluded six or more. What were the most commonly removed protected award conditions? Seventy per cent removed shift work loadings, 68 per cent removed annual leave loadings and 65 per cent removed penalty rates.

This is what they did. This is what they wrought on the people of Australia. This is what they imposed on working families and this is why the people of Australia threw them out on their ear. What did they do as soon as they got control of the Senate? They implemented laws that they had been craving to implement for over a decade. As soon as they got their hands on the Senate they instituted these horrendous laws. They rammed Work Choices and AWAs down the throats of Australian workers. This is the former government, whose years in government the member for Warringah last week told us would be remembered as ‘the golden age of compassion’. I repeat: last week in a debate the member for Warringah had the gall to stand up and say that the Howard government years would be remembered as ‘the golden age of compassion’. Only today he said that Work Choices was ‘good for Australian workers’. The people of Australia did not think it was much good for them and they did not think it was very compassionate. That is why they threw the Howard government out.

Work Choices was an abject failure. It hurt people and it hurt them for no good end. It was bad for working families, it was bad for the economy and it was bad for business. The Howard government said that Work Choices would deliver low inflation. Where are interest rates? Interest rates are at record highs—the second highest in the developed world. They are at the highest level they have been in 16 years.

This matter of public importance is all about business confidence. I will tell you what destroys business confidence: it is inflation. I had a look at the Sensis business index on small and medium business enterprises from February this year and this really goes to the point of the opposition’s argument. It stated:

... concerns about rising interest rates were the key reasons for SMEs lacking confidence—in this quarter. It went on:

... the main reason businesses gave for feeling worried about their prospects related to concerns over increasing interest rates ...
Well, there you have it. That is what business is saying. Interest rates are sapping business confidence. And who is responsible for rising interest rates? Who is responsible for the highest interest rates in 16 years? Who is responsible for the second highest interest rates in the developed world? Who ignored 20 warnings from the Reserve Bank?

Mr Sullivan—The member for Higgins.

Mr CLARE—Oh, that is right; it is them! But it is not only business that is hurting. The failure of the former government to rein in inflation has a human face and it is a human face that people on this side of the House know only too well. Today 1.1 million Australians are suffering from housing stress. Last year 9,751 Australians lost their homes. Today in my electorate of Blaxland three families will be evicted from their homes. This is the human face of their failure. As I told the House earlier this week, no-one is suffering more than the people of my electorate. Last year 300 families lost their homes. The year before that, another 300 lost their homes. I speak with some trepidation here, but the data indicates it will only be worse this year. In the last six months the number of evictions has doubled. The Sheriff’s Office at Bankstown Court House is now evicting 15 families a week. So don’t come in here and lecture us on economics. The party of Work Choices is the party that has inflicted that on my electorate and on the people of Australia.

For those who could keep their heads above water, Work Choices made it all the harder. Keeping up with repayments meant living with the looming threat of Work Choices and the loss of job security. Those opposite also say that Work Choices would increase productivity. What happened to productivity? It has fallen to zero. They said that Work Choices would be good for business. What does the evidence tell us? The evidence says that Work Choices imposed compliance costs on business of more than $950 million. That is almost $1 billion. That does not sound ‘good for business’ to me. At least John Howard had the guts to stand up in Washington DC the other week and say that he still believes in Work Choices, which is a lot more than opposition members are prepared to do today. At least he has the guts to say what he thinks. The opposition did not even have the guts to turn up to a division today to tell us what they think. They want us to assume they have seen the light. They want us to assume they have backflipped on Work Choices, like they backflipped on Kyoto and the stolen generation.

I have never met John Howard, but he must be a terrifying man. He must have been a very strong and tough leader because they want us to believe that they all disagreed with him—that John Howard wanted Work Choices, that John Howard wanted to oppose Kyoto, that John Howard said, ‘Don’t apologise to the stolen generation,’ but they disagreed with him. But no-one had the guts to tell him and no-one had the guts to tell him to go. That draws into question their capacity to lead. They are pretty good followers but they are not good leaders. That is now over because they want Australia to think there is furious agreement in this chamber—that we all believe that Work Choices should be thrown in the dustbin of history, that we all believe in signing Kyoto, that we all believe in apologising to the stolen generation. All the climate change sceptics have disappeared, all the Work Choices advocates have vanished and all the opponents of an apology have had a change of heart. I can only assume they are all republicans now as well. If only that were true.

Do not hold your breath, because they revealed their true selves today when they ran out of this chamber with their tail between their legs. They say Work Choices is dead,
then they say it is alive again, then they say it is dead. They breathed life back into Work Choices again today when they told us it was good for Australian workers. Be under no illusion: this is the party of Work Choices. They cannot be trusted not to bring it back. It is the zombie policy that will rise again from the dead if the people of Australia re-elect them to run this country.

Mr HARTSUYKER (Cowper) (4.14 pm)—I welcome the opportunity to speak on this matter of public importance. When we look at the business report card on the performance of this government we need to look no further than the plunge in business and consumer confidence to actually have an idea of what business is saying and thinking about the performance of this government, because confidence is a foundation stone. It is a foundation stone that underpins the effective operation of any market. Confidence is a factor that underpins hiring decisions for businesses large and small. If we had a situation where every small business in this country hired just one more employee we would, in theory at least, totally eliminate unemployment.

The government reminds us regularly about the decision the people of Australia made on 24 November. We accept that and we acknowledge that, but business is sending another message to this government. It is sending the message that it does not like the sorts of decisions it sees being made in this place and that they are having an adverse effect on its capacity to be confident and, in being so, to offer opportunity. We hear the members opposite talk long and loud on the issue of terms and conditions relating to people’s employment. But that is the whole point—they are talking about terms and conditions relating to people’s employment, not unemployment. We see around the country jobs for people who want them. Yes, in some areas we have more to do, but under the coa-

lition government we saw the creation of jobs, the creation of opportunities and the building of a stronger community through what those opportunities provided and meant to the people who got those jobs. With this loss of confidence perhaps we are seeing a turning of the tide. Perhaps we are seeing a real watershed in the future of this country. It was interesting to see in the Australian today a little editorial that said:

... the Government has made one lasting mark on the reform process: it is the only government in 30 years to wind it backwards.

So the government has as a badge of honour the status of being the first government in 30 years to wind the reform process backwards.

Mr Sullivan interjecting—

Mr HARTSUYKER—We hear you trotting out your tired lines. When I became a member of parliament I had seen in previous years young people without any hope or opportunity. They were in a state of despair, but the improvements in the economic standards in this country meant that they did have an opportunity and they were getting jobs. It was a very positive experience for them and a very positive experience for the community. But we see that perhaps about to change. We see confidence falling. As I get round my electorate I see businesses now very fearful of what the future holds for them. It is a very different situation now indeed. They see that where they once had confidence they now have concern, and a business that has severe concerns is not going to be rehiring. It is more likely to be shedding labour than hiring. Under the previous government we saw unemployment fall to 33-year lows. The previous government created jobs.

What is this government going to do? First step: destroy confidence. Next step: destroy jobs. Members opposite will not be able to spin it to people who lose their jobs
because of the decisions they make in this place. They will know that they are out of work, and no amount of spin from the Prime Minister and the Treasurer is going to save that. They will know, and you will pay for that. You will pay for the decisions that you make in this House if they are not correct. I maintain you are taking this country down the wrong path, and the members on this side of the House maintain that you are taking this country down the wrong path. Just as this government stood on its record, you will be judged by your record. We already see falling confidence. We already see businesses being less likely to hire than they once were. We already see the fact that the lack of both consumer and business confidence is going to be translated in the weeks and months ahead into changes to the way that these firms approach the hiring of labour.

There is no fairness in unemployment. You may come here and rant and rave about various terms and conditions, but there is certainly no fairness in unemployment whatsoever. If you talk to someone who has lost their job, they do not see the fairness in unemployment. They would rather have a job than no job at all. That is perhaps a concept that is foreign to many of the members opposite, but it is an important concept. We need a strong small business sector. We see this government eroding small business confidence and eroding opportunities. (Time expired)

Mr SULLIVAN (Longman) (4.19 pm)—I am happy to rise in this matter of public importance debate on business confidence this afternoon. As we know from the Sensis reports, the key issues that are affecting business confidence are increasing interest rates, due to the member for Higgins; a skills shortage that occurred on the watch of those opposite; and staff retention. One of the biggest reasons they have problems with staff retention is that good working Australians will not sign their stinking contracts. I can tell you, though, that there is one measure of business confidence that did not change throughout 2007: business was very, very confident that the 2007 election would be won by the Australian Labor Party, and they were right about that.

I will talk for a couple of moments about some of the contributions that have been made. The member for Cowper indicated that he felt that business was unhappy with the decisions being made by our government in this place. Business is just going to have to get used to having a federal government in this place that sticks by what it says in election campaigns it is going to do and delivers on its election promises, and I do not think any one of us would make any apology for that. The member for Moncrieff had 10 minutes in which about the only worthwhile contribution he made was to indicate that the key asset for small business is its employees. I accept that, that is a truth, but principled employers have been caught between a rock and a hard place. They have been caught between the need to be competitive with others in their industry—and following them down the path of ripping off pay and conditions from their workers—or facing bankruptcy. I do not want to say too much about the cheap shot that the member for Moncrieff made about the Minister for Small Business, Independent Contractors and the Service Economy not being here for the debate and then packing his bags up and taking off out the door straight away himself. He shows absolutely no interest in this debate this afternoon either.

I always enjoy this one. The member for Curtin raised this one: ‘We have got the lowest unemployment for 34 years.’ If the member for Curtin takes some advice from me and takes her shoes off, uses her fingers and toes and counts back 34 years, she will find
out the Prime Minister at that time was a fellow by the name of Edward Gough Whitlam. Thirty-four years ago unemployment was lower, and in those days you needed a full-time job to be counted as somebody who was employed, not just an hour a week.

The opposition like to sing the praises, as the member for Curtin did, of the coalition’s economic management. At a conference dinner in Sydney in 2007, John Howard delivered a speech which must have had them choking on their prawn cocktails. He talked about the five greatest economic advances of the last 20 years. He named them and he gave the Labor Party credit for 2½ and he took credit for 2½ himself. The first two of those five economic advances were the deregulation of the banking industry and the floating of the dollar; he said that the ALP were responsible for those, and that is great; you can now hear the opposition choking in retrospect. The next was tariff reform, and he shared that with the ALP; he thought that was good. And, for himself, he claimed tax reform and industrial relations reform. The GST and Work Choices were what John Howard was most proud of—the two most hated policies that have ever gone through this parliament.

Let me tell you what the people opposite have done in terms of encouragement for business. In their term in parliament, they encouraged businesses to treat their workers impersonally. They encouraged businesses to ignore the impact of their actions on wage earners’ dependants. They encouraged business people to behave in a way that I consider un-Australian—behaviour that certainly did not offer a fair go for working Australians and certainly was not what those people who came before us sought to establish as a hallmark of this country. The opposition established a regime whereby the most unscrupulous employers could rip away wages and conditions from their employees, and if their more principled competitors wanted to stay in business they were forced to follow suit. We hear that the opposition did not know that that is what they did. The member for North Sydney told us that the frontbench of the now shadow cabinet—the then cabinet—did not know that their legislation was capable of doing that.

The DEPUTY SPEAKER (Ms AE Burke)—Order! The discussion is now concluded.

LANDS ACQUISITION LEGISLATION AMENDMENT BILL 2008
CROSS-BORDER INSOLVENCY BILL 2008
CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) AMENDMENT (ASSESSMENTS AND ADVERTISING) BILL 2008
FINANCIAL SECTOR LEGISLATION AMENDMENT (REVIEW OF PRUDENTIAL DECISIONS) BILL 2008

Referred to Main Committee

Mr PRICE (Chifley) (4.24 pm)—by leave—I move:

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

I indicate to the House that the Chief Opposition Whip supports this motion.

Question agreed to.

COMMONWEALTH AUTHORITIES AND COMPANIES AMENDMENT BILL 2008

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.
Wednesday, 19 March 2008   HOUSE OF REPRESENTATIVES

**Third Reading**

Ms PLIBERSEK (Sydney—Minister for Housing and Minister for the Status of Women) (4.25 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**CONDOLENCES**

Mr Leonard Joseph Keogh
Dr Kenneth Lionel Fry
Ms Helen Mayer
Hon. Robert Lindsay Collins AO
Mr Matt Price
Mr Bernard Douglas (Bernie) Banton AM
Hon. Sir Charles Walter Michael Court
AK KCMG OBE
Sir Edmund Percival Hillary KG ONZ
KBE

Report from Main Committee

Order of the day returned from Main Committee; certified copy of the motion presented.

Ordered that the order of the day be considered immediately.

The DEPUTY SPEAKER (Ms AE Burke)—The question is that the condolence motion be agreed to. I ask all honourable members to signify their approval by rising in their places.

Question agreed to, honourable members standing in their places.

**TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMMUNICATIONS FUND) BILL 2008**

Second Reading

Debate resumed.

Mr IAN MACFARLANE (Groom) (4.29 pm)—Coming from an area of regional Queensland, I welcome the opportunity to speak today about the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. Those of us who grew up in regional or rural Australia, as I did, know the value of telecommunications and know about the advances that are being made in telecommunications every day. As I recall, my phone number when I first was married was Boondooma 7H. My father and mother and...
my wife and I shared a party line, with a phone that was connected to a manual exchange which operated on a 24-hour basis but was rarely used after 9 pm and was certainly not used before 7 am unless there was an emergency. Not only were those communications seen as essential at that time but we were grateful for what we had. When my parents moved to that property in 1953, they had no telephone at all. In fact, during the cyclone in 1953, to make a phone call my mother had to walk two kilometres pushing a pram with my elder brother in it and our two elder siblings at foot.

So in my lifetime I have seen telecommunications come a long way. In particular, I have seen their ability to allow businesses to communicate, to gain information and to communicate with their customer base. I have seen their ability to allow people to communicate across very long distances, and also across short distances, in an emergency very quickly. I remember the first major advance in communications in our district as being the introduction of UHF two-way radios. A great thing they were, because we then connected our tractor fleet to them and I was able to call my wife and ask her to bring down this or that particular spare part or even an extra biscuit for afternoon tea if I thought I was really on my luck that day.

We then saw telecommunications really move into the modern era: that being the introduction of mobile phones, followed very quickly by the internet. The advances of the internet and the ability of regional areas to access reasonable internet facilities are that this amendment bill could severely impact. The amendment proposed is yet another stark revelation of the attitude of the Rudd government towards the hardworking communities of rural and regional Australia, such as the community I am proud to have been born into, and that I am now proud to represent, and the communities I have got to know through a range of professions prior to and certainly since coming to this place. They are communities of men and women who know what it is to work very hard and, dare I say, also know what it is like to play very hard. They are men and women who endure a great deal of hardship with the belief that they will be able to earn a real income, a real living, based not only on their own skills but also on the use of whatever technology is available to them.

As a member of parliament whose electorate is based around one of Australia’s largest regional cities—in fact, Australia’s largest inland provincial city—and extends to one of Queensland’s real rural heartlands, I can say that the value of communications resources to the people of regional Australia cannot be overstated. They are resources that the previous coalition government acknowledged. That led to the establishment of the $2 billion Communications Fund, part of a package to ensure the ongoing adequacy of telecommunications services in rural and regional Australia.

We know that there will be further advances in technology that we cannot even imagine today. We know that technology will continue to develop and evolve. The great advances that I have just mentioned that have occurred in my short lifetime will be replicated many times over with technology that will not only continue to improve communications in the bush but, most importantly, continue to improve communications for all Australia. But we also know that, based on the density of population, many of those technologies will not be delivered to the bush unless there is a long-term, adequate funding mechanism to ensure that.

This amendment legislation attacks the very heart of what the previous government acknowledged through the establishment of the $2 billion Communications Fund, a
package to ensure the ongoing adequacy of telecommunications in regional Australia. The interest from that fund, estimated to be up to $400 million every three years, was to be quarantined to be used to finance the government’s response to independent reviews of regional communications services.

In September 2007, the coalition government reinforced the Communications Fund’s position as a perpetual fund with the passage of the Telecommunications Legislation Amendment (Protecting Services for Rural and Regional Australia into the Future) Bill 2007. Rural and remote communities welcomed the former coalition government’s commitment to ensuring that they would have access to modern telecommunications services with targeted assistance that would be available not just as a one-off initiative. Not only were they comfortable with this and very happy to see that fund established but they also felt secure that their future needs would be addressed.

If you live in a district like the one where I grew up, where the population now is probably a quarter of what it was when I was there, you can look forward to a situation where the density of population in regional Australia will, at best, hold, if not decline. In that situation, to expect that new technology will be installed on a commercial basis is unrealistic because there simply will not be enough people to pay for it. The spending of the resources from the Communications Fund was tied to the recommendations for a regular and independent review of the needs of regional and remote areas and then the addressing of those needs. The first review is currently underway, under the chairmanship of Dr Bill Glasson AO, and is looking at the progress of upgrades of telecommunications services and at delivering recommendations as to how the interest from the fund could be best spent.

Mr Deputy Speaker, do not be led to believe that there have not been significant advances in regional telecommunications; there have been. Under our government, access to the internet and to mobile phone telecommunications did increase, but it is far from perfect and there is much more to be done. This fund provided a way for that to happen. Now we see the Rudd Labor government looking to trash this forward-looking initiative by pilfering and siphoning off funds that were meant to safeguard services in all areas, for the sake of the Labor Party’s narrow, city focused broadband proposal. It is incumbent on the Minister for Broadband, Communications and the Digital Economy, who is in the other place, to be held accountable to all Australians and explain to all of them, not just those who live in major metropolitan areas, how his and the Prime Minister’s plan to implement the review committee’s recommendations without the resources of the Communications Fund is going to be carried out. The deafening silence on this count betrays the truth.

The Prime Minister, the Minister for Broadband, Communications and the Digital Economy and federal Labor in general are showing their complete contempt for regional areas: cutting short this process and sending a strong message that the Labor Party simply do not care about how telecommunications services are delivered in regional areas. In seeking to repeal the safeguards so deliberately put in place to ensure no extension of the digital divide, the Rudd Labor government have shown their disdain for rural and regional Australians. I must say that that is an ironic twist, given the then Leader of the Opposition, now Prime Minister, made such a big deal about how he had such great rural credentials. In fact, I think he claimed that he had been a dairy farmer in his time, although I think both you, Deputy Speaker Scott, and I would be happy to chal-
lenge him in a milking contest—perhaps we could also include Senator Joyce, who claims to be a gun milker. I have not milked for 30 years, but I am sure it is like riding a bicycle. We had the Prime Minister saying he was a person of rural stock, he understood rural issues and he knew what was important to rural people. If he understands what is important to them, he will not allow the passage of this amendment bill—but, of course, we know he will.

Over the past several months it has become all too clear that, as far as the members of the Labor Party are concerned, rural and regional Australia simply does not rate—which equates to an act of betrayal. As you would know, Deputy Speaker Scott, if you claim to be of rural stock then you are always of rural stock. You can take the boy out of the bush, but you cannot take the bush out of the boy. Perhaps it is just another example of the hollowness of the Prime Minister and the facade that he paints constantly. Actions do speak louder than words.

We have heard much rhetoric, supposedly hard-hitting, from the Prime Minister, the Treasurer and the Minister for Finance and Deregulation about the government’s desire to cut spending. The government has so little respect for the people of rural and regional Australia that it has, by executing those cuts, frozen the funds that are vital for rural community programs—well, nearly all the funds: we do have the worship of deadwood by the Labor Party and the spending of funds in that area. But, if we look across the vast array of programs that run in rural and regional Australia and the importance that they have in those communities, we can see that they have been slashed. I do not speak just of Regional Partnerships; I speak also of programs like the one I saw administered in the Jondaryan school, programs where funds were made available to small schools to purchase vital equipment. We have seen the Rudd Labor government stubbornly refuse to commit to vital roads infrastructure in regional areas, instead being content to pour more attention and cash towards the big cities. Like the carers bonus debacle, where Labor mercilessly left the most vulnerable in our society grappling with them for answers for days, we see that the government is once again upsetting and unsettling the foundations of another important group in our society.

The Communications Fund provides a vital safeguard to some of the most disadvantaged consumers in both rural and remote regions. Now the Labor Party and the Rudd Labor government are creating and nurturing conditions of uncertainty for people in those rural and regional areas. The smash-and-grab raiding of the Communications Fund will leave those people who choose to live outside metropolitan areas wondering, no doubt with a high level of trepidation, what the future and the future of their communications hold for them. Under Labor’s planned changes to the Communications Fund, these people will no longer have any indication of exactly what standard of telecommunications services they will be able to access. What Labor does not seem to realise is that there is more to telecommunications than just a broadband connection to every inner city high-rise apartment. Not only could Labor’s ill-conceived raid on the Communications Fund condemn the businesspeople, the mums and dads and the schoolchildren of regional Australia to a second-class standard of communications but, more importantly, taking away the guarantee of service could have a life-or-death consequence in regions that already pay a heavy price for the tyranny of distance.

Not content with leaving regional Australia out in the cold, the government now wants to further the digital divide. It plans to raid the future-proofing measures that were put in place by the coalition government so
that regional and rural Australia could be certain of its future. This action by the Labor Party means that rural and regional Australians can only look forward to being left behind in an area of daily and rapid improvement. Why should the people of Toowoomba or Pittsworth be forced to live as second-class telecommunications citizens, compared to those who live in Brisbane, Sydney or, indeed, the Prime Minister’s electorate of Griffith and the Treasurer’s electorate of Lilley? There is a very real risk of the ill-thought-out plans of the Prime Minister and Labor, which declare open season on the Communications Fund, delivering just that uncertainty and just that second-class telecommunications system to the people in the bush. I have to wonder if this is not a sign of things to come, with Labor raiding funds to pay for half-baked policy. It has not taken them long, and it sure brings to mind the old slogan that you cannot trust Labor with money. You just cannot trust Labor with money.

The former coalition government outlined a clear plan to make sure that all Australians, especially those in regional areas, had access to high-speed broadband services, without the need to raid the Communications Fund. That plan was to provide 100 per cent of the country with broadband access at retail prices on par with the competitive prices in metropolitan areas, while keeping the Communications Fund and our commitment to rural and regional Australia completely intact. The Communications Fund was designed to help secure the future of rural and regional Australians. Now it is shaping up to be just another victim of Labor’s steamrolling budget committee. Why should the participation of my constituents in the information society be held to ransom by the Rudd Labor government? Why should the Rudd Labor government use money that has been set aside for projects for all regional Australians to the advantage of a city focussed electorate?

Communications will be an area which will advance Australia a long way over our lifetimes and the lifetimes of our children. If anyone is left behind, or if we see a system or a scheme or a course of action that causes a vital part of our community—not the biggest part, but possibly the smallest part—to be left behind, we will be committing that section of the community to a lower standard of living and a lower standard of social justice. In this amendment bill we see Labor doing what we knew they would do—firstly, not be able to manage money and, secondly, abdicate the representation of rural and regional Australia. I ask them to consider that and I ask the minister to withdraw this amendment bill.

Mr SECKER (Barker) (4.47 pm)—It is with great pleasure, but also with some sorrow, that I speak on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. When I was first elected to this parliament 9½ years ago, one of the two biggest problems with telecommunications in rural areas—and I have the honour to represent a very rural seat, the seat of Barker in South Australia—was fax lines not working. At that time fax lines were very much in demand and sometimes, in some areas, they were not working properly. We fixed those problems. The second big problem was the mobile phone coverage and the spectre of losing the analog service. A deal done by the previous Labor government saw the phasing out of the analog service—a very good service for rural areas—without the provision of any replacement. So, when I was first elected, you could travel hundreds of kilometres where a digital mobile phone would not work. For example, you could go from Kingston to Meningie, about 150 kilometres, and not get any reception until you got to within a couple of kilometres of the Meningie town-
ship. Then, as soon as you left Meningie, you did not get anything more until you got to Tailem Bend. So in a large part of my electorate I could not use my phone and nor could my constituents. This was a result of the previous Labor government’s policy of getting rid of the analog service without providing any replacement.

We came up with CDMA, which was a pretty good service. It was a digital type of service and it worked well in rural areas. It was working much better than the old analog service, which did have some weaknesses in that it could cut in and out. At least with the CDMA service we had much better coverage all around the electorate. I could drive virtually anywhere in my electorate and pick up a CDMA service. We have had some problems with the introduction of the Next G service, and that is why we appointed Bill Glasson to inquire into it and ensure that we would not have the CDMA turned off until we had equivalent services or better. Some of the earlier handsets were not working as well as they could have been, which was a problem—if I remember rightly—that we had with some of the digital mobile phones when they first came in. It is important that we provide pretty close to as good a service as we have in city areas.

In September 2005 the Howard government created the Communications Fund to secure the future of telecommunications services in rural, regional and remote Australia. We did this because there were always going to be pretty good services in city areas where, when you had lots of people, businesses could afford to lay down broadband. We also had ADSL+, which provided pretty quick service. You could have different levels of that service in city areas but obviously for rural areas it was never going to be the case that companies would come in and make a profit without some help from the government. For decades in Australia, rural services were subsidised so that rural areas could get a reasonable amount of service. We opened the Communications Fund account with a $2 billion capital injection. As I said, it was a fund with the needs of people in rural and regional Australia in mind. The original Communications Fund act 2005 and the subsequent Communications Fund amending act 2007 provided that the fund must hold at least $2 billion. The purpose of that Communications Fund was to generate income to fund the government’s response to the recommendations of the Regional Telecommunications Independent Review Committee.

The spending of the income stream from the fund was to be tied to independent and regular reviews of telecommunications in rural, regional and remote Australia. I want to reinforce this point because there is a significant difference between accessing the income stream generated from the fund, as was the original intention when the fund was established, and drawing down the capital—as is the Rudd government’s intent with this bill. They are basically stealing the $2 billion from this fund that was set up for people in rural and remote areas who do not have the same sorts of services as city people. If we are going to be fair to all Australians, that sort of fund is necessary. But the Rudd government are drawing down the capital from this fund and there will be nothing left. This Rudd government certainly have their hands in the cookie jar.

There is a very disturbing trend emerging from the Rudd Labor government—that is, taking funds away from rural and regional Australians. I remember on election night that the excited new Prime Minister of Australia said he would govern for all Australians. But so far we have seen nothing more than what we have seen already from the Labor state governments around Australia. They are very city-centric and they are taking away programs that are designed to deal
with the problems of rural people—for example, they are taking $47 million away from rural scholarships. We talk about the skills crisis and they take $47 million away from rural scholarships, which are designed to provide skills in rural areas. In fact, I was part of an inquiry by the former House of Representatives Standing Committee on Agriculture, Fisheries and Forestry that presented a landmark report entitled *Skills: rural Australia’s need*. It is very important that we look at the differing skills needs around Australia—whether in the city or the country—and, as a government, we have to respond to those needs. But not this government. The biggest cuts that they have made so far have been in rural areas all around Australia—whether it be to drought funding, farm business or rural scholarships. And I have no doubt that, under this government, we will see more funding go to roads, for example, in city areas than we would have seen under a Howard government.

The Rudd government are even stripping away $10 million in drought research. They have stripped $50 million away from the national water plan and $50 million from farm apprenticeships, as I said. This is certainly a very strong indication of the modus operandi of this government. They are very city-centric and, frankly, quite prepared to take funding away from rural areas. In most cases, rural areas have a greater need for funding from governments. These actions show a lack of care for people who live in rural and regional areas. These people are the salt of the earth. They work hard and are certainly very community minded people. The Rudd government and, in particular, the Minister for Climate Change and Water have turned their backs on the people of the River Murray through inaction and their attitude of not caring. This bill is a further stripping away of funds earmarked for rural and regional Australians.

