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SITTING DAYS—2009

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FORTY-SECOND PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

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, Mr Peter Sid Sidebottom MP, Hon. Peter Neil Slipper 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
Manager of Opposition Business—Hon. Christopher Maurice Pyne MP
Deputy Manager 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. Malcolm Bligh Turnbull MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Alex Somlyay MP
Opposition Whips—Mr Michael Andrew Johnson MP and 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

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

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<td>New England, NSW</td>
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<td>Wood, Jason Peter</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—IC Harris AO
Secretary, Department of Parliamentary Services—A Thompson
RUDD MINISTRY

Prime Minister
Hon. Kevin Rudd, MP

Deputy Prime Minister, Minister for Education, Minister for Employment and Workplace Relations and Minister for Social Inclusion
Hon. Julia Gillard, MP

Treasurer
Hon. Wayne Swan MP

Minister for Immigration and Citizenship and Leader of the Government in the Senate
Senator Hon. Chris Evans

Minister for Defence and Vice President of the Executive Council
Senator Hon. John Faulkner

Minister for Trade
Hon. Simon Crean MP

Minister for Foreign Affairs and Deputy Leader of the House
Hon. Stephen Smith MP

Minister for Health and Ageing
Hon. Nicola Roxon MP

Minister for Families, Housing, Community Services and Indigenous Affairs
Hon. Jenny Macklin MP

Minister for Finance and Deregulation
Hon. Lindsay Tanner MP

Minister for Infrastructure, Transport, Regional Development and Local Government and Leader of the House
Hon. Anthony Albanese MP

Minister for Broadband, Communications and the Digital Economy and Deputy Leader of the Government in the Senate
Senator Hon. Stephen Conroy

Minister for Innovation, Industry, Science and Research
Senator Hon. Kim Carr

Minister for Climate Change and Water
Senator Hon. Penny Wong

Minister for the Environment, Heritage and the Arts
Hon. Peter Garrett AM, MP

Attorney-General
Hon. Robert McClelland MP

Cabinet Secretary, Special Minister of State and Manager of Government Business in the Senate
Senator Hon. Joe Ludwig

Minister for Agriculture, Fisheries and Forestry
Hon. Tony Burke MP

Minister for Resources and Energy and Minister for Tourism
Hon. Martin Ferguson AM, MP

Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services
Hon. Chris Bowen, MP

[The above ministers constitute the cabinet]
Minister for Veterans’ Affairs
Hon. Alan Griffin MP

Minister for Housing and Minister for the Status of Women
Hon. Tanya Plibersek MP

Minister for Home Affairs
Hon. Brendan O’Connor MP

Minister for Indigenous Health, Rural and Regional Health and Regional Services Delivery
Hon. Warren Snowdon MP

Minister for Small Business, Independent Contractors and the Service Economy, Minister Assisting the Finance Minister on Deregulation and Minister for Competition Policy and Consumer Affairs
Hon. Dr Craig Emerson MP

Assistant Treasurer
Senator Hon. Nick Sherry

Minister for Ageing
Hon. Justine Elliot MP

Minister for Early Childhood Education, Childcare and Youth and Minister for Sport
Hon. Kate Ellis MP

Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change
Hon. Greg Combet AM, MP

Minister for Employment Participation and Minister Assisting the Prime Minister on Government Service Delivery
Senator Hon. Mark Arbib

Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government
Hon. Maxine McKew MP

Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water
Hon. Dr Mike Kelly AM, MP

Parliamentary Secretary for Western and Northern Australia
Hon. Gary Gray AO, MP

Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction
Hon. Bill Shorten MP

Parliamentary Secretary for International Development Assistance
Hon. Bob McMullen MP

Parliamentary Secretary for Pacific Island Affairs
Hon. Duncan Kerr SC, MP

Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade
Hon. Anthony Byrne MP

Parliamentary Secretary for Social Inclusion and the Voluntary Sector and Parliamentary Secretary Assisting the Prime Minister for Social Inclusion
Senator Hon. Ursula Stephens

Parliamentary Secretary for Multicultural Affairs and Settlement Services
Hon. Laurie Ferguson MP

Parliamentary Secretary for Employment
Hon. Jason Clare MP

Parliamentary Secretary for Health
Hon. Mark Butler MP

Parliamentary Secretary for Industry and Innovation
Hon. Richard Marles MP
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<td>The Hon. Tony Smith MP</td>
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<td>Shadow Minister for Sustainable Development and Cities</td>
<td>The Hon. Bruce Billson MP</td>
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<td>Shadow Minister for Competition Policy and Consumer Affairs and Deputy Manager of Opposition Business in the House</td>
<td>Mr Luke Hartsuyker MP</td>
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<td>Shadow Minister for Housing and Local Government</td>
<td>Mr Scott Morrison</td>
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<td>Shadow Minister for Ageing</td>
<td>Mrs Margaret May MP</td>
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<td>Shadow Minister for Defence Science and Personnel and Assisting Shadow Minister for Defence</td>
<td>The Hon. Bob Baldwin MP</td>
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<td>Shadow Minister for Veterans’ Affairs</td>
<td>Mrs Louise Markus MP</td>
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<tr>
<td>Shadow Minister for Early Childhood Education, Childcare, Status of Women and Youth</td>
<td>Mrs Sophie Mirabella MP</td>
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<td>Shadow Minister for Justice and Customs</td>
<td>The Hon. Sussan Ley MP</td>
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<td>Shadow Minister for Employment Participation, Training and Sport</td>
<td>Dr Andrew Southcott MP</td>
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<td>Shadow Parliamentary Secretary for Northern Australia</td>
<td>Senator the Hon. Ian Macdonald</td>
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<td>Shadow Parliamentary Secretary for Roads and Transport</td>
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<td>Shadow Parliamentary Secretary for Regional Development</td>
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<td>Shadow Parliamentary Secretary for International Development Assistance and Shadow Parliamentary Secretary for Indigenous Affairs</td>
<td>Senator Marise Payne</td>
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<td>Shadow Parliamentary Secretary for Energy and Resources</td>
<td>Mr Barry Haase MP</td>
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<td>Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector</td>
<td>Senator Mitch Fifield</td>
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<td>Shadow Parliamentary Secretary for Water Resources and Conservation</td>
<td>Mr Mark Coulton MP</td>
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<td>Shadow Parliamentary Secretary for Education</td>
<td>Senator the Hon. Brett Mason</td>
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<td>Shadow Parliamentary Secretary for Justice and Public Security</td>
<td>Mr Jason Wood MP</td>
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<td>Senator the Hon. Richard Colbeck</td>
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The SPEAKER (Mr Harry Jenkins) took the chair at 9 am and read prayers.

HEALTH INSURANCE AMENDMENT (COMPLIANCE) BILL 2009

First Reading

Bill and explanatory memorandum presented by Mr Bowen.

Bill read a first time.

Second Reading

Mr BOWEN (Prospect—Minister for Financial Services, Superannuation and Corporate Law and Minister for Human Services) (9.01 am)—I move:

That this bill be now read a second time.

This bill will amend the Health Insurance Act 1973 to give effect to the increased Medicare compliance audits initiative which was announced in the 2008-09 budget.

Expenditure on the Medicare scheme was over $14 billion in 2008-09 and has grown by more than $1 billion per annum over the last two years. Compliance audits are conducted to ensure that taxpayers’ money is spent appropriately. At present, many practitioners voluntarily cooperate with Medicare Australia during a compliance audit. However, on average 20 per cent of practitioners either do not respond to or refuse to cooperate with a request for documents. When this occurs Medicare Australia does not have the authority to require the production of relevant documents, and cannot confirm that the Medicare payment is correct. This legislation is intended to address that deficiency.

The government has worked closely with stakeholders, including the Office of the Privacy Commissioner, the Australian Medical Association, key medical colleges and the Consumers Health Forum to balance the public interest in ensuring the integrity of public revenue expended on Medicare services with the privacy concerns.

Key stakeholders were consulted and given the opportunity to comment during 2008 and in the first half of 2009. This process included the release of an exposure draft and privacy impact assessment, as well as referral of the compliance audits initiative to the Senate Community Affairs Legislation Committee.

The report of the Senate Community Affairs Legislation Committee inquiry into Medicare compliance audits recommended that regulations to ensure that patient clinical records are only required to be accessed where necessary during a compliance audit should be developed. The government has accepted the substance of the recommendation. However given the concerns expressed during the hearing it is more appropriate to address this in the primary legislation. Therefore the bill will provide for significant involvement by medical practitioners employed by Medicare Australia in the compliance audit process.

In response to the stakeholder feedback and Senate committee recommendations, the government has amended the bill to include significant involvement by medical practitioners employed by Medicare Australia in the compliance audit process. This will mean that Medicare Australia will have employees who are medical practitioners involved in every compliance audit.

This bill will enable the Chief Executive Officer (CEO) of Medicare Australia to give a notice requiring the production of documents to a practitioner, or another person who has custody, control or possession of the documents, to substantiate whether a Medicare benefit paid in respect of a service should have been paid. However before a notice to produce documents can be given to
a person the CEO must fulfil several conditions:

- Firstly, the CEO must have a reasonable concern that the Medicare benefit paid in respect of a service may exceed the amount that should have been paid. This means that Medicare Australia cannot conduct random compliance audits. A reasonable concern may be related to a particular practitioner, a group of practitioners or a particular service or groups of services. For example, the use of a particular Medicare item may have grown so significantly or unexpectedly that the CEO can have a reasonable concern about the provision of any service associated with that item number. The CEO may also have a concern about a professional service if it has been provided by a person who is a particular type of practitioner and the CEO has a concern about that specific group of practitioners.

  The compliance audits conducted by Medicare Australia under the provisions in this bill will be limited to seeking to confirm whether a Medicare benefit paid in respect of a service exceeded the amount that should have been paid. This means that the audit will seek to establish that the elements of a particular service, which are outlined in the Medicare Benefits Schedule and are relevant to the accuracy of the payment, were performed. For example, if a Medicare benefit is only payable for a service when a specific test is undertaken, Medicare Australia will ask the practitioner to produce documents that demonstrate that the test was performed.

  Medicare Australia’s compliance audits will not review matters relating to clinical decision making, the clinical relevance of the service provided to the patient or professional conduct. This means that the elements of a service which are not factual but rely on the clinical judgement of a practitioner will not be reviewed during a compliance audit. For example, one element which must be completed in order for a Medicare benefit to be paid for some Medicare services is the requirement for practitioners to undertake an exhaustive patient history. However the judgment about what constitutes an ‘exhaustive history’ is clinical rather than a matter of fact. Therefore this element of the service would not be in scope during a compliance audit.

- Secondly, the CEO must take advice from a medical practitioner employed by Medicare Australia on potential sensitivities associated with the kinds of documents a practitioner may need to provide to substantiate the service.

- Thirdly, the CEO must give the person a reasonable opportunity to voluntarily respond to an audit request. This means that practitioners who choose to voluntarily tell Medicare Australia that they have received a benefit that exceeds the amount they should have been paid will still benefit from discounts on any financial penalty that may apply.

  Only when these three conditions are met can the CEO serve a notice requiring a person to produce documents to substantiate a Medicare benefit paid in respect of a service.

  The bill does not introduce any record-keeping requirements. It will be up to the person who receives the notice to decide what documents they have available to substantiate the service.

  The notice to produce documents must include a statement that documents containing clinical details do not have to be produced unless these are necessary to substantiate the service. However the bill includes a provi-
sion that a person does not have to produce documents containing clinical details to anyone who is not a medical practitioner employed by Medicare Australia. This means that practitioners can choose to supply documents containing clinical details to other medical practitioners employed by Medicare Australia rather than an administrative officer. As a result the practitioner who provided the Medicare service will decide whether documents containing clinical details need to be provided to Medicare Australia, and if so, who will receive those documents.

Medicare Australia is also working with relevant stakeholders, including the Australian Medical Association, to develop guidelines for practitioners setting out the kinds of information that will substantiate particular services or groups of services. These guidelines will be publicly available and will emphasise that clinical information is not to be provided unless it is absolutely necessary to substantiate the service.

The provisions in this bill do not commence until 1 January 2010 in order to allow for the development and publication of these guidelines.

The bill provides protection for practitioners by providing that the documents and information about particular services provided in response to a notice cannot be used as the basis for a referral to Professional Services Review or for most criminal and civil proceedings. This means that information relating to identified services produced in response to a notice to produce documents will not be able to be used in any other proceedings, except for those relating to false and misleading statements under the Health Insurance Act 1973.

The bill ensures that practitioners will be notified of the outcome of an audit in which they were involved. Where a practitioner is found to owe a debt to the Commonwealth, the bill also introduces a requirement that they be given 28 days in which to seek internal review of the decision before a debt notice is issued.

At present, where the amount paid in respect of the service cannot be substantiated, the practitioner is required to repay the amount. This will continue to occur. In addition, this bill provides that a practitioner who cannot substantiate the amount paid in respect of a service may also be liable for a financial administrative penalty. The financial penalty is intended to encourage practitioners to itemise Medicare services correctly.

A base penalty amount of 20 per cent will be applied to debts in excess of $2,500 or a higher amount if specified in regulations. An analysis of Medicare Australia data indicates that this threshold reflects the point at which mistaken claims may become routine, or reflective of poor administration or decision making. In 2008-09, only 22 per cent of practitioners who were found to have made incorrect claims were asked to make repayments of more than $2,500.

The $2,500 threshold amount may be increased by regulations. This provides for future adjustments of the threshold to ensure that practitioners are not disadvantaged by incremental increases in the value of the Medicare benefit amount paid in respect of services.

The bill allows the base penalty amount of 20 per cent to be reduced or increased according to individual circumstances described in the legislation. This encourages self-disclosure and promotes voluntary compliance whilst discouraging recidivism. If a practitioner:

- tells Medicare Australia that an incorrect amount has been paid in respect of the service prior to being contacted by the
CEO, there is a 100 per cent reduction in the penalty;

- tells Medicare Australia that an incorrect amount has been paid in respect of the service before a notice to produce documents is issued, the penalty is reduced by 50 per cent;

- tells Medicare Australia that an incorrect amount has been paid in respect of the service after a notice to produce documents has been issued but before completion of the audit, the penalty is reduced by 25 per cent;

- does not respond to a notice to produce documents, the full amount of the services identified in the notice becomes repayable and the penalty is increased by 25 per cent;

- has been unable to substantiate an amount paid in respect of other services in the previous 24 months and the total they repaid was more than $30,000, the penalty in respect of the current amount which is being recovered is increased by 50 per cent.

The bill is not retrospective and will only apply to Medicare services provided after the commencement of the legislation on 1 January 2010.

This bill forms part of the government's commitment to responsible economic management and prudent fiscal responsibility. I commend the bill to the House.

Debate (on motion by Dr Southcott) adjourned.

SOCIAL SECURITY AMENDMENT (NATIONAL GREEN JOBS CORPS SUPPLEMENT) BILL 2009

First Reading

Bill and explanatory memorandum presented by Mr Clare.

Bill read a first time.

Second Reading

Mr CLARE (Blaxland—Parliamentary Secretary for Employment) (9.13 am)—I move:

That this bill be now read a second time.

The National Green Jobs Corps will commence on 1 January 2010, giving up to 10,000 young people the opportunity to develop green skills through 26 weeks of accredited training and work experience.

This bill, the Social Security Amendment (National Green Jobs Corps Supplement) Bill 2009, amends the Social Security Act 1991 to allow a training supplement of $41.60 per fortnight to be paid to participants in the program who receive Newstart allowance, youth allowance (other) or the parenting payment.

There are important lessons from previous economic downturns which have guided the development of the National Green Jobs Corps and this legislation.

In the 1980s and 1990s youth unemployment rose much quicker than the general rate of unemployment.

Those young people without skills or qualifications suffered most. During the early 1990s recession, around 40 per cent of early school leavers were not in education or employment six months after leaving school, compared with 12 per cent for those who had completed year 12.

Today young people are again the hardest hit. Youth unemployment accounts for over 40 per cent of the increase in unemployment over the last 12 months; many of these young people have not completed high school.

That’s why in April the Prime Minister announced the policy of ‘Learn or Earn’. This means that young people under the age of 21 without a year 12 or equivalent qualifi-
cation must be in education or training in order to qualify for youth allowance.

In June the government introduced a training supplement of $41.60 a fortnight to recipients of Newstart or the parenting payment who have not completed year 12 or an equivalent qualification but who start an approved course of study or training between 1 July 2009 and 30 June 2011.

In July the Prime Minister announced the establishment of the National Green Jobs Corp, an environmental training program that will enable young Australians to develop the green skills and experience needed for jobs of the future.

It is targeted at the young Australians most vulnerable in the current environment—especially those who have not obtained a year 12 or equivalent qualification.

It will provide work experience and training on projects like:
- Bush regeneration
- Erosion control
- Developing community information and education projects
- Beach and dune rehabilitation
- Habitat protection

These projects will make environmental improvements now and help develop green skills that will increasingly be needed in the labour market of the future.

Participants in the National Green Jobs Corps will undertake work experience and skill development, including 130 hours of accredited training leading to a nationally recognised qualification.

To encourage this training—this bill provides for a training supplement of $41.60 per fortnight to be paid to Green Jobs Corps participants who are recipients of Newstart allowance, youth allowance (other) and parenting payment.

Young people with a partial capacity to work or young parents will have their hours of participation tailored to their assessed capacity.

We know young people are particularly vulnerable in the current economic environment.

We know young people who have not completed year 12 or an equivalent are even more vulnerable.

That’s why we have targeted assistance to these young people through the National Green Jobs Corps.

This legislation will assist young people to participate in this program.

To gain work experience and training.

To build the skills in the jobs of the future.

I commend the bill to the House.

Debate (on motion by Dr Southcott) adjourned.

PRIVATE HEALTH INSURANCE LEGISLATION AMENDMENT BILL (No. 2) 2009

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) (9.17 am)—I move:

That this bill be now read a second time.

The Private Health Insurance Legislation Amendment Bill (No. 2) 2009 will amend the Private Health Insurance Act 2007.

The bill provides for amendments to the act to allow for conditional listing of prostheses on the Commonwealth Prostheses List (“the List”), and allow the Minister for Health and Ageing to make Private Health Insurance (Prostheses) Rules to specify criteria for listing prostheses on the List.
These changes will commence on royal assent.

**Conditional listing**

Under the act it is currently unclear whether a prosthesis can be conditionally listed where the prosthesis is provided in circumstances where a Medicare benefit is payable.

Effectively this means that a surgically implanted device can be listed for general use, or not listed at all.

This is problematic because there are circumstances in which a device would be beneficial for some conditions or clinical circumstances, but where it would not be recommended or cost effective for general use.

For example, a sponsor has recently applied to list a device that is life-saving, but where it is not cost-effective to grant an unconditional listing of this device. An unconditional listing of the device would require private health insurers to pay benefits for that device regardless of the clinical circumstances in which the product is used.

The amendments proposed in the bill would enable the device to be listed on a conditional basis, ensuring patients have access to life-saving treatments in a way that controls the additional costs to private health insurance.

With further developments in medical technology there is likely to be a greater need for listing devices on a conditional basis in the future.

**Criteria for listing devices**

A number of prostheses on the List have recently been identified as not meeting the current criteria for listing as a prosthesis, for example, insulin infusion pumps.

An insulin pump is a small, computerised device that delivers insulin constantly under the skin through a plastic tube, removing the need for regular insulin injections. The pump is programmed to give small background doses of insulin continuously throughout the day and night depending on the individual’s needs.

The rising incidence of type 1 diabetes in children underlines the importance of the Rudd government’s decision to subsidise the cost of insulin pumps.

According to the Australian Institute of Health and Welfare (AIHW), the incidence of new cases of type 1 diabetes in children is rising at around three per cent a year. There were more than 6,000 new cases in children aged zero—14 years between 2000 and 2006, which equates to more than two new cases each day.

The Government now provides a means-tested subsidy of up to $2,500 for insulin pumps for people with type 1 diabetes under the age of 18. Pumps reduce the need for parental supervision in looking after a child with type 1 diabetes. They allow the child to participate in normal activities like school, sport and social functions with less constant monitoring.

The insulin pump subsidy complements other government measures assisting people with diabetes. Government funding committed to support people with diabetes is substantial. Last financial year, government expenditure on diabetic products supplied through the National Diabetes Services Scheme exceeded $126 million and expenditure on medicines for diabetes through the Pharmaceutical Benefits Scheme, such as insulin, exceeded $300 million.

The government is now taking action to ensure privately insured people continue to have access to insulin pumps.

Insulin pumps do not meet the normal criteria for listing of a prosthesis on the Commonwealth Prostheses List, which contains private health insurance benefits for medical
devices. This is because insulin pumps are not surgically implanted.

However, there is clear evidence that insulin pump therapy significantly reduces severe hypoglycaemic episodes and provides major improvements in the control of blood glucose. Effective diabetes control reduces health complications such as kidney failure, amputation, damage to the eyes and vascular problems. Given the prevalence of diabetes, preventing avoidable hospitalisations for these complications makes good business sense for insurers.

Access to insulin pumps also offers the best health outcomes and quality of life for many people living with diabetes.

I have asked the Prostheses and Devices Committee to develop a new part to the Prostheses List so that health insurers continue to fund insulin pumps and other devices for their members that are clinically effective and cost effective.

This new part of the Prostheses List will include certain devices that are not surgically implanted but have an internal part that is integral to their effectiveness and designed to combat a pathological process or modulate a physiological process, or surgically implanted devices that monitor a pathological or physiological process.

The amendments proposed in this bill will allow the government to make rules setting out the criteria for listing on this new part of the Prostheses List, based on the recommendations of the Prostheses and Devices Committee.

This will ensure clarity and consistency in the treatment of applications for listing on the new part, and ensure costs to private health insurance are controlled.

Products will only be listed where they are clinically effective, cost effective, provide significant health benefits to patients and can prevent the need for expensive downstream medical costs.

The new criteria will not override any of the current legislative criteria for listing. For example, a device must still be provided to a person as part of an episode of hospital or hospital-substitute treatment.

Accordingly, you can see that these changes will deliver significant benefits to consumers and to those who are privately insured seeking to use these and other devices. I commend the bill to the House.

Debate (on motion by Mr Lindsay) adjourned.

HEALTH INSURANCE AMENDMENT (EXTENDED MEDICARE SAFETY NET) BILL 2009

Consideration of Senate Message

Consideration resumed from 16 September.

Senate’s amendments—

(1) Schedule 1, item 3, page 4 (line 23), before “The”, insert “(1)”.

(2) Schedule 1, item 3, page 4 (after line 31), at the end of section 10B, add:

A determination made under subsection (1) does not come into effect until it has been approved by resolution of each House of the Parliament.

(3) Schedule 1, page 4 (after line 31), after item 3, insert:

3A After section 10A

Insert:

10C Evaluation of the caps measures

(1) The Minister must cause an independent evaluation to be conducted of the impact and operation of determinations made by the Minister under section 10B.

(2) The evaluation must start not later than 1 April 2011.

(3) The Minister must cause a written report of the evaluation to be prepared.
The Minister must cause a copy of the report to be laid before each House of the Parliament by 1 July 2011.

Ms ROXON (Gellibrand—Minister for Health and Ageing) (9.24 am)—I move:

That the amendments be agreed to.

I am very pleased that the opposition, after all of their blustering on this measure, have decided to support what is a sensible and important budget measure. The bill will allow the government to put the extended Medicare safety net onto a sustainable footing into the future. With expenditure increasing 30 per cent in the last year alone, it is obviously an important measure to keep some of those costs under control.

The Rudd government’s health budget this year was all about reforming our health system, delivering better services to the community, funding new drugs and expanding successful programs and making them fairer and more sustainable in the long term. Unfortunately, the opposition do not seem to have yet made the connection between funding new programs, demanding existing ones are fair, delivering to patients and providing best value for taxpayers’ dollars.

We know that every taxpayer dollar in health is precious, and the limited funding we have must be targeted to ensure we get not just the biggest bang for our buck but the best bang for our buck. This measure returns almost half a billion dollars—which has been buying Rolls-Royces and all sorts of other extravagances for some very well paid specialists—so that we can invest in health measures that will have benefits to patients.

For example, in this year’s budget we provided funding for a new cancer drug, Avastin, at the cost of $314 million. We have continued the Herceptin breast cancer drugs for women, at $168 million. We have instigated a new maternity package, providing more choices for women, at $120 million, and a rural health package with incentives for doctors who work in more remote parts of the country, at $134 million. So it is important that these savings measures can be delivered to allow for this expenditure in health.

We are happy to support the amendments; however, I would note that the determination that implements the caps is already a disallowable instrument in parliament, so there is already parliamentary scrutiny. The amendments to this bill will create an additional burden for the parliament, with every annual indexation of the cap having to go through both houses.

I am pleased that the opposition has indicated that it will now facilitate the smooth passage of this determination when it is presented to the House, and this will happen after the bill has received royal assent.

The government has agreed that a cap on the benefits for the injection of a therapeutic substance into the eye will not be implemented. In recent years there have been significant advances in therapies to treat macular degeneration which can hold dramatic results for patients, including saving sight. I would like to acknowledge the important role that the Macular Degeneration Foundation has played in securing these changes, and I support the amendments before the House.

Mr DUTTON (Dickson) (9.27 am)—This has been a long and drawn-out process, unnecessarily so. It shows the fact that there is no direction on health policy under the Rudd government. This is a government that promised so much at the last election, but at their every move they have turned health debate in this country into an absolute farce. There has been backflip after backflip by this minister. Promises have been broken—key election promises—in relation to hospitals and private health in particular.
We have been calling on the government for a period of time—in fact, since the budget—to make a series of changes. We took the minister at face value when she mentioned some figures in relation to a number of measures, but it became quickly apparent after speaking to stakeholders that those figures were incorrect and misleading. It was inappropriate for the minister to put a position which the industry clearly had not agreed to. There was, from the industry and from patient groups, a complete denial that the case the minister was putting forward was legitimate. We forced the government into negotiating with a number of parties. This ultimately resulted in outcomes and amendments that this government has been forced to backflip on and ultimately agree with.

It was a shameful process. This government introduced changes which had had no consultation. This was a government which said at one stage that they were open and transparent, that this was a new age of government and that they were going to consult more widely. Well, in relation to this bill, that clearly has not happened. Of course, when you do not consult properly as a government—as the Rudd government refuses to and as this health minister refuses to—the obvious consequences come. In relation to IVF, there were some significant changes made by this government. It was a magic pudding exercise in the end, but, nonetheless, we accept the government’s advice that the patients can be better off and the doctors can be better off—the government can be no worse off.

Language like that is unbecoming to a member of the executive in this chamber, surely, and I would ask the minister to withdraw it.

Mr DUTTON—I will repeat the word if you like, Mr Speaker, but she knows what she said. It was said in hushed tones.

Ms Roxon interjecting—

The SPEAKER—I did not hear anything. Obviously, in the eyes of the member for Dickson something occurred. I am usually reluctant to ask for the expression to be repeated but I am in no position to make a call on this because I thought things were being relatively quiet.

Mr DUTTON—Mr Speaker, if it will help the House, I have three minutes to go and I will accept that you did not hear it. I understand that. The minister has really embarrassed herself in the parliament today but I will leave that to her. What we faced was a situation where this government had arrived at a ‘magic pudding’ arrangement. They cannot explain the figures—they have refused to explain the figures. The true figures will be borne out in estimates and over the coming months. We will see what happens in relation to that.

There were other measures in relation to the bill. The minister had tried to extend the power she had, which was completely inappropriate given the fact that this minister had proven herself not to be responsible with the use of figures. We had negotiations with the government which forced them into backflipping to agree to a position they put to the Senate. In relation to the injection into the eye—the Lucentis issue—the government has quite falsely claimed that they had any interest in this measure before being forced into it by the opposition. We accepted the advice of the patient group who came to us and said that they had been ignored by the government. We forced the government into a change in relation to that measure.

The government can dress it up however they like but in the end this has been yet another backflip by an incompetent health min-
ister and we will fight to make sure that we improve the health outcomes in this country. We will not tolerate this minister misleading the debate. We will continue as an opposition to get good legislation and this has been an improvement. (Time expired)

The SPEAKER—The question is that the amendments be agreed to. Before giving the call to the member for New England, I thank him for dealing with his recalcitrant mobile and I understand that he is aware of the need to not have it ring in the chamber.

Mr WINDSOR (New England) (9.32 am)—I do apologise. I was watching the shadow minister in my office and could see the time, so I rushed down and inadvertently still had my phone on. I would like to speak briefly on this. I had intended to ask the minister a question on this issue in question time yesterday, but as questions were truncated earlier I was unable to do so. I am led to believe that, on the issue of macular degeneration, the Lucentis injection treatment has been accepted by the government. I am told that the opposition and other senators represented that view and the government has apparently accepted that. But I think there may still be some concerns in terms of the regulations that still have to be treated by both houses of parliament. I would just like clarification of that, if at all possible, because I think that issue highlights a very significant cause of blindness in our community.

If you look at the demographics of what the legislation was attempting to do for the great body of people accessing Medicare and other arrangements, the elderly in particular were a very small portion of that graph. There is no doubt in my mind that, for those people suffering with macular degeneration, the treatment could in fact assist. They may well have found that the additional money they would have to find would have caused them to make a decision not to seek the treatment. The outcome of that, in most cases, would be blindness. So I am pleased to hear what I think I am hearing but, if the minister is able to give some clarification to that, I think many elderly people with that disease—and those people working for them—would be very pleased to hear it.

Ms ROXON (Gellibrand—Minister for Health and Ageing) (9.35 am)—Yes, I am happy to address that issue. You are right that we have made a change. We have supported suggestions that were put to us by you, the Macular Degeneration Foundation, Vision 2020 and the opposition and have agreed, both in the House and in the Senate, that the determinations will not include any cap on that measure relating to the injection of a substance into an eye which affects Lucentis.

What we have done, given requests made by the opposition previously, is table our draft determinations. We are not permitted by the rules of this place to have final determinations until the bill receives royal assent, so that item will no longer be in the final determination; otherwise, the exposure draft that has been provided is exactly as has been provided to and debated in the House. There were concerns and requests by the opposition and others that they be able to look closely at the contents of that determination for the IVF measures and the obstetric measures et cetera. We gave an undertaking that there would not be any changes to that determination other than this one, which is agreed. We accept that there were concerns that it might have unintended consequences.

I have to take issue—as will probably not surprise anyone listening to this debate—with some of the quite inaccurate comments being made by the shadow minister. On budget night, when these measures were announced, it was quite expressively identified that as part of this measure consultations would be undertaken, particularly with the
sector, to restructure the IVF items. They are a complex range of items. We made quite clear that as part of that budget measure there would need to be a restructuring. The shadow minister opposite can pretend as much as he wants that that is a changed position. He can say ‘backflip’ as many times as he likes. In fact, that was exactly what was always intended. That process delivered an outcome that was ultimately accepted by the industry and by consumer groups and I am pleased was finally also accepted by the opposition.

The only thing that has been changed since budget night is our agreement to exempt Lucentis. It is not listed as Lucentis; it is listed as an injection of a therapeutic substance into the eye but, around here, of course, particularly among nonprofessionals, we have been calling it the ‘Lucentis exemption’ and we are happy to agree with that change. But I think it is a bit rich of people, particularly the opposition—and we see this also in a range of other measures so I might as well put it on the record in the House right now—to demand consultation and then to pretend that, because consultation takes time and because through consultation processes we come up with options that work for people, somehow the government is not doing its job properly.

I just conducted yesterday with the Prime Minister the 25th consultation on our health reform agenda. Anyone who thinks that we are not consulting on extensive health reforms has just been living in another country for the last six months. On our budget measures you simply cannot have it both ways. For example, with the introduction of nurse practitioner changes where questions have been asked about why the descriptors are not yet available, the descriptors are not yet available because the consultation meetings with doctors, nurses and others who have asked to be involved in drafting those provisions are drafting them. The shadow minister can come in here as many times as he likes, but it will not divert us from pursuing significant reform that was neglected by the previous government. It might be new initiatives like MBS and PBS access for midwives and nurse practitioners or it might be making measures like the Medicare safety net sustainable so that it can continue into the future and so that some of that money that perhaps was being misused—going into the pockets of specialists instead of to patients—can be redirected to better causes.

I think this outcome is good. I am happy that this change has delivered some relief to people who were concerned about the impact for macular degeneration, and I welcome the opposition’s belated support for this measure.

Question agreed to.

AUSTRALIAN CITIZENSHIP AMENDMENT (CITIZENSHIP TEST REVIEW AND OTHER MEASURES) BILL 2009

Second Reading

Debate resumed from 16 September, on motion by Mr Laurie Ferguson:

That this bill be now read a second time.

upon which Dr Stone moved by way of amendment:

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

“the House defers consideration of the bill until the following have occurred:

(1) the Government redrafts the bill so that it provides a ministerial discretion for those who cannot meet the residency requirements but whose citizenship can be demonstrated to be in the national interest; and

(2) the Government redrafts the bill so that it provides a ministerial discretion for awarding citizenship to offshore workers who cannot meet the residency requirements, but
who can demonstrate significant hardship or
disadvantage.”

Mr NEUMANN (Blair) (9.40 am)—
Yesterday I was making comment on the
comments made by the member for Cowan
in relation to the Labor Party’s position, par-
ticularly the Rudd government’s position, in
relation to border protection and asylum
seekers. As I said last evening, what the
member for Cowan was saying is simply
errant nonsense about the Labor Party in
terms of its commitment to border protection
and the security of our shores. It goes to
show that even amongst some on the back
bench opposite there remains a devotion not
just to Work Choices but also to the Pacific
solution and the inhumane treatment of men,
women and children in detention. Not every-
one opposite holds that view, but certainly
some still remain. It is the climate change
sceptics, the Work Choices devotees and now
the Pacific solution disciples infesting the
back bench of the coalition.

The citizenship test was launched on 17
September 2007 by the previous govern-
ment, allegedly for the primary purpose of
ensuring that applicants for citizenship in
this country had a basic knowledge of the
responsibilities and privileges of citizenship
and that they demonstrated the requisite re-
quirements of the act. It is quite clear that the
previous government, when it extended the
period of time from two years to four years,
really had the idea of being a bit more selec-
tive, shall I say, when it came to citizenship
in this country.

This government, the Rudd Labor gov-
ernment, is committed to reducing the un-
necessary obstacles to people seeking to be-
come citizens in this country. The Minister
for Immigration and Citizenship, Senator
Evans, announced on 28 April 2008 an inde-
pendent review of a number of very promi-
nent and eminent Australians who would
look into the test. There was much media
commentary in relation to that, about
whether people knew Don Bradman’s aver-
age or what is necessary for people to adhere
to in terms of their requisite knowledge of
Australia and Australian. I am comfortable
with the test that we are coming up with,
with the changes that are in this legislation.

I must say that I always have a lump in
my throat when I hear people give affirma-
tions or oaths when they become Australian
citizens at the many citizenship ceremonies
that I attend as the federal member for Blair.
When people pledge their loyalty to Aus-
tralia and its people, the democratic beliefs that
we all share, the rights and liberties that we
respect and the laws we uphold and obey—it
is terrific on those occasions to hear fellow
Australians also reciting that pledge, because
it is important that all of us, whether we live
in Tasmania, the Torres Strait, Palm Beach or
Perth, adhere to those democratic beliefs,
those rights and those liberties that we re-
spect.

The review committee handed down its
report in August 2008 which was entitled
Moving forward: improving pathways to citi-
zension. The review committee was formally
known as the Australian Citizenship Test
Review Committee. The Australian Citizen-
ship Amendment (Citizenship Test Review
and Other Measures) Bill 2009 before the
House today has been examined in detail by
the Senate Legal and Constitutional Affairs
Committee and the Senate Standing Commit-
tee for the Scrutiny of Bills. A report was
handed down on 7 September 2009. This
legislation takes up a number of the recom-
mandations of the review committee and
makes very clear that what we are doing is
improving pathways for people to become
citizens of this country.

This bill amends by way of schedule. Some people, by reason of their physical and
mental incapacity, simply are not capable of
sitting a citizenship test. These people, and they are few, should not be denied the opportunity to take up citizenship in this country. We want to be a humane, decent and fair society. If we truly believe in social inclusion we should, in all the circumstances, assist those people to become citizens like any one of us in this House. It is appropriate also to ensure that a citizenship test must be completed within a specified period of time. I also think the third amendment in this schedule I am referring to is beneficial and appropriate. The bill provides that to be eligible for citizenship by conferral the applicants who are under 18 years of age must be permanent residents at both the time of the application and the time of the decision. There is a small group of people who will benefit by the changes in this schedule, and they are just and humane changes. I am happy to speak in support of them and to vote in favour of this schedule.

The new second schedule also provides assistance to people who want to become Australian citizens who are engaged in certain professions, who are elite athletes and others—many of whom pay taxes, many of whom also represent the green and gold despite the fact that they have been permanent residents of this country. We have benefited in many sports from people coming to this country from overseas, not just in tennis or in ice-skating. I can also think of soccer players, rugby league players and rugby union players. There are countries around the world that have also adopted the same attitude as us. When I look at the England cricket team, I wonder whether they should be speaking Afrikaans there are so many South Africans in that team.

We live in a global community. We live in a community where people travel overseas from Australia. About one million Australians live overseas. We are also in a community which believes in multiculturalism, which I believe is appropriate and right, and accepts people from other countries. Last night, I said about six million people have come to this country since World War II and about four million have become Australian citizens. Clearly, many of those people who come to this country accept the democratic beliefs, the rights and the liberties that we respect, and want to become Australian citizens. It is one of the great joys of a federal parliamentarian to see the delight on the faces of young and old at citizenship ceremonies throughout our electorates.

I cannot understand the attitude of the member for Murray, who poured scorn on what we are doing in changing the pathway for citizenship for elite athletes and people in specialist professions. I am mystified at the opposition she put forward and the position she has adopted in relation to certain athletes. Why should these people who represent our country at athletics events, in sporting teams around the world and at Olympic Games events be denied that opportunity in their short careers, when we all share such joy at the efforts of Australian athletes and pride in seeing the delight on their faces when they compete on our behalf? I am truly astonished at the member for Murray’s attitude in opposing this sort legislation. There are many people who, by virtue of their residence and the fact that their employment takes them overseas, simply cannot satisfy the requirements here. To ensure these people get the opportunity to represent our country and to show the world how open and accessible we are is a very good thing.

We also need people from other professions in this country. That is why we have skill shortages. We need people to come here. Whether they are doctors, nurses, accountants or IT experts, we have enjoyed the benefits of a skilled migration program for years. We are also a country that accepts refugees. We adopt a humanitarian approach.
to people from overseas who are in need, often in desperate circumstances because of poverty, war, pestilence and other travails that they have had to endure.

We have a great record historically of ensuring that people with expertise who want to come to this country, take up permanent residence and then go and work perhaps on oil rigs or as airline pilots can do so. It is appropriate, fair and right. It is just plain wrong for people whose work circumstances are often beyond their control to be ineligible for citizenship. We should amend the test to remove these prohibitive residence requirements so that people can travel outside of Australia as part of their employment, still call Australia home and still become Australian citizens.

This is good, appropriate legislation. It is supported by a number of peak sporting bodies in this country, who also are urging the opposition to support this legislation. I urge the member for Murray, the member for Cowan and others to take a more reasonable approach with respect to this legislation so that the pathways to citizenship for the elite athletes who want to represent us and for professionals and other workers can be made easier, ensuring that all of us can enjoy the citizenship that we are so privileged to share.

Mr GEORGIOU (Kooyong) (9.54 am)—In 2007, despite widespread and well-informed criticism, the then government imposed a tough new test on people aspiring to become Australian citizens. Contrary to the propaganda, there had always been a citizenship test in Australia. Until 2007, the test involved a face-to-face assessment of applicants’ ability to speak basic English and their knowledge of the rights and responsibilities of citizenship. By contrast, the new test required literacy, computer skills and knowledge of a wide range of facts about Australian history, geography and other subjects.

The demands of this new test exceeded the capacity of many native-born citizens, and I opposed that test within and outside the parliament.

The test was overwhelmingly regressive. It turned its back on Australia’s tradition of inclusive citizenship. It discriminated not just against people of non-English-speaking background but against all people who have difficulty with literacy, and that is hundreds of thousands of people. It sent a corrosive message to many people—people committed to Australia—that they were not deserving of citizenship if they could not pass the test. Undoubtedly, it prevented many meritorious aspiring citizens from becoming full members of the Australian community. All these backward steps were taken despite any evidence that the new test was needed.

The then Labor opposition waved the legislation through. They made no amendments. They did not vote. They did, however, make the commitment that, if elected, they would establish a review of the citizenship test. Having won power, Labor did so. They established the Australian Citizenship Test Review Committee. This was a high-calibre group. It was chaired by Richard Woolcott, a very distinguished Australian. Other committee members were Rechelle Hawkes, Paula Masselos, Julianne Nkrumah, Warren Pearson, Vice Admiral Chris Ritchie and Professor Kim Rubenstein.

I do not want to be misunderstood. I thought that this was the best group that could be brought together for this task. It was a pity that from the outset the government tied the committee’s hands by declaring the new computerised citizenship test would remain. This was a significant handicap but, despite it, the Woolcott review’s work was quite exemplary. The committee undertook broad and genuine consultation. Its analysis was acute. Its recommendations were sub-
stantial and they were enlightened. The report transcended populist politics. It served the best interests of Australia and it reflected the best impulses of the Australian people. Dick Woolcott and his committee found that:

The present test is flawed, intimidating to some and discriminatory. It needs substantial reform.

The committee sought and found creative ways to return Australian citizenship to its tradition of inclusiveness. The review is a great tribute to its authors. The Citizenship Test Review Committee made 34 recommendations, and I commend the government for adopting a range of them, including focusing the test on the pledge of allegiance; having the resource book rewritten, dividing it into testable and non-testable sections; ending the need to pass mandatory questions; and, at the last moment, broadening the exemption for physical and mental disability.

According to the DIAC website, the government fully supported 23 of the recommendations and gave in-principle support to a further four. Leaving aside what ‘in principle’ means, on my count this number is incorrect. The government rejected or did not fully support 11 recommendations. My concern is not about errors of arithmetic or about the government’s spin—although there is a surfeit of this in the government’s response. My fundamental concern is that the government rejected the report’s most significant recommendations. It rejected recommendations that would have greatly enhanced the return to inclusive citizenship, and I think that is a matter of great regret.

As a cornerstone of its recommendations, the Woolcott review addressed the strong and widespread concern that a computer based test, even if it were substantially reformed, would exclude many people from getting citizenship—people who had been admitted to citizenship under arrangements that had been in place for over half a century. Throughout our post-war history, hundreds of thousands of people demonstrated they made good and often exceptional citizens, yet these people could not have passed the test.

The Woolcott review addressed the exclusionist bias of the new test. It did so through its recommendation that we institute ‘earned citizenship’. Earned citizenship recognises the commitment and the valuable contribution made to Australia by migrants over a long period of time. It reflects the belief that a compassionate society should provide a safety net for those who, despite their attempts, are simply unable to pass the test. A number of criteria for earned citizenship were set out in the Woolcott report. These were to be assessed by a citizenship referee appointed by the minister. This recommendation was rejected by the government. Earned citizenship was thrown out without argument and without justification, other than that contained in a single sentence, and I quote:

The Government believes this would introduce classes of citizenship.

This peremptory dismissal of well-considered suggestions of a very able group of people—a group selected by the government itself—is arrogant and its rationale is manifestly false.

The truth is that our citizenship law has provided a number of avenues to citizenship. These have been supported by successive governments. No-one has ever suggested that these avenues involved the introduction of classes of citizens—first, second or third.

The basic and irreducible fact is that there is only one class of citizenship: Australian citizenship. The fact is that, in addition to the various bases on which people may be eligible for citizenship by descent, section 21 of the Citizenship Act specifies a number of different grounds of eligibility for citizenship.
by conferral without the test having to be passed. These include a provision for people with a permanent physical or mental incapacity; people who are over 60 or have a hearing, speech or sight impairment; people born to former Australian citizens; people born in Papua; and stateless people. I say again: there may be exemptions but there has only been one class of Australian citizenship.

The government arrogantly dismissed the Woolcott review’s proposal for a new earned citizenship by claiming that it would introduce classes of citizenship. The government’s justification may have been more than flimsy, but now it is a travesty. The government has shown this by its amendments introducing special citizenship provisions for athletes and offshore workers. The minister says that he listened to the request of the Australian Olympic Committee and individual sportspeople to assist them with their special circumstances. Ministers are always to be applauded for listening. Listening is good. What is not good, what is not to be applauded, is the sharpness of the minister’s hearing when listening to the concerns about elite athletes contrasted with his profound deafness to the Woolcott review’s disinterested and compassionate recommendations. The minister should be condemned for being deaf to the Woolcott review’s recommendation that people should be eligible for citizenship because they have made a contribution to Australia and have been independently assessed as being committed to Australia.

But it is not just a matter of one rejection; there are multiple rejections. The question is: why has the minister turned a deaf ear to the other very sensible proposals in the Woolcott review? The Woolcott review, in addition to earned citizenship, proposed a distinctive new pathway to citizenship by separating the assessment of basic English from the adequate knowledge of Australia and the responsibilities and privileges of Australian citizenship. Basic knowledge of English would be assessed by interview with a citizenship referee and adequate knowledge of Australia and the responsibilities and privileges of Australian citizenship would be assessed through the completion of a citizen education program in languages other than English. This pathway would be appropriate for residents with low or no literacy but a basic grasp of English orally. Applicants for this pathway might also be literate in other languages but have no experience of formal tests or have limited or no experience with computers. The Woolcott review concluded: The benefit of this pathway is that difficult and often unfamiliar concepts that people need to understand are explained in their preferred language.

This positive educational approach will assist and empower prospective citizens to contribute to, and participate in, the community and in Australian society.

The government dismissed this out of hand, stating only that ‘the government is committed to having a test in English’.

Why did the government not listen to the Woolcott review regarding the pass mark? Having examined the evidence, the Woolcott review recommended that the pass mark be retained at 60 per cent. The government completely dismissed this and it actually increased the pass mark to 75 per cent. The government’s justification for this is to ‘maintain the rigour of the test’. The government rejected the proposal from the Woolcott review that, until implementation of the changes were complete, the test questions should be published and that two of the mandatory questions had to be answered correctly. The government rejected this. The Woolcott review recommended that the new test questions should be made publicly available. This was something that Labor had
asked for when it was in opposition. In his second reading speech in the debate on the Citizenship Testing Bill 2007, the then Labor spokesman on immigration, Tony Burke, said:

I think that, a matter of transparency, the government making the questions available is completely in the interests of citizenship being a process of unifying Australians. It is a logical thing to do …

That was also the view of the Senate Standing Committee on Legal and Constitutional Affairs enquiring into the citizenship testing bill, which recommended that ‘the proposed citizenship questions be tabled in the parliament’.

All these recommendations were curtly dismissed by the government with the retort that:
Maintaining the confidentiality of the test questions will ensure the integrity and rigour of the test is not diminished.

This was despite the findings of the Woolcott review that publishing the test questions would:
… reduce the fear and apprehension felt by many candidates and will assist in promoting learning.

The recommendations relating to interim measures were dismissed without a thought, with merely a sentence:
The Government is committed to maintaining the current test in its present form until the new test is in place.

Arrogant, unjustified dismissals of argument have been a hallmark of the immigration debate in the past. The government claims to have been changing the immigration culture, but this rejection of the review’s recommendations demonstrates that the cultural change process is far from complete.

Perhaps because of the scarcity of recommendations from Woolcott that were adopted, the government introduced other changes into the bill that were not recommended by Woolcott. The first of these related to elite athletes and offshore workers. The second related to the exemption that children under 18 could be made citizens despite the fact that they had not been permanent residents of Australia. There are a number of reasons for objecting to these changes and all of those reasons are contained in the Senate report. I think it is good to restrict ministerial discretion but I do not think it is good to create across-the-board hardships by doing so.

This Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 is about citizenship but in the course of the debate, both here and in the Senate, it has been linked with asylum seekers and border protection. My views on this matter are not a secret but let me repeat: the amelioration of harsh policies towards asylum seekers—policies which, let me emphasise to the House, began under the Howard government—is long overdue and, despite further steps taken by this government, is not complete. There is absolutely no evidence that harshness deters desperate people from seeking asylum. There never has been. Whether it be mandatory detention, the incarceration of women and children behind razor wires or the excision of territories, none of these measures have deterred desperate people from seeking to come to Australia. There is some overwhelming and compelling evidence that harsh policies hurt vulnerable people who are entitled to our protection. That is what the overwhelming evidence about our detention policy shows. We should not contemplate returning to it.

I believe that the merits of this bill must be judged on the basis of its response to the Woolcott review’s recommendations on the subject of citizenship, which is a matter of fundamental national importance. On this basis, I regret to say that it is a profoundly deficient and disappointing effort. The bill
should have been, and could have been, the legislative centrepiece of a comprehensive package of measures recommended by the Woolcott review. This would have established a more coherent, sensible and equitable framework for allowing eminently worthy residents to become full members of our community. In the absence of a full and candid explanation from the government, one can only speculate on the reasons for its failure to seize this opportunity, an opportunity which, I think, will not come again. There are probably a variety of reasons for this. Some of its members may well be hostile to the reforms. Others may be fainthearted and fearing a populist backlash. Whatever the reasons, the bill asks this legislature to endorse and legitimise a regime which will continue to unfairly exclude worthy people from Australian citizenship. It will cast out people who undoubtedly have both the qualities and the commitment that should entitle them to be granted this status. This will diminish the individuals affected and, I believe, it will diminish our nation. I cannot endorse the bill.

Mr CRAIG THOMSON (Dobell) (10.11 am)—I would like to acknowledge the member for Kooyong’s and the member for McMillan’s longstanding commitment to these issues of immigration. They have taken a very principled position over many, many years despite such a position not being popular within their own party. I think that should be acknowledged.

However, I rise to support the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009. I am just going to concentrate on one part of the bill—that which deals with elite athletes. The amendments to this bill are to provide for a reduced period of residence for certain persons in special circumstances who, because of their professions, are prevented from meeting the residence requirement of Australian citizenship because they spend large periods of time outside Australia. The amendments to the bill amend the Australian Citizenship Act 2007 to: provide, in a new schedule 2 of the bill, for special residence requirements for certain people seeking to represent Australia at international events and certain persons engaged in particular kinds of work requiring regular travel outside Australia; provide for the current residence requirement in the act to be defined as the ‘general residence requirement’ to distinguish between the ‘special residence requirement’ and the ‘general residence requirement’; provide for certain ministerial discretions in relation to administrative error and confinement in prison or psychiatric institutions to apply in relation to the special residence requirement; and provide that the minister may approve a person becoming an Australian citizen when the person is not present in Australia if that person satisfies the special residence requirement. The revamped requirements will create a fairer system for people who, due to circumstances beyond their control, are currently ineligible for citizenship.

In three years time the euphoria and excitement of the Olympic Games will again be shared by many thousands of Australians as we barrack for our elite athletes, hoping to see them set new world records and bring home lots of medals from London. We will be cheering them on by staying awake to watch the telecasts, sending them messages of encouragement and putting up thousands of blogs on websites. Not all our athletes and Olympians were born in Australia but those who were born in other countries who have now made Australia home are proud to be citizens of this country and honoured to represent this country at such pinnacle sporting events as the Olympics and the Commonwealth Games.
Naturally, we are happy that they have made the decision to become Australian citizens. The fact that these athletes choose to come and live in Australia not only provides a boost to our medal chances but enhances the lives of so many others, providing even further inspiration to our future sporting stars alongside the multitude of talent that this country has produced. We are a relatively small country, and one of the difficulties in competition for elite sportsmen is getting that competition in Australia; it means that they need to travel often and spend extended periods of time overseas. It is also a fact that, when elite athletes migrate and become citizens of this country, the competition within this country that helps to develop and further foster local talent is enhanced. But it has not always been easy for athletes to take the steps to become a citizen because the nature of their athletic careers means that they are often away competing in various parts of the world. Not being in Australia a lot impedes their efforts to become citizens of this country.

The changes under this bill, which include changes to Australia’s residency requirements, will enable elite athletes and people in other specialised professions who move to Australia but travel frequently to become citizens. Under the current legislation, elite athletes, tennis players and other professionals, such as international airline pilots and offshore oil rig workers, do not meet the residency requirements for Australian citizenship because they are required to travel extensively outside Australia as part of their employment. People who are out of the country for 90 days or more in the year before applying for citizenship are currently ineligible to become citizens. For many people pursuing athletic careers and the like, being away from Australia for 90 days or more is not unusual by any means. In 2007, the previous government also changed the residency requirement for citizenship from two years to four years and removed certain discretionary residence provisions, leaving a small group of people significantly disadvantaged. Due to their professional travel commitments, people who are ordinarily resident in Australia are unable to be present in the country for the required period of time, and this effectively excludes them from becoming Australian citizens. The Rudd government believe the current residency requirements serve as an artificial barrier that stops people who choose to and want to become Australian citizens from becoming Australian citizens. We also believe in fairness and, through the changes we are making, we seek to make it fairer for people who want to be Australian citizens but, because of their professional sporting careers or their jobs, are ineligible because of the amount of time they have to spend outside Australia.

The amendments do not apply to all elite athletes, only to those who have the potential to represent Australia at the international level and require citizenship to do so. These changes will create a pathway to citizenship for elite athletes and people in specialist professions whose jobs require them to travel overseas for work. Under amendments to the Australian Citizenship Act 2007, people in special circumstances, such as elite athletes, will need to have been a permanent resident for two years before their application with at least six months physically in Australia, require citizenship to represent Australia in their sport and have their application supported by a recognised national peak body, such as the Australian Olympic Committee or Tennis Australia. Specialist professionals will need to have been lawfully resident in Australia for four years immediately before applying for Australian citizenship with at least 16 months physically in Australia, travel extensively in the course of their work.
and have their citizenship application supported by their current employer.

