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FORTY-FOURTH PARLIAMENT
FIRST SESSION—FOURTH PERIOD

Governor-General
His Excellency General the Hon. Sir Peter Cosgrove AK, MC (Retd)

House of Representatives Office holders
Speaker—Hon. Bronwyn Kathleen Bishop MP
Deputy Speaker—Hon. Bruce Craig Scott MP
Second Deputy Speaker—Mr Robert George Mitchell
Members of the Speaker’s Panel—Mrs Karen Lesley Andrews MP,
Mr Russell Evan Broadbent MP, Mr Alexander George Hawke MP,
Mr Ian Reginald Goodenough MP, Mrs Natasha Louise Griggs MP,
Mr Ewen Thomas Jones MP, Mr Craig Kelly MP, Hon. Charles Christian Porter MP,
Mr Donald James Randall MP, Mr Ross Xavier Vasta MP, Mr Brett David Whiteley MP

Leader of the House—Hon. Christopher Pyne MP
Deputy Leader of the House—Hon. Luke Hartsuyker MP
Manager of Opposition Business—Hon. Anthony Stephen Burke MP
Deputy Manager of Opposition Business—Hon. Mark Dreyfus QC MP

Party Leaders and Whips
Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Government Whip—Hon. Philip Maxwell Ruddock MP
Government Whips—Mr Scott Buchholz MP and Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Deputy Leader—Hon. Barnaby Thomas Gerard Joyce MP
Chief Whip—Mr Mark Maclean Coulton MP
Deputy Whip—Mr George Robert Christensen MP

Australian Labor Party
Leader—Hon. William Richard Shorten MP
Deputy Leader—Hon. Tanya Joan Plibersek MP
Chief Opposition Whip—Mr Christopher Patrick Hayes MP
Opposition Whips—Ms Jill Griffiths Hall MP and Ms Joanne Catherine Ryan MP

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<td>LP</td>
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<tr>
<td>Wicks, Mrs Lucy Elizabeth</td>
<td>Robertson, NSW</td>
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## Members of the House of Representatives

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<td>Denison, TAS</td>
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<tr>
<td>Williams, Mr Matthew</td>
<td>Hindmarsh, SA</td>
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<td>Wilson, Mr Richard James</td>
<td>O'Connor, WA</td>
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<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<tr>
<td>Wyatt, Mr Kenneth George AM</td>
<td>Hasluck, WA</td>
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<tr>
<td>Zappia, Mr Antonio</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; NATSWA—The Nationals WA; CLP—Country Liberal Party; AUS—Katters Australia Party; AG—Australian Greens; PUP—Palmer United Party

## Heads of Parliamentary Departments

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- Clerk of the House of Representatives—D Elder
- Secretary, Department of Parliamentary Services—C Mills
- Parliamentary Budget Officer—P Bowen
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<tr>
<td>Minister Assisting the Prime Minister for Women</td>
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<td>Assistant Minister for Education</td>
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<tr>
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<td>The Hon. Bob Baldwin MP</td>
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<tr>
<td>Minister for Social Services</td>
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<tr>
<td>Assistant Minister for Social Services (Manager of Government Business in the Senate)</td>
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<tr>
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<tr>
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<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon. David Johnston</td>
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<td>Minister for Veterans' Affairs</td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
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<td>Senator the Hon. Michael Ronaldson</td>
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<td>Special Minister of State</td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
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<td>Hon Bill Shorten MP</td>
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<td>Shadow Minister Assisting the Leader for Science</td>
<td>Senator the Hon Kim Carr</td>
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<td>Hon Bernie Ripoll MP</td>
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<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
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Tuesday, 2 December 2014

The SPEAKER (Hon. Bronwyn Bishop) took the chair at 12:00, made an acknowledgement of country and read prayers.

MINISTERIAL STATEMENTS

National Road Safety Strategy

Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development) (12:01): by leave—I would like to report to the parliament on the Australian government's progress on improving road safety. This is the third such statement since the National Road Safety Strategy was inaugurated in 2011, in collaboration with the states and territories.

As we all know, road safety is a complex and emotive issue. Almost everyone has been, or will be, affected by a death or serious injury on our roads. Every road casualty impacts on the lives of victims' families, their friends and their communities. And it also places a great burden on our hospitals and healthcare system.

Road trauma report

At the last election, the government made a commitment to commission a report on the impact of road trauma. The report, released today, shows that road trauma remains a huge cost to the nation, at an estimated $27 billion per year. This is the equivalent of 18 per cent of health expenditure and 1.8 per cent of gross domestic product. While these figures are confronting, we are making significant progress. Each year we are seeing a steady reduction in road deaths. For the first time since national statistics began in 1925, the population rate of road deaths in Australia has fallen to five deaths per 100,000 people. This is the lowest rate on record—a major milestone when you consider that the number of vehicles on our roads has increased from 300,000 to over 17.6 million.

While these figures are encouraging, they will mean very little to a family member, or a friend, of someone who has died or been seriously injured on our roads. The reality is that almost 1,000 people have died on our roads so far this year. Every life lost on our roads is a tragedy and the government is committed to doing more to further reduce the road toll.

The National Road Safety Strategy champions the vision that no person should be killed or seriously injured on Australia's roads. Everyone has a role to play in this vision—from each level of government to every road user. While state governments carry core responsibility for road safety, the Australian government can make a valuable contribution by building better roads, improving vehicle safety, and driving a coordinated approach.

Building safer roads

When we talk about infrastructure investment, we tend to focus on the productivity benefits, overlooking the safety outcomes often. The safety benefits generated from better roads should not be underestimated. For instance, the duplication of the Hume Highway has reduced annual fatalities by 85 per cent, and cut annual crashes from 2,499 in 1976 down to 1,062 in 2013. Similarly, fatalities have been halved on the Pacific Highway since upgrades began in the mid-1990s. The New South Wales government has estimated that upgrading the Pacific Highway to dual carriageway will prevent 1,000 deaths and 7½ thousand injuries.
The government's record $50 billion investment in infrastructure will deliver new corridors in all major cities, making a massive difference to road safety. The Perth Freight Link in Western Australia is expected to remove tens of thousands of vehicles a day from the surrounding road network. Similarly, the WestConnex project in New South Wales is expected to remove 3,000 trucks a day from Parramatta Road. Each of these investments will save lives and reduce road trauma, not only on these major highways, but also on nearby local road networks. Road safety benefits will also flow from our investments in the North South Corridor in Adelaide, the Gateway Motorway North in Brisbane, the East West Link in Melbourne and the Midland Highway in Tasmania.

Our additional investments also recognise that small changes can go a long way in delivering safety outcomes. That is why we have allocated $229 million to establish the National Highway Upgrade Program. This new program will improve Australia's key national highway networks by funding the types of minor works recommended by today's report on road trauma.

We are also investing an additional $200 million in the Black Spot Program, bringing our total commitment to $500 million over the next five years. This program has been incredibly successful since its introduction in 1996. A recent evaluation of the program found that fatal and casualty crashes are reduced at treated sites by 30 per cent, equalling one life per year for every 84 projects. I am pleased to say that the government has updated the program's eligibility criteria, making it easier for local communities to secure funding. These changes will ensure that black spot funding reaches our most dangerous roads, with at least 50 per cent of black spot funding earmarked for regional Australia, where more than 60 per cent of road deaths occur. The government has also updated the program to encourage the treatment of known hot spots, before they cause accidents and take lives.

**Improving vehicle safety**

Advances in vehicle technology will play a pivotal role in reducing road trauma. Globally, vehicle technology is on the edge of major transformations which will reduce the road toll exponentially. For instance, autonomous emergency braking systems are expected to save over 1,200 lives and prevent 54,000 hospitalised injuries by 2033. Critically, these improvements will be of key benefit to cyclists and pedestrians—some of our most vulnerable road users who are over represented in road toll figures. While this progress is being driven by industry, the government will have a key role in promoting this technology in Australia. Although the Australian government has no direct control over road rules, we do determine which new vehicles enter the Australian fleet under the Motor Vehicles Standards Act.

**Motor Vehicle Standards Act**

In recent years, sections of the act have become outdated as significant changes in vehicle technology and vehicle manufacturing have taken place. We need an efficient regulatory system that encourages innovation, improves productivity and provides for competition. That is why I announced a major review of the Motor Vehicle Standards Act earlier this year.

The review is focused on reducing regulatory burdens on business and ensuring that consumers have access to the safest cars at the lowest possible cost. I released a discussion paper earlier this year and have been working closely with stakeholders to refine the options for reform. The Productivity Commission's proposal to reduce restrictions on second-hand
imports was one of many ideas canvassed in the discussion paper. While such a move might reduce the cost of second-hand cars, the evidence from New Zealand suggests that it would certainly increase the age of our fleet and therefore diminish safety. As I have said before, and will repeat now, the government is not inclined to open the Australian market to second-hand imports.

However, given the move to international standards and changes in Australia's manufacturing industry, it is worthwhile to look at options for the personal importation of new cars. Consideration of this reform will be underpinned by a commitment to provide Australian consumers with access to the lowest cost, safest and youngest fleet possible. I welcome an open debate on all options for reform, and have invited all stakeholders to put forward their ideas for change.

**Harmonising with international standards**

Pending the outcome of this review, I have initiated a process to accelerate harmonisation of Australian Design Rules with international standards. Harmonisation will keep our standards in line with international best practice. This move will provide consumers with access to the safest new vehicles from the global market immediately and at the lowest possible cost. The automatic adoption of UN regulations will also remove unnecessary layers of bureaucracy, reducing red tape for the longer term. And by reducing meaningless red tape, we will have more time to work with the international community as UN regulations are developed. In this regard, the Australian government will continue to make a vigorous contribution to improving vehicle standards internationally.

**Heavy vehicle safety**

The need for a national approach to heavy vehicle regulation has been highlighted by a recent spate of devastating accidents right across the country. This includes a number of fatal accidents and near misses on the South Eastern Freeway just outside my own electorate. I am working closely with the South Australian government to deliver the right safety solution for the South Eastern Freeway. Similarly, the Australian government is working with every jurisdiction to improve heavy vehicle safety through the establishment of a Heavy Vehicle National Law and a National Heavy Vehicle Regulator.

The new laws are important because they provide a consistent set of rules across key areas, including road access, driver fatigue and vehicle safety. It provides users and operators with greater confidence and certainty of their obligations. This landmark reform will continue to develop over time and will deliver ongoing reductions in the red tape encountered by heavy vehicle operators who work across multiple jurisdictions.

**Coordinating effort**

A third area of focus for the Australian government is the setting of national road safety goals, objectives and action priorities. As I have noted, road deaths have been on a downward trend in recent years. However, the gains have not flowed equally to all road users. The latest statistics show that deaths of cyclists are only increasing. While the overall road toll has decreased by 3.7 per cent per year, cyclist deaths have risen by 7.4 per cent year on year over the past five years. It is vital that governments work together to turn this trend around.

Transport ministers in all states and territories have agreed to consider implementing a minimum one-metre overtaking distance for cars passing cyclists, informed by the outcome of
Queensland's current trial. I welcome this commitment, and the ACT government's recent decision to make this change more immediately. I commend the Amy Gillett Foundation for having so vigorously campaigned for the 'a metre matters' message and cycling safety more broadly—a contribution well recognised by the Australasian College of Road Safety which recently awarded the foundation its highest honour in road safety.

I would like to welcome the ongoing effort of various groups who champion road safety across Australia. The tireless work of these stakeholders—too many of them to mention today—will remain integral to preventing tragedies on Australian roads.

**Road Safety Action Plan**

The government recently led a major, mid-term review of the National Road Safety Strategy, culminating in a new three-year action plan endorsed by all state transport ministers. The action plan sets a number of priorities which will refocus effort on delivering road safety outcomes. This includes a number of actions for the Australian government. Key amongst these are several actions which will improve vehicle safety.

First, the government is pursuing improved side impact protection—a significant reform which Australia led through the United Nations. The government is also committed to mandating anti-lock brake systems for new motorcycles and electronic stability control for new heavy vehicles. Combined, these actions will save hundreds of lives and prevent thousands of injuries. The current national strategy is aiming to achieve at least a 30 per cent reduction in the number of deaths and serious injuries by 2020. National fatality numbers are now 17.4 per cent below the strategy baseline, putting us well on track to achieving this reduction target. But with a concerted effort I believe we can achieve much more than a 30 per cent reduction.

**Conclusion**

Australia has a commendable record on road safety achievement stretching back over four decades. But we cannot afford to be complacent.

As I said at the recent National Road Safety Forum held here in Canberra, road safety is not 'owned' by the Australian government or by governments collectively. As a government, we set the rules where they are needed and ensure business settings are right for innovation.

Manufacturers can implement new safety technology, and governments can improve roads and road rules. But there is no substitute for responsible and safe driving. Road safety is, and will continue to be, everyone's responsibility. With Christmas almost upon us, this is a timely reminder for everyone to drive safely and take extra care during this busy period. Too often the festive season turns into tragedy. If you are planning travel over the holiday period, please take care. By being responsible we can all remember this Christmas as a time of togetherness and not tragedy. Thank you, Madam Speaker.

**The SPEAKER:** If you would present a copy of your statement to the Clerk.

**Mr BRIGGS:** Madam Speaker, I present a copy of the statement to the House and I ask leave of the House to move a motion to enable the member for Perth to speak for 13½ minutes.

Leave granted.

**Mr BRIGGS:** by leave—I move:
That so much of standing orders be suspended as would prevent the member for Perth speaking in reply to the Minister's statement for a period not exceeding 13½ minutes.

Question agreed to.

Ms MacTIERNAN (Perth) (12:15): Can I commend the Assistant Minister for Infrastructure and Regional Development for bringing forward this road safety report. It is important to recognise that there has been a great deal of bipartisanship in this area. We all recognise that it is a great tragedy for so many Australian families each year that we still have so many deaths on our roads. I do think there has been a very sincerely felt joint commitment from both state and federal governments to get on top of these issues and do what we can to reduce this annual carnage that occurs on our roads. I do concur with many of the conclusions that the assistant minister has come forward with today.

Of course, we have a slightly different perspective on some of these factors. There is no doubt that investment in roads—and well-designed roads—can certainly improve the safety of those roads. But I do think it is very important to understand that research quite clearly shows that investment in public transport and, indeed, investment in rail is even more effective in improving the safety on our roads. Some interesting statistics have come out of the World Health Organization showing that, after investment in rail, thereby taking people off the roads, there has been a marked decline in the number of road accidents and fatalities in a number of cities. We need to look at these things more holistically than simply focusing on the construction of roads.

I note that the assistant minister made reference to the building of the East West Link. I put it to the minister that the decision by the Andrews government to invest in the Metrolink will enable many more trains to run on the Melbourne system and that the increment that that can deliver to road safety is likely to be greater than that which would have been generated by the construction of the East West Link.

I do note and we commend the government for the increase in funding in black spot areas, which at this stage is scheduled to take place in 2016 and 2017. We do hope that that survives the various travails—

Mr Briggs: This year and next year.

Ms MacTIERNAN: The extra $200 million in Black Spot funding?

Mr Briggs: Correct.

Ms MacTIERNAN: That is interesting.

Mr Briggs: I can send you all the documents.

Ms MacTIERNAN: In the Black Spot?

Mr Briggs: And the Roads to Recovery—the extra money there as well.

Ms MacTIERNAN: It is positive to hear that. I am sorry; I was operating on advice on that. I do note that we have changed the BCR ratios for the black spot funding from two to one, to one to one. We support that, provided that it does not mean that projects that do deliver a two to one or something in excess of one to one will not be given less preference than those that are given the one to one.

There has been form in the past where Roads of National Importance became 'roads of National Party importance.' The Black Spot Program is a very important program. As I said,
we commend the government for increasing the funding to it. But it must be very much focused on delivering to areas of greatest need. We would be very concerned if we had projects that were achieving a BCR of two or more that suddenly found themselves not being funded because the ratios had been expanded. Obviously, we will be monitoring that.

In relation to the personal importation of new cars, notwithstanding the fact that we do not agree that the Australian motoring industry is necessarily dead and that it may well be possible if we get back into government in 2016 to keep this industry alive, we are certainly open to reviewing the rules on the personal importation of new cars. However, we do note that this should be subject to the caveat that came with the report to the minister earlier this year that regulation would need to include an appropriate enforcement regime that was rigorous enough to detect identified hazards with vehicles being imported.

We do note and we agree with the assistant minister that there has been a lot of technology that has driven improvements in road safety. We agree that we need to ensure that we have mechanisms in place so that we can incorporate those as quickly as possible. We note that it is quite possible that within the next decade, or two decades, we may even see the ultimate safety: the development of the driverless car. That technology is now becoming quite seriously entertained.

But we note that there was a recent report from the World Health Organization that made the point that we have, since the 1970s, been looking at a range of developments of vehicle standards that very much focus on making the persons within that car safer and that really we now need to be doing more to focus on making vehicles safer for the non-car road user. This picks up some of the comments and concerns made by the assistant minister about the safety of cyclists. There are new global standards for pedestrian safety that focus around the design of vehicles. So, it is not just about protecting the people who are inside; within those standards there is innovative technology, such as bonnet airbags. And I think the minister did acknowledge autonomous emergency braking, which really offers an improved prospect of safety for vulnerable road users. The bonnet airbags are certainly one thing that we should be investigating.

I note and understand the minister's expressions of support for the Amy Gillett Foundation and the understandable concern that many cyclists have about their safety on our roads. Within the cycling community there is a lot of concern that the one-metre rule has now become the focus of cycling safety and there is really not that much evidence that, of itself, that is an answer to the problem for cyclists or is even achievable on many of our roads, particularly narrow roads in inner-city areas. It is being trialled; I understand that. But I guess this takes us to another point, and a point that was made by transport safety personnel from Monash University, that unfortunately in the overall spend on road safety research the area of funding of research into cycling safety is massively underdone. And I would say to the assistant minister—if I could get his attention for a moment here—that we really do need to be doing some more-detailed research on what actually works in cycling safety. There is certainly a lot of emotion surrounding the work of the Amy Gillett Foundation, and I totally understand that. But many in the cycling community and in the road safety area say that this is an area where we have to do more research and that we have not focused enough on the most reliable way to protect the safety of cyclists.
I note with some concern the assistant minister's apparent view of the Australian Design Rules as meaningless red tape. The minister has said that he wants to harmonise the Australian Design Rules for vehicles with the UN rules. Now, there is no doubt that there has been a long-term bipartisan government objective to, where possible, align the ADRs with the UN regulations. That has gone back to 1999, and we have made significant progress towards that. But the minister's own review of the motor vehicle standards earlier this year did in fact say that there was cause for concern. The report said:

While there are opportunities to reduce the regulatory burden and compliance cost by minimising the unique characteristics of the ADRs, this should not be at the cost of lowering road safety in Australia or constraining productivity. … Australian regulators are contributing to development of updated UN Regulations but the ADR should not be made less rigorous in the meantime.

They point to the 12 ADRs that are not aligned to the UN regulations, and in each case the Australian regulations are either more stringent or there is no UN coverage for that requirement. And that relates particularly to the area of heavy vehicles, where we have many unique combinations—combinations that are not found in Europe or in North America. So I think we have to be very cautious here. For example, our child restraint standard is much more stringent than the UN regulations, and I think we have to be very, very cautious that we are not allowing a fetish on red tape to take us down the wrong path.

We note the minister's concern about heavy vehicle safety—a very major area of concern. I would like the assistant minister to let us know and let the Australian public know whether or not they are seriously continuing with their review of the Road Safety Remuneration Tribunal. We know that the work of that tribunal is very much focused on addressing this core problem of driver fatigue and of drivers being required by commercial considerations to work hours and in a manner that is simply unsafe. So, we would urge the minister that his concern for heavy vehicle safety transmutes into a commitment to allowing the Road Safety Remuneration Tribunal to do its very important work in continuing to protect not only the truck drivers but also all those other people who are sharing the roads with our truck operators. (Time expired)

BILLS

Counter-Terrorism Legislation Amendment Bill (No. 1) 2014
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mr PORTER (Pearce) (12:29): I rise to speak on the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014, which enacts amendments to the Criminal Code Act 1995 and the Intelligence Services Act. With respect to the latter act, the bill makes explicit the statutory duty of ASIS to assist the ADF in overseas military operations and it also addresses some limitations in emergency ministerial authorisations which apply variously to ASIS, ASD and AGO.

The contribution I wish to make today will deliver some observations regarding the amendments in this bill to the Commonwealth Criminal Code. Essentially, the bill amends the control order provisions of the Commonwealth Criminal Code to allow them to be obtained in a new set of circumstances. I want to make three observations in the time available. First of
all, I want to note what this bill effects in terms of changes to the present control order regime. Secondly, I want to provide some consideration of what the control order system in the Commonwealth Criminal Code is—that is, provide a brief examination of the mechanics of what the control order system does. Thirdly, I want to provide a brief assessment on who in this parliament and in our civic society are opposed to these changes and why. To anticipate the conclusion of this third observation, in a time when bipartisanship is rare—this does have bipartisanship support—the opposition that is presently provided in and outside of this parliament to these changes, and indeed to the control order system per se, I would describe as representing a fringe element of Australian society. I also want to make some comments about why it is that the reasons they offer for opposing these changes to the control order system are wrongheaded, completely ill informed and represent a laziness that should not be delivered to the level that it has been in this parliament.

Firstly, with respect to the changes to the control order system, control orders can be sought in a number of circumstances and, to receive one, certain things have to be shown to a certain standard. What this bill does in essence is slightly but importantly broaden the bases upon which you can seek and eventually receive a control order, should you be able to prove to the requisite standard certain things. The extension is with respect to two possible scenarios. Firstly, the AFP member can seek the Attorney-General’s consent, or indeed a court can issue a control order, in circumstances where it can be shown that the order would substantially assist in preventing the provision of support for, or the facilitation of, a terrorist act. The second broadening is that the AFP can seek, and a court can issue, a control order if it can be shown to the relevant standard that the control order would assist in preventing the provision of support or facilitation of a terrorist act or engagement in a hostile activity. So there are two extensions—showing that it can assist in preventing the provision of support or facilitation, or showing that it can prevent engagement in a hostile activity in a foreign country. The reason that has become necessary is clear to bipartisan members of the coalition and the Labor Party, and it is simply that those two things are now occurring with greater frequency than they did in the past. So there has become a need to add to the list of things that form the basis of a control order those two phenomena that we are now encountering.

Those are relatively modest changes to the extent that they expand the control order regime, but they are very important for the fact that they represent the ability of the government to adapt and improvise and overcome new phenomena in the execution of terrorism and terrorist acts. That brings me to my second point, which is a description of what control orders do. Perhaps there is no better simple description of what they do than in the 2008 publication by the Australian Human Rights Commission *A Human Rights Guide To Australia’s Counter-Terrorism Laws*. It says:

A control order can allow a variety or obligations, prohibitions and restrictions to be imposed on a person for the purpose of protecting the public from a terrorist act. For example, a control order can require a person to stay in a certain place at certain times, prevent a person from going to certain places or talking to certain people, or compel the person to wear a tracking device. These restrictions can impact on fundamental rights and freedoms, including the rights to liberty, privacy, freedom of association, freedom of expression and freedom of movement.

That is a relatively simple, crisp and fair description provided by the Human Rights Commission. Control orders place obligations or restrictions on a person—most often attaching to that person’s freedom of movement and, obviously, their liberty—based on
something that has been shown to a civil standard of proof. That something is set out in the act, and what we are debating here today is whether that something should be extended to those two things I mentioned—that is, showing that the order would substantially assist in preventing the provision of support for, or facilitation of, a terrorist act or engagement in a hostile activity.

It is worth noting that being able to go before a court as a law enforcement officer on behalf of a law enforcement organisation and convince a court to some civil standard that something has happened or that something is likely to happen and thereby you need an order to prevent that thing from happening is an often used mechanism across all jurisdictions in Australia and all common law jurisdictions. There is nothing radical, novel or new about that type of provision. I would also make the point that there are a whole range of things that fall into this category; this type of mechanism. Bail is one of those things. Restraining orders in domestic violence circumstances are another example. It also includes prohibited behaviour orders, which exist in the Western Australian jurisdiction; anti-social behaviour orders, which exist in the UK; control orders in a range of legislation aimed at outlaw motorcycle groups throughout Australia; and dangerous sex offender legislation that exists in a range of jurisdictions throughout Australia. These all engage this fundamental mechanism that is also engaged in in the control order provisions of the Commonwealth Criminal Code, which is to require a law enforcement authority to show to a civil standard that something may happen. If they can do that, certain consequences will flow—orders issued by the court which, if breached, have penalties attached.

The standards for all of those things I have mentioned—bail, VROs, PBOs, ASBOs, bikie legislation and dangerous sex offender legislation—often vary but they are all civil standards. So, in the most serious of circumstances—for instance, the continuing detention of a dangerous sex offender—you will likely find that the civil standard will be a high probability, or more likely than not. In the case of control orders, it is a balance of probabilities—so, if you like, crudely, a 50 per cent prospect of the thing argued to be likely to happen actually happening. But there are also lower standards that are often used in things like bail and so forth, which are reasonable belief or reasonable suspicion. All of the standards that apply to these types of civil orders fall significantly beneath the criminal standard, which is the highest standard known to the law: beyond reasonable doubt.

Thereby, in summary, they are civil orders; they are decided by a court on a civil standard and, in the case of control orders, balance of probabilities. They have been held by a succession of High Court decisions to be protective, not punitive orders in terms of their legal definition. That is to say that they protect the public and indeed in many instances protect the interests of the subject, often protecting them from themselves and their own proclivities. Finally, they have been found on a number of occasions to breach no principle of our Constitution. They do not confound the role of the executive with that of the judiciary; they do not breach the Kable principle, as has been shown in cases like Thomas and Mowbray; nor do they breach any constitutional principle applying in Australia to the procedural fundamentals of a fair trial. They are used very often; they are constitutional in every given respect. What they do is provide a system which assesses a person's future risk of doing a certain thing which society views as incredibly dangerous, unwarranted or unwelcome and
then make certain restrictions on a person's liberty based on that assessment of risk—the prospective assessment of risk.

The point that I would then go on to make, which is the second point of this contribution, is that those people in this parliament and outside it who are opposed to these changes to control orders are also opposed consistently to the control order regime itself and in many instances explicitly show their opposition to all of those other types of civil based orders that I have described or indeed, by logical inference, have to be opposed to those types of things.

I will give one example from Senator Leyonhjelm in the other place. He said:

... something, in and of itself, obnoxious because it confounds the basic principle that people should not be deprived of their liberty without a finding of guilt.

This is in reference to this very bill. He goes on to say:

Finally, control orders are civil orders—the grounds for one need only be made out on the balance of probabilities—yet to breach one attracts a penalty of five years' imprisonment. The idea of sending someone to jail for five years for something he says, on a balance of probabilities, should not be entertained in a liberal democracy.

I must say that is wrong, inconsistent, confused and a gross misapprehension of the actual situation that exists in criminal and civil law.

With regard to arguing that this confounds some basic principle that people should not be deprived of their liberty without a finding of guilt: if what is being proposed is that such a principle should exist, that is one thing. If what is being proposed is that such a principle does exist, it is completely and utterly wrong. The real fact is that, in a whole range of circumstances, people in Australia are jailed for breaching civil orders which are given on balances of proof well beneath the criminal standard. The mistake that is being made here is to confuse the jailing with the breach of the order, with the standard that is required for the delivery of the order itself. And, again, what it misunderstands is the fact that these types of orders exist everywhere in Australia in a whole range of circumstances.

The reality is—I will provide this example—that, if you oppose a control order on the types of bases that Senator Leyonhjelm does, you must also by necessary inference oppose a violence restraining order as a matter of system and principle. A violence restraining order is applied for, often by local police on the basis that they say there is a balance of probabilities risk that certain behaviour will occur in future based on patterns of behaviour in the past, and the person is given a civil order which restricts their liberty—they should not go to certain residences or addresses, notably that of the partner, at certain times. If breached, that carries a criminal penalty, but the order itself is civil. If you find that obnoxious then you cannot equally support that in the context of domestic violence.

Again, there is a whole range of opposition to this which is absolutely and completely inconsistent. We had Senator Wright say:

Control orders can be applied to people who have not been charged with a criminal offence and even to people suspected of harbouring a criminal intent.

First of all, that is not entirely correct. What has to be shown is that there is a balance of probabilities likelihood that something in the future will happen—in this case there could be material support for terrorism or engaging in support for hostile activities abroad. Further, the
person has in fact provided support for or otherwise facilitated a terrorist act or hostile activity in a foreign country. It is said by Senator Wright:

As drafted, the bill allows control orders to be sought if reasonably suspected to be necessary to prevent the provision of support for, or the facilitation of, the engagement in a hostile activity in a foreign country and preventing the provision of support for, or the facilitation of, a terrorist act. This is a very slippery slope.

It is not. These things exist right across Australia in every jurisdiction that we have. The reality remains that in a whole range of circumstances we allow for civil orders which if breached carry penalties of imprisonment. Perhaps the best example of this is in dangerous sex offender legislation. As I have said, there have been many cases—Fardon in Queensland is a case. At the level of the United Nations Human Rights Committee there was an assessment that Mr Fardon should not have been detained or indeed placed on prohibitive orders after he was detained in prison because of the risk. The High Court of Australia said that he could and that the parliament was well within its rights to issue legislation which said that the person could be detained. So, if you do not support it here, it is inconsistent to support it elsewhere. It should be supported in all of the places in Australia where it exists.

I go back to that initial document that I read from, which is the Human Rights Guide to Counter-Terrorism Laws, the major difficulty with the Australian Human Rights Commission's view on these matters, if I might gently say so, is that that report commences with a bold statement that human rights may be infringed by counter-terrorism laws but neglects also at any point to note that human rights might also be protected by counter-terrorism laws. They note that the right to a fair trial, the right to freedom from arbitrary detention and arrest and the right not to be subject to torture might be abridged—and I will take some measure of difficulty with that based on High Court decisions. But, in any event, other ICCPR rights, which are seen as non-derogable, such as the right to life and the right to freedom of expression, will be protected by these orders, and that is why they should be supported.

Mr BROUGH (Fisher) (12:44): I do not intend to canvass in detail the specific measures within the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014. They have been more than adequately covered by the numerous speakers who have come before me, and none more eloquently than the member for Pearce. I want to reflect a little bit about why we are at this point, how we have got here and what has changed since we, as a parliament, started to canvass these issues back in 2001.

I entered this parliament back in 1996 for the first time. Just to take people's minds back, the forecourt of this parliament was considerably different then. In those days, the traffic flowed two ways around the parliament. The road itself had to be amended at the front of the parliament to push the traffic further away from the forecourt and the front of the building. My understanding is that that extension was not for some good traffic purpose. It was actually so that if a bomb was blown up in front of the parliament the pressure from the explosion would not penetrate the front of the building. I recall in my early days in this place there were no bollards. You went and parked out the back of the House of Representatives. You left your car, without gates, underneath the parliament. In other words, there were great freedoms that were just taken for granted in this, the people's palace, the Parliament of Australia.
We took it for granted because we are a very lucky country. But the reality is that, since 2001, our world has changed. To have men—and perhaps some women—with rifles in front of our parliament is something that I would not possibly have considered. It would have been a figment of someone's wild imagination. I take us on this journey for us to reflect, as a people and as a parliament, as to why we have got here.

Terrorism is not new. Terrorism is thousands of years old. Modern terrorism began with, from my limited research, a hijacking of an aircraft in Brazil, I think it was, in the 1930s. My understanding was that it too was to do with politics—constitutional revolution. There was the Munich Olympics massacre of the Jewish team in 1972, which brought this into stark relief for the public, and, of course, September 11.

I recall precisely, as I am sure many people do in this place, where I was on 11 September. I was in Sydney in a hotel room and I remember I was watching Muhammad Ali in Rumble in the Jungle, and along the bottom of the screen came this little ticker tape saying a plane had hit the Twin Towers. Initially I just thought, 'What a fool! How the hell could you miss those!' or, 'Why didn't you miss them?' Of course, sometime thereafter, when the enormity of the situation dawned on me, I recall ringing my wife, getting her out of bed and just saying—and I remember the words precisely—'Turn on the TV. The world's gone mad. The world has gone mad.' And it really has in many respects because the things that we have taken for granted—the freedoms that we have enjoyed in this country and that we just take as our birthright—have actually been impinged in many ways by this parliament reacting to an ever-changing world of terrorism.

I asked the Parliamentary Library today to list for me the number of legislative changes since 2001. Today we hit No. 54. There have been 54 changes, and almost every one of those will be in some way impinging the rights of an Australian who means no-one any harm, who goes about their business in a law-abiding, free manner. We had the proceeds of crime bills, the border security legislation, the suppression of finance of terrorism bill, the security legislation amendment, the criminal code amendment—and, of course, we are amending the criminal code again today—all the way through to maritime transport security and aviation transport security bills. On it goes, all the way through. There were 48 in the time that I was last in parliament, a further two changes in the Gillard-Rudd years and then another four changes now.

There are two things about them. One is that they do restrict Australians' liberties—things that many Australians have fought and died for. But, as the member for Pearce said, there are those who will champion your rights to maintain your freedoms, and I, like many members here, would, no doubt, have had correspondence from members of the public about the metadata retention legislation and the intercept laws, and I do not want to see those things in place. But I recognise, as a former soldier, that when your enemy continues to change, when your enemy continues to innovate, when your enemy continues to want to destroy you, if you to stand still and not to react you will fail the people that we are here to support: the general public.