Just a couple of days ago in this place, the Treasurer said, ‘We are going to show some restraint.’ However, it seems that Labor has coined a new meaning for ‘restraint’, and that new meaning is to hit rural and regional Australians hard, hit them first and hit them where it will hurt them the most. In this case, Labor intends to shake every cent out of that $2 billion piggy bank, leaving absolutely nothing for the future, all the while spending it in some doubtful areas where it is not necessary. As I said earlier, the telco businesses are quite happy to spend the money on infrastructure in city areas because they will get a return for that money. The all too evident problem with this approach is that when the cookie jar is empty, or the last coin has been shaken from the piggy bank, there will be nothing left. The fund will be gone, used up in one fell swoop, with no guarantee of outcomes or returns. Rural and regional Australians will be left with no fund to address their unique and critical telecommunications requirements. There is nothing restraint-like in Labor’s robbing of the coffers.

The $2 billion Communications Fund and the $1.1 billion plan for direct capital investment under the Connect Australia initiative was to ensure the ongoing adequacy of telecommunications services in rural, regional and remote parts of Australia. This was not some special treatment for rural areas because, even with that spending, they were still not going to have services that were as good as those in city areas. Services would not be up to what one would expect if one lived in Brisbane, Melbourne, Sydney, Perth, Adelaide or Hobart, or some of the major cities around Australia, but it was at least going to bring them up to an adequate level of fast broadband. Our solution of using a mixture of some of that fibre to the node to the home, some of that WiMAX and some of that satellite was going to cover everyone in Australia. It is possible but it is not
economically feasible to do fibre to the node to farms and to homes in rural areas. It is simply not physically or economically feasible to do so. So we came up with a solution that gave up to 20 megabytes a second, I think the figure was, for broadband using WiMAX and wireless services—which will often use the fibre with a main trunk, but from there you are able to use the WiMAX services.

As I understand, there will be 100 million people using that service before very long. In fact, in some ways it gives some extra advantages because of the mobility. You can pick up your computer, take it down to the shed and still get the service. You do not need to be plugged into a landline for it. So it did actually have some services. It is not quite as quick as super broadband but it is certainly up to 20 times quicker than a phone line, for example, with dial-up services. So it is certainly much quicker and able to give a pretty good service to rural areas. But we hear nothing of that from this government.

Just last year the Howard government reinforced the Communications Fund as a perpetual fund to protect its capital. Labor now wants to get rid of that protection so it can raid the fund. It flies in the face of economic sense to deplete the capital of the Communications Fund in this manner. Nor can Labor even begin to justify the expenditure. Its broadband network plan is ill principled, half-baked, totally city-centric and ineffective. There is more to telecommunications than broadband. I have people in my electorate of Barker who still cannot receive in some places a halfway decent mobile telephone service.

While in government, we varied Telstra’s licensing conditions so it could not switch off CDMA until the Next G service was up to par. It remains a fact that constituents in my electorate continue to experience dropouts, black spots and inability to reliably access Next G services. Barely a few days before the CDMA network was to be shut down by Labor at the end of January, the Minister for Broadband, Communications and the Digital Economy reluctantly agreed to delay it because he was all too aware of the problems of the network. When the safety and security of rural constituents in the electorate continue to be compromised because of black spots and dropouts of the Next G service, it is no wonder that neither they nor I have any confidence in Labor’s thin-on-the-ground broadband proposal—whatever it may be, because I do not think we have seen anything concrete to hang our coats on. I am particularly concerned about the safety problems and the impaired ability of my constituents to do business in my electorate once Telstra shuts down the CDMA service. We managed to persuade it to delay the abolition of CDMA, but there is still a lot of evidence that problems and a lack of access in the Next G network remain.

There has been much blame shifting about handsets. Earlier this week the Australian Communications and Media Authority found six types of handsets to be inadequate during testing of the Next G network. But Minister Conroy says he cannot tell potential purchasers about the substandard handsets they should avoid purchasing because that information is commercial-in-confidence. How stupid is that? Indeed, ‘confidence’ is not the word that comes to mind for Labor’s mismanagement of telecommunications in general and this bill in particular.

On the one hand, last year Labor endorsed the Regional Telecommunications Independent Review Committee, chaired by Dr Bill Glasson, and its task of reviewing the progress of the Australian government’s upgrades of telecommunications services in rural Australia. Specifically, that committee wants to determine how the interest earned
from the $2 billion Communications Fund, around $400 million, will be spent. On the other hand, Labor has hijacked the very funding set aside to action that review committee’s finding. Labor might claim, as the member for Ballarat did in this place on Wednesday, that it is about keeping families connected. The member offered the example of older Australians communicating with family overseas via the internet. I can only assume that the member was referring to city based older Australians, because there is certainly no guarantee that rural and regional Australians will enjoy the same ease of broadband connection and communication.

Minister Conroy struggled on ABC radio last week, where he was at a loss to say what Telstra’s announcement would mean for the OPEL joint regional broadband venture between Optus and Elders which was announced last year. In the same interview Minister Conroy said that taking fibre to the home was on the agenda—wacky do!—but later contradicted himself to say that it was really up to the proponents to put forward proposals. Specifications were not available. Rather, Labor said it was keeping an open mind. ‘Thin on the ground’ does not begin to describe this proposal. I would have categorised it as up in the air, with the fairies, and completely lacking in specifications and substance. But on the strength of a nebulous broadband proposal—possibly fibre to the home, possibly not; could reach the bush, perhaps not—it is all very uncertain and non-specific. Yet we are expected to raid the Future Fund for $2 billion of its capital to fund it.

The very fund that was earmarked to protect people in the bush and to assure them parity of telecommunications services is being denuded for who knows what. We established this Communications Fund to provide a guaranteed income stream to fund hard infrastructure and services for regional communities, such as additional mobile phone towers, broadband provision and even backhaul fibre capabilities. It was our brief to the Glasson committee that they place particular emphasis on the underserved areas of remote and rural Australia. But instead of waiting for the committee’s conclusions and recommendations to ensure adequate service for people in the bush we have Labor raiding the very fund that was set up to help those people. This will inevitably mean that the recommendations of the committee for rural and regional Australians will not be able to be acted upon because the funding has been taken away.

The Minister for Infrastructure, Transport, Regional Development and Local Government said in this place that the Rudd government’s plan to expend the contents of the fund is consistent with the Communications Fund. I reject that statement entirely. This is another con job on rural, regional and remote Australians. Alarmingly, this bill allows the Rudd government not only to raid the fund but to then spend it all on anything it chooses. It could expend the fund on shares or interests in companies, make unconditional grants to telecommunications companies or even directly purchase assets and equipment connected to the broadband network. There is nothing in this bill that will guarantee of access to a first-class broadband network.

(Quorum formed)

Mr RAMSEY (Grey) (5.10 pm)—How pleased I am to see a good crowd in here to hear what I have to say; thank you for attending! I address the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. As has become the norm in this parliament, this is yet another assault on rural and regional Australia. It is an attack on a quarantined, guaranteed income put in place.
to ensure that rural Australia will be serviced long into the future—a guaranteed income of $400 million every three years going forward forever just stripped away and supposedly spent on a broadband network, but we do not know where. This income stream was to be the future of rural and regional Australia, the next wave of technology, to provide regional Australia with the tools to compete in this modern world.

Like the recent announcements on taxes for heavy transport in the form of enormous increases for registration and a rise in fuel excise, this once again proves that the government has little empathy for regional and rural Australia and sees us as the skinny kid on the beach to kick around. The government will of course claim a mandate for this move; it is after all a policy they took to the last election. But I believe I also have a mandate, and that is to oppose this bill. The issue of broadband rollout and the ongoing provision of technological services to rural and regional Australia was one of the central issues of my successful electoral campaign.

I repeatedly warned the electorate of the intention of the Labor Party to make a raid on rural Australia’s future, seizing the $2 billion fund put in place to ensure our ability to be serviced in the fast-changing world of telecommunications. I warned that the government’s proposal to extend a fibre-to-the-node network to 98 per cent of Australia is inappropriate and undeliverable.

Even now, as the Labor Party bring this legislation before the parliament, they still have no practical plan on how to achieve this rollout—12 months after the announcement of the government’s intentions and still no plan. What will happen is that the $2 billion will be spent in the planning phase and the beginning of the city rollout, all at the expense of our country businesses, students and families. On page 6 of the concluding comments for this bill, it says:

... the Bill leaves open the possibility that the original focus on telecommunications in rural, regional and remote Australia will be abandoned. Let us have a look at the historical crocodile tears of the Labor Party on this issue. On page 3 of the Labor Party senators’ dissenting report on the T3 sale, which included the establishment of the telecommunication fund—and I point that this was way back when Labor professed to care about rural electorates—it says:

... the Howard Government has failed to ensure that telecommunications services in rural and regional Australia are up to scratch. The Labor Party was clearly concerned about rural Australia then. The report goes on to say—again on page 3:

Labor Senators do not believe that the quantum of the Communications Fund will be adequate to address these problems. Clear and welcome concern for rural Australia. So what would you expect this government to do to alleviate this problem on coming to power? Will they make sure this alleged shortfall is made up? Will they increase the fund? No. Their compassion and commitment to rural Australia leads them to abolish the fund, take the money away and spend it who knows where, on a nebulous rollout plan—almost certainly it will all be spent well before the issue of country broadband even gets on the agenda. After all, this scheme is not even due for completion until 2013. Regional Australia’s provision for an equitable broadband network will be well and truly gone long before then.

This really is a case of big brother raiding little brother’s piggy bank so he can take his girlfriend to the pictures. He knows he is strong enough to get away with it no matter what his little brother does, he knows it will make his girlfriend happy and he cannot see
far enough into the future to see the downside. But there will be one, because when Christmas comes around little brother will not have enough money for his present. Even if he did, big brother would be the last person on his shopping list. So there will be an electoral backlash for this decision. Country electors will not be happy when they are left behind and they realise the cupboard is bare and the money all gone.

I refer to a quote by a former Prime Minister, Paul Keating. I do not make a habit of quoting Mr Keating but I think this one is worth it: ‘You should never stand between a state premier and a bucket of money.’ The Prime Minister was never a state premier, but we do know he was the next best thing to it, as the senior bureaucrat behind the throne during the Goss years in Queensland. He certainly learnt the behaviour pattern Mr Keating was referring to. He could not wait to get his hands on the money. He could not wait to get stuck into the cash that belongs to rural Australia to ensure they did not have to go back cap in hand to government every time the inevitable happens, every time there is a new technological innovation.

The purpose of the telecommunications fund was to provide an ongoing income stream for rural Australia ad infinitum, an estimated $400 million every three years going forward, forever. Where is Labor’s guarantee for the future? How will they ensure that rural Australia does not operate at a permanent disadvantage in this vital area of telecommunications in the future? The lack of information about the government’s proposals is telling. Where is the plan to deliver fibre to the node for 98 per cent of the nation? Can this be achieved in an electorate like Grey, which covers more than 900,000 square kilometres, where we have centres as distant as Ceduna and Penong way out on the west coast and Coober Pedy and Marla Bore in the north? Many of these remote communities are nowhere near phone exchanges, and the people living on farms are in the same situation. The nature of fibre to the node prescribes that you must live within four kilometres of an exchange. For large numbers of people in my electorate, that unfortunately is not the case. It just shows how out of touch this concept is with the reality on the ground.

What will happen in the future? I would like to take you back just a little. I was quite taken by the remarks of the member for Groom when he talked about the party line phone set-up he had when he was first married. I still remember when our district was one of the last in Australia to move to fully automated phone exchanges and underground phone lines. What luxury, moving to those beautiful round dials that went click, click, click and no longer picking up the receiver to see if someone else was on the line. It did have some advantages, though. Mrs Bentley could always tell you not to waste your time because the Baldocks had gone to bed or were away on holidays for a few days.

When we moved to automatic phones it was the height of technology. No-one could possibly imagine what could be done to improve the system—we had the max already. How wrong could we have been? We collectively had no idea of photocopiers or fax machines, of mobile phones, of computers and digital technology. It is an oft used quote, but I will use it again anyway. The head of IBM in 1943 famously said, ‘There is a world market for maybe five computers.’ An engineer in advanced computing systems with IBM in 1968 said of the microchip, ‘But what is it good for?’ We are only limited by our imagination. Unfortunately, in this case, the government are severely limited by their imagination. They think broadband is the automatic phone of the sixties, the last word in technological revolutions.
The question remains: how will we pay for the next wave? The passing of the bill to enable the T3 sale, establishing the telecommunications fund, was the opportunity to take the politics out of providing an essential service in a competitive market. It was a breakthrough, a long-term commitment to rural Australia. As it will stand if this bill is passed, the country will have to go cap in hand to the government every time we need an update. I strongly oppose this amendment bill as just another attack on rural Australia. It is ill thought out. It appears to me that the government has no plan to deal with the explosion of telecommunications which we will continue to see in the 21st century. We do not know yet what tomorrow offers. There has been talk about telecommunications networks running down powerlines. Do we know what the next step will be? Certainly my imagination is not enough to present that, but we do know it will happen. As certainly as night follows day and as certainly as the sun will come up tomorrow, we know that there will be the next jump. And we do know that there will not be a fund to pay for it.

While I recognised earlier in my speech that the government went to the electorate and told them what they were going to do with this issue, in opposing this bill I feel it is my responsibility to my electors to stand up and make their point. My electors in the vast electorate of Grey feel as though they are being shortchanged by this policy. We are going to have to concentrate, as we go forward, on how we bring the government back to the playing field where we can say we need that commitment from the government again. Is it going to wait until we achieve another Liberal government so that we can say, ‘We can look after the country again in the future’? I hope not. I hope that in fact we can achieve that now by opposing this bill and leaving the telecommunications fund in place.

Mr KATTER (Kennedy) (5.22 pm)—In speaking on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008 I take up where my colleague the member for New England left off. He referred to the $2 billion Communications Fund that Senator Barnaby Joyce claimed that he had secured. There is no doubt, referring to that fund, that he did play an instrumental part in securing that money. But our damnable problem in Australia is that so many people have believed that the National Party would look after their interests. They have not looked after our interests, however, and this is a classic case. In the vote on the sale of Telstra at the Central Council of the National Party in Longreach, all but about 12 or 15 of the people associated with two of the federal members who were there—they brought their friends, relatives and close associates—voted against the sale of Telstra, and voted with considerable aggression. The then vice-president, Rowell Walton, subsequently resigned from the party. He could not see the point in staying in a party which had resolved, almost unanimously, to go in a certain direction. Then two weeks later our senator from Queensland, Barnaby Joyce—and you yourself, Mr Deputy Speaker Scott, in the chair this evening, had the decency at least to stay quiet about it—went out and told us what a good thing it was for us. He convinced nobody; he just further damaged the reputation of the party.

The member for New England referred to the $100 million per year interest on the $2 billion fund. I do not doubt this, but most of us would know there is capital improvement work being carried out by Telstra in our areas. There is not as much as we would like, but we know it is taking place. They were already spending $400 million per year to improve capital items and to improve ser-
vices. At least half of those services were in regional areas. So there was already $400 million per year being spent in this area. The then government made a big thing out of guaranteeing $100 million. Mr Deputy Speaker, you would have to believe in the tooth fairy if you believed that Telstra were not going to simply take that $100 million per year and cut their expenditure from $400 million to $300 million. It was just a con. I do not blame Senator Joyce for being taken in by it. He was new to this place and he got conned. I think he learned a lot out of realising he should not believe what he is told by his superiors. He came off very badly from that—quite unfairly to him. But I and the rest of Queensland dearly wish that Barnaby had stood by his guns. He said he would oppose it. He did not oppose it and he broke a lot of hearts, as I said at the time in debate with him.

As late as last week, two of the very great gulf families banded together. James Pickering and his wife, Lea, are from two of the great families of the Gulf Country and they came together, married and have begun a family. Lea rang me up and said, ‘Bob, I have got enormous difficulties. We really cannot educate our kids on station properties now without a speedy broadband access and I cannot get it.’ She went into the details of why and how. A valuer rang me up and said, ‘Every single valuation I do in regional Australia, I have to dial into RP Data.’ RP Data, of course, is the firm in Australia that does all the evaluations. Both the Catalans are very proudly Innisfail boys, so I do a little tiny bit of skiting there as I go past. Every valuation that is done in Australia—every single house transaction and every single property transaction in this country—requires access to RP Data, which is through the broadband network. If you do not have it, then you cannot have the valuations carried out. Obviously, if a valuer who is based, say, in Innisfail has to face up against a valuer who is based in Cairns and one has got speedy access and one has got slow access, then the one with the speedy access will be able to charge much, much less than the one with slow access. This illustrates graphically the enormous shortcomings that now exist where we do not have equal access to broadband. The third case that comes to mind is that of an engineer working on the Atherton Tablelands. He said that in his job he must have quick and speedy access to information on the internet. I do not think any of us would need an explanation as to why an engineering consultant would need speedy access to broadband. He said he is constantly losing business to the people in Cairns who have relatively speedy broadband access compared with his broadband access.

Each of these cases graphically illustrates the pain and the disadvantage suffered by us in country Australia as a result of an unequal broadband delivery service. So we applaud the government. There are those who said there was not much in the ALP proposals. Mind you, if I were in their situation and had IR running in my favour I would not have said too much either—I would have just enjoyed the ride—but they did make this commitment, and in fact it was a very good commitment, and we hope that they honour their promises. But, like Barnaby Joyce, I will reserve my opinion until I see the action on the ground, and I am sure my colleague from the south of my electorate will agree with me in this area.

There is a tiny township called Croydon right up almost at the Gulf of Carpentaria—you throw a stone and it lands in the sea almost, when you are at Croydon. I have been going to a cattle station there for many, many years. Only about 150 people live in Croydon. On my last official full-day visit there, I was very surprised to run into four separate people who had moved from cities—Cairns,
Townsville, Sydney and Brisbane—and chosen to live in Croydon. I said, ‘Why would you suddenly decide to live in Croydon?’ They said: ‘Because we sold our house in Brisbane’—or wherever—‘and we got $300,000 for it. We were able to purchase a house up here for a very small proportion of that, so we could come up here and have $200,000 in the bank.’

If there are enough people doing this, then it will reverse the imbalance in Australia’s population distribution, which is costing us. The cost of providing the extra water in Brisbane is in the range of thousands of millions of dollars. The only water provision they can get is to drink their own sewage water, which is not a very happy alternative. We could get people moving out there instead. With the wonderful 24 television channels or whatever it is you can get off the satellite now, you can watch television in the city or in the bush. We have equal access. In the very important area of broadband, I have given three illustrations to demonstrate where kids are going to be at a disadvantage or where businesses are going to be at such a disadvantage that they may even have to close. I will give another example. Modern technology can help us greatly in the bush. Satellite television is an example. Broadband is another—if you can give us equal access.

In Brisbane, when I was in the state government, we were devising—in 1989, when the government fell—a spoke road system of very fast roads, and we had to upgrade the roads so that they would be safe at the speed of 120 kilometres an hour. We felt then that people could live 60 or 70 kilometres from Brisbane and still get to work in 20 minutes. There was a lot of work that needed to be done inside Brisbane itself. This spoke road concept depended upon our being able to provide for those people 60 kilometres from Brisbane exactly the same services that applied in Brisbane. That very much went to recreation, entertainment and television, and it would have gone to broadband. If we could do that, then the blockies—they call them blockies—could extend all the way from Brisbane, as they do now actually, up to Kingaroy, 250 kilometres. There is a lady shaking her head here. You do not think that is true?

Ms Rea—Because our freeways are now blocked by the people that you opened up to.

Mr KATTER—That is an interesting concept. You build a freeway and it clogs—so, on the basis of her logic, we should build no freeways. What a ridiculous proposition to put before the parliament. She says we should not be building any freeways. Even if we were not talking about moving people out of the cities, one would think that it would be nice and helpful if they could move fairly swiftly in and out—at least get a bit of rest and relaxation from the cities. What an extraordinary statement! You are obviously a oncer in this place. I hope you are not, but for your sake I indicate: a few more comments like that and you will be.

The service guarantees were promised by us when I was a member of federal government. I said to the party room: ‘Is there anyone in this room that seriously believes that when Telstra is privatised we are going to get a guaranteed service? Put your hand up anyone in this room that believes that.’ I am not going to say—because I am not allowed to say—whether anyone put their hand up or not. But, if you were a betting man, I know which way you would be betting. It was a most extraordinary proposition that was put before us. I doubt whether there was anyone naive enough to believe it.

It was one of the only times one of my colleagues has asked me to leave this place because I got so angry. In 35 years, it is probably the only time I can remember. I have asked some of my colleagues to leave
because they have got so angry I thought they were going to hit somebody. The only time I was asked to leave was on this issue. It was when National Party members were telling us that we were going to have an adequate service, that we were going to have a service guarantee. You can come to me and say, ‘We’re going to privatise Telstra,’ but do not come to me and tell me an absolutely outrageous lie—that you are going to guarantee the services to us. What an absolutely incredible proposition.

We now know who was right and who was wrong. In the little brochure that I put out there is a picture of Telstra customers at a town called Chilverton, outside of Ravenshoe in North Queensland. It is on the Atherton Tableland. I attended a number of meetings there. These people went without telephone services for two weeks. When the big boss of Telstra came up, I said: ‘Aren’t you blokes supposed to guarantee services? Don’t you get sued or something? Don’t you have to pay?’ He said yes. It was $37 or $42 a day or something for every day that the phone was out. So I said: ‘Can all these people be paid then? It has been out for two weeks.’ I do not know what the figure was, but it ran into thousands of dollars that some of those people were entitled to. He got all sheepish. He is a nice bloke, but it was a bit like in this House when people are answering questions that are a bit difficult. He ummed and ahed but eventually I had to pin him down. This is what he said: ‘Oh no, we don’t have to pay in this case because there was a major outage in the region.’ I said: ‘There were no major outages in the region at all. What the hell are you talking about?’ He said it was in Townsville. I said, ‘Are you telling me that we had six inches across the roads in Townsville over the space of about 12 hours and that caused major problems for Telstra in North Queensland?’ He did not answer me. He said: ‘Look, Bob, at this point I cannot answer that sort of question. I do not have the detailed knowledge.’ There is your guarantee of services! It is not worth the paper it was written on.

It was not until a state member and I waded in that it became a very brutal public issue for Telstra in the national arena. That was before they completed the sale, when things were still blowing in the wind and we were still working on a policy promise from the ALP that Telstra would not be sold—a promise which it flagrantly broke. In fairness to the ALP, that was on the eve of an election, but it was still a flagrant reversal of policy. The people of Chilverton will tell you what that guarantee of service is worth: it is worth absolutely nothing. The only good thing with Telstra being sold off was that otherwise there would have been no way in the world that a Telstra official would have come to Chilverton. They only came because they were taking a hell of a bath and were still very conscious of their PR, as they wanted to make sure that Telstra could be sold as fast as humanly possible before the ALP got in. They need not have worried—the ALP was going to sell it faster than the other mob.

I have talked before about Mary Murgatroyd in Julia Creek. A few people have said to me, ‘You have made Mary Murgatroyd in Julia Creek very famous.’ But does anyone seriously put the proposition forward that when Mary Murgatroyd’s telephone breaks in Julia Creek she is going to have exactly the same service fix-up time as a person in the suburbs of Brisbane? Is that seriously the proposition? We are pretty stupid sometimes and a bit slow in the bush—they reckon the sun gets at us when we are out mustering or whatever—but we ain’t that dumb that we will go and wear that one. People in the bush were quite staggered, particularly at the National Party. The ALP and the Liberal Party do not purport to represent the bush but the
National Party does purport to represent the bush. The bush will be the place that suffers most from this. I believe the suburbs of Townsville and Cairns that I represent will be ill served. Big users will get their repairs pretty quickly but ordinary people in the suburbs will cop it sweet. We people of the country areas of Australia will get it very bad indeed.

We thank the government for their broadband proposals but we will hold our fire and our praise—and I think my southern colleague will agree with me—until we see the government actually carry this out. We were told a big lie—or at least it was a very big deceit—by the last government on the $2,000 million for the bush. We will now see whether this government is into deceit or whether they are fair dinkum and if they will supply a service which, in this case, every Australian should have and which, with modern technology, they should have at a reasonable price. If you want to cut down and eliminate the country people of Australia then just understand that this country’s 10 major export items provide half of the nation’s entire income from overseas and without good services you will wipe all of those industries out, because people will not live in the bush without those sorts of services. We will reserve our thanks until we see the reality. We thank the government for their rhetoric but all we have had to date is rhetoric. We will see whether they are more than rhetoric and whether they are fair dinkum.

Mr BRUCE SCOTT (Maranoa) (5.41 pm)—I rise today to speak on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. As the federal representative of a rural electorate, I vigorously oppose the amendment to part 9C of the Telecommunications (Consumer Protection and Service Standards) Act 1999. If this bill passes both chambers it will allow this inexperienced, unfriendly government that is ruling Australia—the Rudd Labor government—to raid the Communications Fund. We will have a modern-day Ned Kelly, only Ned Kelly had a face mask. I am sure the member for Kennedy would support me, but he has left the chamber. They want to raid the fund that was put away in perpetuity by the former coalition government. We put it away to ensure that, when markets failed to provide new technologies for communications networks in outback and rural Australia, there was going to be a source of funds available without rural Australia having to rely on the federal budget.

Right now we are hearing daily from the Treasurer and the Minister for Finance and Deregulation that this is going to be a tough budget and that they are making cuts and looking for savings. I know just how hard it is to go to a Treasurer and the Expenditure Review Committee to get money when they are looking for savings in the budget. That is why we put this fund aside. That is why it was put away in perpetuity—so that no future government and no future communications minister would ever have to go back to the Expenditure Review Committee to get funds to meet market failures out in rural areas. This perpetual fund must remain a perpetual fund. The fund was designed so that only the earnings from the fund would be used to deal with those market failures, and that must remain the case in the future. I know and you know, I am sure, Mr Deputy Speaker, that market failures have occurred in the past and will occur in the future.

The new Prime Minister says he is a Prime Minister for all Australians. We saw those advertisements before the election, which the Prime Minister often cites, saying that the Prime Minister is a boy from the Queensland bush. Well, he left the bush a long time ago and he is totally out of touch with the needs of rural Australia today. If this legislation passes the House and the Senate,
the Labor Party will be able to pilfer the $2 billion Communications Fund, which was put away by a responsible coalition government—a responsible economic manager—that was thinking of the future and governing for all Australians, unlike what we have already seen in the first 100 days of this government.

We saw this morning that fuel excise on road transport will be automatically indexed. We abolished automatic indexation, which was a policy of Keating’s Labor government. What we have seen from this government is a return to the Keating days. When Keating was Treasurer he introduced the automatic indexation of fuel excise. It automatically went up twice a year, without ever having to be scrutinised by the Senate or the House. It was automatic.

The other side are trying to portray this Prime Minister as a boy from the bush. Well, goodness me! If we took him to the outback of my electorate and turned him around once, he would be certainly lost. He would be totally out of place. He was never a boy from the bush—because if he were a boy from the bush, he would make sure that this legislation was not introduced into this parliament. Before it got to the Senate, he would say, ‘Look, I think I’ve made a mistake.’ He could do a ‘Peter Beattie’: ‘Look, I’ve made a mistake.’

Mr Shorten—Mr Deputy Speaker, I rise on a point of order on relevance. All that the member for Maranoa is doing is conducting his argument ad hominem, as the Romans would have called it. They are personal attacks on the Prime Minister, which I guess is in absence of an argument but it is not relevant.

The DEPUTY SPEAKER (Dr MJ Washer)—The member for Maranoa could perhaps be a little less provocative.
remote Australia, these communities and pastoralists and very remote communities in my electorate can now get the internet. It was because of the actions of the coalition government and the funding that it put in place that the towns of Windorah, Birdsville and Bedourie can access the internet without dialling up through a very antiquated technology system. It was not done by Labor in its 13 prior years in government; it was the coalition government that did that. We not only brought the internet to these people in remote parts of Australia, such as Birdsville, Bedourie and Windorah, but also abolished the timed local call that these communities had to pay for just to ring their neighbour across the street or to ring the police station from a hotel. Those sorts of calls were timed local call in these communities. The coalition government pursued funding through expenditure review committees to upgrade the communications in these communities in remote parts of Australia.