The reduction in the period of time for elite athletes reflects their limited career time span. For instance, the Olympics only come around once every four years, so to maintain the existing requirements would mean that an athlete born overseas who is a permanent resident of Australia and competing for Australia at other international events would not be eligible to compete at an Olympics eight years after he or she arrives in Australia. Given the limited time span, it was considered unfair to deny an athlete who is 100 per cent committed to Australia the opportunity to compete at the Olympic Games. Often these athletes are already competing for Australia in other international events, but events such as the Olympics require citizenship to compete. All applicants will need to be able to show that, despite spending periods of time overseas, their home is Australia. They will also be required to meet all other legal requirements for citizenship, including sitting and passing the citizenship test. These changes will lead to more gold medals and more major titles and trophies for Australia at sporting events, as well as provide a real win for the national workforce.

Looking at this bill in a little more detail, one of its main points is to provide that an applicant satisfies the special residence requirement if the applicant is seeking to represent Australia at an event and, taking into account the selection process for that event, there is insufficient time for the applicant to satisfy the general residence requirement of the act. A person satisfies the special residence requirement if: the applicant is seeking to represent Australia at an event specified under a new subsection, the head of an organisation specified, or a person whom the minister is satisfied is a senior person in that organisation, has given the minister a notice in writing stating that the applicant has a reasonable prospect of being selected to represent Australia at that event; the applicant was present in Australia for at least 90 days during the period of two years immediately before the day the applicant made the application; and the applicant was not present in Australia as an unlawful noncitizen at any time during the period of two years immediately before the day the applicant made the application.

The proposed changes to criteria for people in specialist professions are: permanent residency in Australia for 12 months immediately prior to the application; lawful residence in Australia for four years immediately prior to application for a person ordinarily resident in Australia during that period; 480 days, or 16 months, physical presence in Australia during that four-year period, including 120 days in the 12 months immediately prior to application; a requirement to travel extensively outside Australia due to the nature of their profession; and, as I said earlier, support for their application by their current employer.

The changes under this bill will create a smoother path to citizenship for elite athletes and people in the specialist professions and will enable Australia to benefit from the tal-
ents and skills they bring to this country. I therefore commend the bill to the House.

**Mr TUCKEY** (O’Connor) (10.22 am)—The Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009, on the face of it, might appear to be quite unimportant legislation, just a matter of some technical amendments to address issues that arise from time to time. But there is a lot more in it than that. There are fundamental issues involved, which the opposition has identified and which it addresses in its amendment, moved by Dr Stone, to the motion for the second reading:

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

“the House defers consideration of the bill until the following have occurred:

1. the Government redrafts the bill so that it provides a ministerial discretion for those who cannot meet the residency requirements but whose citizenship can be demonstrated to be in the national interest; and

2. the Government redrafts the bill so that it provides a ministerial discretion for awarding citizenship to offshore workers who cannot meet the residency requirements, but who can demonstrate significant hardship or disadvantage.”

Those matters have been detailed by the shadow minister for immigration and no doubt will be addressed in the third reading debate. There is also, within those more detailed amendments, a prohibition on the minister of the day delegating his or her rights under these particular special arrangements. Circumstances of this nature constantly occur in this parliament because ministers are unprepared to deal with controversial issues—and some arise from these amendments, particularly the ones relating to elite athletes—or, more particularly, because it is a lot of hard work. One could possibly say that it is a great way for a lazy minister.

This is fundamental. You get elected to this parliament to govern. Our processes give certain people more right to govern than others by way of the executive or frontbench or however you want to refer to it. But if you are not prepared to do the work, if you are not prepared to put your name on the line in terms of public opinion by taking decisions under the discretion provided to you by legislation, then you should not be in the job. It has been well known for a long time that the position of Minister for Immigration and Citizenship is a very hard job. It is one where you are under pressure every day. The parliamentary secretary arrangements, introduced by the Hawke government and now becoming virtually a part of this place, are designed to relieve some of that workload. But that does not alter the fact that the minister has the power of discretion as provided by the act and as is wished to be maintained by the coalition, the opposition, and that is how it should be.

It has been demonstrated over the years that, when authority is delegated, the Public Service has not always dealt with that in the appropriate manner. There has been a very broad interpretation of some of those powers, resulting in the entry of individuals who otherwise would not have been able to become citizens of Australia. In this House, it was the case that the mistakes of ministers could be aired, and there is a history of ministers feeling obliged to resign for their mistakes or even, in years gone by, the mistakes of the public servants who assisted them. Today, of course, we know that it does not matter what question is asked in this place; there will be no detailed answer. There will be no attempt whatsoever—

**Mr Perrett**—Rubbish!

**Mr TUCKEY**—Well, I am sorry. Obviously the member who interjected does not read *Hansard*. If that person did so, I would
invite him to extract from it any simple yes-or-no answer, any answer that provides actual detailed information relevant to the question that was asked. This is the government of deception. This is the government that thinks any question from the opposition is an invitation to blackguard someone in the opposition and, as I drew to the attention of the House the other day, a poor old school principal—the inference from the minister was that that person was a liar. These are the sorts of situations that are not needed in the management of government. But the process by which, by law, we start to delegate to public servants the powers that the public expects to reside in the minister is a very bad deal.

When one talks about question time and the responsibilities of ministers in that regard, I am reminded that the previous Labor government got so arrogant that the Prime Minister only turned up two days a week and ministers were rostered. That was because they were so busy—they were back in their officers hiding from this place. At least in those days ministers did feel they had some obligation to provide the parliament, and of course through the parliament the people, the information requested of them. I have been up on my feet speaking in this place a couple of times regarding this responsibility of ministers. I draw it to their attention that a long-standing convention of this place was that ministers, when asked questions to which they could quite rightly say, ‘I’m sorry, that information is not immediately available to me,’ would give an immediate undertaking to the parliament that they would return as soon as possible with the detail requested. Of course that added to the reputation of those ministers. Last night remarks were made about the member for Bradfield and his capacity to remember vast quantities of detail relevant to his portfolio. He was probably the person most equipped for that and he—

Mr Perrett—Did you vote for Malcolm?

Mr TUCKEY—I did not, and I have made that very clear over a period of time. I do not care if you raise it here or elsewhere. My views on that matter are well known. The point I want to make is that minister would stand up in this place and give detailed chapter and verse answers to the opposition. Their problem was that it was all very accurate and arose from good decision making and good administration. You do not come to this place to make fancy speeches; you come to this place to run the country. And let me just say that when it comes to the responsibility of ministers, which is what this legislation is all about, it gets pretty interesting.

Any of us who pick up the Sunday papers, in this day and age of great interest in property, housing and the cost of housing, will find an insert, particularly at the weekend. I note that in my state it is labelled ‘Home’. If you open that up, you see it is a series of advertisements that tell you what you can buy a house for. Of course at the lower end of the market, and I cannot say whether this is with or without the $20,000 subsidy, but it becomes irrelevant, a couple of hundred square metres of house—brick and tile—in Western Australia is advertised for $170,000. If in fact that is the price after the subsidy, the original price could be $190,000. And what is in those houses? A series of bedrooms, a fully equipped kitchen and probably two bathrooms.

Yet evidence has been bought into this place of this government spending $800,000 on a single classroom. Minister Albanese got up, in the absence of the Minister for Education, and it is a matter of record in the Hansard, and quoted the education department of New South Wales as having costed out two classrooms with two accompanying store-rooms at $350,000. And yet when I rang up
the builder who missed out on the job, and he was from New South Wales, he said it would cost about $170,000. So where the figure for double that amount of money came from one does not know, but let us come back to the fact that when ministers rely overly on the decision making of public servants, and more particularly ones that live in another state and that are answerable to another government, that is the sort of thing that happens.

Mr Perrett—Do you know what the legislation is, Wilson?

Mr TUCKEY—Let me get this straight: this is legislation about delegating power to someone else—and, what is more, changing the law to give rights to people based on the simple fact that they might win a gold medal. That is a decision that a minister should take. If we are to change the four-year time limit for the citizenship rights of an individual, that is okay with me; provided the minister has the right to say a lesser period is appropriate and, of course, is prepared to back that decision in this parliament.

What we are looking at here is that if someone comes in, there might be significant reasons why they just should not be a citizen of Australia. And they come in and say: ‘Get out of the road. I am the fastest skater, the highest jumper or the fastest runner. You’ve got to ignore every other part of my background because the law says I am allowed to get citizenship in the shortest possible period.’ Now that is not good law. Of course there are opportunities for those things.

When one talks about sporting identities, as mentioned in this legislation, I note that this year there has been a lot of reporting about the upcoming Soccer World Cup. The reality is that this year the English team looks like it will be represented in South Africa in the Soccer World Cup. In the previous world cup they missed out; they were not good enough as a national team. And everyone knew why. Their domestic competition is full of foreigners. There is nothing wrong with foreigners. But this has happened to their cricket teams. They are so busy hiring good cricketers from other parts of the world that their domestic competition has not produced enough good local cricketers.

Dr Kelly—They won the Ashes.

Mr TUCKEY—They sure did, because they learnt that lesson—and I might add that they did it by hiring a couple of Australian coaches. But the reality is that you cannot neglect your own sporting community because there are better people from overseas—and, of course, you include them in the national team. I guess speed skating is not an area where Australia will ever be highly represented, simply because we have to battle a bit to find the ice. The fact of life is that, in other circumstances, to bring someone into the country for a year and declare them a citizen to compete as a national hero raises some questions in my mind.

But what should we be debating in this place in terms of the administration of our citizenship laws? I wrote to the Minister for Immigration and Citizenship the other day. I wrote to him because I do not raise individual constituent matters in this House. I believe constituents have a right to my help and I have a responsibility to resolve their difficulties, whether I have to deal with a Labor minister or a Liberal minister. I have seen Labor members stand up in this place over time and expose the concerns and difficulties of their constituents to make a political point. I have never seen it advantage the individual, because of course when you pull that trick you do not get any cooperation from the minister of the day. Consequently, I will be very generic.

I have had to put a proposition on behalf of a person known to me, actually, who does
not even live in my electorate. His future daughter-in-law was going to be kicked out of the country because she is English. She had come here on a work visa and had fallen in love with my acquaintance’s son. She was 8½ months pregnant and they were going to send her back. She would probably have had the baby on the plane. That is silly, silly administration, but I am glad to say that through the representations of my office that matter was changed. But how could it be? This lady was a genuine resident. I know the department gets concerned about ‘wives for cash’, residency and the difficulties that arise from that. I can understand their suspicion, but this young woman had even been back to England to make a permanent residency application. She had not just tried to get into the country. She and her partner had bought a house, and yet until we intervened they were going to kick her out of the country.

I got another letter about an elderly lady who has been here under the appropriate visa. She must be reasonably wealthy and is clearly not one who wants to impose herself on our social welfare system, which for elderly immigrants is usually not available, and I endorse that situation. This lady has paid $126,000 in tax since she has resided in Australia. She has lived out all the appropriate periods and wants to at least have permanent residency or other rights that entitle her—obviously a person of some wealth—to travel and to return to Australia, where her children are residents, and the approval is still being delayed. Here we are, saying we should give more power to public servants, when those sorts of circumstances arise!

We seem to have gone upside down on 457 visa entrants, a lot of whom have come to my electorate as meatworkers, for instance. And why are they here? Because Aussies do not like working in meat works anymore—and that is fair enough, if they can get jobs more attractive to them, as they certainly have in recent times, more particularly under the Howard government. But why should we close down meat works? People in my electorate have been here four years, and there was a clear understanding that after four years they could apply for residency. They have gone and bought houses. Their wives have been working in the communities, doing the jobs that need doing and, furthermore, both the men and the women have taken positions in sporting clubs and other things and have become excellent citizens. Yet they are getting letters asking them to go home while this parliament deals with whether the law should be changed for one sporting identity.

The other matters are similarly available to the minister’s discretion and do not need specific legislation in this place of the nature offered, and I support entirely the amendments proposed. (Time expired)

Mr GEORGANAS (Hindmarsh) (10.42 am)—Can I say how appropriate it is that we are debating this bill in the parliament on Australian Citizenship Day. Very soon, in about 15 minutes, there will be a citizenship ceremony conducted in the Great Hall by the Minister for Immigration and Citizenship, and I am hoping to attend, as I am sure many other members will be attending.

This bill is very important, especially for someone like me. I represent the seat of Hindmarsh in Adelaide, which has people who have become citizens from many, many corners of the world. In fact, over 40 languages are spoken in the electorate of Hindmarsh. Today I speak in favour of the amendments contained in the bill before the House, the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009. It has been pretty heartening to get a good feel for the discussions that have taken place in the review of the citizenship test in this place over the last
couple of days, to witness parliamentarians talking and working on the detail, in most cases cooperatively, in support of the concepts and the processes that, it seems to me, the majority of both sides of the political divide support.

The nature of the amendments, and the reasons given for the amendments, could perhaps be seen as a natural evolution of the detail of what has been in operation now for a few years. The citizenship test was very informal in previous times, but nevertheless it was always there. There was always some form of citizenship test, and we have a system that has been in place for a few years and could do with some tweaking. That is apparent in this debate, and both sides support the parliament developing the most practical and sound processes in support of people who wish to be citizens of this great country.

I note that debate in the other place has touched on the average number of citizenship tests that applicants have needed to sit in order to pass. The average has been 1.9—in other words, nearly every single person who has sat for the test over the last few years has had to go back to have another crack at it. I wonder how many times those with more marginal English language proficiency would have had to sit the test. I wonder, in fact, how many times my own parents, when they were more recently arrived migrants 60 years ago, would have had to sit the test in order to pass. Would they have been able to pass this test?

It is good that citizens of this nation have a fair understanding of the way this wonderful country of ours works, our rights, our responsibilities, the nature of our systems and the nature of government—the basics of Australia. I would like to think that more of us continue to read and discuss such matters throughout our lives from primary school to old age, because these things are not just something that you get a pass on and then forget like an abstract mathematical equation one encounters one day in high school. They are evolving. You come to Australia for whatever reason, whether it be as a refugee, an economic migrant or a spouse or family member. Everyone has their reasons for coming here. And, of course, you evolve once you land in this great country, becoming part of this great nation and contributing to it. These are matters that are at the core of our society, however academic they may seem. They are at the heart of our way of life and they are the foundation on which our identity is being built. It is ongoing and forever maturing.

I am more than happy for residents of this country to really know what they are working with—the contexts and the unfolding opportunities that our collective histories, our cultures and our country present. As I said, I wonder whether my parents would have passed 60 years ago the test that exists today. I remember very clearly my own parents’ citizenship ceremony. I was lucky enough to have been born here, but they came out in the early fifties. I would have been about four or five at the time many years ago that they received their citizenship certificates at the Thebarton council chambers in the electorate of Hindmarsh. I remember how important I felt even at that age. I remember how important we all felt on that special day. That memory has stayed with me forever. Receiving your citizenship is a special occurrence; it is not something that should just take place and then be forgotten. I think it is important for us all to explore with citizenship what it is that makes Australia the place that it is and Australians the people that we are.

For example, I am one of millions who were born in Australia but whose parents migrated from overseas—in my family’s
case, from Greece many years ago. I have learnt about their history, their culture and their language, but I have never felt confused about what it means to be an Australian. Of course I have an affinity with their land. I have an affinity with where they came from through the many relatives who are still there. I am bilingual—I speak perfect Greek and English—and I would like to think that I understand the Greek culture. But Australia is my country, my home and, most importantly, my children’s home. It is my children’s future. I am Australian and I would not have it any other way, so I think the affirmation by a citizen of our loyalty to Australia sums it all up neatly and simply. It says:

As an Australian citizen, I affirm my loyalty to Australia and its people, whose democratic beliefs I share, whose rights and liberties I respect, and whose laws I uphold and obey.

That says a great deal about our country. Australia is about democracy, liberty and equality. Australia has a rich, proud multicultural history which we must all cherish.

In the electorate of Hindmarsh 23 per cent of people were born overseas. I am very proud to say that 91 per cent of those people in my electorate of Hindmarsh are Australian citizens. That compares to 88 per cent nationally, so in Hindmarsh a greater number of people who were born overseas decide to become Australian citizens. I think that is great and quite significant. The electorate has changed, of course, over the years. In the sixties, when my parents became citizens, 90 per cent of the people getting citizenship at the ceremony would have been Greek, Italian or—very few—from the former Yugoslavia. Today, over 70 per cent gaining citizenship in my electorate are from Africa. Back in the sixties it was a very different Australia. Our Indigenous population, for example, did not have a vote. We still had the White Australia policy. Our citizenship debates and discussions continually evolve. As I said, I wonder how many of those people back in the fifties and sixties would have passed the citizenship test of today.

Deciding to become a citizen is a little bit like deciding to get married: for many people, you meet someone and you get engaged, and that engagement takes place for a long, long time; others know immediately that that is the person for them. Citizenship is like that. It does not matter how long you have been here; what matters is that decision to take out citizenship. As in marriage, some people come here and for whatever reason may still want to remain citizens of their former country. Others immediately want to become citizens because they know this is their life. But becoming an Australian citizen should not also mean that you are losing anything. When you decide to become an Australian citizen, you should not just throw your old culture away like we throw an old shirt away; it all becomes part of our society, part of our culture, part of this great melting pot. We expect people to contribute their own culture, their history, their knowledge and the rich experiences that they bring to this wonderful country of ours.

Those in Australia who choose to believe that the Australian culture is something derived solely from one culture are choosing to believe in a myth. Each decade there is a new wave of immigrants which brings new challenges to existing Australians. Each generation we must ask ourselves whether we are a nation which can welcome people with open arms. I truly believe that we are a nation that can welcome people with open arms. We have welcomed millions of people with open arms over the years.

This wonderful country of ours was founded on multiculturalism. It is not different or unusual; it is what we are. In 1788, British convicts and settlers came to this
land, which had been inhabited by Indigenous Australians for upwards of 60,000 years. By Federation, Australia was also home to people from French, German, Chinese and Melanesian backgrounds—to name a few. There have been a few vocal people in Australia who indulge in the myth of a monoculture. It is unfortunate that they are pushing against the reality that multicultural Australia exists—because it is a reality, whether we like it or not—and that being an Australian who has links with another nation is about as Australian as you can get.

Our local libraries are filled with Australians tracing their family trees, with people sometimes finding out funny things about their background—like the case, which I have raised in this place before, of one of my constituents who told me about her Cornish great-great-grandmother who was in love with an Afghan camel trader. All you have to do is scratch the surface and these stories come out. Whether you research your Welsh, Irish, Italian, Greek, Vietnamese or Middle Eastern heritage, it makes little difference. With the exception of Indigenous Australians, our people have only been in this great country for a few generations. Australia is a community of more than 200 nationalities and yet each generation identifies our newest arrivals as ‘different’. How absurd—200 nationalities, a country built on immigration and yet a few people still look backwards to cultural assimilation. Those of us who have the good fortune to be elected to parliament have an absolute responsibility to protect Australia from any tide of prejudice. When we give in to fear, we turn our backs on Australia and we deny who we are—we deny that we come from all walks of life and from hundreds of nations.

We are a great country because of citizenship, because of how we allow people to become citizens but also because there is such strength in diversity. While the rest of the world battles over ancient hatreds and ideologies, we look to the future. We believe in the rights and freedoms of every Australian, regardless of religion, language or cultural background. That is what citizenship is. It is about giving every Australian equality. Australia’s multiculturalism is an absolute model for other nations. In fact, the way we do our citizenships is a model for other nations around the world. I think it is one of the strongest points that this country has. One of the things that have kept us so cohesive is that we offer citizenship and we tell people, ‘You can come to this country, you can become a citizen and you can have equal rights just like anyone else.’ I have friends from different parts of the world, and they tell me that, for example, in some countries—countries not very far from Australia—you cannot work in the Public Service if you are of a particular race or a particular religion and you cannot go to university if you are of a particular race or religion. So I think our strength has always been citizenship. Our strength is that we tell people, ‘You can come to this country and you can become a citizen and therefore become one of us and part of a group of many, many nations that form this wonderful country.’

I am sometimes alarmed by the suggestion that multiculturalism is not working. It is a part of what this country is, and it has been a part of Australia for 200 years. I ask anyone who thinks that multiculturalism or giving people citizenship is not a success: is Australia a success? Clearly Australia is a success, and, because Australia and multiculturalism, together with citizenship, are so thoroughly entwined, it follows that multiculturalism is also a great success.

Today, 17 September, is Australian Citizenship Day. The Minister for Immigration and Citizenship has today reminded some of us that it was only 60 years ago that Australian citizenship was invented. That is all—60
years ago! Prior to 1949 and the enactment of the Nationality and Citizenship Act 1948, people of this country were British subjects. That act represented a seismic shift in our identity and a substantial change at the very heart of who we as Australians are and how we perceive ourselves in the world, and yet it was such a short time ago.

This bill will enhance our citizenship. It will bring some fairness into it for people who for whatever reason cannot sit the test—perhaps because of language difficulties or disability. I commend the bill to the House.

The DEPUTY SPEAKER (Hon. Peter Slipper)—I thank the member for Hindmarsh. He will have to move quickly if he is going to get to that citizenship ceremony.

Mr BRIGGS (Mayo) (10.57 am)—It is a privilege to follow the member for Hindmarsh, who has a large part in the rich tapestry of our country and represents an electorate with many recent arrivals to, and recent citizens of, our country. That is quite different to my electorate, I suspect, in the amount of people born overseas. I think the member for Hindmarsh said his electorate had well over 20 per cent; I think mine has well under 10 per cent, which probably reflects the differences between our seats.

I rise to support the amendment to the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 moved by our shadow minister for immigration and citizenship, the member for Murray—in particular the ministerial discretion aspects of that amendment. There was much I agreed with in the member for Hindmarsh's speech. I think it is very important that we always acknowledge the importance of our citizenship, the strength and support it has within the community and the desire of so many people in other countries to become Australian citizens.

We all have the pleasure in this place of attending citizenship ceremonies regularly. They are great events, I am sure all members would agree, where people have a genuine sense of excitement that they have become members of the Australian club, I guess you could say. It is probably the most sought-after club in the world, because we have the best country in the world. We live in freedom, with liberty. We have a parliamentary democracy, which largely works well, except for about an hour and a half or two hours every sitting day.

We are a successful and much sought-after place to live and I think that is a credit to us. It is a credit to our country. It also is a reminder that we should always protect membership of our club. We should always ensure that those who seek to join it are doing so for the right reasons. We should not weaken the standards that we have set to a degree where we are weakening the value of the citizenship that they seek. That is a very important thing that we should remember.

One of the great changes in our country over the last 10 or so years—and I give credit in large part to the former Prime Minister for this—is the re-engagement with the value of being an Australian. Look at the celebration that we have now on Australia Day compared to what it was some years ago, when I was a lot younger. Today, it is a great thing to see so many local barbecues and local celebrations—on Australia Day morning, in particular—leading to us rushing around our electorates and seeking to be at as many of them as we possibly can. That is a great reminder of what it is to be an Australian.

It has been a great change in our culture in recent years that we now spend Australia Day remembering. We do not change the public holiday—we celebrate it on the day, on 26 January. That is a great thing and a
great change in our cultural experience. It also gets back to the absolute need to protect the strength and value of our citizenship. We should always value our citizenship at the highest possible level. We should not make changes here in this place or outside this place which devalue or rip away at the absolute underlying strength of our citizenship.

The mistake that this minister is making in this bill, and the mistake that we are seeking to help rectify with our amendment, is that the minister is seeking to codify things which should really be in his discretion. It may be ‘his’ or ‘her’ discretion but in this case it is a ‘his’. I am sure it will be a ‘her’ in the future. The minister appears to want to set very tight black-letter law requirements around how athletes, in particular, and offshore overseas workers can get access to citizenship. There has been for some time the ability for ministers to—with their discretion—exclude the provisions and allow athletes in particular to join. Of course there have been some famous examples of that, with athletes becoming Australian citizens and winning gold medals and winning tennis tournaments. I think probably the most famous one recently was Jelena Dokic. We have given athletes the opportunity to represent Australia even though they might not necessarily have met the full requirements of the act.

The mistake the government is making here is that it is potentially weakening those standards. Certainly, the minister needs discretion. There are always examples where the rules do not apply appropriately and the minister should be able to look at the facts and make a change. But if we codify this too much we risk reducing the standard or standards of Australian citizenship, which I think is a mistake.

I guess that is our overall criticism of the government’s approach to citizenship and immigration at this stage. They are weakening the protections that we put on becoming an Australian or getting access to Australia. We have a very proud record in this country, as the member for Hindmarsh rightly pointed out, over the last 200 years—over the last 60 years in particular—of accepting people from a wide range of places. We are probably second to none in accepting people who, for one reason or another, have fled from where they were living: whether they were from post World War II Europe, where they sought the opportunities given by Australia, whether they were from countries affected by war or whether they were the many refugees from Germany who sought a better life and were able to have a better life here. We should never be ashamed of the great tapestry that has been provided to this country. We should never be ashamed that we have accepted this. It is part of our culture and part of who we are today. However, we should equally be very careful that we do not weaken the standards to the point where we are becoming an easy or ‘soft touch’, which would threaten the security of our country and the great liberty that we are able to live in. That is the balance the government needs to ensure they get right, across the realm of immigration policy.

We are always—in this place, at a political level—going to disagree on issues. Immigration is one of those issues over the last 10 years which has really splintered the parliament and splintered Australian society. Yesterday we saw the reaction of the Prime Minister when he was asked questions about immigration policies and so forth. It is a mistake that people are not allowed to express genuine concern for the way a policy is operating. It is incumbent on us to make sure the government is held to account, because we have two major responsibilities in this place. The first is the management of the national economy. The second is the defence of the realm, the defence of Australia—
ensuring that Australia is safe and ensuring that our security is kept paramount. As the Parliamentary Secretary for Defence Support, who is at the table, knows, that defence of Australia comes with costs and it comes with difficult decisions. We need to ensure that, in this place, the government makes those difficult decisions appropriately. At the moment, our criticism would be that they are not.

In summing up, the amendment moved by the shadow spokesman, the member for Murray, on these matters really does articulate our concern with the government’s direction on this bill, in particular in relation to athletes and offshore workers. We think the minister should have the ability to make decisions with discretion. The minister should rethink these provisions in particular, because ultimately we must do everything we possibly can to protect the strength and great value of citizenship in this country. It is the very thing that we stand for so much, the very thing that makes our country the great country that it is today, the best country in the world.

Mr PERRETT (Moreton) (11.07 am)—I too am pleased to rise in support of the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 and the related amendment before the House. It is particularly fitting that we are debating this bill on Australian Citizenship Day, when about 4,500 people right across Australia, including in this House, will become citizens. This is also a historic year, which marks 60 years of Australian citizenship. The history of Australian citizenship is a slightly chequered one. Up until Australia Day 1949, when the Nationality and Citizenship Act came in, Australians were actually British citizens.

The history of the process of becoming an Australian citizen is not one of our proudest chapters. The very first act of the Australian parliament was the Immigration Restriction Act 1901, which introduced a dictation test. People seeking to immigrate could be given a test in a European language and, if they were multilingual, it could be changed so that they could be excluded. It was the precursor to what became known as the White Australia policy, which lasted right up until World War II. There are some murky shadows in the multicultural history of Australia—murky shadows that I think probably need a light shone on them. It is certainly something that I have tried to do in my public speaking, especially in my electorate, which is a particularly multicultural electorate. We do not move on from the sins of the past by denying the sins of the past.

The Naturalisation Act 1903 introduced conditions so that aliens could be granted naturalisation by the Commonwealth and then they would become basically British subjects. But that act precluded people from Asia, Africa or the Pacific Islands applying for naturalisation, irrespective of how long they had lived in Australia or their connections with Australia. There were all sorts of complications for their children as well. Not surprisingly with that sort of culture, in the early years of the 20th century the number of people who were leaving Australia actually exceeded the number who were arriving, and that continued right up until the First World War, when immigration ground to a halt.

During World War I, the federal government amended the Naturalisation Act so that people who wanted to become British subjects, Australians, would have to advertise their intent to do so, they would have to renounce their own nationality, and they would also have to prove that they could read and write in English. It is good to see that we have moved on since those darker days. As I said, the Nationality and Citizenship Act came into effect on Australia Day 1949. It
was great that this year on Australia Day I attended quite a few citizenship ceremonies. In fact, prior to one ceremony I was able to award the Sir James Killen community service award. Sir James’s widow, Lady Killen, presented the award to a deserving member of the community.

Prior to 1949, Australians could only hold the status of British subjects. All those Anzacs who died on foreign shores—50,000 in World War I and thousands more in World War II—were British subjects. Things changed after World War II. Since 1945, over 6.5 million people have migrated to Australia, and four million of those have acquired Australian citizenship. Obviously all members of parliament are doing what we can to make sure that we track down the other 2½ million people and, if it is all possible, give them the opportunity to become Australians.

Many migrants who come to Australia have chosen to live in my electorate. In fact, I represent an electorate where about one in three residents were born overseas. They have come from everywhere, particularly from the Chinese diaspora—which would include Taiwan, China and also people from the Chinese community in Malaysia, Papua New Guinea and Fiji. There are also people from Sudan, Korea, Malaysia, Zimbabwe, Sierra Leone, Liberia, Eritrea, England, Scotland, Wales, Ireland, New Zealand, Ethiopia, Hong Kong, South Africa, Japan and even, like my wife’s ancestors, from India. We are an open, vibrant multicultural community and, for the most part, we are tolerant and understanding of one another.

One of the most rewarding activities of my job as a member of parliament—which I have held for only 20 months—and the one that I have enjoyed most is being involved in citizenship ceremonies. To take part as a presiding officer as new Australians take the oath of citizenship is humbling. Unlike many people in my electorate, I did not become an Australian by swearing; I did it by screaming—by being born here. So I did not have a choice. But for those people who make the decision, it is quite humbling to see them do it. It is always a moving experience, whether it is with a big crowd at an Australia Day event or whether it is one of the monthly, always wonderful, events that are held in Brisbane City Hall by the Lord Mayor Campbell Newman. On occasion, I have done citizenship ceremonies for individual people in my electorate office, because they have needed to go overseas for some reason. Even if it is just in the presence of the person’s family and friends, it is still moving. I do need to report that I make my staff sing the national anthem, trying to cover up the fact that I cannot sing. On Australia Day there are a couple of hundred people, but in my office there is only me and a few people, so it is always a bit embarrassing to have to sing the national anthem. But still, it is a moving experience even if I do sing off-key.

Not a day goes by that I am not contacted by someone seeking help and support with an immigration matter for themselves, a family member, a friend or occasionally a loved one. Romance obviously is not dictated to by international borders. These people come to my office seeking assistance to navigate the bureaucratic system, progress an application or obtain support for a visa, whether it is humanitarian, skilled, family reunification or any of the others. As I said, I was born in Australia. I spent a year backpacking overseas. I briefly dabbled with the idea of moving to another country, in fact to Canada, which is not exactly a radical leap from the culture in Australia. It was too scary a thought for me and it did not work out. When I look at these people who have made the choice to come to Australia, I think about their bravery, especially when moving to a country that has a different language and
I am well aware that the decisions we make in this place regarding immigration and citizenship law have significant consequences and should never be taken lightly. These decisions more than almost any other area of law have the power to drastically impact on individuals and their families. We must ensure that as a government our immigration and citizenship policies are fair and equitable for all. You only have to look at the policies of the previous government relating to the mandatory detention of illegal asylum seekers to see how these laws disrupt people’s lives. There are some business owners in my electorate who spent too many years in detention centres when they could have been assimilating, getting jobs and paying taxes.

In the lead-up to the 2007 election, unfortunately, my predecessor, the former member for Moreton, Gary Hardgrave, sent shivers through African communities, especially in Moorooka the suburb where I live, when he made some inappropriate comments. Even a dumped minister for multiculturalism should have understood how lives would be impacted by his comments. I am not sure whether they were careful comments or careless comments. I suggest the former. They caused too much damage in my community and many people will not forgive him.

The bill before the House is a common-sense amendment to ensure fairness in our citizenship criteria. It implements two of the recommendations of the Australian Citizenship Test Review Committee in their report *Moving forward: improving pathways to citizenship*. As a result, certain applicants will be eligible for citizenship without sitting the test if they have a physical or mental incapacity at the time of application that is a result of torture or suffering outside Australia. The act already exempts people with permanent or mental incapacity. However, this bill will ensure that those with psychological disorders as a result of trauma do not need to sit the citizenship test. It also ensures a person’s disability or mental incapacity does not need to be permanent, rather the condition must exist at the time of the application.

This bill also streamlines the application process by allowing applicants to apply and complete the test at the same time. Under the current system, applicants can only apply after they have successfully completed the test. The bill also clarifies that applicants who are under 18 years of age must be permanent residents at the time of application to be eligible for citizenship conferral. This amendment is really just about ensuring consistency across all applicant groups.

Refugee and migrant groups on Brisbane’s south side, where my electorate is located, have raised serious concerns with me about the citizenship test being a barrier to citizenship for some people, especially in our vulnerable refugee and humanitarian community where the rigours of taking a test are not something that you or I would treat lightly; for them it is quite significant. Mystery and fear surrounds the test.

The Rudd government believe that all people should be treated fairly and not excluded from citizenship because of circumstances outside their control. This bill, as well as changes to regulations and policies, will help achieve that. We also believe that understanding civic responsibilities and the rights and obligations of citizens is important for all Australians. That is why the Rudd government will keep the citizenship test. However, the test will be changed to reflect the recommendations of the review and to focus more on the legal and democratic foundations of Australian citizenship. The citizenship resource book will also be rewritten in plain English and will contain information about the pledge and broader infor-
mation about Australia. I am assured that Don Bradman will still be in there, but obviously there will be a greater focus on some other aspects like democratic foundations.

I also welcome the amendment to ensure our citizenship criteria is fair for those who are required to travel outside Australia frequently for their work. Currently, some people who move to Australia but travel frequently for work such as elite athletes and airline pilots are unfairly excluded from citizenship because it is almost impossible for them to meet the citizenship criteria, as people who are out of the country for 90 days or more are ineligible. All applicants will need to show that, despite spending periods of time overseas, their home is in Australia. To paraphrase that bloke from Tenterfield, ‘Wherever they roam, they will still be able to call Australia home.’

Elite athletes with the potential to represent Australia will need to have been a permanent resident for two years and been physically present in Australia for six months. They will also need to require Australian citizenship to represent Australia in their chosen sport and have their application supported by the sport’s peak body. Specialist professionals such as pilots whose job requires international travel will need to have spent at least 16 months physically in Australia and been a resident in Australia for four years immediately before applying for citizenship. They will also need to have their application supported by their current employer to prove they have travelled extensively and that it is a condition of their work. Obviously, they will also need to meet all other legal requirements for citizenship, including sitting and passing the citizenship test.

On a related note, I will soon begin an enrol-to-vote campaign in my electorate to encourage new citizens to make sure that they are on the electoral roll. I know that there are some new Australians in my community who have had citizenship conferred but for whatever reason have not taken the next step and enrolled to vote. The Australian Electoral Commission definitely does a great job at these citizenship ceremonies. I see them making sure they get their forms off people, but unfortunately some new citizens manage to slip by without getting on the roll. Exercising our democratic right to vote is something all of us should hold precious and that of course begins by enrolling with the AEC. I will be talking with my community and with multicultural groups over coming months to see how we might work together to ensure that more of our new citizens become enrolled and stay enrolled. In closing, I welcome this amendment. They certainly will not make citizenship a free-for-all, but they will provide balance and fairness to the application process. I commend the bill to the House.

Mr RANDALL (Canning) (11.22 am)—I speak today on the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009. As a former Chair of the Joint Standing Committee on Migration I continue to take a great interest in matters relating to the integrity of Australia’s immigration system. There is no question that the coalition built a strong, sound, effective and fair migration system. We had measures in place to protect the integrity of that system and make sure that those who followed the rules were given full consideration. The truth is that once people are here they certainly love Australia—why wouldn’t they? This brings us to the question of citizenship.

Citizenship is more than just ticking a box and having a nice ceremony and a photo op. Citizenship embodies rights and responsibilities that should be taken seriously and with pride. The overwhelming majority of new
citizens do this. I am privileged regularly to attend citizenship ceremonies throughout the electorate of Canning. I see the excitement and pride in those new citizens when they take the oath to become Australians. It is more than just a bit of paper; it is a badge of honour, an achievement and a sense of belonging.

It is perhaps fitting that I make this contribution today, Thursday, 17 September, on Australian Citizenship Day. Today marks the 60th anniversary of Australian citizenship, and annually this day pays homage to Australia’s democratic values and unity. Today around 4,000 people will become Australians, some of them right here in the Great Hall this morning. They have passed the citizenship test introduced in 2007, proving their commitment to Australia’s culture, values and history. I congratulate these new Australians and encourage them to embrace Australia’s sense of pride, civic responsibility and nationhood.

As we have heard, the bill before us seeks to make certain changes to the current arrangements for qualifying for citizenship. Firstly, it seeks to cut the time frame for persons in ‘special circumstances’ so these persons can become eligible for Australian citizenship. These ‘special circumstances’ are a thinly veiled disguise to cover elite athletes, which I will detail shortly. Secondly, it intends to amend citizenship residency requirements for people engaged in particular kinds of work requiring extensive travel outside Australia, including oil rig workers and pilots—offshore workers. Finally, the legislation exempts people with a ‘permanent or long-term physical or mental incapacity’ from sitting the Australian citizenship test when they cannot understand or complete the test.

I will deal first with the amendment relating to elite athletes. There is no denying that, as Australians, we love our sport. I am no exception. But the government wants to rewrite the immigration laws essentially to grab gold medals. Is this true Australian sportsmanship? Of course we love to win, but our sense of fair play, ‘have a go’ attitude and healthy competition are jeopardised under this amendment. The government is sending an unequivocal message that we are happy to take winners, if that can add to our medal tally, but not losers. Why are we creating a new class of special categories for citizenship? Has our passion for sport become so obsessive that we value it above all else?

This bill has been rushed in essentially to cater for the Russian ice speed skater Ms Tatiana Borodulina, who must obtain Australian citizenship in five days to be eligible to compete for Australia at the 2010 Winter Olympics. I am sure Tatiana is an extremely talented skater but she simply has not been in Australia long enough to apply for citizenship. Under pressure from the Australian Olympic Committee—and Tennis Australia in other cases—the minister had to find a means to the desired end.

Lainie Anderson in the Adelaide Sunday Mail did not hold back, and I have to agree with her. She said:

… it sends a message internationally that Australia values sport (and the quest for trophies) above intellectual endeavour and equality when it comes to migration.

With the citizenship requirement having been halved from four years as a permanent resident to two years as a permanent resident and with people only having to be here for three months of the year before applying, Anderson rightly questions why Senator Evans is even bothering. She said:

Why not FedEx our Aussie tracksuits to athletes across the globe who can’t make the grade for their own country, and tell them to turn up in Vancouver in 2010 or London 2012? Or maybe we could do the best and fairest thing and keep all
immigrants on a level playing field, instead of selling out on quickie citizenships for those who look good in lycra.

What will happen to up-and-coming Australians pushed out of teams and institutes because there is a better noncitizen available? What will happen if the import turns out to be a dud—someone who is not quite as good as we thought and does not bring home a medal or who, dare I say, gets injured? Can we say, ‘Sorry, we got it wrong,’ and take their citizenship away? Of course we cannot.

It comes as no surprise that the government is all over the place on immigration policy. Last month the minister toughened up visa requirements for international students; this month he is rolling out the red carpet for sporting hopefuls. These are mixed messages. The coalition seeks to amend the legislation to have the minister exercise a discretion for those who cannot meet the residency requirements but whose citizenship can be demonstrated to be in the national interest, and still they must pass the citizenship test. However, I suspect the minister is reluctant to make those tough decisions.

You can see how it might be frustrating for people who are trying to do the right thing to see the minister making special arrangements for people who can win medals. Genuine cases come before my office frequently—inmigrants desperate to become permanent residents and Australian citizens but who are not high on the minister’s priority list. Where is the justice for Mr Charles Kamwi, whose visa was refused and who has been on a bridging visa awaiting ministerial discretion since early 2008? He works for a power company in Perth and is a minister at the local Armadale church. His work rights were recently taken away, while he was on his bridging visa, forcing the cancellation of church youth programs and leaving the community with the terrible possibility of cancelling Sunday school sessions. Through my representations he has managed to have his work rights reinstated but he is still awaiting the minister’s answer.

Where is the justice for the Gorringes, Zimbabwe nationals who had a child while in Australia on temporary visas? They are not citizens and their child is stateless. They are desperate to return to Australia because their mother and extended family are here. They cannot even attempt to come back for possibly three years. As you can understand, the stress of this situation has placed an incredibly toll on their family. I had an email from their mother, Mrs Gorringe, recently, just saying how desperate this family is stranded in Zimbabwe.

Where is the justice for Angela Pillay, a nurse who was working at the Peel Health Campus, who undertook her studies at Murdoch University in Perth? Through inadvertent misinformation during the changeover in English test rules, she has been forced to leave Australia and is currently in South Africa with her engineer husband and two children. Peel Health are keen to get this trained and skilled nurse back, but they are stranded in South Africa while the paper work is recompleted.

And what about the Flemings from Zimbabwe who are awaiting ministerial discretion to stay in Australia within their children? They have been told that because they can legally live in Britain they should go there rather than Australia. They have no home there and their family is in Australia.

Another example is Emanuel Adisho, a reverend at the local church who came to Australia on a humanitarian visa. He has done all the right things and is now trying to assist his sister and family to join him in Australia. They are Iraqi Christians who fled to Syria and then to Australia. They have been assessed as refugees by the UN but have been refused entry to Australia twice.
Of course, they are considerably upset to see the door open for queue-jumping elite athletes.

With respect to offshore workers, as a Western Australian, I can see the benefits in discounting the residency requirement for citizenship for professionals whose work regularly takes them offshore. Our state relies on these skilled workers. Ministerial discretion should be available in these cases. It is a fair alternative for people who cannot meet the four-year residency requirement because they are frequently outside the country. Most of these offshore workers have been in Australia for years. They have homes and families, have embraced the Australian culture and contribute to our society.

In its original form, the legislation mandated an exemption for citizenship testing for refugees who had come to Australia who had experienced ‘torture and trauma when offshore and were experiencing a temporary physical or psychological disability’. The coalition obviously had great concerns about this provision. It was clearly open to fraud and fraught with difficulties. It would have been near impossible to regulate. Considering these refugees had to have been in Australia for four years before applying for citizenship, the issue of ‘temporary’ disability following torture before they came here was problematic, if not almost redundant. We did not want to see thousands of people who knew they could not pass the test rocking up to the department of immigration with a ‘temporary psychological incapacity’ resulting from alleged trauma. The floodgates would have opened and it would have resulted in a complete bypass of the citizenship test—making a mockery of the test’s intention. We do not want ‘trauma and torture’—to take the current Sri Lankan situation, where probably most of the people in detention would qualify—used as an excuse to get citizenship when it is often impossible to verify their claims.

The government has seen the sense in exempting from the citizenship test only the people who are suffering a permanent or long-term physical or mental incapacity. The government has also removed any reference to torture and trauma and refugees. These concessions are important, given this change will avoid exempting torture and trauma affected refugees who only have a temporary incapacity. I do approach this exemption with great caution, however. While the wording appears improved, will it stand the test of compassionate doctors and coached refugees and immigrants? You can see what could happen. They could go to a friendly doctor and get a certificate, but we know that, quite often, doctor’s certificates are not as legitimate as they could be. So identifying the validity of the incapacity is something that I have concerns about. There are, however, regulations in place regarding applicants being assessed by registered medical practitioners to identify the validity of the incapacity. I can only hope that this helps avoid the situation where applicants seek favourable outcomes by using medical professionals compassionate to their cause. But, as I say, only time will tell.

The government’s approach to immigration policy is clearly quite out of touch with the Australian community and pathetic. The Prime Minister’s claim before the election—in fact, just days before—that he would turn back all boats has turned out to be nothing but a hoax on his part. Piers Akerman in an article this week has put in print what we have been saying for months. Every promise the Labor government made on border protection has been broken. He says:

Rudd said his approach to border security was based on ‘effective laws, effective detention arrangements, effective deterrent posture vis-a-vis vessels approaching Australian waters’.

CHAMBER
Nearly two years later, the effective laws have been rendered ineffectual, the effective detention arrangements need supplementing with portable cabins and, as we saw recently, have been removed entirely for a particular group of asylum seekers, and the effective deterrent posture vis-à-vis vessels approaching our waters has been weakened to the point of non-existence.

While I am on this, I will comment on the member for Moreton’s contribution, where he said, ‘Mandatory detention; shock, horror!’ Let us remind the House who brought in mandatory detention. It was Gerry Hand, the former Labor minister. As I have said in this House before, I remember him going to Port Hedland and opening the Port Hedland detention centre along with the then Premier of Western Australia, Carmen Lawrence. It was a Labor initiative—and I understand mandatory detention is still Labor policy. We have people in this House, like the member for Moreton, saying, ‘Shock, horror; mandatory detention is evil,’ but it is still their policy.

Because of the government’s lax approach to immigration matters, Australia now has a steady stream of asylum seekers approaching our shores. Between abolishing temporary protection visas and removing the 45-day rule, which helped ensure Medicare benefits were not rorted, the government has basically issued an embossed invitation to anyone who wants to come to Australia. That invitation says, ‘If you can get here, you can stay here.’

Twelve months ago, after having called it a white elephant, the Rudd government embarrassingly opened the Christmas Island detention centre. This is a clear sign that they know their policies are not working, yet they continue to roll out the welcome mat for people smugglers, thereby destroying Australia’s strong border security protection and the integrity of our migration system. This week alone four boats have arrived off Australia’s north-west coast, ferrying so-called asylum seekers. Ashmore Reef is almost on their GPS! The Western Australia Premier, Colin Barnett, spoke out this week blaming the federal government’s changes to immigration laws for an increase in the number of asylum seekers arriving. He said:

I think John Howard had it right. “It’s not going to work – you’re going to be closed off before you get here and you’re going to be sent back. We do have to give a very clear message that you cannot get into Australia by illegal entry,” he said.

I will make a further point. The Italians have suddenly realised that the Australian system worked. Silvio Berlusconi now has an arrangement with Libya that they will meet the hordes coming through Libya, which is the staging point—and they come from as far away as Somalia and Lagos—to get to Italy. So Berlusconi now has an arrangement where they are turned back in the middle of the Mediterranean. They go back to Libya and then get sent back to Nigeria and other countries of origin in Africa. This is because they have realised what a problem it is.

The government is not heeding the message. Just compare these facts: following the implementation of the Pacific solution the amount of boat people arriving in Australia had been slashed, dropping from a total of 5,516 arrivals in 2001 to none in 2002-2003. Since Tuesday last week, 218 boat people have been intercepted on their way to Australia. Since August 2008, 32 boats carrying 1,518 unauthorised arrivals have been guided to Christmas Island, which is filling up fast. I understand Christmas Island is almost at capacity. So much for being a white elephant!

This takes us to an estimated 8,000 unlawful arrivals a year if the flow continues. That does not sit well with the public of Australia. My office is continually getting messages from the electorate saying, ‘When are you people going to do something about this because it is now getting out of hand again.’
People who are genuinely awaiting entry to Australia under refugee programs miss out. We know Australia is one of the most generous countries in the world in terms of humanitarian entrance. This government is continuing with similar figures to ours, something like 14,000 people a year, which is second only, as I understand it, to Canada. And yet people who come unlawfully take their place. So the people who have been sitting in camps for years in some of the most diabolical conditions, applying through the UNHCR and finally qualifying, are then told, ‘Sorry, you cannot go to Australia this year because Australia’s quota has been filled. They have had several thousand people arrive unlawfully who have taken your place.’ That is just out of order. Australia is a great melting pot. We have many people from every nation and they are welcome here—if they do the right thing. Why would you choose a people smuggler when you can come through the UN? You choose a people smuggler because you are trying to get unlawful entry and because you know you probably cannot get through in a lawful way. This is the point at which the Australian people have a problem with the way the laws are being watered down under the Rudd government.

Before I close I want to remind the House of the people that come through my office, and other members’ and senators’ offices across Australia, saying such things as: ‘We have a family stranded in Zimbabwe. We have a family that we want to reunite.’ Ministerial discretion could apply and these people could be given compassion and consideration. Yet, because of some technical rules of the department, they are not. It is causing an enormous amount of stress and trauma. And when they see that the pull factors now in Australia are saying that if you can get here, you can stay here and you will get a visa, they feel terribly aggrieved. They have done the right thing and are trying to come here for all the right reasons. They have applied properly but then someone beats them to the punch by turning up because the laws have been softened and Australia is now a desired destination. We have real problems with people. Remember the boat that burnt recently and the loss of life? So I would point that out in terms of this bill. (Time expired)

Dr SOUTHcott (Boothby) (11.42 am)—I would like to speak on the amendment in this Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 relating to elite athletes. Nine years ago Sydney was the Olympic city and on 25 September 2000 all of Australia watched one of the great nights for Australian sport. We watched Cathy Freeman win the women’s 400 metres in athletics and Tatiana Grigorieva win the silver medal in the pole vault. That night gave enormous pride to Australians. It spoke very powerfully of the way we see ourselves, and the way we would like others to see us, as a country. It spoke very powerfully of the opportunities that are here and it was with Cathy Freeman, an Indigenous Australian, and Tatiana Grigorieva, a very recent arrival. So, in terms of gauging the community’s opinion about recent arrivals who take on the Australian colours, I think it is a positive one. Tatiana Grigorieva’s story is worth reflecting on. She and Dmitri Markov came to Australia in 1996. Dmitri Markov was a pole vaulter and she was a 400 metres hurdler. They came in order to follow their coach and they came under the old rules, which meant that you could qualify for citizenship after two years. Dmitri and Tatiana achieved their citizenship at a citizenship ceremony in my electorate—in the city of Marion. They did it in the normal way and they did it with members from their community.
One of the disappointing things about the amendment which relates to elite athletes is the way that the Minister for Immigration and Citizenship has completely bungled this. He has taken an issue on which there would be enormous goodwill in the Australian community and caused enormous resentment by the way he has created this special category. It is also disappointing that the government has been aware of this for some time. Both Tennis Australia and the Australian Olympic Committee have identified this as a problem with the government for some time and yet it has chosen only now to act.

The opposition understands that Olympic athletes and potential Olympic athletes spend a considerable amount of time training outside Australia. We understand that this makes it difficult for a non-citizen athlete to satisfy the residency requirements under the current Australian Citizenship Act. From a sports point of view, there is definitely a case for some changes to the current laws. But, while recognising that, we do not want to start trading citizenship for gold medals. Even the immigration minister has backed away from his early comments when he said that this will lead to more gold medals for Australia.

Under the government’s proposed changes, international athletes who wish to become Australian citizens will need to be a permanent resident for just two years, be present in Australia for a total of at least six months during those two years and be present in Australia for at least three months in the year immediately before their application. The opposition believes it is far better to reintroduce ministerial discretion, which will allow for a variation in citizenship requirements for noncitizens if the minister is satisfied that granting Australian citizenship to the person would be in the Australian public interest because of exceptional circumstances relating to the applicant. This will protect the integrity of Australian citizenship while also providing an avenue for elite athletes, such as Tatiana Borodulina, who find themselves unable to satisfy residency requirements.

Most disappointing about this debate is that the government has known about this issue for a while. In fact, Tennis Australia director Craig Tiley said, according to the Australian Financial Review, that Tennis Australia had been in regular discussion with the government on this issue for the last couple of years. I also believe the Australian Olympic Committee has been in discussion with the government relating to Tatiana Borodulina’s case for some time. But the government has decided to act only now. The government could easily have proposed changes to the Australian Citizenship Act to assist sporting athletes such as Tatiana Borodulina when this bill was first introduced in June. This issue could have then been debated when the bill was referred to a committee. It could have produced a better proposal that was acceptable to both sides of the House. The government has rushed this when it did not need to. It would have been aware of this as an issue for the whole period that it has been in government. In relation to the specific case, I understand that the date for Ms Borodulina to achieve her citizenship is 22 September. As I said in my remarks, I believe that there was a much better way that this could have been done by the minister—a way that would have achieved community support and would not have been setting up one special category.

Mr IRONS (Swan) (11.48 am)—It is always a pleasure to rise in this place and discuss the topic of citizenship, the common bond that binds us together as a nation, particularly on this day—National Citizenship Day. However, I rise today to raise some concerns with the legislation before the House, the Australian Citizenship Amendment (Citizenship Test Review and Other
Measures) Bill 2009. We are a country that has been built on migration and our migrant population is still growing. The ABS website estimates that we have a net gain of one international migrant every two minutes and 23 seconds. My electorate of Swan has a particularly large migrant population. At the time of the last census, only 57.5 per cent of my constituents said that they were born in Australia. This compares with a national average of 70.9 per cent. The electorate of Swan is not dominated by any particular migrant group; the migrants in Swan have arrived from all over the world. I truly have the world in my electorate; it is a beacon of diversity. Despite the fact that just 57.5 per cent of locals are Australian born, 76.6 per cent are Australian citizens. This shows that there are a large number of people in my electorate who have gone through the process of becoming an Australian citizen and I know many others are going through this process at the moment. My office provides immigration assistance on a day-to-day basis and I know what a challenging pathway it is and how well deserved eventual citizenship is.

I believe parts of this bill devalue the hard work and effort of all the people in my electorate who have achieved or are striving for Australian citizenship through the normal process. The special residence requirement for persons representing Australia at international events, or what members have referred to as the ‘elite athletes amendment’, provides for the fast tracking of citizenship for elite athletes so they can represent Australia at the Olympic and international games. Under normal circumstances, athletes, like everyone else, have to wait the obligatory four years to become a citizen. This bill would give the Minister for Immigration and Citizenship discretion to shorten the residency requirement for elite athletes nominated by either the AOC or Tennis Australia. Therein lies the first contradiction: why only tennis or from the AOC? What is wrong with golf? Is it because it is not an Olympic sport yet?