All of these measures, introduced by Liberal and Labor, have had one purpose: to strengthen our intelligence and our capacity to gather intelligence, to be able to detain people who may be a risk to our fellow Australians, to support our Defence forces and out police forces and to protect people when they are flying or in their normal work. They not only come...
at a cost to our liberties, they come at a financial cost. Over that period of time, these measures, which have been foisted upon us because others want their ideologies jammed down our throats and want us to pay the penalty—that penalty being the loss of our liberty—have also cost, it is estimated, something in the order, in today's money, of $16 thousand million to $17 thousand million. So the next time you walk through an airport and you go through a scanner or you see the bollards out the front here and the extra security guards that are in so many places, you should realise that it does not actually add to productivity. It does not add to the wealth of our nation and to who we are and what we want to be. It does not put another teacher at a school or at a desk. What it does is give us some level of protection from those who seek to destroy who we are and what we are.

I would just like to make some comments about my philosophy on this. I have said it in the Federation Chamber and I would like to repeat it today. We have made mistakes in the past in the Middle East where we declare full-time, we declare that the game is over when the game is not over, because most people living in the Western world wish to live free. They do not want their sons and their daughters going to war. They do not want to spend money and they do not want to see the carnage that is caused by war. However, if we decide when the game is over, there are those with extremist views who do not hold to those rules. They will, like a flickering flame, die down and become hard to identify, but be assured that with the right oxygen—money, opportunity—they will rise again, they will burn brightly and they will attract to them moths from around the world.

At the time of the second reading speech by the Attorney-General, Senator Brandis—and I commend the job that he has been doing—it was estimated that there were some 50 Australians fighting overseas. That number has not lessened; it has grown since that time. The threat to Australia has grown since that time. Hence, we have to continue to remain vigilant. The word 'containment' is bandied around. This is not something that can be contained. This is a scourge on the world that must, with every effort, be eliminated. The Islamic population of Australia is and will play an important role in ensuring that occurs.

I have a message to some in my own electorate. There is in Maroochydore at the moment an Islamic church wishing to purchase a spot to worship in. I support their right to do so. I am sure my uncle, who fought with the 2/25th Battalion in both New Guinea and the Middle East, would also have fought for their right. He may not have been a Muslim and he may have disagreed with many of the more extreme positions of that church, but he would have supported their right to be able to worship how, when and whom they wish. And I support that right. I think that once we allow fear to overcome our freedoms and our belief in the freedoms of speech, association and worship then we are lesser persons, and the terrorists of this world win.

There are 54 pieces of legislation, including today's. We are aiming to help our Defence Force personnel by ensuring they have the best intelligence available in the most timely fashion. We are removing obstacles—which could be unforeseen—where time is of the essence and where a minister may be not be available and there is no second party who can give that authority. These are simple things, but they are actually important. They are important for ensuring that we give the men and women of Australia who seek to defend us the weaponry, the intelligence, the command structure and the resources they need.
It is not Senator Brandis or the Prime Minister who have come up with these ideas. It is the professionals, the people we entrust with our freedoms. They are the people who put their lives on the line and send others into harm's way. This is the best advice they can give to us about how to help them fight terrorism. We should stand steadfast with them at all times. We should not be second-guessing these things, because none of them seek to remove, withdraw or limit their own freedoms or their families' freedoms. They do it because they believe it is in the best interests of us as a nation and of each individual within our nation.

To that handful of people who seek to destroy our way of life: be under no illusion. Every Australian, bar just a handful, stands against you and we stand as one—despite our religions, despite our political views, despite our cultural backgrounds—because that is what has made us great for our entire existence and will continue to do so into the future. I dream of the day when we do not need men out the front with rifles, when we can again have the freedoms that we had, those days of innocence which seem not that long ago. Maybe I live in a fantasyland, but we have to dream. We have to have a vision of a safer, freer world, and Australia stands ready to play its part.

To our Defence Force personnel, as they serve overseas today and in the weeks to come over Christmas: on behalf of the people of Fisher and Australia, I thank you for what you are doing. I pray you godspeed. May you return to your families and the bosom of Australia.

Mr HOWARTH (Petrie) (12:57): I rise today on behalf of my constituents in the electorate of Petrie in support of the Counter-Terrorism Legislation Amendment Bill (No. 1) 2014. I want to associate myself with the remarks of the member for Fisher. I thought that was an excellent speech and that he hit the nail right on the head with what he had to say. I certainly agree with what the member for Fisher had to say.

It would be ignorant to doubt that Australia faces a serious and ongoing terrorist threat. This legislation seeks to address the urgent operational needs that have been identified by our intelligence, defence and law enforcement agencies. The terrorist situation in Iraq and Syria is only worsening. This has in turn posed serious security issues, even here on the other side of the world. We have seen the rise of ISIS in Iraq and Syria over the last few months, and it is appalling to see what has been happening there: people being murdered daily, women being raped regularly and people being shot through the back of the head. This is unacceptable. It is out of control.

In Australia, we sit back. We live in a great country with lots of freedom and a great democracy. But what is happening over there is unbelievable. It is relevant here because of who is involved with ISIS. We know that there are over 100 Australians that have been over there, fighting and training and involved with ISIS. We know, as the foreign minister has said, that about 25 per cent of those people were born overseas and have dual passports. The Australian government, where possible, is cancelling their Australian passports so those people cannot return to this country. But 75 per cent of those people were actually born here in Australia. They are Australians. The majority of them are young men under the age of 25 and they are training with ISIS in Iraq and Syria, witnessing these atrocities—murder, rape and crucifixion. If they do not convert to their so-called religion, people are murdered on the spot, including children. Let us not forget that: children from Christian families are being murdered there as well. For the 75 per cent who were born in Australia and are over in Iraq and Syria, we cannot cancel their passports. They are Australians; they were born here. So the
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[99x713]CHAMBER

[111x678]The bill addresses how to deal with these people when they return, because they are going to come back even more radicalised.

We saw what happened in Britain recently with the UK serviceman who last year was run down and decapitated. We saw what happened in Canada's parliament just a few weeks ago, with a radicalised lunatic over there murdering a guard. We saw a young man in Victoria, just a few weeks ago, attack and try to murder two police officers. This is why this is relevant here in Australia.

The federal government's primary responsibility, of course, is not just to build a strong, prosperous economy but to build a safe and secure Australia. We need to look after our people. As a first-term MP, I have spent much of this past year talking to people from many parts of my electorate, and many views are expressed to me daily. My inbox is constantly blitzed by lobby groups and those with a particular idea about what they believe would make Australia better. Many of those writing to me are concerned by the images they see in the daily newspapers or on the evening news broadcasts. They are concerned for their safety and for the safety of our community. This bill seeks to address some of those concerns.

This bill is part of the government's comprehensive response to the current situation we find ourselves in—in particular, the challenges we will have dealing with those Australians participating in and supporting foreign conflicts. Here in Australia, our intelligence agencies have identified issues. Our law enforcement agencies and defence personal need the legislative framework to be able to deal with the threats posed by those wanting to harm Australia and Australians' way of life. This legislation is not the result of any ideologically driven aims; it is simply the result of instances of operational needs identified by law enforcement agencies. The bill was subjected to review and scrutiny by the Parliamentary Joint Committee on Intelligence and Security in its 20 November 2014 report. I note that the government has accepted, or accepted in principle, all of the committee's recommendations.

I want to also acknowledge some of the comments in newspapers about these amendments. Firstly, the fact that we can debate issues should be celebrated. We live, as I said earlier, in a strong democracy where we have freedom. I assure those who have some concerns that this legislation gives excess powers to the ASIO and ASIS chiefs in respect of 'emergency authorisations' that I believe these concerns have been fully alleviated by the Attorney-General's second reading speech. However, this government takes its responsibility very seriously, and the powers contained in these amendments are vital to address the threat of terrorism. Our laws cannot be static. We live in a changing environment, but these amendments have been drafted with the appropriate checks and balances. We cannot be a reactive government, acting only after a serious act of terrorism occurs on our soil. We must be a proactive government—and we are. We are strengthening existing pieces of legislation that do not adequately address current domestic security threats.

As I noted, the Counter-Terrorism Legislation Amendment Bill has been introduced to address urgent operational needs identified by our intelligence, defence and law enforcement agencies. The amendments address three key areas: (1) enhancing the control order regime to allow the Australian Federal Police to seek control orders in relation to a broader range of individuals of security concern, and to streamline the application process (2) better facilitating the Australian Secret Intelligence Service, which supports and cooperates with the Australian Defence Force on military operations, and (3) making it easier for intelligence agencies to
gain emergency ministerial authorisations to undertake activities in the performance of their statutory functions.

To look closely at enhancing the control order regime, the existing control order regime is already subject to significant safeguard and oversight mechanisms, including through the need to obtain both the Attorney-General's consent and a court order, which will continue to apply. But the current capacity of law enforcement agencies to protect the public from terrorist acts can and should be enhanced. This bill provides these enhancements to the control order regime through amendments to the Criminal Code. This includes expanding the ground upon which a senior AFP member can, with the Attorney-General's consent, request an interim control order to circumstances where the order would substantially assist in preventing support for or the facilitation of a terrorist act, or an individual's engagement in a hostile activity in a foreign country. In short, enhancements like this will enable our security forces to function faster and more effectively, which is fantastic news.

On facilitating the Australian Secret Intelligence Service, a key role of the Australian Secret Intelligence Service is to provide intelligence support to our Australian Defence Force, which is currently providing military support to Iraq in the fight against terrorist organisations. In using any intelligence provided by the Australian Secret Intelligence Service, the Australian Defence Force is bound by its rules of engagement.

I must say that the Australian Defence Force is doing a fantastic job. Earlier this year, I had the chance to travel to Afghanistan as part of the parliamentary military exchange program with three of my parliamentary colleagues.

It was fantastic to see the men and women in the Australian Defence Force, and experience their confidence and professionalism and the passion with which they carry out their work. They really are doing a wonderful job. We had the chance to sit in on some of the briefings for the rules of engagement in Afghanistan.

The government will continue to invest in the Australian Defence Force. Recently we have seen more of our budget committed to military hardware and equipment that is cutting edge, which the ADF need in order to carry out the work. This is in stark contrast to Labor, who cut $16 billion from the ADF in their six years of government.

These rules of engagement are developed in consultation with the Office of International Law in the Attorney-General's Department to ensure compliance with Australia's international law obligations. Without information like the intelligence that ASIS provides, the ADF is not only hindered, but also potentially put in danger. There is no point in having a defence force if the defence force is not in the best position to defend its nation and its personnel. By allowing ASIS to better support and cooperate with the ADF, we can ensure our defence force is adequately informed and fully understanding of new developments.

I stress again that all of the existing safeguards and oversight mechanisms in the Intelligence Services Act 2001 will continue to apply. These include the statutory thresholds for the granting of authorisations, ministerial reporting requirements, and the independent oversight of the Inspector-General of Intelligence and Security. Likewise, strong oversight mechanisms will apply to the provision of emergency ministerial authorisations.

At this point in time, when we know that terrorism is a threat to Australians; it is paramount that we act, because typically in these kinds of situations, governments have only
two options: acting early or too late. I am all for freedom. As many of my colleagues will agree, we simply cannot let terrorist threats change our lives or scare us out of being ourselves. If we do so, terrorism has won us over.

But we cannot turn away from the fact that terrorism is a very real threat. My constituents know that. I know that. The government of Australia knows that. Even when I am in Canberra participating in the debates in this place I am very conscious of how this legislation is viewed by those meeting at the coffee shop in North Lakes, by the mums and dads taking their children to school in Bracken Ridge, or at the pensioners' meetings in Redcliffe. This is all about the safety of Australians. These amendments give those mums and dads, grandmothers, grandfathers and pensioners comfort knowing that their security agencies, law enforcement agencies and our Australian Defence Forces are looking after their community and knowing that the safety of their children and grandchildren are paramount. They can plan their future in the knowledge that the hard decisions are being made by their government.

Importantly, I stress again that the appropriate checks and balances are in place. Members of parliament representing communities all across Australia know that there is a threat and that we have to do something to address it. As the Prime Minister the Hon. Tony Abbott said, 'We can't guarantee that there will never be a terrorist attack. All we can guarantee is we are as well prepared as possible.'

Mr KEENAN (Stirling—Minister for Justice) (13:11): I would like to thank members of parliament for their contributions in this debate on what is a critically important piece of counterterrorism legislation. In particular, I would like to thank the members of the Parliamentary Joint Committee on Intelligence and Security, who have made such important contributions that have resulted in recommendations that the government has been pleased to implement through the government amendments that have been moved in the Senate. These amendments are now reflected in this bill, which the House is dealing with today.

As you would be aware, and as noted in the media, we are living in a heightened security threat environment as a result of the continued conflict in Iraq and Syria, and in particular, the threat posed by Australians participating in and supporting these foreign conflicts and Australians who go to these war zones and undertake training with extremist groups.

Sadly, we are also aware that this is not just an Australian problem. It is one shared by many of our partners. We have certainly been very alive, as we have created and crafted our response to this issue in Australia, to what has been happening overseas.

Currently, Australia's domestic counterterrorism legislation has concentrated on those intent on committing acts of terrorism but this bill, very importantly, expands the preventative purposes of the control order regime to counter this threat to allow the Australian Federal Police to seek control orders in relation to a broader range of individuals of security concern—namely, those who support or facilitate terrorists and foreign fighters.

These amendments respond to law enforcement advice that there are individuals of very serious security concern who are not covered by the existing grounds for making a control order. Some of these people are not directly carrying out acts of terrorism in Australia or hostile activities overseas, but they are providing the necessary support for terrorists and foreign fighters, and their activities facilitate others to engage in terrorism or to fight with these extremist organisations overseas.
I will just turn to some of the specific points that have been made in this debate that I would like to counter—in particular some of the comments that have been made by the member for Melbourne, who noted that this bill will allow controls to be placed on individuals without going through long-standing processes in criminal law. But the control order regime has actually been in place for 10 years, and this regime responds to extraordinary circumstances of threat to Australia's national security interests.

The expansion of the grounds for obtaining a control order responds to advice from law enforcement that some Australians have taken on roles of supporting and facilitating others to engage terrorism offences or to travel to conflict zones and then to return to Australia with the capabilities acquired from fighting or training with these evil terrorist groups.

From a public safety perspective, the threat posed by these individuals is just as great as the risk posed by those who would directly engage in terrorist acts or foreign incursions. To counter this particular threat, it is therefore rightly appropriate that we expand the preventative purposes of the control order regime.

In his misrepresentation of the control order regime the member for Melbourne linked control orders and the bill to Australia authorising detention of a person, without that person committing an offence. Firstly, control orders do not authorise detention. Secondly, it is astounding that the member for Melbourne and the Greens, if they had their way, would only allow action to be taken after a terrorist act had taken place. It is the first priority of any government to keep its people safe, and this means providing our law enforcement and security agencies with the tools they need to prevent terrorist acts. Control orders, which have only been used twice since 2005, provide the government with such a mechanism.

The bill also amends the Intelligence Services Act 2001, to streamline procedural authorisation requirements for agencies governed by that act to collect intelligence on Australians overseas. This will ensure that our agencies are as agile as they need to be within the contemporary security environment, particularly in emergency circumstances.

A key amendment will be to enhance the ability of ASIS to provide timely assistance to the Australian Defence Force, in support of military operations. After introducing this bill into the Senate, on 29 October, the Attorney-General referred it to the Parliamentary Joint Committee on Intelligence and Security, under the very able chairmanship of the member for Wannon, Mr Dan Tehan. They tabled their report on 20 November, and the committee made 16 recommendations, including—and I think very importantly—that this bill be passed. The government has accepted in principle all of the recommendations that were made by the parliamentary joint committee. We recognise the valuable bipartisan work that this committee does. It is a committee that works very well. Again, I acknowledge the very able chairmanship of the member for Wannon, and I thank all of those members on the committee who participated in that inquiry.

I wanted to respond to a couple of other comments that have been made in the course of this debate. I welcome the Labor Party's support for it, but I was disappointed to hear in the debate some inaccurate and misleading comments, particularly in relation to the fact that we had failed to engage the community on some of this legislation. This is simply not true. There has been a very extensive amount of community consultation that has been undertaken by the Prime Minister, by the Attorney-General, by the Parliamentary Secretary to the Minister for Social Services, Senator Fierravanti-Wells. They have engaged with senior leaders of the
Muslim community in Australia. It has also happened on a more informal level when members of our party room were encouraged to go out and talk directly to Muslim communities in their electorates. That is something I certainly did. I know that many other members also took advantage of that opportunity. So I completely reject the idea that we have not effectively consulted with the community. As the Attorney-General has previously said, the purpose of these meetings was specifically to engage the community on the government's intention—to engage with them in a way that makes them partners with the government in seeking to protect their youngsters from being enticed into the snares of terrorist organisations that are engaged in war-fighting in the Middle East. We have certainly been pleased to partner with the community to do all we can to explain the government's intentions here. I think that engagement has been very effective.

This is actually probably a greater level of engagement than would be usual when it comes to government legislation. But of course this is not an ordinary issue. We cannot possibly be effective in our fight against terrorist organisations in snaring our youngsters to go to the Middle East and fight without working in partnership with the community. So we have been very mindful that we need to do that. I think those meetings have been very productive. I am very pleased that the community leaders we met with in Brisbane, Melbourne, Sydney and Canberra actually expressed to the government their appreciation for that level of consultation. They let us know that they wanted to work effectively with us on these difficult issues, and they shared with us their belief that they want the government to keep Australia safe.

I was also disappointed to hear opposition comments about our Countering Violent Extremism program and some allegations that there has been a delay in the rollout of this program. Again, that simply is not true. We do not want to rush the design of this program. It is important that we get it right. The focus of the new CVE program is the $13.4 million investment. We are designing it to intervene to stop young Australians from being radicalised to violent extremism. This is a new program. It builds on research we have undertaken. It has used our experience. Also, very importantly, it has used experience gained overseas, because these are not issues that are unique to Australia. The radicalisation to violence process is unique to each person that undergoes it. This is why we need to design a program that is flexible as well as being effective. It is important that the interventions we undertake through this program actually respond to the individual's needs, and we need to identify the best way to help them.

The Attorney-General's Department has been engaged with world-leading experts and practitioners at both the federal and state level. We have worked very effectively with our partners in this important work. Considerable effort has been undertaken, including extensive consultation with key community stakeholders, state and territory governments and the professional and community sectors.

The next phase of our engagement will be with key communities in the coming weeks. Further information will be made available on the web site livingsafertogether.gov.au, and via an email to those who advise us of their interest.

Other core elements of the government's program include addressing online radicalisation and reducing the impact of terrorists' use of social media, by helping people to develop the
digital skills needed to critically assess terrorists' claims and promote alternative and then positive messages online.

I thank all of my colleagues who have participated in this debate and recognise the need for these important reforms. The Abbott government is undertaking a comprehensive review and reform of our national security architecture to ensure that our counterterrorism framework is effective and targeted to our current national security threat, and to make sure that our agencies are supported by the legislative framework we have that enables them to respond to emerging and future security threats. This bill has a direct impact on the ability of our law enforcement and intelligence agencies to support our defence force in particular, so that they can continue to protect Australia and Australians. I therefore commend the bill to the House as another part of the arsenal we are providing our agencies with to keep our community safe.

Question agreed to.
Bill read a second time.

Third Reading

Mr KEENAN (Stirling—Minister for Justice) (13:22): by leave—I move:
That this bill be now read a third time.
Question agreed to.
Bill read a third time.

Acts and Instruments (Framework Reform) Bill 2014

Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (13:23): The Acts and Instruments (Framework Reform) Bill updates and consolidates the arrangements for the registration, tabling, scrutiny and repeal of a range of Commonwealth instruments. The bill implements the recommendations of a statutory review of the Legislative Instruments Act 2003 in 2008 led by a committee comprising Mr Anthony Blunn AO, Mr Ian Govey and Professor John McMillan AO. The bill makes a number of reforms to the arrangements for delegated legislation under the Legislative Instruments Act 2003, which sets out a comprehensive regime for the registration, tabling, scrutiny and repeal of legislative instruments. It consolidates the Acts Publication Act 1905, which deals with statutes, and the Legislative Instruments Act 2003 into a new legislation act. It integrates the database of Commonwealth acts and the Federal Register of Legislative Instruments into a single Federal Register of Legislation. It provides that Commonwealth instruments which are not legislative in character and therefore not captured by the present Legislative Instruments Act be registered on the Federal Register of Legislation as a new category of 'notifiable instrument'. Finally, the bill makes various other technical changes to consolidate the handling of Commonwealth instruments.

The bill also make changes to the powers of the First Parliamentary Counsel, enabling the FPC to make corrections and minor editorial changes in preparing registered compilations of acts and instruments that do not change the effect of the legislation and to make rules relating to the register. The power given to the First Parliamentary Counsel to make editorial changes...
to acts or instruments as they appear on the register is, appropriately, closely constrained. The bill is clear that the First Parliamentary Counsel may not change the effect of an act or instrument. ‘Editorial change’ is defined in the bill to make it clear that only technical drafting changes are intended. The definition includes, for example, spelling and punctuation matters, correct numbering and changes to non-operative parts of statutes such as tables of contents or summaries. The bill provides that where this power is exercised, a statement must be included in the instrument outlining the editorial change or changes which have been made.

I expect that as is its usual practice in other areas of its responsibilities, the Parliamentary Counsel will issue clear guidance about how the power is to be exercised. I expect that alongside the requirement under this bill to give notice in particular instruments when the power has been exercised the First Parliamentary Counsel will report to the parliament about use of the power across the whole statute book. In order words, I would expect that if the power is used more frequently perhaps more frequent reporting to parliament but certainly that parliament will be advised when this novel power enabling the First Parliamentary Counsel to make editorial changes to acts of parliament is exercised.

Labor supports this bill. It is important that delegated legislation and other Commonwealth instruments are dealt with as clearly and as transparently as possible. We support any measure which makes Commonwealth instruments easier to locate and easier to understand. I commend this bill to the House.

Ms ROWLAND (Greenway) (13:27): I am pleased to have an opportunity to make some initial comments on the Acts and Instruments (Framework Reform) Bill. The issues contained within this bill go to some of the fundamentals of statutory interpretation and law-making powers, including the management of instruments. As a start, there will be a change of name to one of the acts that we in this place will surely see when we all read our statutes as they come before us—the Legislative Instruments Act will become the Legislation Act. There will be a new category of notifiable instruments, there will be management of a central Federal Register of Legislation and the bill also sets out what legislation will comprise that register.

I want to mention the quality of our parliamentary counsel and the quality of Australian drafting in general. There is a reason why Australian legal drafting has formed the basis of so many jurisdictions around the world. If you open the competition law provisions of the Malaysian communications regulator, the SKMM, you will see the telecommunications specific access provisions modelled on part XIC of our trade practices law, now known as the Competition and Consumer Act. We in Australia as both practitioners and law-makers reflect in drafting what we have worked with. On previous occasions in this place I have mentioned the Australian contribution towards drafting competition law in Hong Kong. That was drafted by Australian practitioners. We have a reputation for plain-English drafting, a reputation for accuracy and also a reputation for enabling our statutes to be interpreted in a very precise and a very competent way.

I wholeheartedly support the comments made by the shadow Attorney-General, and would like to point out a couple of items that I think would be instructive at this point. First, I note the statutory review which was conducted and forms the basis—
The DEPUTY SPEAKER (Hon. BC Scott): Order! The debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour and the honourable member will have leave to continue her remarks when the debate is resumed.

STATEMENTS BY MEMBERS

Higher Education

Ms CHESTERS (Bendigo) (13:30): Today I rise to condemn this government's higher education changes that are currently before the Senate. What we will see is $100,000 degrees occurring across our higher education sector. Just to give one example about what this would mean to people accessing higher education, I would like to share with the House my mother's story.

My mother grew up in Western Sydney in Mount Druitt. Because of family circumstances—her father was dying of cancer—she had to leave school, give up the scholarship she had received under Whitlam to go to university, to work to help pay the bills. My mother then decided, later on in life, because her cleaning job had become difficult because she had had several workplace injuries, to go to university. She enrolled at the age of 47. Not only did she do an undergraduate degree; she went on to do her honours and then her PhD. Today she is an academic at the University of Canberra. Tonight I will see her for the first time in a month because she will have just returned from overseas where she was presenting two papers at two conferences in Europe. That is a higher education success story. That is my mother's story.

But my mother would not have enrolled to go to university under these changes, because a woman of 47 would not have earnt enough in her working life to pay back a degree costing anywhere from $50,000 to $100,000. This is the problem with these reforms, and this is why they should be voted down in the Senate. (Time expired)

Corangamite Electorate: National Broadband Network

Ms HENDERSON (Corangamite) (13:31): I rise to celebrate the news that some 34,000 premises across Corangamite will receive fixed line NBN more cheaply and quickly under our 18-month rollout just announced. I was very pleased to join the Minister for Communications, Malcolm Turnbull, to announce that the build for the NBN will commence in many parts of the Surf Coast, Bellarine and Golden Plains, and in Colac and Apollo Bay. In August 2015, work will begin in Bellbrae, Jan Juc and Torquay, and, in October 2015, in Barwon Heads, Breamlea, Mannerim, Marcus Hill, Ocean Grove, Point Lonsdale, Queenscliff and Wallington. In February 2016, construction will start in Bannockburn, Lethbridge, Murgheboluc, Russells Bridge and Teesdale, as well as Colac, Colac East, Elliminyt and Apollo Bay. In April 2016, it is Lorne, followed by Apollo Bay, Marengo, Skenes Creek, Aireys Inlet, Anglesea and Fairhaven in May.

After campaigning so hard for better broadband, this rollout is fantastic news for Corangamite residents. But there's more! Fixed wireless NBN is active in Dereel, Linton, Rokewood, Smythesdale, Cape Clear and Ross Creek. And planning is underway for Alvie, Beeac, Beech Forest, Cororoake, Cressy East, Forrest, Gellibrand, Swan Marsh, Warncoort and Barongarook.

Labor's rollout was like an arthritic snail. Our government is proudly getting on with getting the NBN back on track as part of our strong economic plan for regional Australia.
**Indi Electorate: Disability**

Ms McGOWAN (Indi) (13:33): Mr Deputy Speaker Scott, as you would know, one of the joys of this job is the people you meet and the organisations you come across. Today I would like to acknowledge one of these organisations in my electorate of Indi—DAIS, the Disability Advocacy and Information Service. They support and provide advocacy and information for people with disabilities and their families and carers. It is an amazing not-for-profit service that looks after all of north-eastern Victoria and southern New South Wales. They have three main services: they provide advocacy for people with disability; they provide justice support; and they also provide home and community care, or HACC, access and support.

I had the pleasure recently of opening the new offices for DAIS in Wodonga, and what is really fantastic about the new office is that it is owned by DAIS, and it is creating a social enterprise without losing focus on its core business, which is providing access. So, to all the team, can I say thank you, and how proud I am of you and to be your representative here in parliament. To Dianne King, Chairperson of the DAIS board; to Ruth Harris, Vice Chair; to Brian Fealy, Treasurer; to Jen Tait, Secretary; and, Martin Butcher, to you as the Executive Officer: congratulations on what you do. And I know it would not be possible without all the people you work with and all the volunteers that you engage. So warm congratulations, and I wish you a fantastic future in your new buildings.

Mr McIntosh, Mr Wayne

Mr WYATT (Hasluck) (13:34): I rise today to speak of the passing of Wayne McIntosh, who was a loyal supporter of the Hasluck division of the Liberal Party of Western Australia. Wayne played a key role in my election to this place, and he will be greatly missed by his friends and colleagues.

Wayne passed away after a brave battle with cancer on 26 November of this year. I extend sympathy and condolences to Linda, Christopher and Allysha and their extended family, on behalf of my wife, Anna, other division members and those who worked closely with Wayne on both of our successful campaigns. The funeral service for Wayne will take place tomorrow in Perth, and I am sorry that I cannot be there myself.

I have always admired Wayne for his integrity and honesty. He was my confidant and a close friend, offering frank advice without fear.

All who knew Wayne revered his courage and commitment. In the past two years as he underwent treatment for cancer, we never once heard him complain. Wayne remained focused on his family and friends. Wayne remained committed to a busy, social and active life through social, sporting, business and political activities.

Wayne was a successful businessman and a pillar of our local community. His friends at CSR Gyprock spoke of the industry respect that Wayne enjoyed, reflecting that Wayne was a great bloke and a pleasure to do business with.

Wayne, you will be remembered for constantly going above and beyond the call of duty. The Liberal Party and the Division of Hasluck have lost a staunch supporter and an effective campaigner. Your years of service in various roles at branch and division level have strengthened the fabric of our community, and will not be forgotten.
Higher Education

Ms RISHWORTH (Kingston) (13:36): Today we have seen another desperate attempt by the Minister for Education to revive or somehow get his higher education bill through the House. Of course, what the minister needs to do is to scrap his plans to Americanise our universities and go back to the drawing board and stop his unfair changes that will see $100,000 degrees being foisted upon students doing higher education. We have seen the minister's attitude, though, in his ideological attack on universities. He thinks the solution will be a new multimillion dollar political advertising campaign. Of course, what the minister needs to do is listen to the hundreds of thousands of Australians who have said: This is unfair. This is not right. This is not what we want in Australia. We do not want to see the Americanisation of our universities and we do not want to see billions and billions of dollars ripped out of our higher education system. It is time the minister stopped talking, stopped trying to think of other political ways he can get around this and stopped his ideological attack on our universities. Go back to the drawing board and ensure that there is fairness in our higher education system. This is what people in Australia demand and this is what this minister should do.

Zaidee’s Rainbow Foundation

Organ and Tissue Donation

Dr STONE (Murray) (13:38): On Tuesday, 2 December 2004—this day, 10 years ago—a little local Goulburn Valley schoolgirl, Zaidee Turner, died of a brain aneurysm. She was only seven. Her parents subsequently donated Zaidee Turner's organs and tissues, as per her request, to save the lives of seven others. Her parents, Kim and Allan, then formed a foundation, Zaidee’s Rainbow Foundation to try to raise the awareness of the need for kidney and organ donations across Australia. Sadly, of course, while we are great blood donors in Australia, and we are a very generous community and we volunteer, when it comes to organ and tissue donations there seems to be a real mind block.

In Australia one in five on the general waiting list will, tragically, die before they receive a transplant. Half of the children—and there are 50 or so currently waiting for a transplant—will die in the next 12 months before organs are available for them. This is a very sad loss and it is unnecessary when you think that in Australia we have a significant number who do express an acceptance of the donation of their kidneys or organs should they die. But in Australia we ask the family to give family consent to that rate and only 61 per cent of families give that consent. (Time expired)

Higher Education

Ms RYAN (Lalor—Opposition Whip) (13:39): It is Christmas, a time for giving, but Australia does not want the present Minister Pyne is planning in higher education. It appears that those opposite may have picked up on the deep anger in electorates like mine about higher education and the Americanisation of that system. Deaf to so many things, the member for Sturt must have felt the earth move from the rumblings of angry Australians expressing their outrage. So Minister Pyne has been doing deals in the Senate. Desperate to get at least one cruel measure through, he has been wheeling and dealing. He needs to listen. He needs to learn seriously how to listen. You cannot half hear the electorate. Your deal will still dish up $100,000 degrees, it will still cut $5.8 billion out of universities, and it will free universities to
increase their fees with impunity. No advertising campaign, Mr Pyne, no trimming of the cruel measures, will placate Labor or the public. Australia does not want your planned Christmas present. On this side of the House we will fight the Americanisation of our universities. We will fight to keep higher education fair and accessible for all Australians. I call on those in the other place to vote this bill down. *(Time expired)*

**Petition: People's Republic of China**

**Mr SIMPKINS** (Cowans) (13:41): I have the honour today of presenting a petition from more than 10,000 members of the Vietnamese community in Australia. 

The petition read as follows—

To the Honourable The Speaker and Members of the House of Representatives 

This petition of certain Australian citizens and Vietnamese Australians 

Draws to the attention of the House:

(a) that the People's Republic of China has heightened the risks of war in South East Asia by its latest unilateral and provocative installation in mid 2014, of its oil rigs including the Haiyang Shiyou 981 within Vietnam's Exclusive Economic Zone, as part of China's unsubstantiated 9 dash line daim of more than 90% of Bien Dong (East Sea) aka the South China Sea (SCS by China); and

(b) that Australia's national interests as a trading nation are at serious risks because the PRC's aggressive policy and practices are threatening peace and stability of the region.

We therefore ask the House to:

(1) reaffirm that Australia has legitimate interests in the Bien Dong/SCS disputes, as a regional power and a trading nation;

(2) declare that any unilateral action to change the status quo, including on air navigation, by any claimant in the Bien Dong/SCS disputes is unacceptable;

(3) ask the PRC as an emerging major power in the Asia-Pacific region, to stop its current policy of hegemony;

(4) request all claimants to settle their disputes through peaceful negotiations in accordance with international laws including the 1982 United Nations Convention on the Law of the Sea; and

(5) support the negotiations between the PRC and ASEAN for a binding Code of Conduct (COC) to replace the non-binding 2002 Declaration of Conduct (DOC). 

from 5,064 and 4,967 citizens

**Mr SIMPKINS:** The petition was handed to me just an hour ago by the National President of the Vietnamese Community in Australia, Mr Tri Vo. Together with Chris Hayes, the member for Fowler; and Craig Kelly, the member for Hughes; and other members I congratulate Mr Tri Vo and the Vietnamese community on gathering this petition.