Up until 1983 in the town of Birdsville, in the Diamantina shire in the west of my electorate, there were no telephone systems connecting the people of Birdsville to the outside world. The only way to communicate with the outside world was through the Royal Flying Doctor Service’s two-way radio network. The people in the Diamantina shire were frustrated by many decades of failures of government to act for the people of Birdsville and the Diamantina shire, so they raised half the money themselves to put in a satellite based connection to the main trunk routes across Australia—notwithstanding that at the time there was Telstra or Telecom or their predecessors—because those communities had been left without any telephone service whatsoever. Today the people of Birdsville, Bedourie, Windorah and remote pastoral properties can access internet services via the satellite. This has brought an enormous improvement to these communities. As a result of what we put in place, through funding that we had to get through the expenditure review process, they are now connected to the outside world.

This satellite connection has also been important for telemedicine and for the Royal Flying Doctor Service. And it has been important for those children who must study, because of the tyranny of distance, through the schools of distance education. Some of these children live 500, 600 or 700 kilometres, as the crow flies, from their school. Previously they had to access their teachers through an HF radio network, which would often fail when climatic conditions, being variable, would not allow for a clear voice to be transmitted. But today, as a result of the funding that the previous coalition government put in place, these remote communities, these children studying through schools of distance education, can actually talk to their teachers via the telephone for the cost of a local call—and get a clear voice signal. At the same time they can have a direct connection, via the satellite internet, with their teachers. That is bringing new, modern technologies into these communities in remote parts of Australia.

But I remain very concerned, and I will be opposing this bill with every ounce of energy that I can, because this $2 billion Communications Fund was established as a result of the insistence of the coalition and, I must say, the National Party, when we negotiated the third tranche of Telstra’s sale. We wanted to make sure that there would be a fund held in perpetuity, because we understand that parity of service and parity of price for people living in rural and remote Australia is not a privilege but a right. If, as the Prime Minister talks about, he is governing for all Australians, he will make sure that this bill does not proceed beyond this House. I am concerned that, if this bill passes, future treasurers and future prime ministers will say, through the
expenditure review process, ‘Well, they’re just the people of the outback. There are not many of them.’ We can draw on the experience of the past and a few of the examples I have given in the time that I have had available here. We know those people will be left behind in the future if this fund is taken away and pilfered by this Labor government.

I just want to say a couple of things about Telstra Country Wide, because that was another requirement of the coalition government when we negotiated the third tranche of the Telstra sale. Telstra Country Wide was a requirement by law, and it was a condition of their licence that they must provide a physical presence in rural and remote Australia. If they did not provide that physical presence, their licence could be revoked. I have to say that Telstra Country Wide do a magnificent job. I have three points in my electorate that they service. People can ring, for the cost of a local call, and talk to Telstra Country Wide, and they can get information about communications, service faults and other things like that. I am sure that everyone in this House has had the experience of having to ring a call centre. You wait on the line and then you press a button and the hash key, and then you wait a little longer, and you know that your call is very important to the company that you are trying to contact, and you then advance in the queue—and all that sort of thing. Telstra Country Wide are out there in the community, and it was because of the insistence of the previous coalition government, through the laws that we made as we negotiated the full sale of Telstra, that we have seen Telstra Country Wide established and providing that face-to-face service in our rural communities. I just want to say to the Telstra Country Wide staff in my electorate that I commend the work they do. They have been absolutely fantastic in the transition from CDMA to Next G. They have been dealing daily with concerns, and maybe difficulties with handsets and coverage, but they have provided that service and, more importantly, they have provided it on a face-to-face basis.

I know that my time is limited, and I would like a great deal more time to talk on this bill, but I just want to say to the Labor Party: when the Glasson report is handed to the minister, I hope that they will listen to the recommendations of that report. Dr Bill Glasson is a western Queenslander, an ophthalmologist, who is living in Brisbane now. He understands that telemedicine, e-learning and other new technologies, as they come on in the future, will be vital to keeping rural Australia up to date. One of the other people on that committee is another person called Bruce Scott. That is not me; it is in fact the mayor of the remote community of Barcoo Shire, who lives out there in remote Australia—near Windorah and Jundah. He knows about the importance of communications and what they need out there, and I am sure that a recommendation in the Glasson report will be the need to deal with the extension of optic fibre cable connection and building the nation’s infrastructure to these remote communities rather than having them rely on satellites and the proposed OPEL solution out there. I have got to say that a WiMAX satellite based system is not the solution. I would recommend to the minister that he not proceed on that element of the OPEL decision out in that remote part of Australia, because that will not work for those people. Optic fibre cable extension is the way to build the nation’s network.

I want to thank the people who are on the Glasson committee. They will bring important recommendations forward. There is $400 million that does not have to come out of Treasury, the Treasurer, the finance minister or the expenditure review committee. It is there because we put the money aside as part of this process of ensuring that the bush
would not be left behind. I say to the member for Flynn and the member for Leichhardt, both Labor members, that if they truly represent rural Australia for the Labor Party, they—

Mr Shorten—They’re better than the Nats.

Mr BRUCE SCOTT—We will test them out in this House as to whether or not they support this bill. Their communities will gain great confidence in the Labor Party if they vote against this bill. I represented some of the parts of Flynn that are now represented by the member for Flynn, including Barcaldine and Longreach. The member for Flynn holds that seat by some 130 votes. I am sure there would be 130 people out there watching the actions of the member for Flynn very closely to see whether he is going to support the Communications Fund bill or whether he is going to reject it. They know out there that, if he abandons them, they have an opportunity at the next election to abandon him—and they will abandon the member for Leichhardt as well.

I call on those two new Labor members who represent large rural seats in Queensland to make sure that they represent their electorates and not the Prime Minister, who calls himself a boy from the bush. We will see who the boy from the bush is. That is the challenge for the member for Flynn and for the member for Leichhardt. If you truly represent rural Australia, come over to this side of the House and demonstrate that the Labor Party does understand that there is an important principle in relation to this perpetual Communications Fund. It must be preserved for future generations. If those members want to preserve their place in this chamber after the next election, there is only one option for them to take: abandon their loyalty to that side of the chamber and come over to this side, because it is this side of the House that will make sure that, with communication needs and new technologies, the people of rural Australia are not left behind again, as they were for 13 years under the Hawke and Keating Labor governments. I oppose this bill and I thank my colleagues for the additional time they have given me.

Mr HAWKE (Mitchell) (6.00 pm)—I rise today to record my objection and opposition to the Telecommunications Legislation Amendment (Communications Fund) Bill 2008. This is a poor piece of legislation. It is a piece of legislation that will have not only a negative impact on my electorate of Mitchell but also serious consequences for those in rural and regional Australia.

One of the Howard government’s many great initiatives for rural and regional Australia was the introduction of the $2 billion Communications Fund, which was enacted through the 2005 telecommunications legislation amendment act. This act secured investment in broadband infrastructure for the future of all Australians, especially those in rural and regional areas. I note, with particular concern, that this bill proposes to remove the requirement in the act to keep the balance of the Communications Fund above $2 billion and also permits the use of the fund for another purpose. Therefore, in effect, the outcome of this bill is vintage Labor.

Labor never think ahead or plan ahead on how they will fund infrastructure. Just think about every state government in Australia; think about what they are doing to utilities. They are ripping the dividends out of every utility in Australia. When you consider that, you start to get a picture of Labor thinking in relation to infrastructure funding: ‘Spend now and don’t plan to protect your future revenue base for essential infrastructure.’ Every Labor government seems to abandon prudent measures to fund infrastructure in favour of short-sighted spending measures.
Under this bill, how will Labor guarantee that funds and resources go back to rural and regional Australia, once we have smashed the piggy bank, raided the money and spent all the change? The answer we are supposed to believe is: ‘Somehow.’

We understand that Labor made a lot of promises at the last election—promises that they knew they could not keep. They promised, if elected, a broadband tender process to be announced within six months of the election. But now we know they cannot possibly deliver on such a commitment, and it is at least 12 months away. Prior to the election, Labor and Senator Conroy promised that Labor’s broadband tender and the ACC’s wholesale-price-setting process would all be complete, together with a signed contract, within six months of the election. If we were to believe them, it would be occurring by 24 May 2008—an absolutely unrealistic timetable, and they have now been forced to admit it. I believe that this bill is a further admission of the major problems that the government are having in getting broadband right.

Let me also stick up for the sensible and prudent financing that was in the original act. It is much more preferable than Labor’s preference for having funding mechanisms such as new or higher taxes or charges. It is a mechanism that provided for the future of rural and regional Australia without having to seek revenue from other places.

So what is the real purpose of this bill? Its real purpose is to grab money to fund unrealistic election promises for the city at the expense of rural and regional Australia. It must be asked, however, whether Labor and Minister Conroy actually believe that, in less than six months, they could prepare, publish and consult on the criteria for a $4.7 billion tender? Did they really suggest to the electorate that they could have the industry write and submit its proposals against those criteria? Did they think that an expert assessment panel would assess every one of the industry’s proposals, cabinet would give its approval, negotiations would be conducted, all terms and conditions would be signed and a contract with the preferred bidder would be out within six months—including the introduction and debate of legislation and, as we now know, the amendment to the act that we have before us to raid the telecommunications fund and secure the passage of this legislation through both the House and the Senate? It is a completely unrealistic expectation. We now know that it is going to take much longer—12 months or longer—for them to get a tender process up and running. That 12-month period or longer represents an election commitment they have broken already. However, Labor did continue in their insistence to the electorate that this unrealistic goal could be achieved; hence, we have this legislation before us today.

Unlike Labor’s unrealistic objectives, the policy of the Howard government was not limited simply to broadband. The Communications Fund, which was established and which is now open to raiding if this bill passes this House, provided essential financing for all telecommunications challenges in rural and remote Australia. Furthermore, the $400 million that the fund has returned in interest every three years would have ensured that, as infrastructure needs arose in regional areas, finance would be readily available to support these communities. I think this is a very important point. The member for Grey, who represents 97 per cent of the state of South Australia, made the excellent point that, as technology improves and increases, money is going to be required
to ensure that those technological advances reach rural and regional Australia.

Again, Labor knows what it wants to achieve, which is broadband rollout to all of Australia, but it has not addressed the fundamental question of how that infrastructure is going to be funded—and you can cannot separate the end from the means. You cannot separate how you are going to fund those technological upgrades to reach rural and regional Australians from the objective that you are trying to reach.

The funds that were available for much-needed infrastructure upgrades—which included things like mobile towers, broadband investment and the availability of backhaul fibre capabilities—are all gone, if this bill passes this House and the Senate. The previous legislation not only included this essential $2 billion Communications Fund but further provided a holistic telecommunications policy—which, again, rural and regional Australia will suffer from not having, if we pass this bill.

I would like to know how any Labor member from the bush can support the removal of this guarantee of financing for future infrastructure upgrades. Where are the rural and regional Labor members? Why aren’t they here? Why aren’t they speaking on this bill? And why aren’t they consulting with their communities and justifying why they are removing the guaranteed financing for the future of rural and regional Australia? We want to know where they are.

Another problem with this bill is that it lacks detail. Again they know what they want to achieve but they do not how they are going to get there. In fact, one of the hows, the $400 million in interest from this $2 billion fund that would guarantee infrastructure upgrades in the bush, is now going to be removed. Not only did Labor take a communications policy to the last election which lacked a lot of detail—indeed, it had some false details in it—but also the bill being debated in the House today continues to be devoid of any real substance. Again, let us be clear here. The devil is always in the detail and the devil in the detail of this bill is $400 million being removed every three years from rural and regional Australia to fund essential upgrades to their infrastructure.

As Minister Conroy is finding out, it is easy to promise something in opposition. It is easy to say, ‘We want world’s best broadband; we can do it in six months.’ But they are finding out that in government the realities of how you fund essential infrastructure are very different. They are prioritising the city at the expense of the bush. The $2 billion which Labor will take from this fund will more than likely be siphoned to metropolitan areas whilst those Australians in more vulnerable positions will be left behind in the telecommunications wilderness.

In both the semirural communities in my electorate and the new emerging housing corridors in Mitchell, broadband access is unacceptably poor. I have had constituent after constituent ringing me from suburbs like Kellyville, Beaumont Hills and Rouse Hill upset that they cannot gain access to faster broadband. Now they are also concerned to hear that Labor lied to them before the last election. There are at least another 12 months before a tender process can be announced, rather than the stated six months that Minister Conroy promised before the election. In much of Mitchell the infrastructure installed over many years has been pair gain telephone lines and systems in new housing estates. This was based on an assumption of around a 30 per cent take-up of broadband, which is now a vastly out-of-date figure. Many old systems in Mitchell carry phone and dial-up internet with no high-speed ADSL or ADSL2+.
Telstra revealed yesterday in the *Hills Shire Times*, a local newspaper, one of the problems with the government’s broadband approach and one of the problems that will be revealed from the passing of this legislation. Any delay in the implementation of a broadband network also prevents the private sector from taking up some of the slack in relation to investing in infrastructure. It is interesting to note that in this particular article in relation to telecommunications infrastructure in my electorate Telstra acknowledged that, with the government examining a $4.7 billion spend on a new broadband network, it was withholding any investment in broadband upgrades until it could be certain of what the government was doing. The direct quote is:

... because Telstra was awaiting federal government assurances that profitability would be protected on that network investment.

But it does not stop there. Exacerbating the problem is that there is no detail outlining how and when broadband will be delivered in the new homes and suburbs of Mitchell, the established semirural communities of Mitchell or rural and regional Australia. If you examine some of Minister Conroy’s comments in relation to this matter, he is frustrated, as I read in the papers, with working with the Department of Broadband, Communications and the Digital Economy and the bureaucracy, describing it as an episode of *Yes, Minister*. Again, he unrealistically promised before the election that in six months he would have a whole entire tender process ready to roll out broadband across Australia and then got into government and realised that there are legal problems you have to look at and there are processes you have to go through to deliver effective government infrastructure.

So the question needs to be asked: did Labor purposely mislead the public before the election or did they simply did not understand the legislative processes and difficulties which arise in enacting legislation? In addition, if you examine the comments of the Minister for Finance and Deregulation, you start to see some of the problems in relation to this bill. The minister for finance said in February:

The final decision on use of the fund will be made in the context of the government’s overall fiscal strategy ...

That was a comment to AAP. Here we go again: more vague, unsubstantiated rhetoric that really does not give you a lot of confidence about what the government is intending to do with this fund. From the bill, we get the understanding that it is going to be spent on broadband, but why are the government taking the $2 billion that has been set aside to ensure that rural and regional Australia has infrastructure funded into the future? They will not tell us how they are going to upgrade the network or what kind of broadband network they are going to build.

It only gets worse. Senator Conroy, the Minister for Broadband, Communications and the Digital Economy, when he was asked in Senate estimates about the broadband network, said:

The final shape of the network ... is as yet unclear ...

If the government does not know what shape the final broadband network is going to take in Australia, why is it proposing to grab the $2 billion from this fund? The broadband network that it is proposing is as yet unclear, and that is incredibly unassuring for the people of my electorate. It does raise serious concerns for people all around Australia who desperately want broadband support. Why has the government moved to take the money from this fund and from rural and regional Australia? Have things now become clear? If they are clear, I would like to know what kind of broadband network the government
proposes. Why does it need the $2 billion now? Until these questions are answered, I will not be supporting this bill. This detail-free approach to policy is hardly a recommendation of this government in its first 100 days.

In essence, the government is now abandoning those vulnerable Australians who face telecommunications inadequacies. The government is deserting those Australians who most need assistance with telecommunications. Rural and regional Australia needs our support. This fund is a practical and realistic way of funding telecommunications infrastructure upgrades into the future. The Labor government is proposing in this bill to rip out this funding mechanism but not to replace it. It wants broadband rolled out to all Australians, but then, with technological advances, how does it propose to upgrade rural and regional networks? In my electorate we are suffering from the problem of outdated telecommunications infrastructure. When technology advances, people are left behind. You will have an infrastructure network across the country that you have funded with your $4.7 billion, but you have not thought about how to upgrade that network. You are not keeping pace with modern society.

The Howard government put into place a forward-thinking, practical and realistic mechanism to fund the future needs of rural and regional Australians; this government is proposing to rip it out. These sorts of short-sighted policies have long-term consequences for those in rural Australia, who need these policies and our support the most. I ask the government and the minister to reconsider this amendment for our future and, in particular, I ask those Labor members who represent country and rural electorates to come in here and tell their constituencies and us how they propose to guarantee to their constituencies that they can upgrade their telecommunications infrastructure without a viable, long-term funding mechanism. Those Labor members need to come in here and tell this House why they would support a bill that removes the only proposed funding mechanism that will ensure that their constituencies have modern and advanced telecommunications networks into the future.

(Quorum formed)

Mr SCHULTZ (Hume) (6.19 pm)—I rise to speak on the Telecommunications Legislation Amendment (Communications Fund) Bill 2008 because I am one of many members of this parliament who represent rural and regional people. Whether those members representing rural and regional constituents are aligned with the Labor, Liberal, National, Green, or Democrat parties or are Independents, they should all oppose this bill. As the Minister for Infrastructure, Transport, Regional Development and Local Government said in his second reading speech:

The intent of the Communications Fund is to address the telecommunications needs of regional, rural and remote Australians.

These needs are not likely to be met forever with one solution for all time. In fact, the Communications Fund was set up to meet the likely ongoing need of regional, rural and remote Australians to gain access to the latest communications technology.

As everyone knows, it can be less than profitable in regional, rural and remote areas to provide the most up-to-date communication services where the full infrastructure must be provided for a small number of consumers. The coalition government quarantined $2 billion in a fund so that there would always be money to ensure that people in the bush got a fair deal when it came to communication services. The expected $400 million in interest and investment earnings from this fund would provide any government with an opportunity to maintain and improve com-
munication services in regional, rural and remote areas.

This Labor government not only wants to take the interest for its own purposes but also wants to be able to take the whole $2 billion fund as well. While Labor says it may spend this on telecommunications infrastructure, it also may not. Even if the government takes all the money and spends it on rolling out telecommunications infrastructure, there remain two more questions. The first is: what happens next time there is a need to upgrade, maintain or replace communication technology in regional, rural and remote areas? Having taken the fund, where will the money to fund any subsequent works come from? The second question is: if this infrastructure roll-out is likely to cost $4.7 billion in total, why is the bush being asked to fund almost 43 per cent of it?

The Communications Fund was quarantined specifically to serve the interests of the roughly 30 per cent of people who live in the hardest to serve areas. Why would you use this money to help build infrastructure in the most profitable areas of Australia? Labor governments have demonstrated over and over again how good they are at coming in, spending all our savings on the quick, popular projects and leaving no money and all the hard work for another coalition government. With an expected $308 billion budget surplus, the Rudd Labor government could not possibly need to touch the Communications Fund to build its national broadband network, which it tells us will cost less than $5 billion. Raiding this fund would be tantamount to the Rudd government confirming that it is just not interested in people in regional, rural and remote areas.

Already Labor is missing the point with this national rollout. Labor says it wants to improve the minimum broadband speed for 98 per cent of homes and businesses. Improving the speed means assisting homes and businesses that already have access to broadband. Labor intends to use the Communications Fund to assist everyone but people in regional, rural and remote areas, or, as the minister intimated, Labor might well do something completely different with the money. People in regional, rural and remote areas still do not have adequate phone coverage. Labor is about to snatch their funding for improvements to available communication technology in the long-term future.

As I said at the beginning of my speech, every member representing rural and regional constituents should oppose this bill. This bill seeks to give the Rudd Labor government permission to raid the Communications Fund and ignore the long-term needs of people trying to run international agribusinesses from regional, rural and remote areas of Australia. With a $30 billion plus surplus, wouldn’t you think Labor could improve the offering to the bush, not rip the guts out of it?

Mr Deputy Speaker, you may ask why it is so important for governments to make sure that rural and regional Australians have access to good quality, fast communications. People in these areas have to travel further than city folk to get to most places, even the local shop. With the cost of living increasing, the price of items like petrol will change people’s way of doing business—for example, instead of getting in the car and driving to see a customer or a buyer, the internet will provide different ways of conducting business. Instead of the vet visiting a sick animal, the farmer might send video footage of the animal and upload results of electronic testing devices. Rising prices will force many in rural and remote areas to rethink their methods of operating so as to maintain the viability of small businesses specifically.
The attitude of major telcos like Telstra is to ignore sections of the community who are unable to access commercially viable services. Commercial viability is the prerequisite to delivering profits to telco shareholders, but it works directly against providing services to where regional, rural and remote Australians live, work and travel. The 98 per cent of Australian homes and businesses are not in areas that do not include many paddocks, many roads between towns or even many towns and villages, let alone isolated homesteads. What about the other two per cent of homes and businesses? The Communications Fund is specifically aimed at meeting the communication needs of those who fall into the commercially too hard basket. So why should two per cent miss out? The money is there, in the Communications Fund, to make sure that they get their fair share of access to any national communications network. It is definitely not okay to leave them off any national communications network. This is one of the differences between Labor and the coalition.

Labor are happy to forget about the two per cent of homes and businesses in the bush; we are not. In fact, we set up this fund specifically to look after them because we knew commercially driven telcos could not. We have already experienced this in rural and regional areas, where one man died of bee stings at Merriwagga while trying to call his friends to bring his medication. In my own electorate, a man received wasp stings to which he was allergic. His friends called triple 0 from a landline in the township of Tuena, put him in the car and headed towards the ambulance. When he deteriorated, the man’s friends tried to get advice by mobile phone from the ambulance, but their mobile phones would not work. They stopped a survey vehicle on the road and asked the occupants whether they could use their mobile phones, but they did not work either. Luckily, there was a farmhouse nearby and they did make contact on that landline. The ambulance arrived and stabilised the man, who had stopped breathing but had not gone into cardiac arrest. He was then airlifted to Wollongong Hospital and survived.

Labor would blithely say that coverage to 98 per cent of homes and businesses is enough. But we have people with their lives dependent on communications systems, so it is not okay to leave out two per cent. Rather than doctors visiting people, or specialists visiting hospitals and clinics, they can use remote monitoring via the internet—as you well know, Mr Deputy Speaker Washer, being a doctor yourself. This can be life and death stuff. City people often get into trouble when travelling, especially when, in their retirement, they make extended trips. I bet they would not like to become part of the two per cent who do not matter or who are not worth worrying about.

Of course, telecommunications can do much more than save lives. Country people need to do business. They often run international businesses, exporting products all over the world from their rural based business establishments. Many grow, breed or create products that are affected by global markets, international price structures, politics and even the weather on the other side of the world. They are often across, and contributing to, leading-edge research being undertaken in distant laboratories. I regularly hear from city people that they are surprised and in awe to find that our farmers are so in touch with world affairs related to their industry.

Every person and every business in Australia needs access to fast, high-quality communications. This need will continue long into the future and through many advances in technology. With every change will
come the need to make sure that the commercially too hard locations are well served. The Communications Fund was set up by the coalition government to do just that.

Labor, already with their hands on a $30 billion surplus, want to raid this fund for a one-off something now. There will be no guarantee of continuing to support the needs of remote, rural and regional areas into the future as technologies change. As usual, Labor in government want to grab the money, spend it all now and forget about the future. They are also happy to forget about two per cent of the population they are supposed to represent and serve.

I condemn the bill before the House, and I ask the Labor members representing rural, regional and remote communities to cross the floor at the vote and join me in properly representing our communities' interests. In case they do not know who they are, or choose to try and hide, let me list them: the members for Lyons, Dawson, Cunningham, Bass, Wakefield, Corangamite, Charlton, Macquarie, Richmond, Hunter, Throsby, Bendigo, Brand, Shortland, Eden-Monaro, Ballarat, Capricornia, Corio, Robertson, Blair, Forde, Page, Braddon, Lingiari, Longman, Dobell, Flynn and Leichhardt. They are the people on the government side of politics today who purport to represent rural, regional and remote communities. Let us see whether they have the intestinal fortitude to make sure that those rural, regional and remote communities have telecommunications and continue to have access to money to ensure they have telecommunications into the future.

I also ask the Independents, the members for New England and Kennedy, to join me on the side of good sense and good governance of people and their businesses in regional, rural and remote areas of Australia in coming over to this side of the House when we take the vote. I ask them to vote against the introduction of this terrible bill, which is going to affect rural and regional constituents of mine and the constituents of every other rural, regional and remote member from across this great country of ours in this chamber.

Mrs HULL (Riverina) (6.32 pm)—I rise today to speak in the strongest opposition to the Telecommunications Legislation Amendment (Communications Fund) Bill 2008, which is set to allow money to be used ‘for purposes relating to the creation or development of a broadband telecommunications network’, primarily for city, urban Australia. This money is the $2 billion Communications Fund that was created through the passing of the Telecommunications Legislation Amendment (Future Proofing and Other Measures) Bill 2005. That bill at the time was extremely contentious. I feel quite sincerely justified in standing here and opposing this bill to the very end. What I cannot understand, in referring to the Future Proofing and Other Measures bill, is where the former opposition, now the Labor government, stands on this process. I moved to this side of the House, from the government benches to the opposition benches, and crossed the floor and voted against the sale of Telstra. Every one of the Australian Labor Party members of parliament here, who made up the opposition at that time, voted against the sale of Telstra. They were adamant and strong on the point that it was not to the benefit of the Australian telecommunications industry and not to the benefit of the Australian people to sell off Telstra. Yet what do we see? We see an enormous backflip. Not only are we willing now to sell Telstra; we are also plundering, raping and pillaging the very program that was put in place to protect rural and regional Australians.

In September 2007 the coalition government reinforced the Communications Fund as a perpetual fund by the passage of the
Telecommunications Legislation Amendment (Protecting Services for Rural and Regional Australia into the Future) Bill 2007. The bill title says it all. That bill required the fund to retain a minimum principal of $2 billion. The bill we have here today repeals this safeguard. This is very distressing for people across Australia. I believe that this government will regret the day that it decided to plunder the fund that provided for the people most vulnerable. It is a very distressing day for all residents in rural and regional Australia.

This bill allows the fund itself, not just the income from it, to be accessed and to be applied in a broader range of financial instruments, including the acquisition of shares, debentures and assets. As for the development of this magical telecommunications network, the bill will have enormous impact on the way in which communications into the future will reach rural and regional Australia, even more so in my circumstances in the Riverina. I feel I have the right to feel enormously aggrieved at the Labor Party’s decision to sell us out once again. At the very time metropolitan areas are benefiting from competition between telecommunication providers and the rollout of new services and technologies, the Rudd Labor government is trying to rip the remedy to the digital divide away from the bush, to spend taxpayer funds on a vague, citycentric plan that Minister Conroy cannot even describe. What a disgrace!

The Rudd Labor government does not just want to raid the interest earned from the fund—though that would be bad enough. It would be bad enough to plunder the interest earned from this regional fund, but to take the fund itself—to take away the very support those currently most disadvantaged rely upon to ensure that they can be full participants in an information society—is nothing short of a crime. It is a crime against the people of Australia. The former coalition government had a clear plan for ensuring fast broadband services were available to the people of rural and regional Australia, and that plan did not require a raid on the Communications Fund.

This income stream, from the interest earned on the $2 billion fund, estimated to be up to $400 million every three years, is quarantined to be used to finance the government’s response to independent reviews of regional communications services. Senator Conroy has recently endorsed the current work of the review team. It was established by the former coalition government, by the former minister. It was headed by Dr Bill Glasson, and he has done an admirable job. So you have the minister coming out and endorsing this work but, at the very same time, you have the government—the government that he is a part of and responsive to—raiding the dedicated resources required to implement the committee’s findings. I find this an unbelievable dichotomy.

The Labor government says it is prepared to use the Communications Fund now to provide better broadband services to 98 per cent of Australian residential and business customers. Optus said in October last year: ‘It is impossible to cover 98 per cent of the population with just fibre-to-the-node.’ Optus said in October that Labor’s plan is undeliverable and will leave millions of Australian families and small businesses stranded without any high-speed broadband—and we all know where those families and small businesses sit: they sit in the forgotten land of country Australia; they sit in the forgotten space, which is supposed to just disappear into oblivion. And that is obviously the intention of this Labor government, for every program that has been slashed in this place has been a rural and regional program and now here we have another attack on rural and regional people.
Surely—since there is such a contingent of union members in this House who are there to represent those who are less fortunate and those who are being impacted upon by the hierarchy and by the giants—there has to be somebody who is willing to stand up and say: ‘This is simply not right. We voted as a party whilst in opposition against the sale of Telstra.’ The Labor Party voted against the sale of Telstra. Now, not only are they into the sale; they are into the bucket. They cannot keep their hands out of the cookie tin. And it is just an absolute disgrace that this act against those people in rural and regional Australia should take place.