I understand that the Australian Olympic Committee has pressured the government into this move over the high-profile case of Russian ice speed-skater Ms Tatiana Borodulina, who must obtain Australian citizenship by 22 September if she is to be eligible to compete for Australia at next year’s Winter Olympics. I sympathise with Ms Borodulina, as I strongly support sport, but the fact is that she has not resided in Australia for the period required to allow her to apply for citizenship. It is the same rule for everyone—and so it should be. I am disappointed with both the government and the Australian Olympic Committee for promoting this clause, which is not only against the spirit of citizenship but against the spirit of the Olympics. The minister himself is on record as saying:

These changes will lead to more gold medals for Australia at sporting events …

I remind the Labor Party of the fundamental principles of Olympism as documented in the Olympic Charter:

1. Olympism is a philosophy of life, exalting and combining in a balanced whole the qualities of body, will and mind. Blending sport with culture and education, Olympism seeks to create a way of life based on the joy of effort, the educational value of good example and respect for universal fundamental ethical principles.

2. The goal of Olympism is to place sport at the service of the harmonious development of man, with a view to promoting a peaceful society concerned with the preservation of human dignity.

3. The Olympic Movement is the concerted, organised, universal and permanent action, carried out under the supreme authority of the IOC, of all individuals and entities who are inspired by the values of Olympism. It covers the five continents. It reaches its peak with the bringing together of the world’s athletes at the great sports
festival, the Olympic Games. Its symbol is five interlaced rings.

4. The practice of sport is a human right. Every individual must have the possibility of practising sport, without discrimination of any kind and in the Olympic spirit, which requires mutual understanding with a spirit of friendship, solidarity and fair play. The organisation, administration and management of sport must be controlled by independent sports organisations.

5. Any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise is incompatible with belonging to the Olympic Movement.

6. Belonging to the Olympic Movement requires compliance with the Olympic Charter and recognition by the IOC.

Nowhere does this list of principles say that the Olympics is about winning gold medals at any cost and elevating the rights of athletes above those of people dutifully waiting for their special day. The Olympic spirit is about playing and promoting the benefits of sport.

As a director of junior development for the Perth Football Club, I see the benefits that young people get from playing team sport. Sport fosters social integration. It brings together all parts of our diverse community and it is healthy. The values we teach the kids in sport, particularly at the elite level, include waiting to earn their right to get to the level they need to get to. This demonstration of making exceptions for elite athletes is going to go against those values that we teach our young children in our communities. Why in the midst of a childhood obesity epidemic are we spending our time legislating for more gold medals? I say to members that today our nation would be far better served if it were considering at this moment legislation that would support junior sport across Australia. Why is it that only the AOC and Tennis Australia are on the list? It seems that the best lobbyists are the ones who win.

I am always pleased to attend citizenship ceremonies in my electorate and meet the diverse range of people taking the pledge. I have met individuals and families originally from places as varied as the United Kingdom, Sudan and Mauritius. Many have waited a long time to become citizens of Australia and they are overcome with the emotion of the ceremony. Credit is due to the staff of each council, who make these ceremonies a special occasion for the recipients. I know a considerable amount of time goes into contacting each new citizen and ensuring that they receive a certificate and a gift from Australia. Citizenship ceremonies are often held in the council buildings with family and friends in attendance.

Congratulations to Mwambi and Badiang Kabala of Carlisle, who recently obtained their citizenship at the Town of Victoria Park ceremony. It is always good to see members of the same family obtain their citizenship together. It was also a family occasion in the city of South Perth recently when the Sonnendeckers achieved their citizenship. Congratulations to all of them.

I have other constituents who recently received their citizenship: Mr Sudarsha Gannagoda of Queens Park, Mr Fasil Worku of East Cannington, Mr Grant Martin of Ferndale, Mr Hazrat Ahmadzai of St James, Mr Mohammad Moinuddin of East Victoria Park and the Van Dyk family of Salter Point. These are all people who have recently become citizens in my electorate of Swan. I hope I am giving the members some idea of how international my local area is.

Waiting lists to attend citizenship ceremonies in my area now extend to February or March next year. The number of recipients waiting for their day has increased significantly in recent years. One of the most popu-
lar dates to receive citizenship has always been 26 January, Australia Day. The councils in the electorate of Swan often have requests from recipients to be involved in ceremonies on that day. The local governments work tremendously hard to accommodate most people with these desires and the Australia Day ceremonies are very large-scale events. What I find most touching is the elderly new citizens, many of whom have lived in Australia for years before applying. The stories that these people tell never cease to amaze me and it is gratifying to watch them officially become Australians. For most it is more than just a piece of paper.

I have also been involved in two private ceremonies in my office. Recently a constituent of mine, Kathryn Day, was eligible for citizenship but due to the waiting list with her local council was not going to be made an official citizen until early January. Ms Day was due to attend university on exchange in Denmark for a semester and was hoping to apply for an Australian passport prior to her departure. Last year I also had a citizenship ceremony for a Como resident, Mick Prescott. This man had fought for the Australian Defence Force and was still not a citizen. I was pleased that Mr Prescott brought his family with him to celebrate on the day. In conversations with the Department of Immigration and Citizenship it was decided that as Ms Day’s citizenship was already approved we could have a private ceremony to make it official for her. This was held in my office with my staff and Ms Day’s auntie in attendance. It was a special moment for her. I felt privileged to be involved with Ms Day’s and Mr Prescott’s citizenship ceremonies.

I often reflect on the meaning and importance of being an Australian and living in a country that allows us to celebrate our democratic values, equality and respect for each other. On the day, I particularly remind the applicants about the rights and privileges that we have in this country compared with some other countries and remind them to embrace our community spirit and values. I also remind them about the Anzacs, who were prepared to lay their lives on the line to make sure that we would be able to keep those privileges and rights.

Thursday, 17 September is Australian Citizenship Day. Across the nation more than 4,000 people will become Australian citizens on and around Australian Citizenship Day in more than 85 ceremonies. The date is significant because the Australian citizenship test was launched on 17 September 2007, although it commenced on 1 October 2007. The test was introduced to ensure that citizenship applicants had all the requisite knowledge to demonstrate the requirements of the Australian Citizenship Act. Broadly speaking, these requirements are being able to understand the nature of the application, having a basic knowledge of English and being able to demonstrate comprehension of the responsibilities and privileges of citizenship. Data recorded from 1 October 2007 to 31 March 2009 showed that over 11,000 applicants had sat the Australian citizenship test. Of those, 96.7 per cent passed on the first or second attempt. An applicant can sit the test as many times as they need to until they pass.

Failing the citizenship test does not affect your visa status at all. The test is computer based and consists of 20 multiple choice questions drawn randomly from a pool of confidential questions. To pass you must get a mark of 60 per cent or more, including answering three mandatory questions correctly. There was a lot of media hype surrounding the introduction of the test and the type of questions asked. I felt the majority of this hype was unwarranted. The questions all come from a book called *Becoming an Australian Citizen*, which is available to all ap-
plicants. Areas covered in the test include: the geography of Australia, the culture, and the national symbols and emblems; as well as understanding the parliamentary system. Let us not devalue the citizenship test by making it a political tool to win gold. Citizenship of this great country of ours is a privilege not a right.

Mr HAASE (Kalgoorlie) (12.00 pm)—I rise with some relish to speak on the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 and our second reading amendment. Citizenship is a qualification that my constituents hold dear, and overwhelmingly so. I was particularly taken with the absolute avalanche of congratulations that I received as a federal member when the Howard led government introduced the citizenship test in 2007. My constituents were saying to me ad nauseam, ‘Thank goodness a government has had the good sense to realise how valuable we as Australians consider our Australian citizenship. We have been giving it away as though it was to be found in a weeties packet for far too long.’

So the first thing I want to reinforce is that Australians are overwhelmingly in favour of very firm tests for acquiring Australian citizenship—not just that applicants do not break the law whilst they do not have Australian citizenship, not just that they spend a certain period of time in Australia as a resident and not just that they seek Australian citizenship; but that they actually involve themselves in gaining an understanding of Australian history and culture, what it is to be Australian, what the responsibilities are of an Australian citizen, and the give and take of being an Australian citizen. It is absolutely fundamental we should ask of those persons who are born in another nation and come to this country that, in order to qualify as a citizen and have the rights of those who are born in Australia, they jump through the hoops. Within reason, I believe those hoops should be very tough; and overwhelmingly my constituents believe that those hurdles should be pretty tough.

My colleague the member for Hindmarsh said earlier in this House that he vividly remembers his own citizenship ceremony. He was very small at the time but it is burned into his memory as that occasion when he gained equal rights with his fellow citizens. Prior to that he was probably in those days referred to as a ‘New Australian’. Regardless of the pride some quite obviously take, after they have received their citizenship, in referring to themselves as ‘New Australians’, the term was in the past not always meant as one of endearment. There was almost some slight against those who were viewed by the population at large as being ‘New Australians’. It implied that they did not belong.

But I believe that we are a multicultural country today. Amongst many other wonderful places in my huge electorate of Kalgoorlie, I represent the community that is Port Hedland in Western Australia in the wonderful Pilbara. I swear it is one of the most multicultural population centres in Australia. We have a very buoyant and hardworking Muslim population from nations around the globe. They are integrated as well as any other group. We have Koreans, we have South Africans, we have Zimbabweans, we have English and we have North Africans. We have such a multicultural mix. And they all aspire to become citizens of this country. That is for a long list of very good reasons. We as Australians, especially in this place, know full well that Australia is the finest destination in the world. There are, right now, tens of millions of people languishing in refugee camps around the trouble spots of the world, and overwhelmingly they want to go to either the United States of America or Australia.
The UNHCR does a mighty job in putting in place a conduit to process those applications from refugees living in extreme hardship to enable the UNHCR to have a moderated, regulated process to disseminate those successful applicants to destinations around the world. This leads me to another point that I feel very strongly about along with my constituents. I am not aware of any group within my 2.3 million square kilometres of Australia that has any interest in lowering the standards for those in circumstances less comfortable so that they should have an automatic right to come to this nation. As I said before, they highly value citizenship; they highly value their own birthright as, in the main, native born Australians; and they think it is absolutely ludicrous that we should have a government that wants to lower the standards for entry into this country. They think it absolutely foolish that we should have a government that wants to soften our degree of border protection. This particular bill is not perhaps able to be construed as softening our border protection, but it is another change to legislation that impinges upon becoming a permanent resident of this country and getting citizenship—and acquiring citizenship through other means such as perhaps not being sound of mind and therefore having to have a lesser test when it comes to the understanding of our culture.

But I take this opportunity to remind the House that after the 2007 election there was substantial change made to our immigration legislation, and as a result of that we have had an avalanche of unannounced arrivals in our waters—to date, some 32 vessels containing 1,518 people, none of them invited, all of them ignoring the process organised by the UNHCR and all of them prepared to risk their lives at sea, often in unseaworthy boats. History shows that lives have been lost at sea on too many occasions because of the trade that is plied by these scurrilous, unprincipled traders in human lives. Yet they have been encouraged to do so by the very nature of the changes that this government brought into place with its numbers in 2007. It is so unacceptable to the overwhelming majority of my constituents that this softening of our borders be allowed.

I am talking about the consequences of these softened borders from the perspective of the likelihood of loss of life at sea on one hand but the absolutely unholy trade that is conducted by opportunists to line their own pockets at the expense of human misery on the other. It is something that a good government would endeavour to deter, but the policies that have been put in place by this government have done nothing more than to hold up a very large sign that says: ‘People smugglers, you are open for business once again. Tell your potential customers to come on down to the great south land, the land of milk and honey.’

There is no dispute that we are the finest nation in the world, with a great environment and great living standards. There is no question that in the refugee camps around war-torn sectors of the world the word is that, if you can get to Australia, you have reached Valhalla. This current government is paving the way to Christmas Island, with a quick hop to Australia and a direct line to Australian citizenship—and my constituents loathe that concept. They want to see tougher borders. They want to see these refugees who are in dire circumstances go through the process coordinated by the UNHCR and to use that process. They think that Australia boxes above its weight when it comes to taking refugees on a per capita basis. We are doing the right thing. We can hold our head up high and be proud to be Australians on the basis of our involvement in humanitarian works around the globe. So there is no justification for this government to take a weak
approach to immigration and border protection.

Our second reading amendment to this relatively minor piece of legislation is necessary to bring the attention of the House to the fact we do not want to give away our citizenship on the basis of possibly picking up a few medals. I find it rather distasteful that we as members of this place are expected to support legislation that means we can simply pick sports stars from around the globe, invite them to compete under the banner of Australia and then hand out citizenship certificates through some regulated administrative process so as they can compete and win medals for Australia. I believe the sports minded Australian population are not just sports minded; they are also proud and they have a very strong sense of values and fair play when it comes to sporting competition—unless we are playing the English, of course, and then all bets are off. But I do not believe Australians want to witness an Australian team or the Australian nation winning something at the expense of diluting the value of Australian citizenship.

However, if that is going to be done, it ought not be done through some administrative process. Australians have a healthy disregard for bureaucrats of all description. They do not want us to be winning medals and getting international accolades on the basis of trading our citizenship rights for those medals, and they certainly do not want that process made possible by some bureaucrat who has been empowered by cheap legislation to do so. If that is going to happen, then it ought to be via the process of the ministerial discretion that the Minister for Immigration and Citizenship holds and needs enhanced, possibly. But ministers of the Crown are subject to public scrutiny through many processes. If a minister of the Crown wants to denigrate his or her reputation by making a puny decision to denigrate our citizenship for the sake of some sporting medals then be it on their head, but I am sure they will not shine bright in the eyes of the Australian population.

I have very little else to say about this legislation except to reiterate that Australian citizenship—earned by birthright or earned by newcomers to Australia after a reasonable period of time, after having gained an understanding of our history and culture, after having qualified through a rigorous test in that regard and having an understanding of the English language so that they can attend to their responsibilities at law as Australians—is the most paramount value to maintain. If the passage of this legislation dilutes in any way the value of Australian citizenship or if it encourages values that I see as un-Australian then it will be bad legislation. I strongly support the amendment we have made here today and commend it to the House.

Mr ROBERT (Fadden) (12.15 pm)—I once again find myself in this enduring House standing up for strong borders, standing up for citizenship and standing up for a nation that wants to protect what it stands for, what it hopes to be and what it hopes to leave its children. It is a point of fact that since August last year, as the Labor Party sought slowly to dismantle the strong fences which are our border security policy enshrined within certain immigration bills, what was a very small and slow trickle of only a few and in some cases no illegal immigrants per year being plied by the most abhorrent of trader—the modern-day slave traders that we know as people smugglers—is now becoming a flood. There have been 32 illegal vessels since August last year—over 1,500 people. They are no doubt seeking a better life, putting themselves in the hands of that most abhorrent of beasts, the people smuggler.
The debate is never about those poor souls who risk everything for their families. There is nothing wrong with wanting a better life. I can only imagine the lengths I would go to to take care of my family. But policy that permits or encourages the abhorrence of trade that is people smuggling is, frankly, bad policy. It is no coincidence that 32 boatloads of smuggled people have arrived on our shores since Labor began the systematic dismantling of the immigration policy that had previously stood such good stead in putting up strong fences and strong borders. It is not coincidence that people smugglers now see Australia as an easier target for their boats. It is no coincidence that Inpex, looking at building an LNG plant the size of the Melbourne Cricket Ground—a floating platform in the ocean that will be the largest of its kind in the world—within 20 to 40 nautical miles of the Ashmore Reef, are concerned about the implication of Labor’s changes on them and their floating plant, because it is within the borders allowing for protection.

The Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009, unfortunately, is pulling one more link out of that border protection chain. In the bill there are three components of special interest that I wish to raise: firstly, a reduced period of residence for certain people in special circumstances so they can become eligible for Australian citizenship; secondly, amending citizenship residency requirements for people engaged in a whole range of work requiring extensive travel outside Australia; thirdly, people with permanent or long-term physical or mental incapacity being exempt from sitting the Australian citizenship test. I wish to outline a few brief points on those three issues.

First is elite athletes. Let us not kid ourselves. Let us face the brutal reality that the regulations that Labor is looking to put in place will allow citizenship to be gained in half the time—two years—for those elite sportspeople who have been recommended by the Australian Olympic Committee and Tennis Australia. In other words, if there are elite sportspeople who have been recommended by the Olympic Committee or Tennis Australia they will get certain privileges. Indeed, the announcement was made on 31 August this year in the company of Ms Tatiana Borodulina, a Russian speed skater who is looking to represent Australia in the Winter Olympics. Minister Evans said that he hoped ‘the changes will lead to more gold medals for Australia at sporting events’. Imagine that—selling Australian citizenship, cutting the requirements so we can win more gold medals. Is that what the Labor Party believes citizenship is worth? Is that what you believe integrity is worth?

I am reminded of a story of a man who went to a road stop and had his wife and two small children with him. The children were both seven years old. There was a sign there that said ‘kids under six eat half price’. He said, ‘I’d like to have four specials—two adults and two children,’ knowing full well his children were over the threshold of six. His wife turned to him and said, ‘Is that all your integrity is worth? Saving $2.50?’

The question I ask the Labor Party, the Labor government, is: is that what the integrity of our nation’s citizenship is worth—the hope of a few more gold medals and the hope of a few more people in the finals of tennis matches? Is that what you believe the integrity of our citizenship process is worth? Is that it? Is there no thought to the enduring values of a nation or to what citizenship represents—the hopes and ideals of people who come to our nation, people who want to build a better life for their families, people who believe that all men and women are created equal? You believe the integrity of citizenship is worth a few gold medals. If that is what you believe citizenship is worth, if that
is the value you place on being part of this nation, if that is all you believe this nation
and the prize of citizenship to be, then I weep for the future, because it sets an excep-
tionally poor example of the value of citizen-
ship.

I want my young boys to grow old proud of their nation and proud of the citizenship
into which they were born. I want them to
stand firm on what citizenship means and to
look at their brothers and sisters left and
right, no matter where they come from on the
planet, and know that those people also value
that citizenship. I do not want my children to
know that a government sold citizenship out
for a few gold medals, because I believe that
the integrity of our nation, emboldened by all
that citizenship brings to the table, is worth
so much more than that.

I say to the Labor government: I believe in
the Australian flag being flown at schools; I
believe in Anzac Day and I march proudly; I
believe in Australia Day; I believe in a thing
called patriotism and I love my nation; I
have served overseas in uniform—I have
stood on a front line, peacekeeping for my
nation; I believe in the integrity of what our
nation stands for; and I will not stand in this
hallowed place of parliament and see citizen-
ship sold out for a few gold medals. It is in-
credibly disappointing that such a thing
would not only be considered but be brought
to a vote in the House of Representatives of
the Commonwealth of Australia. The Minis-
ter for Immigration and Citizenship under
current law already has discretion under ex-
ceptional circumstances. I do not know why
the minister would want to see changes when
he already has discretion. I will not cast as-
persions upon the minister and say that he is
scared of hard work; but I am surprised that
these changes would come through.

Let us move on to the second amendment,
the offshore worker amendment, which dis-
counts the residency requirements for citi-
zenship for professionals whose work regu-
larly takes them offshore. The coalition of-
fers an amendment to the bill, to create a
second ministerial intervention which allows
residency concessions for offshore workers
who demonstrate hardship or disadvantage—
with eligibility for intervention consideration
only after they have been normally resident
in Australia for four years prior to the appli-
cation and have spent a minimum of 16
months in those four years in Australia—and
who have passed the citizenship test. Our
view is that that second ministerial interven-
tion should not be delegated and that any
decision should be made public on the de-
partmental website and, of course, should be
tabled in parliament annually. We believe
this is a reasonable, fair and just alternative
for those who have close affinity and strong
ties to the nation, who have lived here for
some time, who have relatives here and who
are making a contribution to this great place
we call home. We do not believe that codify-
ing this change in legislation is appropriate;
we believe that ministerial discretion is bet-
ter suited to ensuring that the access to this
concession is limited to those who genuinely
meet the requirements. I believe that the
power of ministers is paramount. The minis-
ter has the discretion to act wisely and
justly—there is no indication that ministers
are not acting in such a way. I would like to
see that power continued and, in this case,
widened to allow the minister to act in such a
way.

On the third point, I am particularly
pleased to see the amendments in the Senate
which change ‘permanent physical or mental
incapacity’ to ‘enduring physical or mental
incapacity’ in relation to exemptions from
the citizenship test. We believe these changes
reflect a range of concerns that the coal-
tion’s dissenting report quite rightly raised.
These amendments are an improvement;
there is no question about that, given that the change will avoid exempting torture and trauma affected refugees who may only have a temporary issue. They will have a range of support measures, considered some of the best in the world, to assist them with the issues they are working through.

I support the amendment that the shadow minister for immigration and citizenship has raised in the House. It is important. It should be considered in the spirit and in the light with which it is put through, to ensure that citizenship is something that we can be proud of, that citizenship stands the test of time. Great victory and achievement, if it is taken easily and has come lightly, is never received greatly. Citizenship should be hard. It should be difficult, because we want people in our nation who will share our common values, who will come and contribute to a nation, who will belong to it, who will join in with it and who will, if need be, fight for it in the uniform of the nation. Citizenship should be something that is prized and valued.

Mr MORRISON (Cook) (12.29 pm)—I rise as the seconder of the amendment to the motion for the second reading on the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009 and I rise to say to the House that I love my sport as a proud representative of the Sydney Sutherland shire—the shire which also loves their sport. I love my sport, but I love my country more. One of the things that sportspeople understand is that there are rules. When you play by the rules, that is when you are a success in sport. When you respect the rules, when you respect the umpire, then you will have success in sport. More than that, you will have respect as a sportsperson. We have got many great referees around our local community and we need to respect them. We also need to respect the referee of our laws when it comes to citizenship in this country.

What we have before us is further evidence of Labor’s policy of softening our laws when it comes to immigration and border protection. We have seen this exhibited time and again. The shadow minister, the member for Murray, is at the table. I think it is now 32 new arrivals in the last 12 months. More than 1,500 people have come here. The Labor Party’s policy of softening these laws is risking lives and it is risking our borders. The government, if it wants to get serious about this policy, needs to do more in this area than simply rebadging the department—going out there and getting new embroidery on the coats worn by dogs at our airports—and actually deal with serious issues of border protection and changes to our immigration laws and not send the message, as it is and as those offshore know, that this government has a policy of softening our laws.

We need rules and these rules need to mean something. They need to mean something to those people wanting to come to this country so that they know that the rules will apply, they will apply to everyone, there will be a process and there will be fairness. At the end of the day, this is very much about fairness. If you are sitting in a camp somewhere in ravaged Africa or somewhere around the globe waiting for your opportunity to come here, then people need to know that the rules are going to apply to them as much as anyone else who seeks to come here. We need to speak up for those who do sit in camps around the world and want to know that their time and efforts to come here are going to be treated equally with any of those who may arrive illegally in another fashion.

We on this side of the House support a citizenship test. We do not snigger at it. When our government brought this matter to this House and made it law those opposite sniggered—they made fun of it. They talked about Bradman and other matters, and they ridiculed it, but Australians out there know
that these matters are actually important to Australians. They know that these are important things. The government may want to snigger, just like they snigger in this place every time about our having had the audacity to say to schools around this country that they should have a flagpole and they should put the flag on it. Every time that comes up in this House those opposite—all around their backbenches and a few on their front bench too—say, ‘Why don’t you have a flagpole? Why are you putting flagpoles in?’ My question is: what is the problem? I am proud to say that our government said, as the retiring member for Bradfield did in government, that we should fly the flag in our schools. The government snigger at that, as they snigger at our citizenship test and now as they seek to dismantle it.

We have rules. They should be upheld. That is called integrity. Having rules and ensuring they are applied is called integrity. We also have proposed in the amendment that there be discretion and that discretion should afford the flexibility that the scheme needs—not a weakening of our laws but flexibility and discretion that sits within a robust framework. There should be no delegation of this discretion provided to the Minister for Immigration and Citizenship. There should be transparency of the decisions that are made. To those opposite, that is called accountability. Integrity and accountability are at stake with what the government is putting up here.

Our laws should also address serious economic issues. As I say, I love my sport, but I also love my economy. I love the fact that people in my electorate can have jobs. I make sure that our immigration laws are about the economy, not just about winning gold medals, which seems to be the obsession of the Minister for Immigration and Citizenship. We must address the serious economic issues, and our amendment highlights this.

At the end of the day, we must ensure that our policies in this country are addressed by the serious national interest, not the populism which we see day after day from this government—cheap populism which is all about trying to promote the government’s interests, to puff them up in the eyes of the electorate. Whether it is the school signs, which are the first to arrive and the last to leave when these projects are done, or it is this puffed-up proposal to get some cheap populism off the back of saying they are trying to win gold medals, this government is exposed for what it is—lacking integrity and lacking accountability.

Mr LAURIE FERGUSON (Reid—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (12.35 pm)—I did not have the opportunity to hear all of the contributions to the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009, but the last three from the members for Fadden, Kalgoorlie and Cook were very wide ranging indeed. We heard one person boasting about his war record, and then we went on to flags. I want to deal very briefly with a few of those—

Mr Morrison—On a point of order, Mr Deputy Speaker: the member opposite just cast a slur on the member for Fadden, who served his country on the frontline. He should withdraw and he should apologise now.

The DEPUTY SPEAKER (Mr S Georganas)—The member will resume his seat.

Mr Morrison—He said he was boasting.

Mr LAURIE FERGUSON—I said that they were very wide ranging, boasting about their war record, talking about—
Mr Morrison—Mr Deputy Speaker, on a point of order: the member opposite has just repeated his slur on the member for Fadden. He is saying he is boasting, with some sort of improper motive. He should withdraw.

The DEPUTY SPEAKER—There is no point of order.

Mr LAURIE FERGUSON—As I said, they dealt with a very wide-ranging—

The DEPUTY SPEAKER—The member for Cook will resume his seat until I ask him to come back.

Mr LAURIE FERGUSON—As I say, the debate did indeed wander, and I know the Leader of the Opposition will be very pleased that in this wide-ranging contribution by the member for Fadden he did not comment on the world’s attitude towards fiscal packages. However, many areas were covered—

Mr Morrison—On a point of order, Mr Deputy Speaker: it frustrates the opposition when members opposite come up and challenge the motives of those on this side of the House. It would assist the House if the member would withdraw his slur.

The DEPUTY SPEAKER—Order! The member does not have a point of order. He shall resume his seat and the parliamentary secretary will continue.

Mr LAURIE FERGUSON—Although he has taken it wrongly, I withdraw. Does that help you? As I said, we have had a very wide-ranging contribution from the last three members. One was wondering whether I was going to get to September 11 and the Berlin Wall and every other issue around the place. I want to deal very briefly with some of those comments. Quite clearly, anybody who follows these issues knows that people in Peshawar or Nairobi do not just get up in the morning, have a cup of tea and say, ‘I might wander over to Australia tomorrow afternoon.’ There is a clear correlation and push factors with regard to refugee claimants and other people coming to this country and events that occur in their homelands. Quite clearly, at the end of the disputes in Sri Lanka we are going to have a very strong push factor from the Tamils. Tamils are going to be more inclined to come to this country.

Dr Stone—Mr Deputy Speaker, I raise a point of order. It is about relevance. This has no bearing on the contents of the bill.

The DEPUTY SPEAKER—There is no point of order. The member for Murray shall resume her seat and the parliamentary secretary will continue.

Mr LAURIE FERGUSON—This is preposterous. A series of opposition speakers have tried to draw a connection between a change with regard to sportsmen getting Australian citizenship and some preposterous claims about a weakening of Australia’s border protection. I am answering that point.

Dr Stone interjecting—

Mr LAURIE FERGUSON—Immigration policy, that is right. I am making the point that there is no weakening of position by this government with regard to border protection. What we have is a clear push factor in a number of countries that are leading people to be more inclined to attempt to have their salvation overseas.

Dr Stone interjecting—

Mr LAURIE FERGUSON—The person interjecting at the moment should bear in mind that if we did a correlation around the number of boats over the last 15 years we would find that there is no connection necessarily between legislation and the numbers of people coming to this country. A more important factor is what is occurring in a number of countries around this earth. Clearly that is the situation right now. We see daily
In turning to the bill before us, the Australian Citizenship Amendment (Citizenship Test Review and Other Measures) Bill 2009, I am very impressed that the opposition spokesperson, who is at the table, sits around getting very excited about a wholesale attack on our border protection and then does not want any response to it! The government wants the pathway to Australian citizenship to be a robust process—one that involves active learning about citizenship and that empowers our new citizens with knowledge about this country, our people, our traditions and our laws. The government believes that the citizenship test can play an important role in a migrant’s journey to Australian citizenship.

The bill seeks to implement the recommendations of the Australian Citizenship Test Review Committee that were agreed to by the government and that require legislative change. Senator Hanson-Young criticised amendments to the bill which were accepted by the Senate. The amendments will ensure that a person with a permanent or enduring incapacity, regardless of the cause of the incapacity and who, as a result of that incapacity, is not capable of understanding the nature of the application or does not understand English or the responsibilities and privileges of citizenship will be exempt from taking a citizenship test. These amendments will ensure that the most vulnerable and disadvantaged citizenship applicants will have a legitimate pathway to citizenship.

In addition, the bill proposes to amend the act to streamline the citizenship application process. This is in response to the review committee’s observation that the current process of multiple steps is inefficient for clients and the department itself. The other proposed amendment contained in this bill concerns applicants for citizenship by conferral who are under the age of 18. Currently the act allows any person under the age of 18 to be eligible for Australian citizenship by conferral. The amendments in this bill propose that the policy requirement that applicants under the age of 18 must be permanent residents to be eligible for citizenship by conferral be given the full weight of the law and leave no room for doubt as to how this provision is to be applied. The amendments will ensure the integrity and consistency of the citizenship and migration programs and provide clarity as to how the law is to be applied.

On 7 September 2009, in response to a number of organisations and individuals, the government circulated amendments to this bill. The amendments sought to introduce special residence requirements for a small, and I stress ’small’, group of people in special—and I stress ’special’—circumstances who have been significantly disadvantaged by the current requirement for eligibility for Australian citizenship. After the circulation of the proposed amendment to the Senate, concerns were raised with the minister that the proposed amendments had limited application. It was decided that the proposed amendments could be enhanced to provide access to a special residence requirement which allowed for a reduced period of residence for a broader group of people engaged in activities beneficial to Australia—rather than limiting it to people who may require citizenship to represent Australia at international events. The revised government amendments at schedule 2 of the bill provide for a special residence requirement for, firstly, persons seeking to engage in activities that are of benefit to Australia and, secondly,
certain persons engaged in particular kinds of work requiring regular travel outside Australia. These revised government amendments will enable certain persons seeking to engage in activities that are of benefit to Australia and the Australian people and those engaged in particular kinds of work requiring regular travel outside Australia to be eligible to become Australian citizens. These provisions aim to provide flexibility for those who need to be an Australian citizen in a shorter time frame to engage in specified activities that are of benefit to Australia while ensuring that such applicants have a close and continuing connection with Australia through a longer period of permanent residency and a requirement to be ordinarily resident of Australia throughout the two-year period before application.

The opposition proposed that the minister should have a personal, non-delegable power to grant citizenship to a person if he is satisfied that granting citizenship to the person would be in the Australian public interest because of the exceptional circumstances of the case, as long as the applicant was not present in Australia as an unlawful citizen at any time during the period of two years immediately before the day the applicant made the application and successfully completed a citizenship test.

There is evidence that the shadow minister does not understand the government’s amendments or how the act works. The government amendments in the Senate did not represent a free pass to citizenship but rather a special residency requirement for a small group of people who do not have a pathway to citizenship. It keeps all the eligibility criteria in place. They have not changed. They are the same. The government amendments will still require applicants to meet all of the eligibility requirements in section 21 of the act, such as: having a permanent visa, being of good character and having an ongoing commitment to this country. The opposition’s proposed amendment, on the other hand, would introduce such a broad discretion that it would have contained no permanent resident requirement, no time to be spent in Australia, no character requirements and no requirement to reside or maintain a close contact with this country.

These are all standard requirements for the conferral of citizenship, which the opposition would have thrown out the window. The opposition has, in fact, created a new eligibility criterion for citizenship which does not have any barriers on a person making an application. The department would have to take an application and prepare a submission to the minister from someone overseas who may never have visited Australia.

Dr Stone interjecting—

Mr LAURIE FERGUSON—It is ridiculous that the opposition is suggesting that the minister should receive and make decisions on something as valuable as citizenship from anyone in the world who wants to put an application in. Doesn’t the opposition think it is ridiculous that anyone in the world now has a pathway to citizenship even if they do not have a visa or have never come to the country?

Indeed, this amendment would create an industry for vexatious citizenship applications that the minister would need to consider. Anyone could put in an application for citizenship, which would have to be personally seen by the minister, and there would be absolutely no restriction on who could apply. As long as you had a visa, you would not even have to be in Australia.

To accept the opposition amendment would undermine the very integrity of the process and the longstanding criteria for assessing whether a migrant is eligible for citizenship. Australian citizenship is too valuable and important to be the subject of the
personal opinion of the minister of the day alone. What one minister thinks appropriate will vary from minister to minister. I think, having long-term experience in this portfolio, we have seen some very sorry uses of ministerial discretion in this particular portfolio area. In the last parliament, we know this was the subject of public debate and widespread commentary.

Also, by moving the amendment, the opposition have completely contradicted themselves. They supported the government in closing off ministerial discretion to children under 18 because it was being misused by a group of people who wanted to prolong their stay in Australia yet they propose to create another power which would allow the same people to apply to the minister for citizenship under a different provision.

The amendments that I have introduced by way of the special residence requirements by people engaged in specified activities or a particular kind of work provide a specific legal framework and clear eligibility requirements, which will ensure that the special residence requirement is used appropriately and only applied to the group of people for which it is intended.

Furthermore, the proposed amendments provide a legitimate pathway to citizenship for people who are engaged in particular kinds of work which requires them to travel frequently outside Australia and who will not be able to meet the general residence requirement as long as they engage in that particular kind of work.

As for the interjection about our caucus, quite frankly, it does not get too much coverage in the media compared to every meeting of the opposition party. Having been at the caucus meeting, I can tell her there was no debate whatsoever about this matter.

**Dr Stone**—They would cut their legs off!

**The DEPUTY SPEAKER**—Order! All remarks are to be made through the chair. I ask the member for Murray to cease the interjecting.

**Mr LAURIE FERGUSON**—On the one hand there is widespread disquiet in the caucus and, on the other hand, when it is commented that there is no debate whatsoever, it is allegedly because people are too scared. As I say, we are getting a lot of coverage of the opposition meetings of late—for example, in the last day or so, the deep frustration of the National Party that they are not being listened to enough.

The proposed special residence requirements provide clearly defined criteria for eligibility in law. Unlike the discretion under the old act, they leave no room for ambiguity as to who will be eligible for consideration under these provisions. I commend the bill to the House.

**Question put:**

That the words proposed to be omitted (Dr Stone's amendment) stand part of the question.

The House divided. [12.52 pm]

(The Deputy Speaker—Mr S Georganas)

Ayes………… 74

Noes………… 46

Majority……. 28

**AYES**

Adams, D.G.H. Albanese, A.N.
Revis, 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. Debus, M.J.
Elliot, J. Emerson, C.A.
Emerson, C.A. Ferguson, L.D.T.
Ferguson, M.J. Fitzgibbon, J.A.
Bill read a second time.

**Consideration in Detail**

Bill—by leave—taken as a whole.

**Dr STONE** (Murray) (12.59 pm)—I move amendment (1) circulated in my name:

(1) Schedule 2, page 6 (line 1) to page 10 (line 20), omit the Schedule, substitute:

**Schedule 2—Amendments relating to additional categories**

**Australian Citizenship Act 2007**

1 After subsection 21(8)

Insert:

A person is eligible to become an Australian citizen if the Minister is satisfied that:

(a) granting a certificate of Australian citizenship to the person would be in the Australian public interest because of exceptional circumstances relating to the applicant; and

(b) the applicant was not present in Australia as an unlawful non-citizen at any time during the period of 2 years immediately before the day the applicant made the application; and

(c) the person has met the requirements of subsection (2A).

10 As soon as practicable after the end of each financial year, the Department must publish on its website and present to each House of the Parliament a list of all the persons who received citizenship under subsection (9) during the year and the reasons for the decision.

Individuals employed overseas

11 A person is eligible to become an Australian citizen if the Minister is satisfied that:

(a) at the time the person made the application, the person is engaged in work that requires them to regularly travel outside Australia; and

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**Question agreed to.**

Original question agreed to.
(b) the person was engaged in that kind of work for a total of at least 2 years during the period of 4 years immediately before the day the person made the application; and

c) the person was ordinarily resident in Australia throughout the period of 4 years immediately before the day the person made the application; and

(d) the person was present in Australia for a total of at least 480 days during the period of 4 years immediately before the day the person made the application; and

(e) the person was present in Australia for a total of at least 120 days during the period of 12 months immediately before the day the person made the application; and

(f) the person has demonstrated they would suffer significant hardship or disadvantage if they did not receive citizenship; and

(g) the person was a permanent resident for the period of 12 months immediately before the day the person made the application; and

(h) the person was not present in Australia as an unlawful non-citizen at any time during the period of 4 years immediately before the day the person made the application; and

(i) the person has met the requirements of subsection (2A).

(12) As soon as practicable after the end of each financial year, the Department must publish on its website and present to each House of the Parliament a list of all the persons who received citizenship under subsection (10) during the year and the reasons for the decision.

2 After section 22

Insert:

22A Minister’s decision—Australian public interest

(1) The Minister’s decision under subsection 24(1) in relation to a person who is eligible to become an Australian citizen under subsection 21(9) cannot be delegated.

(2) In making a decision referred to in subsection (1) the Minister must give consideration to the fact that the applicant’s becoming an Australian citizen would be of benefit to Australia.

Ministerial discretion—administrative error

(3) For the purposes of paragraph 21(9)(b), the Minister may treat a period as one in which the applicant was not present in Australia as an unlawful non-citizen if the Minister considers the applicant was present in Australia during that period but, because of an administrative error, was an unlawful non-citizen during that period.

22B Minister’s decision—individuals employed overseas

(1) The Minister’s decision under subsection 24(1) in relation to a person who is eligible to become an Australian citizen under subsection 21(11) cannot be delegated.

(2) In making a decision referred to in subsection (1) the Minister must give consideration to the fact that the person would suffer significant hardship or disadvantage if they did not receive citizenship.

Confinement in prison or psychiatric institution

(3) Subject to subsection (4), the person is taken not to satisfy paragraph 21(11)(c) if, at any time during the 4 year period mentioned in that paragraph, the person was:

(a) confined in a prison; or

(b) confined in a psychiatric institution by order of a court made in connection with proceedings for an offence against an Australian law in relation to the person.

(4) The Minister may decide that subsection (3) does not apply in relation to the
person if, taking into account the circumstances that resulted in the person’s confinement, the Minister is satisfied that it would be unreasonable for that subsection to apply in relation to the person.

Ministerial discretion—administrative error

(5) For the purposes of paragraph 21(11)(g), the Minister may treat a period as one in which the person was a permanent resident if the Minister considers that, because of an administrative error, the person was not a permanent resident during that period.

(6) For the purposes of paragraph 21(11)(h), the Minister may treat a period as one in which the person was not present in Australia as an unlawful non-citizen if the Minister considers the person was present in Australia during that period but, because of an administrative error, was an unlawful non-citizen during that period.

3 Subsection 24(1A)

Omit “or (8)”, substitute “, (8), (9) or (11)”.

4 Subsection 24(2)

Omit “or (7)”, substitute “, (7), (9) or (11)”.

We have an extraordinary situation here. The coalition values Australian citizenship as a privilege and an honour to be conferred on men, women and children who can demonstrate a commitment to this country through embracing our values, our ideals and our beliefs and speak functional English so that they can fully participate in our parliamentary democracy, our economy and our communities. I am proud when I go to the citizenship ceremonies and see men, women and children of all nationalities who have come to Australia. They are from all races and from a range of backgrounds. They may be rich or poor, skilled or not skilled. There is a whole range of people standing there and proudly proclaiming that they agree with the values and ideals of our country and the responsibilities of citizenship. These people have served a four-year residency in Australia and have come to know and love this country.

We are concerned that this government is choosing to discount the value of the citizenship certificate, or being a citizen in this country, by simply looking at whether or not the applicant is a medal prospect. There is no way that this business can be disguised. The amendment bill that this government is putting before us may have had its words watered down a little so that it now refers to ‘a special activity’, but the only people who will be able to present to the minister for a discounted residency in order to gain citizenship are those nominated by either Tennis Australia or the Australian Olympic Committee. This is about people who may be able to win medals for Australia internationally. Shame! This is a devaluing of Australian citizenship. Australians love their sport and we are proud when one of our sportspeople stands on the podium and wins a medal for our country. But it is not a matter of a medal at all costs—and this is what this legislation seeks to impose.

Just today we have been told in the media that the Australian Olympic Committee is arranging to have Ms Borodulina, the speed skater this legislation is all about, sworn in as an Australian citizen at the embassy in South Korea. So Ms Borodulina, who is to be fast-tracked into citizenship, will not even be in Australia to gain her citizenship when this bill becomes law. Next Tuesday she will become an Australian citizen for no other reason, it would seem, than that she is a medal prospect if she becomes a member of the Australian Winter Olympics team. Shame! We do not believe Australians are that crass. We believe they honour and value Australian citizenship. So we have proposed a substan-
tive amendment to the bill, which says no to this.

Citizenship should be treated very seriously. We agree that there may be some exceptional circumstances where it may be in the public interest for a man or woman who can contribute to Australia in an extraordinary way to become an Australian citizen even when they may not have served the full four-year residency requirement. In our amendment we have proposed that the minister should have the discretion to grant citizenship in these circumstances but the discretion would not be able to be delegated and it would be fully transparent in that, if ever such a decision is taken, the name of the person would be put before the parliament and published on the Department of Immigration and Citizenship website. The decision would therefore be transparent and the government would be responsible and accountable.

I find it extraordinary that the Parliamentary Secretary for Multicultural Affairs and Settlement Services would suggest that the minister of the day would so lack integrity that they would agree to someone who has never been in Australia, and who is of no interest to Australia, becoming an Australian citizen. I find it extraordinary that he would be so doubtful that his minister would have the integrity to exercise such a discretion. So we say quite bluntly and clearly that we cannot agree to an amendment which simply reflects the urgings of the Australian Olympic Committee and Tennis Australia. We believe we are a bigger nation than that in heart and spirit. The variety of people who step forward to become Australians is a strength—the diversity of race, background and skills. It is about the diversity they contribute to Australia—it might be as a professional or as a skilled tradesperson or as someone who is raising a family. It is not about elitism. (Time expired)

Mr LAURIE FERGUSON (Reid—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (1.05 pm)—I will make a few points. Firstly, the eligibility requirements for citizenship in section 21 of the act remain in place. There are no changes whatsoever to the requirements for becoming a citizen. Secondly, we are here today because, under the previous government, the permanent residency requirement went from two years to four years. A few years ago the people we are arguing about today would have been quite eligible for citizenship. The extension of the residency requirement to four years means applicants have to be here for a far greater length of time than would have been the case seven or eight years ago.

Whilst the shadow spokesperson might be correct in saying that under their proposal the minister can refuse to give people visas, the fact of life is that people would still be able to apply. It is not only about what the minister would do; it is about the possibility of people launching vexatious claims and cluttering the system. A minister in this portfolio, whether Labor or Liberal, already has a significant workload with regard to ministerial discretion in the area of refugees, so why does the opposition insist that any Tom, Dick or Harry should be able to launch these kinds of claims?

At the moment, only the Australian Olympic Committee, the Paralympic Committee and Tennis Australia can make these references. But that is not the end of Western civilisation; that is not the end of the game. The only reason why these are the only three organisations listed at the moment is that they are the ones who came to the government and asked for it. Others can be added at the minister’s direction within five minutes—and we have no doubt that other organisations will come forward in the future. This is not some conspiracy theory con-
coected between the Australian Olympic Committee and the government; it has wider application for the future.

We very firmly reject these opposition submissions. Below the surface, this is an attempt to mire the debate, to somehow put forward the proposition that the fact that somebody might be able to represent Australia at the Olympic Games or the Paralympic Games is a weakening of our rules, a weakening of our requirements. It is all to do with border protection again. That is what driving the opposition’s position in this matter, not the substantive legislation itself.

Dr STONE (Murray) (1.07 pm)—The next part of the amendment which I have moved is to do with offshore workers. We agree that there are some people whose profession is such that they are required to be outside Australia for very long periods of time, who may have family who are Australians, who normally reside in the country but also have long absences. We can understand that such people would be concerned, saddened and perhaps have their life diminished if they were not able to take up Australian citizenship. So in this part of the amendment we also propose a ministerial discretion, again not able to be delegated and fully transparent, because any ministerial decision would be required to be placed before parliament or on the website.

We want to wrap a whole number of residency requirements around this discretion in relation to individuals employed overseas. These include that the person has been in Australia for four years before making the application, that the person was ordinarily resident in Australia during that period of four years, that the person has been in Australia for a total of 480 days during the period of four years immediately before the application, that the person was present in Australia for a total of at least 120 days during the period of 12 months before they made the application, that the person was a permanent resident for the 12 months immediately before the application, that the person was not present in Australia as an unlawful noncitizen at any time during the period of four years immediately before the day they made the application and that the person has met the requirements of subsection (2A), which is of course the citizenship test.

Most importantly, the person would need to demonstrate that they would suffer significant hardship or disadvantage if they did not receive citizenship, and that is the point. We do not believe this conferral should be automatic. That is what the government’s legislative amendment would do. Someone in the airline industry or working on offshore oil rigs would simply be able to tick a box and, despite the fact that they live most of the time outside Australia, automatically they would be eligible for citizenship.

As I said before, we believe that citizenship is a privilege and a very special responsibility, and therefore we say that people in this particular category of worker should also go before the minister, who would exercise discretion subject to those residency conditions I have just named. That is why we are arguing that we have a much better way of retaining the integrity of our citizenship. We have a way to give the minister some flexibility and discretion to deal with the complexities that individuals present.

This is the type of flexibility which must always be at top of mind in the immigration policy area. We are distressed that this minister consistently and regularly tries to do away with ministerial discretion in the portfolio. This portfolio is about complex human responses to life circumstances and environments. Therefore we argue that ministerial discretion is important in this amendment, in relation to determining both public interest
Mr LAURIE FERGUSON (Reid—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (1.11 pm)—This part of the amendment is opposed on very similar grounds to those on which we oppose the other part of the amendment. We have a group of people here, including oil rig workers, people that fly our international planes and people who might be involved in very important trade work, who cannot meet the current stipulation with regard to how long they are in Australia. These are people with very real problems. These are people who, by the nature of the work they do, are particularly contributors to this country. To say that this involves some disrespect to the country, some undermining of citizenship, some lack of commitment to the nation, is really preposterous.

As I indicated earlier, we have a portfolio area where there is a very extensive amount of ministerial discretion. It is a portfolio where we see people making repeat applications for ministerial discretion in relation to refugee protection visas. It is a portfolio where the minister has more than enough duties—I can assure you—with regard to border protection, citizenship rules and multicultural policy without having his life taken up with handling the multitude of possibly vexatious claims that would be launched under the amendment the opposition is putting forward.

With regard to this provision, we have people with very concrete, very real reasons that they are not in the country. This is not a provision which is going to cover people without a legitimate claim. Yes, there is some questioning of whether ministerial discretion is the best way to go. Even when it exists, it is quite clear that it is abused in this country. I reiterate that, under the previous government, we know that it was a subject of very widespread controversy in the refugee and humanitarian area. To come here today and advocate that the minister should have to consider not only legitimate claims but also go through the application of every oil rig worker that was not here for the requisite number of days—that he should be personally involved in this—is preposterous. The provisions are sensible and they deal with very real personal circumstances. We reject the amendment.

Question put:
That the amendment (Dr Stone’s) be agreed to.

The House divided. [1.17 pm]
(The Deputy Speaker—Mr S Georganas)

| Ayes | 49 |
| Noes | 76 |
| Majority | 27 |

AYES
Question negatived.

Original question put:

That the bill be agreed to.

The House divided. [1.23 pm]

(The Deputy Speaker—Mr S Georganas)
Forrest, J.A. Haase, B.W.
Hartsuyker, L. Hawke, A.
Hawker, D.P.M. Hockey, J.B.
Hull, K.E. Irons, S.J.
Keenan, M. Ley, S.P.
Lindsay, P.J. Macfarlane, I.E.
Marino, N.B. * Markus, L.E.
May, M.A. Mirabella, S.
Morrison, S.J. Moylan, J.E.
Nelson, B.J. Pearce, C.J.
Pyne, C. Ramsey, R.
Randall, D.J. Robert, S.R.
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. Tuckey, C.W.
Vale, D.S. Washer, M.J.
Wood, J.

* denotes teller

Thursday, 17 September 2009

House of Representatives

Question agreed to.

Bill agreed to.

Third Reading

Mr LAURIE FERGUSON (Reid—Parliamentary Secretary for Multicultural Affairs and Settlement Services) (1.27 pm)—by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Committees

Privileges and Members’ Interests Committee

Report

Mr RAGUSE (Forde) (1.28 pm)—On behalf of the Standing Committee of Privileges and Members’ Interests I present the committee’s report entitled Procedures of the committee and the House in relation to consideration of privilege matters and procedural fairness.

Ordered that the report be made a parliamentary paper.

Mr RAGUSE—by leave—The report I have just tabled reports on the committee’s consideration of procedures for the committee and the House in relation to consideration of privilege matters to provide natural justice and procedural fairness. In October 2008, the committee presented to the House a discussion paper on these matters. By way of background, in November 2002 the committee advised the House that it had developed procedures that it would follow for witnesses and others who may be involved with the committee in its consideration of matters of privilege. The procedures were developed to provide for natural justice and procedural fairness for witnesses before the committee.

During the 41st Parliament the committee commenced a review of these procedures. As part of the review the committee sought advice on its procedures from two leading academics in the field of parliamentary privilege, Professor Geoffrey Lindell and Professor Gerard Carney. The committee invited comment on that paper before asking the secretariat to review the paper and propose a response to the recommendations made by Professors Carney and Lindell. The response included proposed procedures for the committee’s consideration of matters of privilege.

The committee sought the views of the Clerk and Deputy Clerk of the House on the proposed secretariat response. In response, the Clerk and Deputy Clerk did not support the transfer of the penal jurisdiction of the House of Representatives from the House to the courts, as had been proposed in the paper by Lindell and Carney. The Clerk of the Senate, in advice to the committee, also did not support the transfer. The view of the Senate is an important consideration in relation to any proposed change, given that the two houses have in common the Parliamentary Privileges Act 1987. The Clerk and the Deputy Clerk supported appropriate procedures for the committee to ensure the protection of procedural fairness and natural justice and
The committee presented this information in a report I tabled in the House in October 2008. The committee indicated its view that it did not support the transfer of the penal jurisdiction of the House of Representatives from the House to the courts. Consequently, the committee noted the importance of having appropriate procedures to ensure natural justice and procedural fairness for persons involved in the committee’s processes. The committee invited comment on the proposed procedures before it reported back to the House to make recommendations for the formal implementation of the procedures.

The committee also noted that there were some additional recommendations that related to the way matters of contempt are dealt with by the House after the committee has examined the matters and reported. The committee proposed that these matters be covered by an additional resolution of the House. The committee did not receive any comment on the proposed procedures and now recommends that the House formally adopt, by resolution, procedures for the committee and the House in relation to consideration of privilege matters to ensure natural justice and procedural fairness. I commend the report to the House.

Publications Committee
Report
Mr HAYES (Werriwa) (1.31 pm)—I present the report from the Publications Committee sitting in conference with the Publications Committee of the Senate. Copies are being placed on the table.

Report—by leave—agreed to.

Treaties Committee
Report
Mr KELVIN THOMSON (Wills) (1.32 pm)—On behalf of the Joint Standing Committee on Treaties, I present the committee’s report entitled Report No. 106: Nuclear non-proliferation and disarmament, together with the minutes of proceedings and evidence received by the committee.

Ordered that the report be made a parliamentary paper.

Mr KELVIN THOMSON—by leave—The road to nuclear hell is paved with defensive intentions. The United States developed nuclear weapons after it was attacked during the Second World War by Japan, and both the United States and Russia developed nuclear weapons as a defensive strategy during the Cold War. Because they had nuclear weapons, China, which at various times during the nuclear age has had poor relations with both America and Russia, developed nuclear weapons as well. Because China had nuclear weapons, India felt threatened and developed nuclear weapons. Because India developed nuclear weapons, Pakistan felt threatened and developed nuclear weapons. The strength of religious fundamentalist terrorist groups in Pakistan has created an ever-present and alarming risk that nuclear weapons could fall into the hands of non-state actors, terrorist groups who have no respect for human life and will take no notice of doctrines of deterrence and mutually assured destruction in the way that governments might reasonably be expected to. We must do all that we can to try to break every link in this dangerous nuclear chain. Every one of us has a responsibility to help re-energise the international political debate against the background of a decade or more in which the international community has been sleepwalking when it comes to both non-proliferation and, especially, disarmament.

I want to thank my fellow committee members not just for the hard work involved in producing a 230-plus-page report but for the attitude of cooperation and determination
to say something significant and worthwhile with which they approached this task. The Joint Standing Committee on Treaties has members from the Labor Party, the Liberal Party, the Nationals and the Greens, with very different perspectives on a range of nuclear and foreign policy questions, but each member of the committee wanted to play their part in protecting people from the nuclear threat and to ensure that Australia’s voice is heard loud and clear around the world on these matters. So we have worked through the issues until we achieved an agreed outcome, a platform for progress.