The petition raises the concerns of the Vietnamese Community in Australia about the territorial actions of the People's Republic of China, China's claim of 90 per cent of the East Sea and the threat of instability. The petition asks the House to reaffirm Australia's interests in the region, reject any unilateral action to claim territory, engage with China over the dispute, engage with all claimants to seek their peaceful resolution of such disputes using international law and United Nations conventions, and finally to support the China-ASEAN negotiations for a binding code of conduct to replace the current nonbinding code of conduct.

This petition reminds us that, through all our endeavours, we must be active in pursuing the stability of the region and the pursuit of human rights. Through our work in so many areas of
foreign relations, good relationships with other countries allows us the opportunity to pursue peaceful resolution of the issues that confront us.

Once again I congratulate Mr Tri Vo and the many members of the executive of the Vietnamese Community in Australia and the wider Vietnamese community that are in the gallery today. Thank you for the very wide collection of this petition. I have the honour of presenting it to the House.

**Victoria State Election**

**Higher Education**

**Mr GILES (Scullin) (13:42):** On Saturday there was a state election in Victoria. I am sure that members opposite will be very interested in hearing some of the issues raised in that election which are relevant to them and relevant to how we are conducting ourselves in this place. I spent many hours in pre-poll booths and doorknocking talking to constituents in the marginal electorates of Yan Yean and Eltham and what struck me was how much voters were concerned about this government's regressive higher education agenda.

There is a context to this, of course. Youth unemployment is going through the roof, as state government has cut back on TAFE, closing the Greensborough TAFE in my electorate, which the state Labor government will reopen. But that will not fix all the problems. That will not open up all the avenues that young people deserve.

I spent a lot of time speaking with the member for Kingston, speaking with students at Latrobe university, and I was struck by their concern—not for themselves but for their brothers and their sisters—younger people who will not have the opportunities they are presently enjoying if this government gets its way.

This government's higher education plan is not flawed in execution and it cannot be fixed by tinkering at the edges in the Senate; it is fundamentally flawed. Our challenge here in this place is to boost Australia's productivity and to boost our fairness. We do so by opening up higher education to all based on merit. I urge members opposite and crossbench senators to start listening to the people of Victoria.

**Greste, Mr Peter**

**Mrs PRENTICE (Ryan) (13:44):** Right now it is the early hours of the morning in Egypt and Peter Greste has just spent his 49th birthday in a small, dark prison cell. Although he did at least receive a visit from his parents, this is not how he—or indeed anyone—should be spending his birthday.

But there is hope that he could soon be free. Recently, Egypt's President made sympathetic comments about Peter and his colleagues. And while a pardon has not been presented, our foreign minister, Julie Bishop has urged the Egyptian government to consider it. We, on both sides of the House, are all hopeful that this will happen before Peter's appeal in January next year. Peter's family is desperately hoping he will be home for Christmas. Not only do our hearts go out to Peter's family but also we have admiration for the way they have dealt with this harrowing situation. We must all continue to support Peter and his colleagues. Journalism is not a crime and the 337 days that Peter has already spent behind bars is 337 days too many. Once again, I call on the Egyptian government to release Peter and his colleagues.
University Funding

Ms MacTIERNAN (Perth) (13:45): Universities across Western Australia are facing huge cuts in government funding over the next four years. Curtin University of Technology will lose $146 million; Edith Cowan University, $101 million; Murdoch University, $63 million; University of Notre Dame, $41 million; and the University of Western Australia, $118 million.

At the same time, the rules for Commonwealth supported places are being extended to for-profit organisations. This is one area of the change to public education policy that has not been properly scrutinised. Even the minister's friend the vice-chancellor of the Australian Catholic University has expressed his concern that this will open the path to the American style and, to quote Vice-Chancellor Craven, 'The Ma and Pa Kettle universities,' dumbing down our universities. Minister Pyne is happy with this. Under his model of deregulation, the sandstone universities will thrive. That is exactly what Minister Pyne wants. He wants a stratified system. He sees education as a positional board and thinks that people like him should have that opportunity to enjoy an elite product, while we dumb down the rest— (Time expired)

Capital Grants Program

Dr SOUTHCOTT (Boothby) (13:47): One of the important roles for a member of parliament can be helping schools to get access to capital grant funding. I am particularly proud of the role that I have played in a number of capital works programs. One which really comes to mind is the Coromandel Valley Primary School where a former federal government, the Howard government, gave them more than $1 million. The state Labor government tried to cancel money which was coming from Canberra. We won that fight. The buildings were built and it was a good result for the community of Coromandel Valley.

I am very pleased that the work continues. I am able to announce that in my electorate of Boothby two new projects have been approved under the Capital Grants Program: the Cabra Dominican College at Cumberland Park and Pilgrim Primary School at Aberfoyle Park. The administration offices at the Pilgrim school will be refurbished. Existing buildings will also be refurbished, to create a 300- to 350-square-metre facility to relocate St Mary's Special Education Unit at Cabra. This unit will cater for 25 special needs students, which the Cabra Dominican College has a special focus on. This is an important infrastructure upgrade for these two schools and I am very pleased that the Abbott government has delivered this.

Higher Education

Ms BIRD (Cunningham) (13:48): In this final week that the parliament sits, there is a policy over in the Senate flapping and flailing and attempting to find a new breath of life. It should not do so. I want to commend the senators who have taken the actions to put an absolute end to the higher education reforms of this government. The minister can run around and attempt to give it mouth-to-mouth, attempt to staple together some sort of deal or attempt to make it a policy that is somehow acceptable—paint it up and give it a bit more of a promotional opportunity. The reality is that the very heart of this policy—

Government members interjecting—

Ms BIRD: I have to say this policy is also characterised by noise and bluster on the other side, from yelling down the opposition argument. It is always a sign of bad policy, that those
who shout loudest and longest know how bad it is. The reality is that this policy will undermine the access and opportunity for all Australians, particularly in regions like mine, to gain an affordable university qualification. I say to those in the Senate that they are doing absolutely the right thing in blocking a fundamentally flawed policy that no-one was told about before the election, that no-one was handed an outline of before the election. The government should now absolutely walk away from its failed policy, abandon its Americanisation of our university system and give the regions a fair go.

Lindsay Electorate: Cancer Support and Research

Ms SCOTT (Lindsay) (13:50): Today I rise to speak on the amazing contribution that the people of Lindsay provide in cancer support and research. Recently, Adam Bensen, Manager of the Penrith Golf Club, worked with the Leukaemia Foundation U.G.L.Y Bartender of the Year competition to raise 88 nights of accommodation for rural families in need. This is a great result and I would like to congratulate Adam for the work he has done.

Also, I was recently at the Celebrity v Survivor Darts Challenge with none other than Mark Geyer. This event, put on by Rodney Titovs, is there to work for prostate cancer, which is a really big killer of Australian men. Even within my own office we have held three Cancer Council morning teas—two Pink Ribbon morning teas and a Daffodil Day morning tea. They have been widely accepted by the community, which came along, donated and really got involved. But it also brought survivors together to be able to tell their stories.

I would particularly like to thank Kristy and Kristina Whitman for all the work that they have done in creating amazing hampers, to auction for the ladies who were there. I am very proud to come from an electorate such as Lindsay, an electorate that really digs deep to help others in need. It is an honour to represent such a wonderful area.

Higher Education

Mr WATTS (Gellibrand) (13:51): We all know that the education minister's political career started when he was a student politician at the University of Adelaide, promising to fight for free higher education. I am told that it was an unsuccessful campaign and that the education minister has continued to strike out in his efforts to impose $100,000 degrees in his latest political office. Before the election the Liberals promised there would be 'no changes to university funding' in their Real Solutions policy pamphlet. In November last year the education minister said the government would not be increasing university fees because they had 'promised not to before the last election'. Yet, come the government's budget of broken promises, the education minister springs the most radical changes to our higher education system in 25 years on Australia—plans to radically Americanise Australia's higher education sector. And, like the unloved and forlorn student politician he once was, the education minister has resorted to the tactics of a desperate and dateless undergrad to get his support for his bill.

Senator Lazarus has today told Australia that Christopher Pyne is 'embarrassing himself' and needs to stop harassing' him. He said: 'I am being inundated with text messages from Christopher Pyne virtually begging me to support his reforms. I've never even given Christopher Pyne my mobile number!' Well, I have a message for Christopher Pyne: take a hint. Senator Lazarus has swiped left. Christopher Pyne needs to stop texting and start
listening. The Liberal Party did not tell Australians about these higher education reforms before the last election, and Australians do not want them after it.

**Hume Electorate: Reynolds Street Community Preschool**

**Mr TAYLOR** (Hume) (13:53): The opportunity to learn another language is a gift to young Australians, particularly those in regional towns and communities. It is great news that a preschool in my electorate—Reynolds Street Community Preschool at Goulburn—has been selected for the government's Early Learning Languages Australia trial. I met recently with centre director Jo Mavrigiannakis, early childhood teacher Melissa-Rae Oakley, and the centre's wonderful staff and children, who are very excited about the opportunity. Languages available through the program include Mandarin, Japanese, Indonesian, Arabic and French. Reynolds Street has chosen to introduce Arabic to the children, a language I have been told is particularly difficult to learn.

The preschool is planning to extend the children's learning by providing an insight into other cultures based around the trial, including an international food feast day. As the program is introduced, the centre will enjoy the support of staff member Nora Huwazan, who is fluent in Arabic, and an enthusiastic parent, Sam Khalil, who is of Egyptian heritage. Mr Khalil has already started teaching Arabic to his daughter and knows the value to children of learning a second language. I look forward to returning to Reynolds Street next year, not only for the feast day but to see how the centre has used this initiative to open the minds of the young people in its care.

**Higher Education**

**Ms CLAYDON** (Newcastle) (13:54): This government's so-called higher-education reforms are a shambles. It is a flawed policy, and it should be thrown on the scrap heap. Deregulation of university fees means that many young students will start their working lives with crippling debts while others will simply see university as being completely out of reach. These reforms will particularly hit people in regional Australia, like my electorate of Newcastle, hard. And despite what members opposite, living in some sort of fantasy world, think—that regional Australia thinks this is a good deal—let me bring to your attention some of the views of those at the University of Newcastle. Nearly a third of all students at the University of Newcastle are from low-socioeconomic backgrounds, well above the sector average of 15 per cent. But it is proudly a university for everyone, a university that delivers excellence coupled with equity, not in spite of it.

In the university's submission to the Senate inquiry into higher education they highlighted aspects of this bill, as currently proposed, that will indeed limit future capacity of universities to deliver excellence and equity. Regional universities like Newcastle are particularly concerned about the cuts in Commonwealth funding to unis, the deregulation of student fees, increased interest on HELP loans for students, and the proposed structure of Commonwealth scholarships. The University of Newcastle is set to lose more than $153 million because of these cuts. No campaigns, no tweaking or tinkering of this bill will change the informed view of the Australian people that this plan is a dud. *(Time expired)*

**Porritt, Mr Alan**

**Mr NIKOLIC** (Bass) (13:56): I rise to honour a friend of many of us in this chamber and of the media, someone whose job it has been for almost four decades to capture the important
images that record our social and political history. After covering 10 prime ministers since arriving in Australia in 1968, my friend Alan Porritt retires from the press gallery next week after 38 years of service behind the lens. After working as a photographer at the Women's Weekly and the Telegraph in Sydney, Alan arrived in the press gallery in 1976. He has seen governments come and go and has been at the centre of the revolution in media affairs. In relation to his profession, he has seen the transition from black-and-white darkrooms to the colour photography of the digital age. I have often seen him rushing through the corridors, burdened by that technology, and filing photos on the move via wi-fi.

Since leaving the papers in the 1990s, Alan freelanced and then became the founding gallery photographer for AAP in 1999. Perhaps only Don Woolford and Max Blenkin have been around AAP longer. Press photographers are actually among the very few people who tell Prime Ministers where to go and what to do and they actually do it. Perhaps Alan can do that because he has been an election talisman, accompanying the winner on the last 10 campaigns. I salute Alan Porritt as a gentleman and a consummate professional. I wish him well as he spends more time with his family and pursues less-hectic interests. Thank you, Alan Porritt, for your wonderful service.

Honourable members: Hear, hear!

Higher Education

Mr ZAPPIA (Makin) (13:58): The Abbott government's unfair changes to university funding will result in university fees of $100,000 and will hit lower-income households the hardest. Cutting $5.8 billion from Australian universities and then deregulating them is nothing less than backdoor taxation, which will be paid for by university students or by their families. If the Abbott government thinks that the changes are fair and reasonable, if they will result in greater access to university, and if more students will go to university, then why didn't the Abbott government tell Australians about the proposed changes before the last federal election? No matter how much the education minister tries to spin it, higher education fees, compounded by higher interest rates, will stop many young people, particularly those from low-income households and from regional Australia, from ever going to university. Rather than desperately working on backroom deals with senators to get its higher education changes through the parliament, the Abbott government should admit it is wrong, do what smart governments do, make university education more accessible, not less, and drop its unfair higher education changes.

China-Australia Free Trade Agreement

Mr COLEMAN (Banks) (13:59): Time is short, but the failures of those opposite are a very, very long list, and none more so than in the area of free trade, where in six years they achieved absolutely nothing. But under the remarkable stewardship of the Minister for Trade the China agreement has been signed. It has been welcomed immensely in my electorate of Banks. For many small businesses in Hurstville who trade with China, the minister has done a fantastic job, and those opposite failed dramatically in this space.

The SPEAKER: In accordance with standing order 43, the time for members’ statements has concluded.
MINISTERIAL ARRANGEMENTS

Mr ABBOTT (Warringah—Prime Minister) (13:59): I inform the House that the Minister for Trade and Investment, who rightly has just been lauded by the member for Banks, will be absent from question time for the remainder of the week as he travels to China to participate in the Australia-China high-level dialogue. The Minister for Foreign Affairs will answer questions on his behalf.

QUESTIONS WITHOUT NOTICE

Abbott Government

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:00): My question is to the Prime Minister. Yesterday the Prime Minister said the government's broken promises and unfair budget were just a matter of 'atmospherics'. When will the Prime Minister accept that it is his $100,000 university degrees, not the atmospherics, that Australians have fundamentally rejected?

Mr Pyne: Madam Speaker, on a point of order: is it in order for the Leader of the Opposition to misquote the Prime Minister in a question and then demand an answer to a misquote? Surely he should be required to quote the Prime Minister accurately and not make assertions based on a misquote the Prime Minister never made.

The SPEAKER: I think the proper way to deal with it is through a personal explanation at the end of question time. But I do not think it is a good idea that the basis for a question is a quote without being able to substantiate it. I will check the standing orders, but I suspect that standing order 100 has something to say about it. The Leader of the Opposition should take that into account.

Mr Shorten: Madam Speaker, do you want me to authenticate the quote?

The SPEAKER: Yes.

Mr Shorten: I am quoting from a transcript of a 46-minute session the Prime Minister had with the press gallery dated 1 December 2014. The Prime Minister said:

I'm not for a second suggesting that last week was a great week when it came to the atmospherics—

and further on—

Honourable members interjecting—

The SPEAKER: We are now getting into the realm of argument, and that also is not within the standing orders.

Opposition members interjecting—

The SPEAKER: There will be silence on my left! If the Prime Minister feels that he knows what the content of the question is then he can have the call to answer it.

Mr ABBOTT (Warringah—Prime Minister) (14:03): Madam Speaker, I am used to being verballed by the Leader of the Opposition. I think it is pretty clear what he is on about. He is claiming that there is something fundamentally wrong with the government's proposals for higher education. As I have done before in this House, let me quote Labor's shadow Assistant Treasurer—

Opposition members interjecting—
Mr ABBOTT: And I am exactly quoting Labor's shadow Assistant Treasurer; I am not reading anything into it; I am not paraphrasing him, I am not making this up. I am quoting from someone called Andrew Leigh, who had this to say in his book *Ideas for the Future*:

Honourable members interjecting—

The SPEAKER: The member for Fraser will remove his prop and hand it to the attendant—now!

Mr ABBOTT: In his book *Ideas for the Future*, Labor's shadow Assistant Treasurer said: 'Australian universities should be free to set student fees according to the market value of their degrees. Universities will have a strong incentive to compete on price and quality. Much-needed additional funding will be available to universities that capitalise on their strengths and develop compelling educational offerings. The result will be a better funded, more dynamic and competitive education sector.' Professor Ian Young, chair of the Group of Eight universities and Vice-Chancellor of the Australian National University, in an address to the National Press Club just a couple of months ago, said of the government's policy: 'Deregulation is a game-changer and a building block to making our universities brilliant. On behalf of the Group of Eight, I urge senators to give universities the freedom to be brilliant. Change has to happen.' I refer Professor Young's comments to the Leader of the Opposition.

Economy

Mr WHITELEY (Braddon) (14:05): My question is to the Prime Minister. Will the Prime Minister update the House on how the government is building the foundations of a stronger economy that will benefit all Australians?

Mr ABBOTT (Warringah—Prime Minister) (14:06): This has been a year of achievement for our country and it has been a year of delivery for this government—

Opposition members interjecting—

The SPEAKER: The Prime Minister will resume his seat. We are not going to have a performance and a repeat of last week. We are going to have some silence and we are going to listen to answers, just as questions are listened to.

Mr Burke: Madam Speaker, I absolutely respect the ruling you have given with respect to calling out; but surely when people spontaneously laugh at something the Prime Minister says—

The SPEAKER: I said we are going to have silence for questions and silence for answers. I call the Prime Minister.

Mr ABBOTT: Madam Speaker, 2014 has been a year of achievement for our country and it has been a year of delivery for this government. The carbon tax repeal—delivered. The mining tax repeal—delivered. Stopping the boats—delivered. Free trade agreements with our three biggest trading partners—delivered. Red tape reductions—delivered, with 58,000 pages moved from the statute books to the history books. Big new road projects—underway. The National Broadband Network—rolling out, only this time with realistic budget and timetables. Budget repair is taking place despite Labor's sabotage. The changes that this government has made are making a difference to people's lives. The carbon tax repeal—

Opposition members interjecting—

The SPEAKER: The Member for Rankin will desist.
Mr ABBOTT: means $550 a year in families' pockets. Stopping the boats means that hundreds of people are now not drowning at sea as they were under the policies of members opposite. Building the roads of the 21st century means that we are giving commuters their lives back instead of having them stuck in traffic jams for hours every week.

We are getting the fundamentals right and, because the government is getting the fundamentals right, confidence is returning to our economy and our country. The National Australia Bank's monthly business survey showed the largest monthly gain since 1998, putting business conditions at their highest level since 2008. According to Dun and Bradstreet, 74 per cent of businesses are more optimistic about growth in the next 12 months than they were in the last 12 months. The job market is strengthening; there have been 123,000 new jobs created this year. Jobs growth has been more than twice as fast this year than last year. Consumer sentiment is above its long run average level as the latest ANZ consumer confidence survey shows. Retail sales are strong and housing starts are near record levels. This government is doing exactly what we committed to do: to build a strong and prosperous economy for a safe and secure Australia.

Budget

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:09): My question is to the Prime Minister. Yesterday, the Prime Minister dismissed criticism of the government's broken promises and unfair budget as just a matter of atmospherics. When will the Prime Minister accept that it is his unfair GP tax, not the atmospherics, that Australians fundamentally reject?

Mr ABBOTT (Warringah—Prime Minister) (14:10): Again, the Leader of the Opposition is failing to accurately quote what I said. The Medicare co-payment is exactly the same in principle as the PBS co-payment, which members opposite support. It is exactly the same principle as the PBS co-payment, which members opposite support. It is precisely because members opposite are not prepared to accept the principles of budget responsibility, are not prepared to accept the need for budget repair that this country got itself into the debt and deficit disaster that members opposite created. This is what we are doing; we are repairing the budget. Members opposite are sabotaging the budget. There is $28 billion worth of savings that members opposite are holding up in the Senate, including $5 billion worth of savings that the Leader of the Opposition supported when he was the kingmaker or queenmaker in the previous government. If members opposite were in charge, the budgetary position would be $43 billion worse than it is. There is a very simple lesson here: you just cannot trust the Labor Party with public money and economic management.

Economy

Dr STONE (Murray) (14:11): My question is to the Treasurer. Will the Treasurer inform the House how the government has put in place the foundations for a strong and prosperous economy to ensure a safe and secure Australia?

Mr HOCKEY (North Sydney—The Treasurer) (14:12): I thank the honourable member for Murray for her question, because she recognises—as do all my colleagues and the people of Australia—that you have to undertake change, and it can be difficult change, in order to earn the growth and earn the prosperity that is going to come to Australia's advantage over the years ahead.
In the beginning of this year we started the process by commencing budget repair. As a result of our initiatives we reduced the debt of Australia by $300 billion over a decade. As a result of our initiatives we are able to roll out the largest infrastructure project in Australia's history. As a result of what we have done we have been able to facilitate significant state economic reform through our asset recycling program, which has actually turned the tide in the states to start delivering new infrastructure that is productive, on the back of asset sales that should have happened years ago. And as a result of this government's initiatives we have been able to privatise Medibank Private, with the proceeds going back into new infrastructure investment, and that sale alone—the third biggest initial public offer in the world this year—raised $1 billion more than was expected in the budget. On top of all of that, we removed $2 billion of red tape—repealing, tearing up 57,000 pages of legislation. Fifty-seven thousand pages of red tape for business—we tore it up this year. I know it is hard. As the member for Murray and others on my side—on all sides—know, ending the age of entitlement for industry was a hard decision, but it needed to be made. As a result of that decision, we were able to get free trade agreements with Korea, Japan and China that the Labor party could never deliver. As a result of what we have done, we have made government smaller abolishing 76 agencies, authorities and boards.

We have approved $1 trillion of new projects—300 major projects as a result of environmental fast tracking. We have rebuilt employee share schemes after the mess that was made by the member for McMahon. We are fixing the problems that Labor created. One of those problems was 100 un-enacted tax initiatives that were dating back more than a decade. There were 100 announcements from Labor and the previous coalition government, and we got rid of them. We dealt with them so that we would get rid of uncertainty for business. On top of all that, it is the coalition government, the Abbott government, that has facilitated the economic growth that has delivered twice the number of jobs created in Australia each month than were created under the poor economic management of Labor.

**Liberal Party Leadership**

**Mr CHAMPION** (Wakefield) (14:15): It is a pleasure to still be here. My question is to the Treasurer, and I refer to today's editorial in *The Australian*, which says that the Treasurer has been invisible and argues that if he is not hungry enough he should hand over to Malcolm Turnbull. Is the Treasurer hungry enough?

**Mr Pyne:** I rise on a point of order. Ministers need to be asked questions within their area of responsibility. The Treasurer is happy to answer the question, but question time should not be an opportunity—

*Honourable members interjecting—*

**The SPEAKER:** I heard the point of order being made by the Leader of the House, but the Treasurer has indicated he is perfectly willing to answer the question.

**Mr HOCKEY** (North Sydney—The Treasurer) (14:16): I thank the honourable member for the question. Yes, I am hungry enough—to be able to want to fix Australia. I am hungry enough, with all of my colleagues, to set about the path of fixing the mess that Labor left. I am hungry enough to be able to work night and day, with all of my colleagues, to strengthen the nation, to build a stronger budget, to create jobs and to create prosperity.

*Dr Chalmers interjecting—*
The SPEAKER: The member for Rankin is warned!

Mr HOCKEY: There is no-one that I have forgotten of the other side, because I have a little library. I have a little newsletter here called Nick Champion MP: Standing up for the North: Budget Newsletter 2012. Hey, Swannie! Sit up, Swannie! Do you remember 2012?

Honourable members interjecting—

The SPEAKER: I have no intention of listening to any of those points of order. I will simply say to the minister that he will refer to members by their correct titles.

Mr HOCKEY: Yesterday, it was just the member for Shortland. Now, he needs three defenders. By the end of the week everyone will be standing up to defend his legacy except him because I was looking at this newsletter from the honourable member, Nick Champion.

Mr Champion interjecting—

The SPEAKER: The member for Wakefield has asked his question. He can put his prop down.

Mr HOCKEY: I am reading from the newsletter.

Mr Champion interjecting—

The SPEAKER: Yesterday, with a sense of humour, one on your side of the House asked me whether or not he should raise a point of order to ask why the member for Wakefield was still here. Now, I think, you are answering that question yourself. You have asked your question and will remain silent while we hear the answer.

Mr HOCKEY: It is arguable that the member for Wakefield has never been here because he sent a newsletter out to his electorate, to 100,000 of his constituents, and he said the following: 'The government's strong economic management has brought the budget back to surplus.' He was never here! He was here for the speech. He was here for the commitment at this dispatch box from the member for Lilley that they were going to deliver four surpluses in a row. But Labor never delivers, and it is a reflection on Labor that they make these sorts of commitments. It is not just a promise. He says Labor brought the budget back to surplus as if it happened yesterday.

Mr Butler interjecting—

The SPEAKER: The member for Port Adelaide is warned!

Mr HOCKEY: Labor never brought the budget back to surplus. Labor never actually was responsible when it held the Treasury benches. I will say this to the member for Wakefield: this side of the parliament is absolutely determined to do what is right for Australia. We will not rest until we see a stronger economy.

Mr Champion: I seek leave to table the editorial from The Australian for today.

The SPEAKER: You know perfectly well that it is a public document and, therefore, not eligible for tabling.

**Higher Education**

Mr WILKIE (Denison) (14:20): My question is to the Minister for Education. Minister, as you know, I oppose your tertiary sector reforms. But, quite apart from these reforms and my concern with them, the University of Tasmania is one of the biggest employers in the state and has developed plans for deep restructuring, capital investment and increasing student
numbers. Minister, further to our discussions about the university's plan, what commitment can the federal government now give to help fund this exciting project?

Mr PYNE  (Sturt—Leader of the House and Minister for Education) (14:21): I am very grateful to the member for Denison for asking me a question about the University of Tasmania's restructing proposal. He, along with members for Braddon, Bass and Lyons, have been great advocates for supporting higher education in Tasmania, particularly for the opportunity that the government's reforms give for the University of Tasmania to take advantage of those reforms and to restructure their operations, because the University of Tasmania is the second largest employer in Tasmania. The government's higher education reforms give UTAS the chance to massively expand, through the demand driven system, their pathways programs into the sub-bachelor courses like diplomas and associate degrees and, with those extra students and with that extra revenue, spend more on research, more on teaching and more on infrastructure. The government does encourage the University of Tasmania to pursue its restructure, but the restructure cannot occur without the government's higher education reforms. Otherwise there will be buildings across Tasmania—part of the University of Tasmania—that do not have students to fill them, because the rest of the government's higher education reforms will not have been passed.

The member for Denison says that he does not support the government's higher education reforms—and he quotes the University of Tasmania. I tell the member: the University of Tasmania is part of Universities Australia. Universities Australia have spent weeks if not months in this building trying to convince the Labor Party, the Greens and the crossbenchers to vote in favour of the government's higher education reforms. So in fact the University of Tasmania is in favour of those selfsame reforms that the member for Denison has opposed in the past. I would urge the member for Denison to get on board with the government's higher education reforms because, if he does, he is getting on board with the University of Tasmania. If he does that and these reforms pass the Senate today or tomorrow, then the University of Tasmania will be able to not only restructure their operations but thrive in a deregulated environment where they can do even more of their very best quality work and do it even better. They could also provide the vital pathways programs to Tasmanians to help them get into undergraduate degrees, because, as he and I know, Tasmania has the lowest participation in higher education in Australia at 6.7 per cent. I and the members for Bass, Braddon and Lyons—and, I am sure, the member for Denison—all want to give Tasmanians the same opportunity as mainlanders to get to university and to get the benefits that that brings.

Trade with China

Mrs SUDMALIS  (Gilmore) (14:24): My question is to the Minister for Agriculture. Will the minister outline to the House what Australia's free trade agreement with China will mean for our dairy industry, and particularly for co-ops like the South Coast Dairy in my electorate of Gilmore?

Mr JOYCE  (New England—Minister for Agriculture and Deputy Leader of The Nationals) (14:24): I thank the honourable member for Gilmore for her question. I had the pleasure last week of going down to the member for Gilmore's seat where we turned the sod on a new dairy cooperative—a dairy cooperative made up of seven farmers. They are going to get the benefit of participating in the exports that we will be able to achieve as a result of our free trade agreement.
Mr Champion interjecting—

Mr JOYCE: I will get to you in a second.

The SPEAKER: The member for Wakefield is warned.

Mr JOYCE: This is good because we are removing all the tariffs. All the tariffs on dairy are gone, so the people of the South Coast can start getting the same benefits that the people on the North Coast get. We are now exporting more than 17,000 litres of fresh milk a week. These are the sorts of benefits that can happen. We have small cooperatives reaching down the supply chain to get a better return to their farmers, just as we have new investment in southern Queensland—half a billion dollars—going into the dairy industry so that we get a better return for our farmers.

The member for Gilmore understands this because she is a businesswoman. She actually ran a business. She had 40 staff and exported to six countries, so she knows the benefits of free trade agreements and how they help. The member for Gilmore was also on the regional development board. That is interesting because, whilst we were getting the free trade agreement together, what was the other side doing? What could they possibly have been involved with? There were some interesting propositions with the RDA board that should have received more attention, such as the WA goldfields Outback Way priority section upgrade, which was rejected—an upgrade to save people's lives, an upgrade to move exports, an upgrade that would actually have helped regional Australia.

The way we see regional Australia on this side of the House is dark starry nights, furry animals on the road and long distances between towns. But where is regional Australia for the other side? Once they rejected the upgrade, who did get money? They found a regional town called Sydney. And who got $7.3 million? The member for McMahon. What part of regional Australia is Fairfield in these days? Whilst the people of Narrandera could not get youth off the streets, you got your money, didn't you? I can see the member for Wakefield. He has gone awfully quiet—because you also got money, didn't you? Our Treasurer said that you could not deliver, but you can deliver to one group. You can deliver to yourselves. You look after yourselves, don't you?

Mr Dreyfus: Madam Speaker, I raise a point of order. The minister should be asked to address his remarks through the chair.

The SPEAKER: There is no point of order.

Mr JOYCE: They do not have much to go on, have they, Madam Speaker? What about this one? The Regional Physical Activity and Education Centre for the member for Fremantle. What part of regional Australia is that in? You are rorters!

Mr Fitzgibbon interjecting—

The SPEAKER: Member for Hunter, this is not discussion time; this is question time. Do you have a point of order?

Mr Fitzgibbon: Yes, Madam Speaker. First of all I would like to invite the minister to withdraw.

The SPEAKER: I looked at this question yesterday. I have taken a look at the precedents and there is nothing to withdraw. If it applies individually to a person then there may be a case to be made out depending on the context, but not otherwise.
Mr Perrett interjecting—

The SPEAKER: The member for Moreton will desist. Does the member for Hunter have a second point of order?

Mr Fitzgibbon: Yes, Madam Speaker. I ask the minister to table the China FTA from which he was apparently reading.

The SPEAKER: The minister was reading from confidential notes. There is no point of order.

Budget

Mr BOWEN (McMahon) (14:29): My question is to the Prime Minister. I refer to the Prime Minister's promise only 56 days ago that he would 'bring our country back into broad balance by 2017-18'. Does the Prime Minister stand by this commitment?

Government members interjecting—

The SPEAKER: I call the honourable the Prime Minister, and there will be silence on my right, including from the Leader of the House!

Opposition members interjecting—

The SPEAKER: There will be silence on my left! The Prime Minister has the call.

Mr ABBOTT (Warringah—Prime Minister) (14:29): It would be a lot easier to bring our nation back into broad fiscal balance if the member for McMahon handed back the $7.4 million that he was improperly granted, so it seems, if the Australian National Audit Office is to be believed. This government is absolutely—

Mr Albanese: They did not say that. Liar! They didn't say that!

The SPEAKER: The member for Grayndler will withdraw! The member will withdraw!

Mr Albanese: I withdraw.

Mr ABBOTT: The government are determined to restore the budget to surplus as quickly as we reasonably can. This government made a series of fundamental commitments to the Australian people in the lead-up to the election. We said we would repeal the carbon tax, we would stop the boats, we would build the roads of the 21st century and we would get the budget back under control—and that is exactly what we are doing.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta is warned!

Mr ABBOTT: We will deliver, unlike members opposite. There are all sorts of libraries around.

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney will desist!

Mr ABBOTT: I have got the Shorten library, and let me read from Mr Bill Shorten's 'Budget News'—

Mr Bowen: Say what you said 56 days ago!

The SPEAKER: The member for McMahon has asked his question and will remain silent.
Mr ABBOTT: He said, under 'Australia's economic report card':
BACK IN SURPLUS, ON TIME, AS PROMISED
In these uncertain global times there's no clearer sign of a strong economy than a surplus.

Mr Bowen: Madam Speaker, I rise on a point of order, on relevance. The Prime Minister was asked about what he said just 56 days ago.

The SPEAKER: The member will resume his seat!
Mr Pyne: Give your money back!
The SPEAKER: The member for Grayndler is going to have a chance too, on a point of order.