There are also comments from Optus’s head of technology and planning, Peter Ferris, who has said that it is unimaginable that areas which are yet to be put on the power grid could feasibly have access to fibre. He said some areas in Labor’s footprint do not even have a grid supply. There is no doubt that fibre broadband is fast, but only if you live within 1.5 kilometres of your local telephone exchange or node. WiMAX broadband has a coverage radius of 20 kilometres. Prime Minister Kevin Rudd’s decision to pick a single broadband technology poorly suited to those in rural and regional Australia will mean that one in four Australians will miss out completely on a high-speed broadband service under Labor. Just relegate us into a black box, and who cares? And the fact that they are raiding the Communications Fund—which is essentially, as I have said, designed and named for rural and regional Australia—is absolutely unacceptable. Again I say that Labor has shown its true colours when it comes to supporting the needs of the seven million people who live outside the capital cities.

A fibre rollout in South Korea cost the South Korean government $40 billion. Australia’s landmass is so much greater than South Korea’s—yet the government thinks that $4.7 billion will reach our landmass? It is an absolute obscenity. To raid the Communications Fund is simply robbing our regional communities of future vital telecommunications services, and many of my constituents in the Riverina electorate are already facing tough circumstances. They had drought for seven years. They have had to continue to operate on small incomes, if any income at all. They have had their backs to the wall but they have kept their spirits high. They need communications to run businesses. It is a fact that we, in country Australia, actually do run businesses. It might come as a great surprise—

Mr Shorten—No, it does not.

Mrs HULL—It does, I am sure, come as a great surprise to know that rural and regional Australians do run businesses, and we are just as entitled to have communications services as those who are in the city. We have broadband issues, we have landline connection issues, we have mobile phone coverage issues already, and a lot of money has been spent trying to resolve them. And that money, in that fund, was designed to continue to try and treat those issues to provide an adequate—not a great but an adequate—service for rural and regional Australians.

Last week my office was notified of a local business in Wagga Wagga—and an article appeared in Wagga Wagga’s Daily Advertiser on Monday about it—which had been waiting for two months for their business telephone, internet and merchant lines to be connected after their business relocated. They had their phone lines diverted through to a mobile, but then they were incurring additional charges and the redirected line was disconnected days before the new lines were connected. This business was losing up to $40,000 a day—and they make their money between December and June because they
are an agriculture based company. I suppose that is testament to the fact that anything in agriculture is simply, obviously, to many people not worth investing in—and that is a crying shame. The original work order said the work was supposed to have happened on 17 December but that paperwork was lost.

In the *Area News* on 28 February 2008, there was a story about a local welder in Griffith who had cut off his business landline and gone solely with a Next G phone. Despite being able to see the base tower, high on the hill, from his workshop, the businessman claims his phone has appalling reception, when it has reception at all. He is missing calls and voice messages. The whole process for him to conduct his business is rather difficult. There have been more than a dozen complaint calls and his phones have been sent away to technicians twice. He has been forced to take measures to try and ensure that he can get any calls at all. The mere fact of outlining in this House the issues that we are confronting currently is just a demonstration of why we desperately need the Communications Fund in situ, in place. No party should be able to come along and rob rural and regional people of the only opportunity they have to fix these problems.

A business in Leeton came to me in January because the only replacement Next G phone suitable for them was not going to be made available until May this year. This is a family based business and they have only ever dealt with Telstra. However, they purchased an LG CDMA phone and car kits for the directors’ vehicles and prime movers. These were costly and still work without any problem. There are 16 in total. All the phones are preset only to business numbers and triple 0, which has meant another charge for the company. They used a Wagga Wagga based company for the service, who informed the business that there is not a suitable phone on the market for them. Leeton is not exactly at the end of the earth. Leeton is a vibrant community of around 11,000 people, hosting vibrant industries, and yet, right in the heart of it, there are these problems.

The recommendation for that company, while they are waiting for a suitable phone to come on the market, was that they should purchase the prepaid phones and new SIM cards—and they are about $150 for the cheapest ones, which means a total of $2,500 for this business—and then, when the new ones come on the market, they should throw the old ones away and switch to the others that may be better designed for them to use permanently. I do not think this is an adequate response. As I said, this is not the end of the earth; this is a vibrant community of around 11,000 people, with significant industry and industry development. Thankfully, there is new industry just coming into Leeton which will provide employment opportunities, but we cannot even get valuable communications processes going for these people.

I have written to Minister Conroy and urged him to consider the concerns of many of the constituents throughout my electorate of Riverina who have made contact with my office, extremely frustrated about the coverage that they have in many of these areas. There are costs associated with the changeover. I have had complaints about people having to send new phones back, about Telstra reprogramming software and replacing handsets, exchanging handsets and trialling devices just in an attempt to replicate the CDMA service which has worked in the past. How are we going to afford to do this in the future, when the Communications Fund is no longer available to us? The fund that the Labor government is raiding here today was designed to try to overcome exactly the problems that I am outlining in the House today. This is just a snapshot. I have pages of problems here that I will have no chance of get-
ting through this evening. But this is what this fund was designed to do: to give us some equity as Australian citizens.

It is extremely important for our mobile phone users to have coverage where there has previously been a CDMA service. I have been pleading with the new minister to understand that, despite assurances on a daily basis from Telstra that the Next G network is delivering the same services as CDMA, the reality is that there are still so many problems with the hardware being reported to my office. I do not actually doubt the network. I think the network may be out there if you can actually access some hardware that can connect to it. That is the minister’s problem as well: you cannot just have a network and not provide the tools to access the network. It is simply not delivering on the promises. Thankfully, the minister has done the right thing. I thank him and applaud him for that. He has evoked the licence condition that the former minister applied—that being that if the Next G network coverage was not equivalent to that of the CDMA network then the licence condition would be enforced so that Telstra could not shut down the CDMA network until such time as that had taken place. Minister Conroy has done that, to his credit. I say thank you, on behalf of the people of the Riverina, for not allowing Telstra to shut down the CDMA network when it is obvious that there are still many issues to resolve.

More than 110 residents and businesspeople within the small district of Mangoplah attended a community meeting on 9 January 2008 to voice their concerns about the CDMA closure. Remember that Telstra were to close down the CDMA network in January. And here we had 110 residents turning up to a public meeting in a small community saying that they had once had CDMA and they were not getting the equivalent coverage under Next G. They wanted an understanding of what they could do to get improved Next G coverage. You know what? The Telstra Country Wide area manager, Mr Cottrill, answered several questions and spoke to individuals but then basically said, ‘You know, we need money to put up a base station so that you can get equivalent coverage to what you had with CDMA.’ That is what this fund is for. It is to provide money—and it should be used to provide money—to put up such base stations. Mr Cottrill, who does a very good job, by the way, also agreed that in the circumstances it would be better that a base station be built in Mangoplah. That is on the priority list; however, there will be no signs of a base station in that area for at least 12 months. I wonder what is going to happen now, given that he thought that he had a fund somewhere to draw from in order to get his base station.

(Time expired)

Debate (on motion by Mr Albanese) adjourned.

INFRASTRUCTURE AUSTRALIA BILL 2008

Consideration of Senate Message

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

Senate’s amendments—

(1) Clause 5, page 4 (lines 18 and 19), omit subclause (2)(j), substitute:

(j) any functions that the Minister, by writing, directs Infrastructure Australia to perform, provided that the Minister must first table in each House of the Parliament a description of the additional functions the Minister proposes that Infrastructure Australia perform;

(2) Clause 5, page 4 (lines 23 to 26), omit subclause (3), substitute:
(3) Infrastructure Australia may perform a function under subsection (1) or paragraph (2)(a), (b), (c), (d), (e), (f), (g) or (i) if it thinks fit or on request by the Minister.

(3) Clause 5, page 4 (lines 27 and 28), omit subclause (4).

(4) Clause 5, page 4 (lines 29 to 31), omit subclause (5).

(5) Clause 29, page 16 (after line 5), after subclause (1), insert:

(1A) Before appointing the Infrastructure Coordinator, the Minister must consult with the chair and members of Infrastructure Australia.

Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (6.53 pm)—I move:

That the amendments be disagreed to.

I rise to oppose amendments (1) to (5), which were moved by the opposition, with some amendment from the Democrats, and passed in the Senate chamber earlier today. The previous government sat on its hands for 12 years, doing nothing to address Australia’s infrastructure bottlenecks, and it is doing the same thing in opposition by refusing to pass legislation to establish Infrastructure Australia. On what grounds is it blocking this legislation? Not one of its proposed amendments would enhance the bill or the functions to be performed by Infrastructure Australia. Instead, not only is the opposition seeking to delay Infrastructure Australia’s work plan; its amendments would have the effect of reducing transparency and clarity.

Through amendment (1), the opposition would like to be able to scrutinise the minister’s power to give Infrastructure Australia new functions by requiring that such functions first be tabled in parliament. Transparency is already built into this bill, and the opposition’s proposed amendment does not add any further value. The opposition’s amendment would only serve to delay Infrastructure Australia’s work program. The government bill provides transparency, scrutiny and accountability while maintaining the flexibility for Infrastructure Australia to respond to evolving infrastructure issues. It already provides transparency, scrutiny and accountability by requiring Infrastructure Australia to prepare an annual report on its operation for tabling in parliament which would include details on any directions given by the minister. Infrastructure Australia is all about transparency, nation building and infrastructure investment based on need.

The government is also opposed to amendments (2) and (3) as carried by the opposition. The government drafted bill ensures that Infrastructure Australia is engaged in work that allows it to provide advice where it is needed most and that focuses Infrastructure Australia’s limited resources on issues of national significance. It would not be an efficient use of Infrastructure Australia’s time to be reviewing thousands of business cases it might randomly receive from individual organisations, nor would it be a good use of its time to duplicate work that is being undertaken by other bodies or other ministers.

With regard to opposition amendment (4), the carriage of this amendment would decrease the clarity of the bill by removing the clause that makes plain that directions relating to the functions of Infrastructure Australia are not legislative instruments. Clauses such as this one in the government bill are examples of good drafting practice and avoid potential ambiguity. Removal of this clause, as suggested by the amendment, would have no effect other than to decrease the clarity of the bill.

In amendment (5), the opposition would like the minister to consult with the chair and members of Infrastructure Australia before
appointing the Infrastructure Coordinator. This proposed amendment reduces transparency in the appointment-making process. The Rudd Labor government is committed to merit based selection of statutory office holders. On 5 February 2008 the Australian government introduced a policy implementing transparent and merit based assessment in the selection of statutory officers working in, or in conjunction with, APS agencies. The appointment of the Infrastructure Coordinator will therefore follow the rules set out in this policy. The merit based selection of statutory officeholders includes requirements for the oversight of the advertising process, and for the assessment of applicants’ claims to be undertaken by the secretary of my department and by the Public Service Commissioner. Selections are to be made against a core set of selection criteria, with a report, to be endorsed by the Public Service Commissioner and approved by the secretary to the minister, recommending short-listed candidates. Where the minister wishes to appoint someone not recommended by the panel, the minister will need to write to the Prime Minister, setting out reasons why. The amendment, if included in the legislation, would make the processes substantially weaker in terms of transparency than would be the case under government policy and would only create uncertainty around the processes. Therefore, in the interests of transparency the government opposes this amendment.

The Democrat amendment moved in the Senate— that was supported by the opposition and therefore carried—sought to clarify the second of the opposition amendments. I maintain that the original government drafting ensures that Infrastructure Australia is engaged in work that allows it to provide advice where it is needed most and focuses its limited resources on issues of national significance. I oppose the amendments.

Mr TRUSS (Wide Bay—Leader of the Nationals) (6.59 pm)—We have heard nothing new from the minister for Infrastructure in his response to amendments passed by the Senate to the Infrastructure Australia Bill 2008. What he has just said is basically the same as what he said earlier in the week when rejecting the opposition’s proposals in relation to this bill. We have agreed to the passage of the bill. We are trying to make it better. Frankly, when the minister made these comments a few days ago, I explained to the House why they were inaccurate. I am particularly disappointed that he does not seem to have listened to a single word of what was said in the Senate.

He has not listened to a single word that the opposition has uttered in an effort to improve this legislation. He is just using the brute force of numbers in government to push this legislation through. I would remind him that he does not have the numbers in the Senate. Therefore, we have a capacity to prevent the whole bill from progressing, if he is not prepared to listen constructively to good ideas when they are put to him. These ideas are good. They are not designed to destroy the bill.

To suggest that transparency would be reduced as a result of requiring the minister to ask Infrastructure Australia for their views on who should be appointed to be the infrastructure coordinator is a nonsense. He can still engage in the process that the government are putting in place in relation to appointments and do this as well. What we are trying to do is to avoid a situation where the minister may appoint somebody who is unacceptable to Infrastructure Australia, someone with whom they cannot work. That would be a silly thing for the government to do. They really need to have somebody who is going to be part of a team and work effectively to deliver the objectives of the bill. Why not ask them for their views on poten-
tial candidates or to put some ideas forward themselves? You can still go through your merit selection process and you can still go through the process of writing to the Prime Minister if the minister wants to overturn the recommendations.

The government is basically saying, ‘Trust the minister, and if you have any doubts about the minister then trust the Prime Minister.’ I do not think that this is a particularly adequate high jump—if you do not trust the Labor minister then trust the Labor Prime Minister. I do not think that process is as transparent and as rigorous as the one adopted by the previous government when it comes to choosing people for important positions. We also had a process that involved more substantial scrutiny than that proposed by the government in relation to this matter. The opposition amendments do not in any way affect the changes that the government is proposing in relation to its own appointment process. That can still go ahead. What we are constructively suggesting in these amendments is that the government should also consult Infrastructure Australia in relation to appointing the infrastructure coordinator.

In relation to the earlier issues about the powers of Infrastructure Australia to undertake examinations on its own volition, the minister suggested that it would waste the time of Infrastructure Australia and that it would be too busy doing things that were not important. If Infrastructure Australia thinks those things are important, they are important and should be undertaken. Of course, Infrastructure Australia still retains all of its obligations to do what the government wants it to do, but we are just suggesting that it also ought to be able to initiate its own inquiries. That is a pretty reasonable request. It gives it the opportunity to deal with a whole range of issues that the minister may otherwise not be prepared to include. It can be genuinely independent. If it is just going to have to do everything the minister says it should do then one has to really question whether this organisation will have the capabilities to effectively deal with projects in a non-partisan way. If it is just going to be a tool of the government then why bother having it at all? If it is going to be a genuine inquiry body that will audit issues fairly and reasonably and take up assessments of the key infrastructure issues of the country, it has to be able to take some initiatives of its own. I find it amazing that the government wants to constrain its activities in this way.

There is also the capacity for the minister to give Infrastructure Australia additional directions. We think it is quite reasonable (Extension of time granted) that, if the minister wants to give it additional functions, those sorts of functions should also be subject to parliamentary scrutiny, in the same way as the functions that are being authorised in this legislation are in fact approved by the parliament. The minister says that it somehow or other reduces transparency. Again, this is a nonsense. The minister’s proposals will in fact reduce transparency, because we will only find out about whether or not a new function has been added to the workload of Infrastructure Australia in its annual report—a year or more later. If you are genuinely interested in transparency rather than covering up then you would be keen for these sorts of issues to be laid on the table of the parliament so that everyone can be made aware of the concerns and the new issues to be addressed can therefore have meaningful input into that process.

I think that the opposition amendments are constructive. They are a way to improve the bill. They ought to be embraced by the government because they will make Infrastructure Australia work better. In the other house, a very large number of amendments were
moved, including a wide range from the Greens, the Democrats and others who sought to extend the work of Infrastructure Australia to a whole range of additional activities. The Liberal and National party senators joined with the government in rejecting those amendments. I believe we have entered the debate on this issue in good faith and I encourage the minister to respond also in good faith and take up these amendments, approved by the Senate, because they make the bill better and will give Infrastructure Australia a much better opportunity to undertake its functions in the public good.

The DEPUTY SPEAKER (Ms AE Burke)—The question is that the amendments be disagreed to.

Question agreed to.

Mr ALBANESE (Grayndler—Leader of the House) (7.06 pm)—I present the reasons for the House disagreeing to the Senate amendments and I move:

That the reasons be adopted.

Question agreed to.

TELECOMMUNICATIONS LEGISLATION AMENDMENT (COMMUNICATIONS FUND) BILL 2008

Second Reading

Debate resumed.

The DEPUTY SPEAKER (Ms AE Burke)—The question is that this bill be now read a second time.

Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (7.07 pm)—I move:

That the question be now put.

Question put.

The House divided. [7.11 pm]

(The Deputy Speaker—Ms AE Burke)

Ayes……….. 81
Noes……….. 54
Majority……. 27

AYES

Adams, D.G.H. Albanese, A.N.
Bevis, A.R. Bidgood, J.
Bird, S. Bowen, C.
Bradbury, D.J. Burke, A.S.
Butler, M.C. Byrne, A.M.
Campbell, J. Champion, N.
Cheeseman, D.L. Clare, J.D.
Collins, J.M. Combet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Debus, B.
Dreyfuss, M.A. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Gillard, J.E. Gray, G.
Griffin, A.P. Hale, D.F.
Hall, J.G. * Hayes, C.P. *
Irwin, J. Jackson, S.M.
Katter, R.C. Kelly, M.J.
Kerr, D.J.C. King, C.F.
Livermore, K.F. Macklin, J.L.
Marles, R.D. McClelland, R.B.
McKew, M. McMullan, R.F.
Melham, D. Murphy, J.
Neal, B.J. Neumann, S.K.
O’Connor, B.P. Plibersek, T.
Perrett, G.D. Raguse, B.B.
Price, L.R.S. Ripoll, B.F.
Rea, K.M. Roxon, N.L.
Rishworth, A.L. Saffin, J.A.
Rudd, K.M. Sidebottom, S.
Shorten, W.R. Snowden, W.E.
Smith, S.F. Swan, W.M.
Sullivan, J. Tanner, L.
Symon, M. Thomson, K.J.
Thomson, C. Turnour, J.P.
Trevor, C. Windsor, A.H.C.
Vamvakinou, M. Zappia, A.

NOES

Abbott, A.J. Andrews, K.J.
Baldwin, R.C. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Question agreed to.

Original question put:

That this bill be now read a second time.

The House divided. [7.19 pm]

Ayes........... 81
Noes............ 55
Majority....... 26

AYES

Adams, D.G.H. Albanese, A.N.
Bevis, A.R. Bidgood, J.
Bird, S. Bowen, C.
Bradbury, D.J. Burke, A.S.
Butler, M.C. Byrne, A.M.
Campbell, J. Champion, N.
Cheeseman, D.L. Clare, I.D.
Collins, J.M. Comet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Debus, B.
Dreyfus, M.A. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.

NOES

Abbott, A.J. Andrews, K.J.
Baldwin, R.C. Bishop, B.K.
Bishop, J.J. Broadbent, R.
Ciobo, S.M. Cobb, J.K.
Coulton, M. Dutton, P.C.
Farmer, P.F. Forrest, J.A.
Gash, J. Georgiou, P.
Haase, B.W. Hartsuyker, L.
Hawke, A. Hockey, J.B.
Hull, K.E. * Irons, S.J.
Jensen, D. Johnson, M.A. *
Keenan, M. Laming, A.
Ley, S.P. Lindsay, P.J.
Macfarlane, I.E. Marino, N.B.
Markus, I.E. McGauran, P.J.
Mirabella, S. Morrison, S.J.
Moylan, J.E. Pearce, C.J.
Pyne, C. Ramsey, R.
Randall, D.J. Robert, S.R.
Ruddock, P.M. Schultz, A.
Scott, B.C. Seeker, P.D.
Simpkins, L. Slipper, P.N.
Smith, A.D.H. Somlyay, A.M.
Southcott, A.J. Stone, S.N.
Truss, W.E. Turnbull, M.
Vaile, M.A.J. Vale, D.S.
Washer, M.J. Wood, J.

* denotes teller

AYES

Ciobo, S.M. Cobb, J.K.
Farmer, P.F. Forrest, J.A.
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Haase, B.W. Hartsuyker, L.
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Scott, B.C. Seeker, P.D.
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Truss, W.E. Turnbull, M.
Vaile, M.A.J. Vale, D.S.
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NOES

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Truss, W.E. Turnbull, M.
Vaile, M.A.J. Vale, D.S.
Washer, M.J. Wood, J.

* denotes teller
Question agreed to.
Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Third Reading

Mr ALBANESE (Grayndler—Minister for Infrastructure, Transport, Regional Development and Local Government) (7.21 pm)—by leave—I move:

That this bill be now read a third time.

Question put.

The House divided. [7.22 pm]

(The Deputy Speaker—Ms AE Burke)

Ayes............. 80
Noes............. 56
Majority.......... 24

AYES

Adams, D.G.H. Albane, A.N.
Bevis, A.R. Bidgood, J.
Bird, S. Bowen, C.
Bradbury, D.J. Burke, A.S.
Butler, M.C. Byrne, A.M.
Campbell, J. Champion, N.
Cheeseman, D.L. Clare, J.D.
Collins, J.M. Combet, G.
Crean, S.F. D’Ath, Y.M.
Danby, M. Debus, B.
Dreyfuss, M.A. Elliot, J.
Ellis, A.L. Ellis, K.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Garrett, P. Georganas, S.
George, J. Gibbons, S.W.
Gillard, J.E. Gray, G.
Griffin, A.P. Hale, D.F.
Hall, J.G. Hayes, C.P.
Irwin, J. Jackson, S.M.
Katter, R.C. Kelly, M.J.
Kerr, D.J.C. King, C.F.
Livermore, K.F. Macklin, J.L.
Marles, R.D. McClelland, R.B.
McKew, M. McMullan, R.F.
Melham, D. Murphy, J.
Neal, B.J. Neumann, S.K.
O’Connor, B.P. Owens, J.
Perrett, G.D. Plibersek, T.
Price, L.R.S. Raguse, B.B.
Rea, K.M. Ripoll, B.F.
Rishworth, A.L. Roxon, N.L.
Rudd, K.M. Saffin, J.A.
Shorten, W.R. Sidebottom, S.
Smith, S.F. Snowden, W.E.
Sullivan, J. Swan, W.M.
Symon, M. Tanner, L.
Thomson, C. Thomson, K.J.
Trevor, C. Turnour, J.P.
Vamvakinou, M. Zappia, A.

NOES

Baldwin, R.C. Bishop, B.K.
Bishop, J.I. Broadbent, R.
Ciobo, S.M. Cobb, J.K.
Coulton, M. Dutton, P.C.
Farmer, P.F. Forrest, J.A.
Gibson, P. Georgiou, P.
Haase, B.W. Hartsonbury, L.
Hawke, A. Hawker, D.P.M.
Hockey, J.B. Hull, K.E. *
Irons, S.J. Jensen, D.
Johnson, M.A. * Keenan, M.
Laming, A. Ley, S.P.
Lindsay, P.J. Macfarlane, I.E.
Marino, N.B. Markus, L.E.
McGauran, P.J. Mirabellia, S.
Morrison, S.J. Moylan, J.E.
Pearce, C.J. Pyne, C.
Raymond, R. Randall, D.J.
Robert, S.R. Raddick, P.M.
Schultz, A. Scott, B.C.
Secker, P.D. Simpkins, L.
Slipper, P.N. Smith, A.D.H.
Somlyay, A.M. Southcott, A.J.
Stone, S.N. Truss, W.E.
Turnbull, M. Vaile, M.A.J.
Vale, D.S. Washer, M.J.
Windsor, A.H.C. Wood, J.

* denotes teller

Question agreed to.
Bill read a third time.
The Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2008

Second Reading

Debate resumed from 21 February, on motion by Ms Plibersek:

That this bill be now read a second time.

Mr Abbott (Warringah) (7.25 pm)—The Families, Community Services and Indigenous Affairs and Other Legislation Amendment (Emergency Response Consolidation) Bill 2007 is an important piece of legislation which purports to consolidate the government’s implementation of the Northern Territory intervention. I want to say that I respect the sincerity of the government’s support for the Northern Territory intervention. I have heard senior government ministers speak passionately in favour of the intervention in circumstances under which they could easily have taken a different view and to audiences that were inclined to be critical of them. So I do not for a moment doubt the sincerity of the government’s commitment to the intervention, but I do say to the government, with the same sincerity that they bring to this issue, that this bill will in significant ways water down the intervention and blunt its effectiveness.

I accept that it was a pre-election position of the now government that the permit system, as it had long operated in the Northern Territory, should be restored. I also accept that governments normally want to put into practice post-election what they said they would do pre-election. But pre-election they did not have on the record the views of such notable Aboriginal Labor members as Warren Mundine, the former national president of the Australian Labor Party, and Alison Anderson, the Northern Territory government member for Alice Springs and surrounding areas, to the effect that the permit system was part of the problem.

I have previously put on the record in this place the precise statements of Warren Mundine and Alison Anderson, and I will not further detain the House by doing it again. I simply say to members opposite: the permit system obviously did not protect these Northern Territory communities against predators. If the permit system had protected the Northern Territory communities against predators, the intervention would not have been necessary. So it did not work. Now that we have very significant and distinguished Indigenous Australians, whose Labor Party credentials are impeccable, urging the new government not to restore the permit system, I say to members opposite that they should think again.

One of the key elements in the almost diabolical situation that existed in so many remote townships was the exposure of young children to pornography. The Little children are sacred report made it very clear that exposure to pornography helped to create the environment in which the sexual abuse of children took place. Exposure to pornography desensitised the adults and, according to the report, it had the effect of grooming young children for quite wrong activity.

An important element of the intervention is the blanket ban on pornography in these remote Northern Territory townships. I have to say that the new government made no pre-election commitment to modify or water down the blanket ban on pornography. There was not the slightest suggestion pre-election that the government had any reservations about the former government’s blanket ban on pornography. Not only did the government give no prior suggestion of being soft on porn; the new Prime Minister, Mr Rudd, said in his 100-days booklet that one of the
achievements of the government’s first 100 days was to introduce legislation banning porn in these remote Northern Territory townships. I regret to say to the House that the legislation that we are now debating does no such thing. It does not ban porn. In fact, it waters down the former government’s restrictions on porn and it allows pay-TV porn to continue in these communities.

Debate interrupted.

ADJOURNMENT

The DEPUTY SPEAKER (Ms AE Burke)—Order! It being 7.30 pm, I propose the question:

That the House do now adjourn.

Education

Mr PEARCE (Aston) (7.30 pm)—I rise in the House tonight to bring to the House’s attention a matter of great importance to the people of Aston. John F Kennedy once said: All of us do not have equal talent, but all of us should have an equal opportunity to develop our talents.

In my view, that equal opportunity can be realised through education. For Australia’s youth, education can provide every child of every background, from every community, a window into a world of limitless potential.

Any parent can tell you that children are emboldened and excited when they are nurtured and challenged. Our fantastic teachers in both public and independent schools across the country continue to nurture and challenge our youth on every school day of the year.

In my electorate of Aston, I have 36 schools that provide primary education, which serve as bastions of knowledge and learning for Aston’s bright and inquisitive children. However, providing these halls of learning for our nation’s children comes at a significant cost. In my electorate, the former coalition government spent close to $150,000 on a much-needed library and IT equipment for Livingstone Primary School. The former coalition government also allocated $75,000 to St Simons Primary School, in Rowville; that money was spent on providing children with much-needed playground equipment in order to help build healthy minds and healthy bodies. In addition, at Knox Park Primary School, $65,000 was committed by the former coalition government to an essential upgrade of classrooms so that pupils and teachers could inhabit a safe and clean learning environment. Again, the coalition government contributed some $130,000 to the Yawarra Primary School, in my electorate, for a music room upgrade. I am a passionate advocate for an education that further develops a child’s appreciation and understanding of music, and the children at Yawarra now have access to a wonderful music program.