What is that platform? We want to see the Comprehensive Nuclear-Test-Ban Treaty in place. This treaty is incredibly important in halting the momentum for nuclear proliferation and ultimately ringbarking the nuclear weapons tree. We want to see a verifiable Fissile Material Cut-Off Treaty in place. This would stop countries building up fissile materials and therefore reduce the risks of proliferation and limit the risk of nuclear arms races. We want all uranium-exporting countries to require that the countries to whom they export uranium have an additional protocol to guarantee International Atomic Energy Agency inspector access. We believe that the International Atomic Energy Agency’s budget needs to be increased so it can do its work properly and thoroughly. The committee examined proposals for a nuclear weapons convention and for a multilateral fuel bank. In each case more work needs to be done, and we have recommended the allocation of research and consultation resources to the development of a nuclear weapons convention with a clear legal framework and enforceable verification.

It is important to understand that the friction between the nuclear haves and the nuclear have-nots is alive and well. Throughout the history of the non-proliferation treaty the nuclear haves have stressed non-proliferation—that is, making sure no other country gets nuclear weapons—while the nuclear have-nots have stressed disarmament—that is, obliging the nuclear armed countries to get rid of their bombs. The countries of the Non-Aligned Movement, essentially have-nots, are frustrated by the lack of progress on disarmament. Too often this difference of approach has led to international stalemate. Clearly we need to have action on both fronts: non-proliferation and disarmament.

The committee strongly supports the work of the International Commission on Nuclear Non-proliferation and Disarmament, co-chaired by Gareth Evans. We support the Conference on Disarmament and the forthcoming Non-Proliferation Treaty Review Conference. We have made recommendations which reflect this support. We have also made recommendations designed to encourage parliamentarians all around the world to engage with and talk up a world without nuclear weapons, for—borrowing a little from the late great Edward Kennedy—the dream of a world without nuclear weapons is a dream that must never die. We must never accept that it is all right to live in a world where some people have the power to kill tens of millions of their fellow human beings and make the planet uninhabitable in a heartbeat. That must never be acceptable.

I wish to place on the record my great appreciation for the mighty work done by the committee secretariat, in particular inquiry secretary Julia Searle and committee secretary Jerome Brown, in enabling this report to happen. I urge my colleagues here in Australia and in other parliaments, and ordinary Australians and citizens of other countries, to read it, think about it and make a world free of nuclear weapons a reality.

Mr FORREST (Mallee) (1.39 pm)—by leave—I thank the Deputy Speaker and
members present for granting me leave to make a few brief remarks in regard to this important report. There is part of my heart and soul in this report. I think it is a very strategic report, as the member for Wills has just reported. It is unanimous on a subject that has the potential for a whole range of diversions. It is a unanimous report from the major political parties represented in this House and in the other place—the Labor Party, the Liberals, the Nationals and the Greens—on sensitive subjects such as the future of the Australian uranium industry, uncertainty about nuclear power generation of the future, issues related to the excess of fissile material and the waste. They are all thorny subjects on which every individual has a different opinion. Yet we were able to present to this chamber and the other place a unanimous report because as a committee we want this report to be used as a strong statement of how Australians feel and of the need to follow the dream that the member for Wills just referred to so that our grandchildren can live in a world free of nuclear weapons.

Australia has an excellent reputation on this argument over the years, even through the frustrating periods of lack of progress, as an international good citizen and an honest broker. We want that reputation to continue and to use that credibility to progress this matter. There is a new wave of optimism that has come out of the election of the Obama administration in the United States. There is an expectation which is not to be overstated but does give us optimism that the intransigence of the last 40 years will finally be overcome. The first step is to get a comprehensive test ban treaty in place and operating. The committee has been able to see evidence of the monitoring system and the verification, and we are confident that, through the verification system, if any nation in the world conducts a nuclear test, the rest of the world will know about it. In fact, the world knew about the most recent explosion from North Korea before the regime there had even made their public announcements.

I share the dream. I want my grandchildren to not have the experience of my youth and formative years. I remember the uncertainty of that period, right through the Cuban missile crisis of the 1960s. When the Bay of Pigs invasion occurred I was 12 years old. I remember an occasion at night, after listening to conversations between my parents and my grandparents, of not being able to sleep and waking my father up in the middle of the night and seeking assurance from him. I asked him, ‘It is going to be okay, isn’t it, Dad?’ He made the comment at the time that most of the threat was in the Northern Hemisphere and that we were way down here, Down Under. I reminded him to read Neville Shute’s book *On the Beach*, the movie of which was playing at the time. In those days in the small town in which I was raised we still had a movie theatre, and we had Gregory Peck, Ava Gardner, Anthony Hopkins and Fred Astaire involved in making that memorable book into a good film. That was 1959, which gives some idea of how long I have been around.

Of the 23 recommendations, I commend recommendation 21 and urge this chamber to support it. It asks for the parliament to adopt a resolution on this parliament’s commitment to the abolition of nuclear weapons. If we can do that as quickly as we can and before the end of the spring sittings, we will arm the two members of this chamber who are presently at the United Nations in New York speaking on our behalf. We could give them the evidence and speak for all Australians, saying that we want a world free of nuclear weapons and we do not want to go back to the intransigence of the past which has frustrated many nations, like our great country, with the lack of progress. I commend the
report as good reading to all members present.

Mr KELVIN THOMSON (Wills) (1.43 pm)—I move:
That the House take note of the report.

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

Treaties Committee
Report: Referral to Main Committee
Mr KELVIN THOMSON (Wills) (1.43 pm)—by leave—I move:
That the order of the day be referred to the Main Committee for debate.
Question agreed to.

BUSINESS
Consideration of Private Members’ Business

Report
Mr PRICE (Chifley) (1.43 pm)—I present the revised report of the whips relating to the consideration of committee and delegation reports and private members’ business on Monday, 19 October 2009. Copies of the report have been placed on the table.

The report read as follows—
Pursuant to standing order 41A, the Whips recommend the following items of committee and delegation reports and private Members’ business for Monday, 19 October 2009. The order of precedence and allotments of time for items in the Main Committee and Chamber are as follows:

Items recommended for Main Committee (6.55 to 8.30 pm)
PRIVATE MEMBERS’ BUSINESS
Order of the day
1 CLEAN ENERGY SECURITY BILL 2009—Second reading (14 September 2009).

The Whips recommend all speeches to conclude by 7.05 pm.

Speech time limits—
Mr Tuckey—5 minutes.
Other Member—5 minutes.

[Minimum number of proposed Members speaking = 2 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.

Notices
1 MR RANDALL: To move:
That the House:
(1) notes that in 2007, the Coalition Government initiated the National Schools Chaplaincy Program (NSCP);
(2) acknowledges the important role of school chaplains in supporting the personal, spiritual and emotional wellbeing of students at schools throughout Australia;
(3) recognises that school chaplains provide essential services to students of all ages, staff and the wider school community, assisting them resolve emotional, social and everyday issues and build relationships;
(4) notes that the Government’s failure to renew existing contracts awarded under the NSCP will impact student welfare, personal and academic development and place additional pressure on school resources; and
(5) calls on the Government to:
(a) extend the NSCP beyond the life of the existing contracts due to expire in 2010;
(b) support an extension of the program to make chaplains available to more schools; and
(c) acknowledge that failing to renew funding for this widely accessed service will disadvantage students.

Time allotted—30 minutes.
Speech time limits—
Mr Randall—5 minutes.
Other Member—5 minutes each.

[Minimum number of proposed Members speaking = 6 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.
2 MR RIPOLL: To move:
That the House:
(1) notes that:
(a) a comprehensive and accessible rail transport system is an important link in the Australian transport chain that joins communities and strengthens industry; and
(b) the Australian Government has invested an unprecedented $26.4 billion investment in road and rail infrastructure through the Nation Building Program over the six year period from 2008 09 to 2013 14; and
(2) supports:
(a) the Australian Government’s budget announcement of more than $25 billion for key road, rail and port projects;
(b) fiscal strategies and major infrastructure projects that aim to create jobs and boost long term productivity; and
(c) the continued encouragement of private involvement in delivering new infrastructure.

Time allotted—30 minutes.
Speech time limits—
Mr Ripoll—5 minutes.
Other Member—5 minutes each.
[Minimum number of proposed Members speaking = 6 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.

3 MRS MOYLAN: To move:
That the House:
(1) notes that:
(a) substantial changes to air flight paths were made by Airservices Australia in November 2008 in relation to Perth Airport;
(b) Airservices Australia is a corporation which receives income from airlines and other corporate clients, and that it has control over the location of and changes to flight paths;
(c) although the Perth Airport Noise Management Committee was advised that a Western Australian Air Route Review had commenced, the committee members were not advised of the commencement of the changes or the selection of the final flight paths;
(d) Airservices Australia stated that the rationale for the changes to flight paths related to the Civil Aviation Safety Authority (CASA) Safety Review and were required due to the need to ‘maintain safety, reduce complexity and cope with the rapid and predicted continued increase in air traffic.’;
(e) Perth Airport has already exceeded traffic levels not expected until 2015;
(f) prior to the changes, the CASA Safety Review and the noise impact statements were not made available to the committee;
(g) there is no evidence of an open, accountable and effective public consultation process by Airservices Australia prior to the changes occurring; and
(h) there has been:
(i) a high level of public disquiet about the changes that have been made and the lack of public consultation; and
(ii) no revision of the Noise Abatement Procedures since 2004;
(2) calls on the Government to:
(a) examine whether there is a conflict of interest in Airservices Australia’s roles that may impact on the public;
(b) implement an inquiry into the legislative arrangements governing airports with particular reference to the establishment of an open and accountable public consultation process before changes are made to aircraft flight paths;
(c) establish a nationally consistent approach to the management of increased air traffic and changes to air flight paths with reference to noise abatement issues; and

(d) consider appointing an Airport Ombudsman to provide an independent agency to examine public grievances in the management of changes to airport operations and their effect on the public.

Time allotted—remaining private Members’ business time prior to 8.30 pm Speech time limits—
Mrs Moylan—5 minutes.
Other Member—5 minutes each.

[Minimum number of proposed Members speaking = 5 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.

Items recommended for House of Representatives Chamber (8.40 to 9.30 pm)

COMMITTEE AND DELEGATION REPORTS

Presentation and statements
1 PROCEDURE COMMITTEE

The display of articles – An examination of the practices of the House of Representatives.
The Whips recommend that statements on the report may be made—statements to conclude by 8.45 pm
Speech time limits—
Ms Owens (Chair)—5 minutes
[Minimum number of proposed Members speaking = 1 x 5 mins]

PRIVATE MEMBERS’ BUSINESS

Orders of the day
1 GEOTHERMAL AND OTHER RENEWABLE ENERGY (EMERGING TECHNOLOGIES) AMENDMENT BILL 2009—Second reading (14 September 2009).
The Whips recommend all speeches to conclude by 8.55 pm
Speech time limits—
Mrs B. K. Bishop—5 minutes.
Other Member—5 minutes

[Minimum number of proposed Members speaking = 2 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.

Notices

1 MS OWENS: To move—that the House welcomes the news of recent progress toward the Millennium Development Goals (MDGs), in particular:

(1) recognises there has been a substantial decline in the proportion of people living on less than US$1 a day and a substantial increase in the proportion of people with access to clean water;
(2) acknowledges that despite some progress, a number of MDGs are off track and that a business as usual approach will mean the MDGs will not be met globally by 2015;
(3) notes its concern that in a world of plenty there are still unacceptably high child and maternal mortality rates in the developing world;
(4) recognises that progress toward the MDGs is being hampered by the global financial crisis, the global food crisis and the global effects of climate change;
(5) welcomes Australia’s progress on developing a global partnership for development while recognising that our progress falls short of the aspirations we expressed when joining with the nations of the world to set the MDGs; and
(6) acknowledges Australia needs to turn its aspirations into actions that draw us closer to achieving the MDGs by 2015.

Time allotted—remaining private Members’ business time prior to 9.30 pm Speech time limits—
Ms Owen—5 minutes.
Other Member—5 minutes each.

[Minimum number of proposed Members speaking = 7 x 5 mins]
The Whips recommend that consideration of this should continue on a future day.

The Hon L R S Price
Chief Government Whip
17 September 2009

Mr PRICE (Chifley) (1.44 pm)—I move:
That the report be adopted in lieu of the report presented on 16 September 2009.
Question agreed to.
Mr Tanner (Melbourne—Minister for Finance and Deregulation) (1.44 pm)—At the request of the Parliamentary Secretary for Defence Support, I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, and by reasons of the urgent nature of the works, it is expedient that the following work be carried out without having been referred to the Parliamentary Standing Committee on Public Works: Regional Backbone Blackspots Program.

As part of the National Broadband Network initiative, the government has fast-tracked a $250 million program to address regional backbone blackspots. Access to competitive backbone infrastructure on an open-access equivalent basis will stimulate competition and allow retail broadband providers to offer better services to rural and regional Australia. The government’s intention is that the backhaul assets built will ultimately form part of the new National Broadband Network, to be owned and operated as NBN Co.

The program addresses the following priority locations identified through a focused public consultation process: Geraldton, Western Australia; Darwin, Northern Territory; Emerald to Longreach, Queensland; Broken Hill, New South Wales; Victor Harbor, South Australia; and the south-west Gippsland region, Victoria. Innovative and value-for-money solutions for these locations are being identified through an open, competitive tender process, which is being conducted in accordance with the Commonwealth procurement guidelines. The tenders have been received and the government now aims to finalise contract negotiations and commence construction as soon as possible. So that improved services can be delivered to regional consumers as soon as possible and that effective and timely stimulus can be delivered to economic activity in regional locations throughout Australia, the government have resolved, pursuant to section 18(8)(b) of the Public Works Committee Act 1969, that it is expedient and appropriate for the works associated with this program to be carried out without reference to the Parliamentary Joint Standing Committee on Public Works.

The Public Works Committee performs an important role in ensuring public works represent a value for money use of taxpayer funds. However, in this case the government considers a Public Works Committee hearing would delay urgent work to improve telecommunications and internet access in regional areas which have already been the subject of parliamentary and public scrutiny. The program is already within the scope of the Senate Select Committee on the National Broadband Network. That committee which has an opposition majority and representation by the Australian Greens is able to and indeed has scrutinised the government’s commitment to fast-track the $250 billion program to address regional backbone blackspots amongst other issues relating to the rollout of the National Broadband Network.

There has been a positive response to the program from all levels of government and industry, including some members of the opposition. A stakeholder consultation program was held during April-May with in excess of 60 submissions received in response to the public consultation paper and over 40 discussions held with interested parties. Prior to this, the Regional Telecommunications Independent Review Committee, established in August 2007, found in its September 2008 final report Framework for the future that competitive backbone infrastructure is critical to the rollout of high-speed broadband services in rural and regional Australia. I
note that a proposal to proceed with a con-
struction project without referral to the Pub-
lic Works Committee is not common. The
government very much support the work of
the Public Works Committee and have not
taken this decision lightly. I commend the
motion to the House.

Mr LINDSAY (Herbert) (1.48 pm)—I
move:

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

The following work be referred to the Parlia-
mentary Standing Committee on Public Works for
consideration and report by 17 November 2009:
Regional Backbone Blackspots Program.

The DEPUTY SPEAKER (Ms AE
Burke)—Is the amendment seconded?

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

Mr LINDSAY—The Parliamentary Joint
Standing Committee on Public Works met
this morning and there was almost universal
unhappiness with the minister’s letter to the
PWC that was received this morning. There
was no explanation in the minister’s letter as
to why this expediency motion is needed.
There was no indication about what the pro-
gram is actually about. There was no sugges-
tion as to why we should be passing this mo-
tion in the House of Representatives today. I
am seeking to ask that the House allow this
public scrutiny of this particular government
program in a timely fashion.

The Regional Backbone Blackspots Pro-
gram is not of the highest urgency. Taking
two months now to examine the intricacies
of the program is the responsible course. It is
a substantial amount of money, over $200
million. It is an important public work and it
should not be undertaken without the proper
consideration of the parliament. I believe that
the government know this and the members
of the Public Works Committee know this.
The government know that by doing this
they are attempting to subvert normal prac-
tice to avoid accountability and to pretend
that the National Broadband Network has not
been beset by problems. The government
announced that the blackspots program
would be underway by September this year.
It should be noted that this urgency motion
moved by the minister coincides with the last
sitting day of September, the last day for the
government to try to rush this program
through.

The government have consistently played
politics with the National Broadband Net-
work. They have made numerous mistakes
with the policy. Before the 2007 election, the
Prime Minister promised to spend $4.7 bil-
lion creating a national broadband network,
and to start the network by the end of 2008. I
think we all know now that the government
have failed to deliver on this promise. The
government then wasted 18 months and
nearly $20 million on flawed tender proc-
cesses, which failed to find a private company
for the program and were abandoned on 7
April this year. The government then rushed
out their alternative, the National Broadband
Network mark 2, at a cost of $43,000 mil-
lion—an immense jump from the $4.7 billion
promised before the 2007 election.

The cost blow-out has been immense and
demonstrates the many mistakes the gov-
ernment have made with this policy. They
have created the National Broadband Net-
work Co. and are paying its CEO and board
an astonishing $46,000 a week to run a com-
pany that has no customers and provides no
services. The motion from the minister today
is not the first time the government have
avoided scrutiny of their broadband plans.
They have refused to submit the entire Na-
tional Broadband Network to a cost-benefit
analysis. The Rudd government have ignored
the advice of Secretary to the Treasury, Ken
Henry, who said:

CHAMBER
Government spending that does not pass an appropriately defined cost-benefit test necessarily detracts from Australia’s wellbeing.

The Rudd government have broken their own promise in the 2008-09 budget, where they pledged:

Where governments invest in infrastructure assets, it is essential that they seek to achieve maximum economic and social benefits, determined through rigorous cost-benefit analysis …

The government have lost their credibility on broadband. Given this track record, they do not have the standing to be allowed to run an expensive program of over $200 million without scrutiny. The Public Works Committee must be allowed to conduct an inquiry into this program, as is the normal course for other government expenditure of this nature. I do hope the parliament will support this amendment to allow that to happen by 17 November this year.

The amendment I propose today is that the program be referred to the Public Works Committee for report by 17 November. This is a responsible approach. It is not an extensive delay, and the PWC will deal with this in a timely way. If the government adopted this course of action, there could be concurrent documentation so that there would be no delay in rolling out the program.

I am a strong supporter of regional Australia, as this parliament knows. The value of providing improved services to regional communities is certainly great. There is no value, however, in rolling out a system full of inefficiencies and hidden costs. The blackspots program must be given the appropriate scrutiny of the parliament through the Public Works Committee. It is in the best interests of regional Australia for us to do so.

We in the coalition firmly believe in the principle of accountability. The Australian people expect this from their parliament. I invite the government to stand up for these values, to stand up for respecting the process and to see the attempt to rush the blackspots program for what it is: playing politics. We must take a reasonable amount of time, respect the processes of parliamentary committees and ensure that all public works policy is thorough and effective. I have served on the Public Works Committee for a number of terms. The committee plays a very important bipartisan role in ensuring public works are undertaken in the most effective and cost-efficient way. The government cannot be allowed to undermine this.

Finally, I wish to advise the parliament that it is my understanding that the minister’s own department supports the Public Works Committee process. I have that on very good authority. Minister, this is not a delay to the program. The member for Mallee and I can assure you that we will deal with this in a timely way. It will allow proper scrutiny of such huge amounts of government money to be done in a bipartisan way, and we will come back with any sensible suggestions that arise from our examination of this project. I urge you, Minister, and my colleagues on both sides of the House to support this amendment. I encourage you to consider the real issues at stake.

Mr FORREST (Mallee) (1.55 pm)—I rise to make a plea. I have served on the Public Works Committee for my entire time in this parliament. It is a committee whose work I enjoy. It gives me the opportunity to use my professional expertise as a civil engineer. During that period there have been many occasions when requests for expedition of projects have been made and the committee has worked extremely hard to facilitate the process. It has given permission for concurrent documentation and has not stood in the way. I am somewhat disturbed when I hear reports of thoughts within the bureaucracies that the standing committee is in the way. It is not at all. It is a very useful and
important committee, not only to supervise the precious resources that taxpayers, who are listening, provide for us to spend on public infrastructure but to scrutinise them to ensure that there is value for dollar and the money is well spent.

In my time there have been a number of projects in which the process of evidence and the comments and submissions from outside players have saved the Commonwealth enormous amounts of money. One such project involved the unloading of armaments into Australia. A site was suggested that was completely remote, which the Department of Defence had not even recognised. I think the involvement of the Public Works Committee in that process saved taxpayers $50 million. The Public Works Committee process is a good one, a process of accountability.

The thing that disturbs me most is the willingness of the minister to override this important public process. I am not placated by his comment at the dispatch box that he recognises the significance of the committee. I say to members on both sides of the House, who beaver away on committee work, travelling the nation collecting evidence: think about the question before us. It is a reasonable request that this inquiry be referred to the Public Works Committee. We will treat it expeditiously and report by 17 November. It is a perfectly reasonable request and it is not too late for you, Minister, to see reason and accept that the public of Australia would expect the Public Works Committee to exercise its statutory rights and supervise the expenditure of the public’s precious money. I leave the decision to you, Minister. You have an opportunity now to do the right thing by Australian taxpayers in ensuring that their precious dollars are supervised properly, which is the role of the Public Works Committee.

Question negatived.

**MINISTERIAL ARRANGEMENTS**

Mr RUDD (Griffith—Prime Minister) (2.00 pm)—I inform the House that the Attorney-General will be absent from question time today, as he is addressing the National Association of Community Legal Centres Conference in Perth. The Minister for Home Affairs will answer questions on the Attorney’s behalf.

**QUESTIONS WITHOUT NOTICE**

**Economy**

Mr TURNBULL (2.00 pm)—My question is to the Treasurer. In explaining Australia’s strong performance relative to other economies, the OECD’s employment report does not mention the high Asian demand for our exports, well-regulated banks—and a consequent absence of any banking crisis—or large reductions in interest rates, let alone the starting points of zero public debt and the lowest unemployment in three decades. Does the Treasurer agree these factors are more important in explaining Australia’s strong economic performance, or was it all his own doing?

Mr SWAN—Australia’s strong economic performance is the result of the hard work of the Australian people, working with their government in putting in place economic stimulus to support employment, to support business and to support confidence. That is why the OECD has reached the conclusion that it has reached today—that Australia’s strong performance amongst OECD countries, advanced economies, is because the government, working with the Australian people, put in place a timely and powerful economic stimulus to support employment, to support business and to support confidence more broadly in the economy.

It is the case that there are also a variety of factors. There is no doubt about that—no
doubt about it at all. But those opposite cannot run away from the fact that economic stimulus has been powerful in supporting employment in the Australian economy. If it had not have been for the economic stimulus put in place by the government, the economy would have gone backwards by 1.3 per cent in the year through to June. That is 200,000-plus Australians in jobs today and into the future as a consequence of that economic stimulus, and that would not have been the case if those opposite had had their way. If those opposite had had their way, Australia would be in a recession right now. That would have been the consequence of the policies that they have advocated in this House.

There is no doubt that Australia’s performance has come from a variety of factors, but the economic stimulus put in place by this government was powerful. That has been acknowledged by the OECD today. It has been acknowledged by the IMF. It has been acknowledged by the World Bank. It has been acknowledged by the Chamber of Commerce and Industry today. It has been acknowledged by the Ai Group. It has been acknowledged by the BCA. It has been acknowledged by everybody, bar those who sit on the other side of the House.

Employment

Ms RISHWORTH (2.03 pm)—My question is to the Prime Minister. Will the Prime Minister update the House on the OECD’s report on unemployment around the world? How does the OECD’s characterisation of the impact of Australia’s economic policies differ from other characterisations?

Mr RUDD—I thank the member for Kingston for her question. Yesterday the OECD released a report on the employment outlook for 2009, and it makes for sobering reading for the global economy, particularly on employment. It says that OECD economies are facing a jobs crisis, and goes on to note that 15 million people have joined the ranks of the unemployed across the developed economies since the end of 2007. It says specifically that the experience of previous severe economic downturns suggest that unemployment will continue to rise for some time, even after the recovery begins, and that it will take a long time to re-absorb the upsurge in unemployment.

The OECD forecasts unemployment reaching nearly 10 per cent by the end of 2010 across the developed economies. If those projections are realised, that will mean that unemployment will have risen by some 25 million across the developed economies since the beginning of this crisis. It is a sobering reminder as to who pays the price in a global financial crisis. When you have unrestrained greed and unregulated financial markets, those who pay the price are working families everywhere.

The OECD indicates that stimulus has had an important impact on the macroeconomic response to this crisis worldwide. It says:

Job losses would be significantly larger if vigorous macroeconomic measures had not been taken.

Indeed, it is estimated that the OECD area employment will be 0.8 per cent to 1.4 per cent higher in 2010 than would have been the case had national governments not adopted sizeable, fiscal stimulus packages. The OECD also says that the Australian stimulus has been particularly effective in saving jobs. It says:

Even though many countries moved quickly to enact large fiscal stimulus packages, these packages generally have not had a strong effect in cushioning the initial decline in employment caused by the crisis, although Australia is a notable exception.

So says the OECD in its reflections on developed economies everywhere. It goes on to
say:

Australia’s fiscal stimulus package seems to have had a strong effect in cushioning the decline in employment caused by the global economic downturn.

In particular, the OECD suggests the jobs impact in 2010 of Australia’s fiscal stimulus package will be 1.4 to 1.9 per cent. This is around 200,000 jobs—confirming, therefore, Treasury’s analysis.

The OECD’s conclusions on this matter stand in stark contrast to the observations which have been made from time to time by those opposite about the impact of economic stimulus and fiscal stimulus on the real economy. The Leader of the Opposition has criticised the government’s stimulus package for ‘not creating one job’—that is what he said. He has also said of the stimulus package: ‘No discernible impact on our economy’; ‘It hasn’t created a job’; and ‘It hasn’t stopped us from going backwards in terms of economic growth.’

However, with the production of this most recent report, the opposition did have a chance to rise to the occasion and to help build the Australian economy up rather than simply continue to talk it down. But they chose instead to continue to talk the economy down. When the Leader of the Opposition was asked this morning on this question about the conclusions of the OECD report on stimulus and what it had to say about Australia, he had this to say: ‘Well, it’s only a very little report. The OECD has not taken into account a number of factors in that very short little paper.’

Mr Hockey—Two pages! You are being sloppy again! You are lying!

Mr Rudd—This report is 300 pages, Joe. That is a 300-page analysis of the global economy. We are one member of the OECD. This is an analysis of the global economy and this is that very short little paper to which he alludes.

The Australian government has, through its stimulus strategy, sought to build up the entire economy. We have therefore, as a consequence of our actions and the engagement of the entire Australian economy, produced one which among the major advanced economies is the fastest growing. We have the second lowest unemployment, the lowest debt and the lowest deficit, and we are the only one not to have gone into recession. This is not, however, the time for complacency. We have challenges ahead to build long-term productivity growth for the Australian economy for the recovery and, on top of that, to engage our colleagues in the G20 with the long-term task of medium-term exit from these extraordinary stimulus measures and building long-term sustainable economic growth. That is the government’s strategy. I would encourage those opposite to get on board and help build the Australian economy up.

**Economy**

Mr Hockey (2.09 pm)—My question is to the Treasurer. Given that the Treasurer has lauded the OECD report today, I refer the Treasurer to the August IMF staff report on the Australian economy, which projects only one year of mild recession for Australia but nine consecutive years of budget deficits, which is worse than the government’s own budget in May. Treasurer, has Australia ever run nine consecutive years of budget deficits, and will you explain to the Australian people just how much upward pressure your nine consecutive years of budget deficits will put on interest rates?

Mr Swan—I thank the member for North Sydney for his question. It is the case that the IMF estimates that he refers to are somewhat lower than the medium-term forecasts that we have put in our budget. That
has been obvious for a long period of time. It has taken the member for North Sydney a long time to catch up with that bit of data but it is the sort of sloppy performance we have seen from him in this House over a long period of time, such as demeaning the OECD report by claiming that it has only got two pages worth of analysis that is relevant to Australia when this is a major report of very significant standing which shows that the economic stimulus this government has put in place has had a powerful effect and has resulted in a situation where in excess of 200,000 Australians are in employment who would not have been if we had adopted the approach that had been outlined by those opposite.

Their approach is simply to sit, to wait and to see. The consequence of that approach, if it had been implemented by those opposite, would have been that Australia would now be in recession. And any of the medium-term forecasts that were in place would be far worse if those opposite had their way because the whole point of economic stimulus is to get in there and prevent the economic damage that prolonged and high unemployment and business failures do to an economy. That is the whole case for putting economic stimulus in place: to avert that damage and to avert the drop in private demand which damages the economy. None of these things are understood by any of those opposite and it just shows how unqualified they are to make any judgments about the Australian economy.

The member has mentioned the IMF. I would like to go to the IMF and quote from its managing director, Mr Strauss-Kahn, who overnight had this to say:

The global economy is starting to recover. Most data confirms global economic stabilisation …

But the recovery remains very fragile. Private demand is still weak, financial tensions weigh on consumption which means there are still free resources in the economy, and unemployment will continue to grow.

The Prime Minister has already been through the conclusions of the OECD report and indeed they are very gloomy in terms of the employment outlook across the OECD. In 2010, across the OECD, we are looking at unemployment in the order of 10 per cent—

Mr Hockey—Mr Speaker, I rise on a point of order. The point of order is on relevance. I asked him about nine consecutive budget deficits and the impact on—

The SPEAKER—Order! The Treasurer is responding to the question.

Mr Swan—Our response to a global recession immediately is important, and that has been demonstrated by the OECD report today. But the government, when it brought down its last budget, put in place a medium-term fiscal strategy because that is important in order to return the budget to surplus as quickly as we possibly can when the global economy recovers. And we have got our fiscal rules. We are going to put them into place. We will have our two per cent expenditure cap in place when growth moves above trend. If those opposite want to pretend that somehow Australia is completely immune from global growth, let them do so. But the one thing I can say is that Australia is in one of the best positions of any of the advanced economies to handle these very challenging circumstances, particularly when it comes to employment. And we will do everything within our power to support employment, to support business and to bring the budget back into surplus as quickly as we possibly can given the global conditions.

Employment

Mr Craig Thomson (2.13 pm)—My question is to the Minister for Education,
Minister for Employment and Workplace Relations and Minister for Social Inclusion. Will the Deputy Prime Minister update the House on recent assessments of the impact of the global recession on employment, and the government’s efforts to protect Australian workers?

Ms GILLARD—I thank the member for his question and know about his deep concern for supporting jobs today during the days of the global recession. Today the OECD, in its 2009 OECD employment outlook, has delivered powerful new evidence that the government’s decisive action to combat the global recession by nation building for recovery is supporting jobs and supporting small business as we invest in the infrastructure that this nation needs for tomorrow. The OECD report is powerful evidence that this economic stimulus is working. As the Treasurer has said, the OECD estimates that Australia’s fiscal stimulus package will result in employment in 2010 being 1.4 to 1.9 per cent higher than if no stimulus measures had been implemented.

When we look at the construction activity that is being supported by the government’s economic stimulus package it tells a powerful story. Let us look at other OECD nations. This report gives us the construction activity in Spain, which has seen catastrophic drops of 26 per cent in the year to the first quarter of 2009. We have seen catastrophic drops in the United States—a drop of 14 per cent in the year to 2009. By contrast, because economic stimulus in this country is supporting jobs, the ABS labour force data for the August 2009 quarter showed that employment decreased in our construction sector by around 0.5 per cent. This is powerful evidence that the economic stimulus is working to support jobs today.

The Building the Education Revolution program is the centrepiece of the government’s stimulus program. It is supporting jobs through construction activity right around the country. It is supporting tradespeople and small businesses and it is supporting young people in training, keeping them in all-important employment. The Leader of the Opposition used to wander around saying he was about jobs, jobs and jobs. We do not hear that any more because to be about jobs, jobs and jobs you have to be ready to act decisively in the face of a global challenge like the global recession—to act early and provide fiscal stimulus, provide economic stimulus while building the infrastructure we need for tomorrow. That is exactly what Building the Education Revolution is about—jobs today while we build the biggest school modernisation program in the nation’s history.

Economy

Mr TURNBULL (2.17 pm)—My question is to the Deputy Prime Minister, Minister for Employment and Workplace Relations, Minister for Education and Minister for Social Inclusion. Is the minister aware that in the first 17½ months of the operation of the Productivity Places Program fewer than seven per cent of the job seekers who enrolled in the training program went on to obtain a job? At a seven per cent success rate, does the minister believe the program represents value for money for Australian taxpayers?

Ms GILLARD—I am very glad the Leader of the Opposition asked me about the Productivity Places Program because it enables me to explain three things about it—three vital aspects of this program. There is the stream that the Leader of the Opposition has referred to, which is the stream supporting job seekers, and obviously that stream is very important during the days of the global recession. It is not easy during a global recession, as unemployment in this country
rises, to assist into work people who have been unemployed, particularly the long-term unemployed. This is a program that has delivered training to more than 100,000 Australians. Just over 30,000 have completed their training and, of those referred by employment services providers, we have seen people get jobs. I think that kind of support for training of job seekers during a global recession is vitally important.

Importantly, the Productivity Places Program has been sufficiently flexible through our structural adjustment places to support people in jobs in companies that are bearing the brunt of the global recession. To take just one example of that—the example of Holden: I think that everyone would be aware that the global financial crisis and global recession have borne down on the car industry. People would be aware of the circumstances faced by General Motors in the United States. Our structural adjustment places through the Productivity Places Program have been able to partner with a business like Holden so that they could strike short-time working arrangements and we could provide training places so people stay in a job and upskill during the days of a global recession that is bringing powerful force to bear on that business. If we had not had that flexible response through the Productivity Places Program, if we had not had the kind of cooperative workplace relations necessary to strike that sort of arrangement, what we could have seen is large-scale redundancies. We know from statistics that for people who lose their jobs during an economic downturn it can be a long, long way back.

The third stream of the Productivity Places Program is to assist with upskilling people in the current workforce. We are committed to broadening and deepening the skills of Australian working people. This is a program that has responded flexibly to difficult circumstances.

Mr Turnbull—Mr Speaker, a point of order on relevance: the question was whether a seven per cent success rate was good value for money.

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

Mr Crean interjecting—

Mr Pyne interjecting—

The SPEAKER—The Minister for Trade and the member for Sturt are getting much closer to going out and sharing a cup of tea. The Deputy Prime Minister has the call. She is responding to the question.

Ms GILLARD—What I think is important is understanding the full breadth of this program and how it is supporting jobs and job seekers. It is one part of our investment in training. There is more than $5 billion in addition in apprenticeships and related measures. We are also moving to an uncapped system of higher education places so more Australians get the benefit of university training. This is a suite of related measures to solve the skills crisis.

Dr Southcott—Mr Speaker, a point of order on relevance: 111,000 job seekers, 7½ thousand jobs—

The SPEAKER—The member for Boothby will resume his seat—and he is warned. I appreciate comments favourable to the member for Boothby’s normal disposition, but he cannot go to the dispatch box and add to his point of order with argument.

Ms GILLARD—Can I say in conclusion that, if the Leader of the Opposition is genuinely interested in the full suite of training measures and how they are working with job seekers and working to support employment then he should study all of the Productivity Places Program measures and all of our apprenticeship measures as well as what we are
doing with the biggest structural changes to higher education since the Dawkins reforms. I would also ask the Leader of the Opposition to contemplate where we would be with unemployment numbers right now if we had kept the skills settings which created the skills crisis of the Liberal government and if we had not provided economic stimulus, which was his policy.

Economy

Ms CAMPBELL (2.23 pm)—My question is to the Treasurer. Will the Treasurer outline for the House the OECD’s assessment overnight of the impact of economic stimulus on the Australian economy?

Mr SWAN—I thank the member for Bass for her question because the OECD report delivered overnight has provided powerful new evidence that the stimulus measures in Australia have led the advanced world in their impact. I would like to quote the OECD report. It says:

Even though many countries moved quickly to enact large fiscal stimulus packages, these packages generally have not had a strong effect in cushioning the initial decline in employment caused by the crisis, although Australia is a notable exception. Australia’s fiscal stimulus package seems to have had a strong effect in cushioning the decline in employment caused by the global economic downturn.

This is a fact denied by every one of those opposite. The reason for this is that the government moved quickly, decisively and powerfully to support jobs in the face of a very sharp contraction across both advanced and developing economies around the world in both the December and the March quarters. The government have supported activity, supported jobs and provided a massive boost to confidence, although we do have some very substantial employment challenges still before us across a range of sectors, including retail.

But the good news is that today we have seen the Sensis business confidence figures. These figures show that business confidence in Australia has risen to its highest level since August 2007. Sensis finds today that small businesses are more optimistic about Australia’s economic direction than they have been in more than a decade—that is, this survey identifies the government’s economic stimulus as a key factor behind the improvement in confidence. This is yet more evidence of what the OECD has found and said in their report issued overnight.

As I was saying earlier, there is broad support in the community for the government’s economic stimulus program. Today, the ACCI, who were looking at the Westpac Australian Chamber of Commerce and Industry’s survey of industrial trends, have commented. This is their conclusion:

Overall, we don’t think it is an environment where there should be any winding back of the stimulus measures given the general fragility of the economy.

That is a very strong case which backs up the assessments of the IMF, the OECD, all of the business sector in this country and the community more generally—everybody except those opposite.

Building the Education Revolution Program

Mr KEENAN (2.26 pm)—My question is to the Deputy Prime Minister, the Minister for Education, the Minister for Employment and Workplace Relations and the Minister for Social Inclusion. Minister, there is a standing requirement that companies in the construction sector be OH&S accredited by the office of the Federal Safety Commissioner. Why, under the cover of budget day this year, did you issue a regulation to remove this important safeguard for companies tendering for school stimulus work? Why is the safety of workers on these building sites
less important to the government than on other building sites?

Opposition members interjecting—

Ms GILLARD—I presume that as the question has been asked people would want to hear the answer. The answer is—

Opposition members interjecting—

The SPEAKER—Order!

Opposition members interjecting—

Ms GILLARD—I am very happy to answer the question.

The SPEAKER—The Deputy Prime Minister has the call.

Ms GILLARD—The shadow minister is right when he says that in the building industry we have federal safety arrangements, including the special OH&S accreditation arrangements to which he refers. Ordinarily, when the federal government puts major investment into economic stimulus or into major capital in the building industry, we deal with businesses who are already accredited under the code. When we are dealing with small capital improvements like schools, these small capital improvements tend to be under the financial level for these sorts of arrangements. What we did with the OH&S arrangements in relation to the Building the Education Revolution, in order to maximise the number of businesses that could tender quickly, was rely on the occupational health and safety arrangements around the country that apply to workers around the country. So, for example, for construction—

Mr Morrison interjecting—

The SPEAKER—I will remind the member for Cook that he was warned by the Deputy Speaker.

Ms GILLARD—in the shadow minister’s home state of Western Australia, the occupational health and safety arrangements for workers engaged in building the Education Revolution project in one of his local schools would be the Western Australian government’s occupational health and safety legislation. If he believes that the occupational health and safety legislation of the Western Australian government is deficient then perhaps he ought to take that up with his friends in the Liberal Party. Occupational health and safety law, as it applies to workers generally around the country, applies to workers who are constructing under the Building the Education Revolution program.

Liquefied Natural Gas Exports

Ms JACKSON (2.29 pm)—My question is to the Minister for Resources and Energy and Minister for Tourism. How will the final investment decision for the Gorgon project secure jobs, and contracting and business opportunities, for Australian workers and companies?

Mr MARTIN FERGUSON—I thank the member for Hasluck for her question. She is someone who is always concerned about the issue of jobs and business opportunities for Australian companies. In that context, the parliament welcomed the final investment decision by the Gorgon joint venture partners on Monday for a project worth $43 billion. The joint venture partners Chevron, ExxonMobil and Shell will fund this project from their own balance sheets and in doing so deliver 10,000 direct and indirect jobs during the construction period alone. I also welcomed on Tuesday evening Chevron entering into a further heads of agreement for the long-term supply of Gorgon LNG to Korea, potentially opening up a much expanded LNG trading partnership between Australia and Korea—potentially a further export opportunity of 1.5 million tonnes per annum of LNG.

As is always the case with major projects such as this, it is now the responsibility of government to actually work with industry to
guarantee the maximum available job opportunities in an immediate sense. That was the very question put to the joint venture partners at the announcement of the project in Perth on Monday. In that context I am delighted to advise the House that, when it comes to jobs, jobs and more jobs for Australians, project construction is already moving forward. Already $2 billion worth of contracts have been awarded—many to major Australian based companies. For example, Thiess has won a $500 million contract for site preparation on Barrow Island. In a joint venture partnership, Thiess, with Decmil Pty Ltd and Kentz Pty Ltd, has been awarded a further $520 million contract to build the 3,300-bed Gorgon construction village. This will mean jobs on the ground, of great benefit to all Australians. It is also interesting to note that Toll Holdings has won a $180 million contract for the Barrow Island supply base and logistics.

I go to the issue of Mermaid Marine Australia and its further $100 million contract for providing access to the Dampier marine supply base, and the Australian Marine Complex and LandCorp has been contracted to provide waterfront roll on, roll off ferry terminal and wharf facilities at Cockburn Sound near Fremantle. In addition to this, the Offshore Marine Services alliance has won a $240 million contract for tugs and barges, and Agility Logistics a $160 million contract for supply base operations and transportation services between Perth and Dampier and the supply base and Cockburn Sound. Schenker Australia will also conduct forwarding activities.

As we all appreciate, the magnitude of the Gorgon project is demonstrated by the fact that it will be the biggest and most challenging private logistics and supply chain exercise ever attempted in the world. Can I also say that in the immediate future a further $10 billion of contracts will be rolled out over the next three months, including this week’s award of an additional $2.7 billion engineering, procurement and construction management contract to the Kellogg joint venture, consisting of Kellogg, Brown and Root, JGC Corporation and the Australian based companies Clough and Hatch.

This is a project that will deliver Australia thousands of jobs and training opportunities, contracting and business opportunities, and associated prosperity. It will also deliver across the length and breadth of Australia. In announcing the project the joint venture partners also very clearly indicated that Australia is now very well placed to achieve further major investments akin to the Gorgon investment. I refer to the statements, for example, by George Kirkland—an executive vice president of Chevron. He said:

There’s no doubt that this positions Australia very, very strongly in the gas world. It really and truly does.

The good news is Saudi Arabia is all about oil, and what we’re seeing in Australia is all about gas. And for the future, and when you consider the environmental side, Australia is in a great, great position …

He went on to say:

Asia has been growing, growing significantly. And where’s Australia? Great position to really deliver on a cost advantage basis, that market.

I will leave you with those comments. The Gorgon project is a great achievement for Australia. It means real jobs and business opportunities here on the ground now. And, more importantly, it is a very strong statement to the world that Australia is alive for investment opportunities akin to Gorgon. It is now our responsibility to make Gorgon a success and to deliver the jobs on the ground, and in doing so attract further investment akin to Gorgon.
Liquefied Natural Gas Exports

Mr HAASE (2.35 pm)—My question is to the Prime Minister. I refer the Prime Minister to his pre-election commitment to provide the Western Australian state government with 25 per cent of the royalties from the Gorgon gas project. When will the Prime Minister introduce legislation to guarantee that Western Australia receives its share of these royalties?

Mr RUDD—The Australian government is resolved to honour its commitments to the WA government, whoever won the last WA election; and we will do it. The reason for this is that the WA government is actually in the business of rolling up its sleeves and making projects work. That is why this government is working effectively with them. I also draw the honourable member’s attention to the fact that, on the broader question of economic policy, the WA Treasurer, Mr Buswell, has fully endorsed the overall economic strategy of this government—including its stimulus strategy. We work well with them and will continue to do so into the future.

Quarantine

Mr TURNOUR (2.37 pm)—My question is to the Minister for Agriculture, Fisheries and Forestry. Are there any threats to Australia’s biosecurity and quarantine budget which will disadvantage agricultural exporters and increase the risk of pests and diseases entering Australia?

Mr BURKE—I thank the member for Leichhardt for the question. It is a deeply important issue, given what happened in the Senate on Tuesday night. Late on Tuesday night the coalition took a sledgehammer to Australia’s quarantine and biosecurity budget, ripping $103 million out of our biosecurity defences. This was done by the same mob that presided over equine influenza—the same Leader of the National Party. It might be 95 per cent of Australians who do not know who he is, but every person involved in the racing industry knows exactly who he is because they took a $1 billion hit when they were dealing with the system with a previous government that was not willing to commit to biosecurity in Australia. The same people who in government gave us quarantine incompetence and neglect, in opposition have decided to vandalise Australia’s quarantine and biosecurity systems—vandalism against the same issue that I always thought was above politics. I actually thought, if we were going to have an argument about quarantine and biosecurity, the argument from the opposition would be that there needs to be more money, not that you need to take $103 million out of our quarantine and biosecurity.

Every year new fees come in. Every year new fees are introduced, and yet in the history of Australia’s biosecurity cost recovery never has either side of politics disallowed the new fees. It has never been done before. We had only eight years in the history of biosecurity where the 40 per cent export subsidy was there, and when it was introduced last time by the Leader of the Nationals he himself said it was a four-year program. He himself announced the expiry date—that there would be no funding beyond 30 June this year. We kept to that date, but we went one step further. We put through a transition year, a further $40 million on the table. Then on Monday, when the Senate inquiry reported and said more transition money was required, Senator Back himself stood up in the parliament and nominated the figure of $20 million. We put a further $20 million on the table to help with the transition year, to help our exporters.

What did they do? Let’s not forget their proposal: zero dollars on the table. We put $60 million on the table. They were faced with a choice between driving policy reform
at $60 million or sabotaging the quarantine budget, and they just could not help themselves. They had not done enough damage to quarantine in government; they had to continue the assault in opposition. The shadow minister himself only a few months ago said any cuts to the biosecurity budget would be ‘criminal’—and look at what you have now done. Look at what the opposition has now done in slashing the biosecurity budget by $100 million.

The government did the right thing. We made sure these fees were gazetted earlier than they ordinarily would be so that, if the opposition were minded to behave this way, it could have been done before the end of the financial year. But instead they chose the option of maximum chaos—have the new fees come in, have industry, in good faith, begin the process of reform and then steal the money from underneath, despite the support from the Meat Industry Council, the Livestock Exporters Council, the Dairy Industry Council, GrainCorp, ABB, Horticulture Australia, the Seafood Export Consultative Committee, the Red Meat Advisory Council, Dairy Farmers, Grain Traders, Biological Farmers and the Aquaculture Council. All of these groups want the reform process to go ahead, and against all of them the National Party decided, ‘Let’s just play politics.’

Every month this goes on, $3 million to $4 million disappears because of the underfunding of biosecurity that Australia now has. There is time when we come back to be able to fix this and to allow industry to have its reform process and not have the cut which is currently being made to quarantine. I would ask the opposition to think very long and hard about the demands of industry and actually deliver on a reform package that they were incapable of in government.

**Strategic Indigenous Housing and Infrastructure Program**

Mr ABBOTT (2.42 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. Does the minister stand by her statement in August that 85 new houses would be built in Alice Springs town camps under the Strategic Indigenous Housing and Infrastructure Program? If she does stand by that statement, how does she respond to a Northern Territory government official briefing last week that the program will deliver just 40 new houses for $100 million? Does she maintain that $2½ million per house is good value for taxpayers’ money?

Ms MACKLIN—I thank the member for Warringah for his question and for the opportunity that it gives me to confirm the statements and the commitments that this government has made to make sure that 85 houses are built in the Alice Springs town camps. Of course, he should be aware that the Northern Territory government official briefing last week that the program will deliver just 40 new houses for $100 million? Does she maintain that $2½ million per house is good value for taxpayers’ money?

I might just say, while I have the opportunity to contribute to this debate, it was that side of the parliament when they were in government who walked away from the residents of the Alice Springs town camps. The previous minister for Indigenous affairs went up to Alice Springs and said that he would do something about the conditions that people were living in in Alice Springs and he walked away from them. He walked away from the people who are living in the most appalling conditions that we would find in any part of this country. This is not a war zone. This is not a refugee camp. This is on the outskirts of one of our country towns. It is an out-and-out disgrace that for 12 years
you left people living in those conditions, and it is now up to this government to fix it.

**Nation Building and Jobs Plan**

Mr RANDALL (2.45 pm)—My question is to the Minister for the Environment, Heritage and the Arts—

*Opposition members interjecting—*

**The SPEAKER**—Order! The member for Canning will resume his seat. People want to try to control what is happening here by interjection. For several seconds there was only one person seeking the call, and that was the member for Canning. The member for Canning has the call.

Mr RANDALL—I refer the minister to advice received that a Western Australian installer paid $6,000 for 100 packs of 20 insulation batts last month. This month he paid $5,240 for 50 packs of 10 batts. That is a price hike of four times the cost of the original unit—costs that are being passed on to the Australian taxpayer. Will the minister explain to the House how a quadrupling of the pink batts price represents value for money?

Mr GARRETT—I thank the member for his question and I am happy to take on notice that particular matter that he refers to, see whether there is additional information in relation to the views that he has put to me about that, come back to the House and report to them. But I make that response in the context of issues that have been raised by the opposition previously, including that by the member for Hinkler which I referred to in question time yesterday. We found that, on examining the view of the company in question that the member purported to represent here in the parliament, in actual fact the claims that the member made in the parliament were false.

Mr Andrews—Mr Speaker, I rise on a point of order. The minister has conceded that he has completed the answer to the direct question. There is a process of the House to add to an answer. He can make use of that if he wants to do what he is trying to do now.

**The SPEAKER**—Order! The minister must relate his material to the question that has been asked.

Mr GARRETT—I make the point to the House that since the inception of this program two things have happened. The first is that we have had a record number of ceiling insulations take place in a record short period of time. This was for a program that those opposite opposed. The second thing is that we have put in place a range of compliance and auditing measures in order to make sure that the taxpayer gets very good value for this program that the government is delivering. Let us remember that we are delivering a program that reduces greenhouse gas emissions, that employs Australians, that puts ceiling insulation in the roof to enable Australians to lower their energy costs and—

*Opposition members interjecting—*

Mr GARRETT—I am reminded by the opposition making these claims in the parliament that when the member for Flinders went into hysterical mode about solar panels earlier in the year—when we discovered that he was jumping out of a plane without a parachute, so to speak—the number of solar panels that were going onto roofs—

Mr Randall—Mr Speaker, on a point of order that goes to relevance: the question I asked the minister was about the quadrupling of the costs to this installer in my electorate. He has run out of—

**The SPEAKER**—The member for Canning will resume his seat. The minister will respond to the question.

Mr GARRETT—I simply make the point that one listens carefully to the questions that are put by the opposition and to the views
that are put by the opposition, and when it comes to some members of the opposition—in particular the member for Flinders, who said that this program was falling apart at the seams when we had 290,000 installations—I think it is time to put these questions in context. But we will take seriously the question that the member has put. I will come back to the House. I make this final point. If we are serious about addressing climate change—as we are on this side of the House—then the Energy Efficient Homes Program, which has only 0.3 per cent of actual issues that have been raised on a program that up to this point in time has been phenomenally successful in its deployment, is doing the job that it was required to do.

**Emissions Trading Scheme**

Mr DREYFUS (2.50 pm)—My question is to the Minister for Defence Personnel, Materiel and Science and Minister Assisting the Minister for Climate Change. Why is it important for the Carbon Pollution Reduction Scheme to pass parliament and what is delaying action on climate change?

Mr COMBET—Of course it is extremely important that the parliament pass the Carbon Pollution Reduction Scheme legislation so that we can begin to reduce greenhouse gas emissions in our own economy and play the most constructive role possible in the international community. Time is pressing for the passage of the government’s legislation. The Copenhagen conference is now less than 90 days away and it is important that the legislation pass before then, not only so that we can have a target established in the law to reduce carbon pollution in this country but also to have a means to achieve the reductions. After today, there are only four weeks of sittings left before the Copenhagen conference, and the government will be reintroducing this legislation with that time frame well and truly in mind. That means that time is running out for the coalition on this fundamentally important public policy question.

I confirm once again that the government will sit down and negotiate with the opposition if they can produce a set of amendments that reflect the policy concerns that they have. But they must have a policy and they must agree to a proposed set of amendments. The government cannot do that for them as Senator Minchin has been suggesting. They have to get their act together and develop a policy with specific amendments to the legislation that they are seeking.

But, of course, as is evidenced again today, the outlook for that development on the opposition side of politics is not good. Multiple positions are being expressed on climate change. It is truly astonishing. It is a very rare thing in Australian politics for such extraordinary ill-discipline and disunity to be on display by a major political party. The Nationals and the Liberals have completely split over this issue, and Senator Joyce is running the leadership on this issue for the National Party and, apparently at times, for the coalition. Senator Joyce is making ridiculous propositions, proposing homespun messages that defy the international scientific evidence and consensus on the need for taking action on climate change. He has been positing $150 legs of lamb and other ridiculous propositions. The position that the National Party has been adopting is at potentially massive cost to the rural and agricultural communities that the National Party purports to represent. It is an utterly irresponsible position.

Senator Joyce has walked all over the member for Wide Bay, the Leader of the Nationals—walked all over him. Only two or three months ago the Leader of the Opposition and the Leader of the National Party stood up and said they were committed to the government’s targeted reductions in green-
house gas emissions by 2020. That is no longer the case. The National Party has dumped that position.

For once I have to say that I agree with the member for Sturt—as painful as it may be—because this morning on Sky television the member for Sturt indicated that the Nationals are no longer at the table and that their policy position is bizarre. That was his admission. But, of course, the National Party is not alone in that. The Liberals are in a shemozzle on this as well. Over the last two days we have had a party room rebellion fully reported to the media, including the speakers list; at least three contradictory positions on amendments to the legislation; the member for Higgins out again in the media, making a typically self-indulgent and destructive contribution, opposing emissions trading; and the member for O’Connor continuing to run an insurgency campaign, asserting that a majority of the coalition party room are opposed to emissions trading. The member for Goldstein, not in the chamber today, has taken a completely contradictory position—

Dr Stone—Mr Speaker, I rise on a point of order. The point of order is relevance. This long story is not relevant.

The SPEAKER—The member for Murray will resume her seat. The minister is responding to the question.