Mr Albanese: Yes, thank you. The Leader of the House can withdraw the accusation that he made across the chamber. The member for McMahon has received no money, Madam Speaker, and it is an outrageous slur and it should be withdrawn.

The SPEAKER: If the Leader of the House has made a remark which—
Mr Pyne interjecting—
Mr Albanese: He should? He's got it, does he?
The SPEAKER: The member for Grayndler will remain silent!

Mr Dreyfus: Withdraw!
The SPEAKER: The member for Isaacs does not assist! If the Leader of the House feels he has made a statement that could be interpreted as being a slur, he will withdraw to help the House. The member for Grayndler on a point of order?

Mr Albanese: Yes, Madam Speaker. When I made an unparliamentary comment, I was asked to withdraw and I did so immediately and unconditionally.

The SPEAKER: The member will resume his seat.

Mr Albanese: To accuse a member of parliament of taking money is a serious accusation—

The SPEAKER: The member shall resume his seat. The Leader of the House has said that he did not make that statement.

Mr Pyne: I am happy to clarify for the House. I made the point that he should give the money back from the rural development assistance fund, which does not belong in Fairfield; it belongs in rural Australia. I did not imply that he had taken the money personally; he did so on behalf of his electorate. It was wrongly given to that electorate and it should have been given to regional Australia.

The SPEAKER: The matter is at an end. We will move on.

Mr ABBOTT: This government is determined to bring the budget back to surplus as quickly as possible. Members opposite used to think this was important, as is illustrated by the 'book of Shorten', which says:
In these uncertain global times there's no clearer sign of a strong economy than a surplus.

Then he went on to say—and talk about misleading the Australian people:
We've delivered a surplus, on time, as promised.

What a fabrication!
We are doing our best, despite the sabotage of members opposite, to bring the budget back to surplus and to deliver the surplus that Labor promised but never actually delivered. One of the ways to do that is to expose the kinds of rorts that we have just seen in government programs under members opposite. They established a regional development assistance fund, and what is absolutely obvious is that it was utterly rorted by members opposite, including, it seems, delivering $7.4 million to the member for McMahon's seat which should not have been delivered.

Mr Albanese: They're so privileged over there!

The SPEAKER: The member for Grayndler will get off is high horse.

Mr Albanese interjecting—

The SPEAKER: The member for Grayndler is warned!

DISTINGUISHED VISITORS

The SPEAKER (14:35): I wish to advise the chamber that we have within the Speaker's Gallery a member of the Victorian Legislative Council, Mr Simon Ramsay, MLC. We make you welcome.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Higher Education

Mr WILLIAMS (Hindmarsh) (14:35): My question is to the Minister for Education. Will the minister explain how the government's higher education reforms will make our universities internationally competitive and benefit students? What alternative is there to the government's plans?

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:35): I thank the member for Hindmarsh for his questions. He asks me what alternatives there are to the government's plans for higher education reform in Australia. The alternative is the Labor alternative, which was $6.6 billion worth of cuts. When Labor were in power, they cut the universities by $6.6 billion. They did not give the universities any opportunity to replace that revenue. They therefore broke their promise that they had made before the 2007 election, where they fooled academics and university officials into believing that they would put more money into higher education. In fact, they took $6.6 billion out.

Now, with their soul mates, the Greens, in the Senate they are attempting to stop this government from allowing the universities to gain the revenue that they need from students at a 50-50 split so that, on average, students will pay 50 per cent of the cost of their education and the taxpayers will pay 50 per cent of the cost of students' education. They are attempting to stop the government from being allowed to give universities the chance to be world-class. They are attempting to stop the government from spreading opportunity to tens of thousands of more first-generation university goers, low socioeconomic status students from rural and regional Australia, who we would be able to help through Commonwealth scholarships targeted at rural and regional low SES students by expanding that demand driven system to sub-bachelor courses like diplomas and associate degrees.

The shadow minister Senator Carr has made it very clear why. He has told vice-chancellors that Labor wants an election. They believe that they will stop the reforms and force the
government to the polls. He told the Australian Financial Review conference on higher education in November that Labor would force this government to the polls and win the next election, and that that was the reason they were voting against these reforms in the Senate. So they are being the usual vandals that they were during the Howard government—the vandals that they were, in an economic sense, in government under the Rudd-Gillard-Rudd governments. Now they are being vandals because for Labor it is always about politics; it is never about policy. It is always about politics; it is never about people.

On this side of the House we want to give students the opportunity—the chance—to have 75 per cent, on average, higher incomes over a lifetime by getting to university. We want our universities to be world class. So we are for good policy and we are for putting people first. Labor, on the other hand, as usual—Kim Carr has admitted it—are putting politics first and people second. They are putting politics first and policy second. So I call on the Senate—I call on the cross bench—to pass our reforms and give our universities the best chance to be internationally competitive.

**Fuel Excise**

Mr BOWEN (McMahon) (14:38): My question is to the Prime Minister. Yesterday the Prime Minister dismissed criticism of his broken promises and unfair budget as just a matter of 'atmospherics'. If yesterday was about the government resetting the budget why is the Prime Minister still ramming through his unfair petrol tax ambush?

Mr ABBOTT (Warringah—Prime Minister) (14:39): We are determined to do what members opposite never could—to restore fiscal responsibility to this country, to finally give this country a surplus.

Opposition members interjecting—

The SPEAKER: The member for Rankin has been warned. The shrieking voices on my left will cease.

Mr ABBOTT: Members opposite have not delivered a surplus since 1989. Wyatt Roy was not even born when members opposite last delivered a surplus, but they have sure talked about delivering a surplus. They have sure talked about it! Listen to the member for McMahon:

The government has returned the budget to surplus three years ahead of schedule … They are not just promising it; they have done it.

Ms Butler interjecting—

The SPEAKER: The member for Griffith is warned.

Mr ABBOTT: He said:

… the government has returned the budget to surplus three years ahead of schedule and ahead of any other major advanced economy, and the debt and deficit campaign is now exposed for the fraud that it always was.

Well, debt and deficit is all members opposite know about, because it is all they are capable of delivering.

Ms Plibersek: Why have you doubled the deficit?

The SPEAKER: The member for Sydney is warned.
Mr ABBOTT: This government does not just talk about delivering a budget; we actually take the difficult but necessary decisions that are necessary to make it happen. Labor said it had happened, and it never did. We are actually taking the difficult but necessary decisions to give Australia the budget surplus that members promised but were never actually able to deliver.

Ms Butler interjecting—

The SPEAKER: The member for Griffith can have an hour outside under 94(a).

**Budget: Research and Development**

Mr HAWKE (Mitchell) (14:41): Better than the last member for Griffith! My question is to the Treasurer. Will the Treasurer outline the status of the budget measure titled 'Research and Development Tax Incentive—better targeting', announced by the member for Lilley in February 2013, and documented in the 2013-14 budget.

Mr HOCKEY (North Sydney—The Treasurer) (14:41): I thank the honourable member for his question, and note his forensic approach to the history of the member for Lilley and the history of Labor in government. This is important. On 17 February last year the member for Lilley, as Treasurer, announced $1.1 billion in savings relating to research and development tax breaks for the largest companies. He said at the time:

The change will affect less than 20 corporate groups and will ensure this support is better targeted at small to medium businesses.

The media release stated:


The next week, the member for Lilley recommitted to this saving, saying to the Australian Business Economists:

We said we would remove the R&D tax concession for large companies with a $20 billion Australian turnover or more, to ensure innovation spending is directed to where it will have the biggest benefit …

He continued:

… so it's a down payment on the repair that the budget needs.

I thought to myself: 'I accept that.' The Labor Party says that they are going to crack down on the 20 biggest companies in Australia who are taking advantage of R&D tax breaks 'in order to fund the budget repair job', in this words. We actually came into government and said, 'Yes, we're going to do that.' Labor never legislated it. We introduced the legislation and Labor opposes it. Labor opposes their own savings measure—not for Gonski, but to fix the budget.

I thought to myself, 'Why would they do that? Why would they go back on the word of the member for Lilley?' I came across the answer, because the very sloppy member for McMahon, who does not know the difference between gross debt and net debt, does not know the currency of China—

Mr Joyce: He doesn't know where regional Australia is.

Mr HOCKEY: He does not know the difference between regional and metropolitan Australia. The member for McMahon said:
Now, you're referring to one specific tax change, which the previous government did flag to fund Gonski.

Nothing of the sort! I thought to myself, 'He surely can't keep getting it wrong!'

Mr Bowen: You said it, Joe. You said it.

Mr Hockey: I thought, 'The member for McMahon surely can't keep getting it wrong.' Then I heard the Prime Minister just then quoting the member for McMahon:

... the government has returned the budget to surplus three years ahead of schedule and ahead of any other major advanced economy …

I thought, 'Well, that's the mantra of the Labor Party.' And I thought, 'Swanee said that and he got it wrong.' And then I looked at the date of the statement. The statement from the member for McMahon was two years ahead of the member for Lilley. Hang on! He was claiming on 13 May 2010, on Fran Kelly's ABC National program, that they had delivered surpluses. He was even ahead of the worst Treasurer in Australian history. No wonder he is writing a book about treasurers!

Pensions

Ms Macklin (Jagajaga) (14:44): My question is to the Prime Minister. Why is the Prime Minister still determined to ram his attack on pensions through the Senate? Doesn't this mean nothing of substance has changed and there is no reboot?

Honourable members interjecting—

The Speaker: The member for Herbert will desist.

Mr Abbott (Warringah—Prime Minister) (14:45): This is a government that is determined to deliver the surplus that members opposite promised but could never actually manage. This government is serious about doing the things that the member for Jagajaga just talked about.

Opposition members interjecting—

The Speaker: The member for Jagajaga. The member for Wakefield is nearly out the door.

Mr Abbott: The library and the Treasurer talk about this, from the 'book of Macklin': 'Australia's economic report card—back in surplus, on time, as promised. Returning to surplus gives the Reserve Bank flexibility to cut interest rates further'. Well, we never got back to surplus did we?

Ms Macklin interjecting—

The Speaker: The Prime Minister will resume his seat, and the member for Jagajaga will resume her seat. She does not get up to argue. The Prime Minister has the call.

Mr Abbott: When it comes to the pension all we want to do is give to pensioners the same indexation rate that the member who asked the question gave to people on family tax benefit. The member who asked the question can shout and scream across the chamber as much as she likes, she can say 'unfairness' as much as she likes, but if it was fair to do this for the family tax benefit, as she did, well then it is perfectly fair for other social security benefits.
This is a government that is determined to keep faith with the Australian people. We keep faith with the Australian people by bringing the budget back under control. We are repairing the budget. Members opposite are sabotaging it every day.

Regional Development Australia Fund

Mr WYATT (Hasluck) (14:47): My question is to the Treasurer. Will the Treasurer update the House on the Australian National Audit Office’s report on the administration of the Regional Development Australia Fund? Why is it important to be careful with taxpayers dollars?

Mr HOCKEY (North Sydney—The Treasurer) (14:47): I thank the honourable member for his question.

Honourable members interjecting—

The SPEAKER: The Treasurer will resume his seat. We will have silence for the answer. The Treasurer has the call.

Mr HOCKEY: As the honourable member knows, every taxpayers dollar is precious. Unfortunately, the Labor Party does not accept that. The Labor Party in government rorted the Regional Development Australia Fund. The ANAO, the Australian National Audit Office, identified how the Labor Party did it, under the leadership of the member for Ballarat. You see, if you fail in the Labor Party you actually get promoted. That is why he is their leader. But the fundamental point is that the member for Ballarat was found to have engaged in the solicitation of a rort on Australian taxpayers money. Why?

Honourable members interjecting—

The SPEAKER: The Treasurer will resume his seat. The member for Franklin on a point of order.

Ms Collins: The point of order is relevance. They funded 50 of these projects—

The SPEAKER: The member will resume her seat. The Treasurer has the call.

Mr HOCKEY: The member for Ballarat—

Opposition members interjecting—

The SPEAKER: The member for Franklin will desist or leave. The choice is hers.

Mr HOCKEY: as Minister for Regional Services, Local Communities and Territories, commissioned a panel headed up by her own Labor Party members to advise her on how to distribute the funds.

Opposition members interjecting—

The SPEAKER: The member for Moreton will bring the member for Wakefield into order!

Mr HOCKEY: The audit office has found that a quarter of all projects, representing $109 million, had not been recommended for funding by the advisory panel, headed up by the Labor Party. So, hang on, what happened?

Honourable members interjecting—

The SPEAKER: The member for Chifley.
Mr HOCKEY: The $91 million spent by the member for Ballarat actually was recommended against by a Labor panel.

The SPEAKER: The Treasurer will resume his seat. The Manager of Opposition Business on a point of order.

Mr Burke: On reflections on members, the Treasurer is now asserting that an independent panel was run by a political party.

The SPEAKER: There is no point of order.

Honourable members interjecting—

The SPEAKER: There will be silence on my right. The Treasurer has the call. The member for Barker!

Mr HOCKEY: Let us be clear. This member, as a minister, specifically approved $91 million of allocated taxpayer money to purposes that her own Labor panel refused to support, and in fact specifically recommended against. It goes further—64 per cent—

The SPEAKER: The Treasurer will resume his seat. The member for Grayndle on a point of order.

Mr HOCKEY: You cannot run protection here, mate. It is an audit report.

Mr Albanese: To make an accusation against a member must be done by substantive point. This is not a Labor panel any more than infrastructure—

The SPEAKER: The member will resume his seat.

Honourable members interjecting—

The SPEAKER: The member will resume his seat and the Leader of the House will desist.

Mr Pyne interjecting—

The SPEAKER: I warn the Leader of the House.

An opposition member: That was Glenn Lazarus!

The SPEAKER: The member for McMahon is never likely to play on a team that has the likes of Mr Lazarus in it! I call the Treasurer.

Mr HOCKEY: They are not getting off on this, Madam Speaker.

Honourable members interjecting—

The SPEAKER: The member for Wakefield has pushed his luck too far and will leave for one hour under section 94(a).

The member for Wakefield then left the chamber.

Mr HOCKEY: So of the $91 million the then minister, the member for Ballarat, spent, 64 per cent went to ALP held seats. They were using taxpayers money before the election, against the advice of a panel headed up by a Labor person. They were so appalled, as was the audit office. There is now a report that demands that the member for Ballarat come to the despatch box and explain in full—which immediately to Australian taxpayers—why she was engaged, with the Labor Party, in rorting taxpayers.
Budget

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:52): My question is to the Prime Minister. Why is the Prime Minister still cutting $80 billion from schools and hospitals as outlined in his own budget overview? Does this not show that nothing of substance has changed and there is no reboot?

The SPEAKER: The member for Sydney will put down her prop.

Ms Plibersek: These are the graphs, Madam Speaker, that show the cuts.

The SPEAKER: The member will put down her prop!

Mr ABBOTT (Warringah—Prime Minister) (14:53): For the benefit of the member for Sydney, who asked the question, public hospital funding goes up nine per cent this year, nine per cent next year, nine per cent the year after that and six per cent in the final year. School funding goes up eight per cent this year, eight per cent next year, eight per cent the year after that and six per cent the year after that.

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney will put down her prop and listen in silence.

Mr ABBOTT: What the member for Sydney says is simply false. What we have done in respect of schools and hospitals is exactly what we promised before the election.

The SPEAKER: The member for Sydney is warned!

Health

Mr CRAIG KELLY (Hughes) (14:53): My question is to the Minister for Health. Will the minister advise the House whether any health projects were deemed suitable for funding under the Regional Development Australia Fund grants, and what are the ramifications of poor decision making in managing taxpayers' money?

Mr DUTTON (Dickson—Minister for Health and Minister for Sport) (14:54): I thank the honourable member for his question. This is a portfolio which manages about $70 billion a year and the person who would seek the office of health minister if Labor were to win the next election, the member for Ballarat, has just been found by the Australian National Audit Office, as was mentioned by the Treasurer, to have presided over the Regional Development Australia Fund in a way that was not acceptable to the ANAO. I think this is a very, very serious issue that all Australians should contemplate. Australians were angry with the Rudd-Gillard-Rudd governments, angry with the waste of money that had taken place over the course of six years, and the Australian public have not forgotten the fact that Labor ran up $676 billion of debt. Australia has not forgotten that these people who sit on the front bench of the Labor Party today were many of the same players in the Rudd-Gillard-Rudd years. These people were trained by Kevin Rudd or Julia Gillard. They were incompetent when they were ministers and they are being exposed as incompetent now as shadow ministers. What we need to examine is whether or not these people contesting the next election are competent enough to sit on this side and manage portfolios worth $70 billion of taxpayers' money. That is the important question that the Australian public need to ask.

Mr Dreyfus: Madam Speaker, on a point of order on relevance: none of this has the slightest bit to do with the question that was asked.

The SPEAKER: The member will resume his seat. The minister has the call.
Mr DUTTON: I will let the Australian public judge the member for Ballarat and whether or not she is ready to take over as health minister, but let me ask them to rely on the advice of the ANAO that says—

Mr Dreyfus: Madam Speaker, on a further point of order, this is grossly disorderly. It is wilful disregard—

The SPEAKER: The member will resume his seat. This is not a point for argument and that is all he is doing. The member will resume his seat and he knows perfectly well that standing orders do not provide the opportunity to get up and argue a case. He may have been able to do that in his previous life but not here.

Mr DUTTON: I would ask the Australian public to examine this Australian National Audit Office report because it is damning—

Ms Plibersek interjecting—

The SPEAKER: The member for Sydney has been warned and will either be quiet or leave. The choice is hers.

Mr DUTTON: The report is damning of the Labor Party and it is part of the reason—

Mr Dreyfus interjecting—

The SPEAKER: The member for Isaacs will leave under 94(a).

The member for Isaacs then left the chamber.

Mr DUTTON: It is part of the reason that Labor was deemed to have wasted billions of dollars of taxpayers’ money, and they have not learnt their lesson. We know from the ANAO report that 80 per cent of her ministerial decisions to not award funding to applications recommended by the advisory panel related to projects in coalition seats. There were two projects recommended in relation to health—$365,000 for a project in Gippsland and $200,000 for a project for—

Mr Albanese: Madam Speaker, I rise on a point of order. This is the health minister.

An opposition member interjecting—

The SPEAKER: Whoever made that comment will withdraw.

An honourable member: I withdraw.

Mr Albanese: Madam Speaker, further on the point of order, I am perplexed at what possible relevance to the health minister—

The SPEAKER: The member will resume his seat. The Minister for Health has the call.

Mr DUTTON: These two health projects were recommended and they were overturned. Why? Because they are in coalition seats. This shadow minister when she was a minister for the Labor Party when they were last in government decided to take money away from regional Australia and put it into Labor seats in capital cities. She should be condemned.

Opposition members interjecting—

The SPEAKER: The member for Ballarat will desist. The member for Chifley will desist. The member for Newcastle will desist.

Opposition members interjecting—
The SPEAKER: The member for Newcastle will desist or leave—the choice is hers. Likewise the member for Hotham.

Prime Minister

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:58): My question is to the Prime Minister. Before the election the Prime Minister said: … Australians are sick of leaders who play politics ahead of governing the country and who blame everyone but themselves when things go wrong … Isn't blaming everyone but himself exactly what the Prime Minister has done in his answers today?

Mr ABBOTT (Warringah—Prime Minister) (14:59): I am making the absolutely obvious point that solving the debt and deficit disaster that we were left by Labor is not easy. It is particularly not easy when members opposite are not assisting the repair; they are sabotaging it. This government takes responsibility for fixing the debt and deficit disaster that it inherited. I just wish members opposite would accept the responsibility for creating it, as create it they did.

The Leader of the Opposition likes to quote things. I think the people of Australia need to know a bit about the Leader of the Opposition. Everyone who knows the Leader of the Opposition fails to trust him. Let me just remind the Leader of the Opposition and the people of Australia just what his colleagues think of him. To quote: 'The distrust between Rudd and Shorten was intense and enduring. The Gillard camp was contemptuous of Shorten, considering him weak and duplicitous. Neither side trusted him and neither side—

Ms Macklin: Madam Speaker, I rise on a point of order on relevance. This has nothing to do with the question.

Mr Burke: Madam Speaker, in fairness to the member for Jagajaga, the question was about him blaming everyone but himself, which is exactly what he was doing. It is completely relevant!

The SPEAKER: The member will resume his seat.

Regional Development Australia Fund

Ms PRICE (Durack) (15:01): My question is to the Assistant Minister for Infrastructure and Regional Development. I remind the minister that the ANAO investigation of the Regional Development Australia Fund reported that 'there was not a strong alignment between the minister's funding decisions and the panel's recommendations.' Will the minister inform the House on how many occasions the former government approved projects not recommended for funding?

Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development) (15:01): I thank the member for Durack for her question. It is a very important question about a very concerning subject—an audit report that was damning at best of the member for Ballarat and her decisions to overturn recommended projects in largely safe coalition seats in regional and rural Australia. Remarkably, the money ended up in projects which were not recommended by her hand-picked panel; it ended up in marginal Labor seats. I might just go through a few of these, if the member for Durack would be interested.
The $365,000 recommended by the panel for multipurpose consulting rooms for allied health services in the electorate of Gippsland got cut. The $500,000 for a Youth Off The Streets centre in the electorate of Riverina recommended by the panel got cut. The $500,000 recommended by the panel for an early childhood hub in the electorate of Parkes got cut. The $200,000 for an upgrade of the Keith and District Hospital in the electorate of Barker, a hospital which state Labor took the axe to a couple of years ago, got cut. The $1.7 million for the upgrade of transport infrastructure in the Dubbo regional livestock markets in the electorate of Parkes went. And $5.2 million for a marine offloading facility in the electorate of Grey went as well.

The panel made decisions on what was recommended for funding and what was not recommended for funding. But what did get up when it was not recommended was $1.3 million for a youth and community centre in McMahon. When Labor thought the member for McMahon was going under, they released a dirt sheet on the opposing candidate and they funded unfairly. They took money away from other projects and they gave it to the member for McMahon to try to sandbag him. There was a dirt sheet and a bit of rorted money. That is the Labor way. That is Labor for you.

But it was not just the member for McMahon, in fairness. There was $10 million given to the electorate of Fremantle to save the member for Fremantle. There was $10 million given to the electorate of Charlton to get the new member for Charlton elected. And there was $7 million given to our old mate the member for Wakefield, who is not here in shock news! They took money from safe coalition seats and they put it into marginal Labor seats to try to sandbag. It was a disgrace. The 'member for Ballarat' should stand in this chamber, at the dispatch box, and apologise and explain why it was she rorted Australian taxpayers' money to try to save Labor seats. She rorted Australian taxpayers' money to try to save Labor seats. You would not have done it, Member for Grayndler. You are too smart to do that.

Mr Albanese: Madam Speaker, I rise on a point of order. The assistant minister—

The SPEAKER: What is the point of order?

Mr Albanese: cannot make accusations against a member without—

The SPEAKER: The member will resume his seat. The assistant minister has the call.

Mr BRIGGS: And, what is worse, in her explanation yesterday, the 'member for Ballarat' forgot to mention that 65 per cent of the money that was awarded went to Labor and Independent seats. It is a disgrace and she should apologise.

Minister for Defence

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:05): My question is to the Prime Minister. Yesterday the Prime Minister dismissed criticism of the government's broken promises and unfair budget as 'a matter of atmospherics'. If yesterday was about hitting the reset button, will Senator Johnston still be the defence minister when parliament resumes in February?

Mr ABBOTT (Warringah—Prime Minister) (15:05): Of course the Minister for Defence has my support. He deserves the confidence of this parliament because he is making up for six years of neglect by members opposite. When it comes to the Air Warfare Destroyer Program, which was the subject of debate in the Senate last week, it was $300 million over budget and
21 months behind schedule. The Minister for Defence is doing what is necessary to rescue that project.

When it comes to trustworthiness and who can be relied upon, let me read the opinion of Julia Gillard, the former Prime Minister, of the Leader of the Opposition—‘Julia Gillard routinely referred to the likes of Albanese, Swan, Arbib and Billy Shorten as the dark side of the Labor Party—numbers men who believe in nothing but—’

**Mr Burke:** Madam Speaker, I rise on a point of order on direct relevance.

**The SPEAKER:** It was a very broad question. The Prime Minister has the call.

**Mr ABBOTT:** Madam Speaker, this is the problem with members opposite: they stand for nothing; they believe in nothing; they are incompetent in government; they are wreckers in opposition. This government is fixing the mess that members opposite left us, and for the nation's sake they should stop sabotaging it.

**Broadband**

**Mr HOWARTH** (Petrie) (15:07): My question is to the Minister for Communications. Will the minister please update the House on the NBN's forward rollout plan? Minister, what measures is the government taking to ensure the rollout continues on a predictable basis, and that the NBN Co's forecasts are reliable?

**Mr TURNBULL** (Wentworth—Minister for Communications) (15:08): I thank the honourable member for his question. The most important element in ensuring that the NBN's rollout forecasts are reliable is for the NBN to be managed in a businesslike way so that it is providing information that is reliable and forecasts that are achievable, as opposed to telling politicians what they want to hear. Under the previous government, the NBN month after month produced forecasts and figures that had no achievability at all. They missed all of their forecasts without fail. The statistics and metrics they put out were calculated to mislead. The NBN Co under the Labor government had a measure called 'construction commenced'. You would think that that involved people digging holes and trucks turning up, but oh no! No, under the Labor government, in that Orwellian world or that Conrovian world, construction commenced when you asked somebody to draw up a plan. That would be like saying: 'I've started construction on my new house.' 'Why is that? There is nothing happening on the lot,' your friend would say. 'Oh no—I rang the architect this morning.' This was the sort of madness that was pervading the whole of the NBN project.

Now all that has changed. Yesterday the NBN Co announced the 18-month rollout plan—1.9 million premises; construction will begin during the next 18 months. I hear honourable members complaining that it was designed to benefit coalition electorates. Let me say to honourable members that the electorate in Australia with the largest number of premises where construction will be underway in the next 18 months is in fact Newcastle—a Labor seat. Indeed, to give you an insight into the way Conrovianism is changing to neo-Conrovianism, I have in my hand a letter from the federal member for Charlton—Pat Conroy, MP—and it is very revealing. It reveals, for those who care to look at his letterhead, that he is very proud of his teeth, because there is not one of them that is not visible in the photograph. Nonetheless—gleaming fangs aside—he writes to me and urges that there be more fibre-to-the-node rolled out in his electorate, and he calls on us to do that. When Uncle Stephen hears about this there will be hell to pay! But what the honourable member is recognising is that we
are getting on with the job. Indeed, there is a very large number of premises in his electorate where construction will commence. So getting on with the job, running the NBN like a business—those are the markers of this government. Responsible, businesslike and focused on getting the Labor mess cleaned up.

Mr Abbott: I ask that further questions be placed on the Notice Paper.

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:11): Documents are tabled in accordance with the list circulated to honourable members earlier today. Full details of the documents will be recorded in the Votes and Proceedings.

PERSONAL EXPLANATIONS

Ms O’Dwyer (Higgins) (15:11): Madam Speaker, I wish to make a personal explanation.

The SPEAKER: Does the member claim to have been misrepresented?

Ms O’Dwyer: I do, Madam Speaker. Yesterday, without any notice, the member for Rankin launched a personal attack on me in the Federation Chamber. First, he accused me of slurring the Chairman of the Foreign Investment Review Board, Mr Brian Wilson. This accusation impugns my reputation by insinuating that I made false statements in relation to Mr Wilson, whom I have never named in any statement that I have made, and implies that I have no foundation on which to make the statement that I did make—that there has been a failure of leadership at FIRB.

I refer the House to the recently tabled report of the House Standing Committee on Economics, entitled Report on foreign investment in residential real estate. Specifically, I remind the member for Rankin and the House of the following paragraphs in this unanimous report—paragraphs 2.74—

The SPEAKER: The member for Higgins has made her point. It is not an opportunity for argument.

Ms O’Dwyer: If it assists the House, these paragraphs that I would like to outline highlight the committee’s criticism of FIRB—

The SPEAKER: This is going to argument. The member for Higgins has made her position quite clear and has shown where she has been misrepresented. You may not go on to argument.

Ms O’Dwyer: I have also been misrepresented by the member for Rankin, who went on to state that I blame Mr Wilson for any holes in the foreign investment regime. This is not borne out by the report, nor by my statement in my foreword. I reiterate the point made earlier that, regarding FIRB and Treasury’s internal processes, lack of court enforcement and divestment orders—

The SPEAKER: When making a point of personal explanation, it is simply that you must say where you have been misrepresented and why it is not so, but you may not engage in argument, nor in reading out reams of material. You are on the second point, and if I could have some silence on my left I could hear what she is saying.
Ms O'DWYER: The point I make as to why I have been misrepresented is that the committee report does—

The SPEAKER: Member for Higgins, you are not making out a case as to why. You are simply saying you have been misrepresented, and this is why it is not true.

Ms O'DWYER: Finally, the member for Rankin impugned my reputation as chairman of the committee, stating that my behaviour throughout this process has left a lot to be desired. The committee has met on 18 separate occasions and members were provided with the opportunity to provide a dissenting report, which they did not. And they had six days in which to provide it.

The SPEAKER: The member for Higgins has concluded her remarks.

QUESTIONS TO THE SPEAKER

Ministerial Statement

Ms MacTIERNAN (Perth) (15:14): Today the Assistant Minister for Infrastructure and Regional Development purported to provide an advanced copy of a ministerial statement in accordance with House of Representatives Practice. On that basis, leave was given to make the statement. But the statement provided—

The SPEAKER: I am sorry, what is the question to me?

Ms MacTIERNAN: I need to set this out so that I can ask the question.

The SPEAKER: No, because you may only ask me questions about the administration of the House and I am afraid this is not one of those questions.

Ms MacTIERNAN: Madam Speaker, I seek your advice on how we can address—

The SPEAKER: You may not seek my advice. You can write to me, if you wish.

MATTERS OF PUBLIC IMPORTANCE

Abbott Government

The SPEAKER (15:15): I have a received a letter from the honourable the Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Prime Minister’s policy failures and unfair Budget.

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 SHORTEN (Maribyrnong—Leader of the Opposition) (15:16): In November of last year we proposed a matter of public importance that the government was not the government they had promised to be before the election, as shown by their actions afterwards. It was true in November 2013 and it is even truer today. There is a big gap, growing bigger, between what this government said before the last election and what they do every day. We have seen an unfair budget, friendless and built upon lies. We have seen the cuts to the ABC and SBS, where this Prime Minister expects to get a medal for telling Australians that he lied to them before the election. We already know that, Prime Minister. He talks about the Australian Defence Force pay. Before the election and, indeed, since the election, this government say
they love our defence forces but then put in a proposition which would see the wages of our defence forces fall behind cost of living. Yesterday this Prime Minister said, 'What a good fellow I am, because I am going to hand back the leave entitlements that the defence forces already had.' This is a man who makes his own parsimony a virtue. He is still cutting the wages of defence forces, and they are not keeping pace with the cost of living.

Of course, we have the debacle over the submarines. Before the last election, the hapless Minister for Defence said that he would build the submarines at the ASC, and now he will not and he will not even have a competitive tender. We have the euphemistically named 'Prime Minister for Indigenous Affairs', yet there is half a billion dollars being cut from Indigenous affairs in Australia. There is the misnomer—the complete passing off of himself—where he calls himself the 'Prime Minister for Women', yet he is putting a new $500 tax on the superannuation of over two million working women. Before the last election, this Prime Minister made a hero of himself by tackling former Prime Minister Gillard. He said that he would be a Prime Minister who would be more honest than any we have ever seen in Australian history, but he governs on lies, nasty surprises and pathetic excuses.

They know they have a problem in the government, because they are leaking like sieves, complaining about each other. They know they have a problem. What is worse is that Australians know that they have a problem, because they have got a government who is not adding up to what it said it would be. What is the strategy we get from the Prime Minister? It is a 46-minute therapy session. He has read what John Howard did in 2001 and has said, 'Oh, the book says I must go out and pretend to be contrite.' So he goes out for 46 minutes, does his first press conference on domestic matters in months and expects Australians to be sufficiently grateful that the Prime Minister has turned up for work on one 46-minute period in the last two months and said: 'Oh, that must be a reboot. We must have reset the government.'

When we thought that the government were willing to try to reboot, we never predicted that they would deploy the secret weapon of the government—Christopher Pyne on the text. That is the latest reset strategy. They have had the barnacle removal—the barnacle debacle—reset. They have a council of war. Goodness only knows what that group of older white Australian men are doing in their council of war. Maybe they might want a second woman in their cabinet. No, no; I get ahead of myself. Instead, we have the Prime Minister deploying Christopher Pyne texting, and we have as our evidence for this Senator Glen Lazarus—a man who knows no fear on the playing field. The government have deployed a secret weapon—which makes such a skilled and powerful athlete slightly annoyed at the very least. We have a Minister for Education who is doing more texting than Shane Warne! The problem he has is that the Senate know exactly what they are voting for. No amount of text messages from Christopher Pyne—and he still has to explain how he got Senator Lazarus's phone number, because Senator Lazarus says that he did not give it to him—no amount of unsought attention from the Minister for Education and no amount of 'demon dialling' from the worst Minister for Education in the history of Federation changes a bad and rotten set of proposals. It is not the message that is the problem; it is not even the text messages that are the problem—annoying as they are; it is the plan to slug Australians with a debt sentence and make it harder for ordinary kids to go to university.
They have not changed their policies. The Prime Minister thinks he can turn up and say that he is 'not in compliance'—the man mangles the English language—'with what he said before the election.' This means he lied to people. What he does not get is that changing your tactics does not actually change the substance. The Australian people do not want a GP tax on the sick and the vulnerable. The Australian people do not want $100,000 university degrees holding back young people and older people from fulfilling their potential. The Australian people do not want a petrol tax increase—which they were promised before the election would not occur—pushing up their cost of living. The Australian people do not want the indexation rate on pensions cut, robbing older Australians of up to $80 a week over the next 10 years—demonstrating what this government really thinks about pensioners. They do not want cuts to schools and hospitals, stopping us from being smarter and healthy.