I am sure that all members in this place—perhaps bar those on the Treasury benches, unfortunately—would agree that these projects represent money well spent. The tragedy is that these and hundreds of other worthy projects around the nation would not have been realised if the former coalition government’s Investing in Our Schools Program had not provided these essential funds. Under Prime Minister Rudd, this Commonwealth initiative will be abolished. At no time during last year’s election campaign did Prime Minister Rudd suggest that his intent was to rip the heart out of primary school education. However, the Prime Minister is doing just that. The Investing in Our Schools Program was provided by the former coalition government to make up for the shortfall in state Labor government funding to schools.

As has become the norm under Labor, the state governments talk about exercising responsible governance but would much rather someone else foot the bill. Under the Investing in Our Schools Program, primary schools
received around $800 million. With this program being dismantled under the Rudd government, they will receive absolutely nothing. One may ask how the Rudd government can do this. The sad answer appears to be that the Rudd government does not believe that the nation’s wonderful primary schools have earned the privilege of libraries, music rooms or playgrounds. Prime Minister Rudd has often proclaimed that there is to be an ‘education revolution’, but apparently that revolution stops at providing sufficient funding for the education of our nation’s children. The children in my electorate are at risk of having substandard facilities as they attempt to master their elementary education, which is one of the building blocks of a successful and, indeed, prosperous life.

Tonight I make an impassioned plea to the Prime Minister and his government to continue the funding of primary schools—and not just of my electorate of Aston but of the nation—to enable our fantastic teachers to educate our nation’s children in well-resourced halls of learning, not in dilapidated corridors. We have first-class teachers, but the Rudd government intends to arm them with second-rate teaching resources. The Rudd government’s failure to adequately provide for the education of our nation’s youth will be the most ignoble legacy that any Australian government has ever left. Author SJ Perelman once said:

Learning is what most adults will do for a living in the 21st century.

It is my hope that the Rudd government will not rob the Australian children of the 21st century of one of those fundamental building blocks that set them on the path to lifelong education. (Time expired)

Petition: Iraq

Mr PERRETT (Moreton) (7.35 pm)—I rise to table a petition that was presented to me by Marie Bromley, a representative of the Southside Peace Group in my electorate. This week, 20 March, tomorrow, marks the fifth anniversary of the United States invasion of Iraq—five years on and still the bloodshed continues. This petition is signed by more than 1,000 concerned local residents who oppose the Iraq war. The strong support for the petition highlights the depth of local residents’ opposition to the war—this unjust war. This heartfelt community concern was also reflected in November last year, when voters signalled their support for the Rudd government’s commitment to withdraw our troops from Iraq by the middle of this year.

The signatories to this petition were opposed to the Howard government’s part in the ill-conceived invasion of Iraq—and with good reason. The Iraq war has been a human and security catastrophe. According to the most conservative estimates, at least 75,000 people are dead—which, basically, represents taking out the city of Toowoomba in one go. It is horrific to think of that many people having been killed due to this war. About two million people have been driven out of Iraq and are now wandering the world looking for support; one million people have been internally displaced; families continue to be persecuted and brutalised on a daily basis; oil production has been slashed; Iran has been emboldened; and international terrorism has been made even worse. Of course, all members can recall the main reason John Howard sent Australian troops to Iraq—to eliminate non-existent weapons of mass destruction. The Iraq war has cost us more than $2 billion and has distracted Australia from fighting terrorists in Afghanistan and from addressing pressing national security challenges in our region.

The petition calls on members of this House to withdraw Australian troops from Iraq, ensure financial and rebuilding support is provided to Iraq, restore Iraqi resources to Iraqi hands and ensure Iraqi refugees are
welcomed to Australia. I commend the Southside Peace Group for their activism on this matter. I know they spent many weekends at markets and throughout the Moreton and Southside areas collecting the names for the petitions. It is amazing to see the range of addresses and backgrounds of the people who put their name to the petition.

The Southside Peace Group were conceived in 2006 and their aim was to oppose the war and educate residents on Brisbane’s Southside about the realities of the war in Iraq. They meet regularly at the local bowls club to plan events to get their message out. I particularly like how they describe themselves on their group website. It reads:

We’re a group of individuals who want to help pressure our government to bring the troops home from Iraq and contribute to Iraqi reconstruction of their country, devastated by the unlawful US occupation... Like most people we have family and work responsibilities and we have limited time so we want to use it well to help build peace.

That is from their webpage. I am proud to have an organisation like this in my electorate. They made sure that they then turned their attentions to the Rudd government after we were elected. They are a non-political group and they made sure I knew that they did not have political affiliations but were keen to have the troops come home. They have done a tremendous job advocating for what they believe in.

I am also pleased that, in close consultation with our allies, the United States and the United Kingdom, we are now working to have troops withdrawn by the middle of this year in line with our election commitments. I have seen throughout the short life of this parliament that Kevin Rudd, as leader, is committed to making sure that every election commitment is carried out—none of this core and non-core rubbish. The Rudd Labor government will also provide ongoing diplomatic, economic and security assistance to help Iraq in the rebuilding process, reaching out a hand where it is needed. I am therefore pleased to present this petition.

The SPEAKER—The document will be forwarded to the Standing Committee on Petitions for its consideration. It will be accepted subject to confirmation by the committee that it conforms to the standing orders.

The petition read as follows—

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

We, the undersigned, are appalled at Australia’s continued involvement in the unlawful US invasion and occupation of Iraq. As a result of the invasion:

- By October 2006 more than 655,000 people had been killed and countless others had been seriously maimed and injured (John Hopkins University School of Public Health study, published in the Lancet journal, October 2006) and since that time the slaughter has continued on a daily basis;
- Civilians live in constant danger;
- The health system has been devastated and people die daily from treatable illnesses and injuries;
- 33 per cent of children suffer from malnutrition;
- Rape, trafficking and kidnapping of women has risen and women activists have been assassinated, while other women who refuse to comply with newly restrictive dress and movement have been bashed;
- Iraq has gone from being a food exporter to a nation where people suffer from starvation and hunger; and
- More than 2 million Iraqis have fled their country and almost another 2 million have fled their homes and remain in Iraq.

We call on all Members of the House to:

- Withdraw Australian troops from Iraq immediately;
- Ensure financial and rebuilding support is provided to Iraq;
Mr ABBOTT (Warringah) (7.40 pm)—I rise tonight to celebrate one of the great landmarks of my electorate, Brookvale Oval, which is the home of the Sea Eagles rugby league team and has been for more than 60 years. Brookvale Oval to some is just a sporting ground, but to many people in my area it is more like a shrine than just a place where people play football. It has a great history, it has a great spirit but, unfortunately, it has very poor infrastructure. Compared to so many contemporary football stadia—not just Aussie Stadium but Parramatta Stadium, North Power Stadium, the Panthers Stadium, Jubilee Oval and Endeavour Field—compared to all those NRL grounds, Brookvale Oval is more like a ramshackle relic of the 1970s than a modern up-to-date football stadium.

Every weekend in winter some 20,000 locals go into the dilapidated stands of Brookvale Oval or crowd onto its hill. I say to this House and I say to members opposite—some of whom would probably be Sea Eagles supporters—that those people in my electorate deserve to be treated with the same respect and they deserve to enjoy the same facilities as the fans at these other grounds—grounds which have been extensively redeveloped with state and federal government money. The people of Warringah, the Sea Eagles rugby league team and Brookvale Oval deserve to be on a level playing field with Parramatta Stadium, Endeavour Field, Jubilee Oval, North Power Stadium and Panthers Stadium, which have been extensively redeveloped with state and federal government money.

The only government to spend money on Brookvale Oval has in fact been the Howard government. In the 2005 budget, the Howard government committed $1 million towards bringing the Brookvale Oval lighting system up to television standards. Thanks to that spending, the Sea Eagles were able to continue at Brookvale Oval. But it may not last because the NRL does not just want proper television standard lighting; it wants a proper 21st century-standard stadium. Redeveloping Brookvale Oval to these standards will cost $20 million at a minimum. Prior to the election, the Howard government committed a further $9 million towards that redevelopment, bringing its total commitment to $10 million, half of the redevelopment costs of the oval. I regret to say that the Iemma government in New South Wales, notwithstanding its prime responsibility in this area, has committed nothing at all. It has talked big and it has consulted widely but it has not put a single dollar towards bringing Brookvale Oval into the 21st century. I further regret to say that so far the Rudd government has not committed any money at all to this redevelopment. There is going to be a $20 billion-plus surplus. If the government does nothing and just relies on the policies and good economic management of the former government, there will be a $20 billion-plus surplus. I say to members opposite: spend 1/2000th of that surplus because that is all we are asking for on Brookvale Oval.

If members opposite are prepared to spend $2.5 million to preserve the ‘Dead Tree of Barcaldine’, they ought to be prepared to spend $9 million to upgrade a living football stadium which is a shrine for 20,000 people in Warringah every weekend and which invigorates and gives so much satisfaction to hundreds of thousands of people elsewhere. If they are not prepared to do that, the people of my area will have to conclude that they have committed the crime of voting Liberal. We are all Australians. We all deserve a share of government largesse. (Time expired)
Alcohol Abuse

Mr KELVIN THOMSON (Wills) (7.45 pm)—I welcome the announcement by the federal Labor government of a national strategy to tackle the epidemic of binge drinking which is afflicting young Australians. Many of us have had drunken escapades in our youth that we could report on in some detail. I am certainly no wowser, but I am concerned at what clearly strikes me as an increasing incidence over the years of binge drinking amongst young people, with all its attendant consequences of violence and harmful health impacts on young people.

The medical evidence supports my gut instincts. The 2005 Australian Secondary Students Alcohol and Drug Survey found that every week around one in 10 12- to 17-year-olds reported binge drinking or drinking at risky levels, which the report defined as seven or more drinks for males and five or more drinks for females. For 16- and 17-year-olds, one in five drank at risky levels. I repeat: one in five. Keep in mind that our drinking laws suggest we do not think people under 18 should be drinking at all. I welcome the announcement that the federal government will implement three new measures to help reduce alcohol misuse and binge drinking: first, $14 million in community-level initiatives to confront the culture of binge drinking, particularly in sporting organisations; second, $19 million to assist young people to assume personal responsibility for their drinking; and, third, $20 million for an advertising campaign to confront young people with the costs and consequences of binge drinking. This is a good start.

I want to suggest to the federal government—and, indeed, to the state and local governments, which have a far more direct role in these matters—that a key element of tackling binge drinking lies in restricting the opening hours of nightclubs and other drinking outlets. In my own city of Melbourne, particularly in the CBD, in recent years we have seen a plethora of outlets opening beyond three in the morning. When I was a youngster, Melbourne had six o’clock closing. Then we moved to 10 pm. Later on, you could find pubs that opened until midnight. I think that is perfectly reasonable. But the Herald Sun, which, to its credit, has done a lot of work on this issue, reported in June and July last year that in Melbourne’s CBD there were 146 premises with permits to serve alcohol to 3 am or beyond. The number of licences issued to serve alcohol beyond 3 am had risen by 43 per cent in just five years. This has been associated with rising levels of drunkenness and assaults, an increase in noise complaints to the council and police and, on anecdotal evidence, CBD residents moving away as the proliferation of licensed venues has made the area unsafe. I do not have the time to give the House chapter and verse on the violence associated with all-night drinking, but in June last year Melbourne people were disgusted when a gunman left a King Street nightclub at about 8 am, attacked a woman and shot dead a male good Samaritan who sought to come to her rescue.

I am also aware of a 1997 study undertaken in the city of Perth by the National Centre for Research into the Prevention of Drug Abuse. A total of 75 hotels, taverns and nightclubs were allowed to trade for longer hours between 1989 and 1996. The study showed that the average amount of alcohol purchased from such premises was more than 85 per cent greater than that from ordinary-hours drinking outlets. The premises with later trading also had significant increases in assaults in the vicinity and were associated with more road crashes and more drink-driving offences, all of which impose costs on police and emergency services—to say nothing of the human tragedies involved.
The three key features of far too many nightclubs and extended-trading premises are binge drinking, drug taking and violent assaults. The increase in venues operating from midnight right through till daylight represents a recipe for the proliferation of binge drinking, drug taking, and alcohol and drug related violent crime. These hours of operation threaten the safety of third parties, such as taxi drivers and even innocent bystanders.

I know some measures have been undertaken, but I encourage our federal, state and local governments to explore policy options to make late-night venues more accountable when problems occur. This could include licence conditions which result in licences being forfeited when illegal activity takes place in a venue or if patrons indulge in such activity in or around a licensed venue. Some of these venues are clearly out of control. I think the issuing of such a plethora of all-night licences has been unfortunate. I would like to see some of these licences revoked, and those venues which fail to control their patrons are the obvious places to start.

Water

Mr SECKER (Barker) (7.50 pm)—I rise tonight to speak again of the devastating impact of declining water access and quality on the Narrung Peninsula and to call for this area to be declared a national disaster zone. Not only is it a national disaster for those people living on the Narrung Peninsula; it is a national environmental disaster as well. The lakes that I refer to—Lake Albert and Lake Alexandrina—are very important to the Murray-Darling system. In fact, they are often described as the lungs of the Murray-Darling system because of the flushing effect that they have on the lower Murray reaches. Unfortunately, what we have now is an absolute disaster that we have never seen in this country before.

More than 40 farmers along the Narrung Peninsula are faced with going out of business this year. When I say ‘faced’, I mean that they will go out of business if nothing happens to make their circumstances better. The lower lakes have now dropped below sea level, making it physically impossible for those farmers to access stock and domestic water. At the moment, it is actually about one metre below sea level. Given the very shallow and gently sloping nature of the lake beds, even a small drop in lake levels has a profound impact on residents’ ability to access water. In some areas along this coast, residents have to extend pipes up to three kilometres to reach the water’s edge. There is no fresh water around the lakes area, and most residents do not have access to mains water. The once-thriving dairy region is now so desperate that farmers are paying thousands of dollars to cart water for domestic use and stock, though there is no emergency water-carting assistance from the state government whatsoever.

The situation in the lower area of the Murray is so extreme that it must be declared a national disaster zone. Emergency relief funding is urgently needed to prevent the total collapse of farms and small communities—not to mention the Raukkan Aboriginal settlement—around the edges of the rapidly shrinking lakes. The lakes are getting to such an extreme stage that if we do not do something now, it will be too late, not only for the environment of the lakes but also for those who live around the lakes.

Last month I wrote to the Minister for Agriculture, Fisheries and Forestry, explaining to him the environmental disaster that is Lake Albert and the lower Murray. It seems that he has no idea of the area, nor does he have a clue that what we are talking about here is domestic and stock water. The minister’s response, alarmingly, only addressed irrigation; he had nothing to say about do-
mestic water. In fact, he suggested that people in this area go to the state government—so much for the blame game that the new government said it would not be taking part in. If you have a look at the map on the department’s website, you will see that Lake Albert has not even got full ‘exceptional circumstances’ rating; it is still shown as ‘interim’. This is the only area for hundreds of kilometres in South Australia that has not got full EC rating. What could possibly be ‘interim’ about no rainfall, reduced flows, the water in the lakes dropping below sea level and no domestic water? The minister’s response was out of touch. He simply passed the buck, referring the irrigation concerns to the South Australian government and ignoring the domestic and stock water crisis of this area.

This situation is not about irrigation; it is about real farm families—working families—whose homes are on the shores of Lake Albert and who no longer have access to water. At a public meeting last week in Meningie, the South Australian minister for water met with locals to address their concerns about a national water plan and the environmental flows of the river. The minister asked landholders to contribute to an issues paper that would come out at the end of April. These residents have no water for domestic purposes. These people cannot even have a shower. To ask them to contribute to an issues paper does nothing to alleviate the urgency and the immediacy of their situation.

If it is good enough for Mackay, in Prime Minister Rudd’s home state of Queensland, to be declared a national disaster area because it got too much rain, then it is good enough for Lake Albert and the lower Murray, which have had none at all, to be declared a national disaster area. This is a national disaster, a national crisis, and not enough action is being taken by either the federal Labor government or the state Labor government. I call on Prime Minister Rudd to exert his authority and enact federal legislation to override the states on this matter.

Disability: Employment

Mr SHORTEN (Maribyrnong—Parliamentary Secretary for Disabilities and Children’s Services) (7.55 pm)—Mr Speaker, I rise tonight to bring to the attention of the House a business case for employing people with disabilities in Australia and my belief about what makes businesses successful. Successful companies monitor and meet shifts in societal expectations. Successful companies control risks, anticipate market opportunities and compete efficiently. These successful companies mobilise the expertise of their people to play an active role in business and society; therefore, tonight, I would like to put the case for positioning disability as a strategic business priority.

Managing a diverse workforce is increasingly recognised as a key factor in improving efficiency and productivity in business overall. A highly significant element of the diversity debate, too long overlooked in Australia, is disability. There are 3.6 million Australians who record with the census some impairment, making up a large and growing group of employees, existing and potential customers, stakeholders and, indeed, shareholders. The business case for employing people with disabilities is compelling. The performance and contribution of employees with disabilities far outweighs the commonly held misconception of cost and that government funded adjustments are often necessary to workplaces. Knowledge of the needs and expectations of a growing sector of the market, combined with enhanced morale and people management systems, are tangible benefits for companies which are good employers of people with disabilities.

A small number of leading Australian companies such as IBM and ANZ are already
demonstrating the business benefits of employing people with disabilities. I believe the business case for employing people with disability has suffered from poor presentation. Many businesses, indeed, even the government and the not-for-profit sector, remain unconvinced that employing people with disabilities can enhance their overall business performance. It is important to understand why people are unconvinced about the benefits of employing people with disabilities.

The champions of the disabled are sometimes seen to be out of touch with the needs of business. The business case usually presented to companies is little more than a cost-benefit analysis, which, in turn, is little more than the argument, ‘It probably won’t cost too much to do good,’ rather than what I think is the better argument, which is that it is positively good for our businesses to engage with the disabled. The business case that is usually presented simply misses the point that the exclusion of people with disability is in fact rooted in fear and stereotyping in our society. Like it or not, many people not experienced or unfamiliar with disability feel uncomfortable and fearful. Some people believe that having a disability means that a person is less intelligent than others, which is clearly wrong.

Employers who have actually taken the step and employed people with disability have consistently found that they are as productive and as reliable as any group of employees. They tend to have better attendance records. They tend to remain longer with their employers. They tend to have fewer injuries at work. In fact, most people with disability do not require adjustments at work at all. Organisations that are accessible to disabled customers and employees are more accessible and more appealing to all consumers and stakeholders.

People with disabilities are a large group with spending power. We know that it is most unusual for profitable opportunities to be passed up by the business community, but I have to say that, in the last 120 days, I have been amazed at the opportunities in this area that have been neglected. I fear that people with disabilities will continue to be regarded as ‘naturally’ excluded as long as there is a lack of direct contact between business leaders and people with disabilities, because this allows fears and stereotypes to be perpetuated.

I believe that it is time for the government and the private sector to shift our mindset towards embracing diversity as a means of enhancing business performance. I predict businesses that embrace people with disability will be able to access untapped reserves of talent, open new markets, improve their operational efficiency through reduced costs, lower labour turnover, increase improvements in service delivery and minimise litigation. This will also be the source of new ideas and will enhance reputation and loyalty internally and externally from stakeholders and customers.

Trust and commitment between businesses and their stakeholders is what underpins tomorrow’s successful companies. Intangible assets make up a high and growing proportion of a company’s market value. Fundamentally, these assets include reputation and the capacity of management to compete and navigate complex environments. I suggest that managing diversity is a key factor in determining efficiency, productivity and overall business success. Globalisation is accelerating the significance of diversity, and I do believe that the time is now right for government to work with business to encourage business to ensure that more people with disabilities are employed.
The SPEAKER—Order! It being 8.00 pm, the debate is interrupted.

House adjourned at 8.00 pm

NOTICES

The following notices were given:

Mr Swan to present a bill for an act to amend the Reserve Bank Act 1959, and for related purposes. (Reserve Bank Amendment (Enhanced Independence) Bill 2008)

Mr Crean to present a bill for an act to amend the Export Market Development Grants Act 1997, and for other purposes. (Export Market Development Grants Amendment Bill 2008)

Mr Albanese to present a bill for an act to amend the law relating to aviation, and for related purposes. (Civil Aviation Legislation Amendment (1999 Montreal Convention and Other Measures) Bill 2008)

Mr Albanese to present a bill for an act to give effect to the International Convention on Civil Liability for Bunker Oil Pollution Damage, and for related purposes. (Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Bill 2008)

Mr Albanese to present a bill for an act to make amendments consequential on the enactment of the Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) Act 2008, and for related purposes. (Protection of the Sea (Civil Liability for Bunker Oil Pollution Damage) (Consequential Amendments) Bill 2008)

Mr Albanese to present a bill for an act to amend the Sydney Airport Demand Management Act 1997, and for related purposes. (Sydney Airport Demand Management Amendment Bill 2008)

Mr Martin Ferguson to present a bill for an act to amend the law relating to gas, and for related purposes. (Australian Energy Market Amendment (Minor Amendments) Bill 2008)

Ms Burke to present a bill for an act to amend legislation about fisheries, and for related purposes. (Fisheries Legislation Amendment (New Governance Arrangements for the Australian Fisheries Management Authority and Other Matters) Bill 2008)

Mr Debus to present a bill for an act to amend the Customs Act 1901, and for related purposes. (Customs Amendment (Strengthening Border Controls) Bill 2008)

Mr Debus to present a bill for an act to amend the law relating to customs, and for related purposes. (Customs Legislation Amendment (Modernising) Bill 2008)

Dr Kelly to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Refurbishment of Staff Apartments—Australian Embassy Complex, Tokyo, Japan.

Dr Kelly to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: HMAS Creswell Redevelopment, Jervis Bay Territory.

Dr Kelly to move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Land Engineering Agency Test Services Relocation, Monegeetta, Victoria.
Mr Albanese to move:

That standing order 47 (motions for suspension of orders) be suspended for the remainder of this sitting, except when a motion is moved pursuant to the standing order by a Minister.
Mr BRUCE SCOTT (Maranoa) (9.30 am)—I rise today to stress the importance of agriculture in this current mining boom. Firstly, let me make it clear that I am certainly not opposed to the mining of coal and I am well aware of the many areas in Queensland which have benefited from the state’s huge coal reserves. However, my concern is that during this time of rapid expansion in the mining industry we sometimes forget that we are sacrificing high-quality agricultural land, much of which has been farmed since our pioneering days, often by generations of the same family.

We must ask ourselves how much prime agricultural land we as a nation are prepared to surrender to mining operations. How much of the Darling Downs in my own electorate of Maranoa will be sacrificed to the Surat coal basin? For the first time in almost a decade, farmers across the Darling Downs are enjoying record summer grain crops. Lights are blazing in paddocks throughout the night as they harvest their crops. As the lines of trucks patiently wait to take the grain away, we are reminded how important our primary industries are to our national food source.

A particular area of the Darling Downs, the agriculturally rich Felton Valley, is the proposed site for a mine and a hybrid energy project. The Friends of Felton, a community group which was formed in response to the proposed action, are fighting for their town, community and lifestyle to be able to continue. The Felton Valley is home to a diverse range of crops, rich black alluvial soils and a reliable annual rainfall. The skies of the valley are clear and unpolluted, as evidenced by the University of Southern Queensland’s decision to base its observatory there. In fact, the observatory was recently installed with a NASA funded telescope, which allows NASA and other American research institutions to see objects in space which are unable to be seen from the USA due to the excessive light and air pollution. I believe the emergence of the Friends of Felton group is just the beginning and we will see many more similar community groups created in response to the ever-increasing mining operations across Australia.

We may never be able to halt the juggernaut that is the mining boom, but as a nation and as a parliament we must ensure the right balance is struck between the resource industries and the original pioneering industries of Australia. It is important that we protect our food sources, and I think it is high time that we had a debate about getting the balance right between mining resources that are under the ground and keeping our prime agricultural land. We know the agricultural land will be there forever, but the resources that are mined are gone forever. Let us make sure that we in this nation get it right.

Bombing of Darwin

Mr HALE (Solomon) (9.33 am)—I rise today to put on record a significant event at which I had the privilege of representing the Minister for Veterans’ Affairs, the Hon. Alan Griffin, in Darwin last month. The event was the 66th anniversary of the bombing of Darwin. Much has been said about the bombing of Darwin, and in the chamber on 18 February the Hon. Alan
Griffin spoke of the significance of the event. It is also appropriate at this point to remember the bravery of the crew of the Australian flagship HMAS Sydney, recently found off the coast of Western Australia. Our thoughts go out to the families and descendants of the HMAS Sydney crew at this significant time.

I would also like to take this opportunity to highlight the tragic losses that occurred in Darwin Harbour during the first wave of attacks on Australian soil. Eight ships were sunk in Darwin Harbour and 15 were damaged. Two merchant ships were sunk near Bathurst Island, just north of Darwin. Approximately 17 people on those merchant ships were killed. Twelve people were killed on board the Manunda hospital ship. The largest loss of life occurred aboard the USS Peary: 91 of her 144 crew were lost as a result of the bombing.

The Northern Territory News records that one of the first bombs severed the wharf from its shore approaches and killed 22 waterside workers. It is this group that I would like to put on record, highlighting their bravery and courage. After 7 December 1941, nobody was conscripted to work on the wharf. The reason for this was the danger associated with the work. At worst an invasion was anticipated and at best they could expect to be bombed. All the men on the wharves were there because they chose to be, and each and every one of them knew their work environment was inherently dangerous. This was a clear and unmistakable testament to the courage and commitment of these wharfies.

It was highlighted in the story of John Cubillo and George Tye, two of the 70 waterside workers on the wharves when the Japanese attacked. History tells us John and George were not rostered to work that day. However, they knew that they would be two men short, so they wanted to help out their mates, so they dutifully went to work. As fate would have it, only George returned home. As bombs were dropping all around them and George was swimming for his life, he saw John running along the wharf trying to get to shore. Moments later a bomb exploded just where John had been. The wharf had taken several direct hits, and several sections had broken away. Twenty-two waterside workers did not return home from that day, a tragic price to pay for doing your job. Once again, as the 66th anniversary of the bombing of Darwin has just passed, I would like to have put on record the bravery and courage of the 22 waterside workers killed during the bombing.

**Fisher Electorate: Australia Day Awards**

Mr SLIPPER (Fisher) (9.36 am)—Each year since 2000 I have hosted the Fisher community Australia Day awards, which aim to give recognition to those residents of Fisher who make significant personal sacrifices to do good things for their community, whether it be through community service organisations, sporting organisations, business, the arts or individually, as many people do. This year the Fisher Citizen of the Year award went to Mrs Geraldine Cole, an 84-year-old resident of Maleny. Mrs Cole has worked for almost 60 years for her community. She has been active in Maleny since she moved to the town in 1952 to take up the position of midwife at the local hospital. Since then she has worked hard to achieve much for the town, including setting up the first kindergarten and helping to establish Meals on Wheels, to which she has given some 20 years of ongoing service. Mrs Cole is also an active member of the Maleny Historical Society and the Senior Citizens, for whom she also edits their local newsletter, and she has been volunteering for the Maleny Show Society for 45 years. She is a truly wonderful woman—small in stature but big in community spirit and dedication.
Other awards went to Mr Ken Brennan, Caloundra, for service to the community through the Australian Volunteer Coast Guard; Mr Greg Hutson, Kilcoy, for service to the community through the Kilcoy District Historical Society; Mr Larry Jenkinson, Kilcoy, for services to the community through the Kilcoy District Historical Society; Mr Ken Kuhn, Kilcoy, for service to veterans and senior citizens of the Kilcoy region; Mr Craig Lowndes, Kilcoy, for service to the community through motorsport; Mr Rob and Mrs Helen Matchett, Mountain Creek, for services to the community through various pursuits; Mr Eoin McDonald, Wurtulla, for service to the community through lifeguarding; Mrs Glenda Mills, Caloundra, for services to the community; Mr LE (Bill) Newton, Caboolture, for services to the community; Mr Bruce Page, Peachester, for service to the community; Mrs Glenda Paton, Wurtulla, for dedication to sport through the Sunshine Coast Hockey Association; Mr Jeff Salmon, Woodford, for services to the community through the Street Angels organisation; Mrs Carolyn Wilson, Caloundra, for service to the community; and Mr John Winterhoff, Glasshouse, for service to the community.