Mr COMBET—At the same time that the member for O’Connor is asserting that a majority of the coalition party room is opposed to emissions trading, the member for Goldstein is reported in the *Australian* today saying that a vast majority of coalition MPs and senators in fact support amending the CPRS. Who is to ever know who is right about the coalition political and policy position on this issue? If it is a majority of coalition MPs that support negotiating amendments with the government, it must be a very silent majority indeed. They should take responsibility on this critical public policy issue and put forward specific amendments, propose them to the government and negotiate.

**DISTINGUISHED VISITORS**

The SPEAKER (2.56 pm)—I inform the House that we have present in the gallery this afternoon members of the Environment Protection and Resources Conservation Committee of the National People’s Congress of the People’s Republic of China. On behalf of the House I extend a very warm welcome to the members.

Honourable members—Hear, hear!

**QUESTIONS WITHOUT NOTICE**

**Asylum Seekers**

Dr STONE (2.56 pm)—My question is to the Minister for Home Affairs, who today is representing the Attorney-General. The Minister for Immigration and Citizenship has said that he is now considering the Northern Immigration Detention Centre in Darwin to provide the extra capacity needed as unauthorised arrivals continue to make their way down to Australia from Indonesia. What is the government going to do when the Darwin detention centre is full?

Mr Albanese—Mr Speaker, I rise on a point of order. The question was hypothetical and should be ruled out of order.

The SPEAKER—The first part of the question was clearly in order. The second part does have some queries over it. Questions of that nature have been allowed. On the basis that the first part, referring to the Minister for Immigration and Citizenship’s comment, was in order, I will allow the question.

Mr BRENDAN O’CONNOR—I thank the honourable member for her question. I did notice that she was conferring with the Leader of the Opposition before the question. That is because the Leader of the Opposition
does not have the integrity to ask the question himself.

Opposition members interjecting—

Mr Pyne—Mr Speaker, I rise on a point of order. Obviously, I would ask you to require the minister to withdraw the imputation that the Leader of the Opposition lacks integrity.

The SPEAKER—Whilst from time to time we talk about the robustness of the chamber, it will assist the House if the minister withdraws.

Mr Brendan O’Connor—I withdraw. Can I say in relation to this matter that I am also aware that the member for North Sydney was involved in the construction of this question, as are, of course, all members of the tactics committee of the opposition.

Opposition members interjecting—

The SPEAKER—Order! The minister still has the call.

Mr Brendan O’Connor—Can I say, in relation to this matter, that this government takes border protection very, very seriously. In fact, we have dedicated—

Opposition members interjecting—

The SPEAKER—The minister will resume his seat. The question having been asked, the minister now has the call. The minister deserves the opportunity to respond to the question.

Mr Brendan O’Connor—Of course, I know there are different views amongst the opposition. We know the member for Pearce, the member for McMillan and the member for Kooyong have a different view with respect to these matters but—

Mr Turnbull—Mr Speaker, on a point of order: relevance. It is a very clear question about an important matter of public policy. The minister should stop insulting the House.

The SPEAKER—The Leader of the Opposition will resume his seat. We are having the parliamentary version of Groundhog Day. It seems to be similar to yesterday. If indeed, as people have put to me by submission that this is an important question, perhaps the House might like to listen to the answer in silence. Can I suggest that if people interject, the minister should ignore the interjections and respond to the question.

Mr Brendan O’Connor—in relation to the question asked by the honourable member, I am not aware of the comments made by the minister, to which Dr Stone referred in the question. This government takes border protection very seriously. It is for that reason we have dedicated $654 million to protecting our borders. It is for that reason that we have a policy that ensures we work with governments within our region and we work with the law enforcement agencies. Only very recently there was a disruption of the syndicates in Indonesia. That was a direct result of the efforts of this government’s work with the Indonesian National Police to disrupt those ventures and to prosecute the people smugglers. It is the case that there has been an increase in unlawful maritime arrivals. I make this very important point: if we were to determine a government’s performance based on unlawful or irregular maritime arrivals, then the Howard government’s record was the worst in the last 40 years. In relation to the capacity of the detention centre on Christmas Island, it is very clear that—

Dr Stone—Mr Speaker, on a point of order on relevance: the minister obviously did not know the answer that—

The SPEAKER—The member for Murray will resume her seat. On the point of order of relevance, the minister is responding to the implication behind the question: the
Mr BRENDAN O’CONNOR—In conclusion, the detention centre at Christmas Island still has plenty of capacity to deal with any irregular maritime arrivals. This is an effort by the opposition to dog whistle—that is what they have been doing here—

Mr Pyne—Mr Speaker—

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

Mr BRENDAN O’CONNOR—The Leader of the Opposition should be ashamed of himself for putting up the honourable member to ask this question.

The SPEAKER—The minister has concluded.

Pensions and Benefits

Mr SULLIVAN (3.04 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. I ask: what will next week bring for Australia’s pensioners?

Ms MACKLIN—I thank the member for Longman for his question and for his very hard work on behalf of more than 23½ thousand pensioners in his electorate of Longman. From this Sunday, Australian pensioners will receive their long overdue and much needed increase to the pension. Those opposite had 12 long years to deliver an increase to the pension, and they refused to do so. They refused to deliver this much needed increase to the pension. It has been left to this government to deliver what pensioners have needed for so long.

Over the next two weeks, pensioners will be receiving this much needed increase to their pension, on their usual pension pay day. These 3.3 million pensioners—aged pensioners, disability support pensioners, veterans, income support recipients, those on the carer payment—will receive, because of this government’s commitment, a much needed pension rise. All pensioners will get letters from Centrelink setting out exactly what they will receive. Single pensioners on the maximum rate will receive an ongoing increase—not the sort of temporary increase we saw from the previous government before elections. From this government they will get an ongoing increase of $70.83 a fortnight for singles on the maximum rate. These are very significant reforms that will make a difference to the living standards of single pensioners.

Couples on the maximum rate of the pension combined will receive $29.93 a fortnight. Once again, this is a much-needed increase. All of us on this side of the parliament know that pensioners have been doing it very, very hard. I have spoken to many pensioners, but one pensioner to whom I spoke just last week comes to mind. I will tell everybody what this pensioner had to say to me about what this increase will mean for her. She is a single pensioner on the maximum rate and she will be receiving an increase of $70.83 a fortnight from next week. This is a lady who is very active, very involved, and she says that she is going to live a much more social life as a result of this increase. She will be able to go out with her friends, enjoy exercise classes and do some of the things which other people take for granted. These are the practical things. These are the changes that pensioners are going to see as a result of this very significant increase to the pension. It is going to mean a better life in retirement for those pensioners, because this government have done what pensioners have been waiting for for a very long time. We have delivered this very important increase to improve their standard of living—especially for those in retirement.
Climate Change

Mr OAKESHOTT (3.08 pm)—My question is to the Minister representing the Minister for Climate Change and Water. Minister, with the CPRS packages marks 1 and 2 the government took a policy position against an amendment for an independent climate change authority by arguing that the topic is too important not to have the minister and the parliament in control of various future oversight questions. But now we are about to visit CPRS mark 3, and now the CPRS has been significantly scaled back due to political lobbying. And, once again, this package has been butchered by the political mosh pit. Minister, do you now agree that your view is flawed? If so, will you reconsider the counterpolicy position that this issue is too important to be left to the minister and the parliament in control of various future oversight questions. As I recall, that was the nature of the amendment at the time, and I take it that the question has a similar intent.

The SPEAKER—Order! The member for Dickson! The member for Sturt! The question was in order. The Minister Assisting the Minister for Climate Change has the call.

Mr COMBET—I thank the member for Lyne for his question. Of course, the member for Lyne was the only non-government member of parliament to vote for and support the Carbon Pollution Reduction Scheme—an act of courage that is important to acknowledge. I recall that when the CPRS legislation was in the House in June, the member for Lyne moved an amendment in very similar terms to those in his question to me. It raises the same important public policy question, and that is whether or not the proposed Australian Climate Change Regulatory Authority should be able to independently set the cap on emissions. As I recall, that was the nature of the amendment at the time, and I take it that the question has a similar intent.

As I explained to the House at that time, the scheme caps, in the government’s view—reflected, of course, in the way in which the legislation has been constructed—should be set in regulations rather than by an independent authority, and that remains our view of this issue. The setting of scheme caps, I think on any construction, is a very major policy decision requiring the balancing of broad environmental, economic and social factors. As a consequence it is in itself a very important public policy question. The government took the view, through the consultations in the development of the white paper in particular, that such an important decision should be taken by elected officials of this parliament and should be subject to parliamentary scrutiny. For that reason, the government remain committed to the approach that we have articulated.

I would emphasise, though—as I think I did at the time in June—that the government
certainly welcomes the member for Lyne’s participation in the debate of these important issues and the recognition of the serious challenge that climate change presents. In particular, the government welcomes the member for Lyne’s commitment to supporting efforts to reduce greenhouse gas emissions. That is exactly the type of engagement that those opposite, members of the Liberal and National parties, should also be engaging in: taking responsibility for the greatest challenge of our time—a responsibility that to date they have demonstrably shirked.

**Workplace Relations**

**Ms BIRD** (3.13 pm)—My question is to the Minister for Education, the Minister for Employment and Workplace Relations and the Minister for Social Inclusion. What impact do individual statutory agreements have in the workplace and what level of community support exists for them?

**Ms GILLARD**—I thank the member for Cunningham for her question. I know that she is deeply committed to fairness and decency in Australian workplaces. I know that she saw, as many other members in this House saw, under the Liberal government’s Work Choices regime hardworking Australians getting basic pay and conditions and being ripped off without a cent of compensation. As the parliament draws to a close for a parliamentary fortnight, the overwhelming impression from this fortnight is that the Liberal Party is a political party stuck in the past and divided about its future—stuck in the 1960s, as we saw on display during question time. They are stuck in an era of climate change denial and divided about the future strategy for climate change. They are divided and unsure what to do with the Building the Education Revolution program, equivocating between saying and doing anything to discredit it and trying to associate themselves with it whilst they are at home.

But there is no better example of how the Liberal Party is stuck in the past than the embrace of Work Choices we have seen this fortnight. What the Liberal Party has said on the record about Work Choices is characteristic of the kind of divided views we hear about so many issues. There are various factions in the Liberal Party when it comes to what they will say publicly about Work Choices. When it comes to what they will say publicly about award-stripping Australian workplace agreements, there is one faction centred around the Deputy Leader of the Opposition. She is straightforward about what she believes in. She is a loud and proud supporter of Australian workplace agreements and she is on the record as saying, ‘We have said common-law agreements are no substitute for statutory agreements.’

Then there are those who pretend in public that they believe Work Choices is dead and buried. There is probably no more louder proponent of this than the former Work Choices salesman, the current shadow Treasurer, who each and every day up until the 2007 election spruiked the benefits of Work Choices. But now he seeks to be taken seriously and says things like, ‘Work Choices is dead; it’s very dead.’

Then there is a third faction in the Liberal Party when it comes to Work Choices and Australian workplace agreements. There is the ‘let’s bide our time’ faction led by the member for Warringah, who is saying basically: ‘We shouldn’t come clean now. It may all be different by polling day.’ On Kerry O’Brien’s 7.30 Report, he said:

… we took our lumps on polling day and we accepted the verdict by effectively not opposing the Government’s workplace legislation. But things, I suspect, will be a little different by the time the next polling day comes around.

The ‘wait and see and then get it all back out of box before the election’ faction.
Then there is the faction that says the brand known as Work Choices is dead but Work Choices itself is alive. We have seen a number from this faction. Senator Mitch Fifield is a member of this faction. He said: Don’t get me wrong. Of course, the brand and policy iteration known as ‘Work Choices’ is dead. The member for O’Connor has put it even more frankly. He said: The only problem with Work Choices was its name.

Which faction is the Leader of the Opposition in? True to a man desperately seeking support from any corner of his political party, he has been in all of them. At the Press Club on 25 November 2008, there he was saying very clearly:

We have heard the lessons of the 2007 election loud and clear.

WorkChoices is dead. The people have spoken. Then, by March 2009, he was actually trying to blame that political position on the former Leader of the Opposition, the member of Bradfield, when on radio he said:

The person who said WorkChoices was dead was Brendan Nelson after the election.

Last weekend, we saw the Leader of the Opposition come out loud and proud as a Work Choices supporter. He is refusing to rule out individual statutory employment agreements. He is refusing to rule them out because he knows the one thing that unites the Liberal Party under all this division about public positioning is that they are the party of Work Choices and rip-offs. They were when they were in government, they are now and they will always be the party of Work Choices and ripping off working Australians. That is the position of Leader of the Opposition.

La Trobe Electorate: Fire Refuges for Schools

Mr WOOD (3.19 pm)—My question is to the Prime Minister. I refer the Prime Minister to the concern expressed by school principals in my electorate about the quality of their bushfire refuges and their belief that the proposed upgrades will be insufficient. I further refer the Prime Minister to my unanswered letter to him of 16 June 2009 regarding the immediate need for the highest quality fire refuges for schools in the Dandenong Ranges. Will the Prime Minister assure the House that he will intervene to ensure that fire refuge shelters in schools will be upgraded to the highest standard before the beginning of the fire season?

Mr RUDD—I thank the honourable member for his question. Firstly, I draw the honourable member’s attention to the recently released interim report by the Victorian Bushfires Royal Commission. I also draw the honourable member’s attention to the recommendations contained within that report requiring further action by the federal government. I further draw the honourable member’s attention to the response provided to those recommendations. Secondly, on the specific matter which the honourable member has raised, can I say to him, as I have said in the past to the member for McMillan, the member for McEwen and other members from the bushfire affected areas, if there are particular local concerns which those members wish me to attend to then I will seek to do so based on their individual representations to me and to my office. Thirdly, I refer to the honourable member’s correspondence. I will now investigate what has happened in response to his correspondence, and I am happy to take it up individually with the member as he has suggested in the House.

Mr WOOD—I seek leave to table the letter.

Leave granted.
Regional and Local Community Infrastructure Program

Mr MELHAM (3.21 pm)—My question is to the Minister for Infrastructure, Transport, Regional Development and Local Government. How is the government’s Regional and Local Community Infrastructure Program supporting jobs today and delivering lasting benefits to communities around Australia? How have these projects been received by local members and local communities?

Mr ALBANESE—I thank the member for Banks for his question. As he knows, this program has been extremely well received by local communities right around the nation because it has resulted in jobs being created in the short term based upon local communities’ priorities themselves as expressed through their elected local representatives in local government. It is also building infrastructure that will last for the long term.

Indeed, last Friday I had the pleasure of taking the opportunity to open the extensively upgraded Clementson Park at Bondi Junction, just around the corner from the electorate office of the member for Wentworth. All up, Waverley Council’s playground upgrade program received some $340,000. The work undertaken by the council involved an extensive refurbishment of the park and included the construction of a new playground, which will benefit the childcare centre that is just near the park. Further work is taking place at eight other parks around Wentworth. The Liberal mayor, Sally Betts, said:

Council and our community are very thankful for this funding from the Regional and Local Community Infrastructure Program.

It was a very successful launch, which the Liberal mayor, the Liberal deputy mayor and all the Liberal councillors came along to to express their support for economic stimulus on the ground in Wentworth.

Of course, the Leader of the Opposition, the member for Wentworth, himself said, when he attended the launch of the community infrastructure program in his electorate on 26 April:

We have never argued about investing in infrastructure. We support investing in infrastructure … But they have come in here day after day and opposed the infrastructure investment in schools, in local communities, in housing, in insulation. They have opposed the 70 per cent of the economic stimulus plan that goes into infrastructure. One thing the Leader of the Opposition has said is that it would not create one job. I say to the member for Wentworth that he should go around the corner from his electorate office, because—

Ms Gillard—It’s not a long walk.

Mr ALBANESE—it is not far, as the Deputy Prime Minister says, and because this upgrade alone created work opportunities for 30 people. Thirty people worked on this playground alone. Of course—and the Deputy Prime Minister has tried to explain the way that construction works—they have employed contractors from the private sector. The contractors involved in this upgrade informed us last week that they were ready to make lay-offs. Instead, they kept people employed and, in addition, were able to employ an extra apprentice, giving a young person an opportunity in life.

It may well be that the member for Wentworth sees this local contractor as part of the G20 conspiracy of left-wing leaders, part of the OECD—maybe he has become part of that conspiracy at the moment. But the fact of the matter is this: they are arguing the economic stimulus should stop. What they need to do is to identify those projects in their electorates that they think should not
occur, because they argue that in here but not when they go back to their electorates. Here is a photo of the member for Wentworth on 26 April at the Waverley Park pavilion. Here we have the member for Riverina on 7 May out in Wagga Wagga. Here we have the member for Mallee—dancing.

Mrs Bronwyn Bishop—Mr Speaker, I raise a point of order. At the beginning of the published standing orders it states that the chair should uphold previous rulings. I would ask you to uphold the previous ruling that those photographs are out of order.

The SPEAKER—That is not quite the case. There have been many rulings that those—

Mrs Bronwyn Bishop—Your father would have made a better ruling.

The SPEAKER—I simply say to the member for Mackellar: on a previous submission that she made to me where she bridged the generational gap I went back to the proceedings to see what mysteries actually had occurred. Unfortunately, there was no television footage because matters were not televised. The actual incident involved a scorecard. I understand that those Independents and National Party members might have been inspired—

Honourable members interjecting—

The SPEAKER—Order! I simply say to the Second Deputy Speaker, the member for Maranoa, that we expect him to set an example. That is the score that I have given the point of order, because the previous ruling by a Speaker Jenkins is not relevant in this case and I simply say to the House that this is a matter that I have referred to the Procedure Committee and I am sure that in their wisdom they will give me some guidance.

Mrs Bronwyn Bishop—Yes, Mr Speaker, I rise on a further point of order—again, on the standing orders and the House of Representatives Practice. There is plenty of comment in the Practice that you have ample power as the Speaker to make rulings on such an issue without referring it to the Procedure Committee. You have the power to rule those photographs out of order, and I would ask that you do so.

The SPEAKER—I thank the member for Mackellar for the tutorial and for reminding me what I can and cannot do. I remind her that I have actually ruled these things in order. What I have done by referring it to the Procedure Committee is to give an opportunity to the House if they believe that this is something that the House can make sensible use of.

Opposition members interjecting—

The SPEAKER—I am afraid that I get a little concerned when I hear comments back by interjection of the nature that ‘the government controls the committee’—a very interesting proposition if I were to review some of the reports given by the Procedure Committee that were a little too hot for governments of different persuasions to actually implement. So the committee is not the problem; it is the will of the House.

Mr ALBANESE—Thank you, Mr Speaker—and a fine ruling, Mr Speaker.

The SPEAKER—Perhaps a little too long, Minister.

Mr ALBANESE—I do not know why they do not wish to give prominence to what they are doing outside in their electorates. Here we have a photo of the member for Gilmore giving the thumbs up to the program in the Shoalhaven, and the member for Mayo out there supporting projects—

Mr Morrison—Perhaps you would like to look at that picture.

The SPEAKER—The member for Cook is named!
Mr Albanese—I move that the member be suspended from the service of the House.

The SPEAKER—Usually, I would not justify my actions in naming somebody—

Mr Slipper—You can’t justify it!

The SPEAKER—The member for Fisher is warned! No, in fact, the member for Fisher will leave the chamber for one hour under 94(a), and he will not even get the benefit of the explanation!

The member for Fisher then left the chamber.

The SPEAKER—The member for Cook, in the period of the hour before question time, was warned by the occupant of the chair. I was generous in reminding the member for Cook earlier in question time when he was interjecting that he had been warned. He knows that when people are coming to the dispatch box, I expect them to be coming to the dispatch box to make a point of order. He came to the dispatch box and he clearly indicated his intentions and why he was coming to the dispatch box by indicating a prop—to use another expression—and taunting the minister across the table. He has been named.

Mr Pyne—Mr Speaker—

The SPEAKER—The member for Sturt will be very careful.

Mr Pyne—Mr Speaker, with the greatest of respect, I would ask you—I would plead your indulgence—to allow the member for Cook, whom I am sure had forgotten the status that he held, to apologise to the House and be given the opportunity not to be named.

The SPEAKER—I understand that the Manager of Opposition Business has a responsibility on behalf of those that he is guiding, but I did give the member for Cook a chance earlier in question time and there is a limit to the way in which I can be tolerant about these things.

Mr ALBANESE (Grayndler—Leader of the House) (3.34 pm)—I move:

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

Question put.

The House divided. [3.38 pm]

(The Speaker—Mr Harry Jenkins)

Ayes............. 79
Noes............. 53
Majority........ 26

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.
Elliott, J. 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.
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. Macklin, J.L.
Marles, R.D. McKew, M.
McMullan, R.F. Melham, D.
Murphy, J. Neal, B.J.
Neumann, S.K. O’Connor, B.P.
Owens, J. Parke, M.
Perron, G.D. Plibersek, T.
Price, L.R.S. * Raguse, B.B.
Ripoll, B.F. Rishworth, A.L.
Roxon, N.L. Rudd, K.M.
Saffin, J.A. Shorten, W.R.
Sidebottom, S. Smith, S.F.
Mr ABBOTT (3.44 pm)—My question is to the Minister for Families, Housing, Community Services and Indigenous Affairs. Can the minister explain to the House why the public servant she appointed to replace Major General Chalmers as operational head of the Northern Territory emergency intervention has left after just three months in the job? Why did the minister not make an announcement about his departure when it happened in June? Is it true that this leadership position has been abolished, thereby dramatically undermining the effectiveness of the Northern Territory emergency intervention, and does this not mean the effective end of the intervention and the government’s surrender to the forces that created this social catastrophe in the first place?

Ms MACKLIN—I thank the member for Warringah for his question and particularly for the opportunity that it gives me to reiterate this government’s commitment to the Northern Territory emergency response. This government and I think I can say every member of this parliament understand that we do have a national responsibility to address what is an emergency in many parts of the Northern Territory.

Mr Truss—No leader!

Ms Julie Bishop—You sacked him!

Ms MACKLIN—I might just say to all of those opposite who are interjecting that probably the most significant indication of our commitment to the Northern Territory emergency response is not about one position; it is about dedicating $800 million from this budget to make sure that the Northern Territory emergency response continues over the next three years—$800 million that was not provided by the previous government but provided in this budget by this government to make sure that we have the funding for additional police to make sure that we are able to fund night patrols in remote country communities in the Northern Territory and to make sure that we continue the program of income management. It is now the case that 15,000 people in the Northern Territory are being income managed. As a result of that...
income management we are seeing more children getting better fed. These are very difficult issues that we have introduced and we intend to continue them, as is evidenced in our budgetary commitment.

Economy

Mr KELVIN THOMSON (3.47 pm)—My question is to the Minister for Human Services and Minister for Financial Services, Superannuation and Corporate Law. How is Australia’s economic management being received in the global community and what stands in the way of coordinated global action to boost economic growth and support jobs?

Mr BOWEN—I thank the member for Wills for his question. Overnight, we have seen more evidence of the response of international economic organisations to Australia’s economic management over the last 18 months. The OECD has given further evidence that the stimulus measures put in place by the Rudd government have worked to cushion the impacts of the global recession. The OECD also points out that rising unemployment will continue to be a serious problem in economies, including Australia’s. To keep the unemployment rate steady we need to create around 20,000 jobs a month, which is a serious challenge in this international environment. This is a challenge that requires stimulus to remain in place—a fact established and supported internationally. Over the last fortnight we have heard Dominique Strauss-Kahn and senior officials from the White House and the G20 endorse the need to keep stimulus in place. Over the course of the last 48 hours we have heard the Prime Minister of Great Britain endorse the need to keep stimulus in place. In a speech to the Trades Union Congress in the United Kingdom he stressed ‘the need to implement fiscal stimulus packages in full without stopping them prematurely’. The British Prime Minister also laid out the need to keep stimulus in place by saying:

And we still have big choices to make. The choice of whether we continue to act to help families and businesses or whether we listen to the Tories and withdraw support from families and businesses, cut public services now, and refuse to invest in Britain’s future.

Anyone who would characterise that speech as anything other than a call to keep stimulus in place is engaging in false and misleading conduct.

I am asked about what impediments there are to coordinated action on fiscal stimulus. One of the things in place is those opposite who make things up in their argument against coordinated fiscal stimulus. This has been a shocker of a fortnight for the economic credibility of the Leader of the Opposition and his colleagues. Last week we had the Robert doctrine, which was to say that Australia is the only nation in the world not withdrawing stimulus. Simply untrue. That was followed by the Hockey hypothesis, which was to say, ‘Maybe that’s not right but it’s all a left-wing conspiracy.’ Then we had the shadow Treasurer saying that keeping interest rates low was more important than supporting jobs. Today we have seen the Leader of the Opposition distance himself from that particular item. Now the G20 conspiracy has been replaced by the phantom Gordon Brown speech from the shadow Treasurer. Not content with dreaming up conspiracies, the shadow Treasurer is now drafting phantom speeches.

Mr Hockey—Mr Speaker, on a point of order: yesterday I raised this in a claim to have been misrepresented and the experience of previous speakers where the Prime Minister misled the house about what I said, which I pointed out.
The SPEAKER—The member for North Sydney will resume his seat. There is no point of order.

Mr Hockey—Is he allowed to continue?

The SPEAKER—The member for North Sydney—

Ms Gillard—Yeah, we’re sorry you’re so sloppy!

The SPEAKER—Order! The Deputy Prime Minister is not assisting. Yet again, a member is giving a version of what they believe to be precedence in this regard. While that precedent is what perhaps should have applied in the past, it does not. I can remember many members having to come in here on several occasions to make claims to have been misrepresented on the same thing. Until this is addressed by the House, that will continue to be the case, regrettable as it may be.

Mr Bowen—Next we will have the shadow Treasurer quoting a speech from Al Gore saying that climate change is not real or we might have him quoting that famous speech from Mahatma Gandhi saying that peaceful protest is not all it is cracked up to be! Given the OECD’s endorsement of this government’s policies, I am surprised that he has not alleged that OECD stands for the organisation of eccentric communist dictators. That is what you would expect from the shadow Treasurer.

The Leader of the Opposition and the shadow Treasurer have been wandering around like Don Quixote and Sancho Panza, trying to find evidence to support their fantasies that the stimulus is not working and should be withdrawn. But in political discourse in Australia you just cannot make things up; you have to have some evidence. The shadow Treasurer, as he said, stood twice yesterday in the House to take a personal explanation. He should come back into the House today and take another one and explain why he has not yet come clean about misleading the Australian people and misleading the House about the Prime Minister of Britain. His attempt to mitigate this deception is based around where the quotation marks were placed in his remarks. That is his defence—the old ‘quotation marks’ defence. What he ignores is the fact that the very fibre of the Prime Minister of Great Britain’s speech was to defend economic stimulus. At least when the former shadow Treasurer plagiarised a speech she got the quotes right. This one cannot even get that.

The shadow Treasurer should come back into the chamber this afternoon after question time and take another personal explanation. He should explain whether he was being dishonest or just plain sloppy.

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

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

La Trobe Electorate: Fire Refuges for Schools

Mr Rudd (Griffith—Prime Minister) (3.54 pm)—Mr Speaker, I seek the indulgence of the chair to add to an answer.

The SPEAKER—The minister may proceed.

Mr Rudd—Thank you very much, Mr Speaker. Earlier in question time today the member for La Trobe asked me a question. His question was: ‘I refer the Prime Minister to the concern expressed by school principals in my electorate about the quality of their bushfire refuges and their belief that the proposed upgrades will be insufficient. I further refer the Prime Minister to my unanswered letter to him of 16 June 2009 regarding the immediate need for the highest quality fire refuges for schools in the Dandenong Ranges.’

I would draw the honourable member’s attention in the first instance to the reply from
my parliamentary secretary, dated six weeks ago, which, in turn, referred to a following substantive reply from the Attorney-General to him, which is dated 15 September.

Mr Rudd—Mr Speaker, I simply wish to complete the answer. This letter is dated 15 September.

Ms Julie Bishop—The 15th?

Mr Rudd—Mr Speaker, I am simply reflecting accurately—

The Speaker—Order! If the House would come to order and simply listen.

Mr Rudd—The letter of my parliamentary secretary is dated six weeks ago. It acknowledged the honourable member’s letter and indicated that a substantive letter would be coming from the honourable the Attorney-General. The honourable the Attorney-General’s letter is dated 15 September, and I would say—

Mr Wood—What is happening, Prime Minister?

The Speaker—if the House would come to order the Prime Minister might get an opportunity to indicate what is happening.

Mr Rudd—the honourable member has raised a serious matter concerning the bushfires. It is important that the House have this response. The letter from the Attorney-General says the following:

Thank you for your letter of 16 June 2009 to the Prime Minister … raising your concerns for the upcoming bushfire season and outlining a range of suggested mitigation measures. The Prime Minister has referred your letter to me as Commonwealth bushfire mitigation activities falls within my portfolio.

That is from the Attorney-General. He then goes on to say:

In the 2009 Federal Budget I announced funding of $110 million over four years for the Natural Disaster Resilience Program (NDRP). The NDRP is a national program aimed at identifying and addressing disaster risk priorities … It further says:

The NDRP will consolidate the existing Bushfire Mitigation Program, the Natural Disaster Mitigation Program and the National Emergency Volunteer Support Fund. This will enable States and Territories to more effectively prioritise and address the risks of a range of natural disasters and streamline the associated administrative processes. This initiative will commence from 1 July 2009 …

It continues:

Given that the NDRP will be administered by the States and Territories, who will prioritise the areas for funding within their jurisdiction, it is appropriate for the Dandenong Ranges Community Bushfire Group to contact the Minister for Police and Emergency Services—

Mr Wood interjecting—

Mr Rudd—can I just suggest to the honourable member for La Trobe and to the House that it is useful simply to place this on record because it contains within it relevant provisions which the member can activate if he has not been able to do so already—the Hon. Bob Cameron MP, to ascertain eligibility for funding for sirens and other audible and visual warning systems described in the Federal Signal company proposals that were forwarded with your letter. Fire refuges could also be raised in this context. This will enable the Victorian Government to consider your proposal in the context of the NDRP.

Can I simply say that that goes to the substance of the funding provided—

Mr Abbott—It’s a fob-off!

Mr Rudd—No, it goes to the funding provided to states and territories to deal with a range of these matters. Secondly, it provides advice to the honourable member that is to where a particular application should be made.

But I go back to what I said in question time: as with the member for Macmillan, the
member for McEwen and other members in bushfire affected areas, I am happy to discuss these matters further individually with the member for La Trobe, as I have extended that courtesy to others and I will continue to do so in the future.

The SPEAKER—Would the member for O’Connor and the member for Fadden just wait for a little while. The Minister for Infrastructure, Transport, Regional Development and Local Government is seeking indulgence, and I would hope that the House would listen before they are motivated to act in any other way.

Mr Albanese—I think there is another honourable member who will wish to make a comment at this time as well.

The SPEAKER—Yes.

CONDOLENCES
Mr Robert Wilson
Mr Kevin Marshall

Mr ALBANESE (Grayndler—Leader of the House) (3.58 pm)—Mr Speaker, on indulgence: I wish to express condolences on the loss of lives of Robert Wilson and Kevin Marshall, who were both killed in a head-on car collision on Tuesday, 15 September. Kevin Marshall, from Orange, died in hospital that night after the accident. Robert Wilson was killed following his attendance at the inaugural meeting of the Regional Development Australia Central West Committee in Orange, and I think, therefore, it appropriate for us to acknowledge his passing.

Robert Wilson was appointed to the RDA Central West committee by the federal and New South Wales governments on 6 August 2009. He was a longstanding and highly regarded leader in the community of Parkes, serving the regional community of Parkes with distinction for over 40 years, including 23 years as Mayor of Parkes. He played an integral role in developing Parkes as a transport hub and national freight distribution centre. This has been critical to the economic and employment sustainability of the Parkes region.

In 1997 he was awarded an Order of Australia Medal for his service to local government and the community of Parkes. In recognition of his significant contribution to his local community, Mr Wilson was named Parkes Shire Citizen of the Year in 2008. He received the AR Bluett Memorial Award in 1987 and a National Award for Innovation in Local Government in 1991 and 1996. Robert Wilson was a fine role model who served his community with dedication and distinction. He will be sorely missed by this community. I extend the deepest sympathies of the House to Mrs Wilson, Trudy and Ben, and to the family of Kevin Marshall.

Mr JOHN COBB (Calare) (4.00 pm)—Mr Speaker, on indulgence: Robert Wilson was a legend in local government and a legend, with his wife Vicki, all around the Central West, particularly in the Parkes region. It is hard to remember a time when he was not involved in everything of note that happened in the region. Vicki was always with him, and she and Trudy and Ben are going to have a lot of support from all the people of the region in the time ahead; and obviously they will need that. As someone who knew Robert over many years—I do not know how long; he was always around—both as an agriscientist and as a member of parliament, I probably saw him a little differently to the locals. They saw him as somebody who fought, each and every day, for whatever it was that the people of the Parkes shire and the Central West needed or desired.

I guess, because of my position, I saw him more as somebody who was truly a leader. Every leader, I think, who makes a mark needs a vision, and Robert Wilson certainly had that vision way beyond just the local
issues. He was, as the Leader of the House said, very much focused—and from my position totally focused—on Parkes and the Central West becoming the distribution centre not just for the Central West but for eastern Australia and even further afield than that. He did more than any other person to make that, what is fast becoming, a reality.

Robert was the Mayor of Parkes for about 23 years. Prior to being the Mayor of Parkes he was the mayor of the municipality of Peak Hill. He had, I think, 43 years in local government—and most of those as the president or the mayor of whichever municipality or shire he was in. Robert was a senior person who retired 14 months ago. I guess the quality of the man and the quality of Vicki, his wife, was such that they were forever besieged by people wanting them to do jobs for them. He had the respect and the love of everybody in the area. It is hard to imagine him not being around. I guess Vicki and Trudy and Ben at least know that their husband and father was one of the most respected people that I have ever known in the Central West.

Obviously we think also of Kevin Marshall’s family. Kevin hailed from Orange these days, and not so many years ago lost a grandson in Dubbo who was killed on a bike. It was a very tragic thing. So the Marshall family have a lot to grieve over and our thoughts are with them as well. It has been a tragic time in the Central West for car accidents—there have been about five. I do not quite know how many people have been killed on the roads over the last week but I guess Tuesday brought the reality of it home to all of us.

The SPEAKER—I have no doubt that all members would expect me, on behalf of the House, to associate the House with the comments made by the minister and the member for Calare. We extend our deepest sympathy to the families and friends of the deceased.

QUESTIONS TO THE SPEAKER

Question Time

Mr TUCKEY (4.04 pm)—Mr Speaker, in light of your rulings today on the use of photographs in the House, and more particularly those that seek to embarrass members, would you please adjudicate on the photograph in this sealed envelope in that regard.

The SPEAKER—I will take that on notice.

Questions in Writing

Dr SOUTHCOTT (Boothby) (4.05 pm)—Mr Speaker, under standing order 105(b), where replies have not been received 60 days after a question has first appeared on the Notice Paper, could I ask you to write to the Minister for Education about question in writing No. 790 seeking a reason for the delay. Could I also ask you to write to the Minister for Sport regarding questions in writing Nos 797 and 798 seeking the reason for delay. Could I ask you to write to the Minister representing the Minister for Employment Participation about question in writing No. 810 seeking the reason for that delay.

The SPEAKER—I will write to them as required by standing order 105(b).

PERSONAL EXPLANATIONS

Mr ROBERT (Fadden) (4.05 pm)—Mr Speaker, I wish to make a personal explanation.

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

Mr ROBERT—Yes.

The SPEAKER—Please proceed.

Mr ROBERT—In a speech on the Australian citizenship amendment bill I made the statement that I believe in a thing called patriotism and I love my nation. I have served overseas in uniform. I have stood on a front
line, peacekeeping for my nation. I believe in
the integrity of what my nation stands for
and I will not stand in this hallowed place, in
parliament, and see citizenship sold out for a
few gold medals. The Parliamentary Secret-
ary for Multicultural Affairs and Settlement
Services then said in his speech after mine:
… the last three from the members for Fadden,
Kalgoorlie and Cowan were very wide ranging
indeed. We heard one person boasting about his
war record …
Mr Speaker, I do not have a war record.
There is only one member in this House who
has a war record—that is the member for
Eden-Monaro—but I do have an operational
service record. I, and the member for Eden-
Monaro and the member for Cowan, take our
responsibilities as former serving defence
personnel seriously in representing defence
personnel in this place. I do accept that the
Parliamentary Secretary did withdraw and I
thank him for that.

AUDITOR-GENERAL’S REPORTS
Report No. 5 of 2009-10
The SPEAKER (4.07 pm)—I present the
Auditor-General’s Audit report No. 5 of
2009-10 entitled Performance audit: protec-
tion of residential aged care accommodation
bonds—Department of Health and Ageing.

Ordered that the report be made a parlia-
mentary paper.

DOCUMENTS
Mr ALBANESE (Grayndler—Leader of
the House) (4.07 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 and I move:

That the House take note of the following
documents:
Reserve Bank of Australia Annual Report 2009—
Section 9 of the Commonwealth Authorities and
Companies Act 1997

Australia Post—Statement of Corporate Intent
2009/10—2011/12
Government Response to the Joint Standing
Committee on Electoral Matters Report—Report
on the 2007 federal election electronic voting
trials; tabled with a statement by the Special Min-
ister of State, Senator the Hon Joe Ludwig
Ministerial Statement by the Cabinet Secretary,
Senator the Hon Joe Ludwig—Approval of ex-
emption of AEC public information campaigns
from Australian Government advertising guide-
lines

Debate (on motion by Mr Pyne) ad-
journed.

COMMITTEES
Industry, Science and Innovation
Committee
Report: Government Response
Mr ALBANESE (Grayndler—Minister
for Infrastructure, Transport, Regional De-
velopment and Local Government) (4.08
pm)—For the information of honourable
members, I present the government’s re-
sponse to the Standing Committee on Indus-
try, Science and Innovation’s report entitled
Building Australia’s research capacity.

STATUTE STOCKTAKE
(REGULATORY AND OTHER LAWS)
BILL 2009
Report from Main Committee
Bill returned from Main Committee with-
out amendment; certified copy of the bill
presented.

Ordered that this bill be considered imme-
ediately.

Bill agreed to.

Third Reading
Mr ALBANESE (Grayndler—Minister
for Infrastructure, Transport, Regional De-
velopment and Local Government) (4.09
pm)—by leave—I move:

That this bill be now read a third time.
Question agreed to.

Bill read a third time.

MATTERS OF PUBLIC IMPORTANCE

Climate Change

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

The importance of engaging households on climate change.

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

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

Mr OAKESHOTT (Lyne) (4.09 pm)—I appreciate the members staying behind to support this matter of public importance. As we have heard in this place throughout this session and throughout this year, the topic of climate change and the policy response from government have been an ongoing—

I used the words in question time—political mosh pit. In a lot of ways the climate change debate and the 440 pages of legislation that form the basis of the Carbon Pollution Reduction Scheme and the emissions trading scheme policies have to a large degree been distorted, grandstanded upon and grabbed by charlatans. There has been plenty of ‘Chicken Little’ about it—the sky is going to fall in—and there has really been a complete disengagement with the broader community on the reasons behind the climate change legislation and how the households of Australia can be involved in building more an efficient energy mix in the future.

The importance of putting this MPI on the table today is to reinforce to this place—that people are not stupid. People will appreciate being engaged. They will appreciate logic and common sense, and if there is engagement by government on the range of issues at stake then they will support the creation of the energy mix of the future in response to climate change issues, arguably the greatest issues of our time. It has worried me in my first 12 months in this place to see the lobby groups grab the agenda, the various vested interests distort the agenda. It is almost a pity we do not have a ‘mum and dad alliance’ or a ‘homes of Australia union’ also trawling the corridors, defending the interests of the people and the households of Australia, as engagement with government initiatives is quite often taken away from the homes of Australia.

One example of that is the feed-in tariff legislation, a private member’s bill, that I spoke about earlier this week. From a logic and common-sense point of view, I would have thought it was a no-brainer that the Commonwealth of Australia should harmonise what is being done in various forms around the states of Australia and recognise what is being done in lead economies such as Germany. In Germany we are seeing returns to the household of a significance that lead us not to ask why we should have a feed-in tariff but to demand of government and the executive why on earth we do not have a feed-in tariff system in Australia today.

I encourage everyone to read this month’s National Geographic. It has a story of a German household right next to the Black Forest. The journalist had to wipe the snow off the photovoltaic panels the day that he went to visit this home. The guy produced his figures for last year’s return from government from Germany’s gross feed-in tariff system, and the equivalent in Australian dollars was $3,700—in an extremely cold location in the Black Forest. If the households of
Australia cannot get a return that is double that in the Australian climate, we are not trying.

But what we need from government is recognition that establishing a feed-in tariff system and engaging the households of Australia in moving to the energy mix of the future are important parts of the response. A feed-in tariff system would sit nicely with CPRS legislation. It would sit nicely with renewable energy targets. I am stumped. I do not understand why this government has seemed to walk away from the feed-in tariff policy as part of the government response and left it to a mish-mash of responses from various state governments.

I urge the government, if they are serious about engaging the households of Australia in this debate, to reconsider the policy of the feed-in tariff system, in particular a gross feed-in tariff system, and I encourage the households of Australia—anyone who is listening—to start to put pressure on local members of parliament and on the executive and to ask: ‘Why on earth aren’t we getting a policy response that delivers the equivalent of $4,000 a year to me in my home? Why are we going for a policy response in another direction?’ I urge the households to lobby hard, because at the moment the vested interests—big business—are changing this policy debate to suit their needs. The mums and dads—the households of Australia—are missing out on feed-in tariff legislation.

I also ask this House to reflect on the broader policy issues that have been debated in this place. I want to call to account some, particularly in the Senate, who are blocking the emissions trading scheme. The point was made in question time that I am the only non-government member in support of the emissions trading scheme and the CPRS that the government is putting through, and I want to put on record why and encourage others to think about their position. I do not hear anyone saying to do nothing as a response. I do hear those saying that an ETS is not the way forward. I think the households of Australia are not stupid and can follow logic and common sense. If we are going to respond in some form—if we have moved from having a debate about who is and is not a sceptic—we have two choices. We can either have a market based response such as the scheme that is before the House today or we can have a publicly controlled response which in its most likely and logical form would be a carbon tax.

If we are going to get this legislation through, every member of parliament needs to be called to account on which of the three choices they support. Are they supporting a do-nothing response? I do not hear anyone saying that at all, so we are down to two choices. If they do not support a private, market based response such as the legislation going through, they are backing a carbon tax. From my point of view, following the logic and common sense of this debate, I would much prefer engaging a private-sector, market based response than I would backing a carbon tax. For the Chicken Littles saying the sky is falling in in the other place, I hope the households of Australia start to push and to ask whether they are saying to do nothing or to have a carbon tax and to ask why they are not saying to get this legislation through.

The other question I want to raise is the question about coastal erosion, which came up in question time earlier in the week. Particularly in the coastal areas of Australia, there are many households now starting to be directly threatened by the issue of coastal erosion. It is not only in Chepana Street in Lake Cathie or Lewis Street in Old Bar where we are starting to see houses go into the water. It is areas like Belongil at Byron Bay, where there are 25 houses that the council in that area is now looking to acquire
for safety and environmental reasons: the coastline is now too close to the building block. This is a real issue. It concerns a lot of households around our coastline in Australia, and at the moment, yes, we are seeing from government a better response than what we saw 12 months ago, but at this stage it is still being left largely to a case-by-case response from the councils around the coastline, who in all reality do not have the resources to address what are substantial losses not only of public land but, arguably more importantly, private lands.

If we are going to engage communities on this topic, I urge government to take this issue a lot more seriously than we currently see. I hope that when the report of the inquiry that is being chaired by the member for Throsby is delivered those that are involved in that inquiry deliver some strong recommendations. From that, I sincerely hope that the executive takes those recommendations seriously and looks to a policy response that is strong and that starts to provide some national unity on the issue of coastal erosion, which is emerging as one of great significance. I want to give government a pat on the back with regard to the stimulus response through the hot water and insulation package. I think that is engaging households well. I do not know about others, but in my area on the Mid North Coast of New South Wales the uptake is significant and many people are very busy, particularly on the insulation side, to the point that supply of product is becoming an issue. I certainly hope government can keep an eye on that so that we can continue to engage households on that front.

I, therefore, remind government of the importance over this four-week period of engaging the homes and people of Australia, who will back this issue if they are engaged at a level which is one of logic and common sense. I remind those who are blocking legislation in this place that they are either arguing a case for doing nothing or arguing a case for a carbon tax. I sincerely want to drill down on the executive about why a feed-in tariff has dropped off their energy-response radar. I think it genuinely engages people in a good way and, on paper, delays any new coal or gas fired power plants. It engages the homes in the policy response. It gets some money in the pockets of the people of Australia rather than the businesses of Australia.

I was talking to the German ambassador last night. We were talking about how in many nations around the world the issue of climate change is positioned as one that only green idealists can participate in, yet in Germany it is those who want to make eight per cent returns over 20 years who participate, and that is most of the homes of Germany. I would certainly think that would be similar in Australia—if the offer through a feed-in tariff were an eight per cent return over the next 20 years I think we would get a great deal of engagement on the issue of better efficiency and a better energy mix for the future.

I congratulate the government on the hot water and insulation issues. Finally, I remind the government of the importance of the report from the member for Throsby with regard to coastal erosion. Coastal erosion is having a huge impact along the coastlines, not only on the mid-North Coast but also further north, and I am sure there are locations and hotspots all the way around the coastline. It is an example of climate change being real. The erosion has moved much more quickly over recent years than it has previously. It is challenging private title but also public lands, and I think therefore that there is a real interest for government to be involved and, hopefully, to respond to a very good inquiry report and to the concerns from the many households on the coastlines of Australia who are worried about the loss of lands.
Mr McMULLAN (Fraser—Parliamentary Secretary for International Development Assistance) (4.23 pm)—It is a very important issue that the member for Lyne has raised—but, to enable the House to do some other business that we have to do before 4.30, and as advised to the opposition, I now move:

That the business of the day be called on.
Question agreed to.

COMMITTEES
Public Works Committee
Approval of Work

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water) (4.24 pm)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed fit-out of the ANZAC Park West building, Parkes, ACT.

The DEPUTY SPEAKER (Ms AE Burke)—Parliamentary Secretary, do you wish to make a statement or not?

Dr KELLY—Yes, Madam Deputy Speaker.

The DEPUTY SPEAKER—Be speedy.

Dr KELLY—The Department of Finance and Deregulation proposes to fit out the Anzac Park West building in Parkes, Australian Capital Territory at an estimated out-turn cost of $45.5 million, inclusive of GST. On the basis that the building will be fit out appropriately, the Department of Defence has signed a memorandum of understanding and a lease for Anzac Park West with the Department of Finance and Deregulation.

Anzac Park West is a vacant heritage listed office building located within the parliamentary Triangle. It was built in 1966 and, along with Anzac Park East, is a portal building, framing the vista between Parliament House and the Australian War Memorial. Anzac Park West base building refurbishment was completed in December 2006 within budget at a cost of $48 million, prior to a planned fit-out by the Australian Federal Police. In July 2007 the Australian Federal Police advised that Anzac Park West would no longer suit their accommodation needs due to unprecedented growth. The Australian Federal Police subsequently requested to be released from their lease commitment to the building, and the planned fit-out works were not undertaken.

The proposed fit-out of Anzac Park West for the Department of Defence will house approximate 900 staff and comprise: a base building modification works; office accommodation of approximately 15,000 square metres, including a reception area, meeting rooms, offices and work points for the remaining staff; landscaping; external works, including passive security measures, new pathways, car park rectification, and the planting of trees and plants; and base building works to the pavilion adjacent to Anzac Park West.

Subject to parliamentary approval, construction will commence in February next year with targeted completion by October 2010. In its report the Public Works Committee recommended that these works proceed. On behalf of the government I would like to thank the committee for its support and I commend the motion to the House.

The DEPUTY SPEAKER—I thank the parliamentary secretary for his speed.
Question agreed to.

Public Works Committee
Approval of Work

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support
and Parliamentary Secretary for Water) (4.27 pm)—I move:

That, in accordance with the provisions of the Public Works Committee Act 1969, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Proposed fit-out of leased premises for the Department of Families, Housing, Community Services and Indigenous Affairs at Tuggeranong Office Park, ACT.

The Department of Families, Housing, Community Services and Indigenous Affairs proposes to undertake a fit-out of Tuggeranong Office Park at a cost of $29.872 million, including GST. Tuggeranong Office Park is located at block 2, section 14 of the division of Greenway and the district of Tuggeranong, Australian Capital Territory. The national office component of the Department of Families, Housing, Community Services and Indigenous Affairs is currently spread over eight tenancies, with a total net lettable area of approximately 48,000 square metres.

Tuggeranong Office Park complex base building is 18 years old and has not been substantially refurbished or refitted since its construction was finalised in 1991. There are works required to improve compliance of the office accommodation to current Commonwealth standards. The refurbishment and fit-out of the Tuggeranong Office Park will provide a significantly improved level of accommodation and allow for the consolidation of the Department of Families, Housing, Community Services and Indigenous Affairs property portfolio. The Tuggeranong Office Park provides approximately 33,000 square metres of office space; 2,800 square metres of storage space; 760 enclosed and open car parks and ground-level bicycle parking for 150 bikes.

Tuggeranong Office Park also accommodates the Canberra Data Centre, which is considered critical national infrastructure. The works have been scoped to provide a modest-level fit-out that reflects the remaining term of lease to December 2016. The works will ensure that the Department of Families, Housing, Community Services and Indigenous Affairs provides quality office accommodation and meets its legislative obligations to provide a safe and secure workplace. In its report, the Public Works Committee has recommended that the proposed works proceed subject to the recommendations of the committee. The Department of Families, Housing, Community Services and Indigenous Affairs accepts and will implement these recommendations. Subject to parliamentary approval, the program of works is anticipated to commence in September 2009, with a completion date for all works in September 2010. On behalf of the government I would like to thank the committee for its support and I commend the motion to the House.

Question agreed to.

QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS

Energy Efficient Homes

Mr GARRETT (Kingsford Smith—Minister for the Environment, Heritage and the Arts) (4.29 pm)—Madam Deputy Speaker, I seek the indulgence of the chair to add to an answer.

The DEPUTY SPEAKER (Ms AE Burke)—The minister may proceed.

Mr GARRETT—I wish to add further to an answer I gave earlier today in response to a question from the member for Canning, although it was a detailed answer. The member asked a question about value for money in the government’s Energy Efficient Homes package, specifically about a Western Australian installer who, according—
The DEPUTY SPEAKER (Ms AE Burke)—My apologies, Minister. I do have to interrupt you for five seconds. It being 4.30 pm I propose the question:
That the House do now adjourn.

Mr McMullan—I require the question to be put immediately without debate.

Question negatived.

Mr GARRETT—Thank you, Madam Deputy Speaker. I will begin again. I wish to add further to an answer I gave earlier today in response to a question from the member for Canning. The member asked a question about value for money in the government’s Energy Efficient Homes package, specifically about a Western Australian installer who, according to the member, has experienced an increase in the unit cost for insulation product. I undertook to see whether there was further information in relation to this matter that I could report back to the House.

I can inform the House that I have asked my department to immediately review all correspondence and complaints received in relation to the program to identify whether there is any record of having received advice of this kind from a Western Australian insulation installer. I note the member did not provide any details of the installer; however, if the member would provide my office with those details then I will ensure they are followed up and respond to the member and provide appropriate advice to the installer in question.

On the broader question of insulation supply, I am aware of the current pressure on insulation supply chains, in particular for glass wool batts. My department is closely monitoring demand and supply and is providing industry with information to help it meet the tremendous demand the program has generated. I have been advised that additional capacity will come on stream because industry is responding and I am also advised that current shortfalls are likely to be short lived.

COMMITTEES

Public Works Committee
Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water) (4.31 pm)—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: Reconstruction of housing on Larrakeyah Barracks, Darwin, Northern Territory.

On behalf of the Department of Defence, Defence Housing Australia proposes to construct 97 new houses on Larrakeyah Barracks, Darwin, Northern Territory. The project involves the demolition of 61 existing houses and, through more efficient use of the site, the construction of 97 houses.

The proposal forms part of an ongoing activity to replace older houses that do not meet the new and improved standards of the Australian Defence Force housing that was introduced in 2007. Community standard housing for families is vital for the Australian Defence Force in attracting and retaining skilled personnel in the Australian Defence Force. To achieve these aims, Defence Housing Australia has a large building program in Darwin, involving the construction of 493 houses over the next four years. Most of the new houses will be built off-base in the suburbs of Darwin.

Reconstruction of housing on Larrakeyah Barracks forms part of this program, both owing to the shortage of residential development land in Darwin and its convenient location to Headquarters Northern Command, HMAS Coonawarra and to the Darwin CBD. The demolition and construction
works will be governed by Defence Housing Australia through a number of contractors.

Works will be conducted in accordance with Defence Housing Australia’s national specification covering performance and design requirements, and in accordance with the Defence green building and waste minimisation policies. Great care will be taken to preserve both the Indigenous and European heritage aspects of the Larrakeyah Barracks. The estimated cost of the project is $52.4 million, exclusive of GST.

Subject to parliamentary approval, construction will commence in August 2010 and the first stage of 69 houses will be completed by December 2011. I commend the motion to the House.

Question agreed to.

Public Works Committee

Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water) (4.34 pm)—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: Enhanced Land Force Stage 2 Facilities Project at Gallipoli Barracks, Enoggera, Queensland and other Defence Bases and training areas around Australia.