Fixing the budget will take more than texts from Christopher Pyne. It will take more than some angry messages from the former Victorian Liberal government to the Abbott government. Why on earth did they introduce a petrol tax, member for Aston, in the first week of the election? It is a good question, isn't it? We will get to the bottom of that one day. Apart from all of these matters, where we have a government of broken promises, implementing their unfair budget, desperately pretending that the problem is not their unfair budget but just the way they are selling it, there is a greater problem underway in this country a year and a quarter into the administration of the Abbott government. We are at a tipping point on the question of trust. During question time this week, the Prime Minister has loved saying, 'You can trust me.' He puffs his chest up, swaggers around and says, 'I can be trusted. Even if I haven't actually kept my word, I can be trusted.' He thinks the simple repetition of the word 'trust' makes him trustworthy.

On the contrary, there is a gap of unprecedented size emerging in Australian politics between the trust that is given by the people who are governed to those that they elect and there is a gap between the trust which is given by the Australian people and the delivery on that trust by the government that they elected. This failure of trust, this emerging gap, which is the real reason for the growing unpopularity of the government, arises from the paucity of principles and persuasion of a government that lacks leadership and lacks commitment. The lesson from Victoria, in which a first-term government was voted out—and which we know the Prime Minister wants to pretend had nothing to do with the Abbott government—is in part that they told the teachers of Victoria that they wanted them to be the highest paid and then attacked them, they said they respected education and then attacked the institution of TAFE and they said they respected the work of the paramedics and then attacked the ambulance officers and turned their back on them. That is the same problem that lies at the heart of the Abbott government. Those opposite say one thing before an election and then do something else straight after getting elected.

Before the election the Liberal and National parties slogansed. Led by the Prime Minister, they slogansed, they simplified, they promised the world. Indeed, many on the backbench must have wondered why Prime Minister Tony Abbott made so many promises, because now they are a noose around the neck of the government. The problem is that the government knew that once they got elected they were not going to keep the promises they made. They knew that. They were always just going to do what their right-wing ideology wanted them to do, which is cut and slash and wreck the nature of this country. The problem
is that when the government breaks the trust of the Australian people our democracy pays a price for it. The problem is that the government is traducing the political process in this country. The government is leaving the Australian parliament a more diminished place.

The Prime Minister loves to complain about the opposition. The problem is that it is the Prime Minister's own conduct, his own inability to concede error, his own unwillingness to keep the faith with the Australian people that is damaging the Australian economy and is damaging Australian political processes. They complain about the Senate. If they just stuck to what they said they were going to do they would not have to worry about the vagaries of individuals and with the way they chase them. We have heard the stories from the crossbench about the reckless desperation of the government lobbying. The government says to the crossbenchers, 'What do you want?' There is a tone now of begging in the government's approach to the Senate. The government put itself in the position of being dependent on a hostile crossbench because it insists on breaking its promises and wrecking the Australian people. The tendencies of the centre of Australian politics are being damaged by the move to the extremities by a government that is sadly adrift. This is a government in search of a compass to find out what it should do.

Those opposite are debasing and dividing this country with their unfair budget. Never in political history have we seen a budget still being debated in December. That is the truth and they know it. This is not a government seeking to improve this country; this is a government seeking to grovel in its own low level of mediocrity. Labor will do better than this. Next year Labor will not only be fierce in our resistance to the government, we will not only hold this government to account but, as we approach the next election, provide a better alternative to Australia than a list of Tony Abbott's lies, as long as that is.

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (15:26): It takes a lot of courage for members of the most incompetent government in Australian political history to come in here and lecture us on policy and budget failure, on wrecking the country and on losing faith with the Australian people. The Labor Party in the Rudd-Gillard years was the most incompetent and most inept government that Australia has ever seen. I know that there have been bad Labor governments in the past. We could look at the Keating government and the recession that we had to have. We could look at the Whitlam government and see economic vandalism on an epic scale. But nothing matches the Rudd-Gillard years for the sheer waste, sheer incompetence, sheer ineptitude and sheer tragedy that they inflicted on the Australian people.

The Leader of the Opposition was not just the great assassin of two prime ministers under the former government he was one of the key architects of all of the policy disasters that they oversaw. The member for McMahon, who is in the chamber, was not just the Treasurer for some of that time but also the immigration minister, who oversaw one of the great disasters. The member for Ballarat, who also sits on the front bench, was a frontbencher during the time of the previous government. The Deputy Leader of the Opposition, the member for Sydney, sitting opposite me now, was a senior member of that government. Half of the shadow cabinet today were key architects of the disasters that the Rudd-Gillard-Rudd government inflicted on the Australian people.

We should never let the Australian public forget the incompetence, disaster and waste that those opposite inflicted. I would like to outline three categories in relation to the former Labor
government that we should never forget. The first is the human tragedy of the former government's policy failures. The greatest human tragedy occurred in relation to boat policy and border protection. I am glad that we have the former immigration minister, the member for McMahon, sitting in the chamber, because he was one of the architects of their policy. Their border protection policy is arguably the greatest policy failure in Australian political history. When the Labor government came to power in 2007 there were no boats coming, there were only four people in detention, there were no people drowning at sea and there were no children in detention. They decided to unravel the Howard Pacific solution, which policy worked. What did we see as a result of their policies? We saw 800 boats and 50,000 people arrive on our shores, an $11 billion blowout, 1,300 people drown at sea and almost 2,000 children in detention centres where there had been none beforehand. This is the raw human tragedy of the failure of the Labor governments in the Rudd-Gillard-Rudd years. We have had to deal with this mess and we have dealt with this mess to stop those human tragedies.

The boats have now stopped coming. There are fewer children in detention now than there was at the end of the Labor years. Almost half the number of children are in detention. There are no people drowning at sea anymore because of the work which this government has done in fixing up the absolute disaster which the Labor government inflicted and the human tragedy that they inflicted. They should be utterly ashamed for that policy failure. It is one of the greatest policy failures in Australian political history. They should never forget that. But the tragedy is that they have not learned from it, because they are still determined to go to the next election and not proceed with our policies, which are working. They have still not committed to turning boats around when it is safe to do so. That is one of the key measures that have saved children from drowning at sea and saved the boats from arriving on Australian soil. That is one of the great tragedies also.

The other policy failure on a monumental scale, which is an enormous human tragedy as well, is the pink batts disaster. This pink batts idea came out during the GFC. I do not know whose idea it was to think, 'We have got a GFC, a global financial crisis, so I know what we will do: we will put pink batts in everybody's roofs.' What an idea! It was not just the policy idea that was the great failure but the implementation of that idea which again had financial consequences and had enormously tragic human consequences. We know that as a result of that pink batts disaster—which the Labor Party oversaw and members who are sitting there now, the deputy leader and the member for Swan, oversaw—that 220 houses burnt to the ground. It saw four tragic deaths. They are lives that we will never get back.

That is the human consequence of epic policy failure, which the Labor Party has never faced up to. There was a royal commission into the pink batts debacle. The royal commission said, after considering the full policy failure here:

The reality is that the Australian government conceived of, devised, designed and implemented a program that enabled very large numbers of inexperienced workers - often engaged by unscrupulous and avaricious employers or head contractors, who were themselves inexperienced in insulation installation - to undertake potentially dangerous work. It should have done more to protect them. It goes on:

In my view each death would, and should, not have occurred had the HIP been properly designed and implemented.
I do not raise this for any other reason than to point out that when you have policy failure, it can literally lead to deaths. It has done so. It did so in relation to border protection and it did so in relation to the Home Insulation Program.

The next category of policy failure is waste. I could go on for hours and hours, if not days, talking about the policy failures of waste. I think perhaps the very greatest one of them all was Labor's NBN, which Malcolm Turnbull is now slowly getting back in control of. In 2007, they promised the NBN and they costed it to be $4.7 billion. That was their policy: $4.7 billion in 2007. Then on the back of a napkin on a plane, they redesigned it and it came up to being $43 billion. An independent study found that actually it probably would cost $73 billion to be fully implemented. That is only a $68 billion difference between their initial proposal! After six years of promising they were going to have fibre to every single home, how many people actually had it? Fewer than 0.5 per cent of households actually achieved it. They only achieved less than 20 per cent of their initial rollout target and they only achieved less than seven per cent of their target for paying customers. That is just one where we saw waste on an epic scale.

We all know about the school halls. It was $16.2 billion program. We know that between $6 billion and $8 billion was basically wasted because of over costs. School halls were built in schools that were closing down. We know about the $900 cheques that were sent to backpackers and 27,000 Australians living overseas. Those $900 cheques were sent to 21,000 dead people. This is waste at an absolutely epic scale. We are not going to be lectured to by members of the front bench who were the key architects of this waste and oversaw these things. They had $67 million to administer a set-top box program. They had the live animal exports, which they shut down after seeing a television program. They then had to spend $100 million dollars to try to get the industry going back up again.

This is the type of waste which they oversaw. This is the type of waste that has led to tragic human consequences, and has led to financial mismanagement on an absolutely epic scale. This is exactly the type of thing that we are getting back on top of. (Time expired)

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (15:36): Every now and again, I walk into the kitchen at home and I find a four-year-old there who was got melted ice cream all around his mouth, a few little chips of chocolate hanging out of the corners of his mouth and a little wooden stick in his hand. I say, 'Louis, have you helped yourself to a mini Magnum?' He stands there, with the stick in his hand and the chocolate falling out of the corners of his mouth, and says, 'No, mum. No.' I say, 'Louis, it is very bad to help yourself to a mini Magnum,' He stands there, with the stick in his hand and the chocolate falling out of the corners of his mouth, and says, 'No, mum. No.' I say, 'Louis, it is very bad to help yourself to a mini Magnum, but it is much, much worse to lie about it.' He says, 'No, mum, I didn't.' Then he waits a bit and he shifts from foot to foot. He then bursts into tears and he says, 'Yes, mum. I did it.'

Mr Ewen Jones: He is already in the party! He is already a member!

Government members interjecting—

The DEPUTY SPEAKER (Hon. BC Scott): The member for Herbert!

Ms PLIBERSEK: They are mini Magnums; they would not satisfy you at all! He says, 'Yes, mum, I did it.' And there is relief on his face when he tells me he did it and we have a little cuddle, and I say, 'It is all right, Louis. The most important thing is you told the truth when it mattered.' I can tell you that it is kind of endearing in a four year old—the struggle
with the truth. 'Have I done the right thing? Have I been caught? What happens now?' It is not so endearing when you are talking about the Prime Minister of our nation. The lie is bad enough, but the lying about lying is phenomenal. There is not an Australian who does not remember that famous election-eve quote:

No cuts to education, no cuts to health, no change to pensions, no change to the GST, and no cuts to the ABC or SBS. There is no-one who does not now know that quote. And yet we still have this persistence from the Prime Minister and the government: 'No, no, nothing to see here.' We had it again today. After spending three-quarters of an hour yesterday telling journalists about the reboot—'We are going to reboot; it is all new and fresh from here on in.'—we had the same old question time today of denial and dissembling.

It actually reminded me that it is not so much a reboot as a complete rewind to opposition. Instead of a government prepared to stand up, argue its case, put a positive vision for the nation, talk about the things they are achieving or that they would like to achieve, what do we have? We had minister after minister talking about us and when we were in government. We just had the last speaker talk about us and when we were in government. Even more bizarrely, we had the health minister, who never asked a question as a shadow minister, now getting up and not answering any questions as the health minister. It is just this kind of generic rant about what the Labor Party has done. We have not seen a reset; we have seen a complete rewind to their time of opposition.

What is even worse than this? You would expect a prime minister not to lie—of course you would expect a prime minister not to lie. But this particular prime minister made so much of being purer than Caesar's wife when he was the opposition leader—when he said things like, 'It would be a government of no surprises and no excuses; a government that accepts it will be judged more by its deeds than its mere words; I want to be known as a prime minister who keeps his commitments.' He said, of course—there are so many quotes—that:

... Australians are sick of leaders who play politics ahead of governing the country and who blame everyone but themselves when things go wrong and the numbers do not add up.

We have had from this Prime Minister a series of broken promises and a wall of dissembling about those broken promises. And when that does not work and he presses the reset button, they do not reset but they rewind right back to the negativity of opposition—to the petty, complaining, whingeing, blaming of their period in opposition.

This government promised to make things better for Australians. All they have done is make things worse. They have cut health; they have cut education; they have cut pensions. They will be judged by their deeds. (Time expired)

Mr TONY SMITH (Casey) (15:41): As we have said before—and this MPI sums it up again—whilst those on the other side have some differences, there is one thing that unites them all: they are all great pretenders. They pretended right through their period in government that the budget did not matter. They pretended they could spend more than they were bringing in. Then they even pretended, as the Prime Minister and the Treasurer pointed out today, that they were back in surplus. And today they continue to pretend.

The Leader of the Opposition has moved this matter of public importance on the budget. It is obviously important to him. The Deputy Leader of the Opposition spoke second. That is a
bit of a surprise. We thought the shadow Treasurer might be speaking at some point, but no. The leaders moved this. And there is not a word of concession about Labor's fiscal failure over all those years. They inherited a surplus; they inherited $45 billion in the bank. They spent all of that and then they ran us into an incredible amount of debt over those six years. After forecasting and promising surpluses on more than 500 occasions, when they did not get there they just pretended they were there. The Leader of the Opposition—and all of them—told the electorate that we were back in surplus when we were not. This is the gall of those opposite. And now that they are in opposition, they are voting against every attempt to fix their mess. They are not only voting against our proposals; they are voting against their own. They are voting against $5 billion worth of savings that they announced and announced they would legislate. So they do not just vote against our budget; they vote against their own when they are in opposition. This takes some gall.

Those opposite have a united position on forgetting their period in office. From 8 September, they have forgotten everything they did. It goes right through their approach to policy. Not only did they predict a surplus and then promise they had a surplus when none existed, on so many other policy measures they have done the same thing. The shadow Treasurer, who is not here, of course, is the architect of their alternative budget. What a wonderful track record from the shadow Treasurer! During his time in government—he actually started back in 2007 as the Assistant Treasurer—he established Fuelwatch and he established GroceryWatch.

Mr Sukkar: How did that go?

Mr TONY SMITH: Well, he became the fool of Fuelwatch; he became the goose of GroceryWatch. Then he went on, in the 2009 budget, to wipe out employee share ownership in this country.

Swannie gets a lot of blame for a lot of things—and so he should. But I know for a fact that this is one measure he left in the hands of the then Assistant Treasurer. He left him with one revenue measure, and he snap-froze employee share ownership in this country. Then, earlier this year, as the architect of the destruction of employee share ownership, he had the gall to welcome our restoration of what he wrecked, and not only that, but to say:

… Labor of course welcomes the … decision to ease restrictions on employee share schemes—
his restrictions that he implemented! And then he went on to say:

In March, Labor called for changes to … better support new ideas and innovation and we are pleased the Government has listened—

pleased the government has listened to a call he made to reverse a disastrous policy change he implemented when in government. What utter hypocrisy and falsehood!

He changed from Assistant Treasurer to immigration minister, as we well know. But then, if he felt any sense of guilt at all for his employee share debacle, you would think he would have rectified it at the first opportunity—which is not now, as shadow Treasurer; it was when he became Treasurer. You would have thought it would have been one of the first things he did when he became Treasurer under the former member for Griffith. But, no; this MPI from the Leader of the Opposition and from those opposite is another exercise in pretending—pretending they never wrecked the budget; pretending it does not matter. And in opposition
they will go on pretending just as they did in government, but what they will not ever do is to offer a solution to Australia's problems.

\textbf{Dr CHALMERS (Rankin) (15:46)}: The former Governor of New York Mario Cuomo was famous for saying that you campaign in poetry and you govern in prose. Unfortunately, with this government that we have, they campaigned on honesty and they govern in lies. They started this year all puffed up—they had the smell of ministerial leather in their nostrils; they had the electoral wind at their backs—and now they end it with a whimper, broken down and busted up as a government, limping towards Christmas but determined to deny Australians the festive season that they deserve.

There has never been a bigger gulf between promise and delivery than what we have seen in the first year of the Abbott government. Tony Abbott promised that there would be an adrenaline charge of confidence in the economy, and we get a note today from Commonwealth Bank economists saying that confidence is the missing ingredient in the economy—not an adrenaline charge, but a lack of confidence in the economy.

The Prime Minister had the nerve to say that it has been a year of achievement. They said that they would make the budget better; they have made it worse. They said that they would make living standards better; they have made them worse. They said that they would make the cost of living better, and they have made it much, much worse. They said they would be part of the solution, and instead they have turned out to be the problem.

The Prime Minister also said today that the budget this year and the government this year have changed people's lives—and I agree with him. He has damaged the aspirations of people who want to go to university. He has jacked up the price of petrol. He has jacked up the price of medicine. He has introduced a GP tax to attack universal health care in this country. All of these things will change people's lives, for the worse. He has pulled $80 billion out of schools and hospitals, as their own budget documents demonstrate. So he has changed people's lives.

He puts this down, of course, to a change in the atmospherics. It is not the atmospherics that need to change; it is the government and their budget. But there is a stink in the air, and that stink is that carcass which was described by those opposite: the budget hanging around their neck. They say that they need to reboot the message, but what they actually need to do is to restart the budget—to redo the budget—because the judgements that they have made are damaging the Australian economy. In getting things so badly wrong, this hopeless Treasurer is damaging the economy.

The Australian people do not want better spin; they want their country back. They want our nation to be a place where the fair go thrives, and where people look after each other and look out for each other. They want to recognise in our country one of the great civilisations in the world. They want these things advanced not trashed. They want the fair go advanced not trashed. They do not want better talking points; they want a government with better values. They want a government with values consistent with the best of our nation and not the worst of our nation.

Australians want a new government for Christmas but, in the absence of that, they would settle for a new budget. The government should start again in this mini-budget—the Treasurer should start from the beginning and come up with a budget that is fair to Australians.

I was reading Ross Gittins who said in \textit{The Sydney Morning Herald} yesterday:
The first and biggest reason the government is having to modify or abandon so many of its measures is the budget's blatant unfairness. In 40 years of budget-watching I've seen plenty of unfair budgets, but never one as bad as this.

Even *The Australian* is getting into Joe Hockey for his performance in this budget. Even *The Australian* says:

The key player here must be the Treasurer but he has been all but invisible in past weeks and only a sporadic performer since the budget.

It is little wonder that Campbell Newman is saying that Tony Abbott is not needed in Queensland for the election that is coming up in Queensland—

**Mr Fitzgibbon:** Box office poison!

**Dr CHALMERS:** As the member for Hunter says, he is box office poison in Queensland, just like he was in Victoria.

So the Abbott government ends the year not waving but drowning. And all of us on this side of the House end the year doing what we do best: we end the year standing up for people in our communities and right around the country—standing up for people against the unfair attacks being made by those opposite. And we will continue to stand up for people. We will continue to look out for people and look after people. We will continue to defend the fair go. But we will do another thing on top of that, as important as it is that we defend the fair go in this country—we also want to advance it.

So, as to all of the terrible things being done to people on low and middle incomes in this country, as the year ends, all of us on this side of the House commit to never rest while those opposite are attacking people in our communities, but also to come up with policies for the future that do not just defend the fair go in this country but advance it.

**Ms GAMBARO** (Brisbane) (15:51): On this matter of public importance it is really hard to know where to start. Regrettably, there is an inexhaustible reservoir of Labor incompetence and mismanagement to draw from. The opposition is in no position to lecture the government on budgetary management and policy failures. The whole premise of this MPI is the equivalent of taking marital advice from Hugh Hefner. Some of the outlandish claims in the last six years have included promising a surplus in 2012-13 on no less than 500 occasions and they delivered not a single surplus, not one. Labor's incompetency allowed gross debt to rise to $667 billion.

Nothing could better highlight the difference between the government and the opposition than this. We are responsible for the tough but fair fix; Labor is responsible for the problems. Labor left a budget position that will not return to surplus within the next decade unless urgent remedial action is taken. No-one ever said it was going to be easy to fix Labor's debt and deficit disaster.

Some staggering examples of non-existent service delivery from the Labor Party include these: those wonderful GP superclinics in cow paddocks! When in government Labor promised 64 superclinics and only delivered a measly 33. A local example was the Redcliffe Superclinic. It was built seven years after it was promised at a staggering cost of $15 million. Imagine the medical services that that could have provided—the hundreds of mammograms and the hundreds of doctors services that could have been provided.
There were the non-existent child care centres. Labor promised 260 child care centres when in government and delivered only 38, a shortfall of 222 centres. That is a delivery rate of just over 14 per cent said—a pathetic result even by Labor's standards. That is 222 communities across Australia that do not have a child care centre as a result of Labor's broken promises.

Labor made a mess of just about everything they touched. A typical example is Labor's regional development grant mess. An Auditor-General's report has revealed that the Rudd-Gillett-Rudd Labor government went out of its way to abuse taxpayers' money under the regional development grants. Today we have heard that of the 42 grant recommendations, Labor overturned 34 of those recommendations.

Mr Nikolic: Shameful!

Ms GAMBARO: It was another Labor shame, that is right, and Labor should apologise. Once again we see the extent of Labor's inability to responsibly handle precious—and they are—taxpayer dollars. What we see here is Labor's typical practice of treating Treasury like a union slush fund. Unless we take action debt will rise to $667 billion within 10 years. That will leave Australia with a debt of around $23,000 per person.

Under the previous Labor government more than $16 billion was stripped from the defence budget. This included a 10.5 per cent cut in 2012-13, the largest single cut to the defence budget since the end of the Korean conflict. This resulted in the share of GDP spent on defence falling to 1.56 per cent, the lowest since 1938.

Who can forget these fantastic contributions to Labor's greatest hits of budgetary calamities? The Rudd-Gillard government's six years of chaos, waste and mismanagement delivered higher taxes, record boat arrivals and debt and deficit as far as the eye can see. Labor turned $50 billion in the bank into a projected net debt of well over $200 billion, the fastest deterioration in debt in dollar terms and as a share of GDP in modern Australian history. Labor's debt is already costing $1 billion a month in net interest payments, and that is all borrowed money.

We have a government that is turning this around. We did not cause the problem but, unlike Labor, we are committed to fixing this problem. I would like to just say that all of my election commitments have been delivered, particularly the commitment on the new gate at Enoggera Barracks. We are about delivering. We are about turning budgets into surpluses. (Time expired)

Mr KELVIN THOMSON (Wills) (15:56): Given that the topic for today's matter of public importance is the Prime Minister's policy failures, one does feel spoiled for choice. There is no doubt that the unfairness and broken promises that have characterised the government's actions in its first year of office played a significant role in the defeat of the Liberal Party in Victoria on Saturday. Voters took the opportunity to take a swing at a Prime Minister who talked up a storm about trust and integrity and keeping your word when he was opposition leader, then forgot about all of those things once he was elected.

But given the time constraints I will confine myself to just three policy failures. First, the proposal to deregulate student fees. I appeal as loudly as I can to the Senate crossbenches not to let the government increase student fees. I find it indecent that my generation, beneficiaries of all the career opportunities that came through Gough Whitlam's abolition of student fees, can pull the rug out from under this generation and deprive them of the same opportunities.
Frankly, young people deserve better. A tertiary education is important for young people, as is technical and further education. But it is also important for the nation. We need to educate and train and skill our young people. It is unspeakably short sighted for the government to make tertiary education opportunity a function of parental wealth.

Second, the hostility to public transport. The Prime Minister should accept the verdict of the Victorian people on the weekend and abandon the East West Link tollway. Melbourne's never-before-seen rate of population growth—200 people per day, 1,500 per week, 75,000 each year—is creating massive traffic congestion. But study after study shows that the better way to deal with traffic congestion is public transport infrastructure, not more freeways. The Prime Minister should not incite the new Labor Premier to break his election commitments. He should not blackmail the Victorian people by threatening them with a loss of billions of dollars in federal funding. He should work with the Victorian Premier to build the Melbourne Metro and underground the level crossings like Glenroy and Coburg in my electorate of Wills, which are a daily source of traffic congestion.

Third, the hostility to science. Under this government scientists working in institutions such as the CSIRO are seeing the results of their work denounced, their livelihoods threatened and their funding withdrawn. This government sees no value in modern instruments such as the Mopra radio telescope, near Coonabarabran, that is being shut down, at the same time as funding cuts have put the world-renowned Parkes radio telescope at risk of being abandoned as hundreds of professional scientists lose their jobs.

Equally damaging to Australia's international reputation, the Square Kilometre Array radio telescope, part of a scientific collaboration of over 20 nations, has no government support beyond the next two years and it appears that the government expects the private sector will somehow provide ongoing funding. Perhaps the government hopes to see this important international telescope renamed 'The Big Mac.'

Just like Galileo was punished for speaking the truth, CSIRO scientists are being punished, with one quarter of the organisation's staff facing dismissal for, evidently, producing documents such as *Climate change: science and solutions for Australia*, a factual report that directly contradicts the government's endless fraudulent claims on this matter.

Given the Prime Minister's status as an authority figure hostile to science it is not surprising that, according to the Australian Science Teachers Association, enrolments in senior secondary science and maths subjects are continuing to decline. Since taking office this government has done nothing to reverse that trend, even though the Chief Scientist, Professor Chubb, in 2012, warned:

We need a growing pool of science graduates to ensure Australia will be able to continue to compete on the international stage and develop scientific solutions to problems facing our nation …

There is no evidence that the government has given any regard to Professor Chubb's concerns. Michael Faraday, the English scientist, whose early 19th century electrical investigations led to what has been called the second industrial revolution of electricity, steel and chemicals, worked at a time when science was regarded as an excellent hobby for a gentleman but a miserable career choice.

Under this government, science in Australia appears to be returning to the lowly status that it held in England during the early years of Queen Victoria's reign. *(Time expired)*
Ms LANDRY (Capricornia) (16:01): It is a joke that the opposition today is whining about so-called failed policies and budgets. If anyone knows about failure, it is the Australian Labor Party.

They had two failed Prime Ministers who were so distracted by their own catfight, they led the nation over a cliff. The debt Australians are now paying off is a debt left by the Australian Labor Party. Let us take a look at some of Labor's so-called policy achievements. Labor's failed roof insulation policy, tragically and sadly, led to the deaths of four young Australians, one in my own electorate, that of young Reuben Barnes. Labor's failed fiscal policies drove up national debt to historic levels. The result is an interest bill of $1 billion a month.

Under their stimulus package, Labor wrote stimulus cheques out to 21,000 dead people! In fact, the Australian Labor Party's fiscal policies are akin to a teenager using grandma's stolen cheque book. However, I do not want to dwell on them and their failures.

Let me tell you about some really positive things this government is working hard to achieve in regional Australia. It is regional Australia that creates the real wealth for our nation, because this country relies on the export of agriculture and mineral resources to feed our GDP. That is why it is significant that the Abbott coalition government continues to push for the development of dams and water infrastructure in regional Australia.

In the electorate of Capricornia we want the Connors Dam, between Sarina and Moranbah; the Fitzroy Corridor's Eden Bann and Rookwood weirs near Rockhampton; and the Urannah Dam that would benefit the struggling town of Collinsville. These projects are now listed in the green paper on agricultural competitiveness. Such projects would create economic diversity and set up the region for a brighter future and provide more jobs. This is a policy that Labor never talked about. Labor had no vision for regional Australia and no long-term policy to secure its future.

Let me outline some of our successful policies for rural and regional Australia. Our coalition government has, so far, abolished the carbon tax, an impost round the neck of small business, families and industry, which drives job creation. We abolished the mining tax, saving around $50 billion over the next decade. We negotiated free trade agreements, to stimulate trade and therefore jobs, with South Korea, Japan and China. We have given environmental approval for more than $1 trillion worth of projects to boost the economy and have provided a $320 million drought support package for our nation's farmers. We are investing $2.5 billion to help local councils fix streets and roads under our Roads to Recovery program. We are spending $300 million over the next five years through our Bridges Renewal Program to help repair or replace old bridges across the nation. Our government is spending $100 million to fix mobile telephone black spots. We are developing a future for Northern Australia. We are fixing roads, under the largest infrastructure investment in Commonwealth history including: $6.7 billion to upgrade the Bruce Highway and up to $1.3 billion for the Toowoomba Second Range Crossing. Next year our $1 billion National Stronger Regions Fund will be rolled out to provide the infrastructure that regional communities need for families and businesses.

Under this program, several key projects have been submitted for funding in Capricornia, including construction of a convention centre for Rockhampton city and stage 4 of a revitalization project on Yeppoon's beachfront. Both projects aim to attract tens of thousands
more visitors to both cities, visitors who will spend money and stimulate the local economies, leading to greater job creation.

Our government is getting on with the job of sensible policies to help regional Australia realise its full potential.

Mrs ELLIOT (Richmond) (16:06): This matter of public importance relates to this Prime Minister and this government's many, many failures and also to its very unfair and cruel budget. In fact, here we are, months after the budget, still talking about how unfair and how cruel it is. It has been the government's year of broken promises and policy failures across a whole range of different issues. It has indeed impacted everyone across Australia but, in terms of the broken promises, these have been very severe for those in rural and regional Australia.

Before the election we had the Prime Minister and all the members of the Liberal and National parties out there, saying, 'There'll be no cuts, no new taxes—none of this will happen.' I know that in areas like mine, the North Coast of New South Wales, we had those members of the National Party out there running around and saying that to everyone. That is why no-one trusts the National Party in my area now, because there they were, saying, 'No cuts; no new taxes,' and that is precisely what happened after they got into government.

And if we look at some of those measures, the really cruel and unfair measures, we see things like the GP tax, which is a tax on the sick and vulnerable. We see the $100,000 university degrees stopping kids, particularly from regional and rural areas, getting to university. We see the petrol tax pushing up the cost of living. We see cuts to age pensions—how cruel is that?—robbing our older Australians of $80 a week. We see cuts to family payments, cuts to schools and hospitals, cuts to the ABC. And remember, before the election, we had the Prime Minister on the SBS news saying, 'No cuts to education, no cuts to health, no changes to pensions, no changes to the GST, no cuts to the ABC or SBS.' And since that time, what has the government done? They have cut more than $500 million from the ABC and SBS. And of course for regional Australia this is indeed another betrayal by the National Party, because these cuts will be devastating to regional areas like mine on the New South Wales North Coast.

So, you can call it what you like. You can call it a lie, you can call it a broken promise, you can call it deception, or you can call it an untruth. But one thing is very, very clear: this Prime Minister and the Liberal and National parties just cannot be trusted. That is the reality. And what do they do now? They lie about lying—it gets even worse. Let us have a look at another one of their massive broken promises, and that of course is their $7 doctor tax. In this budget, the Abbott government's first budget, they essentially declared war on Medicare and universal health care, and I think that is one of the worst broken promises—again, particularly for regional and rural areas. We have the doctor tax plus the PBS hike. It really is devastating, because introducing a $7 GP tax for all patients will cost over $1.4 billion to communities living outside of metropolitan areas. Indeed, Department of Health data shows that people in these regional and rural areas will be the hardest hit by the Abbott government's more than $1 billion hike in PBS medicines. And the top 12 electorates that will pay for the highest out-of-pocket expenses for PBS medicines are in regional and rural areas; that is a fact. So, they are getting a double whammy: the cost of the GP tax and the PBS increases will increase total out-of-pocket costs to patients. It is unfair that those patients get charged out of pocket when they go to see the doctor—they are charged $7—and then when they need to fill their...
prescriptions or have scans or X-rays they also have those increases, and when they go for blood tests. So, it will be particularly devastating for people in regional areas.

Let us move to the petrol tax, which is incredibly unfair—a harsh tax that will hit people in the regions. Indeed, in my area they call it the National Party petrol tax they are so angry about it. The reason it is so unfair is that people in regional and rural areas have to drive so much further in order to access activities. Remember the Treasurer said, in relation to that, 'Poor people don't drive.' That shows how out of touch they all are. They do not understand people in regional and rural areas one bit. People are incredibly angry about the petrol tax, just as they are about the $100,000 degrees. A university degree should depend on hard work and good marks, not on your parents' bank balance. But what people tell me in regional areas like mine, the electorate of Richmond, is that it is just out of reach for their kids to be able to get to university. That is what this government has done when it comes to their unfair and cruel budget—measures like the GP tax; $100,000 for university degrees; the petrol tax; the cuts to age pensions, which is so incredibly unfair to our elderly Australians, those who have served our nation; and the cuts to family payments. You can look across any area and see these severe cuts that are impacting our community.