The Glasshouse Country State Emergency Service received a highly commended award for service to the community for 28 years. The Fisher Young Citizen of the Year was Miss Angela McGuinness of Minyama for service to the community through various organisations. The Fisher Citizen of the Year, as I mentioned, was Mrs Geraldine Cole of Maleny for many years of service to the community. The organisational award, the Des Scanlan Memorial Shield, went to the Scouts for services to the community.

On behalf of residents in the electorate of Fisher, I would like to congratulate all of these people and organisations for their exceptional efforts in helping the community and helping to make the electorate of Fisher, the Sunshine Coast and Australia the wonderful place that it is. As Australians it is always important that we do put people up on pedestals who are role models for others. Our community would be a much better place if we had more people like the recipients of the Fisher Australia Day awards from this year and also those people who have been honoured in previous years. What we need to do as Australians is to recognise that our community simply could not exist if it were not for the many people right throughout our nation who are prepared to stand up and be counted and work on behalf of their fellow citizens without seeking to achieve any recognition at all. They are role models, they are national icons, they are community icons and they ought to be respected by all people.

**Bushfires**

Ms RISHWORTH (Kingston) (9.39 am)—As most people are aware, there has been a significant heatwave in South Australia. A heatwave sees an increase in the threat of bushfire and last week there was a significant bushfire in the seat of Kingston. It started burning on Thursday at Willunga Hill and headed towards the Adelaide Hills.

The total area burnt was 118 hectares, and more than 200 firefighters were involved in fighting this significant fire. Many of these were CFS crews, all volunteers who put aside their day jobs to fight this fire. It was threatening life and was also threatening property. However, the good work of the CFS ensured that it came under control by midnight of the night it started. I want to pay tribute to all the CFS crews involved, particularly those in my electorate at Sellicks Beach, Willunga, Aldinga Beach, Range/Hope Forest, Blewitt Springs, McLaren Vale, McLaren Flat, Seaford, Morphett Vale and Happy Valley. Nine firefighters were injured, and that shows just how significant this fire was, and how much these firefighters put their
lives on the line. I would also like to acknowledge that one house was destroyed near Range Road, and the community has really banded together to ensure that the people affected get support and encouragement, both morally and financially, to make sure they are okay into the future.

There were many other resources involved: the SES, St John’s Ambulance, the SA Ambulance Service, the Salvation Army and Forestry SA. I want to pay particular tribute to the Salvation Army, who made lunches and dinners and ensured that all the firefighters and volunteers were fed. The local police also were involved in making sure that road blocks were set up properly. This is an example of many people in a community coming together when it is needed to ensure that the proper resources are there and that we are able to respond to such an event quickly. I am very proud of all the people who were involved in fighting this fire. It was disappointing to hear that the fire may have been deliberately lit. I think that type of action is deplorable. However, the community did band together and I am very proud of the people of Kingston for coming together and making sure that this did not cause any more damage than it otherwise might have.

Leukemia Foundation

Mr KEENAN (Stirling) (9.42 am)—I would like to draw the House’s attention to a story of bravery and compassion that has touched my local community in Stirling. Frazer McLennan, who is a year 7 student at Yokine Primary School, tragically lost his mother to breast cancer last year. Last Friday, surrounded by his family, his friends and his classmates at school, the 12-year-old shaved off his red curly hair in tribute to his mum, who had lost her own hair whilst in chemotherapy. Frazer had joined thousands of people around Australia—including in Parliament House, I understand—as part of the World’s Greatest Shave to raise money for the Leukemia Foundation. He had much support and admiration from his family and friends, teachers, classmates and sporting team-mates. Frazer initially had wanted to raise $1,000. I am told he has already raised in excess of $3,000 for the Leukemia Foundation, and donations are still coming in as more and more people hear about his story.

I have not had the opportunity to meet Frazer yet, but I am looking forward to doing so when I return to Perth at the conclusion of this sitting week. Certainly he has warmed the hearts of many in Stirling. He has kept an online diary during this time and he writes in that online diary that he is 12 years old and that he lost his mum to breast cancer last year. He talks about how he remembered that she used to lose her hair due to chemotherapy, and how much it had meant to her when she did lose her hair. He says:

I am cutting my hair this year to remember my mum and to help out other kids who have leukemia. All my T-ball, soccer and school mates are supporting me. Could you please support me as well.

The story received some media attention in Perth, and that of course has led to an influx of donations. That is brilliant because this is a very worthy cause. If you look at the website that Frazer established, he received many, many messages from members of the community. It is great to see that when people in my community of Stirling see somebody doing something for the good of that community they are prepared to rally around them and give their support.

The principal of Frazer’s school, Yokine Primary School, Mr Neil McCallum, said that the event was a very moving occasion for students, teachers and parents, with more than 150 attending the shave last Friday during lunchtime. I congratulate Mr McCallum, the other teachers and the students of Yokine Primary School who got behind Frazer while he was pursuing
this worthwhile cause. Mr McCallum said that some of the money had been raised by students actually guessing the weight of Frazer’s flaming curly hair once it had come off. And if you see a photo of Frazer you know that he had a tremendous lot of hair that he sacrificed in support of a very worthy cause—so I congratulate him. I just want to draw that event to the parliament’s attention.

Macular Degeneration

Mr MELHAM (Banks) (9.45 am)—During the 2007 election campaign I received—as did, I understand, a number of my colleagues—a number of representations from constituents on the matter of low vision aids and adaptive technology for the blind and the vision impaired. This was part of a public awareness campaign conducted by the Macular Degeneration Foundation.

Macular degeneration is a leading cause of blindness, affecting central vision. It is age related and it most frequently affects people over the age of 50. It is thought to be caused by a combination of genetic and environmental factors. The disease causes various symptoms such as difficulty in reading or activities which require fine vision, distortion where straight lines can appear wavy, difficulty in distinguishing faces, and blank spots in central vision. Sadly, there is no cure at the moment, though macular degeneration can be detected in the early stages. Assistance to sufferers can be provided through low vision aids and adaptive technology. A range of low vision aids is supplied by Commonwealth, state and territory governments, together with schemes run by non-governmental organisations. There is no doubt that consideration should be given to review these arrangements. There are differences of coverage in terms of scope, size and the types of aids and equipment available. There are also differences in costs across states and territories.

I would like to commend the Macular Degeneration Foundation for their awareness-raising activities. In particular, the foundation conducts activities to educate the community on the risk factors of macular degeneration. In 2007, for example, the foundation increased its representation by 21 per cent over the previous year at expos and conferences across Australia. It also conducts public and community programs across Australia. My thanks to those constituents who raised this matter with me. I urge people not to wait until it is too late but to have their eyesight checked. Early detection in this area, as with so many medical conditions, is crucial. In the letter to me, one of the things that the constituents asked to be done was:

In one year the Federal Government can take a leadership role to:

• Fund a national audit of the provision, affordability and accessibility of low vision aids, technology and services to all Australians.

That is not a big ask. I do not think we have to fund the toys for the boys as much as we do, and we can divert some of that money to programs like this that actually help people within our society.

New South Wales Life Saving Surf Championships

Mr MORRISON (Cook) (9.48 am)—The shire is well known for its achievements in sport. I wish to inform the House of the successes that the Bate Bay surf clubs in my electorate of Cook have had in the recent 2008 New South Wales Life Saving Surf Championships. The championships reaffirmed the shire’s excellence in competitive lifesaving and the dedication of our surf lifesaving club members to local community service. I particularly want to
thank all of those club members who have been out there on our beaches over summer and
will continue to do so for a few more days. I thank them all for their efforts. Let it be another
season where we can report no lives lost.

Cook is home to four surf clubs in Bate Bay. They are Cronulla, North Cronulla, Elouera
and Wanda. They all have great records in competitive lifesaving. The championships were a
case of history repeating itself for the Cronulla Nippers who, after another outstanding show-
ing, took out the junior title for the 11th consecutive time. Wanda followed up the shire’s
strong showing by finishing second, while North Cronulla finished ninth and Elouera 16th.
The shire nippers’ achievements are so much greater when you realise they were competing
against 66 other clubs from around New South Wales. Special mention to Cronulla under-12
Kyle Druery, who was one among many standouts and took out both individual and team
events over the course of the carnival. Well done, Kyle. In paying tribute to Cronulla Nippers
for another outstanding performance, I commend the performance of all shire nippers who got
the chance to compete and do the shire proud. I also want to thank the mums and dads, with-
out whose dedication and sacrifice many budding lifesavers would never get the opportunity
to compete.

Shire clubs also performed strongly in the open events. Cronulla ironman Nathan Smith hit
the record books, becoming the first man in history to win six New South Wales ironman ti-
tles after he defeated his Cronulla team mate, Chris Allum. Nathan has dominated the New
South Wales event since 2002 and the title capped a great weekend after he was named male
competitor of the event, with a swag of gold medals for events including the open men’s ski
and board relays, restricted surf race and surf team events. This was reportedly the last time
Nathan will enter the ironman event in the New South Wales championships and he will now
set his sights on next month’s Australian championships in Western Australia. Congratulations
to Nathan for yet another dominant performance and for his great record in the state titles.

The shire clubs also performed strongly in the masters events, which are open to club
members aged over 30. Cronulla, North Cronulla, Elouera and Wanda Masters all showed
they still have what it takes with outstanding performances to take out many individual and
teams events. Wanda brothers Greg, Chris and Doug Iredale combined to win the combined
150 years age group board relay and clinch second in the surf team event. The Iredale family
is a famous name in the Wanda Surf Club, and they once again showed why. Scott Allen of
Wanda and Shane Whittaker of North Cronulla finished second and third in the Masters 35 to
39 ironman event—another great result. Cronulla finished the two-week competition with a
fantastic second overall. A final points tally of 280.5 left them shy of traditional rivals Manly,
who the Sharkies settled up with last weekend.

Macarthur Rotary Police Officer of the Year

Mr HAYES (Werriwa) (9.51 am)—I would like to draw the attention of the House to the
fact that Leading Senior Constable Leanne Drew was declared the 2008 Macarthur Rotary
Police Officer of the Year at the presentation night held on 12 March at the West Leagues
Club in Leumeah. This is a major award in the Macarthur region. Several hundred people
were in attendance at the award ceremony, including the New South Wales Police Commis-
sioner, Andrew Scipione, and his predecessor Mr Ken Moroney.

Leading Senior Constable Drew was an outstanding police officer who enjoys the confi-
dence of her command, the respect of her peers and the appreciation of the public she serves.
Leanne is a dedicated police officer who, as a general duties officer, has devoted her career to community policing. Leanne joined the New South Wales Police in 1998 and has always been stationed at Campbelltown local area command. In her role as leading senior constable in general duties, Leanne has been at the forefront of providing an effective policing response to her local community. She is well known for her fair and just approach to policing, her empathy with victims of crime, her firmness in the face of violence. Leanne’s briefs of evidence and police work are consistently of the highest order.

In her role as a leader at the forefront of policing in my community, Leanne provides policing response to two critical areas: the reduction of violent crime in our society and the reduction of anti-social behaviour within the community generally. Leanne, by the way, incredibly manages to cope successfully with the demands of combining family responsibilities with the reality of modern day policing with shift work and all the uncertainty that goes with being an operational police officer. Leanne is renowned for her mentoring of young police and trains those who will be at the forefront in the next generation and serving our community in the noble profession of policing.

Leanne represents what is good about the New South Wales Police Force. I would like to join with the Macarthur Rotary Club in congratulating Leanne on her award. I would also congratulate the Macarthur Rotary Club for recognising the work that police do in effectively looking after the interests of our community. These people—that is, the New South Wales police—generally do make a difference.

**Youngcare**

Mr HAWKE (Mitchell) (9.54 am)—This morning two residents of my electorate of Mitchell have set off on a 300-kilometre walk from the steps of Parliament House to Parramatta Stadium in Sydney to raise awareness of the plight of young people who are forced to live in nursing homes as a last resort. The two gentlemen, David Sexton and Troy McPhee, have been walking the streets of Kellyville in preparation for this walk and have been instrumental in the nationally registered charity and not-for-profit organisation known as Youngcare.

Through research, Youngcare has discovered that in Australia today 6,500 young people are residing in aged care nursing homes. For these 6,500 people, living in an aged care nursing facility is not a matter of choice but an option of last resort due to the lack of facilities and options that are available for those who require full-time nursing care. Further statistics from Youngcare also tell us that 44 per cent of young people in aged care homes will receive a visit from friends less than once a year; 21 percent will go outside the home less than once a month; 34 per cent will almost never participate in community based activities such as shopping. Youngcare aims to raise the awareness of the issues through partnerships with families, the community, businesses and governments and to develop viable and sustainable solutions that provide the dignity and care that young people deserve.

What I really want to recognise today is these two Australians for their commitment to their mate. David Sexton’s brother-in-law contracted MS and, as a young person, his only available option was aged care. In the finest traditions of Australians when a mate has hit trouble, these two men responded, in conjunction with Andy Kirk, their friends, families, sponsors and the community. This is the real Australia, this is true caring and this is the spirit that has made our
nation great—taking responsibility for one another, taking responsibility for those of our mates who have fallen down and getting the job done through common sense and hard work.

The objective of the walk, which commenced today, is to raise additional funds for the development and construction of a third set of apartments in Sydney. The walk will be conducted over the next 10 days and will conclude on Friday night, 28 March, at the Parramatta Stadium before the NRL Friday night footy blockbuster, between my football team, the mighty Parramatta Eels—who, I might add, trounced the Canterbury-Bankstown Bulldogs in round 1—and the Newcastle Knights.

I will have the privilege of walking the last 2½ hours with Kristina Keneally, the New South Wales Minister for Ageing, and the Lord Mayor of Parramatta, Councillor Paul Barber. David and Troy intend to walk roughly 30 kilometres a day. I can tell this House that they have lost a significant amount of weight. They will be joined along the way by the federal Minister for Youth and Minister for Sport, Kate Ellis; Pat Farmer, the shadow minister for youth and sport; former Australian netball captain, Liz Ellis; and the CEO of the National Rugby League, David Gallop.

These men have done a great thing for their mate. I thank these fine Australians for their support of such a necessary cause, and I thank their support crews, families and friends, and in particular their sponsors. There will be another charity gala dinner. I want to commend them for looking after their friends and our community and doing the job when government does not do the job that it should do.

Robertson Electorate: Mobile Phone Services

Ms NEAL (Robertson) (9.57 am)—I rise today to speak about a petition I have received from residents of the Mangrove Mountain area in relation to their telephone service. Residents of the Central Coast of New South Wales, where my electorate of Robertson is situated, are subject to Next G mobile phone service black spots. The residents of Mangrove Mountain, Spencer and the Lower Hawkesbury River Valley have been campaigning for more than a year for enhanced communication services, including more reliable and comprehensive mobile phone coverage. The campaign has been spearheaded by Mr Roy Cox, and he is the principal petitioner.

They are particularly concerned that the CDMA network, which presently services the area, is to be closed and that the Next G network is not satisfactory. This petition contains approximately 1,116 signatures of residents from the Mangrove Mountain region, which is located just half an hour west of Gosford, the main city in my electorate. It shows the depth of their concern about this issue, one which I have been working closely with the community to address. I have already been in correspondence with Stephen Conroy, the Minister for Broadband, Communications and the Digital Economy, on a number of occasions about this matter and I have also spoken to him personally.

In my meeting with the chief petitioner, Mr Roy Cox, in my electorate office on 28 February 2008, I assured Mr Cox of the minister’s determination that Telstra Next G must be enhanced to provide better or equivalent coverage than the service that was previously provided by the old CDMA network when it is switched off. In January 2008 the minister, acting on a report by ACMA, the Australian Communications and Media Authority, postponed Telstra’s
plans to introduce Next G until at least 28 April 2008. By that date Telstra will advise of the progress of its strategies to achieve equivalence between the old and the new networks.

The petitioners took the minister’s advice that care must be taken with the selection of their handsets, but even the selection of more appropriate handsets has not remedied all the problems experienced by the residents in that area. The minister, I understand, has urged Telstra that its network of retail advisers should be kept fully aware of new developments and they should offer accurate and timely advice to those consumers that are experiencing problems.

I present the petition and I ask that the minister and Telstra ensure that the Next G network is of a satisfactory quality both for the residents of and for visitors to the area of Mangrove Mountain, Spencer and the Lower Hawkesbury River Valley.

*The petition read as follows—*

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

The petition of residents and visitors, their families, friends and acquaintances, in the area of Mangrove Mountain, Greengrove, Lower Mangrove Creek, Popran Creek, Marlow, Wendoree Park, Spencer, Gunderman, Wisemans Ferry and the surrounding regions of the Lower Hawkesbury River/Mangrove Creek catchment areas within the Robertson electorate in NSW draws to the attention of the House that the quality of mobile telephone coverage in the areas abovementioned is currently grossly inadequate through the Next G network and will be further reduced or eliminated when the proposed January, 2008 shutdown of the CDMA mobile telephone network by Telstra takes effect, and that Telstra has advised that there are no current plans by Telstra to upgrade their Next G or any alternate mobile telephone coverage of the abovementioned areas.

Also, there is at present only one public telephone between Mangrove Mountain and Wisemans Ferry, a distance of approximately 50 kilometres, making dependence on a reliable mobile telephone network of even more importance. The vehicular transport links are popular, along winding, single lane roads which endure constant accidents and breakdowns, and the maritime traffic is constant, both especially so on weekends.

Your petitioners therefore request the House that it, through or by the appropriate (Telecommunications, Equal Rights and Opportunity, Health and Safety or related or relevant) Acts, to seek redress by Telstra to ensure an urgent upgrade to the mobile telephone service availability and reception in the Mangrove Creek/Lower Hawkesbury River catchment areas.

and we, the undersigned, as the residents and visitors, their families, friends and acquaintances, of Mangrove Mountain, Greengrove, Lower Mangrove, Popran Creek, Marlow, Wendoree Park, Spencer, Gunderman, Wisemans Ferry and the surrounding regions of the Lower Hawkesbury River/Mangrove Creek catchment areas request that Telstra urgently upgrades the mobile telephone service availability and reception in the Mangrove Creek/Lower Hawkesbury River catchment areas for the necessary considerations of health and safety as well as equality and fairness in our accessibility to communication services.

*(Time expired)*

**Bombing of Darwin**

*Mr HALE (Solomon) (10.00 am)—by leave—I table the names of the wharf workers who were killed on that day in Darwin.*

*The DEPUTY SPEAKER (Ms AE Burke)—Order! In accordance with standing order 193 the time for members’ statements has concluded.*
Debate resumed from 13 February, on motion by Mr Martin Ferguson:
That this bill be now read a second time.

Mr IAN MACFARLANE (Groom) (10.00 am)—The Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2008 was originally introduced by the previous government—and what a good government it was and what an excellent minister for resources it had!—for the main purpose of updating the longstanding Petroleum (Submerged Lands) Act 1967. It is a technical bill, but it is an important one as well. The Petroleum (Submerged Lands) Act has been the primary legislation for the administration of Australia’s offshore petroleum resources. Now, 40 years on, the legislation has been outgrown. The Offshore Petroleum Act will replace this older act.

This amendment bill will provide clarity and certainty in terms of licence duration and important technical definitions. It will also confer on those in the industry a greater ability to work in the modern environment. As members will have heard, there are three main components to this bill. The first is to correct technical errors. The second is to repeal a provision of the act relating to declarations of emergency by the minister. The third and final component is to convert geodetic data references to the Geocentric Datum of Australia.

While these are not major policy changes, they are important administrative features. They will impact directly on the resources sector. Australia’s resources remain among the most important assets of this nation. They are assets which make an enormous contribution to the wealth of this country not only in terms of exports but also in terms of energy security, the creation of jobs and the underpinning of our entire economic system. It is therefore essential that the operations of those in the industry come under the clearest guidelines and legal frameworks. Higher export prices and anticipated higher prices for commodities, including iron ore and coal, are forecast to see Australia’s energy and mineral exports rise by around 33 per cent to around $153.4 billion in 2008-09.

While the most recent figures show that international demand for energy commodities remained strong in the December quarter, at around $26.7 billion, forecasters also predict that the next financial year will see Australian oil production increase by seven per cent, largely due to increased output at offshore locations. Additionally, Australian oil exports as a proportion of production are projected to increase over the outlook period. With these types of figures in mind, it is therefore essential that the industry has a firm basis on which to operate.

This is an industry which sees literally billions of dollars invested in single projects. From talking with resource companies in the petroleum sector—that is, the oil and gas sector—I know their confidence in those investments is still strong, but we need to ensure that they are able to operate efficiently and effectively and within the guidelines laid down by the community in which we all live. The previous government worked hard to ensure that Australia’s resource sector had a strong future. Last year saw a significant increase in the number of new companies applying to explore in Australian waters, demonstrating that the previous government’s initiatives were there to boost exploration. ‘Confidence’ means both confidence that you can operate in a secure way and confidence in terms of exploration leases—that is, should
you find a deposit, you know you will be able then to fully develop that deposit in a proper commercial and secure framework.

To do anything that may damage that confidence, particularly in the area of retention leases, will not only jeopardise the enthusiasm of companies to explore but also jeopardise the enthusiasm of companies to be involved in the development of Australia’s rich petroleum assets. We have seen the previous government work hard to ensure that incentives were put in place for exploration and that security of tenure was provided. Some examples of that include the $58.9 million for research to better understand the geological potential, I am sure, for both minerals and petroleum. As well, we allocated some $76.4 million to encourage exploration in frontier areas offshore. Those frontier areas offer Australia some of the best hope in terms of finding more deposits of oil and gas, particularly oil, to ensure that we are able to supply Australia’s and the world’s growing needs.

The offshore exploration industry has also benefited from the 150 per cent uplift on the petroleum resource rent tax deductions in designated offshore frontier areas under the previous government. The amendments in this bill before the House today will allow this important industry to continue to do its work. You cannot understare the importance of the resource industry to Australia, and you cannot understare the financial risk that companies that invest in that industry take, particularly in the exploration area but also in the development of those products. Updating the Petroleum (Submerged Lands) Act 1967 is something that will enjoy bipartisan support in this House because it is important that both the government and the opposition—that is, the parliament as a whole—send a very clear message to those who are thinking of investing in this field. That message is that Australia is a secure place to invest. If we do not offer that security, if we offer any ambiguity, if we fail to update the legislation which covers this and a whole range of areas then we run the risk of frightening away that investment.

Australia is not alone in petroleum resources. Yes, we have probably one of the most stable government systems in the world. Yes, we have clear delineation in how those processes work. We also have a willing and very highly skilled workforce to both explore and develop those resources, and that goes back many generations. In fact, my grandfather was the senior geologist for the Queensland government and in his day pioneered a lot of work not only in the mineral area of exploration but also in laying down some early prospecting that then led to the successful drilling for gas. It is a great honour for me to still have his geologist’s hammer in my office. I very rarely raise it these days in anger—and by ‘in anger’ I mean to strike a rock, of course; it could be used for other purposes, and those things cross my mind from time to time. But it is a constant reminder to me not only of my heritage but also of the fact that resources, including petroleum resources, have played an enormous part in the development of Australia.

So it is important that this legislation is amended. It is important that we have the most up-to-date guidance legislation in the world. It is important that we continue to attract the investment from overseas that we need. That investment then sees rich fields right around Australia not only explored but then developed. We have some of the highest quality oil in the world, and much of that oil is exported due to the situation with our refineries. As those refineries are set more for the heavier crudes, we see a lot of particularly Western Australian oil exported offshore.
But there is no doubt that we need to find more, and I notice that the Minister for Resources and Energy, Martin Ferguson, is spending quite a bit of energy on seeing how he can encourage that to happen. I commend him on his work on that. Providing that it is done in a sensible way and that, particularly with retention leases, there are no knee-jerk political reactions in terms of the ability of companies to explore and maintain those leases until they can be developed, I can assure the minister that he will enjoy the coalition’s full support.

This legislation will provide a great deal of comfort to those in the industry and to the department that administers it—a department I remain fond of. The work that needs to be done on providing the legislative and legal framework for the petroleum industry to continue to prosper in Australia will continue.

Mr ADAMS (Lyons) (10.10 am)—The purpose for, and the background to, the Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2008 are as follows. The Offshore Petroleum Act 2006 has been the primary legislation for the administration of Australia’s offshore petroleum resources for 40 years or more. The act is a rewrite of the Petroleum (Submerged Lands) Act 1967, to bring the language and the structure up to modern standards. The act will result in reduced compliance costs for government and industry.

Since the rewrite, technical amendments have been identified as necessary before the act can be proclaimed and come into effect and the Petroleum (Submerged Lands) Act can be repealed. These amendments are necessary to ensure that the regulatory regime continues to support the efficient exploration and development of our oil and gas reserves. We just heard from the previous minister for resources about the need to make sure that we are at the forefront of encouraging that to happen. The amendments were introduced into the last parliament and the bill passed the Senate as noncontroversial but did not pass the House of Representatives prior to the parliament being prorogued. The Senate Standing Committee on Economics examined the bill and recommended that it be passed due to its primarily technical nature.

The amendment bill, which is of an important but largely technical nature, has three main elements: first, a clarification of the provisions to ensure that they operate in the way that they were intended to, so it is a qualification showing what is actually meant; second, a policy change repealing section 327 of the act, which gives the minister certain emergency powers in Bass Strait, and I think we have improved that security now so the power need not be with the minister; and, third, to convert geodetic data references of the area descriptions in the act from Australian Geodetic Datum to the current Geocentric Datum of Australia. I will explain that a little bit later on.

The technical amendments include the following proposals. The territorial sea amendments correct an inadvertent technical error in the act and ensure that the legislation gives proper effect to the Offshore Constitutional Settlement. Due to an anomaly in the Petroleum (Submerged Lands) Act, licensees applying for a first renewal were entitled to indefinite duration licences. If amendments are made, the affected companies will only have 21-year licences. In terms of the definition of ‘workforce representative’, the act allows federal unions to serve as workforce representatives in an occupational health and safety scheme. The proposal amends the definition of ‘workforce representative’ to allow a transitionally registered association recognised under the Workplace Relations Act 1996 to be appointed. The amendment ensures that all unions recognised under the Workplace Relations Act can be workforce representa-
tives. Those provisions are unlikely to be affected by the government’s election commitments on the changes to the industrial relations system of Australia.

In terms of the geodetic data upgrade, the bill converts the data references of area descriptions to the Geocentric Datum of Australia, or GDA94. GDA94 more accurately reflects global positioning systems, which are increasingly being used for surveying and navigation, and brings new technology into play in the descriptions within the act. In a minor policy amendment, the bill repeals section 327 of the act, which deals with certain emergency powers in Bass Strait, as a more comprehensive and broader security regime is now in place under the Maritime Transport and Offshore Facilities Security Act 2003. In relation to the geodetic data upgrade, the bill upgrades the geodetic datum used in the Offshore Petroleum Act.

To explain this technical matter further, a geodetic datum is a mathematical model of the world. I am sure that Dr Washer would be well aware of that and would have full knowledge of this, whereas some of us laypeople would not have as much of an understanding of it. The Australian Geodetic Datum, or AGD66, was a mathematical model that was designed to fit well with the Australian mainland. As such, its centre was not the centre of the earth. Fortunately, Australia is not at the centre of the earth; it is only that some of us feel that it probably should be. The advent of global positioning systems, such as GPS, added justification for the adoption of an international geocentric—or earth centred—datum. This became the Geocentric Datum of Australia 1994, or GDA94. The change in datum means that the same point on the earth now has slightly different coordinates. The conversion, which is to the accuracy of two decimal places of a second of latitude and longitude, will have an almost negligible effect on the actual position of these points. On the seabed, this would physically represent no more than a plus or minus 0.15-metre shift. There will also be no impact on the existing titles. Timing and other factors prevented its inclusion in the original act, so it is good that we can tidy that matter up.