The Department of Defence proposes to undertake the Enhanced Land Force Stage 2 Facilities Project at Gallipoli Barracks, Enoggera and other Defence bases and training areas around Australia at an estimated out-turned cost of $1,457.84 million, excluding GST. The project would consist of the construction of new and refurbished accommodation, training facilities and common use facilities and site infrastructure upgrades at Gallipoli Barracks, Enoggera and other Defence sites across four states and the Australian Capital Territory. In addition to the works proposed at Gallipoli Barracks, Enoggera, the project would include new and refurbished facilities at Lavarack Barracks, Townsville; RAAF Base Amberley, Ipswich; Kokoda Barracks, Canungra; and a number of other Defence training areas in Queensland.

The project further includes works proposed at Lone Pine Barracks and the Singleton Training Area, Singleton; Garden Island and HMAS Penguin, Sydney; the Royal Military College and the Majura Training Area, Australian Capital Territory; Simpson Barracks, Watsonia; the Puckapunyal Military Area, Puckapunyal; RAAF Base Edinburgh, Adelaide; and the Cultana Training Area, Cultana, in South Australia. Subject to parliamentary clearance, the project is scheduled to commence in mid 2010 and be completed by late 2014. I commend the motion to the House.

Question agreed to.

Public Works Committee

Reference

Dr KELLY (Eden-Monaro—Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water) (4.35 pm)—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: Midlife engineering services refurbishment of the Australian Embassy in Paris, France.

The Department of Foreign Affairs and Trade proposes the midlife engineering services refurbishment of the Australian Embassy in Paris, France.
Paris, at an estimated out-turned cost of $28.3 million, inclusive of French value added tax. The embassy is a purpose-built complex designed by Australian architect Harry Seidler, in collaboration with French architect Marcel Breuer. It is located within the United Nations Educational, Scientific and Cultural Organisation heritage precinct of Paris and is considered one of the pre-eminent buildings in Australia’s overseas estate.

The embassy consists of two nine-storey buildings, one utilised as the chancery and the other used as residential apartments. The chancery building is occupied by three of Australia’s overseas missions and numerous Australian Government agencies. The embassy was constructed in 1977 and is now over 30 years old. Whilst it has been well maintained, many of the embassy’s systems no longer provide the required level of performance necessary for a modern office environment.

The proposed midlife engineering services refurbishment would address this issue, with particular emphasis on the replacement of chancery building engineering services that have reached their end of life. The refurbishment would also meet the lease obligations by refitting the building services of the embassy premises tenanted by the International Energy Agency. When completed, the refurbishment works would ensure that the embassy complies with current standards and codes and would protect the investment of the Commonwealth. Subject to parliamentary approval, construction is planned to commence in mid-2011 and be completed by mid-2013. I commend the motion to the House.

Mr FORREST (Mallee) (4.37 pm)—I seek indulgence—

The DEPUTY SPEAKER (Ms AE Burke)—The member for Mallee may have indulgence very quickly.

Mr FORREST—very quickly indeed, to record my agreement with the last five notices, but I want to again record my objection to the way that notice No. 8 was treated. As a long-serving member of the Public Works Committee, the way that the Regional Backbone Blackspots Program was dealt with has treated the committee with contempt. I am wondering what the difference is between the last five notices and No. 4. I just wanted to have that objection recorded.

Question agreed to.

FOREIGN STATES IMMUNITIES AMENDMENT BILL 2009
NATIONAL HEALTH SECURITY AMENDMENT BILL 2009
CUSTOMS AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009
CUSTOMS TARIFF AMENDMENT (ASEAN-AUSTRALIA-NEW ZEALAND FREE TRADE AGREEMENT IMPLEMENTATION) BILL 2009

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

ADJOURNMENT
Mr McMULLAN (Fraser—Parliamentary Secretary for International Development Assistance) (4.39 pm)—I move:

That the House do now adjourn.

Climate Change

Mr BILLSON (Dunkley) (4.39 pm)—In the few minutes that are available to me, I will pick up from where the member for Lyne started the discussion on the matter of public importance today, and that is around
the engagement of households on climate change. One thing the member for Lyne may care to reflect on, as I think all people should reflect on, is that this parliament building is no place to start. It is the biggest house in our nation, yet this house is not really excelling at all in providing an example on climate change. The current government, led by the then opposition leader, the Hon. Kevin Rudd, made the election commitment that this parliament building would be powered by green power—all of it. We made some inquiries about this during Senate estimates and found that that promise has not been kept. Not only has it been overlooked but it has been overlooked in such a way that this federal Labor government seems to have no intention whatsoever of upholding the undertakings and the commitment it made to the Australian public.

When we asked why this parliamentary building was not achieving the levels of clean and green energy that were promised to the Australian people by the federal Labor Party, the answer we got was one that basically said, ‘It’s too expensive.’ Senate estimates questioning revealed that the federal Labor government had buried its promise of a green-powered Parliament House and had opted for a 10 per cent—not 100 per cent—energy outcome and participation in a government-wide electricity contract arrangement which will go nowhere near the election promise. This is in order to avoid what the government said were ‘significant budget costs’. So when we are talking about sustainable houses in Australia, the Parliament of Australia, this House, is really not living up to the promises made by the federal Labor Party and by this government when in opposition, and they should be held to account for that.

This does go some way to explaining why a tweet came out from the Prime Minister in which he was actually shopping around, looking for someone to give him ideas. It is quite extraordinary to find that the Prime Minister of Australia is actually calling for people to give him ideas about energy-saving measures for households. This was the tweet that went out on 1 September: ‘Are there any new ideas out there for energy savings measures for households?’ I am sure that the reason that tweet went out was because of the disarray that you see in this federal Labor government in relation to energy savings, and that is why there is such a focus on stunts and symbolism but not a commitment to embed sustainability in the operations of this parliament building, in the policies that are implemented by this federal Labor government and in the programs that they roll out. There is no appetite to embed sustainability at all. Instead what we get are these gestures and these stunts—not the genius and the substantive commitment to bring about change over time to show an example to our nation that a cleaner and greener way of living is within our reach and the opportunities for energy savings not only in our own homes but across our economy are there, are real and are completely affordable. We do not see that example coming through.

Last Sunday was Sustainable House Day in Langwarrin South. I thank the people who invited me to that property, the many who turned up and those involved in opening this home in Langwarrin South that shows the way forward includes the way a building is designed—its solar orientation, the external walls, the internal walls, the way the roof was structured, the floor, the window treatments, heating and cooling systems, awnings, blinds, double glazing, heating and cooling, the way water is harvested, water heating itself, and solar and wind generation. These and a range of other features show the range of opportunities for improving the sustainability of our homes. We need to do that. But this government is a one-trick pony.
They have got pink batts—grossly overextended in terms of our capability to implement that policy—no interest in other ways of lifting the performance of homes, no recognition of other actions that can be taken. You see this right across the housing industry, in the way homes are designed and managed and even in the way programs like the National Rental Affordability Scheme are managed. It basically puts sustainability attributes in a ‘nice to have but not essential’ category. Even in the Building the Education Revolution Program, one in nine of those buildings do not even have insulation. Barely half of them have other features like solar-efficient glazing and other technology. This government has been caught out; it is all over the place on sustainability. It is a shame we did not have the MPI time today to outline the opposition’s view and pathway forward, because it is a coherent, embedded view—not one that is bolted on. It is not like safety in the 1970s when if you had a safety officer you were okay. We learned that safety was everybody’s business, just like sustainability should be everybody’s business. There are not just green jobs. (Time expired)

Mr David Nancarrow: Proud Dad Bags

Mr SIDEBOTTOM (Braddon) (4.44 pm)—Madam Deputy Speaker, like your husband and many of my male colleagues in the House, I am a proud dad, and tomorrow I will be joining the launch of ‘I’m a Proud Dad’ bags, which was an initiative from the north-west coast now going nationwide with the support of the Commonwealth government. I would like to share that with a lot of the proud dads in this House at the moment.

After three years of working with new dads, the Dad’s Bag is the result of David Nancarrow’s determination to provide some quality resources to mark the occasion of fatherhood, encourage the participation of fathers in their infants’ lives and raise the profile of fatherhood within our community. David Nancarrow is the Centacare Tasmania’s men and family relationship counsellor in the north-west—and, I have to add, he is a machine.

This program is the result of the federal government’s response to data indicating that men are traditionally difficult to engage in therapeutic services. The program is aimed specifically at supporting men to express their skills in a variety of ways. The research shows that dads are passionately becoming more and more involved in all aspects of their children’s lives. I hope to repudiate what is in those songs Father and Son and Cats in the Cradle—if you remember those. Some of us may live with the guilt expressed in those songs.

The Dad’s Bag will be distributed to new fathers attending antenatal classes along the coast, including the Mersey Community, Burnie Private and Smithton hospitals. Good Beginnings Australia formed a partnership with Centacare Tasmania to develop and co-facilitate approximately 72 classes per year. This translates to about 500 dads per year, like Steven, your husband, Madam Deputy Speaker, who will receive one of these bags.

The Dad’s Bag is filled with quality information, including the fantastic baby-care guide for fathers that parallels a car manual. It is called 24-hour cotside assistance: the new baby manual for dads. It has some really good information. Each bag also has a copy of What’s for Tea, Dad? You would not want to ask me that, of course. I would have to look up What’s for Tea, Dad? This cookbook is written by David Nancarrow and provides simple, healthy, cheap recipes that children love. Chips would be included in that, I suspect. David hopes his books will improve relationships by encouraging dads and children to cook together. What a sight that would be. The national interest in the Dad’s
Bag has been overwhelming and very positive. It is terrific that such an initiative is a local creation and a result of listening to the feedback of new dads.

The bag contains the 24-hour cot side assistance booklet, which is set out just like a car manual with lots of interesting information. For instance, there is: ‘Looking under the hood. Does it really need to be changed? Some dads prefer the sniff method. Some peek. Others can tell by the feel of the nappy.’ That has very good information and I recommend it. It is very relevant for those of us with a memory and a good nose. The humdinger of them all: What’s for Tea, Dad? 23 easy to follow recipes: a cookbook for dad. It has hints on apple crumble, quick puddings, pan fried bananas, jam roly-poly, pancakes, pasta bake, homemade hamburgers—you can still have them—scallopdishes, fish dishes, chicken pie, creamy potato and lots and lots more. Also included are little sections where you put photos of dad and the kids cooking and sections where you can write down little poems you think of while you are at it. It has tips for dad about what to do with the children. If I may, what caught my eye in the Dad’s Bag was a great story ‘Food for thought’: ‘As a flight attendant, I was serving dinner to passengers. After I placed a plate of lasagne on one man’s tray, he sampled it and frowned. “Doesn’t it taste like mum’s?” I jokingly asked. “Mum’s?” he replied. “This doesn’t even taste like Dad’s.”’

This material of course will not be the butt of such a joke and I congratulate David Nancarrow and Centacare Tasmania for such a wonderful initiative. I am a proud dad too.

Swan Electorate: Homebirthing Survey

Mr IRONS (Swan) (4.49 pm)—I too am a proud dad. But this evening I am going to talk about women, so I will leave the dad things out because the member for Braddon did a great job of that. This evening I rise to talk about the results of the choice in childbirth survey I recently conducted in my electorate of Swan. Obviously I did the survey because of the midwives bill that was debated in the House. Unfortunately, I missed the debate due to my son being ill. As I am single father, I was needed at home. I just spoke to Jarrad, who is actually going in for an operation tonight. I wish him well. I will see him tomorrow morning when I get back. I am sure he will survive. He is made of tough stuff like his old man.

I received so many responses from the electorate survey that I really felt obligated to raise them in this place even though the bill has been previously dealt with. I decided to seek feedback from the community after the government introduced legislation that would have made the practice of homebirthing effectively illegal. As members would be aware, there are currently no insurance companies in Australia willing to provide indemnity insurance for private midwives specialising in homebirthing. Homebirthing is legal; however, women who choose this option must sign a disclaimer form. The proposed changes would have resulted in the introduction of a national registration and accreditation scheme, where only midwives with insurance could legally register and continue to work. As private midwives practise homebirthing are unable to obtain insurance, they would not have been able to continue providing this service legally. Last year, there were only 700 homebirths across the country, less than 0.3 per cent of all births. My survey was of 1,800 women in my electorate.

I know that most health organisations advise against homebirthing, but should that give the government the right to make the practice effectively illegal? Of the responses I have received so far, over 80 per cent supported the continuation of homebirthing,
with 15 per cent saying that it should be made illegal. Amazingly, many of the 0.3 per cent across the country who have experienced homebirths seem to be in my electorate. Mrs Patrice Walker was one such woman. She said:

We have safely delivered all of our five children at home with an accredited midwife. The antenatal and postnatal care we have received has been exceptional. Home birth is a safe, natural and cost effective alternative for all women with low-risk pregnancies and should be publicly funded.

Helen Steep also had a homebirth:

I have had 3 natural birthing experiences and have had experience of public hospital and the family birth centre.

Jessica Boyce was one of the 0.3 per cent as well. I would like to thank Mrs Robyn Stabler, who took the time to write me a long letter outlining her opposition. She is soon to be a mother of four, all of whom were delivered by homebirths. She is also a student midwife at the local Curtin University in my electorate.

Others who have not had a homebirth themselves supported having the option to make that choice. Only today I received a letter from Erin Bolitho, who said:

Every woman should have a right to make the correct decision for her! … The main factor influencing natural childbirth is support.

Fiona Thompson said:

People should have the right to make their own choices and decisions.

Ms Steele agreed. She said:

Life is about making choices, be they wrong or right.

Samantha Richards of Lynwood simply asked:

What’s next, 2 child policy?

Some women argued that homebirthing has been considered normal practice for many previous generations. Michaela Musca said:

That’s taking away the rights of women and men to make their own choice. Human rights. In the old fashioned days at home was the only choice and what about the impact it would take off the public hospital system?

Another constituent, Tara Price, argued that the practice continues safely in other countries around the world. She said:

In many other countries; i.e. Holland … women don’t even go to hospital to give birth unless medically indicated.

Some of my constituents made the point that research has been done that supports the safety of homebirthing:

Enormous research has been done that shows home-birthing has less complications for mother and child. In the UK and other parts of the world they promote home birthing so why is Australia so backward?

Ms Baison agreed, saying:

It is not an unsafe option for healthy women.

Others reacted angrily to the idea that the government was making this illegal. Louise Jonker said such a move would be ‘sexist and patriarchal’.

As I mentioned before, there were some responses from people who thought it was a good idea to make the practice effectively illegal. Most of these responses pertained to potential complications that could result from the practice of homebirthing. Jeanette Mander was worried about this and Jenny Yikwin Zu agreed, saying that doctors had the best equipment available. Kativa Singh said:

It is unsafe and lacks the facilities of our hospitals. There is a higher risk of accidents and death.

I would like to thank everyone who took the time to contact me about this matter and I urge the health minister to consider the results of this survey. I note that the minister now seems to have reversed her decision to make homebirthing effectively illegal, and that seems to be a position most of my re-
respondents support. I urge all members to listen to what their community has to say about this and other matters that are debated in parliament. *(Time expired)*

**Music and Language Education**

Mr DREYFUS (Isaacs) (4.54 pm)—Much of the discussion on the new national curriculum has focused on literacy and numeracy. Less focus has been given to the other important areas of the curriculum. I am pleased to note that languages, along with the arts, including music, are part of the second phase of developing the national curriculum.

Besides the very practical benefits, both music and languages are valuable in their own right. Music education enriches the lives of students and those around them. It brings joy and pleasure. It connects students to our shared cultural heritage, so much of which is bound up in music. Music opens a window of opportunity through which we can learn about and share in the lives and experiences of those from different nations around the world. Music in itself transcends cultural diversity, breaking down cultural barriers. Music gives students the opportunity to express themselves creatively, and it has long been understood that music in schools improves the teaching and learning environment for other subjects as well.

Both my parents are professional musicians. They have spent all of their lives in music—my father in composing and performing, after a very brief time as a school music teacher; my mother in performing and a very long time as a school music teacher. I am proud to say my father is still composing and performing and my mother is still teaching music.

Recently, I was very pleased to be able to announce that Mr Shain Kurelja, a teacher at Aspendale Gardens Primary School, had won an award in the Teacher category of the 2009 National Awards for Excellence in School Music Education. Mr Kurelja was one of only 12 teachers across the nation to receive this award. As part of the award, Shain received a grant of $5,000 to further his professional learning in the field of music education. Shain has made an outstanding contribution to our community by demonstrating the enthusiasm, passion and dedication needed to provide a positive schooling experience for our students. The award is a wonderful acknowledgement of Shain’s expertise in music education and one which our community is immensely proud of.

I believe that musical education should be made available to all students and that it should be appropriately resourced to ensure that all students are given the opportunity to learn and enjoy music in all its varied forms.

Education in the 21st century has broadened from the basic three Rs. The emergence of the technological era and the growth in non-Western European economies have brought the expansion of our boundaries. The distances between countries, peoples and regions have shrunk. Australia can no longer rely upon geographical isolation for an insular approach to language.

If we wish to continue our economic development it is imperative that we promote the study of language and culture in our schools. In particular, Australia will require a much higher proficiency in Asian language. East Asia is the destination of almost 60 per cent of Australia’s exports. One of the wonderful developments in modern Australian history is the shift of our focus as a nation to our own region. Our increased engagement with East Asia and South-East Asia has enhanced our culture, our economy, our self-perception and our intellectual life.

In opposition to the view that these changes make the learning of Asian languages critical, there is an alternative view...
that holds that, because English is developing into a common global language, Australians can be complacent in our approach to the learning of new languages. Of course, this view ignores two issues. Firstly, the opportunity will be lost for Australians to enjoy the intrinsic benefits, beyond the practical benefits, that arise from learning another language. Learning a second language provides an additional framework for observing and understanding our world and our experiences. Secondly, those from non-English-speaking nations will hold a competitive advantage through speaking both their native language and English.

That is why the Rudd Labor government is so strong in its support for the improved teaching and greater availability of Asian languages in schools. The $62.4 million National Asian Languages and Studies in Schools Program is supporting additional Asian languages classes in high school. It is providing more opportunities for teacher training support.

The Becoming Asia Literate: Grants to Schools program is part of the Rudd government’s $62.4 million Asian languages program. Aspendale Gardens Primary School has applied for funding under this program, an application which I have strongly supported. The Rudd government’s National Asian Languages and Studies in Schools Program puts Australia back on track for learning Asian languages, a track which we veered off in 2001, when the former government shut down the Asian languages program established by the Keating government in 1995. It is very good to see this program supporting the development of specialist curricula for students with advanced abilities in Asian languages and studies. I have seen, throughout my electorate, increased attention being given in all schools to Asian languages. (Time expired)

Perth Bunbury Highway

Mr RANDALL (Canning) (4.59 pm)—This Sunday, 20 September, will mark a momentous day in Western Australia. The Premier will open the landmark new Perth Bunbury Highway, which will be an extension of the Kwinana Freeway and the new Forrest Highway. Canning residents and other residents of Western Australia will now have a safer and more efficient road network. It will be an extra 70½ kilometres. You will get on the road in Perth and will not see a light until you get to Bunbury.

Since becoming the member for Canning in 2001 I have lobbied very hard for federal funding for this highway. It is now going to be delivered, before time. It is an outstanding achievement that will be beneficial both for the region and for Western Australia.

House adjourned at 5.00 pm

REQUESTS FOR DETAILED INFORMATION

Internet Content Filtering

Mr Hawke to ask the Speaker:

(1) How many (a) Members, (b) Senators, (c) ministerial staff, and (d) Members’ and Senators’ staff, are eligible to opt for voluntary internet content filtering.

(2) How many departmental staff, and other employees who work in Parliament House, are eligible to voluntarily have their internet content filtered.

(3) How many (a) Ministers, (b) Members, (c) Senators, (d) ministerial staff, and (e) Members’ and Senators’ staff, have opted to have internet content filtering.

(4) How many of those in parts (3) (b) to (e) are with the Government.

(5) Has the Minister for Broadband, Communications and the Digital Economy opted to have voluntary internet filtering.

(6) How many staff members of the Minister for Broadband, Communications and the Digital
Economy have opted to have voluntary internet filtering.

(7) How does the default filtering system for Parliamentary and departmental networks differ from voluntary internet content filtering.

NOTICES
The following notices were given:

Mr Ripoll to move:
That the House:
(1) notes that:
(a) the Food and Agriculture Organisation of the United Nations—World Food Day (WFD)—is 16 October;
(b) the food and economic crises have seen a substantial increase in global poverty with the number of undernourished people having now reached 1 billion for the first time;
(c) an estimated 100 million people have fallen into poverty in the last two years; and
(d) longer term population and income projections indicate global food production needs to increase more than 40 per cent by 2030 and 70 per cent by 2050 to feed an extra 80 million people every year;
(2) acknowledges:
(a) the objectives of WFD; and
(b) that the outcomes from the upcoming Copenhagen Climate Change Meeting will have significant implications for global food security; and
(3) supports:
(a) policies, projects and programs that deliver long term solutions for food security as a means of reducing poverty and achieving sustainable development; and
(b) the Australian Government’s continued commitment to comprehensive global action in addressing the underlying causes of global food insecurity.

Ms Parke to move:
That the House:
(1) notes that the 24 October is United Nations Day, celebrating the entry into force of the United Nations Charter (UNC) on 24 October 1945;
(2) celebrates Australia’s key role in the formation of the United Nations and the drafting of the UNC;
(3) recognises that Australia has been a consistent and long term contributor to United Nations’ efforts to safeguard international peace and security and to promote human rights, for example, by being the thirteenth largest contributor to the United Nations’ budget; by contributing to many United Nations’ peacekeeping operations; and by firmly committing to increasing Australia’s development assistance and seeking real progress towards the Millennium Development Goals;
(4) notes further the Australian Government’s commitment to the multilateral system as one of the three fundamental pillars of Australia’s foreign policy; that Australia is determined to work through the United Nations to enhance security and economic well-being worldwide; and to uphold the purposes and principles of the UNC;
(5) notes that as the only truly global organisation, the United Nations plays a critical role in addressing the global challenges that no country can resolve on its own and that Australia is determined to play its part within the United Nations to help address serious global challenges, including conflict prevention, international development, climate change, terrorism and the threat posed by weapons of mass destruction;
(6) notes also Australia’s commitment to, and support for, reform of the United Nations’ system in order to ensure that the organisation reflects today’s world and is able to function efficiently and effectively; and
(7) reaffirms the faith of the Australian people in the purposes and principles of the UNC.
The DEPUTY SPEAKER (Ms AE Burke) took the chair at 9.30 am.

CONSTITUENCY STATEMENTS

Cowan Electorate: Graffiti

Mr SIMPKINS (Cowan) (9.30 am)—Recently the Barnett government announced strong legislative changes to combat graffiti in Western Australia. The people of Western Australia have had enough of graffiti vandals damaging public and private property. It is often offensive, is always unsightly and wastes resources of the state and local governments and private property owners, both businesses and homeowners. The government of Western Australia and local governments outlay some $25 million a year in cleaning up and removing graffiti. It has gotten worse, with a 30 per cent increase between 2003-04 and 2007-08. The tide has now turned, and I have personally had many discussions with the state government regarding these matters, including advancing proposals for action. New state laws will double the maximum time in prison from one to two years and the maximum fine from $12,000 to $24,000. They are also making it an offence to sell graffiti implements to minors, with a penalty of $6,000 for a first offence and $12,000 for subsequent offences.

The people primarily responsible for graffiti are a very small number of teenagers and males in their early 20s. Sadly, it seems that they have not been brought up properly to have respect for the law and the property of others. They have not been told that the way to make your mark on the world is to build something or achieve something positive in the community. I can only conclude that they have been brought up without such guidance or the positive examples that parents and carers should provide. Sadly, someone who defaces the property of others has the sort of attitude that will ensure that they will make no good contribution to society.

Fortunately, there are those in the community that make a contribution that is positive. I know of many young people in Cowan that care about their community and report graffiti to my office so that we can follow it up. That is the stark contrast between those who vandalise and will amount to nothing and those who take active steps to oppose the scourge of graffiti vandalism and will make this nation an even better place to live now and in the future. I have mentioned many of these young people in previous speeches because the essential point regarding graffiti vandalism is that, while strong laws are required and the need for accountability for their crimes must be achieved, it requires the public to make a stand. People like those that are members of my Cowan Community Watch must stand up and be counted, report the graffiti vandalism they see, report the offenders they observe and report suspicious activity in our communities. I get many reports of graffiti vandalism and many suggestions of what must be done with offenders. Overwhelmingly, the people of Cowan want graffiti vandals held to account. They want fines, they want restitution, they want offenders forced into cleaning up their mess and they want punishment, but above all they just want the graffiti to stop. What we now need is for the magistrates to take a hard line and impose the right penalties.

Bennelong Electorate: Marsden High School

Ms McKEW (Bennelong—Parliamentary Secretary for Infrastructure, Transport, Regional Development and Local Government) (9.33 am)—Last Saturday evening I discovered what
Foxtel’s Kim Williams, RMIT Vice-Chancellor Margaret Gardner and Victorian opera supremo Richard Gill all have in common. It turns out this talented trio are all graduates of Marsden High School in my electorate of Bennelong. Last Saturday evening was a terrific night, with a reunion of students from across the decades. You could spot the ‘59ers and ‘69ers in a flash. They were the ones peering very closely at name tags—because after all at a reunion who wants to give away their age by wearing glasses? There were some great stories. It was a terrific trip down the time tunnel to a time when secondary education was about to explode and when ambitious families of modest means could see that education was the path to social mobility.

First, though, you had to actually locate your school. Gough Whitlam always reminds an audience that when he entered this federal parliament as the member for Werriwa in 1953 there was not a single high school in his electorate. It was not much different in the north-west of Sydney in my part of the world. Epping Boys, Cheltenham Girls and Marsden High were all built in a rush in the 1950s and when they opened students were participants in a new six-year high school curriculum known as the Wyndham scheme. But only a tiny elite completed six years of schooling, and of course Kim Williams was one of them. He took the only route then available to bright kids from modest backgrounds, a Commonwealth scholarship to Sydney university, and of course he had a stellar career in music and media.

It was very interesting talking to Kim Williams on Saturday night. He said, ‘Marsden’s motto in those days was, “We learn to serve.”’ As Kim said, that had almost nothing to do with encouraging community activism but everything to do with knowing your place. To this day, this riles him. He said most of the boys were herded into metalwork and the girls into home economics.

If we fast forward to 2009 this has changed radically. The school motto is now, ‘Learning for life’, and the Principal, Greg Wann, is as proud as punch that Marsden now has students representing 46 different language groups. The point is this: in 2009 it is still a shock that our high school retention rate has plateaued at 80 per cent. The Rudd Labor government, like the Whitlam and Hawke governments before it, is committed to ensuring that the retention rate is much closer to something like 95 per cent. I am pleased to see that the Minister for Families, Housing, Community Services and Indigenous Affairs, Jenny Macklin, this week has put stick into this commitment. For those in receipt of family tax benefit A, from January next year payments will be conditional on children aged 16 to 20 completing their final year of secondary schooling or an equivalent level of study. This is a big change, and a timely one, that I support.

Greenway Electorate: Hawkesbury-Nepean River

Mrs MARKUS (Greenway) (9.35 am)—Recently, I was contacted by a constituent who drew my attention to weed problems in a specific section of the Hawkesbury-Nepean River. I immediately contacted local authorities and asked them to take appropriate action to remove the weeds as a matter of urgency. The Hawkesbury-Nepean River is one of Australia’s iconic rivers. It flows for a length of 470 kilometres, and drains approximately 21,400 square kilometres, or 2.14 million hectares, of land. The Hawkesbury-Nepean catchment area runs from Lake George in the south, to beyond Lithgow out west, follows the foothills of the Blue Mountains into the Hawkesbury region and pours out to sea at Broken Bay. It is spectacular and vitally important to the Sydney region. The river is heavily regulated along its length by...
dams and weirs, supplying water for Sydney, the Blue Mountains, the Hawkesbury and the Illawarra. The river also provides recreational farming and commercial opportunities.

The challenge is to protect the river from the demands of an increasing population and expanding urbanisation. It is estimated that another 300,000 people may live in the catchment by 2020. In recent years, algae blooms and excessive weed growth have been major problems. Water quality has been affected by pollutants entering the river and by insufficient release of water from Warragamba Dam to flush the river and creeks; environmental flows have been almost non-existent. It is through constant vigilance by local residents living or working near the river that many problems are identified. I want to thank the people who report the problems, and I especially want to thank the many volunteer groups who spend countless hours on river recovery programs.

There is much work being done: Bushcare groups tackle weeds, partnerships between the Hawkesbury-Nepean Catchment Management Authority and the New South Wales Department of Primary Industries assist farmers to improve farming practices and local scout groups plant native vegetation. The Hawkesbury-Nepean Catchment Management Authority also coordinates Landcare and river care groups, and there are other organisations that focus specifically on the Hawkesbury-Nepean—for example, the Office of the Hawkesbury-Nepean and the Hawkesbury River County Council. We need everyone to work together to ensure that the health of the Hawkesbury-Nepean River is secured for future generations. We also need appropriate levels of funding to ensure that the programs developed to protect the health of the river are well resourced.

Melbourne Ports Electorate: St Kilda Football Club

Mr DANBY (Melbourne Ports) (9.38 am)—Perhaps my earliest memory is going with my late father and my brother Simon to a match at the Junction Oval, where St Kilda is no longer based. Ironically, the area is practically opposite my office. I remember it was in the very early 1960s. Unfortunately, my brother and I, being six and five, picked up the habit of parroting some of the abuse being shouted by adults in front of us, and a Footscray supporter turned around and punched my father in the nose. This Friday night, St Kilda plays Footscray’s successor, the Western Bulldogs, in one of the big preliminary finals before, we hope, the mighty Saints will go to the grand final of the AFL. Unfortunately, like David Smorgon, the chairman of the Western Bulldogs, I will not be able to attend because the match takes place on the eve of the Jewish New Year, but my affection will not be dimmed through not being there.

This year, more than ever, has brought to mind the role that AFL football and family play. Particularly in Victoria, but all around the country, AFL plays a great role in solidifying families. This year I have been attending St Kilda matches more than ever with a great Australian, and a veteran of the Z Force, Sid Benjamin, 96, who faithfully attended St Kilda matches over the last 60 years but unfortunately passed away this year. Together with Sid, I have attended a series of St Kilda victories, with his son and my great friend Dennis; his grandson Gil; and sometimes my daughter Laura. We all hope for Sid’s sake that the mighty Saints are able to win the grand final this year. My brother, Simon, and I attended some years ago a wonderful ceremony in the Long Room at the MCG—before it was bulldozed—where we met our great heroes Alan Jeans, the coach of St Kilda in the 1966 grand final; Ross Smith; and Daryl Baldock. It brought to mind how we St Kilda supporters long in our hearts to win a grand final.
If St Kilda make it this year, people like me will not be in conflicted circumstances like we were in 1966. So I am hoping and praying that St Kilda will win. This is despite a very odd incident several months ago where a radio segment reported an unconfirmed rumour of a St Kilda player fleeing the scene of a crash in Brighton Road. This was interesting news to me because the night before I was woken by the sound of my car, which was parked in Brighton Road, being totalled in a hit-and-run accident. Now, I am not making any connections, but I feel that I lost a car in the interests of St Kilda so I hope that they will return the favour to me by winning the grand final this year—when my family and I will be able to attend.

The DEPUTY SPEAKER (Ms AE Burke)—As my team has no hope of making it into the finals, I am going to say, ‘Go the Saints!’

Barker Electorate: Water

Mr SECKER (Barker) (9.41 am)—I agree with you, Madam Deputy Speaker, because, of course, last Saturday the Crows were sadly robbed! An ongoing issue in my electorate is water—in particular, the lack of it. One area that is feeling particular pain is the area below lock 1, which is situated below Blanchetown. There is a stretch of about 200 kilometres of winding river below that, before it goes down to Lake Alexandrina. Lack of infrastructure has meant that valuable backwater has dried up and flows have ceased, causing irrigators who rely on that water to have reduced yields and, in many cases, to lose harvests altogether. Despite a commitment of $300 million for new on-farm irrigation efficiency grant programs to help deliver a long-term sustainable future for our irrigation communities in the southern Murray-Darling Basin, irrigators below lock 1 are being sacrificed and have yet to see developments in their area.

Portee Creek was once considered a major backwater. It is about midway between Blanchetown and Swan Reach. It had never been dry, to anyone’s knowledge, until December 2007, when flows ceased. Irrigation then ceased in February 2008 and it was completely dry by February this year. Irrigators relying on this critical backwater were led to believe after much consultation that the state government was seeking funding to build a pipeline that would allow them to water their crops and secure an income for what was shaping up as the worst season yet. The Rudd government promised $5.8 billion in programs to make irrigation infrastructure more efficient and to help basin communities prepare for their future. Unfortunately, we have yet to see any infrastructure result from this finding.

When speaking at the Murray-Darling Association national conference in Adelaide, the Minister for Climate Change and Water, Senator Penny Wong, offered nothing but excuses for why projects have not been started with the funding that was set aside by the coalition in 2007. The minister could not explain why she had still been unable to invest in any new water-saving infrastructure projects that could improve the health of the Murray-Darling. In 2008 the state government announced the $610 million Murray Futures package, which was to be funded through the Commonwealth’s $12.9 billion Water for the Future program. Included in the state government’s plan was $110 million for river industry renewal to reinvigorate irrigation communities, including through the uptake of newer and smarter irrigation technology. Irrigators below lock 1 are still waiting and many have given up. They are fed up with hearing excuse after excuse from both state and federal governments and with losing their harvest and livelihood. Irrigators want explanations and they want them now.
Mr ZAPPIA (Makin) (9.44 am)—On 1 September 2009, I attended the inaugural St Vincent de Paul Vinnies Social Justice Awards presentation, where around 200 schoolchildren from public, independent and Catholic schools from around South Australia were presented with awards for their exceptional humanitarian work. It was most heartening to hear of the diverse range of social justice contributions the young people were making as each of them stepped up to be presented with their award. Their contributions highlighted exceptional levels of compassion and care for others, both within Australia and overseas. The acknowledgment of these qualities in young people by the St Vincent de Paul Society serves to encourage social values in others, including adults, who often become drawn into the efforts of their children.

I was particularly pleased to see many young people from the Makin electorate receiving awards on the night. I take this opportunity to recognise them in this place. Recipients of the Blessed Frederic Ozanam Awards were Meggan Blagg, Vanessa Nocera, Laura Shelley and Brittany Warren from Gleeson College, and Kiri Gibbons and Sarveshinee Pillay from Modbury High School. An Emmanuel Bailly Award went to the Mission Group from St Francis Xavier’s Regional Catholic School in Wynn Vale. Rosalie Rendu Awards were awarded to Justine Harrison and Troy Howden from St David’s School in Tea Tree Gully. Recipients of the St Louise de Marillac Awards were Brett Knowles and Cassandra Mawson from Gleeson College. I congratulate each of the recipients and commend them for what they are doing.

On the following Sunday, 6 September, I attended a special church service at St Francis Xavier’s Cathedral in Adelaide, where Dominic Lagana was commissioned into his new role as head of the St Vincent de Paul Society by Archbishop Philip Wilson. The work of St Vincent de Paul is well known and I do not need to elaborate on it. However, I expect that the appointment of Dominic Lagana, a young, articulate and energetic person, to the position of state president can only extend the valuable work of the society. I wish him well in his new appointment.

Mr KEENAN (Stirling) (9.47 am)—This week, like lots of other members of the parliament, I suspect, I have been visited by representatives of the Micah Challenge, which is a coalition of Christian organisations. They came to this parliament to ask their representatives to commit to, amongst other things, adhering to the Millennium Development Goals. When they came in, they presented a very cogent argument as to why we should do that. It pricked my conscience that I had been visited in my electorate about this issue in the past by campaigners for the Make Poverty History campaign, a campaign that I suspect is well known to all members in this place. I recalled that I had agreed to say something about this in the House and I had not fulfilled the obligation that I had given. So I am very pleased to be able to fulfil that obligation today.

Both the Micah Challenge and the Make Poverty History campaign are doing very important work within our community to highlight the issues of poverty. We are incredibly lucky here in Australia in that we all enjoy a very, very good standard of living, when across the
The representatives from the Micah Challenge presented me with what they called the ‘bi-
ble’, a publication that they have prepared that explains to members of parliament, and others,
some of the problems that people are facing, particularly in Africa. They also left me with a
very telling reminder about how terrible the affliction of poverty is in some places. It was a
little band that they use on children—not on infants—to see how much in danger of fatal mal-
nourishment they are. It is like a little tape measure. You put it around the upper forearm. If it
gets into the red section—and the red section is exceptionally small—that means that the child
is in danger of dying from malnutrition. To me, that was a very sobering reminder about the
importance of these challenges: the fact that we need to have people out in the field measuring
the upper forearms of fellow human beings to see whether they are in danger of dying from
malnourishment.

I congratulate those representatives of the Micah Challenge and those who are taking part
in the Make Poverty History campaign. We had a discussion. Australia does some very good
things in our own region, and I think that should be included in some of their deliberations,
but I really do appreciate their sense of purpose in coming to this parliament to remind us all
about these vitally important global challenges.

Dobell Electorate: Central Coast

Mr CRAIG THOMSON (Dobell) (9.50 am)—I rise to talk about what I spoke about here
last week—that is, the Central Coast being recognised as a region in its own right. It is a topic
that needs more than one three-minute constituency discussion and that is why I am using this
opportunity now to do so again. The Central Coast has over 300,000 people but our institu-
tions are constantly divided between Sydney and Newcastle. Last time I spoke about some
state government institutions in particular that need to change. The area health service is part
of the Northern Sydney Central Coast Area Health Service when it should be the Central
Coast area health service and the state school and education system is part of the Hunter-
Central Coast education service, so you can see there the confusion that people on the Central
Coast have. For some state government institutions we are part of northern Sydney and for
others we are part of the Hunter. People on the Central Coast want to have their own identity,
and it is this something that I am strongly urging the state government to do something about.

The state government also made a mistake this week in that they did not appoint a local
politician as the Minister for the Central Coast. They appointed the Premier instead. An an-
nouncement that was made yesterday goes some way to mitigating that in that the very hard-
working and good member for Wyong, David Harris, was made a parliamentary secretary for
the Central Coast. I know that he will do everything he can to help push the regional identity
issue. That has mitigated it some way but, again, it was a mistake.

Today I also want to raise some other areas that need to change. We have a great university
campus on the Central Coast. It is called the Ourimbah campus of the University of Newcas-
tle. One would think that one of the things that we could do rather quickly is at least change
its name to the Central Coast campus of the University of Newcastle and then look over time
to develop a university in our own right on the Central Coast. The issue is not just symbolic. It
has a great effect on people being able to identify that this is a place of higher education—
TAFE, community college and university—that is the Central Coast’s, and it is something that the university needs to look at.

I again call on the two councils which divide the Central Coast to work more closely together. We had the fiasco of their not being able to agree on how the water supply, which is common to the Central Coast, operates. That has caused all sorts of problems. We had different water restrictions in different parts of the Central Coast. In the last couple of seconds I have I would also like to congratulate Bob Graham and Lisa Matthews on being voted in as Mayor and Deputy Mayor of Wyong Shire Council last night.

**Grey Electorate: Digital Television**

Mr RAMSEY (Grey) (9.53 am)—I bring to the House’s attention many of the inconsistencies and poor service levels surrounding free-to-air television throughout the electorate of Grey and the accompanying concerns and opportunities that come with the digital switchover. I have with me a petition from 389 concerned residents of the Copper Coast council area which, unfortunately, does not meet House guidelines for tabling, but the residents, predominantly from Moonta, request the government not turn off the analog signal until they have improved digital reception in the area. The townships of Moonta, Wallaroo and Kadina are not blessed with a strong analog signal, with some views of the town looking a little like a forest of TV antennae. So, if the people of Moonta are telling us they are not confident the new digital signal will adequately service them, you can take it as fact that reception is pretty poor.

The government’s self-appointed date for the digital switchover is bearing down on us—Mildura on 1 January next year and then country South Australia, including the Spencer Gulf telecast area, on 1 July. If the Minister for Broadband, Communications and the Digital Economy, Senator Conroy, knows how he is going to fix the problems, he has not yet told the affected residents. There is an enormous amount of confusion and doubt. For instance, Moonta, the home of the concerned residents who have signed this petition, is on the border of the metropolitan signal and the Spencer Gulf footprint. Neither service is particular strong. It is important that any switchover provides a better service—not worse.

There are great variations across the seat of Grey, with free-to-air television being currently delivered on a range of platforms: analog, analog to black spot transmitter, satellite, satellite to black spot transmitter, and in some places digital. The signal originates in Adelaide, Port Pirie, Alice Springs and Mount Isa, with all the associated variations and distortions of local content and program focus. Major parts of my electorate receive just two commercial free-to-air networks. In this day and age this really is a disgrace. The digital switch-over offers an opportunity to bring these communities into the 21st century, and we need to know how the minister intends to complete that task. There is an enormous scope to get this switch-over wrong. If the government cannot meet its commitment to deliver the digital signal to all by the self-proclaimed dates, it should defer the switch-over until it can. For the 389 residents of Moonta and Wallaroo, I request that the House and the minister take consideration of this matter.

**James Hardie**

Mr GRAY (Brand—Parliamentary Secretary for Western and Northern Australia) (9.55 am)—I rise to discuss a matter recently published in a book called *Killer Company* by Matt
Peacock, a book about James Hardie and about James Hardie’s actions in seeking to deal with asbestos issues. In that book the author records as follows:

Baxter quickly sought advice from Hardie’s other PR consultant, Gavin Anderson and Co, which suggested hiring Stephen Loosley, a former secretary of the New South Wales Labor Party and then consultant with PricewaterhouseCoopers, where he had been joined by the former national secretary of the Labor Party, Gary Gray.

At no time have I ever worked for PricewaterhouseCoopers. At no time have I ever provided advice to James Hardie. At no time have I ever been a paid consultant for PricewaterhouseCoopers. Indeed, this allegation as recorded by the author, Matt Peacock, followed an article in the *Sydney Morning Herald* five years ago which prompted me to write a letter to the editor which was published in that newspaper. In his article about the James Hardie inquiry, ‘Guns are trained on Hardie’s messenger’, in the *Sydney Morning Herald* dated 24 September that year, Richard Ackland wrongly asserted that I had been engaged by James Hardie to work for it behind the scenes. The facts are as follows. In 2000 I worked for the West Australian Institute for Medical Research. One of the research projects was on mesothelioma, funded in part and for many years by James Hardie. The research was highly regarded. I approached James Hardie in late 2000 specifically with regard to its funding of this research. During that approach I was asked if I was able to work for James Hardie as a consultant. I said I was not able to work for it but that I might be able to if I accepted a position, which I was at that time considering, as a consultant to the legal firm PricewaterhouseCoopers. As things worked out, I did not work for that legal firm. I did not work for James Hardie and I received no payment from James Hardie, and I did not provide it with any advice. I was not engaged to work behind the scenes, and I said in that letter that if Mr Ackland had checked his facts with me he would have known that to be the case.

Unfortunately, it is the case that Matt Peacock did check the facts with me and I did inform Matt that at no time had I ever worked as a consultant to PricewaterhouseCoopers and at no time had I worked as a consultant to James Hardie. I find the way in which Mr Peacock has recorded this fact pattern to be both bizarre and inaccurate. He could have done better in order to better illustrate his story of the need for adequacy in the funding vehicle which was to be created by James Hardie to fund future actions with regard to victims of asbestosis. I am more than prepared to say to Matt Peacock that his book is a fine piece of work. I have not found any other inaccuracies in it and regard it to be an excellent study of the dynamics and the consequences of Hardie’s actions.

The DEPUTY SPEAKER (Ms AE Burke)—Order! In accordance with standing order 193, the time for members’ constituency statements has concluded.

DELEGATION REPORTS

**Australian Parliamentary Delegation to Canada and Mexico**

Debate resumed from 14 September, on motion by Mr Baldwin:

That the House take note of the report.

Mr HAASE (Kalgoorlie) (9.59 am)—I have a great deal of pleasure in rising today to address this report. This was a hugely successful visit to both Canada and Mexico at what turned out to be extremely trying times. The first issue that I wish to specifically address, of course, is the fact that congratulations must go to Senator John Hogg. As leader of the delegation, he
carried out his duties over that trying period with absolute competency and brought members of the delegation together in a way that at times must have been difficult for him. I am happy to report that, despite the difficulties, the members of the delegation enjoyed themselves, although of course that is a secondary matter.

We carried out a very rigorous itinerary of visits and briefings in Canada and Mexico. Of course, the Canadian section of the trip was almost a clockwork operation. The assistance that we received from the high commission staff in Ottawa and Toronto was superb. I found their knowledge of the country that they are stationed in to be exceptional. The list of meetings that had been arranged was thorough and to the point. I had an opportunity on numerous occasions to raise the issue of the Canadian government’s treatment of flow-through shares and came back much better informed about that particular issue and how it ought to be introduced to the Australian taxation regime to assist explorers. The number of places that we visited in Canada is well contained in the report, and I will not mention them all. It gave us a cross-section of weather patterns and cultures.

We were able to look at the parliamentary system in Canada, which was a real eye-opener. The revelations about the nature of provincial government in relation to their federal government were quite informative. I hope that we do not have to follow in their footsteps in that regard. Whilst we were there, of course, we endeavoured to portray to them that in Australia federal government has a much more dominant position than it appears to have in Canada. There was the opportunity to visit, to have high-level briefings and to have an understanding of the commonalities of our two countries and the cultural differences. How they handle their bilingual situation in both the spoken and the written word was amazing to me. Somebody on the delegation, I am sure, made the comment that Canada uses twice as much paper in parliament as we do in Australia, but that is by the bye.

Whilst we were still in Canada, we then had to make the decision as a delegation on whether or not we would move on to Mexico, and specifically Mexico City, given the difficulty being experienced by the Mexican government at that stage in relation to the publication worldwide of the incidence of swine flu. It was an extremely difficult time for the Mexican government. We did, with the exception of one delegation member, agree wholeheartedly that, under the circumstances and with the competent warnings and information that we were given by authorities in Australia, we would proceed with that part of the visit. I might say that that positive decision we took was hugely appreciated by the Mexican government. Even though we had a reduced itinerary due to the circumstances of large public gatherings being discouraged and a number of public buildings being closed, we were nevertheless made very welcome at that reduced number of meetings. Our visit was so appreciated that, when we met with the Mexican Senate, we were in fact given a standing ovation. I would suspect that that is an accolade that is not given lightly. We had a very good transfer of ideas and briefings in Hidalgo state and Mexico City. We came away with a much better understanding of the interaction that exists in trade between Mexico and Australia. I am confident in saying that we cemented social relationships for a very long time into the future.

I appreciate the opportunity to speak on this report. I congratulate the very competent staff who assisted us, especially Mr Gerard Martin and Mr Nick Tate, the Deputy Usher of the Black Rod. Their service to the committee was exceptional. I commend this report to the House.
Mr ADAMS (Lyons) (10.05 am)—I rise to speak on the report from the delegation to Canada and Mexico earlier this year which I was fortunate enough to be a part of. My colleagues—Bob Baldwin; the honourable member for Kalgoorlie, Barry Haase, who just spoke; Senator Bill Heffernan; John Murphy and Belinda Neal and some respective spouses—and I were ably led by the President of the Senate, Senator John Hogg. Senator Heffernan’s wife became really ill during the Canadian visit. This necessitated him taking her home, so he did not get to Mexico. We also had with us Nick Tate and Gerard Martin, who supported the delegation in its preparation and during and following the visit and who were very good travelling companions. The travel was made more challenging as when we arrived in Canada the first swine flu cases were being found in Mexico. This in the end curtailed our trip to Mexico by three days, as the country went into lockdown. The visits were as a result of formal invitations from both governments to renew and develop relationships. To this end, we were very successful, despite the limited time in Mexico.

To start with, we flew to Quebec, which provided the delegation with great historical and geographical content about where Canada as a nation came from and provided an insight into the relationship between the different levels of government and, to some degree, how Canada was formed from Upper Canada and Lower Canada and how the pulling of that together was done so that the Catholic Church could still run education in Quebec and still use the French language and so develop the dual language system in Canada. Quebec is still a very independent province. It sends 47 bloc votes to the federal parliament to be dealt with by whichever government takes control after an election.

The allocation of responsibilities between each level of government in Canada’s federal system has developed similarly to ours, and it was very interesting to see the similarities. Although Canada’s provinces certainly have greater powers and autonomy than do Australian states, they have not developed the same way our national system has, with the changes that have occurred in Australia. Education and natural resources development are examples of this. The provinces have total control over these, while in other things, such as labour mobility and indigenous affairs, there are shared responsibilities.

I found the history of settlement most interesting, and our Quebec hosts provided us with a historical guide, David Mendel, who gave us a pocket history of Quebec City and its surrounds. It has many similarities to our early Australian history. Quebec City is a World Heritage listed old city that is situated along the Saint Lawrence River. The river has a lot of history and was well known to Captain Cook of fame here in Australia. He became a surveyor of that river and helped in the battle between the British and the French. It was basically where he made his name in the navy. The World Heritage listing certainly brings lots of visitors and attracts a lot of artists and craftspeople to the city. They have captured their history there very well.

Canada, like Australia, has a job to do to close the gap in health and education between its indigenous or first nation people and its non-indigenous peoples. There are many similar problems, despite our different cultures. You feel you have not walked far from talking policy in Australia when you talk about the issues they encounter; they are very similar. On Anzac Day we were also pleased to be invited to the Canadian Forces College with a number of other expats and representatives from the Turkish community, for a very good Anzac Day dawn service and also to the Rimfire breakfast that occurred.
Ottawa is much like Canberra. It is a very open and planned city, well laid out and easy to get around. Just like Canberra, it was built to be the capital. They asked Queen Victoria to make the decision about where their capital would be, because Upper Canada and Lower Canada could not agree. It was the same as the situation with Melbourne and Sydney. So Canberra and Ottawa have very similar histories of development, and it was very interesting to learn these things and talk to the people about their history.

This part of the visit provided an opportunity to focus on the overall bonds between our countries, especially in the areas of indigenous affairs, natural resources, defence, industry and trade, to name a few. We said that they should be not Eurocentric but looking more at the Pacific, towards where the future of the world is going to be—the Asia-Pacific and Pacific rim countries, which of course border both sides. Ottawa is also the home of a new national museum and art gallery, a wonderful addition to the city, recognisable by the large sculpture outside of a long-legged spider entitled Mother—a great drawcard.

Toronto, Ontario, was the last stop in our northern visit. This city is the powerhouse of Canada. It contributes about 40 members to their national parliament. It is of course very close to the US. The reason they compete so well with the USA in many manufacturing areas is due to their government health system. They do not lock health insurance into their union enterprise agreements; they do it by having a national health scheme. This means they do not have to put up with the additional costs that the USA does, which certainly gives them an advantage.

The pension scheme operating in Canada was being challenged when we were there, and we saw demonstrators in their thousands in front of the Toronto parliament. There were also many older retired auto workers in the gallery the day we visited, and the questions to the Premier were predominantly about the pension fund and when the government was going to pour more money into it. The problem they have is that the pensions are tied to the company where people work and, when there is a downturn in the industry or that company retrenches workers, the retained workers carry the loss in the pension scheme. Having pension schemes that are locked into a particular industry is a challenge, because, if that industry fails, the older people who are reliant on that pension fund lose out, not to mention future retirees in the industry. I think we have got a better scheme, which takes it away from individual industries and puts it into managed schemes so that it is invested in other ways.

Unfortunately, on this trip we did not get to the western provinces, but I have been to British Columbia before. That is the resource area of Canada, with oil sands, lots of forestry and other resource based industries. We did get to experience some of the culture. We visited a sugar shack, which is where you take the sap out of the trees and turn it into maple syrup. That is an experience in itself. If you ever get a chance to visit a sugar shack you will have a different cultural experience. The other thing we experienced was the variety show Canada Oh, which is a tongue-in-cheek history of Canada, which was quite funny. In a cultural sense it was a very good way of gaining an understanding of some of the history. Of course, we had a visit to Niagara Falls and saw what a great tourist attraction that is for the Canadian side. We saw the difficulties of trying to manage so many people visiting one area. We also got drenched in the process.

We left Canada and went to Mexico, where swine flu was starting to take hold. Taking the advice of the Department of Foreign Affairs and Trade, we went on a reduced program. Meet-
ings took place in Hidalgo state and Mexico City. The key topics were improving trade and economic relations, particularly in the areas of mining and energy, water management and education services. I think we can do a lot with water services and the delivery of water products. Mexico is one of the world’s most important developing countries and a key economy in Latin America. Its size and geographic proximity to the world’s largest economy and its NAFTA neighbour and partner, the US, and its very good links to markets in Central and South America make it an attractive trading partner for Australia. There are opportunities for expanding investment and trade between Australia and Mexico.

The delegation received a very positive reception. We received a very warm welcome at all our meetings and functions in Mexico. I think they were very honoured that we were there and very pleased that we had chosen to visit at that time. As mentioned by the previous speaker, this was shown by a standing ovation for the delegation during its visit to the Mexican Senate. The local press and one or two of our own kept an eye on us. I noted there was a photograph of us taking precautions against the flu. A photograph of us wearing masks was taken outside the Senate, and I think it appeared in the Sydney papers. There was certainly a lot less traffic in Mexico City than they normally see. It is a pretty crowded city, with 20 million people.

I would like to pay tribute to the Australian Ambassador to Mexico, Ms Katrina Cooper, who happens to be a Tasmanian. I was able to share a few stories with her about our great state. She was very generous in opening up her home to us when many areas were closed because of the crisis. I also pay tribute to His Excellency Mr Justin Brown, Australian High Commissioner to Canada, for his excellent work in looking after us and organising the program. I also thank his staff. We are served very well by these officials. I am very pleased that this visit went so well. I congratulate the leader of our delegation, Senator John Hogg, the President of the Senate. He did an outstanding job of dealing with the difficult issues of the time. I commend this report to the parliament.

Debate (on motion by Ms Hall) adjourned.

COMMITTEES
Corporations and Financial Services Committee
Report

Debate resumed from 7 September, on motion by Mr Ripoll:
That the House take note of the report.