And now they are saying, 'We've got to reboot, reset.' That does not change the substance of what they have done, it does not change the cruelty and the unfairness of it. The problem is that they said one thing before the election and then did something else. That is why people do not trust them: because they did exactly the opposite when they got into government.

(End of time)

Mr VARVARIS (Barton) (16:11): It is a privilege to address the House in the last sitting of the year. As we wind down our parliamentary business and take stock of the year that has been, it is timely to reflect on the legacy left to us by Labor after six years in office and celebrate the new legacy we are writing after a year in office. Just over a year ago, Australia had had a gutful of the chaotic dysfunction that the populace had come to expect of the Rudd-Gillard-Rudd leadership. Live export shipments were halted overnight, throwing our trade relations into chaos. Labor's commitment to slugging the people with the world's biggest carbon tax consistently outranked its promise to honour its commitments. Surpluses were promised, falsely announced, and hastily recanted. Prime ministers were deposed overnight. Portfolios were switching hands like hot potatoes. Prime ministerial planes were diverted at the passing whim of every prime ministerial thought bubble. The legacy that was left to Australians by this level of chaos, paucity of ideas and severe lack of respectable governance is dire. Labor's legacy to Australia is 200,000 more unemployed, gross debt projected to rise to $667 billion, and $123 billion in cumulative deficits.

Today, over a year after the coalition team was given a mandate to take the reins and get the nation into order, we look back upon an action-packed year of challenges and achievements. In our first year in office we repealed the world's biggest carbon tax, saving the average Australian family $550 per year and reducing the cost of electricity for small businesses by up to 10 per cent. Small business is the engine room of the economy, and the family budget is the document that provides the most meaningful reflection upon the state of the nation's finances. By easing the pressure on both these institutions with our tax-repealing and red-tape-cutting measures, the coalition is delivering for the Australian people where it matters most. We repealed the mining tax, giving our natural resources sector room to grow.
and prosper. And we are a government that unequivocally supports the mining sector, because we want to see a strong Australia and a strong economy that produces jobs for Australian workers.

We have seen major infrastructure wins right across this country: a $50 billion infrastructure program that includes major projects in every state that will save Australians time and money. Groundbreaking projects such as the WestConnex are on track to make a real difference to the everyday lives of Australians. We have put our country back to work, with key policies like the Restart program and the comeback of work for the dole, injecting life back into the economy and restoring confidence and opportunity to senior and young Australians alike. In this vein, we have seen a massive equalisation of opportunity with policies such as our trade support loans—a measure that has particularly benefited the young people in the St George area, which I represent, many of whom pursue technical vocations. We have stopped the boats. It is incredible to me that just over a year on from a complete surrender of our borders to people smugglers, a failure that saw the tragic deaths of thousands at sea, those on the other side of this chamber have the nerve to speak of policy failure. What better example of a resounding policy success than to re-establish trust with the people on the matter of securing Australia’s borders?

Looking back over these major milestones, we can see clear evidence of public progress right across the portfolios of government. However, the task which underpins all others, the biggest task facing the government yet, is undoubtedly that of budget repair. Ultimately, the difference between the two sides of this chamber is the coalition team's willingness to take on the task of budget repair and to take responsibility for the state of the nation’s economy. We were given a mandate by the people of Australia to lift the nation's economy and bring the budget back into the black. The people of Australia asked us to make the tough decisions necessary to create a secure future for all of us and our children. This year the government has delivered on key milestones of the mandate given to us by the Australian people.

Those on the other side will pontificate about unfairness and failure, but what could be more of a failure than refusing to face up to the task at hand? What could be more unfair than to saddle future generations with a mountain of intractable debt? We refuse to shirk the task assigned to us by the Australian people. We refuse to shy away from the tough but fair decisions and are absolutely determined to repair the budget. The truth is that there is only one team in this place with the mettle, the resolution and the plan to acknowledge and tackle the task at hand. The coalition team has reached key milestones of progress in this first year in office and our resolve is absolutely unshakeable as we approach the year ahead.

The DEPUTY SPEAKER (Hon. BC Scott): Order! The discussion is now concluded.

BILLS

 Acts and Instruments (Framework Reform) Bill 2014

Second Reading

Debate resumed on the motion:
That this bill be now read a second time.

Ms ROWLAND (Greenway) (16:16): As I was saying before the interruption, the primary genesis of the proposals in this bill was a statutory review undertaken by Anthony Blunn AO, Mr Ian Govey and Professor John McMillan AO—all of course eminent individuals. There
were 46 recommendations made in that report. What I would like to focus on in the bill before us is the proposal that the First Parliamentary Counsel be given powers to make editorial changes and other changes.

A Senate inquiry looking into this bill is in fact due to report today. I do not think the report has been released yet but, if the minister knows otherwise, I am happy to be corrected. I would like to turn to the submission made to that inquiry by the Clerk of the House, Mr David Elder. Mr Elder made some salient points that I think the House should be aware of. I would like to acknowledge the exemplary quality of parliamentary officers in this chamber and the value of Mr Elder's comments. He said:

Proposed new section 15V(6) specifically prohibits the First Parliamentary Counsel from making a change to an act or instrument that would change the effect of the act or instrument, and proposed new section 15X clearly defines editorial change. These provisions would appear to ensure that no changes of a substantive nature could be effected to legislation without passing through the established parliamentary processes.

In terms of the parliament's role in correcting errors in bills before the bills are presented for assent, the bill does not appear to have any effect on current practice. At present, if an error is discovered in a bill before parliament the usual practice is first to determine whether the required correction is editorial or substantive. In the case of editorial changes the Deputy Speaker or Deputy President authorises the responsible department to make the necessary change in preparing the bill for transmission to the other House or for assent by the Governor-General.

Fair enough, I think the comments about section 15V(6) and 15X are absolutely correct. But I do believe we need to turn to paragraph 2 and the logical steps which Mr Elder identified. If there is an error, there are two options: if it is an editorial error, the Deputy Speaker or Deputy President authorises the department to make changes; if it is a substantive error, corrections are made via amendment during the passage of a bill or subsequent to the bill coming into effect.

At this stage, I would like to turn to the definition of 'editorial change'. As the shadow Attorney-General alluded to in his comments, the notion of reporting back to the parliament on any actions that the First Parliamentary Counsel may have taken in relation to these provisions would probably not be seen as novel; it is the principle that agencies report to parliament on circumstances in which their powers exercised outside the parliament. Surely, this is not seeking to undermine the principle. We are the law-makers in this place and we should know when a piece of statute law has been changed, however slight that change may be. There is no intention in this bill to do anything contrary to that. The reason I raise it is in terms of understanding the context and the importance of us being here today looking at this bill to ensure that there are no unintended consequences arising from that exercise.

I will now turn to the two new concepts within the scope of powers of the First Parliamentary Counsel in the bill. The first is about the power to make editorial change and the second is about what precisely an editorial change is. In relation to the powers contained in proposed section 15V, the explanatory memorandum states:

Making changes in this way—

that is, editorial and presentational changes to a compilation of an act or instrument—

will conserve limited parliamentary time and other resources.
In other words, among other things it would not necessarily need to be presented to the parliament and debated—that is one way of reading this. I believe it is important to be clear on two things. Firstly, we should recognise that the proposed powers of the First Parliamentary Counsel apply to preparing a compilation of an act—and that is contained in section 15V(1). That is supported by the following comment at page 46 of the explanatory memorandum:

Editorial changes can only be made to a compilation—the original version ‘as made’ by the Parliament or rule-maker cannot be changed.

The second point I want to make is to again reinforce the confidence we have in the skill and dedication of the Office of Parliamentary Counsel. I am on the record on many occasions in this place on the issue of statute law and other legislative reform expressing precisely that sentiment, and I am happy to do so today.

It is instructive to note, however—and this is the reason why I raise this—that these proposals go precisely to the wording being advanced in section 15X(2)(a), because often minor editing can change the meaning of a bill. Here I am talking about the definition of editorial change, in section 15X subparagraph 2: 'An editorial change to an act, legislative instrument or notifiable instrument is a change made by the first parliamentary counsel that, a) goes only to a matter of spelling, punctuation, grammar or syntax and the use of conjunctive and disjunctives.' The I raise this provision is because this can precisely make a difference in judicial interpretation. Issues of punctuation, as have been shown in judicial interpretation and, specifically, case law tell us so. I think it would be prudent for the parliament not only to be made aware of when these powers are invoked but also to closely examine the findings of the Senate report and any consequential recommendations for any amendments that arise from that.

I did allude to specific cases where punctuation has made a difference. Again, as I did in my Statute Law Revision Bill contribution on 22 August 2012, I do want to highlight what I think is probably one of the most instructive cases on this point. That is the case of a comma in a contract being capable of being interpreted in such a way that it can make millions of dollars of difference. I believe this is relevant, so I am happy to quote exactly as I did on that occasion.

This was a case from 2006. A headline in The New York Times reported on 25 October 2006, describing it as a case of 'The comma that cost $1 million.' The issue at stake was a 14-page contract between Rogers Communications of Toronto, Canada's largest cable TV provider, and Bell Aliant, a telephone company in Atlantic Canada. The question of whether a single comma was placed in the right position led to a difference of Can$1 million. I will quote from the New York Times summary: 'Citing the rules of punctuation, Canada's telecommunications regulator recently ruled that the comma allowed Bell Aliant to end its five-year agreement with Rogers’—this was about the use of telephone poles—'at any time with notice.' The dispute was over this sentence: 'This agreement shall be effective from the date it is made and shall continue in force for a period of five years from the date it is made, and thereafter for successive five-year terms, unless and until terminated by one year prior notice in writing by either party.' The regulator concluded that the second comma, after 'successive five-year terms' meant that the part of the sentence describing the one year notice for cancellation applied to both the five-year terms as well as its renewal. Therefore, the
regulator found, the phone company could escape the contract by as little as one year. Following this, Rogers commissioned a 69-page affidavit as part of its case—mostly about commas—from Kenneth Adams, a lawyer from Garden City in New York who is apparently the author of two books on contract language. You can see, as I am sure the shadow Attorney-General does, the impact of punctuation and judicial interpretation. I have a genuine constructive point for the minister at the table who introduced this and will be wrapping it up shortly: I would be very interested in knowing what other jurisdictions do this and confer such power on their equivalent Office of Parliamentary Counsels. In what other legislatures does this practice occur, in what circumstances does it occur and what are the lessons and safeguards that we should put in place?

Again, as I said, I make these comments in the absence of knowing the outcome of the Senate inquiry. Perhaps it is the case that the reservations I have mentioned could be alleviated by reporting to parliament about whether these provisions are editorial and whether these amendments are activated.

In the short period of time that I have left I would like to mention, since we are talking about statute law, the fact that Justice Susan Crennan, Justice of the High Court, is in fact going to retire on 3 February 2015, which is before parliament resumes. Justice Crennan was the second woman appointed to the court after Justice Mary Gaudron replaced Justice Michael McHugh. From her official biography on the High Court website:
Susan Maree Crennan AC was appointed to the Court in November 2005. At the time of her appointment she was a judge of the Federal Court of Australia, having been appointed to that office in February 2004.

… … …


I think it is very opportune and instructive on this occasion, since we are discussing issues of statute law interpretation, so I took the time to have a look at one of Justice Crennan's illuminating articles which she wrote in February 2010: the Statute Law Society paper entitled 'Statutes and the contemporary search for meaning'. She said, regarding statutory interpretation: 'Contemporary approaches to statutory interpretation preclude sacrificing meaning to inflexible theories or principles.' She discusses, very interestingly, three factors that go towards statutory interpretation: the will of the parliament, context and purpose, and the principle of legality. I think that, in the context of discussing the will of the parliament here and to ensure that we, as representatives and the statute makers in this place, do not have any unforeseen consequences arising from this bill, it is most pertinent to have a look at Justice Crennan's comments which she makes there. I would encourage all members to visit it. There are some fundamental issues that she raises here about the separation of powers, the will of the parliament and how courts interpret that will. They are certainly very wise words. I wish to place on record thanks to Justice Crennan for her service to the law and I wish her well. She has been an adornment to the court and will continue to be so until her actual retirement.
In conclusion, I have commended the Office of Parliamentary Counsel for their most instructive operation. I think all members would also be well advised to read, over the break—I know they will print this off!—the revised *Legislative Instruments Handbook*, which is most illuminating, and, as I have referred to previously, the OPC’s *Guide to Reducing Complexity in Legislation*. Both of those documents lend themselves to a quote by Nick Horn, who did a paper on 'Legislative Drafting in Australia, New Zealand and Ontario: Notes on an informal survey'. He noted that our Office of parliamentary Counsel's *Plain Language Guide* is 'the most detailed practical legislative counsel manual currently available'. I commend them for that and support the bill, subject to those reservations which both the shadow Attorney-General and I have mentioned.

Mr KEENAN (Stirling—Minister for Justice) (16:29): I thank all honourable members for their contributions to debate on this bill. I particularly admire the member for Greenway's enthusiasm for acts and instruments, which I was unaware of until her contribution. We are very pleased to facilitate and support the passage of the Acts and Instruments (Framework Reform) Bill 2014. The bill provides an opportunity for significant reforms to align the legislative frameworks for Commonwealth acts and instruments. Importantly, this bill will promote the principle of access to justice by enhancing the accessibility of Commonwealth laws. It will also create administrative efficiencies and help reduce beige tape for government agencies. It will also facilitate efforts to reduce red tape. I would like to thank the Office of Parliamentary Counsel for its significant commitment to preparing this bill and for seeking to improve the clarity and operation of the legislative instruments regime. I therefore commend the bill to the House.

Question agreed to.

Bill read a second time.

**Third Reading**

Mr KEENAN (Stirling—Minister for Justice) (16:31): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**ACT Government Loan Bill 2014**

**Second Reading**

Mr BURKE (Watson—Manager of Opposition Business) (16:31): I will only speak briefly on the ACT Government Loan Bill 2014. I understand we will then be moving to other business and returning to this bill in a few moments time. On 28 October this year the Minister for Employment and the ACT Chief Minister announced that an in-principle agreement had been reached for the Commonwealth to provide a $1 billion concessional loan to the ACT government for the purposes of its planned asbestos remediation program. The bill before the House today provides the government with the authority to be able to make this loan.
The bill provides that the government may make a loan of money to the ACT for the purposes of undertaking an asbestos remediation program and purposes related to that program. The bill states that the terms and conditions on which the loan is to be made are to be set out in a written agreement between the Commonwealth and the ACT. The bill also caps the total amount of the loan at $1 billion. The bill appropriates $750 million for the purpose of the loan in this financial year. The remaining $250 million is to be appropriated in the 2015-16 financial year in a future appropriation bill. This split across financial years mirrors what the ACT government has done in relation to its legislation, which was introduced into their parliament on Tuesday 25 November.

The loan will allow the ACT government to enter into individual agreements with those individual homeowners to buy back their homes which have been affected by Mr Fluffy loose-fill asbestos, demolish those asbestos contaminated blocks, clear the blocks and then look to resell that and recoup some of the costs of the overall scheme. The scheme will involve the purchase and demolition of 1,021 residential properties across many of Canberra's established suburbs. It has been estimated that this will take five years to complete. The loan arrangement between the Commonwealth and the ACT governments will be for a 10-year period.

I will not speak for much longer as I will defer to our two representatives, the two ACT members in this House, the members for Fraser and Canberra, to speak to the bill. This bill is an important step in the process of ensuring many families in Canberra are able to be confident that the home buyback scheme will go ahead and that the remediation process can be undertaken. The opposition will support this bill's passage through the parliament.

I note that we might not be ready to proceed with the next item, so I will just speak briefly on the issues relating to this. There has understandably been concern for a long time about any occurrence where asbestos is found in old buildings. We have seen campaigns run by many people over many years, including some representatives who have found their way here, in parliament, on my side of the House and who have devoted much of their professional lives to pursuing those companies that continued to put asbestos into dwellings long after it was known that the dangers were there.

The challenge that we have had here in the ACT is the number of residential homes that we are talking about and to try to find a constructive way forward of being able to deal with this. While there have been points of contention, and I will not deny that, I am pleased that we are at the point now where this process will start moving. The ACT government has commended the parliament to assist with the swift passage of this legislation. I commend the bill to the House. I understand we will now proceed to other business and then the ACT representatives within the parliament will also have an opportunity of speaking on this bill.

Debate adjourned.

Leave granted for second reading debate to resume at a later hour this day.

Federal Courts Legislation Amendment Bill 2014
Second Reading

Debate resumed on the motion:
That this bill be now read a second time.
Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (16:36): The Federal Courts Legislation Amendment Bill 2014 implements several minor changes to the Federal Court of Australia Act and the Federal Circuit Court of Australia Act. Supporting the federal courts and, of course, also now the federal administrative tribunals is an important responsibility of the Commonwealth government and particularly of the Commonwealth Attorney-General. It was not always so. It is difficult to imagine now that the Commonwealth had no court of general federal jurisdiction until well into the seventh decade after Federation, when the Federal Court of Australia first sat in 1977. For more than half of the life of our nation we made do with a unique innovation of the Australian Constitution: the 'autochthonous expedient'—the ability of the Commonwealth Parliament to invest federal jurisdiction in the courts of the states.

Twenty years before the Federal Court first sat—in 1957—a young, ambitious federal backbencher named Gough Whitlam had delivered a lecture at the University of Melbourne calling for the establishment of a federal circuit court. As the Hon. Michael Black AC, a long-time Chief Justice of the Federal Court, has noted:

This was one of the earliest, if not the first, public proposals for a federal superior court of broad, non-specialist jurisdiction.

By the time Whitlam had come to leadership of the Labor Party in the late 1960s, the need for such a court was increasingly clear. The High Court groaned under its caseload as both the nation's constitutional court and its only court of original federal jurisdiction. The Liberal Attorney-General, Nigel Bowen QC, floated the creation of a federal court but did not proceed with the proposal.

When Whitlam took power in 1972, his idea, first mooted all those years before, was taken up with some fervour by Attorney-General Lionel Murphy. The Labor government introduced legislation in each of its parliamentary terms to create a 'Superior Court of Australia'. The Superior Court of Australia was to be a broad federal court, one of whose divisions would deal with family law. However, the Superior Court of Australia Bill was blocked in the Senate by the conservative opposition, who were concerned that the court would undermine the prestige of the state courts—a concern which would prove unfounded. The Family Law Act, which was passed in the turbulent last months of the Whitlam government, would of course create the Family Court of Australia.

The following year the incoming Liberal government passed legislation creating the Federal Court of Australia—a court with a comparatively narrow jurisdiction. Through both the express expansion of its jurisdiction and the growing importance of a range of areas of Commonwealth law, the Federal Court of Australia has now grown into a court with a very broad and significant range of responsibilities—though I wonder if there are not some federal judges who would have preferred the slightly grander title Lionel Murphy would have given it.

The Federal Court was joined in 1999 by the Federal Magistrates Court. Chief Justice French has written that the history of that court mirrors that of the Federal Court:

The establishment of each of the courts had powerful proponents and powerful opponents. Their initial jurisdictions were relatively narrow. But, once established, each grew in reputation and in jurisdiction.

The Federal Magistrates Court was reconstituted as the Federal Circuit Court in 2013 by the most recent Labor government. That government decided that the change to the name of the...
court and its judges was warranted to reflect the evolving role of the court and its importance in the federal judicial system. Chief Justice French said of this decision:
The renaming of the Federal Magistrates Court as the Federal Circuit Court is more than merely cosmetic. Although predictions about institutional development are always hazardous, the future of the Federal Circuit Court as a national civil trial court exercising federal jurisdiction seems assured.
I respectfully agree with the Chief Justice. Indeed, last year I had the honour of appearing before a joint sitting of all of the Federal Circuit Court judges bar two, as I recall, on the occasion of the renaming of the Federal Magistrates Court to the Federal Circuit Court.

The Federal Circuit Court and the Federal Court now each have a broad and varied jurisdiction. They have earned reputations for their high quality and efficient management. These federal courts have made a great contribution to our national life. As with so many of Gough Whitlam's ideas—and indeed also Lionel Murphy's—it is difficult to imagine what our nation would look like without them. This bill is a very minor addition to that legacy. The bill will give the Federal Circuit Court jurisdiction over certain tenancy disputes involving the Commonwealth. The bill will clarify the ability to use reasonable force in entering premises to execute an arrest warrant, which is unclear under the legislation as it presently stands. The bill tightens provisions intended to limit appeals from minor interlocutory decisions in the federal courts. A range of minor technical amendments are also made to each act to improve clarity and drafting. Labor supports this bill, which will make a number of minor but worthy improvements to our federal court system.

At this time, however, there are, I regret to say, weightier concerns with the federal courts. I hold grave concerns about funding decisions the government has foreshadowed concerning the courts that it oversees. The government has refused my call for it to release the KPMG report into the funding and performance of those courts. Supporting the federal courts is, as I said, an important responsibility of the Commonwealth government and particularly of the Commonwealth Attorney-General. The proper funding of those courts goes to the core of that responsibility. I call on the government to be very clear about how it will proceed to support our federal courts into the future. I commend this bill to the House.

Mr KEENAN (Stirling—Minister for Justice) (16:43): The purpose of the Federal Courts Legislation Amendment Bill 2014 is firstly to make minor technical and uncontroversial amendments to improve the operation and clarity of the Federal Court of Australia Act 1976 and the Federal Circuit Court of Australia Act 1999. Secondly, this bill will confer jurisdiction on the Federal Circuit Court of Australia to hear certain Commonwealth tenancy disputes, because this is the most consistent and cost-effective forum to hear these disputes. The amendments to the Federal Court of Australia Act will clarify that appeals cannot be made from minor procedural decisions such as decisions to change or to not change hearing dates. This will reduce unnecessary delays in the court system and ensure a more efficient administration of justice. The amendments will also clarify that police officers and court sheriffs can use reasonable force to enter premises to execute an arrest warrant for persons who are the subject of proceedings for contempt of court or for summary offences. This resolves inherent uncertainty about whether officers can use reasonable force, as there have been occasions when arrest warrants have not been executed because of this uncertainty.
The amendments to the Federal Circuit Court of Australia Act will confer jurisdiction on the Federal Circuit Court of Australia to hear certain Commonwealth tenancy disputes. These amendments are vital in order to provide a consistent and cost-effective forum to hear these disputes. The bill will provide a consistent and cost-effective forum for the resolution of certain Commonwealth disputes. The bill will also improve the operation and clarity of the Federal Court of Australia Act and the Federal Circuit Court of Australia Act, which will assist in streamlining and reducing the complexity associated with navigating the justice system. I, therefore, commend it to the House.

Question agreed to.

Bill read a second time.

Third Reading

Mr KEENAN (Stirling—Minister for Justice) (16:46): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

ACT Government Loan Bill 2014

Second Reading

Dr GILLESPIE (Lyne) (16:46): I think the ACT Government Loan Bill 2014 comes to the House with bipartisan support. I rise to highlight that I am flabbergasted that, in 1968, when there was such a long history of the risks of asbestosis, Mr Fluffy was able to fill houses with free-flowing asbestos. It boggles the mind. Early occupational health reports in the twenties and thirties in America and in Western Australia identified it as potentially toxic to the lungs of workers, causing asbestosis—which is like silicosis, a fibrotic lung disease—or, worse, mesothelioma, the deadly cancer lining the lungs.

To have up to 1,000 houses in Canberra, near the town I grew up in, with free-flowing asbestos pumped into the roofing for insulation just beggars belief. I continue to be shocked that it went on for so long. It seems ironic that Mr Fluffy himself passed from this world due to the effects of asbestosis and mesothelioma.

This measure is non-controversial. A loan of up to $1 billion, to be appropriated as a result of this bill, will be utilised by the ACT government to purchase the affected properties, many of which are very large blocks of land in Canberra. The plan, I understand, once the affected buildings and land are remediated, is to sell them off. I am not sure, but, if the ACT government have any commercial nous, they will subdivide these very large blocks into smaller blocks, recoup the $750 million to $1 billion in funds from the Commonwealth and be able to repay their loan in due course.

The bill is pretty straightforward, but it sends a sobering message to anyone involved in occupational health and safety. When you see these early reports of things that might be dangerous, you must look at them extensively before you go headlong into the consumption of something that might end up being toxic. I commend this bill to the House.
Dr LEIGH (Fraser) (16:49): The ACT Government Loan Bill 2014 provides the appropriate mechanism for the provision of $750 million in the form of a concessional loan to the ACT government to deliver a program to buy back and demolish houses in the ACT affected by Mr Fluffy loose-fill asbestos. It is part of the $1 billion loan facility agreed between the federal and ACT governments on 28 October 2014. Seven hundred and fifty million dollars will be paid this financial year, with the remaining $250 million to be paid next financial year. The ACT government then plans to buy and demolish 1,021 homes contaminated with Mr Fluffy loose-fill asbestos insulation.

The Mr Fluffy asbestos affair has affected thousands of Canberrans. It involves 1,021 properties across 58 suburbs, directly impacting approximately 4,500 people. The ACT government personal support team has intensively engaged with homeowners to deal with their individual circumstances. They have six officers and a dedicated Canberra Connect task force call team also has six officers. There have been payments of financial emergency assistance to families now exceeding $1.2 million, which includes support for hazard reduction works of properties, temporary accommodation and the replacement of essential contaminated items. This has been deeply traumatic for the many families involved in the ACT. I pay tribute to the Gallagher government for the way in which they have handled this unique situation, which has affected so many Canberrans.

I myself have heard firsthand from many of these families about the impact that it has had on them and on their lives. Last Thursday, the member for Canberra and I tabled the first group impact statement, 'Hope in grief: confronting Mr Fluffy's toxic legacy in Canberra and Queanbeyan', compiled by the Fluffy Owners and Residents' Action Group. Many of the Mr Fluffy affected families were in the Federation Chamber as I spoke.

And as soon as I turned around I saw tears running down many of their faces.

It has affected families because they have regarded their homes as being safe and sacrosanct, and now they find that their homes have contained loose-fill asbestos—potentially deadly. This has been traumatic for families who have young children, where those children may have been affected. One woman told me about her sense of betrayal for her friends. She had conducted extensive renovation work on the home, including work where many of their friends had helped out, and had moved through the roof cavity. The feeling, now, that she had exposed her friends to potentially toxic loose-fill asbestos left her feeling deeply pained.

The Mr Fluffy legacy is a 50-year legacy and the ACT government has been informed that the homes affected cannot be made safe. That is why the ACT government has taken the approach that it has. Following 600-odd assessments that have been conducted this year, the ACT government has opted to demolish the 1,021 houses. As Chief Minister Gallagher has noted:

Canberra is a kind and caring city. That is part of what makes it a great place to live. We have seen it over the years that when some are struggling or suffering, the community rallies to support them and do what we can to help.

That is what the ACT government is doing in the case of Mr Fluffy—partnering with the Community and Expert Reference Group, Canberra Connect, the ACT Medicare Local and the Chief Health Officer. As Chief Minister Gallagher has done, I acknowledge Sue Packer, Simon Corbell, Andrew Kefford—the taskforce head—and Brianna Heseltine for their work in particular on behalf of those affected by Mr Fully loose-fill asbestos.
In the time remaining I wish simply to quote from some of the accounts in the impact statement which I tabled earlier in the Federation Chamber. Clare of Hackett says:

More than anything, I hope that our daughters have not been exposed to a dangerous amount of amosite. Will I spend the rest of my life wondering? Will I die wondering?

Christina of Ainslie says:

We don't have people over any more. We meet up with friends and family at their houses. We don't change the light bulbs anymore—two are blown in the lounge room but I don't want to disturb the fittings and release any fibres. When the wind blows hard, I lie awake wondering if it will stir up the remnant fibres in the subfloor or walls and bring it into the house ... We can never relax while we live in this house.

Christine of Ainslie says:

I have lived in my home since 1978, my three children were raised there and it is the home I shared with my late husband.

The first we new about Mr Fluffy was during the 1980s-90s clean-up program. It had been installed prior to our purchasing the home. Our entire family was uprooted during the clean-up and moved back in under the impression that our home had been made safe.

She goes on to say:

The re-emergence of Mr Fluffy into my life has been hugely traumatic. I am a 66-year-old, semi-retired widow living alone in my family home. I have never in my life known such stress and anxiety for such an extended time.

An anonymous contributor to the impact report, who is from Aranda, says:

I am profoundly worried for our son who is now six years old.

That we have inadvertently exposed him to this form of asbestos is something that we will live with for the rest of our lives. The burden of time lays heavily on us as we face years of waiting to find if his life will be shortened. All we can do is hold on to the hope that his genetic path isn't interrupted by Mr Fluffy.

Jenny of Aranda says:

We have been fortunate in that our asbestos assessment did not find any asbestos in our living areas, although a number of remediation tasks need to be undertaken. This test result was very welcome but it plays on my mind that other people have also been given clear test results only to have them overturned at subsequent assessments. I still do not feel safe.

An anonymous 36-year-old from Belconnen is a constituent who has been living overseas. She says:

Our work overseas will finish in early 2015. I am pregnant with our first child, and will give birth shortly after returning to Canberra. We will have nowhere to live, and unless the government provides generous compensation, we will be financially insolvent. This is not the environment we had imagined bringing a baby into the world.

An anonymous person who has been living in an ex-guvvie home for 45 years says:

Living in one of these houses is like living on a knife edge, we never know from one day to the next if our health is going to be a problem. As grandparents we don't worry so much about our health, as that of our family—will they have full and happy lives or are they going to suffer because of the contamination already in their bodies? The uncertainty of how long this whole mess will take to resolve and what the result will be, adds to the many problems we face.

An anonymous 38-year-old in Chapman says:
We have put ourselves and more distressingly our young children at risk of terrible health issues, not to mention our friends and family, who had been in our house, staying for periods of time, or just visiting, for the entire time we have lived there. We have had to deal with having to explain to people what is going on, the stigma attached to “Mr Fluffy” and seeing their minds realising that they have been put at risk (or worse, verbally attacking you for putting them and their children at risk).

An anonymous Deakin resident says:

We have worked hard to make this house our home: we have spent considerable time, effort and money over the years to achieve the sanctuary we enjoyed. Our garden is my husband's work of art. His tireless work in this area has yielded a pleasing outside environment for our home—an environment that will most likely be destroyed, along with our house.

Jennifer, 42, of Dickson says:

We discovered that our home was a Mr Fluffy house only a few weeks ago in July 2014. We had just returned from a family holiday and the registered letter was waiting for us. I remember distinctly my response to the letter … acute nausea. I lost 2kgs in about 4 days, experienced many sleepless nights and was nervous, trembling and teary. I could not perform at work. I could not reveal my emotions to my children. I felt I was wound tight … tight like a spring.

Matt, 37, of Duffy says:

I don't want to live in the house I was so proud to have bought on my own 15 years ago! I hate my house and I hate the fact I have to live in it until the government makes a decision. I tell my wife every day that I do not want to live in this house and I feel I have let my family down and given them a death sentence for allowing them to live in a home that was a Mr Fluffy home. I believe that if my wife or my children become ill with an asbestos-related disease that it will be my fault for buying this house and for trying to upgrade it.

Sharon and Damien, in their 40s, of Flynn say:

Our plans, no, our world was shattered at 6:00 pm on 16 July 2014, when we read the registered letter, we were not prepared for the enormity, the impact or the gamut of emotions the words contained within held.

We have cried for what we have done to our children.

Leonie, 39, of Hackett says:

My husband took on a project to install a large water tank in the garden, he spent three whole days in the subfloor space putting the plumbing together.

We have both lost parents to cancer and we are well aware of how horrific it is. The thought of our children going through the same is unbearable.

Sharon, 36, of Kambah says:

I am now regrettably one of the 31 families that have been moved out of their family home. We received a phone call on Wednesday 6th August 2014 and were informed that asbestos fibres had been found in all our 4 wardrobes, linen press and heater intake. … I arranged for our family to stay with friends, I packed some toiletries and left the house literally with the clothes on my back.

Nina, 39, of Kambah says:

My husband and I purchased our unrenovated almost-original 1975 home in Kambah in late 2002, a couple of months after getting engaged. We renovated every inch of it.

But now, she says:

… three positive samples have been found in the house.
I am 39 years old and have poured more than a decade into creating our home; made up of both our physical property and our two beautiful children. What do we have now?

Edwina and Joh, 42 and 37, from Kambah say:
What haunts us is the knowledge that both of our sons have been under our home, an area that we now know is contaminated.

Katie, 25, from Kambah says:
Our report came back positive on all six samples with a high reading for asbestos fibres. The assessors informed us that we were no longer to enter the house. We have since done the heartbreaking task of telling our family and friends that they have been exposed to asbestos fibres whilst helping us renovate and that we are so sorry for putting them in this situation where their health might be at risk in the future.

Lisa, from Latham says:
… our worst fears materialised as we were notified that we had Crocidolite (Blue asbestos) in every cupboard in every bedroom, our linen closet and worst of all, in our heating ducts. Blue asbestos had likely been airborne in our home via the ducted heating, allowing it to settle on or in carpet, furniture, toys, beds, clothes, linen and most frighteningly the lungs of only my husband and myself, but our two precious children.

We had to leave with only the clothes on our backs, which also needed to be promptly replaced and disposed of like toxic waste.

She then goes on to tell the story of her three-year-old son's birthday on 21 July 2014, when she received a phone call from the asbestos assessor. Lisa said:
I was now in the middle of an emotional breakdown in a shopping centre food court. … A stranger approached me and said: "I don't know what is wrong, but I can see you are very upset. Let me take your baby and feed her so you can talk to whomever you are talking to. Let me help you." This lovely lady sat at a table with me and kept my baby content while I fell apart.