The bill also does not impose any new regulatory burdens on the petroleum industry and will not have any financial impact on the Australian government’s budget. I am sure that the Treasurer will be pleased that that is the case. The oil and gas industry is critical to the effective operation of the Australian economy. Oil and gas currently account for around 33 and 21 per cent respectively of Australia’s primary energy consumption, which is a 54 per cent total combined share of primary energy consumption; that is a fair lump of the Australian economy.

The oil and gas industry is a creator of significant wealth in the Australian economy, accounting for about 2.5 per cent of Australia’s gross domestic product. The value of oil and gas produced in Australia in 2007-08 is estimated to be in excess of $27 billion, with exports valued at around $16 billion, so this industry is an enormous bringer-in of money for Australia from exports. The industry employs around 15,000 people and will pay about $3.6 billion in resource taxation to the Australian government in 2007-08, so I guess the Treasurer will be pleased about that. The member for Werriwa would be well aware of that too because he worked in this industry in different ways over many years. The industry in Australia consists of more than 200 small, medium and large companies. Exploration spending for oil and gas exceeded $2 billion in 2006-07. In mid-2007 there were 220 active exploration permits, 49 retention leases, 65 production licences and 52 pipeline licences in Australian government waters.
Australia is very well endowed with gas, with 110 years of gas reserves at the current production rate, according to the International Energy Agency. Australia is expected to become the third largest exporter of LNG in the world within the next decade. The big challenge, however, is to find major new oilfields. I think some of us in the chamber at the moment would be well aware of that; I know the member for Kalgoorlie certainly would be. The Minister for Resources and Energy, Martin Ferguson, is currently discussing with the industry possible responses to this challenge. I know he is very keen to do whatever is possible to make sure we are out there doing what we can to find these oilfields. For more than 30 years Australia’s main oil-producing area was Bass Strait, off the Victorian coast. We do have a little gas off the Tasmanian coast and we have infrastructure running down the middle of Tasmania and to the north-west coast, so maybe sometime, with the infrastructure in place, some of that gas might be able to be brought ashore. Of course, we have lots of hydro energy in Tasmania, and there are a couple of companies drilling holes looking for hot rocks as well. Hopefully, they will be successful and the diversification of energy use for Tasmania will be increased. Then we could sell some into the eastern grid, now that we have the big cable between Tasmania, at George Town, and the Victorian coast, which is of great advantage to the state of Tasmania.

Oil and gas have been found in commercial quantities in the Carnarvon Basin, off the coast of Western Australia, which now supports Australia’s principal oil and gas producing region, accounting for 63 per cent of total Australian production. In 2006-07, 67 per cent of Australia’s oil production and 67 per cent of our gas production came from the Carnarvon Basin, while 18 per cent of oil production and 19 per cent of gas production came from Bass Strait. Total production of crude oil and concentrate in 2006-07 was 28,844 million litres or 504,000 barrels per day, while total production of natural gas was 39.4 billion cubic metres. Australia is underexplored by world standards, and most undiscovered petroleum resources are thought to exist in the frontier offshore areas. It is harder to get out there, and it is costly, but it is important that we are out there endeavouring to find those resources. There are currently 11 development projects worth more than $20 billion in total being constructed. One development project, worth more than $2 billion, has been committed to and more than $58 billion worth of projects are under consideration.

According to the Australian Petroleum Production and Exploration Association, development of the industry in line with the association’s vision to 2017 could deliver the following benefits for Australia: a quantum improvement in Australia’s balance of trade—an extra $20 billion a year by 2017; lower greenhouse gas emissions, with 180 million tonnes per year of carbon dioxide equivalent avoided globally; general energy security: a more skilled workforce, with up to 52,000 new jobs at the peak of expansion; increased regional development, particularly in Western Australia, Queensland and the Northern Territory—the northern parts of our great nation; reduced water usage in electricity generation—people understand that water is becoming more valuable and are using it in different ways, and pricing it is becoming a reality; development of Australia as a leading gas research centre; and increased revenues to government, which the Treasurer would be very pleased to have.

Looking at Australia’s national energy security, we have only about eight years of known oil reserves remaining at today’s consumption rates, presuming we are going to continue to use oil at the same rate that we do. There are a lot of interesting opportunities emerging.
through hydrogen technologies which could drive other transport modes, so that will play a
part in it, but I am sure the great gas reserves we have in this country will play a very interest-
ing and important part in all that as well. We have a greatly skilled workforce which needs to
continue and we need to help it expand, so that is another challenge for us. We have very good
management skills in coordinating and making some of these things happen, and we need to
make sure that remains so. I think the state governments need to encourage exploration for
new oil wells and do everything they can to make sure that happens, and as a nation we need
to endeavour to make sure that that comes together.

Australia is looking down the barrel of a $27 billion trade deficit in oil and concentrate by
2015 if we do not find new oil reserves. This is why we have to open up more oil frontiers—
make sure that we are out there looking for and finding these reserves—and why we have to
continue to develop the potential of those alternative fuels, as I mentioned. There are a lot of
great opportunities in that area and we should not let ourselves fall behind as a nation.

We have to make sure that what we do for the future of the car industry is along the right
lines—lines that will take Australia in a new direction. We need to make sure that people are
aware that there might be massive changes in how we use fuel and that the combustion engine
may have to change. I was talking to somebody only the other day who said that, when petrol
pumps came in the 1920s, it was a bit different to the technology we use now to fill up your
car. I said, ‘Yes, it would be a bit different from chopping up the chaff and feeding the horse
in the manger.’ We just have to make sure that people are aware that change is coming in
many ways. I am keen to make sure that the public do not get the wrong perception. It would
be difficult to have to turn around false perceptions, something I have seen happen in some
industries. It serves no purpose at all.

I am very pleased to support this bill, and it is very good that it has been finalised. It will
put in place the changes that are necessary and make sure that our nation moves forward.

Mr HAASE (Kalgoorlie) (10.29 am)—I am very pleased to rise on this occasion to support
this piece of government legislation, the Offshore Petroleum Amendment (Miscellaneous
Measures) Bill 2008. The Senate committee recommended, as a result of submissions from
Australian Petroleum Production and Exploration Association, that this legislation be voted up
and that our petroleum industries take advantage of it. My research has shown that the federal
government has provided well for the petroleum industry over the years in relation to explora-
tion and production in Australia.

What I am far more concerned about is that it would appear the state governments are not
keeping abreast of necessary changes to facilitate the petroleum industry. The member for
Brand, who will be speaking shortly on this legislation, has a background that probably makes
him more knowledgeable than most about this industry, and I will listen carefully to what he
has to say in his opportunity to speak on this bill. The truth is that, even though this piece of
legislation being proposed by the government will be an asset to the petroleum industry, and it
follows on the heels of many things done by the Howard government to facilitate this indus-
try, there is still a long way to go in changing the attitudes of state governments, especially in
Western Australia, and in relation to those would-be petroleum processors with leases off-
shore from Western Australia.

We have in the past, for instance, done a great deal in the funding of Geoscience Australia
to make sure that pre-exploration data is available to those corporates which would bid for

MAIN COMMITTEE
leases at great expense and then drill out those leases exploring for a commodity that is highly valued today. Multiple millions of dollars are spent on the exploration of these leases that they apply for and win. If these international companies are fortunate and they find a resource, be it liquid or gaseous petroleum, that is when the hard work starts. The member for Brand well knows the hurdles that have to be jumped by these petroleum companies once they have found the needle in the haystack and, one would think, done all of the hard work. Their shareholders would say: ‘We have been immensely fortunate. We have been blessed with technical assistance from the federal government. We have been assisted by the federal government in the whole administrative process of finding and processing this petroleum product.’ They then find there is a hurdle called state governments. There is the hurdle of an environmental impact study. It exists at a state level. It exists at a federal level. Of course, a case in point is the recently proven up resources of the Browse Basin, offshore from West Kimberley in my electorate.

A particular company, Inpex—an outstanding Japanese company—have for years now been pouring millions of dollars into the process of getting some progress towards production. They worked through the state environmental impact studies and applied again and again, having been brought back to the table to address yet one more issue, one more fine detail in satisfying the environmentalists. They then had to come to the federal government and go through the process again.

Many members would be surprised to learn that, as difficult as this process is in its laid-down formal structure, like a bolt from the blue comes a further imposition from the new federal government. There will be not just the formal process of abiding by the requirements of the environmental impact studies at state and federal level; we have now had a decision taken by this government that says: ‘All bets are off. The formal details that we wanted you to attend to, the hurdles we wanted you to jump, the game, are all changed. We are now going to carry out a survey of the Kimberley coastline to establish what the situation is there generally and, instead of being able to apply for a particular location to establish an LNG production plant to process your Browse Basin gas, we are now going to tell you where a suitable site might be for a multiuser piece of infrastructure. We will tell you where that will be. Implied is that you will wait cap in hand for your shot at some production from this facility and you will take your orders from a higher authority.’ This ignores the fact, of course, that multimillions of dollars have been invested by shareholders. It ignores the fact that finding that resource in the first place was an expensive process and involved a great deal of technology and good luck. We are now expected to believe that these companies are simply going to persevere, address the new hurdles that are set up and be sufficiently tenacious to eventually get this investment to pay some dividends.

I put it to you, Deputy Speaker Andrews, that tenacity is a wonderful thing but life is hard enough. We ought not be making things unnaturally difficult. I am wondering just why it is that this new government is creating such an apparent impasse for this company to develop a resource that, when it is productive, will improve our balance of trade and will give greater revenue flows, with tax implications. It certainly would have given in its original proposition form opportunities for Indigenous people of the Kimberley to actually have a future, to have an opportunity, as we all have, to hold down a job for remuneration and to have a quality of life, to have self-esteem—to have all those opportunities that flow from having a job and not
be dependent on welfare. Without this latest decision from the federal government to search for a suitable location that will be acceptable to the multiple levels of public opinion, it would have been the case that various companies—Chevron, Inpex, BP, Woodside—would have applied for and constructed individual gas processing facilities around the Kimberley coast, making pacts with Indigenous Australians in exchange for jobs for production, for a future in exchange for access.

I applaud that opportunity for companies to make investment in Australia. I think making an investment in Australia is good for Australians. It is especially good in remote areas of Australia because it gives for the first time an opportunity for employment for Indigenous Australians. We take for granted our opportunities to have jobs. We take for granted the opportunity to have a life that is sustained by our personal efforts. Indigenous Australians in remote areas have, in the main, never had a shot at this. But the government has come along now and said, 'No, rather than a multiple of soft footprints on the environment distributed over a large area of country where many separate groups will have the opportunity for a job, we have got this focus to find just one location.'

I mused as to why. The best solution I can come up with is that this is some bid to address promises that were made pre-election in exchange for swapping vote preferences with the Greens—a very substantial group in the Kimberley. The fact is that there is a perception in the Kimberley that any development ought to be banned. I might add this is a view that is held by people who, in the main, enjoy a wonderful life. Many of us in this place are passionate about our own backyard. I believe most people who live in the Kimberley—especially in the coastal area—have got it right: that is heaven; everywhere else is somewhere down the line. But it galls me to see people comfortable in their environment—a man-made environment, an environment served with all of the utilities and the accoutrements of modern life—say: 'No. We have got this. We wish now to passionately guard that and jealously prevent anyone else from enjoying it.' Broome as it is today, for instance, has all of its amenity, all of its vibrant international tourist activity, but why do the people who are resident there wish to deny others in other parts of the Kimberley the same shot? It confuses me, quite frankly. I think it is shortsighted. I think it implies the 'I'm all right, Jack' system and I do not quite understand it.

Indigenous Australians need a shot at life. The Kimberley is a very vast and, yes, I agree, pristine environment in the main. But I would urge all of those who are so passionately opposed to giving Indigenous people a shot at life to wander some 800 kilometres down the coast and have a look at the development of Woodside. Woodside have a very extensive operation located on the Burra Peninsula. If you are more than about 15 minutes flying time away from that site you cannot see it. The absolutely huge development that is there, comparatively speaking, is invisible if you are more than about 15 minutes flying time away. It is about the size of a fly dirt on a football field if you consider its impact on the Pilbara, and a similar situation would exist if various spots around the Kimberley coast were developed to service the Browse Basin.

The argument that one very large piece of multiuser infrastructure will somehow have a softer footprint than a number of small, well-contained, well-regulated production facilities around the Kimberley coast, I believe, is a nonsense. Furthermore, as I have said, it will prevent the greatest number of Indigenous Australians from being involved in employment opportunities. But, more importantly, the investors in those corporations, who have made an in-
vestment not for some philanthropic ideal but actually to make a profit—I think we will all agree profit is not a dirty word; it makes the world go around—need security of investment. For security of investment, the particular corporation needs to have security of sales based on guarantee of supply.

So the potential purchasers of the INPEX product, for instance, will want to know that supply can be guaranteed. And INPEX, in their wisdom—and they are not mugs, believe me—accept readily that, if they have a stand-alone facility that they have built to their specifications, it will have an IR strategy that is to their specifications, the product will have a specification that meets the needs of their clients, cash will flow in exchange for the flow of product and the investors will have a guaranteed secure situation. If you have the outside influence of this ratbag attitude from the federal government of casting about for some alternative supply base, where corporates stand in line for their shot at production and consequently their customers stand in line waiting for the delivery of the product that they have guaranteed to take, if it comes, then that is not a secure situation.

There is little to say in favour of a single multiuser infrastructure. We have experience from around the globe of industrial areas set up on a particular commodity, and we have the knowledge of that environmental experience. Why do people refuse to look at history when planning for the future? Look at Birmingham; look at Newcastle; look at some of the great blights behind the Iron Curtain where industrial areas have destroyed the environment: how could you argue that one great, large blob will have less impact on the environment than small-footprint, well-regulated environments? It is beyond me.

This piece of legislation is necessary because it quite rightly shows our concern for making the situation better for those corporations that are prepared to invest in leases, invest in exploration and then invest in the development of those areas. By the way, this INPEX investment is proposed to be somewhere in the area of $20 billion. How would you like to start raising $20 billion of capital in Australia today? It would be almost impossible, I believe. We have a situation where companies are prepared to make the investment to bring these valuable resources on stream, and then they are bludgeoned with further bureaucratic hurdles, as I have said, designed only to appease some previous political deal whereby the votes of the Greens were required. It will not do them any good, but that was the plan, pre-election.

I am not going to say any more on this bill. I have had the opportunity, and I appreciate that opportunity, to air some of the other problems suffered by the industry and I thank the House for that opportunity. But before resuming my seat I will make one final point: corporates make a huge investment in this nation in exchange for a product that is surely highly valuable. But they need, to a degree, to be unfettered by unnecessary bureaucracy. Yet a great hurdle has now been imposed at a state level. That is in addition to the apparent confusion that exists in the state as to how to deal with these internationals and what their priorities are. We now have the Western Australian government saying: ‘You’ve found this resource, on the open market, in competitive bidding and with the investment of millions of dollars. But, now that you have found it, we’re going to assume almost a state controlled situation, and we want you to guarantee that you’ll hold back 15 per cent of the product and sell it into the domestic market of Western Australia.’ I say: that is fine, but let it be a commercial deal that gives a return to the investor. I do not mind Western Australians having a guaranteed supply of energy. But let it be on commercial terms and let it not be to the detriment of investors—
investors without whom we would have no petroleum industry in this nation and we would have a huge variation in our balance of trade. Investors are very important. Profit is not a dirty word, and states should either get up to speed on the game or step out of the way of industrial development of this fine nation.

Mr GRAY (Brand—Parliamentary Secretary for Regional Development and Northern Australia) (10.49 am)—It is wonderful to hear the member for Kalgoorlie speak in such an insightful way about an industry sector of which he knows so much because of the location of offshore oil and gas resources in Western Australia. It is wonderful also to note the great bipartisan spirit that this place has shown over the course of the last 35 years in creating the legislative underpinnings that have allowed our great natural resource, the petroleum hydrocarbon sector, to grow a great footprint both in Bass Strait and off the North West Shelf of Western Australia. The North West Shelf of Western Australia is an area in which the member for Kalgoorlie and I both have an interest—from his point of view because the people who work there live there and they are the communities that he represents, but from my point of view I have to disclose an interest: I worked for Woodside Energy, the operator of the North West Shelf, from January 2001.

The work done in the North West Shelf by Woodside and its five joint venture partners is of the international class that the member for Kalgoorlie describes and is something that all Australians should be proud of. In being proud of the work done by these companies we should also note the significant work done by the former government and by Ian Macfarlane in particular, a minister for whom I had great personal regard for his diligence, his thoughtfulness and his incredible energy, even at times of great personal cost. He was always prepared to support the industry and to go wherever the industry needed him to be to support both our marketing and technical needs. Now I am a member of parliament and I speak on this bill, the Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2008, which is an attempt to modernise and upgrade the petroleum offshore legislative framework that applies in so many areas of offshore activity.

One area that it is important to upgrade is, as we have had two speakers mention, the geodetic data upgrade. It is significant. It is about properly locating where on the face of the earth a particular incident or event is happening. In the hydrocarbons sector, this is particularly important in determining boundaries for leases. Hydrocarbons do not respect the boundaries that are drawn by mankind or by bureaucrats or by any entity other than Mother Nature. Oil and gas reserves reside below the seabed and in locations that are yet to be discovered by explorers. Explorers explore areas and leases that have been granted to them by governments under a competitive bidding process. An explorer will bid to explore a certain amount of drilling of wells, a certain amount of seismic data and other data to assess whether or not they wish to do work in a particular block. When a discovery takes place it is not uncommon for the hydrocarbon reserve to extend beyond the boundaries of the block, of the lease. Therefore, knowing exactly where that boundary lies is critical to determining the ownership of the hydrocarbons below the surface of the earth. And that is important because of the value of those hydrocarbons, the cost of recovery of those hydrocarbons and, most importantly, the timing of the recovery of those hydrocarbons, which is an issue that I will return to later in this speech.

Knowing where you are is critical to knowing where you drill; where you drill is critical to the discovery of hydrocarbons; the discovery of hydrocarbons is critical to the production of...
hydrocarbons; and then, ultimately, the sharing of hydrocarbons that span leases is a matter
for another commercial discussion between resource owners—all of which is critical for es-

tablishing property rights, which is the central ingredient to driving the exploration and ex-

ploitation of any resource, not least of which, in this case, is hydrocarbons. In some interna-
tional jurisdictions, particularly in Africa, and wherever international boundaries occur, this
issue of knowing exactly where you are on the surface of the earth is of such importance that
it engages governments. It engages massive diplomatic activity to determine exactly whether
or not an oil or gas reserve belongs to this country or that country. Updating and modernising
how we go about plotting where we are on the surface of the earth is critical to establishing
certainty for hydrocarbons explorers. I congratulate the former government for the work that
it did in this area, and of course I support the bill.

The member for Kalgoorlie has mentioned at great length the work that is currently being
initiated by the federal government to carry out a Kimberley coast study and, indeed, an inte-
grated environmental study of the whole of the Kimberley region. Although it is worth com-
menting that his observations about the LNG production facility currently in place on the Bur-
rup Peninsula are quite accurate, it is also worth noting the size and scale of the investment
required to drain the fields through the Browse Basin by the global companies involved—BP,
Shell and INPEX, a Japanese company. Further around the Western Australian coast at Gor-
gon you have Exxon Mobil at play. They are big global companies with massive global inter-
ests, and they prefer to move in jurisdictions where there is great certainty. There is no doubt
about that because I have been up to the Kimberley and I have spoken to the local residents.
There is no doubt that there is great concern about where an LNG plant might be located. For
that reason, a considered approach to its location is thought to be best. It was not done for
Green preferences. I certainly did not get Green preferences; they did not direct them to me. I
was one of the few Labor candidates who did not get Green preferences directed to me, and I
would think that in the previous election I would have been one of the candidates that the
Greens most visibly and obviously associated with the hydrocarbon sector.

Why is it important to create certainty on the Kimberley coast? It is important because the
size of the investment, as the member for Kalgoorlie says, is measured in the billions—
probably $20 billion to $30 billion, maybe even more. What we know is that, over the life of
these projects, which may run for 30, 40 or 50 years, the revenue stream to the Common-
wealth is significant, often to the tune of $30 billion or $40 billion. But most importantly the
land tenure is long term; the footprint is semi-permanent. The presence is significant and
therefore the support of a local community is central to permission to be there, to operate and
to do the work that drains these oil and gas fields.

The oil and gas sector in Australia has a tremendous record of delivery, of safety and of be-
ing a clean industry, but it is an industry that is also massively challenged by cost. We cur-
rently see oil priced at over $100 a barrel. One of the great fears that the sector has is that it
might take oil to be priced at $80 or $90 a barrel in order to fund some of the capital works
that are required for these major projects to be brought on stream. That is what makes a single
footprint in the Kimberley even more important. The costs of construction in Australia are
high by international standards. In the north of Australia they are high by Australian stan-
ards, and through the Kimberley they are higher even than those. So managing those costs in
an environment where the community is welcoming industry is critically important. A single

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footprint is also something which industry likes since it allows not just co-location of supporting industries but an open access regime on a particular production footprint. That means—and there are several examples of it around the world in Trinidad and Egypt—a large piece of infrastructure can be created and then, on an understood and transparent tolling process, a market is created whereby other gas or resource owners can bring their gas into that production facility at an understood price and in an understood way, thus reducing the capital cost of draining oil and gas fields, improving the return of the expensive capital equipment required and reducing the size of the footprint and its physical impact on the environment.

This bill goes to creating certainty for the offshore exploration and production sector. Petroleum production in Australia is a significant contributor to GDP. In the last year it contributed in the order of $25 billion: direct taxes raised as a consequence of the operations of the hydrocarbon sector were in the order of $8 billion, exports from the hydrocarbon sector were in the order of $16 billion—but imports of hydrocarbons were in the order of $22 billion. So we are now facing, for the first time, a widening gap in our ability as a nation to provide our own hydrocarbons for our own domestic consumption. This trade imbalance has significant impacts for our industry, for our balance of payments and also for the cost of living in Australia. We need to be able to trade to make our way, and we need all sectors of the Australian economy working at full pace to ensure that we can trade as efficiently and effectively as we can.

By creating certainty in offshore exploration and by encouraging offshore exploration, we are hoping for more major discoveries—like a Gorgon, like an Ichthys, like the Carnarvon Basin—that will help drive not just a closing of that gap in liquids production but hopefully creating once again an export position so that our exports can continue to help pay our way. Declining oil production and declining hydrocarbons production in general in Australia have a very significant impact on our balance of payments and a very significant impact on our economy. That is why the member for Kalgoorlie’s introduction of the issue of draining the Browse fields or the Ichthys field and of the INPEX project and the Woodside operator projects out through that way is so critically important. It is possible for Australia to balance the gap in our hydrocarbons export-import imbalance through a massive increase in our production of liquefied natural gas.

Under the former government we saw the first steps to open the Timor Sea to LNG production. This was done through the conclusion of a treaty with the newly created nation of East Timor, and it was done through creating a framework for ConocoPhillips to have both certainty and encouragement to bring its gas onshore for the creation of the first gas LNG hub outside of the Burrup, which was done in Darwin.

At this stage in our history, we produce in the order of 20 million tonnes of LNG per annum. That is a significant performance, given that in 1996 our production was closer to 12 million or 13 million tonnes. But it is a long way short of where we need to be to close our import-export gap. In order to close that gap, we need to be moving to LNG export production in the order of 50 million to 60 million tonnes per year over the course of the next 10 to 15 years. To do that, we do need to drain the Gorgon field. To do that, we do need to drain the Browse Basin. To do that, we do need to give the industry the certainty that it requires to make the investments that we need as an exporting nation.
APPEA, the industry association, has a 10-year aspiration, along with its industry affiliates, to lift LNG capacity to that 50 million tonnes to 60 million tonnes a year. That is a magnificent aspiration to have. It accords with our national interest, and it accords with the needs of our nation. Critical to success in this area will be whether or not the operators of significant gas fields offshore are able to become sufficiently energised, organised, and inclined to ensure that their production does take place.

The member for Kalgoorlie has spoken of the possibility of INPEX taking their gas to Darwin. What he means by that is that, instead of building a production facility on the Kimberly Coast, INPEX may be inclined to build an extremely long pipeline to Darwin and take that gas into Darwin, where there is an existing facility operated by ConocoPhillips. This is not a bad idea. This is not lost production to Australia. The worst thing that can happen to Australian hydrocarbons, to our gas resources that lay beneath the surface of the sea—which at current rates of production have the capacity to sustain our nation for over 100 years—is for those resources not to be tapped. The worst thing that can happen is for those resources to stay in the ground and for us to fail to even try to meet the APIA aspiration of 50 million tonnes per annum by 2017.

It is important for us in this place to continue the bipartisan support that we have always enjoyed giving to the hydrocarbon sector for certainty in its exploration and certainty in its production. The bill that is before us today creates another step towards certainty for explorers. It creates that certainty through modernising our legislative framework and by accepting important modern trends both in technology and in how workers are organised. I commend the bill to the House.

Mr PERRETT (Moreton) (11.06 am)—I am pleased to speak in support of the amendments to the Offshore Petroleum Act in the Offshore Petroleum Amendment (Miscellaneous Measures) Bill 2008. The oil and gas industry is a significant part of the Australian economy, accounting for around 2.5 per cent of GDP, so, when it comes to amending the legislation that regulates this industry, it is important we get it right.

Oil and gas currently account for around 33 per cent and 21 per cent respectively of Australia’s primary energy consumption.

A division having been called in the House of Representatives—

Sitting suspended from 11.07 am to 11.22 am

Mr PERRETT—The value of oil and gas produced in Australia in 2007-08 is estimated to be in excess of $27 billion, with exports valued at around $16 billion. Total production of crude oil and condensate in 2006-07 was 28,844 million litres or 504,000 barrels per day, while total production of natural gas was 39.4 billion cubic metres. The industry in Australia consists of more than 200 small, medium and large companies—obviously global companies—and employs about 15,000 people. It was reassuring to hear from the previous speaker, the member for Brand, of the APIA commitment to actually growing that industry.

This financial year the industry will pay about $3.6 billion in resource taxation to the Australian government. With more than 100 years of gas reserves and a glut of undiscovered petroleum reserves offshore, the industry has a very bright future in Australia—especially in a planet where energy resources are shrinking. In fact, the International Energy Agency believes Australia will become the third largest exporter of LNG in the world within the next decade.
The Offshore Petroleum Act was passed in March 2006 to bring the legislation into the 21st century. It effectively replaces the Petroleum (Submerged Lands) Act 1967—having been born in 1966 myself, I can see that things have changed a little bit in the last 42 years. The original act has been repeatedly amended and as a result it has become much too complex and cumbersome. It was therefore time that legislation for the administration of Australia’s offshore petroleum resources be revamped.

The new act replaces the old language, style and structure of the previous act with modern standards which will result in some savings in compliance cost to government and to industry. The user-friendly language of the act will ensure administrators in industry and government do not require a law degree to interpret the legislation. Not that I am knocking lawyers or their role in this sector or in court; I would be knocking myself. However, the act has not yet been proclaimed. I understand that the proclamation will not be made until the states and the Northern Territory make amendments to their mirror acts. These acts enable the state or Northern Territory minister to perform the functions as a member of the joint authority and as the designated authority under the Commonwealth Offshore Petroleum Act.

Northern Territory, Queensland and South Australia have made the necessary amendments to their mirror legislation, while New South Wales, Western Australia and Victoria can rely on the provisions of their interpretation acts. The Offshore Petroleum Act can therefore come into force following the enactment of the amendments currently before the House and the finalisation of the Tasmanian mirror legislation. I am sure the member beside me, the member for Braddon, will make sure that happens quickly! The timely passing of this bill will ensure no more delays in proclaiming the act.

These amendments are necessary to ensure that the regulatory regime continues to support the efficient exploration and development of our oil and gas reserves. This bill will make technical corrections to the act, ensuring that the provisions for the term of production licences operate the way that was originally intended. It will make certain that those production licences that were renewed for an indefinite duration at first renewal are preserved, but any subsequent renewals will only be granted for a 21-year term. Having worked in the resources sector, I am aware that, whilst sometimes people would want more than a 21-year term, 21 years is appropriate timing. It gives sufficient certainty to industry but also sufficient opportunity for government to have some influence.