Mr FORREST (Mallee) (10.21 am)—I am pleased to have the opportunity to speak to the report on agribusiness managed investment schemes of the Joint Standing Committee on Corporations and Financial Services. Whilst I do not serve on the committee, I have taken an active interest over the years in the outcomes of managed investment schemes. It has been a very confusing story for me, from a constituency point of view, because there are those who support the capital outcomes of managed investment schemes and there are those who do not. In fact, down in my part of the world I have one municipality pitched against the other. But I formed the view five or six years ago that the majority were dead against the concept of managed investment schemes in non-forestry agriculture. I am certainly not going to criticise the current government. It was an issue of representation through the period of the previous gov-
ernment. In my railing against managed investment schemes, particularly their operation in horticulture, I was told that the tax commissioner needed to take the issue back to the court.

The history of managed investment schemes, particularly their function in non-forestry, started some time ago with the court ruling of one judge who deemed it appropriate that a non-participating investor in agriculture—remote—was entitled to upfront tax concessions. The outcome of that was horrendous for regions right across rural Australia. My conventional, for-profit horticulturalists—particularly in wine grapes—railed against the operation of managed investment schemes from Great Southern and Timbercorp. This was an industry with a commodity already in oversupply. That was the last nail in the coffin in view of my position on managed investment schemes.

I wrote to Senator Nick Sherry, the responsible minister, as Minister for Superannuation and Corporate Law, way back in April. I put on the Notice Paper questions to the Treasurer on 16 March. Then we saw the collapse of Timbercorp and following in suit Great Southern. Those circumstances were perfectly predictable. In my letter in April to Senator Sherry, I asked him to please instigate an inquiry. At that stage I asked for ASIC or even the Australian tax office to instigate inquiries. I was overjoyed when he agreed to instruct the Joint Committee on Corporations and Financial Services, chaired by Mr Ripoll, to investigate this issue. That encouraged all of those in my constituency who opposed managed investment schemes. It created for them the opportunity to have their say, and they did that overwhelmingly.

Having put in all of that effort, I am just a little bit disappointed in the report, because my position for at least the last five years has been that the legislation needs to be changed. I accept that there is a proposition and reasonable argument in agroforestry that if we want Australian investors to make an investment that they have to wait 30 years to redeem—and also to encourage them in the carbon sequestration challenge—then it may be appropriate to offer an upfront tax deduction for them to achieve that, given that they have to forsake the potential for income for so long a period. Even then, in the southern regions of my constituency, the advent of agroforestry MISs is still not popular, because then you have the concept of corporations coming in purchasing huge tracts of land—just gigantic chunks of land—for agroforestry. The impact of that on small rural communities is that more and more families leave, you lose the school and it is just another step in the collapse of the social infrastructure of regional areas. But I accept that as a concept. I am not comfortable with it, but I accept it.

But I cannot accept managed investment schemes driven only by investors who want tax deductions. My argument has always been that there needed to be significant changes in the Corporations Act. This report in recommendation 2 goes to that, but it does not go far enough. It is only recommending that:

That the government amend the Corporations Act to require ASIC to appoint a temporary Responsible Entity when a registered managed investment scheme becomes externally administered or a liquidator is appointed.

That is too far after the event. There needs to be more significant definitional changes in the Corporations Act. And, of course, the Income Tax Assessment Act needs to be changed significantly. I am a little bit disappointed that the committee has not had the courage to recognise the evidence received and deemed that such strong recommendations are necessary. Ultimately, both of those pieces of legislation will need to be changed.

MAIN COMMITTEE
One thing I am encouraged about, though, is that the committee has taken evidence and had it recorded just how complex these managed investment schemes are. They are unbelievably complex. The liquidators now at Timbercorp and Great Southern are at a loss to determine the proprietary rights of people who have investments. It is just so complicated. Every step in the process is designed to instigate a tax-deductible outcome—even the capital investment on the properties themselves. For example, if it requires a huge packing shed, that is not necessarily owned by the entity that owns the land. There is a 99-year lease arrangement and some other investor makes an investment, builds those premises—the shed or whatever it is, even pumping stations—and receives rent for it. You can see the way it is all designed to maximise the tax-deductible outcome.

The real weakness, though, in the non-agroforestry area is that it is not driven by market outcomes. Certainly for managed investment schemes to be investing in citrus, wine grapes, table grapes—all commodities currently struggling—it is just not acceptable. In my letters to Senator Sherry I asked him to investigate such things as whether the financial projections of managed investment schemes were overzealous and overoptimistic in order to ensnare investors into making investments. I asked him also would he address the issue of the proprietary rights of unit holders in those circumstances. The evidence quite clearly confirms that it is completely uncertain. In Timbercorp, for instance, the rights of the investors in the water is notable. Timbercorp has become the largest water allocation licence holder in Victoria. They reached their cap two years ago. It represents huge volumes of water.

When I saw the capital being invested from an engineering perspective—huge pumping stations on the river to pump into what we refer to in engineering parlance as a turkey’s nest dam, an elevated storage, in sandy Mallee country, that increases the pressure and causes accessions to the groundwater—I was just alarmed that engineering design was not complying with prudent principles. Then there are water storages that cover up to 30 or 40 acres of storage in an evaporation zone of at least a metre a year—not good water conservation practice. It seemed to me that, with the capital made available by willing investors receiving tax deductions, there was no responsibility about the accountability principles, even as to the purchase of water.

My irrigators will never forgive this place for allowing the circumstances to be created such that those with an unlimited purse could move into the water market and pay up to $2,000 a megalitre—far beyond the capacity of my for-profit farming community to match. That has been a real sticking point and has left a very sour taste in the mouth of Murray Valley irrigators, particularly on the Victorian side of the river, who are going short of water, and who pay for a water allocation but do not necessarily receive it. In addition to that, they have to go into the water market to purchase water to save their vines, citrus trees, stone fruit trees or whatever the commodity is that they are producing in horticulture, and even their vegetables.

So I have to declare my position: I will not rest until the legislation is changed to completely ban the concept of a managed investment scheme driven by tax deductibility and not by market outcomes, export enhancement or even import replacement, at least. But the models that I have seen rolled out in my constituency and other nearby constituencies, particularly along the Murray Valley, just need to be stopped.
It is no surprise, the final demise of Timbercorp and Great Southern—no surprise at all. It was just a lot longer coming than I was predicting four or five years ago. But I have never forgotten—I was only newly-elected, in my second term; it would have been about the mid-nineties, probably 1996—publicly calling for a moratorium on the planting of wine grapes, since blind Freddy could see we were over-planting, and getting absolutely condemned: ‘Who is this idiot representing us in Canberra?’ But that is what has ultimately happened to the wine industry.

The move by Great Southern into their wine-grape operations in South Australia—in particular one very large wine-grape operation at Lake Cullulleraine in the north-west corner of my constituency—was the final death knell on any support they might receive. There is some ongoing support in the Swan Hill Rural City Council’s municipality, associated with the soldier-settlement district of Robinvale, where this massive investment has resulted in employment and the establishment of new businesses in pump maintenance and fertiliser, and agronomy and all of the other sciences that go into producing state-of-the-art agriculture—that is true, and I accept that. But I simply say to those constituents associated with Robinvale who have been urging me to do something about saving, in some way, Timbercorp or Great Southern, that I cannot and will not. I leave the liquidators to sort out the mess, the basket-case mess, of ownership in both those entities. If someone were to come to me with a model that said, ‘I want to have this kind of concept in place to promote a better outcome in agriculture, or to grow a product that has huge potential in an export market, or that is import-replacement focused,’ then I would consider it. But my experience over the years has been such that I am diametrically opposed.

I just wish this report went further in the strength of its recommendations. Despite that, I will continue making representations so that the legislation gets changed once and for all, to give my for-profit, slightly smaller—though some of them are corporate—operations of a family-owned nature some incentives, to show that this is a parliament that believes in them and believes they have a place in the nation’s prosperity from here on. They desperately need that signal at the moment.

Ms Saffin (Page) (10.35 am)—I would like to say to the honourable member for Mallee, whilst he is still here, that listening to his contribution I felt like he was talking for my electorate as well on this matter. All the issues that he flagged had clearly been raised since November 2007, when I became the member for Page. It has been one of those emerging issues; it has been just sort of bubbling away across a whole range of communities. There are also a lot of forestry plantations in the seat of Page. There is a lot of land under cultivation with forestry, and I will turn to some of that now. I welcome the report. The inquiry followed the collapse of Timbercorp and Great Southern, and it was like a lot of things: I wished it had been done earlier. I welcome the report because I see it as the start of the debate, not the finish of the debate. It is at that point we are able to enter into it. There are people from across the political spectrum in my community who are opposed to managed investment schemes, full stop. There are other people who say, ‘Don’t throw the baby out with the bathwater.’ They say the schemes can be good models to encourage agribusiness and that we need to rethink how we do them, so they say not to do anything too rashly. I have canvassed all of those views across the electorate.
I invited the Chair of the Parliamentary Joint Committee on Corporations and Financial Services, the honourable member for Oxley, to come to my electorate and meet with a whole lot of people who had views about MIS, and I thank him for doing that. We held an informal meeting on 6 July at Kyogle council chambers. People came from around the region, from places like Woodenbong. Three generations came from there: the grandfather, the son and the grandson. They were all conservative-background farmers who were concerned about it. It is just one of those issues that bubbles away. The Kyogle branch of the New South Wales Farmers Association had written to me saying that they wanted the tax breaks for the forestry plantations gone completely. I also had environmentalists talking about the scheme.

I will come to the heart of the scheme. I noticed the headline of an article by Andrew Main in the *Weekend Australian* of 13 June 2009. It read ‘Untangling MIS mess is a nightmare’. I agree it is, and I think we are at the stage now of entering that territory. But the issue is that you have international equity trusts, you have time share and you have a whole lot of products that are in that realm, and then you have agribusiness. The controls and regulations that are in place for those products, I submit, are quite different from what is needed for agribusiness with managed investment schemes. We also need federal, state and local governments working together to make sure that, if we have managed investment scheme agribusiness, it has that coordination. Local government are completely locked out of the process. There is state legislation that governs and controls how these operate. Then there is the issue of royalties; we have a lot more trucks going over the roads but no more money going into the local government area. There is also the issue of water, which the honourable member for Mallee raised. It is a big issue and a lot of people have not been aware of that. We all know that water is rather scarce.

One of the issues raised was that in my area we are using prime agricultural land and we have about 30,000 breeders now out of the market. I know we have to accept change, and that may be okay, but these are issues that were not thought through. While I welcome the recommendations in the report, because they go some way towards addressing some of the issues, we need a more forensic review to drill down further into how we manage the agribusiness component of it on a day-to-day level beyond the products.

Mr Forrest—I agree.

Ms Saffin—The honourable member for Mallee agrees with what I have said. The key issues raised at the meeting included: inflation of land prices; critical farming; stock land being lost; 30,000 breeders disappearing from the area; damage to roads; damage to the social fabric of communities; and no net economic benefit to communities—that was a key issue. Managed investments are great—if we can foster more agribusiness, that is a good thing—but we also want to see some of that net economic benefit coming to communities. Yes, there are some jobs, but there are not a lot of jobs.

Other issues included monocultural practices—and I am talking about forestry plantations—causing bigger weed infestation, particularly when you are planting dunnii; no local government or local community capacity for input; no regional royalties flowing to local communities; no expertise with some schemes regarding forestry, and that is not all people involved in the business; large water use that is not compensated; schools going and the number of students down; and aerial spraying, an issue we have not had to face in our area for a long time because we thought it was not happening anymore. Aerial spraying uses simazine.
Yes, this a herbicide that it is used for cropping but, with cropping, it may not be such an issue. But we have big plantation areas and, when it is used across a big area, there are some problems. I have read that the director of public health in Tasmania has stopped it from being used in a particular area. I have taken that issue up on behalf of all of the communities because aerial spraying was happening near families and where kids had to go to catch the bus. The local farmers actually came and asked me to take up that issue.

The inquiry into agribusiness managed investment schemes was able to clearly recognise that we have an issue here. It is an issue for our community and an issue for the parliament. The way agribusiness is done is an issue for the three levels of government, but local government is being locked out, which seems nonsensical, and the state has control over those areas and monitoring. It almost needs something else to happen, and some of that is clearly beyond the terms of reference of the committee. I suggest that it requires something beyond a parliamentary committee. It needs something quite different, another review to look at the whole management—and I do not mean the financial product.

I thank the committee for the good work that they did in their review of MIS and agribusiness. I welcome the recommendations. I, like the honourable member for Mallee, will continue to be seized by this issue. We will work until we get some outcomes in the way we manage these systems that are acceptable across the communities. I thank the honourable member for Oxley, the chairman of the committee, for coming to my area and having an informal roundtable with all the people across my community who were concerned with this issue. I think the Kyogle council chambers and the mayor and the councillors for hosting that for me.

Mr SECKER (Barker) (10.45 am)—I rise to speak on the report of the Parliamentary Joint Committee on Corporations and Financial Services inquiry into aspects of agribusiness managed investment schemes. This is something I am quite interested in. Some of the comments I make might not be liked by the member for Newcastle, who is a member of the committee, but I believe the committee really squibbed on this whole issue of MISs. I say that because they made no real decision on whether they think MISs should be there or not and whether they should be just for non-forestry or whether they should be over the whole agricultural area. It has been accepted that MISs are okay in forestry on the basis that it is often 15 years or even longer before you get a harvest, and that sort of long-term investment needs some sort of encouragement. I have seen various schemes over the years. I remember South Australian Perpetual Forests had one that you invested in and you did not pay tax on the income. That changed many, many years ago.

When it comes to MISs there is a lot of controversy on the different industries that they apply to, although probably less so with regard to the forestry industry. In my electorate, many people in the olive industry have actually welcomed MISs, on the basis that they needed to get a critical mass to make it a viable industry. Some might say that they do not need it anymore. How then does a government decide whether it is time to turn off MISs for one particular industry? It is very hard for a government to say that one industry should get MISs and another industry should not. Both the previous coalition government and this government have made the distinction between non-forestry and forestry.

Another industry which has welcomed MISs is the almond industry, again to get that critical mass. But of course the grape industry absolutely hates them. About eight per cent of the industry is MISs. Some MISs actually run a good operation where they have the latest irriga-
tion technologies. Others have just bought run-down set-ups and really have not put the money into fixing them up. Others have gone out there and planted a whole lot more vines. In a new part of the Barossa, a big vineyard has been put in right at the death knell of MISs. When we were in government, we said that they should have ended on 30 June last year. Of course, the problem is that we have had a court case in the meantime that overturned our government’s decision and made it less certain where we are.

I will very quickly talk about recommendation 1, which I have a real problem with. If you brought in recommendation 1, you would not get any investment in MISs. No-one is going to invest in something now and wait 15 years before they are able to write off those costs. It just would not work. I note that the committee said that the government should only look at it but, frankly, it just would not work. If you wanted to get rid of MISs, that would be a perfect way of doing it: saying that you could not take a deduction before there was any income from that particular MIS.

I do not have a real problem with the second one. I cannot say I am an expert on the Corporations Act. It probably seems reasonable they have made that recommendation. I would fully support the third recommendation. I think that, any way that we can ensure that we have as close to perfect information for the consumer or the investor, the better off we are. I am very disappointed that there are only three recommendations. No. 1 will not work, No. 2 probably will and No. 3 is a recommendation I support. I just wonder why they did not come out with a strong message of whether they believe that MISs should be part of our taxation system or not.

Ms GRIERSON (Newcastle) (10.50 am)—It is pleasing to see people stand in this chamber and address the report of the Joint Parliamentary Committee on Corporations and Securities because it was an important report. The inquiry into aspects of agribusiness managed investment schemes related to the recent collapse of Timbercorp and Great Southern. The inquiry kicked off in a very rapid response to a very real situation, a situation of great loss. It was interesting for me to listen to the three previous speakers, who come from regional areas and who understand that these sorts of schemes had particular appeal to people living on the land. There is a characteristic of Australians to back themselves, and in a way many of these investors were backing what they do in their lives and the communities they live in, so it is very regrettable when they suffer great loss. I congratulate the three preceding speakers for their concern for their constituents.

It is estimated that Great Southern and Timbercorp had 43 per cent of all managed investment scheme business in Australia and MIS accounted for 100 per cent of their business, so we are talking about two schemes that were absolutely specialised. The two schemes collapsed in April and May of this year, taking with them over $3 billion from 60,000-plus investors. Of course, the investors were attracted by the offer of an immediate tax deduction on their investment combined with the possibility of a long-term return. Intervening factors—drought, changes to the economic environment and the natural environment together with the global financial crisis—meant that there were factors of high risk that many people had not considered, and when they came together it was quite devastating.

The parliamentary inquiry was held to determine why the collapse happened and how it could be prevented from happening again. Naturally in that inquiry we looked at the sorts of factors that influence people to invest in any product, and this is a story that relates to all in-
vestments. We looked at business models and scheme structures, taxation treatments, the conflicts of interest for board members and other directors, commissions, fees, other remuneration paid to marketers, distributors, related entities and sellers and who they were, including accountants and financial advisors and their roles. We looked at the accuracy of promotional and advertising material for MISs, particularly information relating to claim benefits and returns, including carbon offsets, the range of individuals and organisations who were involved with these schemes, including the holders of relevant Australian financial services licences and the level of consumer education and understanding of these schemes. We looked at the performance of the schemes, the factors underlying the recent scheme collapses, rejected returns and supporting information, including the assumptions that they were based on, product price and demand, the impact of MISs on other related markets and the need for any legislative or regulatory change.

I note the previous speaker’s concern that the committee perhaps did not go as far as he would have liked. I have to praise the chair, the member for Oxley, for his role in the committee and I have to praise the committee members. This was a rapid response which got off the ground very quickly and it allowed the people who were involved and who had suffered loss to have their voices heard. That is terribly important at a time when the asset values of most people in this country—whether a home, a superannuation fund or a particular investment portfolio—have all been drastically reduced, and for many people, particularly people on the land, that was their superannuation, their retirement income or their hope.

I praise the chair, Mr Bernie Ripoll, the member for Oxley, and I particularly praise the secretariat. We have worked them very hard and they have been incredibly supportive of the work of the committee. We thank Dr Shona Batge, the secretary; Mr Andrew Bomm, the principal research officer; Ms Esma Poskovic, the executive assistant; and also Toni Matulick and Clare Guest.

In this report it was revealed that the managed investment schemes encompass a variety of structures for the creation and operation of collecting investment schemes or projects. This can include anything that involves an investor acquiring something other than a security: a share, a debenture, an interest in a prudentially regulated entity such as a bank deposit et cetera. The sector includes managed funds, public unit trusts, property syndicates, service strata schemes and, in the example of Great Southern and Timbercorp, agricultural schemes. To quote from the report:

As with other MIS, investors (or growers) in an agribusiness MIS pool their funds for a common purpose, in this case to finance large scale agricultural operations. Rather than investing in the unit trust structure outlined above, though, investors gain an interest in an agricultural project on an allocated parcel of land. Fees paid by investors secure the right to have their ‘allotment’ used for a particular agricultural purpose, and a limited right to what is grown on that land by the scheme’s manager, operating under a management agreement.

Investors do not purchase a physical asset, including the land the projects occur on. In forestry MIS, the growers usually own the trees on the land, while growers in non-forestry MIS are entitled to the crop but not the trees that produces it. Investors receive a share of harvest proceeds after the scheme’s manager has been paid for plantation/crop maintenance, harvesting, land costs and selling the crop.

The main thrust of the recommendations arising from this inquiry—and I have heard some debate on the issue here in this chamber—was to curtail up-front tax breaks on agribusiness projects so that Ponziesque sales models are not allowed to develop. I will come back to that,
but I think it is important to say that we are legislators—we are the people who make the legislation here—and we have to really be aware that a policy setting can absolutely shape behaviour. We know that but sometimes we do not think of the negative consequences that can arise from that. So a policy setting that gave tax concessions made something extremely attractive for people, just as a policy setting that encouraged people to salary sacrifice to superannuation made something extremely attractive to people, without some responsibility being taken for the nondisclosure of the possible risks. I know we cannot always foresee global financial crises, but it is a very real issue for people. They have confidence and trust in governments of this country, so when there is a policy setting that is very attractive we have to really take an extra level of responsibility. Unfortunately for the investors in MISs, I think we have let them down.

At its most basic, the Ponzi model pays returns to separate investors from their own money or money paid by subsequent investors rather than from any actual profit earned. While it would not be accurate to generalise across the entire agribusiness MIS sector, the MIS model can, to quote from the report:

… encourage Responsible Entities to develop business models with a ponzi-like character if external factors such as access to credit and drought intervene, necessitating extra MIS sales to inject working capital into existing schemes—
as was the case with Timbercorp and Great Southern. As the submission by ASIC to the inquiry stated, while there were not literal interpretations of a Ponzi model:
Agribusiness MIS operators have been criticised for adopting business models which rely on receipts from application fees for revenue.
ASIC indicated:
… this business model may be unstable if the flow of new MIS sales is interrupted.

Another recommendation of the report was for an amendment to be made to the Corporations Act, arising from concerns about how liquidators have managed their conflicting obligations to creditors and to investors. The committee found that ASIC should appoint a responsible entity to manage any registered MIS when it collapses. Injecting an independent person into that process, I think, would be something all of us support. We can see that when it gets to a liquidation process there seem to be a lot of fees to go to everybody else but the creditors and investors tend to lose out quite a lot.

Finally, the committee recommended that ASIC disclose the qualifications and accreditation of third parties advising on the schemes. General concerns about advisers’ remuneration and the standard of financial advice provided were also mentioned in the report, though of course these issues are still to be addressed more comprehensively in the committee’s concurrent inquiry into financial products and services.

I recommend this report to the House. The inquiry was done over a very short period of time. It certainly did not go into the depth that some members would have liked but, because the committee is also involved in the Storm and Opes Prime inquiry, I hope many of these matters are going to end up in a regulatory framework, a regulatory regime, that puts more emphasis on the consumer protection that I think many people thought was there. The consumer protection aspects of investment schemes have not really been at the forefront of anyone’s mind. ASIC will be the first to admit that their powers did not give them the support for
that weighting. Their weighting was more on the market. Now that we have seen so much tragic loss, we know there is a need for a balance that was missing.

Debate (on motion by Mr Hawker) adjourned.

Corporations and Financial Services Committee Report

Debate resumed from 14 September, on motion by Mr Ripoll:

That the House take note of the report.

Mr SIMPKINS (Cowan) (11.02 am)—Although I am not a member of the Parliamentary Joint Committee on Corporations and Financial Services, I would still like to make some comments regarding this report. I do so because there is an opportunity to talk about some important things for the electorate of Cowan and for people not just in Cowan but, I think, across the country.

With regard to the statutory oversight of the Australian Securities and Investments Commission, I will begin by saying that ASIC, as we know it, was created on 1 July 1998, with responsibilities for consumer protection in superannuation, insurance, deposit taking and, from 2002, credit. This report relates to the oversight hearing of 17 June 2009. I would like to speak on this because over the last 30 years there have been a number of failed investment schemes in Australia. I recall particularly, because it affected my family somewhat, the Estate Mortgage Trust collapse in 1990. That was one. I noticed that in the report, although it is not further commented upon at this point, there is also the very recent collapse of Storm Financial. I note that there were some 400 written submissions taken by the joint committee that relate to financial products and services, and the majority of those relate to Storm Financial. The committee will be doing another report on that particular inquiry in the future.

When you look back on the history of financial collapses and particularly these investment schemes, you see that the result of that was the former government’s interest in bringing before the House the Managed Investments Bill 1997, which was specifically designed to look at these sorts of things, particularly the fallout from the Estate Mortgage Trust collapse in 1990. That was one. I noticed that in the report, although it is not further commented upon at this point, there is also the very recent collapse of Storm Financial. I note that there were some 400 written submissions taken by the joint committee that relate to financial products and services, and the majority of those relate to Storm Financial. The committee will be doing another report on that particular inquiry in the future.

In this report there is a section which speaks of investor education and the creation of programs in schools. Obviously we all applaud that, and I would like to mention that one of my constituents, Samantha Hockaday, raised this very point with me and has raised it with me in the past. I know that there is interest from the state government in Western Australia in looking at exactly these sorts of programs, so I am very happy that we have people in Western Australia thinking these things through and thinking ahead.

The main comment I would like to make with regard to managed investment funds and the failures that have occurred over time throughout Australia is that, while there is the need for investor education, there is also the need for quite a deal of common sense to be shown as well. The buyer needs to be aware. I recall very clearly that in the late 1980s, when we had the Estate Mortgage people advertising across the country, they were talking about returns of 20 per cent a year. Of course, even with the superannuation boom that we have had in fairly recent years, 20 per cent was pretty ambitious even for some of those superannuation funds. It
was clear that that sort of return from Estate Mortgage would not be able to be held up over a period of time. Nevertheless, people were drawn in by those sorts of advertisements. They were drawn in by the offer of easy cash. They wanted to see certainty. But the reality is that these sorts of things are not sustainable and you need to do your homework. I think that is as correct today as it was back in the 1980s and the 1990s. That is why the requirement for individuals to personally assess and to do quite an examination of what these organisations are offering in their investment schemes is so important. People have to take personal responsibility and to make sure that when they sign up for these schemes and invest their money they know they are taking risks. The higher the returns that are offered, the higher the risk. If your bank is offering you two per cent, there is not a whole lot of risk. But, if someone is saying that they can give you 20 per cent, they are living on the edge. That is the history of some of these failed investment schemes in Australia.

There are some people in Australia who are always looking for these sorts of quick-dollar opportunities. That is why, as surprising as it is, with these emails that we all get from someone in Africa asking you for your bank account details so they can transfer $20 million through your account and give you a 10 per cent cut, exactly those sorts of people get picked up and taken advantage of. Sadly, they are likely to be the same sorts of people who are going to be drawn to high-risk investment schemes with big returns. The reality is as it has always been. There are no guarantees in these things, the risks are always there and we should always be on our guard against them.

I have taken the opportunity today to speak on these matters as they relate to the report from the Joint Standing Committee on Corporations and Financial Services, and I appreciate the opportunity to do so. As members of parliament we should always encourage our constituents to show due care and due attention and to make sure they understand what they are getting into and that there are no guarantees for the returns that these organisations might be offering. I think that is as true for investment schemes as it is for other organisations that offer quick fixes, such as medical cures for this or that. All people should be very careful about what they sign up for and what they commit their funds to, because there are high-risk things out there. If it looks too good to be true then it certainly is too good to be true.

I will conclude by urging ASIC to continue to work hard to protect Australian consumers in superannuation, insurance, deposit taking and investments. I also encourage the Australian people to show that sense of personal responsibility and to make sure that they accept responsibility for the decisions they make with due care and attention.

Ms GRIERSON (Newcastle) (11.10 am)—As a member of the Parliamentary Joint Committee on Corporations and Financial Services, I rise to speak on the report Statutory oversight of the Australian Securities and Investment Commission of September 2009. Hindsight is a wonderful thing. I have to say that I am quite surprised to learn that members on the other side do not seem to understand that for 12 years when they were in government ASIC was underresourced and did not have the legislative power of enforcement and prudential regulation that people thought it had. Why did you not realise that it never had the capacity to do the things that the Australian public, including us, thought it did? I can only say that the committee deserves great praise. ASIC also deserves praise for the way it is now asserting the important role it can play. This government has recognised that and is changing the regulations and
is changing ASIC’s role. ASIC is stepping up. We will be watching it very closely, as we should. That is why these hearings are terribly important.

We did undertake this last oversight hearing with ASIC within a framework of controversy—areas of loss to every one of our constituents, areas where banks did behave badly, areas where financial advisers did behave badly and areas where people who thought they could trust banks, government regulation, financial advice and accountants found that they could not and that a limited level of obligation was being fulfilled, that a limited level of disclosure was being made to them and that there was a limit to that reliability of advice. We have to remember that. We all do forget. When good times come again—and they will come—that is when things become a little unhinged. Let us hope that does not happen again.

I am not a person who supports overregulation. You do not want to stop the opportunities for people to invest and take a certain amount of risk. You just want it to be reasonable, I suppose. As I have said before, not many people take their lump sum and invest it on a horse. They know the risks are high. They think we are different. They think investment share markets, stock exchanges and all those things are different. Whether it is agribusiness or whatever, they think that the risks are lower. They had a false expectation. However, I have digressed.

Our public hearing dealt with quite a few important matters that were controversial and remain so: short selling, market integrity, recent corporate collapses, BrisConnections, mortgage fund and cash management trust redemptions, professional indemnity insurance, ASIC structure and budget, and investor education. Some interesting discussions have been held. The committee welcomes ASIC’s decision to lift the ban on covered short-selling sales of financial stocks. The committee considers that covered short selling contributes to market liquidity and price discovery and is a valid feature of the Australian market. But the committee intends to continue monitoring the performance and effective reporting arrangements for covered short sales, particularly when the arrangements to be determined by regulation replace the existing interim arrangements. The committee considers that transparency needs to be a key feature of these arrangements in order to maximise information available to the market and to assist the regulator, ASIC, in identifying false market rumours without the need to resort to future bans. With regard to market integrity, the committee questioned ASIC about the effectiveness of Project Mint, established to investigate instances of rumourtrage—that is the practice of spreading false or misleading rumours.

It is important to note that, now that ASIC will have a greater role in the Australian Stock Exchange, I think there is going to be a need for more resources, when you look at the information online and the impact that rumours et cetera can have on behaviour. They are perhaps going to have to consider electronic surveillance powers in terms of the potential to cause great damage to the stock market itself.

The committee also looked at corporate collapses. As members will know, the committee are currently involved in an inquiry into Storm Financial and Opes Prime, and my colleague the member for Parramatta has been very active in that committee inquiry as well. The stories are more than sad; they are tragic. The committee received more than 400 written submissions about those financial products and services, and the majority of those submissions related to the collapse of Storm Financial. Our report will be tabled later this year.

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So we are working very closely with ASIC, and it is good to see all our regulators doing the same. They have all admitted they did not work as closely together as they should have. Now that they realise that the territorial turf is no longer as important as they thought it was, APRA, ASIC and Tax all have to work together. They cannot just operate separately, and there are signs that that is happening.

I will skip the MIS inquiry, because that report has come down today. With regard to BrisConnections, the committee welcomed ASIC's move to ensure that the ASX obtains a signed acknowledgement from investors in partly paid shares. This is what we hope will help future investors avoid the situation that some BrisConnections shareholders found themselves in—that is, being unable to recover the liabilities of the shares they had purchased. The committee remains deeply concerned about some of the other governance and disclosure issues allegedly surrounding BrisConnections and urges ASIC to take any relevant action in a timely fashion. The committee of course will be getting regular updates on that.

In terms of mortgage fund and cash management trust redemption, we welcomed ASIC’s announcement that it has now expanded relief for hardship withdrawals from frozen funds. We really need to realise that people have been seriously caught out, often at a time in their lives when they have no other resources and nowhere to turn. So ASIC has lifted the cap on hardship withdrawals to $100,000 each calendar year, increased to four the number of hardship withdrawals that can be made each year and extended the list of recognised hardship grounds. These steps should assist individuals who were affected by the fund freezes.

We also looked at credit-rating agencies. We looked at ASIC’s structure and budget. I remain a person who says that we have to resource this properly if we expect the job to be done in the way that we want it to be done. If we want consumer protection there, we will have to resource that. We also looked at the failings of professional indemnity insurance. It does not provide much comfort to many people. People think that that insurance will help them, but that is not generally the case. It does not flow through.

Finally, we also looked at investor education and, having attended the hearing last night, I do think we have to use all the creative ability of the people within ASIC and people outside ASIC to think of ways to warn people. I have said to them that when people are looking up their superannuation fund online and seeing how much they have got, or what they should do with their lump sum or how much it is going to be, there should be a pop-up message with an ASIC brand on it that says, ‘You could lose the lot.’ When people get a payout or redundancy, there should be a mandatory requirement to provide an information sheet or whatever, or one session with an independent adviser, from a regulatory regime such as ASIC.

So I do think we have let people down and I do think we have to redress that and avoid it happening again. And the most vulnerable people are the people who do not have superannuation in retirement, like our farmers et cetera, who have been caught up in the MISs; people who take a lump sum package at retirement; and people who get a redundancy package, cash in the hand. These are the most vulnerable times for them and they should be advised more carefully—and ASIC in particular has a role to play in that. I recommend the report to the House.

Debate (on motion by Mr Hawker) adjourned.
Debate resumed from 24 June, on motion by Mr Tanner:

That this bill be now read a second time.

Ms LEY (Farrer) (11.20 am)—I rise to speak on the Statute Stocktake (Regulatory and Other Laws) Bill 2009. Much as the annual stocktake at the back of any manufacturing business or shop takes place every year, this is a similar activity in relation to statutes—and, I hesitate to add, probably about as exciting, but necessary. This bill is the result of a stocktake of Commonwealth business regulation conducted in 2008. Bills of this nature have the full support of the coalition, as they are an essential tool in the process of keeping the Commonwealth statute books accurate and up to date. The acts to be repealed are self-evidently obsolete and have been superseded by other legislation. Of the acts to be amended, most of the proposals relate to transitional provisions for periods that have expired. Schedule 1 of the bill contains amendments to 17 acts. Schedule 2 repeals eight acts and makes consequential amendments to three other acts. The most notable of the changes affect the Trade Practices Act 1974 and the Telecommunications Act 1997.

The amendments to the Trade Practices Act involve the repeal of part VB. These were the GST price exploitation provisions which were enacted following concerns that price rises unrelated to the GST might be represented to be caused by the introduction of the GST. Given that the GST has now been in place for about 10 years, it is unlikely that any such representations will be made from now on. Any misrepresentations as to price would be covered by other prohibitions.

The amendments to the Telecommunications Act relate to the regulatory framework supporting a digital data capability of 64 kilobits per second in which Telstra was the declared provider. Telstra’s declaration has been repealed and the market now provides data capabilities far beyond the rate provided for in the act.

The bill also proposes to repeal the Income Tax (Franking Deficit) Act 1987. This tax ceased to be payable after June 2002. The relevant provision of the Income Tax Assessment Act was repealed in 2006 as inoperative. The 1987 act is therefore redundant.

The coalition supports this bill, as its purpose is to reduce costs incurred by business in understanding and complying with outdated regulatory requirements, giving effect to the coalition’s commitment to reduce the level of poorly designed and ineffective regulation on Australian businesses.

Mr KELVIN THOMSON (Wills) (11.22 am)—The Statute Stocktake (Regulatory and Other Laws) Bill 2009 proposes the amendment or repeal of almost 30 acts to remove outdated regulation. It will reduce costs incurred by business in understanding and complying with outdated regulatory requirements, giving effect to the government’s commitment to reduce the level of poorly designed and ineffective regulation on Australian business.

Well-designed and targeted regulation is essential to reduce cost and complexity for business in the not-for-profit sector. The stocktake bill is another step towards meeting the government’s commitment to continuously clean up red tape and continue a Labor tradition of microeconomic reform. It is important to consider this tradition in light of the recent debate.
over which political party is the authentic custodian of economic reform, as opposed to being a pretender.

The strength of Australia’s economic performance prior to the recent global financial crisis represented a marked turnaround from a lengthy period of economic malaise. During the 1970s and 1980s output growth slowed, inflation and unemployment rose and productivity growth was consistently low by international standards. By the late 1980s, Australia’s ranking on the international ladder of per capita incomes had slipped from 12th to 16th. In recognition of the policy related inhibitors on growth, from the early 1980s the former Labor government embarked on a program of extensive economic reform. According to John Quiggin, in his paper *Economic governance and microeconomic reform*:

The election of the Hawke Labor government in 1983 was a pivotal event in Australian microeconomic reform.

The Labor government, and particularly Keating, used the contrast between Fraser’s cautious approach to financial deregulation and Labor’s embrace of the policy to represent the Liberals as captives of ‘old money’ interests reliant on a cozy system of intervention and mutual protection.

The decade that followed saw the liberalisation of capital market controls, the abolition of import quotas and phased reductions in tariff assistance. The heightened competitive pressures from these changes, in turn, prompted the introduction of greater flexibility to Australia’s previously rigid and highly centralised labour market arrangements and various institutional and regulatory reforms to promote more efficient delivery of infrastructure services. The implementation of the wide-ranging National Competition Policy by the Keating government built on the reform agenda of the 1980s and delivered a premium of 17 years of economic growth. Underpinning this strong performance was a surge in Australia’s rate of productivity growth. For example, in the five-year cycle to 1998-99, productivity growth rates were the highest for at least 40 years, with the increase effectively boosting the average Australian household’s annual income by $7,000.

According to a Productivity Commission report many factors can influence productivity growth, but a number of analytical studies indicate that microeconomic reforms—including National Competition Policy—were a major contributor to Australia’s productivity surge in the 1990s and have been to the economy’s increased resilience in the face of economic disturbances. The reforms achieved this by increasing the pressures on both private and government businesses to be more productive through increased competition, while simultaneously enhancing their capacity to respond through more flexible work arrangements and the removal of unnecessary red tape and the like. One of the main ways in which National Competition Policy and related reforms have boosted total output is by reducing the costs and prices of many goods and services. Indeed, National Competition Policy has had a dual role in this regard—not only has it provided a means to improve productivity and thereby lower costs but also by promoting competitive markets it has created pressure for most of these cost savings to be passed on to consumers.

The increase in Australia’s GDP and national income also substantially boosted taxation revenue, as the National Competition Policy agreement on competition payments anticipated. This has increased the capacity of all governments to fund a range of services of benefit to the community, such as health and education, and to provide social welfare support. The party
that stands at the helm of this reform agenda is the Labor Party. By contrast, the Liberal Party bequeathed to Australia Work Choices. Work Choices exacerbated red tape and created top-down bureaucratic management of industrial relations, purely to indulge the Liberal Party’s ideological obsession. An opportunity was lost under the Howard government to build on the microeconomic reforms of the previous Labor government.

As part of a microeconomic reform agenda that facilitates well-functioning market economies, efficient regulatory regimes are necessary to enhance rather than diminish the capacity of businesses to generate productivity growth. These regimes are an important tool in realising policy objectives. Since taking office, the Labor government has established an institutional and policy framework that consciously reflects the OECD’s best practice principles for regulatory quality and performance. Advocacy for better regulation has been significantly strengthened by giving it explicit cabinet level status. The government has strengthened regulatory impact assessment requirements by combining the efforts of the Office of Best Practice Regulation with a new deregulation policy function within the Department of Finance and Deregulation. A one-in, one-out policy has been adopted to ensure there is no net increase in regulatory burden. Strengthened policy oversight processes are providing greater quality assurance in respect of new regulatory proposals, improving policy design and providing a capacity to more readily target inefficient regulation.

The stocktake bill reflects the government’s systematic approach to delivering its ambitious regulatory reform agenda, which includes reviewing all pre-2008 subordinate regulation—as announced in the Updated Economic and Fiscal Outlook—to document those regulations which impose net costs on business and identify scope to improve regulatory efficiency. At the interjurisdictional level, the Minister for Finance and Deregulation is co-chairing, with the Minister Assisting the Finance Minister on Deregulation, Minister Emerson—whom I see here—the COAG Business Regulation and Competition Working Group, which is taking forward 27 regulatory reform priorities agreed under the COAG National Partnership Agreement to Deliver a Seamless National Economy and inviting the OECD to conduct a review of Australian regulatory settings and policy development processes to be completed by December this year, which will provide valuable insights to support the government’s commitment to strengthen processes for regulation making, review and better regulatory outcomes.

Regulatory reform measures that deliver benefits to business will in turn enhance productivity, and increasing productivity after it languished under the Howard government is imperative to meeting the challenges of an ageing population. According to the Productivity Commission:

Competition related and other reforms can also directly assist in offsetting the economic impact of population ageing. For instance, reforms which reduce constraints on labour supply will ameliorate one of the important aged-related brakes on Australia’s future growth potential … carefully considered market-based approaches can sometimes be employed within a managed framework to improve the cost-effectiveness (including the quality) of ‘human services’ and deliver better environmental outcomes. Given the projected escalation in expenditure in areas such as health and aged care, taking advantage of all opportunities to improve the efficiency of service delivery will be especially important.

The challenge for governments in navigating out of the economic crisis is to recognise the opportunity to embrace reform and address imbalances in the economy. This includes micro-economic reform efforts directed at enhancing productivity and economic growth facilitated
by a regulatory regime that does not suffocate our recovery from the economic headwinds that have battered the globe. Again, according to the Productivity Commission:

Microeconomic reform is about providing incentives for greater productivity. Productivity growth is the key to higher living standards. This means making better use of our resources—natural, financial and human. But microeconomic reform can also deliver better value, quality and choice to the community. Microeconomic reform thus plays a part in enhancing prosperity, opportunity and social support—all of which are integral to community wellbeing.

Labor governments have demonstrated their courage in undertaking difficult but necessary reform and will continue to do so. Microeconomic reform along with Keynesian stimulus undertaken by the government is appropriate for the current economic cycle. Aggregate demand needs jump-starting. To withdraw fiscal props too early may cause a contraction similar to what happened in 1937 when there was a switch to contractionary fiscal and monetary policy. Building business confidence through reform of the like of this statute bill also forms a part of the government’s policy tool kit that creates a positive feedback loop that is good for jobs, sustaining demand which in turn finds its way back to business through sales. I commend this bill to the House.

Dr Emerson (Rankin—Minister for Small Business, Independent Contractors and the Service Economy, Minister Assisting the Finance Minister on Deregulation and Minister for Competition Policy and Consumer Affairs) (11.32 am)—In summing up I want to thank the members for Farrer and Wills for their contribution and the great insights that the member for Wills has just provided on the importance of the deregulation agenda of the Rudd government to lifting productivity growth, which is tomorrow’s prosperity. I want to acknowledge the role of the coalition on this occasion in supporting this legislation, because it will make a contribution to microeconomic reform and that task of improving productivity growth in the Australian economy, which certainly in the year 2007 had ground to a complete halt.

Well-designed and targeted regulation is essential to reducing costs and complexity for business and the not-for-profit sector. It forms a key part of the government’s commitment to ongoing microeconomic reform. Well-designed regulation increases Australia’s productivity and international competitiveness, and fosters innovation and structural flexibility. The Statute Stocktake (Regulatory and Other Laws) Bill 2009 underlines the government’s commitment to reduce unnecessary or poorly designed regulation. It proposes to amend or repeal almost 30 acts where the provisions no longer have any function or purpose, including the Income Tax (Franking Deficit) Act 1987 and a number of acts relating to the removal of the digital data service obligations. The redundant regulation was identified through a regulatory stocktake conducted by Commonwealth departments in 2008. It was the first stocktake of its kind conducted since the Federal Register of Legislative Instruments commenced in 2005. The review identified a large stockpile of redundant or potentially redundant regulation. In addition to this bill, the government’s wider regulation clean-up exercise is expected to remove around 200 pieces of unnecessary subordinate regulation over coming months.

Further, in an effort to better understand the impost on business and to identify scope for further regulatory efficiencies, a review of 30,000 subordinate regulatory instruments is being conducted to identify reform priorities and ensure that the current stock of regulation is being adequately managed and tested for ongoing relevance. While it may go unnoticed by many, leaving outdated and redundant regulation increases costs for business. It is harder to identify
which rules apply, and resources are diverted to irrelevant and inefficient activities. There is also a higher probability of inconsistent or overlapping rules. This bill represents just one element of the government’s ambitious regulatory reform program. Mercifully, I am not going to take members of the chamber through the 27 areas of deregulation—

Ms Vamvakinou—Hear, hear!

Dr EMERSON—and the sighs of relief are audible! Through COAG, we are working with the states to achieve a more consistent and harmonised national approach to key regulatory issues. On 2 July 2009, COAG reaffirmed its commitment to microeconomic reform and the critical role that the national partnership to deliver a seamless national economy, and its regulatory reform agenda, plays in enabling productivity gains for the future.

At the Commonwealth level, the Minister for Finance and Deregulation is partnering with his ministerial colleagues to deliver regulatory reform in areas of Commonwealth regulatory responsibility. Examples include reducing the length and improving the readability of product disclosure statements for financial products and reviewing health technology assessment arrangements to remove unnecessary costs and facilitate earlier patient access to innovative and cost-effective new health technology. The global economic stresses we have faced and continue to encounter remind us of the importance of delivering microeconomic reform efforts that enhance productivity. A sustained commitment to better regulation is a central tenet of our microeconomic reform agenda. This bill is an important step in delivering on the government’s commitment to continuous improvement in regulation. I commend the bill to the chamber.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

ADJOURNMENT

Ms OWENS (Parramatta) (11.37 am)—I move:

That the Main Committee do now adjourn.

Petition: Youth Allowance

Mr TUCKEY (O’Connor) (11.37 am)—I present a petition containing some 1,495 signatures, which are additional to previous numbers that I have presented on this matter. It relates to the Youth Allowance.

The petition read as follows—

To the Honourable The Speaker and Members of the House of Representatives

This petition of certain citizens of Australia draws to the attention of the House to the Rudd Government’s changes to the workforce participation criteria for establishing independence under Youth Allowance by removing the following two eligibility criteria: that the recipient worked part-time for 15+ hours per week for two years or more since leaving school; and the recipient earned, in an 18-month period since leaving school, an amount equivalent to 75% of the maximum rate of pay (in 2009 this requires earnings of $19,532). The effect of this change is that eligibility criteria for the Independent Youth Allowance will retrospectively require participants to complete 30 hours work per week over a 18/24 month period compared to earning $19,532 over 18 months.
This means a student who has complied with the previous rules but not worked 30 hours per week will have lost the credit for their effort and must start again thus losing 2 years before commencing a University Course.

These proposals further disadvantage young people whose place of residence is beyond daily commuting distance from a University and thus must fund their total accommodation costs over and above the other direct costs of such an education. That working 30 hours per week while attending University is virtually impossible in more intensive courses.

We therefore ask the House to change the criteria so that rural and regional students are not disadvantaged.

from 1,495 citizens

Petition received.

Mr TUCKEY—This particular lodgment brings the total of signatures I have received on this petition to approximately 13,000, and they have been registered from all over Australia. This has resulted from the fact that I published a pro forma petition on my website which people could copy if they chose to and so meet the criteria of this parliament, whereby all petitions must be in writing and conform with the rules of this place. That so many people have chosen to do sign this petition—in the first instance 6,800 signatures arrived at my office in Albany, not the most convenient location, within 10 days of the petition being posted—should be a message to all involved as to the grave concern about this problem among people in rural areas, including in a significant number of seats held by the Labor government.

I am aware now that the Minister for Education has made some changes to the retrospective aspect of the legislation, but in fact the legislation that she has now presented to the House still contains areas of grave difficulty for people in rural communities. In expressing a view on this matter, it must be always understood that if you reside in the smaller communities in the rural sector, work opportunities for graduating year 12 students are limited. What is more, there is very seldom anything available other than seasonal work, which the present arrangements accommodate. You can work hard over, for instance, a seeding period, a harvest period, a shearing period or whatever and accumulate funds to meet the criteria. But at the local grocery shop, the service station or somewhere of that nature, it is virtually impossible for these young people to acquire 30 hours work a week. The debate will proceed in the House, so I will take no more of the time of this place other than to report that these signatures come from all over Australia.

Mr Brody Hourigan
Ms Maria Bertone

Ms VAMVAKINOU (Calwell) (11.42 am)—Having to live with cancer is an experience which affects every aspect of the lives of those who have been diagnosed with this illness. There are also the emotional effects that resonate throughout the family, and there are friends and the community to consider as well. Two such cases involve constituents of mine, eight-year-old Brody Hourigan and Maria Bertone.

Several months ago Brody was diagnosed with Ewing’s sarcoma, which is a childhood bone cancer. Brody has since been undergoing extensive chemotherapy as part of his treatment. About three weeks ago, members of the Sunbury community found comfort in the fact that by organising a trivia night his parents were able to share a moment of joy amongst
friends in honour of Brody. It was a trivia night like no other. It was full of music, lots of fun and good cheer. It was great to see the people of Sunbury band together. Despite the circumstances in which we had gathered that evening, it was a night awash with the warmth and vibrancy that you would expect to see amongst the Sunbury community. I would like to take this opportunity to acknowledge in this place and to pass on a message of thanks from Brody himself along with his parents, Mark and Tracy, and his two sisters, Jessica and Kelsey. The Hourigan family say they would:

… like to express our most heartfelt gratitude to the teachers and friends of Goonawarra Primary School, and especially to Brody’s school teacher, Amy Elliot, who has, behind closed doors, gone above and beyond her role as a teacher to ensure Brody’s continued engagement with the school. Amy went to amazing lengths to make the Trivia Night happen, and we can’t thank her enough. A special thanks also to Doug Mcleod and the whole family, the Sunbury Rotary Club, and especially, the Goonawarra community. In saying that, there is so much more people we would like to thank, and we appreciate each and every single effort the community has gone to in supporting us. The extraordinary lengths people have gone to will forever be in our hearts.

For my part, it was heartening to see the community come together to raise funds in support of Brody. The proceeds of the trivia night will go a long way to helping the Hourigan family concentrate on Brody’s treatment and their hope for a full recovery without the added financial distractions.

The financial hardships that arise as a result of the life adjustments families are forced to make are enormous. Parents must choose between their work commitments and the need to provide constant care for their sick child. This adds further to the daily costs of getting to and from hospital and the added costs that come with that. Family and community are pillars whose values are magnified tenfold during times of difficulty. Financial hardship, at a time when an individual and the family are both faced with dealing with the extremities of cancer, is all the more overwhelming when faced with a choice of whether whatever savings one may have are used on treatment or are instead afforded to those who are closest to you in order to facilitate their needs.

One other such case involves a constituent of mine, Maria Bertone, a pensioner. She was diagnosed with ovarian peritoneal cancer 6½ years ago. Dealing with this form of cancer has been a daily struggle for Maria. In addition, however, Maria is facing another struggle—that is, being in the unfortunate position of having to fork out from her own pocket the money needed for four treatment cycles of the drug Abraxane, which costs $2,500 per dose. This is essential treatment for Maria, but she faces a very difficult choice between two alternatives: whether to make use of what money she has available in her superannuation to cover the cost of the treatment or whether to leave that money for her 10-year-old son, who suffers from various patterns of behavioural disorder and who will need financial security because she is the sole carer. Because of Maria’s age, accessing her superannuation fund will lead to penalties. It will add another $5,000 to the cost of her treatment. In addition to this unenviable position, Centrelink will consider her access to her superannuation as income and, as such, she will be unfairly penalised.

Under the PBS, this drug is subsidised when used to treat metastatic breast cancer and only after other forms of therapy have been exhausted. It does not make sense that the same cancer drug needed for both metastatic breast cancer and ovarian peritoneal cancer is subsidised when treating the former but not the latter. This inconsistency is not reflective of the reality
that many people will, undoubtedly, continue to face. Maria is saddened by the fact that she is discriminated against merely on the basis of the type of cancer she has been diagnosed with. As such, there is much room for reflection on the plight of people who suffer life-threatening diseases, such as cancer. I wish both Brody and Maria a speedy return to full health and prosperity.

Farrer Electorate: Robinson College

Ms LEY (Farrer) (11.48 am)—I raise an issue of great concern to the constituents whom I represent in the town of Broken Hill in far west New South Wales: the future of Robinson College. It is a community college which fills an important role in Broken Hill by providing adult education—if you like, a gap between postsecondary education and more traditional forms of tertiary education. The courses that this excellent facility delivers include computing and IT software, digital photography, first aid, CPR, health, hospitality, leisure and recreation. It also provides a very important outreach to Menindee, which is a small town east of Broken Hill, and provides online and distance courses.

We feel that the future of the education provided by this college to Broken Hill is under threat. The facility is actually owned by Charles Sturt University, and local reports indicate that Charles Sturt University is looking to sell the facility for $1.5 million. Going back in history, I would like to briefly quote from remarks by my colleague the member for Murray-Darling to the New South Wales state parliament:

University education in Broken Hill started in 1959 when the Broken Hill division of the University of New South Wales was formed at the rear of the technical college.

And further:

In 1964 the Vice Chancellor of the University of New South ... visited Broken Hill and announced that a new college was to be built ... called W. S. and L. B. Robinson College. The tender ... was £100,000, but Zinc Corporation ... contributed the money and donated the land.

So the university provided nothing towards the college and did not want to run the facility; it handed it over to Charles Sturt University for, I understand, the princely sum of $1. This was a community facility always, for the community, and now, if my interpretation of the current facts is correct, Charles Sturt University wishes to realise their asset for an amount of money that the community of Broken Hill cannot possibly afford: $1.5 million. I have written to the vice-chancellor of Charles Sturt University. I wrote on 20 July asking for an urgent intervention and an explanation. I have not received a response, though I understand that the vice-chancellor is contacting me via email today. I look forward to those remarks.

But I want to make the point here, in the federal parliament, as my colleague has done in the state parliament: even if Charles Sturt University accept that community education will continue from the college, and they may have made that statement, how long would that go on for before the facility might be used for something else? That something might be traditional tertiary education. But, important though that is, we need community education in Broken Hill. The other point is that if Robinson College has to pay for a lease of the facility, that, again, could be a sum that they could no longer afford. And we cannot afford, in Broken Hill, to lose this very valuable facility.

Deputy Prime Minister Julia Gillard has been contacted and she has explained that the university was established under New South Wales legislation, so any action to dispose of its

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property assets would need to be in accordance with New South Wales legislation. A representative of the New South Wales minister—who, I think, at the moment is Verity Firth—has advised that, to date, the university has made no formal approach to the New South Wales Minister for Education and Training seeking approval for the sale of its Broken Hill property. So I hope that that gives us, as a community, some breathing space to plead with Charles Sturt University. I understand that, from an asset management perspective, one needs to do the best with all the assets in one’s possession, particularly in the tertiary sector. But I do plead with Charles Sturt University to acknowledge the outcry from and the real frustration and concern of the people of Broken Hill, who have always seen this facility—which the university acquired for $1—as part of their community assets, for the long-term benefit of community and adult education in Broken Hill. I do plead with the university not to propose any sale or long-term lease of assets to the New South Wales minister. I very much look forward to their communicating with the Broken Hill community and letting us all know and explaining to us what their decisions for the future of this college might be.