This story speaks to the generosity with which Canberrans have reached out to those affected by Mr Fluffy asbestos.

Betty, 80, of Watson says:
I used to look back on our time in this home with such fondness and love. Bringing our babies home, milestones in their lives and the many happy occasions and celebrations we shared. Those once beautiful memories are now tarnished with fear. Fear for the multiple generations of our family who have been exposed to deadly fibres.

The impact report contains many more stores that speak to the Mr Fluffy legacy. It has scarred this generation. I pay tribute to the emotional strength those affected by Mr Fluffy have shown through this extraordinarily difficult time in their lives.

Mr VARVARIS (Barton) (17:04): I rise to offer my unequivocal support for the ACT Government Loan Bill. The federal government is faced with a pressing challenge that it must deal with in order to ensure the safety and health of residents the ACT. At present the government is aware that there are potentially more than 1,000 homes in the ACT that still contain residual asbestos fibres. The government is also aware that when dealing with this issue time is of the essence to ensure the wellbeing of affected residents. By providing assistance in the form of a loan to the ACT government, the Commonwealth government aims to provide the ACT with the funds to undertake an urgently needed asbestos remediation program.
In responding to this challenge the ACT government would have to deal with the fact that the cost of the program would add about 20 per cent to their annual budget and cause significant pressure on their fiscal situation. As a result the federal government seeks to propose the provision of a $1 billion loan in order to ensure the ACT government has the ability to commence the remediation program.

The federal government hopes that this loan bill will attract support from both sides of the House. In doing so we hope to continue the long-standing tradition of bipartisanship shown in the house whenever urgent issues affecting the livelihood and wellbeing of Australians are at issue.

The Asbestos Remediation Program, which the federal government seeks to provide a loan to facilitate, will involve the purchase and demolition of more than 1,000 homes in the ACT that contain residual asbestos fibres that were not entirely removed 20 years ago. The problem in this particular instance stems from the use of loose-fill asbestos during the insulation of homes in the 1960s and 1970s, and it is now up to this parliament to finally help deal with this issue once and for all.

The deadly effects of asbestos related injury, including asbestosis and mesothelioma are now well-known to the Australian public and they would expect nothing less than a strong bipartisan resolution to this problem. A solution would not only ensure that further physical damage and injury does not occur but would be a step forward in resolving the uncertainty that still exists for the affected families.

Whilst the previous federal government program removed the bulk of the dangerous material, unfortunately residual fibres have been discovered on some properties. As such, the ACT government has decided that the risk to families and individuals is unacceptable and has sought to ensure that safety is given priority over all else. The coalition agrees that this is a prudent course of action and that to provide a concessional loan would be an effective way to empower the ACT to deal with the issue of houses affected by residual asbestos fibres. By buying and demolishing the potentially affected homes we can ensure that we are helping to take another significant step towards closing the dreadful chapter of asbestos-related issues that have affected thousands across the country.

Last week, the impact statements of 330 families living in affected homes were tabled in parliament. Indeed, the ability for these families to have their experiences recorded in Hansard will assist in providing some valuable perspective for members of both sides to understand exactly why this concessional loan is needed. To enable the granting of this loan, the proposed bill will specifically allow the minister administering the ACT (Self-Government) Act 1988 to enter into the agreement on behalf of the Commonwealth. As the minister who currently administers the act is the Minister for Infrastructure and Regional Development, the appropriation will be provided to that department which will then enable him to provide the loan to the ACT.

The plan to support the asbestos remediation program will involve the commitment by the government to provide a loan for $750 million in the present financial year. Further payments of up to $250 million may be made available via appropriation in the 2015-16 financial year. This is to ensure that there remains a capacity for flexibility in any loan agreement so that the objectives of the program can be met, given that families will be given up until 30 June of next year to lodge their applications for involvement in the buyback scheme.
Consolidated Revenue Fund will be appropriated as an administered assets and liabilities item for the purposes of making payments determined by the written agreement made between the ACT and the Commonwealth government. This will allow the loaned money to be used in an effective way strictly for related purposes concerning the remediation program.

It is important to note that this initiative is not about what the Commonwealth is doing on its own but about what can be done in collaboration with the territory government, who will be administering the remediation. The success of the program is entirely contingent on the close collaboration between the ACT and federal government and it is up to the House to ensure that the Commonwealth government can act in the best interests of the affected property owners. The bill also outlines that whilst the loan is given pursuant to an agreement between the ACT and the Commonwealth, the loan will not exceed $1 billion. This is to ensure that the loan provided to the territory is utilised effectively and in a way which directly addresses the concerns related to residual asbestos fibres in the properties in which it was installed by the insulation company in question, Mr Fluffy. As part of the remediation program, which the government is providing the loan for, the ACT will purchase the affected houses at market price so that the affected home owners and families will not be financially compromised as a result of circumstances which were completely out of their control. The market price will be calculated as if the affected properties did not contain asbestos so that individuals who choose to sign up to the government buyback offer will be compensated for the full value of their property.

The Commonwealth is also aware that the fiscal impact of the asbestos remediation scheme will result in an almost unprecedented blow on the ACT budget. With this in mind, the Commonwealth has resolved to ensure that the financial assistance provided by any appropriation would not additionally burden the territory unreasonably. In order for this to occur, the funding provided by the government will be in the form of a concessional loan, which will reduce the interest cost to the ACT compared to a scenario where the territory would have had to seek a loan on its own. This would have resulted in an additional unfair economic burden on the ACT's budget in the wake of this issue.

This financial year will see $338 million put towards the purchase and demolition of affected homes whilst $412 million will be put towards the buying of land and incurring a modest interest bill of $12 million. A proportion of the loaned amount will also be put towards the safe disposal of the asbestos from the affected properties. This will include the safe removal of the contaminated material following the most stringent of safety protocols. Any contaminated material will arrive at the waste disposal site in a bonded state and be covered with 30 centimetres of soil every day. These procedures will be put in place to ensure the safety of all people in surrounding areas. It is also of value to note that the $1 billion loan will operate as a line of credit and have no impact on the federal budget's bottom line. Once the affected homes have been cleared it is expected that the ACT government shall use the proceeds from the sale of the blocks to repay up to three-quarters of the loaned amount directly from the sale of the cleared properties.

There is no doubt that each family affected by the installation of asbestos in their homes will face a tough road ahead in moving forward with their lives. For many the process of rebuilding homes and lives will be a difficult challenge which will further test their resolve. However, we can at the very least offer the consolation that we have a result so that the
process of moving forward can begin. There is no doubt that this a highly emotive issue that faces our parliament today but I am confident that if we can approach this issue in a bipartisan manner we can do our part in ensuring that those most affected can look to the future in a more positive way. I commend this bill to the House.

Ms BRODTMANN (Canberra) (17:12): I rise today to address the House on an issue I have spoken about many times before, and that is Mr Fluffy asbestos. This is an issue causing significant distress in my electorate of Canberra and throughout the ACT and New South Wales. The lives of around 1,000 Canberra households and some 4,000 Canberrans have been completely turned upside down this year as these Canberrans have had to come to grips with the legacy of Mr Fluffy. Perhaps some members who are not from Canberra or the capital region do not realise how serious the Mr Fluffy crisis actually is because the name 'Mr Fluffy' is quite misleading. It does not portray the absolute devastation this substance has brought.

Mr Fluffy is a type of loose-fill asbestos that was used in the ACT in the late sixties and seventies. A small business called D Jansen & Co Pty Ltd—known as Mr Fluffy—pumped crushed raw blue and brown asbestos insulation into about 1,100 homes in Canberra and Queanbeyan. I am pleased to see that the member for Eden-Monaro is here in the chamber today because I understand that there are about 20 or 30 houses in Queanbeyan that have been affected by Mr Fluffy. I understand that work is being done by the state government on trying to get an understanding of the level of contamination in those houses and I also understand a task force has been established. The member for Eden-Monaro is nodding his head and I trust that he has been very active in this space and will continue to advocate on behalf of those families that have been affected by this Mr Fluffy crisis.

Mr Fluffy was a cheap and effective form of insulation, pumped into the walls and roof cavities of homes, to provide protection from our extreme weather conditions in Canberra—and we are all very familiar with the extreme weather conditions in winter. The uptake was quick, and Mr Fluffy was installed in homes across more than 70 Canberra suburbs, with the highest uptake rates in the Canberra suburbs of Curtin, Pearce, Kambah and the Weston Creek area.

At this time, the ACT did not have self-government and was governed entirely by the Commonwealth. Mr Fluffy was installed in the ACT on the Commonwealth's watch. I want to make that point again: Mr Fluffy was installed in the ACT on the Commonwealth's watch. This is an important point, and I will come back to it.

The ACT gained self-government in 1988, and, that same year, the Commonwealth government initiated a $100 million program to remove affected homes, in order to protect families and the broader community from the serious health risks posed by this particularly toxic form of asbestos. A survey was conducted of every house in the ACT to determine whether it was a Mr Fluffy house. Over 1,000 homes were identified and, over five years, the Commonwealth removed asbestos from more than 1,000 Canberra homes. Homeowners were issued with a certificate of completion on asbestos removal, and, for a while, we thought we were rid of Mr Fluffy.

Houses were bought and sold. Families grew up and moved out, and new families moved in. Houses were extended and renovated. The underneath of houses were dug out for studies and garages and storage areas. Countless trades people did countless jobs. In many cases, the certificate of completion of asbestos removal was lost, and families did not know they were
buying or living in a Mr Fluffy home. Families new to Canberra did not even know what Mr Fluffy was.

At the end of last year, that all changed. A report by Robson Environmental on a Mr Fluffy home in Downer was published late last year—and it was at this point that the community started to realise that the Commonwealth's remediation program may have failed. The report found that the home at 25 Bradfield Street in Downer presented with 'extensive' contamination—was, in fact, uninhabitable—and the house was subsequently demolished.

Following this report, which was released to the public under Freedom of Information laws, the ACT government wrote to 1,049 Canberra householders in February, reminding them that their homes had been included in the removal program more than two decades ago. This came as a shock to hundreds of homeowners who had absolutely no knowledge that their homes had been tainted by Mr Fluffy almost half a century earlier. In the letter, the ACT government recommended that residents did not disturb any internal wall or subfloor spaces and that they get an asbestos check by a licensed assessor to ensure fibres were not migrating into their homes.

As these checks were conducted, it became apparent just how serious the situation was, as a significant number of Mr Fluffy houses were found to contain residual asbestos fibres at dangerous levels. In many cases, these fibres had made their way into the living areas, into cupboards, and into the heating and cooling vents of the houses, putting their inhabitants at extreme risk.

The CEO of the Australian government Asbestos Safety and Eradication Agency, Mr Peter Tighe, raised the alert in April this year, putting to bed any doubt over the seriousness of the problem. He called for the demolition of Mr Fluffy homes due to the unacceptable health risks they posed to residents and the community.

For the families who own these homes, the situation is dire. It is devastating. Over the past months many families have been living in limbo, awaiting the federal government's response. They have been grappling with costs in the tens of thousands of dollars for testing, removal, temporary accommodation, new clothes, new toys, new teddies, new baby cots, and new cars.

And all of these issues are secondary to the biggest concern of all, and that is the potential health impact. Exposure to this type of loose-fill asbestos has potentially fatal consequences, as it increases the risks of asbestosis, other non-malignant lung and pleural disorders, lung cancer, mesothelioma, and other cancers. More than 10,000 Australians have been diagnosed with mesothelioma since the early 1980s, and up to 25,000 Australians are expected to die from mesothelioma in the next four decades.

The only safe way forward to solve the Mr Fluffy saga once and for all is to demolish the affected houses. In June, the ACT government set up the Asbestos Response Taskforce to provide assistance, information and advice to those affected. However, ultimately, both the installation and the remediation happened on the Commonwealth's watch, and so the Commonwealth needed to come to the table. The ACT Chief Minister, Katy Gallagher, met with employment and public service minister Eric Abetz a number of times during the year to try and establish funding from the federal government. In October, the chief minister and the minister announced that the Commonwealth would provide a $1 billion loan to the ACT, enabling it to buy back and demolish these houses. This bill provides the appropriation
mechanism for the provision of $750 million, in the form of a concessional loan, to the ACT government to deliver this demolition program.

While I acknowledge that this will provide some relief to the 1,000 or so households who are victims of Mr Fluffy, particularly those who have been forced into emergency accommodation, it is disappointing that the Commonwealth is not taking a greater financial responsibility. I have said many times that this crisis is a legacy of the Commonwealth's, and the fact that the Commonwealth has not come to the table with a better offer will leave many Mr Fluffy homeowners worse off.

Since the problem came to light at the start of this year, I have met with or spoken to scores of families struggling to come to terms with the legacy of Mr Fluffy. I have met with families who have been forced to leave their homes, leave behind their children's toys, leave behind their clothes, and start from scratch. They have gone in, the assessment has been done, say, on a Friday, and they have been told to get out of the house immediately—immediately. So they have spent the weekend trying to retrieve as much as they can but, quite often, they cannot actually take the toys, they cannot take the cot, they cannot take the blankets, they cannot take their clothes; they leave in the clothes that they are standing in.

This issue does not discriminate. It has affected Canberrans across a diverse cross-section of the community, spanning all ages and socioeconomic backgrounds. But one theme is consistent—they have all been placed under emotional, psychological, financial or health-related stress. The stories are heartbreaking. That is the only word you can use to describe them—they are absolutely heartbreaking. There are stories I have heard from the many, many Canberrans I have spoken to about the fact that their children's friends won't come to their house because they too scared to enter the house. One family have teenage children and the girlfriends just sit in the car when they are going out for an outing. They sit in the car while she runs outside to go off to the outing because her friends' families do not want them to come into the house. There are parents who do not know how to tell the children, not wanting to scare them. There are parents who have been told that their children's bedroom or study contain dangerously high levels of asbestos. Can you imagine being told that your child's bedroom, that your child's toys, that your child's cot, that your child's blankets, that your child's pillows, that your child's clothes contain dangerously high levels of asbestos. There are families whose homes are so contaminated that have been told to drop everything and leave immediately. There have been families who have spent hundreds of thousands of dollars renovating their homes, building their dream home for their children to grow up in—their forever after home—who will now have to see that home demolished, that investment lost. There are homeowners who have worked on their homes themselves, worked in the roof space, in the underfloor, exposing themselves to this toxic and potentially fatal substance. There are tradespeople who have worked on homes having no idea they were contaminated. There are homeowners who are scared that they will be liable for the exposure tradespeople and visitors have had in their homes. I have had phone calls from people who have run businesses out of their homes who are too scared to even say their name on the phone for fear of the devastating repercussions for their business and their livelihood.

There is one woman, a single mum, who is not only living in a Mr Fluffy home but she is also battling with the fact that her son has some mental health issues. He has been hospitalised or put in and out of high and low levels of care and she is battling with this Mr Fluffy crisis. I
spoke to another woman who had just finished paying off her house. She is in her late 50s on the verge of retiring. She had this black humour in her response. She had just finished paying her house off, great excitement, and had taken about a month's leave to paint and tidy up her house. She was told that her house was going to be demolished. She said, 'Well, at least, Gai, I don't have to go out to Bunnings and get the paintbrushes. I have a month to sit around and do I do not know what but at least I won't be painting.'

There are some other messages I have received. This one is from Katie:

Our report came back positive on all six samples with a high reading for asbestos fibres. The assessors informed us that we were no longer to enter the house. We have since done the heartbreaking task of telling our family and friends that they have been exposed to asbestos fibres whilst helping us renovate and that we are so sorry for putting them in this situation where their health might be at risk in the future.

This is from Jenny:

Our home was purchased in good faith in 1992 when I was pregnant with my first child. I now have four children. I love the area and home. The only concern around the original purchase was "leaky taps". Now I feel shattered for our family's health (particularly my husband who spent time under the sub floors digging out space for storage), tradespeople, friends and of course my children. The financial concern is overwhelming as our retiring asset is now worthless.

This is from Ellen:

We are now effectively bankrupt and living in a home that is a danger to our children.

I worked very hard over the last six months to advocate for these homeowners and residents, and other affected Canberrans. I listened to their concerns, I have cried with them, and I have supported them in any way I can. I have advocated to both the ACT and Commonwealth governments, and I have spoken in this place many, many times. So I am pleased that we are at this point now, which will allow many homeowners to move on.

As I mentioned earlier, this provides the appropriation mechanism for the provision of $750 million—in the form of a concessional loan—to the ACT government to deliver this buy-back and demolition program in the ACT to the affected Mr Fluffy homeowners. The bill provides for the authority for the Commonwealth to enter into an agreement to make the loan to the ACT government for an amount not exceeding $1 billion.

While I acknowledge that without such a loan arrangement, the ACT's capacity to deal with this issue would have been significantly reduced, I do see the Commonwealth as having some responsibility for this crisis due to the fact that the remediation took place on the Commonwealth’s watch.

These families deserve support, they deserve compensation and above all they deserve certainty. While some homeowners are elated to have a way forward, others are disappointed. But this bill will give residents confidence that the buyback will go ahead.

I want to take this opportunity to pay tribute to the bravery of Mr Fluffy homeowners. They have faced the last year with enormous courage. They have supported each other and they have truly proven that in times of adversity our community is at its best and it comes together.

Mr Pitt (Hinkler) (17:21): I rise to speak on the ACT Government Loan Bill 2014, clearly a very serious issue—in particular, serious to the people who own these homes in
Canberra. I can see by the people that are here in the House, the clerks and the staff how they are definitely affected by what is going on.

Chrysotile is, of course, a naturally occurring mineral substance. There are many, many types of asbestos, but chrysotile is the one that is found most often. It is something that is in our lives and it will be in our lives some time in legacy items and equipment. It is something that is found in fibro sheet, switchboard boxes and doors. It is in an enormous amount of places which have been built over the last 20, 30 or 40 years.

Fortunately, many state governments—and, of course, the federal government—made decisions over recent years to ban asbestos. That only happened within the last 20 years. So we have literally decades worth of buildings they were constructed not only with chrysotile but with asbestos such as amosite, crocidolite, tremolite, anthophyllite and actinolite fibres. The difference between the two classes is very, very straightforward. Chrysotile is a fibre which can basically be wound. In recent years I attended the Canton Fair in Guangzhou, China, probably the biggest trade fair in the world. You can imagine my surprise to come onto the floor of asbestos products at the Canton fair, including machines demonstrating how they wind chrysotile to produce, in particular, asbestos bags. I rapidly departed from that floor and went somewhere else. However, this is not an option that is available to the people in Canberra who are affected by Mr Fluffy. They are most likely to have amosite, which is the brown asbestos, or chrysotile, which is the blue asbestos. These are the most dangerous and these fibres are less than five micron. They are invisible to the naked eye; you cannot see them. You certainly cannot take action, because you simply do not know that it is there.

Blue asbestos was most commonly used during the forties and fifties. I can tell you that, as someone who has worked in this industry for many years, I am most likely to have been exposed myself. My colleagues were exposed and certainly a number of my workmates have passed away in recent years from mesothelioma. It is involved in heavy industry, in steam pipe lagging in boilers. It is in many, many locations Australia wide. This will be a problem which will go on for many decades.

Unfortunately, the typical problem with mesothelioma is that people who have been exposed to blue asbestos have passed on. Generally, there are not as many of those as there are who are now affected by chrysotile. The numbers have still not reached a peak. We still have an increasing number of people with claims for asbestosis and mesothelioma caused after working in certain workplaces. I guess that will continue until we work our way through the people who have worked with these products in the seventies, eighties and probably even the early nineties.

I have actually seen things like blue asbestos mattresses and pillows, which were advertised during the twenties and thirties where it was typical to go to bed and have a cigarette. So the claim to fame for those was: ‘You will certainly not die from the bed catching on fire, if you happen to fall asleep while smoking your cigarette.’ I have seen all sorts of things involving asbestos. It really was a product that worked very well for what it was used for.

However, it is without doubt, absolutely deadly. The exposure limits for asbestos are typically 0.1 of a fibre per millilitre. That means one sole fibre, under five micron, in 10 millilitres of air. It is a very small exposure limit because these products are incredibly dangerous. If you compare that with areas such as asbestos pulverisers and disintegrators that
were used in the asbestos cement industry, they were typically 150 fibres per millilitre or, for
the baggers at Wittenoom, a location where most of the asbestos came from, up to 600 fibres
per millilitre.

I recall a conversation I had with an occupational physician, a specialist who deals with
these types of diseases. In his opinion, everybody will eventually get asbestosis if they live
long enough because, quite simply, we have all been exposed. The risk, the likelihood of
mesothelioma, lung cancer, and asbestosis is directly related to the exposure level, the type of
asbestos and of course how long that exposure ran for. Imagine people who work in an area
with 600 fibres per millilitre; you could literally see that through the air. Of course, I am sure
that the people who are unfortunate enough to be in the circumstance with Mr Fluffy asbestos
are having great difficulty in dealing with these issues. As someone who has employed
occupational hygienists in the past, I can tell you that to get a clearance inspection for an
asbestos-related clearance is exceptionally difficult. You need to basically run a wet wipe and
have that tested to see whether there are any fibres picked up. The sampling that these people
would have gone through is incredibly intrusive, with pumps that would run in their homes
for eight to 10 hours. It is a very difficult situation. I really do feel for them.

In terms of the control measures, I believe there is no other way apart from the way the
ACT government is moving forward to demolish these homes. To do that safely you will see
the large circus tents go up around Canberra. There will be negative air pressure and clearance
monitoring. People will work in white suits with breathing apparatus and they will have to go
through a number of different areas to be cleaned. And when all that material has gone, they
then have to remove 100 mil—that is four inches—of topsoil from those locations and then
backfill across the top. It is incredibly difficult. It is long, arduous and hard work. And it is
incredibly expensive.

However, I am very pleased that the Commonwealth has been able to come up with an
opportunity to provide the money that is needed by the ACT government—a loan of up to $1
billion. Of course, the people who are affected by Mr Fluffy have gone through a very
difficult period. I recognise the speakers and what they have said in previous contributions. It
is a terrible thing. The latency period for most of these diseases is up to 40 years. That is 40
years that they will have to sit through these things to see what happens. So it is incredibly
difficult. But I see this as something similar to a natural disaster. It is a disaster in this region.

I am pleased that the federal government has been able to provide an opportunity for up to
$1 billion, to support the ACT government to clean up this mess. Asbestos will be an ongoing
problem for many decades and we have lots of legacy items and that is the unfortunate
position in which we are in.

Dr HENDY (Eden-Monaro) (17:34): I do not intend speaking for long on this bill, the
ACT Government Loan Bill 2014, but I do particularly want to make reference to the
implications of loose-fill asbestos in my electorate of Eden-Monaro. This bill is to give effect
to a recent decision by the Commonwealth government to assist the government of the
Australian Capital Territory to meet its financial obligations due to a major public health
issue—indeed, an issue that can be deadly. As the Minister for Employment, Senator Eric
Abetz, has previously stated, the Commonwealth government will provide the ACT
government with a concessional loan of up to $1 billion to deliver a program to buy back and
demolish over 1,000 houses in the ACT affected by Mr Fluffy loose-fill asbestos. This
facility will, very specifically, allow the ACT to borrow up to $1 billion at the Commonwealth's interest rate for a period of 10 years, allowing savings to the ACT government. Because of the one-off size and the cost of dealing with this issue, it represents about a fifth of the ACT's annual budget. Without such a loan arrangement, the ACT's capacity to deal with this issue would have been significantly curtailed and threatened the ACT's credit rating.

Senator Abetz has noted that this loan will ensure that the ACT government is in a position to deliver a well-structured remediation program over the coming years. The Commonwealth has also offered to provide in-kind assistance in the form of expertise to assist the ACT in developing the program. This has been a bipartisan issue and I acknowledge the contribution of Chief Minister Katy Gallagher, Senator Seselja, Senator Lundy, as well as the members for Canberra and Fraser. The latter two have spoken eloquently in this House today.

The reason I am speaking on this bill is that the loose-fill asbestos problem does not stop at the ACT border. We also have issues in my state of New South Wales. It is known that houses in my electorate in Eden-Monaro have been affected by Mr Fluffy activities, principally in the 1960s and 1970s.

On 15 August 2014, for the first time ever, despite the matter being known about for decades, the New South Wales coalition government announced that it would be conducting a New South Wales WorkCover investigation to assist in determining the number of properties affected by loose-fill asbestos in New South Wales and how those properties have been managed in the past. It is my understanding that so far 13 affected properties have been identified in New South Wales, but the full extent of the issue is unknown. The New South Wales government is undertaking an investigation carefully and methodically and is offering a free testing service for residents in potentially affected local council areas. That government will be considering the findings of the investigation once completed and possible measures to assist affected householders.

Further, I want to report to the House that I recently had discussions with both relevant federal and New South Wales ministers on this topic—that is, Senator Eric Abetz and the New South Wales Minister for Finance and Services, Dominic Perrottet. I want to note that they are both keen to work together to get the best outcome for the people adversely affected by loose-fill asbestos in their residences. Although it has only recently done so, the New South Wales government has now submitted to the federal government a request for financial assistance in the matter while acknowledging that it will have a part to play itself in financing.

I am supporting the New South Wales government in its approaches to the federal government and have previously written and spoken to the federal minister asking whether federal government assistance is possible. As I have said, the New South Wales government has been proactive in doing something about the issue. It is undertaking the New South Wales WorkCover inquiry. To date, that has led to the methodical checking of nearly 600 homes across the state. At this point I want to emphasise that this matter is not a Queanbeyan issue or an Eden-Monaro issue alone but a New South Wales issue. The WorkCover inquiry covers some 26 local council areas, with seven in Sydney alone. I am in the process of writing to all my federal colleagues whose council areas have houses that are being inspected. These include the council areas of Warringah and Manly, which are in the Prime Minister's electorate; North Sydney, which is in the Treasurer's electorate; and Albury, which is in the
electorate of the Assistant Minister for Education. The list also includes the members for Berowra, Mackellar, Bennelong, Mitchell, Bradfield, Riverina, Banks and Hughes. I will ask them all to seriously consider the matters at hand and support any calls for federal assistance from the New South Wales government. With their support, I would hope that there is an increased chance of assistance.

This is a major public health matter, traumatic to those affected, and my job is to do what I can to assist my constituents, particularly in Queanbeyan. Finally, I thank the House and commend the bill.

Dr JENSEN (Tangney) (17:40): At last year’s federal coalition campaign launch the then opposition leader promised that if elected he would govern for all Australians. A government must be ready, willing and able to commit itself and work towards improving the lot of all Australians, regardless of political affiliation or any other characteristic. Good governance is above politics. It is above the partisan divide. As such, this government has endeavoured to be an exemplar in bipartisanship and good governance. The ACT Government Loan Bill 2014 serves as a way to provide funding to the ACT government in order to carry out urgent work to preserve lives and protect health. This loan will help the ACT government to fund the purchase of affected homes, removing residents from the danger of Mr Fluffy. These properties will then be destroyed and the land sold off once the all-clear is given.

More than 1,000 houses are known to contain Mr Fluffy loose-asbestos insulation in the ACT. In the 1960s and 1970s Mr Fluffy pumped loose-fill asbestos into Canberran walls and ceilings to provide much-needed protection from chilly Canberra winter nights. While insulation is generally a much loved and cherished part of any home, Mr Fluffy was anything but. As we now know, and have known for some time, Mr Fluffy loose-fill asbestos, like all asbestos, is highly dangerous to one’s health. Asbestos is dangerous to anyone and everyone; it takes no prisoners and casts no judgement. It is a silent killer. In the past, asbestos was commonly used in roofing and fire-proofing, or as insulation, as we see in this case. Sadly, it has remained undetected in many buildings across the nation.

And that is the problem here in the ACT, a problem that the loan authorized by this bill will go towards solving. Asbestos fibres permeate the air and, if inhaled, linger in the lung tissue of unsuspecting victims. As we know from the successful anti-smoking public awareness campaign, every cigarette does you damage. And just like cigarettes, every asbestos fibre does you damage. It cuts and tears at the lung, digging deep into the lung tissue. Over time, this builds up and up, and greater harm is caused. Sadly, continued exposure can lead to painful and debilitating diseases, such as mesothelioma and asbestosis. It can take years—decades even—for the harm of asbestos to be seen. The delayed onset of asbestos related diseases makes it even more terrifying than it already is.

Ever since we have known fully of the dangers of asbestos, governments—federal through to state, territory and local—have worked to minimise the risk and protect the people, which brings me to the crux of this debate. The government’s role is to protect—protect property, protect lives and protect society. When thinking of the role of government I am often reminded of what President Reagan once said:

Government's first duty is to protect the people, not run their lives.

And often protecting the people involves one government working with another, just as we see in this bill. If the ACT government was to fund this on their own, it would total up to one-
fifth of their budget. We cannot expect the ACT government to fund this up-front—nor would we want to—for many ACT residents would themselves suffer if the ACT government suddenly had one-fifth less money to deal with. It would mean a fifth less programs, a fifth less for community safety. In order to help the ACT government protect both those in homes ruined by Mr Fluffy and the wider community as a whole, we can and must provide this loan.

I look forward to the day when no Australian has to grow up with the fear of asbestos—the great unknown; the shadow behind every wall, in every tile and in every roof. Over the past decade, it has been my wont to stand up in this place to support brevity in our legislation. At only four pages long, though, I wonder if the present bill being debated is in fact too short and incomplete. The fear I have is of what might come from a lack of clear vision. There is no clear understanding or detailing of how the execution of the plan will look. In short, I want to see justice done for all the families suffering duress due to the Mr Fluffy disaster.

This disease, mesothelioma, is an insidious thief. It attaches to a healthy body and waits and waits. In fact, a person exposed to asbestos will only begin to exhibit the signs and symptoms of the disease many years after the incident. The heart-wrenching stories told by those diagnosed with this disease go some way to explaining the urgent need for this bill—as does an understanding of what it must be like to be a parent having have to constantly live with the fear that you might be consigning your child to a death sentence, a slow and painful death. Think of the children that have moved away. The fears of their fathers and mothers remain. It would be churlish to comment on the current investigations. However, I will make this point: I ardently hope that the plan to fix the situation today is executed in a fully professional and comprehensive manner. This is not what has happened previously. Remediation and amelioration programs in the past have been nothing short of debacles.

Fewer words leave less for specification. Without specification there is always the danger of the unintended consequences of project black holes and budget blow-outs. I welcome and support this bill and the succour it will give to many families here in the ACT. Indeed, by studying the issues around this bill, I have gained a greater understanding of mesothelioma. This understanding will not only help shape my policy responses to this crisis; it will act as a well from which to draw when we come to deal with our own issues in WA. There are many homes in my electorate of Tangney that have asbestos. It is impossible to put an accurate figure on the number of homes affected. Many live in blissful ignorance—or fear that their suspicions may be proved correct. Needless to say, one home endangering just one person's future life is one too many. It is terrifying to think that the thing we define as the embodiment of safety—our home, our castle—could give us a life-ending cancer. Time will tell who is at fault and if there were issues of responsibility or negligence on the part of the federal government.

What is beyond doubt, however, is the need to act. The hope must be that this is a bipartisan approach that not only appeals to ‘the better angels of our nature’—to quote President Lincoln—but is a process of moving forward together. There is nothing so wrong with our community that cannot be fixed by what is right with our society. My thoughts and prayers are with those fighting a most terrifying battle. My hope is that, whether in Canberra or in Perth, they know that we in this place put the health and wellbeing of the people above all else. I wish them to know that in this their most challenging and dark hour, the light is not far away. It is always darkest before the dawn. I believe the spirit of Australia is a defiant,
rugged resourcefulness and I hope that from some of these sufferings a terrible beauty can be born—a beauty of not having to repeat this sorry story again and of not having other Australians go through something similar in the future. That is my hope. That is my wish. This first step, this concrete action, will get concrete moving. People's lives will be able to be built again. They can move forward without fear; that is what this bill is all about. This bill will return a little hope, reward and opportunity to those who need it most.

**Mr BROAD** (Mallee) (17:51): It is with a level of gravity that I speak on this bill, and I acknowledge all the wise words from both sides of the chamber. It is very nice to have members of parliament talking about something that is really about achieving a good outcome and cleaning up the mess of what was a mistake in the past. We do not know all the history of why people thought asbestos was safe, but we do know the consequences of asbestos in people's houses, of this particular product and what it is doing.

It pleases me somewhat that we live in a country where people are prepared to acknowledge and clean up the mess. I remember several years ago being in Odessa, in Ukraine, where you could still buy asbestos sheeting for roofing; it was quite common and people were still using it. It seemed to me somewhat appalling that we had learnt so much in modern First World countries but in Third World countries this dangerous product was still available and still being used; but, hopefully, we can replicate the knowledge that we have learnt.

This bill is about cleaning up a mess. It is about cleaning up a mistake of the past and also recognising that, to the average Australian, the great Australian dream is your family home. The home should be a place where you come and you feel safe. The home should be a place where you put your children to bed and know that they are safely in that bed. Even the thought that the house you are living in could be killing you, could be putting your children at risk, is a thought that is unfathomable. It is something that we, as Australians who value our home and value that as our major asset, really repulse against. Given that it takes so much to buy a house, it even takes so much effort to find a house, to then have a situation where your house is actually so dangerous that you cannot be in it, so dangerous your children cannot be it, is recognition of the need to do something about this.