The one policy change in this bill relates to the emergency power of the Commonwealth minister. This bill will repeal section 327 of the Offshore Petroleum Act, which relates to declarations of a state of emergency by the commonwealth Minister for Resources and Energy. Under the act, declarations of a state of emergency can be made when there is a likely threat of terrorist activity. However, since the minister has never had to make such a declaration and as this matter is better covered by the Maritime Transport and Offshore Facilities Security Act 2003, it is best removed from the act.

The act allows federal unions to serve as workforce representatives in an occupational health and safety scheme—something to be commended. This bill amends the definition of ‘workforce representative’ to allow transitionally registered associations recognised under the Workplace Relations Act 1996 to be appointed. The amendment ensures that all unions recognised under the Workplace Relations Act can be workforce representatives. Personally, I have seen good unions do great work when it comes to health and safety on work sites, so it is
hoped that this positive role will continue. These provisions are unlikely to be affected by the
government’s election commitments on industrial relations.

The bill also takes into account advances in global positioning technology. As I understand
it, the bill subscribes to a more accurate mathematical model of the world, rather than the pre-
vious view as to where the centre of the world was. The centre of the world is not Tasmania, I
would suggest to the member beside me, the member for Braddon.

Mr Ian Macfarlane interjecting—

Mr Perrett—It might be near Toowoomba but a little bit away from it! This new
model is known as a geodetic datum and, as clarified in the earlier speech made by the mem-
ber for Brand, it really is about the up-to-date analysis of where something is. Obviously,
when it comes to mining leases and exploration leases and drilling, we need to know exactly
where we are. The GPS data ensures that that is much more accurate. The previous geodetic
datum was designed for the mainland, and its centre was not the centre of the earth. New
global positioning systems are more suited to a geocentric datum and this is reflected in the
amendments.

Finally, I am advised that the petroleum industry and state and Northern Territory govern-
ments were thoroughly consulted during the drafting of this bill, and I commend the minister
for this.

Question agreed to.

Bill read a second time.

Ordered that the bill be reported to the House without amendment.

TRADEX SCHEME AMENDMENT BILL 2008

Second Reading

Debate resumed from 21 February 2008, on motion by Dr Emerson:

That this bill be now read a second time.

Mr Ian MacFarlane (Groom) (11.29 am)—The Tradex Scheme Amendment Bill 2008 is another piece of excellent legislation which, as the shadow minister for trade, I wel-
come the opportunity to speak on. The previous government was well and truly aware that
exports are one of the most important features of Australia’s economy and are worth more
than $216 billion a year. Trade continues to open up new opportunities for Australia—
opportunities that create jobs, drive prosperity and help ensure the future of our nation. At
least one in five Australian jobs are generated by exports and, more importantly, bearing in
mind my rural and regional background, in rural and regional Australia this industry—that is,
the export industry—is creating one in four jobs directly and indirectly.

The coalition are steadfast in our commitment to trade, trade reforms and liberalisation.
Trade is central to our economy and, in government, we implemented a raft of policies to help
exporters operate more effectively and efficiently. One of the most important of those was the
Tradex Scheme. This came into effect from 2000 to provide duty relief for those items that are
imported with the express purpose of being exported or used in some way for another product
that is in turn exported. The Tradex Scheme has been connected to the duty drawback regula-
tions and, while the former provides upfront duty exemption for imported goods destined for
The benefits exporters receive from their exposure to international trends in technology, product design and consumer behaviour will also spill over into the Australian economy. There is no better example than that of the car industry, in which we now see two of Australia’s leading manufacturers, GMH and Toyota, exporting half of their production overseas. Thus they are sustaining a very viable future for themselves and for the industry and utilising the opportunity to export Australian technology while at the same time importing technology here which is then incorporated into our general production.

The other elements of this bill will enhance the administration of the Tradex Scheme and will cut through the red tape for the industry—something I understand the minister is very fond of, and I wish him every success in that regard. It is an area which we have all in our time battled, and an area in which the previous government had some success, but that does not mean that there is not ample room for further success. Not only will we be cutting through red tape for industry but, more importantly, we will be improving our competitiveness as an exporting nation. These amendments are worthy of the coalition’s support and I commend them to the chamber.

Dr Emerson (Rankin)—Minister for Small Business, Independent Contractors and the Service Economy and Minister Assisting the Finance Minister on Deregulation) (11.35 am)—In closing, I would like to thank the member for Groom for his contribution to this debate on the Tradex Scheme Amendment Bill 2008. This bill will decouple the Tradex Scheme from the requirements of the Customs drawback provisions and will simplify the administration of the scheme. Tradex and drawback are designed to ensure that 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.

Both programs are based on the international taxation principle that taxes should apply in the country in which the good is consumed. However, there are subtle differences in the way in which Tradex and drawback operate. The separation of the legislation for the two programs will enable each program to be better tailored to meet the particular demands of its customer base. Administrative simplification of Tradex should further reduce the regulatory burden on industry that uses the scheme. As the member for Groom points out, I have always been keen on reducing unnecessary red tape and in my current capacity as Minister assisting the Finance Minister on Deregulation I take on that task with great vigour and enthusiasm.

Tradex was introduced as a streamlined program for providing relief to businesses paying customs duty and GST. This bill will further improve a program that provides more than $200 million per annum of up-front tariff duty and GST relief to industry importing and exporting in competitive global markets. It provides real benefits to Australia’s exporters and improves our international competitiveness as a trading nation. It is pleasing to see the coalition’s support for this bill. I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Ordered that this bill be reported to the House without amendment.

CONDOLENCES

Hon. Clyde Robert Cameron AO

Debate resumed from 18 March, on the Speaker’s announcement.

Mr RUDDOCK (Berowra) (11.38 am)—I take the opportunity to say that I very much wanted to be associated with this motion, being the only member of this parliament, I believe, who in fact served with Clyde Cameron. He was a member of this parliament from 1949 until 1981, when he retired. I was elected in 1973, and I had the opportunity as a very junior member of parliament to relate very much to him. I wanted to take this opportunity to first say to his wife, Doris, that we miss him and also to send our considerations to Warren, Tania and Noel, his children.

It was interesting to me to take the opportunity to read his maiden speech. It is not the sort of maiden speech you would see today. It is very much one of somebody steeped in the trade union movement, steeped very much in the adversarial approaches of his time. I found more fascinating, however, his valedictory speech when he left. In a number of respects I could relate to it.

He went on to say that he had had a very good innings. He had won 13 elections. I have done one better than that at 14. He also went on to say that he had achieved something that I have never achieved—that is, he was twice re-elected unopposed. That is an extraordinary accomplishment.

But what is more important is his comments about his life being steeped in politics, remembering it as though it were yesterday; poring over his father’s weekly copy of The Australian Worker to study the political cartoons. He could still see the cartoon called The Blood
Vote as though it were yesterday. He was only three years of age when he first saw the cartoon.

What was important to me was to read his commentary on the towering figures of his time. He spoke partly of me but not by name. He said, ‘It was very rare that one finds a person who is a good politician as well as being a great parliamentarian.’ He said that Whitlam was a good parliamentarian but a hopelessly poor politician, and there he referred to the Parramatta by-election which I won in 1973. Anyone who could see the merit in announcing that he would build an airport at Galston, while the Parramatta by-election was at its height could not be called a terribly bright politician.

A division having been called in the House of Representatives—

Sitting suspended from 11.42 am to 12.07 pm

Mr RUDDOCK—Before the division, I was drawing attention to some observations the late Clyde Cameron made about some of his colleagues in his valedictory speech of 18 September 1980. His first observation that I drew attention to was in relation to Gough Whitlam, but the second was in relation to one of my predecessors—the member for Parramatta, Sir Garfield Barwick. His observation was:

Barwick, however, was a good politician, but he was a poor parliamentarian. I take issue with David Marr who wrote the book Barwick in suggesting that Barwick had no merit as a politician. He has this merit: He always met with, talked with and mixed with the rank and file of his party, the backbenchers. His door was always open. Had he been here when Holt was drowned, Barwick would easily have been easily elected to lead the Liberal Party and he would have become the Prime Minister ...

The Prime Minister of Australia. Clyde Cameron’s observations were quite perspicacious. Barwick had a reputation that Cameron recognised was quite worthy. He went on to say:

In just the same way, if the Prime Minister (Mr Malcolm Fraser) were to fall under a bus—I do not wish that on him—I believe that the present Treasurer (Mr Howard) would … get up to take away the leadership of the party … The Treasurer is the only one who seems to realise that whilst the Prime Minister can select all the Ministers in a Liberal Administration, when it comes to the position of Prime Minister … the rank and file are equals and every vote from a rank and file member is equal to any vote from a Minister.

He congratulated him on his good sense. Of course, he was very close to people like James Killen. Elsewhere in his valedictory speech, one will find observations about the importance of linkages across the political divide. I think that is something that is not always pursued, but it was quite clear in Clyde Cameron’s time that there were people who had very civilised and very close relationships across the political divide.

As I said, I was only a young member when he left, but I did have later contact with Clyde Cameron. It was not something I spoke about; I would not have wanted to diminish him in the eyes of his colleagues. I had the opportunity of visiting him at his home at West Lakes. We talked about immigration issues, in which he—I was minister—continued to have an interest. I was gratified to have the opportunity of meeting with somebody of his experience, background and sensitivity who was willing to talk about the issues, sometimes difficult issues, that I had to grapple with in my time as the Minister for Immigration and Multicultural Affairs.

He was a person steeped in politics, as he outlined in that valedictory speech he gave. It was something that never left him. It was something that he continued to take an interest in in
his retirement, I was glad to have the opportunity to know him and to hear his perspective on matters that I had to deal with at difficult times in my career. I send to his widow my commis-
erations, and I am thankful that I had the opportunity of knowing him.

Mr ZAPPIA (Makin) (12.11 pm)—I feel immensely privileged to have known Clyde Cameron and today to be a member of this House and therefore able to briefly speak about his remarkable life and his distinguished parliamentary career. I will certainly treasure my last encounter with Clyde Cameron because it was at that encounter that I was able to get a person-
ally autographed copy of his biography, A Life on the Left, which I enjoyed reading and which gave me a tremendous insight into the contribution he made to public life and to the Labor Party.

Clyde Cameron has been described by some as a giant of the union movement, a giant of the Australian Labor Party and a giant of the Australian parliament. I believe that those de-
scriptions of him are quite proper. His life was eloquently summarised by the Prime Minister, Kevin Rudd, by the Leader of the Opposition, Brendan Nelson, and by you, Mr Deputy Speaker Georganas, in the condolence motion on Monday. I also enjoyed listening to the member for Berowra’s contribution to this debate as someone who served in the parliament with Clyde Cameron and who obviously knew him even better than I did.

It would seem to me, as I reflect back on my understanding of parliamentarians and politics in Australia, that it is unlikely that we will ever see another person who will have an influence on public life to the extent that Clyde Cameron did, bearing in mind not only the amount of influence he had on the union movement, the Labor Party and the parliament itself but also the length of time over which that influence extended. It is something that perhaps, with to-
day’s lifestyle, we will not ever see again. I suspect that the pace of life has changed to the extent that we will not see people remain in this parliament or in public life for as long as Clyde Cameron was able to.

As I said in my first speech to parliament, I was asked to join the Labor Party by Reg Groth, a former AWU organiser who went on to be the state member for Salisbury. Through Reg Groth I got to know a lot more about the AWU and about Clyde Cameron. You might say, given that Reg Groth, I understand, became a member of state parliament as a result of the support he received from Clyde Cameron, that I may well be standing here today as a member of this parliament indirectly because of Clyde Cameron.

Clyde Cameron came from the union movement. Through Reg Groth, I got to know Don Cameron, Clyde’s brother, who was a senator from South Australia. When I was working for the late Senator Jim Cavanagh, between 1976 and 1981, I got to see firsthand the influence that Clyde Cameron had, particularly on the South Australian branch of the Labor Party and on federal parliament. It is interesting, when you reflect back, that in the 1950s, when there was certainly turbulence within the Labor Party and the great split of the day, it was in fact thanks to Clyde Cameron, Geoff Virgo, Jim Toohey and Reg Bishop that the South Australian branch of the party remained unified and was able to continue with the policies that I know underpin the Australian Labor Party.

In the time I have today I want to touch on three areas of Clyde’s life that, I think, sometimes go somewhat unnoticed—although perhaps the first does not. It relates not only to his personal influence in the parliamentary process and within the Labor Party but to the influence that will carry on and has carried on since his retirement from parliament as a result of
the people whom he assisted and perhaps influenced to become members of parliament. I re-
fer to people like Don Dunstan, a great reformer in South Australia who became a politician
and Premier of South Australia essentially, I suspect, because of Clyde Cameron.

I am reminded of a story that was passed on to me about Don Dunstan’s elevation to the
premiership. It went something like this, and if I in some way misquote it, my apologies to
those involved. When Frank Walsh became Premier of South Australia after some 32 years of
the Playford government, Clyde made these points about Frank at a party conference:

Frank Walsh will be remembered for three things: winning government, running a good government and
knowing when to retire.

To Frank Walsh’s amazement he made that third comment without Frank being aware of it.
When asked by Frank why he had made such a comment, Clyde looked at the audience and is
reported to have said, ‘Frank, they’ll love you for saying it.’ The rest is history. In fact, Don
Dunstan soon became Premier of South Australia and Frank Walsh did retire. It says a lot
about the influence of Clyde Cameron at the time.

Then there was John Bannon, a former Premier of South Australia who, I believe, would
not have been there if it were not for Clyde Cameron. And Senator the Hon. Nick Bolkus,
who spent a great length of time in this place and retired not long ago, was also a close friend
of Clyde Cameron and was supported by Clyde for preselection. I can well recall those days. I
was working for Senator Jim Cavanagh and Nick Bolkus was also working for one of the
other Labor Party senators at the time. I recall the preselection battles of the day. I am sure
that there were many others—I referred to Reg Groth earlier—who equally owe their place in
federal or state parliament to the work of Clyde Cameron.

The second point I want to make about Clyde Cameron’s life is that, when there was a huge
influx of migrants to this country after World War II, he was one of the politicians who made
himself accessible to the new migrants. For the new migrants, the early days in the fifties
were very difficult. The government services and support that we have today were not avail-
able then so, inevitably, when they really needed something or were having problems with the
bureaucracy, it was to people like Clyde Cameron—and in particular to Clyde Cameron—that
they would turn. I am reminded of a telephone call I received only last Saturday night. By
sheer coincidence an acquaintance of mine from Melbourne rang me to congratulate me on
being elected to parliament. That day the news had broken about Clyde Cameron having
passed away. In the same breath, the caller said: ‘And it is sad to see that Clyde Cameron
passed away. I remember that when my family came to this country in the fifties he helped us
immensely.’ I believe he was speaking for hundreds if not thousands of migrants who came
out to Australia at the time.

The third point I make is that he was one of the first politicians to stand up for the rights of
women in this country. In particular, his stance on equal wages for women was something that
made him an exception.

There is no question that Clyde Cameron was an influential person, and I suspect his 80-
year membership, or thereabouts, of the Australian Labor Party will never be beaten. Listen-
ing again to the member for Berowra, it is clear to me that, whilst Clyde Cameron was only in
government for three years during his time in parliament, which was 31 years or so, his influ-
ence—was extended, even in his years of not being in government, by his close association
with members of the opposition. The member for Mayo made mention of that in his address
on Monday as well. Clyde Cameron was one of those people who befriended people from both sides of politics and, I am sure, in the course of that friendship was able to convey messages and influence policies of the government of the day, even when he was in opposition.

As I said from the outset, I feel privileged to have actually known him, albeit not as well as others, and to have been able to be in this place at the time of his passing and therefore speak on his life. I close with this quotation, and it is a quotation which I have sourced in respect to an obituary that Clyde Cameron wrote about Bob Santamaria at the time that Bob Santamaria passed away. He said:

I shared Bob Santamaria’s sadness over the way politics have deteriorated to a position that it is now a contest between the rich and the poor; the privileged and the underprivileged; the exploiters and the exploited; the taxavoiders and the tax payers; the greedy and the needy; the buyers of labour and the sellers of labour; with the odds always stacked up in favour of the first party!

I think that quotation summarises and expresses Clyde Cameron, the man, better than I ever could, and it is in itself testimony to the commitment that he made to working Australians in this country. My condolences certainly go out to his family—to his wife, Doris; to his sons, Warren and Noel; and to his daughter, Tania.

Mr NEUMANN (Blair) (12.22 pm)—I rise to support the Prime Minister’s condolence motion and to pay tribute to Clyde Cameron, the former member for Hindmarsh and Whitlam government minister. My father, Al, revered Clyde Cameron, and he will be immensely proud of his son speaking today about Clyde’s death and his life. I would like to extend my deepest sympathy to Clyde Cameron’s family, friends and comrades in their bereavement. The lives of a select number of people reflect and illuminate the life and times of our nation, and Clyde Cameron’s story is one such life. For over 70 years he was a leading light of the labour movement, a Labor Party stalwart, and his life spanned four-fifths of the history of the Australian Labor Party, founded in 1891. The ALP and the union shaped his life, and he in turn did much to shape our history.

Anyone who followed politics in the 1960s and 1970s will remember Clyde Cameron as one of Labor’s legendary hard men, the last of the 49ers. Clyde was a prolific chronicler of the Labor Party’s history and a tough warrior for the working class. He was an intelligent and able parliamentarian who spent decades on the political front line in opposition. In fact, he holds the rather inauspicious political record of the longest period of service in opposition, sitting for 28 years on the opposition benches. He was dedicated to the interests of the working people of Australia, and it remains a great tragedy that he spent the best years of his life out of office.

When I was a kid, in my household in Ipswich, Kim Beazley Sr, Fred Daly and Clyde Cameron were the patron saints of the labour movement, akin to St Peter, St Paul and St John. We discussed around the kitchen table their adventures, what they did and how they stood up for the Labor Party and the labour movement. I recall my father, who describes himself as ‘a good old-fashioned leftie’ and is a bit concerned that his son is a bit further to the right than he would like, talking in reverent tones about Clyde. He idolised the man for his contribution to the labour movement and dedication to the cause. Clyde was a proud upholder of the Labor Party’s working-class roots and was never afraid to speak his mind. He was greatly influenced by his mother, who was a Quaker who always claimed that Jesus Christ was the world’s first communist.
Clyde became passionate about the Labor Party, a party of which he was a member for 70 years. There is a great story about how a dead sheep forced him into the Labor Party, and about his experiences dealing with his employer at the time. My local former member, Bill Hayden, the former Governor-General, who worked alongside Clyde Cameron in the Whitlam Labor ministry, said that he was from the old school of hard Labor players and a great friend, but also a difficult and unforgiving enemy. I think Bill was probably correct there. Former Prime Minister Bob Hawke once described Clyde Cameron as a great hater, saying that he made his mark as one of the most aggressive and uncompromising Labor members ever to enter parliament. Clyde’s politics were forged in the shearing shed, where he moved through the union office, into parliament and onto Whitlam’s front bench. For the duration of his entire career, he fought for strong working-class values. He became a curiosity in many ways, an oddity: a vocal socialist in the Australian Workers Union, a union traditionally associated with the more moderate elements of the Australian Labor Party.

Clyde became a rouseabout at Ashmore Station in 1928 and was elected as a union organiser with the AWU in South Australia in 1938, where he was endearingly called ‘Shithouse Cameron’ because of his insistence that shearers be given decent toilet facilities. It was a memorable way to start a career in the union movement. He became state secretary of the union in 1941 and was elected president of the South Australian branch of the ALP in 1946. He was the Minister for Labour in the Whitlam Labor government. As labour minister he captured primary responsibility for wages from the Treasury and he sought and supported equal pay for women, a fact not always remembered. Women of Australia should be proud of the contribution that Clyde Cameron has made in that regard. In 1975 he became the minister for science in a cabinet reshuffle which led him to be very angry, I think, for what happened. He retired from parliament in 1980.

He wrote two books: *Unions in Crisis* in 1982 and *The Cameron Diaries* in 1990. He remained a great contributor, and his life is a contribution. He was a servant to, and made sacrifices for, the Labor Party and the labour movement. Even after his retirement he mentored people. He helped the party with contributions and fundraising in South Australia and elsewhere. He mentored young Labor Party movement activists and union officials. He will be remembered for his lifelong commitment to the Australian workers and their welfare. He hated conservatism with a deep and abiding passion, and he made no secret of it. I remember as a boy seeing him on TV talking about it. But he could be friendly and courteous to conservatives, as the member for Mayo mentioned just the other day.

For all his idealism and radicalism, he was still pragmatic enough in the 1960s to side with opposition leader Gough Whitlam in the troubles in Victoria. His support for Whitlam in his showdown with the socialist Left clique in the troublesome Victorian ALP executive was crucial to federal intervention, power sharing and thereby Labor’s victory nationally in 1972. I commend the book *A Life on the Left* because it chronicles in detail those wonderful factional machinations which really were crucial to Labor winning in 1972. In fact Gough Whitlam once wrote of Clyde Cameron that he was ‘a principal architect of victory’ in 1972. We should all be proud on this side of the House.

A political animal and great storyteller, Clyde Cameron was brilliant at elucidating political strategy and dispensing profound insights into the world of politics. I must confess to having used his Clydeisms on many occasions in speeches I have made. In his address to the National
Press Club in 1990 he delivered his political code, comprising the 21 golden rules of Clyde. Some of Clyde’s greatest political lessons to live by include: ‘It is better to overrate one’s opponent than to overrate one’s own ability’ and ‘The best line of defence in politics, as in war, is the frontal attack.’ He lived that life always. This sounded a bit like a Johism from Queensland: ‘Birds of a feather flocking together happen all the time,’ so it is a good idea to observe who is talking, eating or drinking with whom. That is the best way to keep tabs on doubtful allies. I like this one: ‘Never deny, or seek to defend, a mistake. It is far better to admit that one is not the Pope.’ These are just a few of Clyde’s great insights into great life. Thank you, Clyde, for your contribution to Australia, the Labor Party and the labour movement.

The DEPUTY SPEAKER (Ms AE Burke)—I understand it is the wish of honourable members to signify at this stage their respect and sympathy by rising in their places.

Honourable members standing in their places—

The DEPUTY SPEAKER—I thank the committee.

Mr RIPOLL (Oxley) (12.30 pm)—I move:
That further proceedings be conducted in the House.
Question agreed to.

GOVERNOR-GENERAL’S SPEECH

Address-in-Reply

Debate resumed from 18 March, on motion by Mr Hale:
That the address be agreed to.

Ms OWENS (Parramatta) (12.31 pm)—I take this opportunity in the address-in-reply to thank the people of the electorate of Parramatta for re-electing me as their representative in the 42nd Parliament. It is an honour and I sincerely thank them. The address-in-reply is an opportunity to talk about my electorate of Parramatta—something that I never tire of doing. There is a comment about the area around Parramatta that I make quite often that has more heads nodding than any other comment: whatever we have seen so far in Parramatta and Western Sydney, it is really just the beginning; that everything we see, the amazing change that has come over the city in the last decade, whatever we see of its diversity and vibrancy, what we see above the surface, is nothing compared to the hidden potential beneath the surface—enormous possibility waiting to be uncovered, sometimes sitting idle, sometimes bubbling along unseen, a vibrancy, a possibility, in hidden treasures waiting to be discovered and ready to contribute to the next phase in the city’s development.

Some of the potential can be brought about largely by our own efforts; others, though, require support of governments. Today I want to talk about just two of the underdeveloped talents of Parramatta—tourism and our open spaces. Both are difficult because no single person, organisation, council, state or federal government or private company—or the market alone—can deliver them in the way that they can be delivered, although we all have our part to play. Both things will happen if the community commits and will languish if we do not, but both will change the face of our city for the better. Both are about building a city with a sense of place, a city that is liveable with a heart and a sense of itself. Neither of these ideas are really mine; however, the patterns and priorities that have emerged from talking to many people have lead me to believe that the time for both of these ideas has come.
Parramatta sits on more heritage assets than the Rocks and most are within walking distance of the Parramatta River, yet Parramatta earns less than one per cent of its GDP from tourism and related businesses compared with five per cent Sydney-wide—although I understand that that national figure has fallen in recent years. Our hotels are full on weekdays because of CBD business but empty on the weekends. We are well overdue for tourism development. We attract passing crowds because of Rosehill Racecourse, Eastern Creek and Parramatta Stadium and we have visitors to Homebush and the showground. The problem here is not just that the rest of the country does not know about what we have in Parramatta but that many of the locals do not know either, and it is hard to imagine Parramatta developing its full potential if the locals do not know where it is that they live. I spoke to a friend of mine last month—a man in his mid-40s—who has lived in Parramatta and Blacktown all of his life and he had discovered the history of Parramatta just last month and now tells me stories about the remarkable heritage assets that he can actually see from his balcony and has been able to see for several years. I met a woman in her 20s who lives in Parramatta and who had never been to Parramatta Park or Old Government House and did not know of its significance. She was not aware that the history that she studied in primary school of Governor Phillip, Governor Macquarie and Governor Bligh actually took place down the road from where she lives. While Parramatta has the attractions, it has not created tourism products—there are no signposts or narratives, few guided tours except those within venues such as Old Government House and no tourist transport. When a tourist arrives in Parramatta, compared with tourist services elsewhere, they are still essentially on their own, in spite of some good work by the Heritage Centre.

The Parramatta council and the Parramatta Chamber of Commerce have shown a willingness to work together to develop the tourism potential of the area, and the Rudd government has committed $500,000 to its first phase, which will provide a significant springboard for further projects. Long term, Parramatta council puts the development costs at close to $10 million, but I would put it much higher. If by 2020 Parramatta is to be a major tourist destination, we cannot ignore the cost of refurbishment of heritage assets which are not costed within council’s proposals and would be expected to cost tens of millions of dollars over a decade. We cannot ignore the costs or the extraordinary potential of the Cumberland Hospital site, the female convict factory or the Parramatta jail. Parramatta jail still takes weekend prisoners but its time as a jail is coming to an end.

It is worth talking specifically about the female convict factory, which is not a tourist site at the moment since it is largely derelict within the Cumberland Hospital site. It is actually ‘the female convict factory’—not just ‘a female convict factory’ but the one from the early days of Australia’s settlement. It sits beautifully on the banks of the Parramatta River and is made of large sandstone blocks. But many of those blocks are missing. They were not taken by vandals or thieves; they were taken over to the harbour to refurbish the Hyde Park Barracks. Every time I think of that, the words ‘raiding party’ come to mind. I think it is probably time—and I do not suggest that anyone really does this—to take them back! Such is the history of heritage sites in Western Sydney.

The female orphanage, the first three-storey building in the country, was the place where the female children of convicts were housed. On the third floor of the refurbished part of the building there is a hole in the wall where red bricks were taken to refurbish a building in the
Rocks. Again, you cannot imagine bricks from the Rocks being taken to refurbish a building in Western Sydney. It is time that we recognised that we have some of the most significant heritage assets in the country sitting in what was the heart of government immediately after early settlement. There are still two wings of the female orphanage that are boarded up and which have not been refurbished. Again, it sits beautifully on the banks of the Parramatta River and is quite an extraordinary building.

Geographically, Parramatta sits between Homebush and the Blue Mountains. We are literally between two major tourist attractions. But really, if you know what Parramatta has and how it should be developed in the future, we should see people visiting Olympic Park on the way to Parramatta. There is, at last, one cafe in Parramatta Park, a public park that encompasses the grounds of Old Government House and celebrates 150 years this year. There is still no bike hire and there is still insufficient signage and interpretation. This is not the fault of the park. Funding levels are way below funding to other similar parks close to the centre of Sydney. You still cannot cycle or walk along the riverbank to the park. While nearly all of the major tourist sites are within walking distance of the river, you still cannot walk along the river—

*Divisions having been called in the House of Representatives—*

*Sitting suspended from 12.38 pm to 1.37 pm*

*The DEPUTY SPEAKER (Ms AE Burke)—Order! There being no quorum present, the Main Committee is adjourned until 9.30 am tomorrow.*

*Main Committee adjourned at 1.38 pm*