Micah Challenge

Ms HALL (Shortland) (11.52 am)—Today I will use this adjournment debate to talk about a visit I had from Micah Challenge earlier this week. But, before turning to the very important issue that was raised by them, I would like to follow on from the member for Dobell, who made a contribution earlier today in constituency statements about the need for the Central Coast to be recognised as a region. I would like to put my voice behind his and support him in his efforts, because it is really important to the people of the Central Coast that the Central Coast is recognised as a region, for the reasons he has stated.

This week I was visited by a number of younger people from Micah Challenge, which is a global movement of Christian aid and development agencies, church groups, and individuals, who aim to encourage and deepen the awareness of people about the poverty that exists throughout the world. It is backed up by the Christian faith. Micah Challenge is very committed to seeing poverty erased throughout the world. They gave me a number of pieces of paper with information on them, and reinforced what a number of us in this parliament have been working for, for a long period of time: to see the millennium goals reached.

They also raised the issue of climate change and how that is impacting on people living in poverty and threatens to undo progress on the millennium goals. Climate change is becoming a real issue for developing countries. Participants in Voices for Justice of the Micah Challenge shared with me how deeply they cared about our global neighbours who depend on having a stable climate for their environment. Many of the developing countries will be particularly badly affected by climate change. Late last month I visited the Torres Strait as a member of the House of Representatives Standing Committee on Health and Ageing, which is holding an inquiry into regional health issues jointly affecting Australia and the South Pacific. Whilst we were there we visited the northernmost island, the one closest to Papua New Guinea’s Western Province, which is Saibai Island. You only have to go there to see how greatly climate change can impact such areas and how important it is that we get behind the issue that Micah Challenge has raised with a number of members of parliament. I am sure they visited many members of parliament whilst they were here, but what interested me in particular was that they raised the issue of climate change.
I have here a number of letters they gave me that have come from people within my electorate. I would like to read one in particular, from Philip Kidner, who has one of the strongest senses of social justice that I have come across. He constantly works and strives to see that people get a decent go in life. He is a long-time campaigner for the millennium goals. He says in his letter:

I am writing because I have long been concerned for the social justice issues in the world, and poverty and hunger are situations that need action by the wealthy nations for their relief in the poor countries. I am therefore writing in response to the appeal by Micah Challenge for action by our government. Actually I have written to you before—

to the Prime Minister—

on the issue of world poverty and have been assured that you are committed to the achievement of the Millennium Goals by providing for an increase in Australian overseas aid to .05 per cent.

He goes on to detail even more issues in relation to world poverty. I would like to table his letter along with all the other letters I have here from people in my electorate. I seek leave to do that.

Leave granted.

Mount Barker: Freeway Interchange

Mr BRIGGS (Mayo) (11.58 am)—I rise in this adjournment debate at the end of another sitting period to speak about probably the most important issue facing my home community of Mount Barker in the electorate of Mayo, and that is the proposal that has now been around for some time to build a second freeway interchange for Mount Barker, off Bald Hills Road. Unfortunately it appears that the federal Minister for Infrastructure, Transport, Regional Development and Local Government has indicated through his department to the council that at this stage it is not a priority for the federal government to fund the $25 million required to build the new interchange. That is disappointing because we were hoping that the federal government would be able to pick up the slack that the state government has left, not just here, of course, but in so many other areas—health, education, you name it. Many people are focused on just how bad the New South Wales state Labor government is, but that condition unfortunately afflicts us in South Australia as well—we just do not get as much attention focused on it.

This is a very important issue. The community of Mount Barker is growing very rapidly. In fact, in the last two years it has grown by 17 per cent, which in anyone’s language is quite substantial growth. The impact of that growth on the areas around Mount Barker is causing quite substantial concern in the community—the key, rich agricultural land contributing, of course, to the great challenge we have in meeting food demands going forward in this century, which Senator Heffernan outlined so very well in the other place. Of course, it is in an area where we face enormous water shortages. So we are concerned about the way the state government is, willy-nilly, opening up land. We have had the recent release of the 30-year growth plan for Adelaide, and in that we have seen more plans for opening up areas in and around Mount Barker, Littlehampton, and Nairne. The community is concerned about these decisions. I am concerned. My state member, Mark Goldsworthy, has raised this issue very well and is pushing the issue in the state parliament. In conjunction with the District Council of Mount Barker and the state member for Kavel, I am calling on the federal minister to recon-
sider this decision. If we are elected, we will be pushing for this to happen. Mark Goldswor-
thy and I have said that.

This is an important infrastructure need for my area—if for nothing else, to mitigate at least
some of the problems with access to the freeway in the event of a major bushfire through the
Mount Barker, Nairne and Littlehampton zones. The Adelaide Hills is the largest bushfire
zone in South Australia. If there were a disastrous day, it would be through my area. Of
course, in the past we have had Ash Wednesday, when we lost a number of lives. It is of con-
cern that there is now only one exit onto the freeway, and in the event of this type of emer-
gency I think it would be a genuine threat to people. So there are many reasons for it. With the
growing community, the current interchange is not only busy but starting to jam up in the
mornings, and that is only going to get worse as the development in this area grows. The
community is demanding that this infrastructure investment occur.

The whole problem here is that we have a state government that is happy to open up land
and get the benefits from developers—as they do, particularly in South Australia. There are
some examples of that in Queensland, of course, that my colleague the member for Blair
knows of. These state Labor governments get a lot of benefits from developers, but they are
not putting back the infrastructure needs for the local communities. That is highlighted by
transport. Of course, it is also seen with health, education and these sorts of issues.

In this case, we are calling for the federal minister, Minister Albanese, to reconsider this
decision. I think it is an important priority area for the government’s infrastructure and trans-
port investment. It is a growth area where the state Labor government is proactively pushing
growth, which is raising significant concerns, as I have raised. We think we need this second
interchange. It is a sore on the area, and we will continue to push. Mark Goldsworthy—the
state Liberal member—the District Council of Mount Barker and I are working very hard and
tirelessly to improve the local infrastructure even though the state government has abandoned
the field, which is very disappointing.

**Blair Electorate: Health Services**

*University of Queensland Boilerhouse Community Engagement Centre*

Mr NEUMANN (Blair) (12.03 pm)—I want to speak this afternoon about a health boost
for the Ipswich community. In July this year, the federal Minister for Health and Ageing, Ni-
cola Roxon, and I announced the funding contract with the University of Queensland to estab-
lish the $2.5 million Ipswich GP Super Clinic, an agreement for which had been signed with
the University of Queensland. I warmly commend the University of Queensland Ipswich
Campus for its involvement.

Recently I was at the book launch of *Mines, Mills and Shopping Malls: Celebrating the
Identity of Ipswich*. The UQ Boilerhouse Community Engagement Centre celebrated the iden-
tity of Ipswich, and it is a great facility. The purpose of the boilerhouse is to facilitate just and
sustainable community outcomes. I commend the director, Associate Professor Michael
Cuthill, and all those involved in that program and in the production of that book. Present on
that occasion was Professor Alan Rix, Pro-Vice-Chancellor of the University of Queensland,
as well as Professor Helen Chenery.

I also want to thank them very much for their assistance in what I hope will be a very good
response in the Ipswich and West Moreton communities to the health forum which is being
held, initiated by me, at the University of Queensland Ipswich Campus on 8 October 2009. I encourage all residents of the Ipswich and West Moreton area to come to the Health and Hospitals Reform Commission forum, which will examine the needs of the local community.

After many years of buck passing by the coalition, the Rudd government is certainly investing in health in the Ipswich area. We are part of the 34 GP superclinics across the country—a $275 million program. Upon the election of the Rudd Labor government, Ipswich Hospital received considerable assistance. One of the first things we did upon our election was to invest in elective surgery and also to invest where the coalition government had disinvested—that is, in health and hospitals in the local area of Ipswich. For example, the $1.7 million operating theatre which is being created and funded by the Rudd government and also the $6.7 million extension to the emergency department are both good initiatives. Those investments are allied with the years of funding put forward by the Rudd Labor government as part of an election commitment for the after-hours clinic which is associated with the hospital and run by the Division of General Practice. I hope that on 8 October we will see representatives from the Division of General Practice, as well as from the local AMA, present at the Health and Hospitals Reform Commission review and forum at the University of Queensland.

The Ipswich GP superclinic will provide three distinct streams of care, including a standard GP service for the management of acute presentations, a chronic disease management service and a specialised mental health service to address a priority area among the needs of Ipswich. The GP superclinic will provide services from health professionals, including GPs, nurses and psychologists, and from other allied health professionals such as physiotherapists, dieticians, diabetes educators and podiatrists. It is expected that the service will include a pharmacy and pathology. The clinic will offer bulk-billed services for concession card holders, children under 16 years of age, and senior citizens over 65 years of age. The operating hours will not compete with the existing after-hours clinic that is currently servicing the Ipswich community, but there will be a strong focus in the GP superclinic in Ipswich on future primary health care and particularly allied health care in a holistic way for the people of Ipswich.

I also commend all those other organisations which sought funding for the effort they put into and for also seeing the need for services for the people of Ipswich. The local Division of General Practice, in conjunction with a number of other entities and educational institutions, did a survey some years ago and found that we had only one GP for every 1,609 people living in the Ipswich and West Moreton area. With the growth of Ipswich by 4.1 per cent in the last 12 months, that is also a challenge for us. Getting GPs in the local area is a big thing for the people of Ipswich. It is important for health and hospital reform and it is important to assist local people so that they can get the best health care. I commend the University of Queensland’s Ipswich campus.

Advertising

Mr SIMPKINS (Cowan) (12.08 pm)—I rise to speak about a number of matters related to advertising, bumper stickers and T-shirts that I and a great many people in the community consider not only tasteless but also offensive. I will begin with the well-known snake oil salesman, the Advanced Medical Institute, AMI. I believe the boss is Jacov Vaisman. They are renowned for encouraging, and then taking advantage of, the insecurities of men with regard to sexual issues. While I would encourage men who are considering approaching these charlatans to look at AMI’s history before the courts and seek real medical advice, my issue with
AMI is their advertising. These are the people who were responsible for the billboards in some cities which read ‘Longer lasting sex’. It was absolutely disgraceful and it was long overdue when they were told to take them down.

For those of us in Perth, we have had to endure radio advertising—and by that I mean that we have to listen, if we tune into commercial radio, to their advertisements that are explicit about sexual activity. Yet these advertisements are not run at night but run during the day. I went to a local radio station to complain after hearing one of these explicit advertisements run immediately before an advertisement to children offering free entry into the Perth Royal Show. That was during the school holidays in the middle of the day. I tabled a petition earlier this year regarding this disgraceful advertising. While the government’s response was not what I had hoped for, I believe that the Advertising Standards Bureau should get their act together and do their job so that parents like me and others around this country do not have to try to explain to our children what that last advertisement was about. The bureau is failing.

The next issue I would like to speak about is the rear window stickers put out by the firm DCMA. I have a number of photocopies of stickers that are for sale around the electorate of Cowan and no doubt around the rest of Perth and probably the rest of the country as well. Many of these stickers refer to sexual activity and use the f-word. They are without taste and really are disgusting. I understand that, as a publication, stickers would fall under the Commonwealth’s Classification (Publications, Films and Computer Games) Act 1995 and complementary enforcement legislation, the Western Australian Classification (Publications, Films and Computer Games) Enforcement Act 1996. As I said before, these stickers are disgraceful, they are obscene and they are offensive. They should certainly be dealt with as such under the act. If it is not felt that these stickers as I have described them fall under the act then there should be an amendment, and I will certainly be looking forward to trying to progress that in the future. I would say as well that, as with all things, this does come down to someone actually wanting to buy them. I cannot understand that. It does demonstrate a level of ignorance and disrespect for the community. I think very poorly of anyone who would want to be involved and want to buy and display these sorts of stickers, and I would advocate against anyone doing so.

Finally, I also want to raise the issue of T-shirts that are often called novelty T-shirts. Again, similar disgraceful images are displayed on them—for instance, stick figures which demonstrate sexual positions. And there is the use of the f-word and similar sorts of profanities and foul language. They are on sale in various places around Perth and no doubt around the rest of the country as well. Again, I would say about anyone who would wear and be seen in these T-shirts that it reflects very badly on their personality. But clearly, if the T-shirts are on display, some people must buy them, and that is a tragedy for this country. I will also be looking for ways in which something can be done about these T-shirts. I will name the brands of the T-shirts near the shopping centre that my electorate office is in. They are Gooses T-Shirts and the Great Southern Land clothing company. I think that they should certainly do the right thing and find some decent and entertaining things to be displayed on their T-shirts in future.

**Move Movement**

Ms OWENS (Parramatta) (12.13 pm)—This morning on the grass in front of Parliament House I attended the launch of the Move movement, a rather innovative approach to raising money for medical research, hosted by the Westmead Millennium Institute for Medical Re-
search in my electorate of Parramatta. The institute has 450 researchers and is one of the most highly regarded in the country.

The concept is rather interesting. It allows community members to raise money for medical research over a six-month period next year simply by moving or exercising. They can walk, run, cycle, swim or do any other form of movement they can think of, and I already have a Tai Chi class and a group of dancers who are interested in participating early next year. The project through the country is linked through the Move movement website, where participants can log on and record their progress towards their target during the six-month period.

In my electorate I will be starting a small cycling group with a target of 100 kilometres for people who have not ridden for a while. We will be cycling 10 or 12 small rides on the local bike paths over that six-month period, adding up to about 100 kilometres. Other groups may walk or run in a similar way. For people who are interested in larger challenges they can walk the distance of the Inca Trail, for example, and mark on the website each day where they have walked. If they complete the walk and raise a certain amount of money they actually win a real trip to the Inca Trail.

This morning I was joined in the launch by a number of other members of parliament who participated in a boot camp for a few minutes. I would like to thank them for doing that. I am sure the media that was present got some very interesting shots of members of parliament engaging in some boxercise and dragging large tires up and down the grass outside of Parliament House. Tomorrow I will launch the Move movement officially by beginning a ride from Canberra back to Parramatta. I will be joined by Chris Hayes, the member for Werriwa, who like me is also literally riding home, and Bernie Ripoll, the member for Oxley in Queensland, who will join us for a few days but is not riding all the way home back to Brisbane—although, Bernie is fit enough to do that if he chose to do it.

The great thing about the Move movement concept is that it works for everybody. Fit people can set a challenge that works for them. People who have forgotten how to exercise, have not done so or have been intending to, can start in a very easy way and work with others on meeting their goals over the six-month period.

It is important for us to remember that even though we have a department for health that deals mainly with the treatment of illness, health is not just about treating illness, nor is it just about preventing illness. It is actually about being healthy for the quality of life that brings and for the things that you can do if you are healthy that you cannot do when you not, such as enjoying the outdoors, bushwalking, playing with your children, just going for a walk or walking the dog. It is a major part of life and it is good to see a charity in my electorate coming up with such an interesting approach to raising money for medical research which will encourage that particular kind of activity.

I encourage every member of the House to think about ways they can encourage their communities to get out and move more. Again, this is not just to help prevent some chronic diseases, such as diabetes, but because of the quality of life. There is a group of senior Chinese-Australians in my community that does ballroom dancing every Thursday and I could see ways of encouraging other members of the community to join them over the six-month period. They could rack up some points and help raise money by doing that. Similarly, there is a free Tai Chi class out the front of the town hall all every morning. Again, I can think of ways of encouraging the community to join that in order to raise money for medical research.
There is a walking group in Kings Langley that goes twice a week from the local shopping centre, another great group of people. Exercise using this concept allows you to meet new people, exercise for your own health and raise money for one of the best medical research facilities in the country at the same time. It is a fantastic concept. I was pleased to be at the launch and I am going to be very pleased to be a part of it.

Swan Electorate: Roads

Mr IRONS (Swan) (12.18 pm)—I rise today to talk about the state of the roads in my electorate of Swan and how this government must do more to deliver on its promises. In my local area there are a number of significant roads and freight routes that are important to local communities and are important for the economic development of WA. The freight terminals are in my electorate. You could say that Swan is the freight hub of Western Australia, particularly with the airport which provides a gateway to the City of Perth when people first come into Western Australia.

I particularly want to mention four spots in my electorate of Swan which need to be addressed. The first is the Great Eastern Highway stretch between Kooyong Road and Tonkin Highway. I will admit that this has been an issue going back to 1999. So it is a decade now. But before the last election John Howard and the coalition committed to substantial funding for the Great Eastern Highway. The Labor Party later responded with a commitment of $180 million for the Kooyong Road to Tonkin Highway stretch of the Great Eastern Highway in a project to cost $225 million, with the WA government providing the balance. This stretch of road not only is an important local transport corridor but it also services the ever-expanding Perth airport and the north-east suburbs of Perth. It is now becoming so congested— it is not just airport traffic but also normal day-to-day traffic that is congesting the road. It needs addressing.

The people of my electorate of Swan continue to ask me about the progress of this project. Many of them use the road every day and know how dangerous and choked with congestion it is. They have seen no progress since 2007. When this year’s federal budget was passed, there was no mention of the project. In the WA budget that followed in the next week, the Barnett government announced that stage 1 would go ahead this year. Questioning from Senator Back at Senate estimates revealed that the federal government also would contribute some money this year. However, this was not in the budget and the government seems unwilling to provide the full information. Local people will be wondering whether, as with the Belmont Medicare office promise, the government is stalling on this issue. People cannot see any progress happening at this site, and there is no excuse for any delays.

The second issue I want to raise is the internodal links project at Perth Airport. All West Australians were disappointed to see that this project was not made an immediate priority for Infrastructure Australia in the budget. I do not need to tell members how essential it is for local families that the road, rail and other transport links around the airport are maintained and improved. It is vital that this airport, which services not only the eastern states and international services but also services the regions of Western Australia, is maintained and improved.

Thirdly, I want to raise an issue that the local MLA for South Perth, John McGrath, has been raising for some time. Manning Road is a major road that runs through the south of my electorate and connects with the Kwinana Freeway. While Manning Road intersects with the freeway, there is no on-ramp to take commuters from the Manning Road onto the freeway
going south; they have to go through a dangerous overpass and back over to Canning Bridge to try and merge onto the south part of the freeway. It is a hotbed for accidents, and we also need to reduce the traffic that goes on to Canning Highway. This has been a constant cause of frustration and danger for commuters within my electorate. They are able to quickly and easily travel down Manning Road and up the Kwinana Freeway if they are going north, but must add up to 15 minutes extra to their trip if they choose to travel south because they need to drive up the freeway, turn off at the next exit and then turn back around onto the south on-ramp.

In addition to this big road infrastructure, there are many local road black spots that need attention. I have told the House before about my successful campaign to have speed restrictions put in place at the Orrong Road-Pilbara Street intersection at Welshpool. This road too is choked from dawn till dusk. My next priority is the Goddard Street-Howick Street intersection in Lathlain. Local resident Claire Goss has seen numerous accidents at this intersection and has been campaigning for improvements to road design in that area. The main problem is the design of the roundabout and the wide open roads. The site is just next to a primary school, and it must be a major priority for us to fix this. I have been to see the mayor and the chief planner of the town of Victoria Park, and I can ensure members that I will continue to pursue this issue as there was another accident there during the week.

While I have the chance, I would quickly like to congratulate a constituent of mine, Kim Beazley, who has been announced as the new ambassador to the US. Kim lives in the same suburb as me in South Perth. I also take this opportunity to congratulate Brendan Nelson, who has been announced as the new ambassador to the EU. He is a fine man and I wish him all the best.

Parallel Import Restrictions on Books

Mr GIBBONS (Bendigo) (12.23 pm)—Imagine an Australia without books by Patrick White, Tim Winton or Kate Grenville. Imagine an Australia where the only place you can buy books is in supermarkets or discount stores. Imagine an Australia where the only books they stock are written by Americans, about Americans and for Americans. Far-fetched? I do not think so. This is the future I fear if a proposed recommendation by the Productivity Commission to remove parallel import restrictions on books is accepted. I believe changing the current rules will put our cultural heritage at risk in addition to thousands of jobs in the book publishing, printing and distribution industries. Territorial copyright allows authors to license their creative work in different countries. This means that most new Australian works are first published and printed in Australia and the import of any overseas printed editions is prohibited. To ensure that Australian consumers can access books by foreign authors promptly, they must be published within Australia within 30 days of their original publication or else local booksellers can import editions that have been printed overseas.

The Productivity Commission has recommended changes to a system that has worked well since its introduction by the Hawke Labor government in 1991 and has fostered the development of a highly efficient domestic book printing and publishing industry. Most other countries have similar laws of territorial copyright. Australia is the third-biggest English-language book market in the world but, if we change our copyright laws, none of our major competitors—the United States, the United Kingdom and Canada—would do the same. They will continue to protect their authors, their printing industries and their cultural heritage. That is
most important—we are being asked to do away with our territorial copyright laws when our major competitors will not do the same.

We only have to look at the music industry to see the potential impact of changes to book import rules. In 1998 import restrictions on CDs were abolished with the hollow promise of cheaper CDs. Since then, thousands of jobs in the music industry have gone and many recording studios have closed. In the 1980s and mid-nineties Australia had a vibrant and creative music scene, with local acts achieving worldwide success. They were a vital part of promoting this country overseas. As senior industry executive Mr Michael Smellie recently pointed out, Australia has not had a major artist with worldwide status since Savage Garden in 1997. The reality is that any movement there may have been in the price of music CDs since 1998 has far more to do with changing technology, including online sales of digital music, than any changes to import legislation.

I have to confess to being a covert supporter of the free market, and we should never return to the days when millions of dollars of taxpayers’ money propped up inefficient enterprises whose directors drove around in black Porsches. But territorial copyright is not a taxpayer subsidy; it is legislation that enhances our creative culture and does not cost the taxpayer a single dollar. It is difficult for Australia to compete with lower wage countries in an increasingly globalised economy. Our future prosperity will depend on our innovation and our creativity. This is why the Rudd government is investing so heavily in education. But this investment will be wasted if we do not also create the right social conditions to foster creativity and innovation. Scientific and economic innovations do not exist in isolation; they are best developed as integral parts of a dynamic and creative culture in society. Creativity in the arts has a vital connection with innovation in industry and commerce. The problem for the economic rationalists at the Productivity Commission is that they cannot put this into their spreadsheets. I am tempted to accuse the commission of understanding the price of everything and the value of nothing, but that would be giving it too much credit.

The commission’s recommendations are predicated on the assertion that books are cheaper overseas than in Australia, yet it cannot produce conclusive evidence to back up this claim. It admits there are limitations to overseas price comparisons, and the Australian dollar exchange rate at the time has a major influence on any price differences. The commission is unable to say by how much book prices might fall if its recommendations are accepted and it cannot guarantee that any reductions will be passed on to consumers instead of increasing the profits of a small number of retailers who are lobbying for these changes. The recommendations by the Productivity Commission put at risk Australia’s book printing industry, its environment, its culture and its economic future. There is no credible case for changing the current rules on the importation of books and it is vital for the future prosperity of this nation that this recommendation is rejected.

Bushfires

Mrs MARKUS (Greenway) (12.28 pm)—The Victorian bushfires royal commission has released its interim report, which includes recommendations for the 2009-10 fire season. With summer approaching it is timely to remind ourselves of the tragedy and damage to the environment caused by bushfires. It is also timely to thank the many thousands of men and women who work or volunteer in the various rural fire service organisations across the Hawkesbury and the Blue Mountains, protecting the Blue Mountains World Heritage Area,
the Wollemi Wilderness and other natural protected areas. These are extremely brave people who will spend the summer ready to respond to emergency calls and prepared to put their lives on the line to protect us, our property and animals and, of course, the environment. We need to ensure that they are properly equipped to do their job with minimal risk. Part of that resourcing is to ensure that they have modern communications equipment, that they are trained to the highest standard, that their equipment can be effective and that they have the strongest on-the-ground support. Let us hope and pray that this fire season will pass without any major disasters.

The Victorian bushfires earlier this year were a shocking reminder that we need to be emergency ready and prepared for the unexpected. The nation has followed with interest the findings from the inquiry into the Victorian bushfires, which cost lives, destroyed towns, damaged the environment and left a scar on the nation’s psyche. How could it not? Night after night we watched the news and prayed it would not get any worse. And, when the time came, this generous nation opened its heart and hands to help its people in times of tragedy. Next time we do not want to be caught unprepared. The lessons of the Victorian bushfires, the ACT fires and the Sydney fires over the past 10 years have been learnt at a terrible cost to human life, with loss of property and unrecoverable damage to the environment. Let us not repeat the same mistakes again.

It is with disappointment, then, that I draw the House’s attention to the paltry amount of funding put into the Disaster Resilience Program. The Labor government should be ashamed. The Disaster Resilience Program is a hybrid of the Bushfire Mitigation Program, the Natural Disaster Mitigation Program and the National Emergency Volunteer Support Fund, which were all programs funded and initiated under a coalition government. This year’s budget allocated $79.3 million over four years for the natural disaster resilience program. This amount of funding over four years, spread across six states and two territories, is to cover: works, measures and related activities to enable communities to withstand the effects of disasters and emergencies; support for volunteers for recruitment, retention and training; support for local government to assist them to effectively discharge their emergency management responsibilities; and encouraging partnerships with business and community groups to improve their ability to assist communities and be integrated in response and recovery activities and arrangements. How will approximately $20 million per year be allocated across all the states and territories? How can anyone believe that this will be enough to cover the ambitious plans for works, training, local council operations and partnership type programs with business and community groups?

The change from the range of natural disaster programs into one natural disaster resilience program was a cost-saving measure by a Labor government desperate to cope with its reckless spending and huge debt. But this short-sighted thinking is itself reckless. In the Daily Telegraph on 8 September I note that the government, as a result of the findings of the Victorian bushfires royal commission, has committed $50 million to establish a national warning system based on landline and mobile phones, but the same article said that the federal government has ‘all but conceded’ an emergency warning system based on mobile phone locations will not be in place before the bushfire season. That is simply not good enough and small comfort for the people living in high-risk areas remembering the communities of southeastern Victoria. It is not good enough and small comfort for the men and women in our rural
Makin Electorate: Australian Rules Football

Mrs Fay Thamm
Mr Tony Tomko

Mr ZAPPIA (Makin) (12.33 pm)—Earlier today my colleague and friend the member for Melbourne Ports spoke about his beloved St Kilda. That certainly reminded me of the importance of Aussie Rules football to our great nation. It is a sport that has endured for over a hundred years and I believe it would be fair to say that no matter which part of Australia you travel to you will find some one-eyed supporters of the local side getting totally caught up and involved in football being played in their community. So today I want to pay tribute to the local football clubs of my community. Football clubs ensure that football that begins at the grassroots in local communities in turn provides opportunities to youngsters to go on and play at the highest levels of football in this country. I have seen a number of young footballers do just that, and I will refer to them in a moment. In recent weeks I have been able to get to numerous local football games in the electorate of Makin and watch footballers from the Golden Grove, Tea Tree Gully, Pooraka, Para Hills, Ingle Farm and Modbury football clubs playing in the local league.

Fortunately for most of those clubs—and perhaps ‘fortunate’ is not the right choice of word—they have been able, through their efforts, to get into the finals in the last few weeks. Again, I have been able to go and watch some of those finals games, from the juniors right through to the seniors. What strikes me as I go to each and every one of them is undoubtedly the parochialism and the passion that you see from the followers and the supporters of football even at that very local level.

Mr Danby—it’s great, isn’t it?

Mr ZAPPIA—My colleague from Melbourne Ports says it is great. Indeed it is. In fact, it is sometimes more noticeable than what you will see at the elite level, where it is accepted that footballers are playing for a national side and you tend to see them win and lose and you watch them on television. When you go out and see them at the local level, you get more parochial and passionate about them because the chances are that you know many of the players personally, you know the families personally and each of them knows each other personally. When you get local clubs playing each other, that sense of rivalry is even greater, as it will be this Saturday when Tea Tree Gully plays Modbury in the C-grade division of the local league.

Mr Cheeseman—Which team are you supporting?

Mr ZAPPIA—In fact, they played last week and drew, and as a result of ending up in a draw they will have to replay the match this Saturday. Both sides are in my local electorate. As to which side I support, I support the side that wins, and may the best side win on the day.

Mr Danby—you were happy with the draw!

Mr ZAPPIA—in fact, I was happy with the draw. I have to say that, having gone to both of those clubs on numerous occasions, it is indeed a difficult choice to make. In reality, I per-
personally believe that what is important is that a level of sportsmanship is shown on the day and that the opportunity is provided to the players to get the most out of the football and the enjoyment that comes with winning, if that is the case, or at least having played in a final. I wish both of those sides well in their Saturday grand final.

I want to say something on a sadder note. Those clubs inevitably rely on the work of volunteers. Last month, I attended the Pooraka Football Club when it was celebrating its 40th anniversary. It is the club closest to my home and a club that I have been associated with since childhood. At the 40th anniversary I was able to catch up with a number of people that I had not seen for some years but equally with people that I see at the club almost on a weekly basis. Regrettably, two of those people, in recent weeks, have passed away. I refer to Tony Tomko and Fay Thamm, who were both stalwarts of the club and who provided an incredible amount of support over the years to the club’s administration and support base. To the families of both of them, I extend my deepest condolences. Time is running out, but on another occasion I will speak about some of the achievements of these clubs in greater detail.

Mr Robert Irwin
Fadden Electorate: Koalas

Mr Robert (Fadden) (12.38 pm)—Early this week I had the great pleasure of bringing Bob Irwin, the father of the late Steve Irwin, to parliament to get him across the key leaders in the coalition side. I thank the shadow minister for the environment, Greg Hunt; the shadow minister for energy and resources, Ian Macfarlane; the Leader of the Opposition, Malcolm Turnbull, of course; the backbench water and environment committee; and others that Bob Irwin had the opportunity to chat with.

Bob came to this place, to Canberra. It was the first time he has ever been here. He came here to speak to the leadership on our side of politics, to talk about the loss of Australian animals and his great concerns about that. As he so colloquially said, as perhaps only Bob could, ‘Steve would want me to continue his work, and if I wasn’t he’d probably give me a good kick in the bum.’ So Bob came here to speak about the loss of Australian fauna, particularly wombats, kangaroos and koalas. He made the point that there are perhaps only 200 of the northern hairy nosed wombat left, and the southern hairy nosed wombat may well be following the same path. He made the point that kangaroos are currently being culled in this nation three times faster than they are breeding and that kangaroos as small as 13 kilograms in size, not even reproducing adults, are being culled.

He also made the point that in the last few years the koala population had halved. Diseases like chlamydia were reducing the numbers quickly and 50 per cent of current female koalas were already infertile. One of the reasons I brought Bob here was that the koala population in Coomera, in the northern part of my electorate of Fadden, is particularly vulnerable and threatened. Estimates from professionals like Bob and others say that the koala population in Coomera would be wiped out if no action was taken, at worst in 12 months and at best in 24 months. I come to this place, to the halls of parliament, to say that I do not want to see the koala population in the northern part of Fadden wiped out in between one and two years. I do not want to see that happen, and we need to commit ourselves to doing everything we can to ensure that that does not happen.
One of the reasons the koala population in the northern part of Fadden, the northern Gold Coast, is threatened is habitat destruction. This parliament knows that the seat of Fadden is the fastest growing electorate in the nation, having grown by something like 32.6 per cent between the 2001 and the 2006 censuses. Everyone, frankly, is leaving the southern states and coming to that corridor between the Gold Coast and Brisbane, which is why it is a high-growth area. High-growth areas and koalas at present do not seem to mix. But they can, they should and they must.

We must look at developing in sensible ways to ensure we do not destroy the natural environment and the habitat that supports our most iconic and enduring marsupials. I have committed to work with Bob Irwin in reviewing the South-East Queensland plan that the Labor state government has put out to ensure that there are indeed the necessary corridors and green spaces to ensure the koala populations of the northern Gold Coast are not destroyed. It would be an enormous tragedy if the koalas were destroyed on my watch and I had said nothing. It is important that I stand to say that I will look at working with developers, with the local council, with the state government, with environmental organisations and with concerned citizens to ensure that the people of the northern Gold Coast, the developers of the northern Gold Coast—who do such a great job in providing places for people to live—and the koala communities can live in peace and harmony. I look forward to working with Bob towards that end.

I would like to thank Kenton Campbell, the CEO and founder of Zarraffa’s, who was also instrumental in bringing Bob to Canberra. He was instrumental in funding one of the major pieces of koala research, with Bob Irwin, that have provided so much information and knowledge about what the koala populations are doing and the things that threaten them. Business leaders like Kenton Campbell set a great example of what business can do with the environment to ensure sustainability and a great planet going forward. Lastly, I would like to say good luck to the Titans for this weekend. (Time expired)

Goldstone Commission

Mr DANBY (Melbourne Ports) (12.43 pm)—The Goldstone commission, which has just reported in Geneva, probably will not be discussed much by this parliament, reflecting its lack of credibility and the fact that the Australian government, I am sure, does not take it seriously. The mandate of this regrettable commission, investigating the divisive problem of the Middle East, has been troubled from the beginning. All of the European Union, Switzerland, Canada, Korea and Japan, refused to be associated with the UN Human Rights Council mandate for this commission because it was so biased. Distinguished individuals such as former Irish president Mary Robinson refused invitations to head the commission since it was guided not by human rights but by politics. In fact, her statement said:

I absolutely condemn what Hamas does. And that also should be a subject of inquiry—that is, the war that took place in the Middle East at the beginning of this year. She continued:

And unfortunately, the Human Rights Council passed a resolution seeking a fact-finding mission to only look at what Israel had done, and I don’t think that’s a human rights approach. We need an inquiry to look at the violations of international humanitarian law by—potential violations by all sides. That would be much fairer than the kangaroo court that, regrettably, has been established by this commission.
There is good old Australian racetrack terminology that describes the Goldstone commission: this is a racehorse sired out of malice, out of a mare named Hypocrisy. Let me cite some of the background of the incredible one-sidedness of the UN report that, regrettably, has been brought down by Justice Goldstone’s commission in Geneva. The mandate set by the Human Rights Council, run by such luminaries as Cuba, Zimbabwe, Libya et cetera pursuing it, was:

... to investigate all violations of International Human Rights Law and ... Humanitarian Law that might have been committed at any time in the context of the military operations that were conducted in Gaza during the period 27 December 2008 to 18 January 2009 ...

Now, the point about that immediately leaps out from the above is that it sets a framework where only the military action in Gaza, not what preceded it, can be investigated. As a humanitarian and as a supporter of human rights, I would not mind if a fair-minded Human Rights Council from the United Nations investigated that conflict. But you must look at what preceded the Israel army’s action in Gaza. The 8,000 rockets that landed on Israeli southern cities would be the subject as well of any investigation by a genuine humanitarian—any fair-minded person, any fair-minded United Nations organisation. The Goldstone commission is even more curious since UN Resolution S-9/1, which established the mandate for the Goldstone commission, said the Human Rights Council:

... decides to dispatch an urgent, independent ... fact-finding mission, to be appointed by the President of the Council, to investigate all violations of international human rights law ... by the occupying Power, Israel, against the Palestinian people ... particularly in the occupied Gaza Strip, due to the current aggression, and calls upon Israel not to obstruct the process of investigation and to fully cooperate with the mission.

One can understand why the Israelis, given the fact that nothing on their side was to be looked at and only what was happening in Gaza was to be looked at, would not cooperate with the mandate at all. What a very curious humanitarian commission that examines only one side. Most claims were unverifiable, made by various NGOs, including Human Rights Watch, which recently approached me to broaden their activities in Australia. Regrettably, I could not pursue their request, since Human Rights Watch have been soliciting fundraising efforts in Saudi Arabia—an extraordinary thing for a humanitarian organisation to do, given that country’s record on religious freedom, the rights of women et cetera. It is disgraceful that Human Rights Watch apparently decided to solicit funds from Saudi zillionaires on the basis of their highly critical views of the Israeli position.

Let me speak some truth about power here. The resolution to the problems in the Middle East will come when people have considerations for all sides. President Obama will soon gather together the President of the Palestinian Authority and the Prime Minister of Israel, with the purpose of reviving the talks and reaching a two-state solution. We all know this has been the Australian position since partition; this has been the just position from the beginning. That is where justice will come from, not from this one-sided report which will only set back prospects of political settlement. (Time expired)

A division having been called in the House of Representatives—
Question agreed to.

Main Committee adjourned at 12.49 pm
Citizenship Tests
(Question No. 788)

Mr Georgiou asked the Minister representing the Minister for Immigration and Citizenship, in writing, on 18 June 2009:

(1) How many people have applied to sit the citizenship test in the months of April, May and June 2009 in (a) Melbourne, and (b) Sydney.

(2) Of these, how many have been given appointments to sit the citizenship test in (a) Melbourne, and (b) Sydney.

(3) Of these, what is the average time period between the date of the application for a citizenship test appointment and the date of the citizenship test appointment in (a) Melbourne, and (b) Sydney.

(4) How many of those who applied to sit the citizenship test during the period in part (1) have not received an appointment in (a) Melbourne, and (b) Sydney.

(5) How many new appointments are available to sit the citizenship test in the months of June, July, August and September 2009 in (a) Melbourne, and (b) Sydney.

(6) Is there currently a waiting list for citizenship test appointments in (a) Melbourne, (b) Sydney, and how many people are on these waiting lists.

Mr McClelland—The Minister for Immigration and Citizenship has provided the following answer to the honourable member’s question:

(1) There is no application process for people to sit the citizenship test. People merely contact the department to make an appointment to sit a citizenship test. There is therefore no count of people who have applied in these months.

(2) Tests booked/registered

<table>
<thead>
<tr>
<th></th>
<th>Melbourne</th>
<th>Sydney</th>
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</thead>
<tbody>
<tr>
<td>April</td>
<td>2058</td>
<td>3581</td>
</tr>
<tr>
<td>May</td>
<td>2623</td>
<td>5386</td>
</tr>
<tr>
<td>June</td>
<td>2718</td>
<td>4993</td>
</tr>
</tbody>
</table>

(3) There is no application to make an appointment for a citizenship test. Average waiting times from date of making an appointment to date of sitting the test is shown in the table below:

<table>
<thead>
<tr>
<th>Average waiting time in days</th>
<th>Melbourne</th>
<th>Sydney</th>
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<tbody>
<tr>
<td>April</td>
<td>51</td>
<td>50</td>
</tr>
<tr>
<td>May</td>
<td>59</td>
<td>60</td>
</tr>
<tr>
<td>June</td>
<td>66</td>
<td>72</td>
</tr>
</tbody>
</table>

Data includes any re-sits of tests on the same day.

(4) Refer (1) above.

(5) Tests booked/registered

<table>
<thead>
<tr>
<th></th>
<th>Melbourne</th>
<th>Sydney</th>
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</thead>
<tbody>
<tr>
<td>June</td>
<td>2718</td>
<td>4993</td>
</tr>
<tr>
<td>July</td>
<td>2895</td>
<td>4956</td>
</tr>
<tr>
<td>August</td>
<td>1620</td>
<td>3663</td>
</tr>
<tr>
<td>September</td>
<td>N/A</td>
<td>N/A</td>
</tr>
</tbody>
</table>

Appointments have not yet been finalised for September due to the anticipated new test commencing during this month.

(6) There is no waiting list at this time.
Employment Services
(Question No. 851)

Dr Southcott asked the Minister representing the Minister for Employment Participation, in writing, on 11 August 2009:
In respect of the tender for the Employment Services Contract 2009-12 and the transition to Job Services Australia:
(1) How many
   (a) providers, and
   (b) site localities, have
       (i) not accepted a business offer, and
       (ii) cancelled their deeds.
(2) How many Employment Service Areas have had a provider
   (a) decline a business offer, and
   (b) cancel their deeds.
(3) In which
   (a) Employment Service Areas, and
   (b) site localities, has a provider
       (i) not accepted a business offer, and
       (ii) cancelled their deeds.
(4) What business share were the providers in part 3(a) offered.

Ms Gillard—The Minister for Employment Participation has provided the following answer to the honourable member’s question:
One tenderer which was offered appointment, in the Manning NSW, the Hastings NSW and the Macleay NSW Employment Service Areas, to the New Enterprise Incentive Scheme Panel of Providers declined that offer.
One tenderer which was offered, in the Alice Springs NT Employment Service Area, Stream Services business declined that offer.
One tenderer which received, in the New England Employment Service Area, Stream Services business subsequently executed a Deed of Termination by Consent.
Business allocation was made on an Employment Service Area basis, not on a site locality basis.
Providing a breakdown of business shares would disclose information relating to the business affairs of identifiable organisations and it is not appropriate to disclose this information without consulting them in case its disclosure could substantially and adversely affect the business, commercial or financial affairs of these organisations.

United Nations Security Council
(Question No. 857)

Ms Julie Bishop asked the Minister for Foreign Affairs, in writing, on 11 August 2009:
(1) What is the total cost, including indirect costs, of each element of the Prime Minister’s campaign for a temporary seat on the United Nations Security Council (UNSC).
(2) What length of time will the Ambassador to The Holy See devote to lobbying for votes in support of the UNSC bid.

QUESTIONS IN WRITING
Mr Stephen Smith—The answer to the honourable member’s question is as follows:
(1) The Government has allocated $1.9 million for the UN Security Council campaign for 2008-09, $5.4 million for 2009-10 and $5.7 million for 2010-11.
(2) The Ambassador to the Holy See, like other Australian Heads of Mission in their countries of accreditation, engages senior officials and other diplomatic representatives on a broad range of issues pertinent to Australia’s commitment to the multilateral system, including Australia’s UN Security Council bid and global challenges such as climate change, food security, disarmament and arms control.

Merauke Five
(Question No. 859)
Ms Julie Bishop asked the Minister for Foreign Affairs, in writing, on 11 August 2009:
(1) What contact occurred between the Australian Government and the Indonesian Government regarding the ‘Merauke Five’.
(2) Did any Australian Government officials contact the Indonesian Attorney-General or his office; if so, on what date/s.
(3) Has the Australian Government asked for an explanation for the Indonesian Attorney-General’s decision to place a travel ban on the ‘Merauke Five’ after the Indonesian High Court exonerated them; if so, (a) on what date, and (b) what was the response.

Mr Stephen Smith—The answer to the honourable member’s question is as follows:
(1) The Australian and Indonesian Governments had extensive contact about the Merauke Five.
(3) No. The District Prosecutor determined that the Australians were to remain in city detention pending the finalisation of the appeals process in the Supreme Court of Indonesia in Jakarta.

Offshore Constitutional Settlement Agreement
(Question No. 864)
Mr Haase asked the Minister for the Environment, Heritage and the Arts, in writing, on 11 August 2009:
In respect of the correspondence and attachments sent to the Minister on 3 June 2009 from the Kimberley Professional Fishermen’s Association regarding the Offshore Constitutional Settlement 200 metre isobath boundary change—
(1) Is the escalation and expansion of the North West Slope Trawl Fishery (NWSTF) bottom fish trawling in the Kimberley waters, supported by and under the management of the Australian Fisheries Management Authority (AFMA), consistent with (a) Government, and (b) AFMA, environmental and ecological sustainability policies; if so, how; if not, why not.
(2) Why is the delineating line, first set under the Offshore Constitutional Settlement agreement, for the NWSTF and the Northern Demersal Scalefish Fishery under review to be changed when the review of this boundary position and the location in which it is finally determined to lie will have a significant impact on the marine ecological environment that the Government is trying to protect.
(3) Can the Minister guarantee that the NWSTF and Western Deepwater Trawl Fishery (WDTF) boundary change will not have adverse effects on the environment; if not, why not.
(4) Does the Minister (a) support the repositioning of the boundaries, and (b) guarantee the repositioning (i) will not adversely affect the marine stocks, (ii) takes into account that the marine environment is an ecosystem, (iii) is sensitive to the scientific knowledge and fishing history gathered.
since originally defining the line, and (iv) supports the purpose of the boundary in separating the
two fisheries.

(5) If ecologically sustainable development and environmental responsibility require separating these
fisheries according to ocean floor type—the fundamental purpose of the boundary—how will the
Minister commit to looking into and acting on the matter of the Offshore Constitutional Settlement
and the NWSTF and WDTF boundaries to ensure that any change is consistent with this aim.

Mr Garrett—The answer to the honourable member’s question is as follows:

(1) In November 2007, the management arrangements for the North West Slope Trawl Fishery were
assessed against the Australian Government Guidelines for the Ecologically Sustainable Manage-
ment of Fisheries – 2nd Edition and accredited for the purposes of Part 10 (strategic assessment),
Part 13 (protected species provisions) and Part 13A (wildlife export provisions) of the EPBC Act.
AFMA are required to formally advise me of any changes to the management arrangements that
may affect this assessment, so that I can ensure that the fishery continues to meet the environmental
and ecological sustainability requirements of the Environment Protection and Biodiversity Conser-
vation Act (EPBC Act).

AFMA are yet to formally notify me of any intended changes to the fishery’s management ar-
rangements.

(2) The Review of Offshore Constitutional Settlement agreements is the responsibility of the Minister
for Agriculture, Fisheries and Forestry.

With respect to the environmental and ecological sustainability of the fishery, see my response to
question 864(1).

(3) See my response to question 864(1).

(4) See my response to question 864(2).

(5) See my response to question 864(2).

Kimberley: Trawl Fisheries
(Question No. 866)

Mr Haase asked the Minister for the Environment, Heritage and the Arts, in writing, on 11
August 2009:

In respect of the opening of the Kimberley waters to the Commonwealth licensed trawling—

(1) Why have the many thousands of square kilometres of sustainably managed State fisheries of
demersal scalefish (found on sponge and coral bottom) been opened to Commonwealth managed
trawling, when a temporary closure to Commonwealth licensed trawling in the Kimberley was
implemented by the Australian Fisheries Management Authority (AFMA) in 2007.

(2) Can the Minister guarantee that opening the Kimberley to Commonwealth licensed trawling will
not have adverse effects on the environment; if not, why not.

(3) Can the Minister guarantee that the AFMA’s decision to open the Northern Demersal Scalefish
Fishery (NDSF) fishing grounds in the Kimberley to Commonwealth trawling will not lead to the
closure of the NDSF as a result of depleted supply; if not, why not.

Mr Garrett—The answer to the honourable member’s question is as follows:

(1) Management of Commonwealth-managed fisheries is the responsibility of the Minister for Agricul-
ture, Fisheries and Forestry, through the Australian Fisheries Management Authority.

(2) See answer to Question 1, House of Representatives Question No. 864.

(3) See answer to Question 1, House of Representatives Question No. 864.
Kimberley: Trawl Fisheries

(Question No. 868)

Mr Haase asked the Minister for the Environment, Heritage and the Arts, in writing, on 11 August 2009:

(1) Has the Minister read the email sent on 10 June 2009 at 4.17 p.m. by Mr Paul Murphy, Acting Executive Manager of Australian Fisheries Management Authority (AFMA), to Mr Bob Masters of the Kimberley Professional Fishermen’s Association, entitled WestMAC Meeting today; if so, does the Minister support the views of, and approach taken by, Mr Murphy; if so, why.

(2) Is the Minister aware that 400 kilograms of Goldband Snapper was thrown over the side of a North West Slope Trawl Fishery (NWSTF) trawler in just one morning, with an AFMA observer on board; if so, does he support such action.

(3) What controls are in place to help facilitate environmentally sustainable and responsible management of fisheries trawling demersal scalefish on coral/sponge bottom in the Kimberley waters.

(4) Has an Ecological Risk Assessment been conducted by AFMA for the NWSTF and the Western Deepwater Trawl Fishery on trawling damage to benthos; if not, why not.

Mr Garrett—The answer to the honourable member’s question is as follows:

(1) No.

(2) No.

(3) The management arrangements for the North West Slope Trawl Fishery have been assessed against the Australian Government Guidelines for the Ecologically Sustainable Management of Fisheries – 2nd Edition and accredited for the purposes of Part 10 (strategic assessment), Part 13 (protected species provisions) and Part 13A (wildlife export provisions) of the EPBC Act.

The nature of demersal trawling means that the potential for significant impacts on benthic environments is generally high. For this reason the Government’s assessments under the EPBC Act take into account the number of active operators, level of effort and extent of fishing grounds in determining the likely impact of a fishery on ecosystems, including benthic habitats.

(4) Yes.

Overseas Trained Doctors

(Question No. 873)

Mr Robert asked the Minister for Health and Ageing, in writing, on 11 August 2009:

(1) As at 11 August 2009, how many medical specialists overseas trained doctors are working in Australia in Districts of Workforce Shortage.

(2) What is the Government doing to enable these medical specialists, if they choose, to (a) remain in Australia indefinitely, and (b) continue working in Districts of Workforce Shortage throughout their professional lives.

Ms Roxon—The answer to the honourable member’s question is as follows:

(1) Figures on Overseas Trained Doctors (OTDs) are run at the end of each month. As at 31 July 2009 there were 1404 Specialist OTDs working in Districts of Workforce Shortage (DWS).

(2) (a) Permanent entry to Australia for OTDs is available through the General Skilled Migration Program, the Employer Nomination Scheme and the Regional Sponsored Migration Program.

For immigration purposes, doctors seeking permanent residency in Australia must hold full medical registration. The following is acceptable as evidence of full registration:

• full/unconditional/general medical registration;
conditional specialist registration which allows the doctor to practice only in their particular speciality, with no other training or supervision requirements.

The Government provides funding under the Specialist Training Program (STP) to support overseas trained specialists seeking to achieve fellowship to a specialist college in Australia and support their permanent entry and retention. Since 1 July 2007, the Government has provided funds to support 157 candidates seeking fellowship to a specialist medical college.

(b) The 2009 Budget Measure – Rural Health Workforce Strategy includes a number of initiatives to better target workforce incentives and retain medical practitioners in communities in greatest need. The Australian Standard Geographical Classification – Remoteness Areas (ASGC-RA) forms the basis of the whole rural health 2009-10 Budget measure. Under this measure, rural incentives will target ASGC-RA 2 (Inner Regional) to RA 5 (Very Remote) which will significantly increase the number of eligible rural doctors.

Scaling of the 10 year moratorium

OTDs are subject to Medicare provider number restrictions that generally require the doctor to work in a DWS for a 10 year period. From 1 July 2010, the 10 year moratorium period will be scaled so that the greater benefits are targeted to the most remote areas. OTDs will be able to reduce their moratorium period depending on the location in which they choose to practice, from 10 years in ASGC-RA 1 (inner cities) to 5 years in ASGR-RA 5 (very remote).

Literacy and Numeracy

(Question No. 888)

Mr Robert asked the Minister for Education, in writing, on 12 August 2009:

In respect of her letter dated 16 July 2008 to Dr Bruce Cruicks, Developer and Chief Executive Officer, Readwell Systems, where she stated ‘the Government will provide $577.4 million over four years to support schools to improve literacy and numeracy outcomes, starting with those students most in need of educational support’, has she considered Readwell Systems programs as part of this four year support for improving literacy and numeracy in schools; if not, why not; if so, has she passed her findings onto Centrelink, given the Government has indicated that up to 60 per cent of Centrelink’s clients have difficulties with literacy and/or numeracy.

Ms Gillard—the answer to the honourable member’s question is as follows:

The 2008/09 Budget announced funding of $577.4 million over four years to deliver a National Action Plan for Literacy and Numeracy.

The Smarter Schools National Partnership Agreement for Literacy and Numeracy is the centrepiece of the National Action Plan for Literacy and Numeracy. Under this National Partnerships $500 million will be directed to state and territory education authorities to put in place reforms that will drive accelerated and sustained literacy and numeracy improvements.

Under the National Partnership jurisdictions are able to build on practices that are working and adopt programs that suit the needs of their schools. The Australian Government does not prescribe or recommend the use of particular programs or practices through this process.

The Australian Government has also invested $41 million in 30 pilot initiatives around Australia. Over 400 schools are actively involved in finding out what works to improve literacy and numeracy outcomes for students most in need of support.

Eligible job seekers with language literacy and numeracy barriers to sustainable employment and/or further education and training can be referred by Centrelink and/or Job Services Australia providers to the Department of Education, Employment and Workplace Relations’ Language, Literacy and Numeracy Program.
The Language, Literacy and Numeracy Program is delivered by Registered Training Organisations and the Program provider is responsible for developing appropriate training and delivery strategies to meet client needs using accredited language, literacy and numeracy curricula and/or relevant competencies from approved training packages. Client language, literacy and numeracy skills gains are reported and independently verified against the Australian Core Skills Framework.

**Small Business Payments**  
(Question Nos 896 to 919)

Mr Ciobo asked the Prime Minister and other ministers, in writing, on 12 August 2009:

1. From 1 July 2008 to 30 June 2009:
   a. how many and what percentage of payments made by the Minister’s department to small businesses were not made within (i) 30, and (ii) 60 days of receipt of the goods or services invoice; and
   b. what was the average time lapsed between invoice received and payments made by the Minister’s department to small businesses.

Mr Rudd—On behalf of all ministers, the answer to the honourable member’s question is as follows:

As the information sought by the honorable member will not be available to departments in a consolidated form until November 2009, I consider it would be an unreasonable diversion of resources to provide the requested information.

**Vocational Education and Training**  
(Question No. 933)

Dr Southcott asked the Minister for Education, in writing, on 13 August 2009:

For the (a) 2007-08, (b) 2008-09, (c) 2009-10, (d) 2010-11, (e) 2011-12, and (f) 2012-13, financial years, how many students (i) participated or are forecast to participate in vocational and technical education in schools, and (ii) have undertaken or are forecast to undertake a school based apprenticeship.

Ms Gillard—The answer to the honourable member’s question is as follows:

There were 171 700 students involved in vocational education and training activity in schools during the calendar year 2006. Of these students, 12 900 were undertaking a school-based apprenticeship. These are the most recent data available from the National Centre for Vocational Education Research, and relate only to publicly-funded activity. Calendar year data for 2007 are expected to be released in September 2009.