I think the fact that the government is now providing money as a loan to the ACT government to allow these houses to be knocked down in a very controlled and knowledgeable way—now that we know how to minimise the risk of asbestosis and are able to clean those houses up, clean those blocks up, and of course those blocks will rebuild safe houses for many happy people to live happier lives in—is a great thing. This is going to be a very worthwhile thing. I think it does show that the Australian people, at times, will pull together; Parliament House can work collectively and constructively to minimise the risk for our people. It is for that reason that I very much commend this bill to the House.

**Mr CHESTER** (Gippsland—Parliamentary Secretary to the Minister for Defence) (17:54): It is with great pleasure that I also join the debate in relation to the ACT Government Loan Bill 2014. I welcome and support the bill before the House. I would like to commend the many members who have spoken in relation to this bill and also commend the minister and the ACT Chief minister for working together to achieve an outcome of what has been a very long running saga. As the member for Canberra correctly indicated, it has been a long-running
saga which has caused enormous distress and economic loss to people in the Canberra region and also beyond.

I think it is reasonable that we acknowledge today here in this place that without Commonwealth assistance it certainly would not be possible for the ACT to render the assistance it intends to provide for people affected by Mr Fluffy homes; the ACT’s resources would be stretched beyond capacity. So I commend the Commonwealth government for working in partnership with the ACT on this issue. Also, in that same spirit of bipartisanship, I commend members opposite for the work they have done in supporting this bill which is before the House. In particular I would like to acknowledge the local members who are directly impacted by this issue: the members for both Canberra and Fraser, who have spoken quite passionately in relation to this issue. I was in the House just moments ago when the member for Canberra outlined some of the impacts of Mr Fluffy homes on people in her community. We sometimes forget in the hurly-burly of this place, in the robust exchanges that we engage in from time to time, that members of parliament, at the end of the day, are very human; they are very human faces in their community and are called on to do some very difficult jobs. I know you have been impacted by bushfires in recent years in your electorate, Deputy Speaker Mitchell, as have I been in my own electorate of Gippsland, and now there is this case for the member for Canberra. You cannot help be personally invested, emotionally involved, in the challenges that you face in your community. I could tell just by listening to the member for Canberra how this issue has had a considerable toll on her constituents and on the role she played in her community.

It is a funny job being a member of parliament, as I am sure members on both sides would acknowledge. In many ways you are a bit like a parish priest from time to time: you are out there to provide support and comfort to your flock, in this case your constituents. All thoughts of party and political backgrounds are thrown out of the window. It does not matter whether they voted for you or not—and you certainly do not care whether they voted for you or not—if they are in trouble and they need your help, it is the role of the local member of parliament to get in there and support your families, your constituents, to the best of your ability.

Those personal stories that the member for Canberra and others have relayed in this place are important as we consider what is basically an economic bill—a financial bill. The faces and the families behind the stories are important for us all to reflect on. It is enormously unsettling to consider the impacted families right across the ACT. As the member for Mallee quite quickly referred to—and the member for Tangney as well—people are very emotionally attached to their homes. It is horrible to think that your family home, the place where you feel your children will be safe, is the one place where their health has been possibly compromised unknowingly and unwittingly. If there is blame to be apportioned in the future then that should be the case. But to think that your family home is not a safe place, particularly for your children, is something that I think all members share their concerns with.

The scourge of asbestos in our community is something that all members would be aware of. We deal with what is a deadly threat right across the Australian nation. It was used for generations, and I think it will be here for generations in terms of the threat it presents to the Australian community. I would simply use this opportunity to appeal to anyone who is listening to today’s proceedings to take the time to better appreciate and understand the potential dangers of asbestos in the home environment, particularly against the backdrop of
the do-it-yourself generation, who have a real interest in bettering our own homes and doing work in our own environment. Our professional tradesmen and the occupational health and safety officers in the workplace environment have been very good explaining the risks. People are well trained to manage asbestos in a work environment—far better than they perhaps were in the past. I think the home renovator, the do-it-yourself worker in the home environment, is the one who is perhaps most at risk into the future, unknowingly disturbing asbestos, releasing the fibres into the air in a manner which poses a potential health risk. Before they get to work on the next home renovation project, I urge people to take the time to understand what the potential is, in terms of exposure to asbestos in the family home environment.

In Australia, it is estimated that over 60 per cent of all production and 90 per cent of all consumption of asbestos fibre occurred in the asbestos cement manufacturing industry, with many of those building materials still in use today. The concern is that, after World War II and until 1954, in New South Wales alone, there were 70,000 houses built using asbestos cement. By any estimation, that, in one state, is an enormous number of properties that are potentially a risk to the home renovator. Deciding or figuring out whether you have asbestos and whether or not you need to take the appropriate precautions is very difficult. In many cases it is difficult to identify the presence of asbestos just by looking at it. As a general rule, I would encourage anyone to seek some professional advice before undertaking renovations on their own accord.

It is pleasing to note that new building materials containing asbestos since December 2003 have been banned from sale in Australia. It is pleasing that that has been resolved. But in terms of the residual issues, the issues associated with asbestos already in the home environment and in the workplace, there are still major concerns for our community. With those comments, I certainly appreciate the opportunity to support the ACT Government Loan Bill before the House, and I congratulate again the minister responsible, the Chief Minister of the ACT and all members in this place for the bipartisan way in which they have addressed this very concerning matter, and I thank the House.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (18:01): I would like to also thank the Parliamentary Secretary to the Minister for Defence and the member for Gippsland for his words on this very important bill. I would like to thank all members, indeed, who have contributed to debate on the ACT Government Loan Bill before the House, and I congratulate again the minister responsible, the Chief Minister of the ACT and all members in this place for the bipartisan way in which they have addressed this very concerning matter, and I thank the House.

For many Australians, the decision to buy a home will be the biggest financial commitment they make over the course of their lives. Home ownership, for many people, is as much an emotional commitment as it is a financial one. To discover that the home you have lived in most of your life—the home you hope to raise your family in or the home that you hoped to grow old in—is infected with loose-fill asbestos is unquestionably distressing.

The remediation programme to be delivered by the Australian Capital Territory government will present the people of the territory with arguably their biggest challenge since...
the 2003 bushfires. Without the Commonwealth's assistance, the Australian Capital Territory's capacity to deal with this issue would have been significantly curtailed. By stepping up to provide this loan, the Commonwealth will ensure that the Australian Capital Territory government is in a position to deliver a well-structured remediation programme in the coming years. The execution of that programme is appropriately a matter for the Australian Capital Territory government.

This bill underpins the implementation of the government's commitment to the Australian Capital Territory, as announced by the Minister for Employment on 28 October 2014. The bill provides authority for the Commonwealth to enter into a loan agreement with the Australian Capital Territory for an amount not exceeding $1 billion. The bill also appropriates an initial amount of $750 million for 2014-15, with a further $250 million for 2015-16 to be appropriated through the budget appropriation bills.

The terms and conditions of the loan will be set out in the loan agreement to be concluded on behalf of the Commonwealth by the minister administering the Australian Capital Territory (Self-Government) Act 1988, that being the Minister for Infrastructure and Regional Development. A portfolio supplementary estimates statement for the Infrastructure and Regional Development portfolio has been tabled in the parliament. Once again I thank all members for their contributions and commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

**ACT Government Loan Bill 2014**

**Third Reading**

Mr McCORMACK (Riverina—Parliamentary Secretary to the Minister for Finance) (18:04): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

**Treasury Legislation Amendment (Repeal Day) Bill 2014**

**Second Reading**

Debate resumed on the motion:

That this bill be now read a second time.

Dr JENSEN (Tangney) (18:05): The Treasury Legislation Amendment (Repeal Day) Bill 2014 is just another example of how this government is committed to making the right choices to get the job done. Unlike Labor and the Greens, this government understands how business works and that extra costs arising from needless red tape can be detrimental to productivity. We know that a stronger economy, competitive business and lower costs mean more jobs for the Australian people. We also know that one of the greatest threats to a strong economy and free enterprise is an overbearing government.

That titan of freedom, President Ronald Reagan, once remarked:
... the nine most terrifying words in the English language are: I'm from the Government, and I'm here to help.

I agree. He knew, as do I, that state regulation and involvement can stifle creativity and free enterprise. He was also a great reformer known for his commitment to deregulation and removing red tape.

Red tape and over-regulation are the two blights on any economy. It rears its head whenever politicians think they know what is best for others and best for business. Regulation should only be considered when backed up with sound policy and only after all other alternatives have been exhausted. It should be as efficient as possible and only retained where it is proven to work in a cost-effective way. Just as the nation is being asked to trim the fat and double down productive efforts, the same should be true of our regulatory approach. We must do away with needless regulation and burdensome red tape. It is for this reason that I stand here today in support of this bill.

The whole-of-government approach, as seen through our successful red tape repeal days, has done wonders when it comes to ripping away red tape. We have seen progress through government red tape repeal days, and further efforts to ease the compliance squeeze on Australian business are encouraging. The current state of reporting requirements for payslips illustrates the sort of smothering government red tape that I despise.

Under the Superannuation Industry (Supervision) Act, employers are required to include information in the payslip as per other regulations. The Labor government at the time indicated that these regulations would be made in due course. They said that these regulations would require employers to report the amount of superannuation contributions as well as relevant dates. The regulations that would require such reporting never came into existence. Labor created regulations mandating action as defined by another set of regulations—regulations that never came into existence. What a joke! We know that Labor cannot run a budget properly. They even struggle to run their own party properly. But worst of all they even broke promises to themselves. Employers are required to include information in their payslips, but instead of providing any solid details in the legislation about what to include all we have is a large 'watch this space' in big red writing. Employers have been waiting for years. Businesses are required to include information in these payslips, but there is no document anywhere to give an indication of what this information should be.

This is shocking for two reasons. First of all it means businesses in Australia lack certainty when it comes to reporting requirements. In theory, if those reporting requirements actually had substance, then employers nationwide would need to update their software, creating unnecessary compliance costs and needless headaches. The fact that Labor did not see the problem indicates how clueless they are when it comes to business. Not a skerrick of financial acumen can be found in their party room. The Labor Party just does not get running a business. Any compliance task costs money and work hours. These all build up and create major costs and disadvantages for our businesses.

Let us take a small-scale business that competes with foreign companies as an example. How can we expect them to maintain a competitive edge when they have to dedicate employee time and company money to complying with needless regulation and red tape? Foreign businesses in the same field do not have to worry about red tape like we do here. They do not have to waste time and resources ticking boxes and jumping through hoops. They
are free to get on with the job while our companies languish in a sea of red tape. We are talking about Australian jobs and Australian money. No wonder the Labor Party could not make an accurate budget projection in their six years in office. They simply do not understand how it all works. This leads to the next problem with the current payslip regulations.

Most absurdly of all, the current arrangement is a duplication of other regulations. With the bizarre payslip red tape, which has no actual substance, we see the brand of red tape that the Labor Party holds dear: duplication. The reporting requirements that we propose to repeal already exist in the Fair Work Act 2009 and Fair Work Regulations. The purpose of the reporting requirement that we will repeal is already covered in other legislation. What a terrible indictment of the Labor Party—as clear and as bright as day. It is absurd that after six years of Labor we have to remove duplicate legislation and regulation.

In opposition Labor still takes joy in doing everything they can to keep burdensome red tape in place. We have seen this recently with the carbon tax and the mining tax. We see it here with the undefined reporting requirements that this bill will repeal. Only with the passage of this bill will we be able to see the rear end of such useless and burdensome legislation. In keeping with the government's agenda to clear away red tape, this bill also serves to remove old, outdated and burdensome taxes from various taxation acts and consolidate them into a single set of provisions in the Taxation Administration Act.

Red tape is a disease. Instead of innovation we get legislation. The business of government should be governance—nothing more. Government should not be pretending to be butchers, bakers, or candlestick makers. There is no good economic reason why government should be interfering in the normal, healthy functioning of the market and crowding out investment capital. My coalition colleagues also agree that governments should not be running businesses—hence the successful float of Medibank Private. I am encouraged and anxious to see more assets disposed of as soon as possible. We have a debt problem and, more troublingly, a spending situation. If Labor was all about bringing government into business, then the coalition is about bringing business into government.

Small business is the engine room of growth in our economy. This is particularly true of our regional areas and our smaller towns and villages. Small business is critical to a sustainable, high-value export orientated growth strategy. That is why the Minister for Small Business set up the small business helpline. The helpline assists small business owners to improve their knowledge and operate in line with relevant laws. The core of Liberal philosophy is: fewer forms and more reforms. One simply cannot tax a country into prosperity, and by extension one simply cannot regulate a country into growth, innovation and creativity.

In Tangney, my constituents have one clear message: please make things simpler. This spring, I had the pleasure of speaking in support of the government's second red-tape repeal day. On that day, I detailed my strong and continued support for innovative, new measures being introduced to address red tape and speed up the business of government. We are listening and we are acting. Over five million people have already created a myGov account, which provides a centralised, online point of access for reporting and claims for seven government services: the Australian Taxation Office, Medicare, Centrelink, eHealth records, child support, veterans affairs and the NDIS. Around 1.4 million MyTax users will now be
able to use automatically pre-populated tax returns with information already provided to the ATO, such as income from employment, interest on bank accounts and share dividends.

We need to reduce the footprint of government to enable the community to get on with creating jobs and building a stronger society for all. The fundamental recipe for economic success that so underpins the basic functioning of our social contract is not rocket science; it is a question of incentives. Regulation, while necessary in certain and restrained circumstances, should be the last resort, never the quick-fix solution. Education is by far a cheaper, more efficient way of doing things. The provision of this education to consumers can be done in cooperation with business. Government should focus on the root cause of a problem, not the symptoms of a problem. That is the economic way; that is the common-sense way.

This great sunburnt country is dying from regulation suffocation. Government always finds a need for whatever money it gets. When Australia ranks 124th out of 148 countries on the World Economic Forum burden of government regulation ranking list, it is not a problem; it is a crisis. The only time a ranking of 124 out of 148 would not be a crisis is if it were in net terms of government debt and rate of government spending—neither of which are true today thanks to the lost years of Labor and their internecine intifadas.

Deloitte's *Building the lucky country* report calculated that rules and regulations cost the country $250 billion annually, with one in 11 employees now working in compliance. In fact, Deloitte estimates that one million Australians are employed in compliance. Australia is becoming a high-cost place to do business. A recent ACCI red-tape survey found that 42 per cent of businesses spend more than $10,000 per year on complying with government regulations and 44 per cent spend five hours per week complying with government regulations. If you look at the Business Council of Australia's submission to the Harper review of competition, you will see that hardware stores cannot open before 11 am on Sundays if they stock light bulbs and light fittings. In WA, a petrol station can sell pantyhose after 9 pm on Thursdays, but it is illegal to sell underpants. A petrol station can sell flashbulbs on Sundays before 11 am but not a digital camera memory card. These are points made time and again by Deloitte Perth partner Monish Paul.

I wish to highlight in particular schedule 3 of this bill, which amends the Financial Sector (Shareholdings) Act 1998 so that persons who do not hold a direct control interest in a financial sector company will no longer be deemed to have a stake in that financial sector company as a consequence of their associates' direct control interest. Currently, the law requires that the associates of a person, such as a person's relatives, partner or related companies, who is seeking a shareholding in excess of 15 per cent to also seek approval from the Treasurer for the shareholding. This is required irrespective of whether an associate has any actual shareholding or financial interest in the company in which the new shareholding is sought. Associates will no longer be caught in a technical trap that requires them to hold approval from the Treasurer.

I commend this bill to the House.

Mr HUTCHINSON (Lyons) (18:20): I rise to speak on the Treasury Legislation Amendment (Repeal Day) Bill 2014. I acknowledge the contribution of the member for Tangney and his knowledge of the challenges that small businesses face in this country today. Since coming to office, this government has been committed to doing what it can to tackle red
tape and tackle the burden that business is confronted with every day in getting on with the business of business. I am proud to say that I have spoken previously on this subject, on the first repeal day, which we had in the autumn this year, and more recently. In every portfolio area, each responsible minister and each department has been asked to do their bit. Truly, the work that Parliamentary Secretary Frydenberg has done in this area is an absolute credit to him in being able to coordinate across so many portfolio areas all of those, admittedly, small things in many cases—but small things add up to big things and this is about ultimately making it easier for Australians to get on with their day-to-day lives but also businesses to get on with the business of business.

There has been a range of measures since the first repeal day. In respect of Treasury, which is the focus of the debate tonight, there has been a range of measures—some with savings to the budget, admittedly. But, more importantly, the objective here always is, and always has been, right from day one—from 8 September 2013—to give business the capacity to do what they do best, and that is to get on with business and employ Australians.

We have been doing things such as amending the franchising code of conduct and exempting tradable water rights from the definition of derivatives under the Corporations Act 2001. I had a career in the wool industry at one time and I was once called up by the ACCC. I remember the managing director ringing me on a Friday night. He said, 'Can you give me a little bit of information?' We were offering an over-the-counter product and it was thought, under the Corporations Act at the time, to be walking very close to an area where you needed to be able to give advice in respect of futures contracts. Interestingly, we subsequently found out that it was one of our competitors that raised the issue with the managing director. We sorted that out. Fortunately, neither he nor I had to spend any time in the big house. But it was an interesting conversation on that Friday night; I remember it well.

We have done things such as reduce and clarify the APRA compliance measures, which will save the budget, over the forward estimates, $13.4 million in compliance costs. We have simplified the tax return lodgement through MyGov credentials. We have streamlined the income tax returns using MyTax. Keeping superannuation trustees' websites up to date has meant an annual saving of $29½ million. There have been so many measures, and this is one of those measures.

This measure in this legislation is part of those measures which, since we came to government, have amounted to a saving of $2 billion. That has well exceeded the $1 billion that we thought we could do—the election commitment that we made. We have delivered on the election commitment twice over now. There have been 57,000 pieces of legislation removed from the statute books across every portfolio.

I will go to the focus of the bill before the House tonight. It is not so much the large corporates in this country that will benefit from some of the amendments, although the amendments are relatively small. The large corporates have the systems. They have the HR departments. They have the payroll offices. They have the staff and the software to be able to make those adjustments to payslips, or to report on those payslips, or to handle multiple superannuation funds, for example. Those things are quite simple for larger corporates like the one that I spent much of the last 15 or 16 years working with.

The impact here is really on small businesses. They have the extra cost of updating the software—if they even have that software available to them. Many small and micro
businesses do their payrolls manually still. If they have multiple employees there may well be multiple superannuation funds. It is right and proper that people have choice but it may well be problematic for the small business.

There are unnecessary burdens that are placed on small businesses. Small businesses form the engine room of our nation. It is interesting to reflect on the six years of the previous Labor government with respect to small business. There were five ministers responsible for the engine room of our nation. There were more small business failures under the previous administration, and fewer start-ups. To me that reflects, ultimately, on confidence. In the case of those long six years, the number of start-ups of small businesses in this country decreased enormously. I think that that reflected the chaos and confusion that Australians felt about the direction that this country was going in.

We need entrepreneurs in this country. We need people who are prepared to risk their own capital to follow the dream of no longer being an employee but being one's own boss. While I have never run my own small business, my wife has. She has recently sold her business and she is like a cat on a hot tin roof. She is on wages at the moment and she is beside herself, but that—I hope—will not last for too much longer.

In respect of the small business portfolio one of the election commitments that we made was that we would see the minister responsible for small business put into cabinet. And what a fine job Minister Billson is doing in that area! There were a number of commitments that we made—not least of all, making the process of tendering for government procurements easier. Those processes were designed so that only the large corporates in this country could tender for that business. But that has changed. I have had personal experience of that, even within the Defence portfolio. Within my electorate, a constituent put a proposal to the Defence department. Initially that proposal was sent back. They said, 'Look, we suggest you contact these private businesses.' However, since coming to government, they have been asked to make a presentation, because they are reviewing their whole procurement policy around making sure that small and medium enterprises have an opportunity to participate in the large amounts of money that government spends each year in procuring from the private sector.

Indeed, one of the other commitments we made in respect of small business was the root and branch review of competition. I will say that I do not think the minister is making too many friends within the banking sector or within the big retail end of town. But it was a commitment and there is nobody who is more dedicated to the task of making sure that large supermarkets deal with their suppliers in a way that is consistent with what I think every Australian would consider fair and reasonable practice. It is about making sure that small businesses are not precluded from supplying some of the bigger retailers, if they are competitive and have a product to offer.

The work that is being done on the Franchising Code of Conduct is very important for many businesses around Australia. When the franchisor and franchisee go to the wedding, so to speak, with starry eyes and a look of love their eyes, only to realise a few weeks or a year later that it was pretty well a one-way street and not a partnership at all but was actually being dictated to. This is about getting some balance back into that.

I note the member for Tangney's comment about bringing business into government. It is certainly not the business of government to be getting into business. That is essentially what we have tried to do right from day one with the things that we made commitments to the
Australian people about before the election to ultimately reinvigorate this nation with our Economic Action Strategy as the first stanza of measures to clean up the horrible mess we were left with.

None of us like this challenge. It is not an easy thing to do. It is always much easier in the business I was involved in to say yes to a client. But it was often very difficult to say no. But if it was the right thing to do, often, saying no straight up-front was the best time to say no. Indeed, it is easy to say yes but difficult to say no. None of us like this challenge, but by Jove we are up for it.

Having been a member for 14 months, if I were to reflect over that time, what is astounding to me is how those on the other side have tried to re-write history. I do not think I have ever seen such absolute denial about the carnage and damage that was done to our nation during those six years. It is as if the current government had a clean sheet of paper on 8 September 2013. Nothing could be further from the truth. It was not a clean sheet of paper. We inherited the sixth largest deficit this nation has ever seen—the sixth largest deficit delivered by the Labor Party and their mates, the Greens, in the last three years. Over the forward estimates we were left with $132 billion of cumulative deficits. Do nothing, and we were looking at a figure of $667 billion—a figure of $100,000 for every family of four. Those here today and those born tomorrow—within the next 10 years. It is $25,000 for every man, woman and child. It was not a clean sheet. The previous government had the best terms of trade this nation has ever seen. They squandered it. Yes, we have some challenges with revenue. The previous government did not have challenges with revenue. They had problems with their spending. Every household knows that if you spend more than you are earning you are going nowhere. You are in real trouble. We are determined to fix the problem. We are up for this challenge. I say that on behalf of everybody on this side. Make no mistake about it. We do not like what we have to do. There is no joy in it, but we are up to the challenge.

Mr BUCHHOLZ (Wright—Government Whip) (18:35): It gives me great pleasure to speak on the Treasury Legislation Amendment (Repeal Day) Bill 2014—the spring repeal day. Potentially, the bill has four very important schedules to it. The member before me spoke so eloquently and passionately about the importance of repeal day savings to our nation, because we were shackled by enormous amounts of regulation and red tape. The previous speaker spoke about the benefit to small business in unshackling them to the tune of $1 billion, early in our first year. To this point in time we have now doubled that to $2 billion of reductions in red tape. It is an outstanding achievement, and there are many on this side of the House who should be congratulated. In particular, I pay homage to the Parliamentary Secretary to the Prime Minister, Josh Frydenberg, who has done an enormous amount of work in this area. He is a great friend of mine and he is doing a fantastic job in assisting our small business sector and our corporate sector, and in assisting this parliament in reducing red tape. This spring repeal day bill goes to the heart of what this government is about: it is about less government, it is about less intervention in people’s businesses, it is about giving them the power to make decisions and it is about giving them the opportunity to spend more time with their customers and more time developing their businesses rather than being stuck out the back filling out reams of paper and spending countless hours on compliance—and sometimes duplicated compliance between state, federal and local government requirements.
These federal repeals are vital if we are going to increase the nation’s productivity and that, I can assure this House, is a priority and a goal of this government. The Abbott coalition government is getting on with the job of cutting red tape and regulation. We have now introduced legislation to repeal nearly 1,000 unnecessary pieces of legislation and regulation and 7,210 pages of legislation and regulation—that is the removal of an enormous hurdle. If you were to stand those pages on top of each other, I think you would nearly go close to having a stack of paper as tall as I am.

Before the election we promised to cut red tape by $1 billion dollars each year and yet again that is another commitment that we have honoured. We have honoured many commitments during our period in government. We said that we would cut $1 billion out of red tape and this piece of legislation, with its four schedules, goes to the very heart of that. During the election we also said that we would cut the carbon tax—it has gone. Households are now up to $550 a year better off and those benefits will start to flow through to households as those savings are materialised, and then hopefully that money will be spent in our small business sector. We made a commitment before the election that we would get rid of the mining tax—we did that. The mining sector is so critical to Australia's productivity, our growth and the direction of our nation.

We had reports this morning that in 2007-08 the terms of trade were at a 150-year record high. We also saw iron ore and coal prices up around $130 and today they are at $63. The rivers of gold flooded those on the other side when they were in government. We made a commitment that we would build the roads of the 21st century and there is now record money being spent on infrastructure, stimulating jobs and stimulating growth. We are building infrastructure all around this country. The nation will be a huge beneficiary of that sound investment for years and years to come. I challenge those who read this speech to have a look at some of the investments that were made by previous governments, such as investments that were made in installation programs—$4 billion, of which half was spent on putting insulation into roofs, then the program was axed halfway through and the remainder of the funds were spent pulling the insulation out of those same roofs. Hardly a sound investment, hardly adding to productivity and hardly benefiting the nation, and all done on borrowed money.

We said we would get the budget back under control and we will do that. There will be challenges along the way. Be under no doubt or illusion, we inherited the worst economy and the worst budget that we could ever have been gifted by an outgoing government. Most importantly, in addition to this bill, we said we would stop the boats—we have done that and we will continue to stay vigilant in that area of border security.

The latest repeal measures will save individuals, businesses and the not-for-profit sector more than $2.1 billion in compliance costs. Cutting red tape matters. Too much regulation hurts. Too much regulation can stifle business. It can stifle productivity. It deters investment and innovation and costs jobs. According to the World Economic Forum global competitive index, in 2014 Australia ranked 124 out of 148 countries for the burden of government regulation. That is a bizarre and perplexing statistic for a nation to be boasting about, and it is just not good enough. For a country as advanced as we are, that is not a statistic that we should be proud of. The Productivity Commission has estimated that regulation compliance costs could be about as much as four per cent of our total GDP—can you imagine what we could do with four per cent of our GDP.
We have made enormous changes since we came into government in September 2013. I want to make sure that those on the other side of the House do not forget the disastrous budget that we inherited and do not forget those 1,200 lives that were lost at sea while they were on the watch and while they were in charge of border security. I think during their term in government there were up to five or possibly even seven small business ministers. It was a revolving door of ministers looking after this very sector that will be the beneficiary of this repeal legislation.

I want to speak now to the schedules, of which there are four. Schedule 1 of the bill is to do with employer reporting of superannuation contributions on payslips. The payslip reporting provisions in the Superannuation Industry (Supervision) Act 1993 require employers to include in employee payslips information prescribed by the regulations. Labor had intended that these regulations would be made specifying that employers had to report on payslips the amount of superannuation contributions and the date on which the employer expected to pay them. Labor did not make these regulations. The enabling legislation is, therefore, redundant and so we will repeal it. The superannuation contribution on an employee's payslip was not evidence that the actual superannuation contribution had been paid by the employer. So the only way that an employee could ascertain whether or not their contribution had been paid was to contact their super fund. Mostly you can do that through going online or receiving monthly, quarterly or sometimes annualised statements, depending on what your arrangement is with that particular fund. However, this is just a simple piece of legislation that we are repealing. This government is providing certainty for employers that they do not need to prepare for significant changes to the software that generates their payslips in respect of superannuation reporting.

Schedule 2 speaks to the consolidation and repeal of tax provisions. This measure simplifies the taxation laws by consolidating duplicated taxation administration provisions contained in various tax acts into a single location in a single act. This was put forward as part of Treasury's initial review of the Income Tax Regulations 1936 with a number of provisions in the principal law and regulations identified as duplicative, inoperative or spent. So these are recommendations that have come directly from Treasury. A number of provisions contained within the regulations were also identified as being more appropriately incorporated into the primary law. Overall, the changes will result in a material reduction in the size of the taxation laws, with one or two sections replacing in excess of 50 provisions. So 50 provisions we have replaced with one.

Schedule 3 is to do with the Financial Sector (Shareholdings) Act 1998. This measure will remove a burden on some associates of a person who is seeking approval for a direct control interest of greater than 15 per cent in a financial sector company. The measure modifies the deemed share aggregation rules applying to associates such that associates who do not have a direct control interest in the company will no longer be required to seek approval for the shareholding. The changes in this bill do not compromise the examination of a shareholder's controlling interest. This measure removes the technical legislative trap that imposes an unnecessary regulatory burden.

Schedule 4 speaks to rewriting the definition of 'Australia'. This schedule goes to those people who may work offshore on oil rigs or in territories, or who are fishermen who work at sea who occasionally may drift in and out of Australian maritime area. This amendment
organises and consolidates in one place a definition of Australia for tax purposes. This is another step towards achieving a single income assessment act for Australia. The rewritten provisions define 'Australia' for income tax and other taxation purposes. I was not aware that this was a provision being brought to the House, but, currently, if an individual working on an oil platform near Australia wanted to determine whether or not they had to pay Australian income tax, they would be required to navigate through up to 13 different Commonwealth acts to ascertain whether or not they were liable to pay Australian tax.

While each of these simplification and rewrite exercises may in isolation be small, collectively these changes continue an important process of simplification and deregulation, reducing the overall compliance cost burden faced by taxpayers. This bill continues the government's stated objective, to remove the burden of red tape. We on this side of the House seek to remove these shackles and enable businesses to grow and prosper. That is what we believe in. And what we are doing is getting on with the job of delivering better for business. Next year, I believe, will be a better year for business. It will be about the $1 trillion approvals that the Minister for the Environment, Minister Hunt, has approved. They will start to come through. We will see the benefits of the removal of the carbon tax. We will see the softening of the Australian dollar. We have seen the free trade agreements that have been negotiated, which will all have a positive impact on our businesses, whether it be the free trade agreement with China, or that with Korea or that with Japan. Yes, as a government we will lose some revenue on tariffs, but we are more than confident that we will pick up what we lose on that merry-go-round in increased productivity and sales. I suggest that this bill should go through the House without any opposition, so I commend this bill to the House.

Dr HENDY (Eden-Monaro) (18:50): I note that the Treasury Legislation Amendment (Repeal Day) Bill 2014 has four main components. This bill amends various laws relating to taxation, superannuation and shareholdings in certain financial sector companies to implement a range of improvements to Australian laws.

Schedule 1 to this bill will repeal the payslip reporting provisions in the Superannuation Industry (Supervision) Act 1993 that would have increased the regulatory burden on employers beyond that currently imposed under the Fair Work legislation. Removing these provisions will reduce unnecessary duplication in the law, and provide certainty to employers so they do not need to prepare for costly upgrades to their payslip reporting software.

Schedule 2 to this bill simplifies the taxation laws by consolidating duplicated taxation administration provisions contained in various taxation acts into a single set of provisions in the Taxation Administration Act 1953.

Schedule 3 to this bill amends the Financial Sector (Shareholdings) Act 1998 so that persons who do not hold a direct controlling interest in a financial sector company will no longer be deemed to have a stake in that financial sector company as a consequence of their associate's direct controlling interest.

Schedule 4 to this bill addresses the fact that currently the definition of 'Australia' for taxation purposes is complex, overly detailed and expressed differently in different parts of taxation laws, despite the fact that the laws are intended to achieve a simple and largely equivalent result. This will involve amending various tax laws, taking another step towards achieving a single income tax assessment act for Australia. The government is glad these changes can be made.
In the Australian Chamber of Commerce and Industry, an organisation for which I was once proudly the CEO, pre-election survey for 2013 a number of questions were asked about taxation and superannuation administration. As the survey noted:

A total of 1,700 businesses were surveyed, across every state and territory, representing different business sizes and across all industries ...

As such, the survey has 1,096 small businesses, 478 medium-sized businesses and 126 large businesses.

Given the majority of businesses responding to the survey had between 1 and 49 employees, it clearly represents the voice of SMEs.

What the survey found was most illuminating. It stated:

Businesses were asked to select which taxes and levies were of most concern in the current environment.

More than three-quarters of businesses expressed major and moderate concerns with Company Tax (79.7 per cent), Compulsory Superannuation Levy (75.3 per cent) and Personal Income Tax (78.1 per cent).

Further, it reported:

More than one-half of businesses indicated that they have major concerns with the Overall Complexity of the Taxation System (56.5 per cent) and Frequency of Changes to Tax Laws and Rules (52.7 per cent).

Almost 75 per cent of businesses also expressed major and moderate concerns with Complying with the Superannuation System (70.2 per cent).

It is also evident that businesses are more concerned about the accumulated administrative and compliance burden of the Australian taxation system as a whole than complying with individual taxes.

So the government is getting on and tackling the job. This bill is a part of the coalition government's repeal day legislation. The government is getting on with doing what we said we would: cutting $1 billion in red and green tape each year. Since the 2013 election, the government has more than doubled that target, announcing over 400 measures across the whole of government and a net reduction of over $2.1 billion in compliance costs.

On the 2014 spring repeal day on 29 October, quite recently, the government continued this work by removing nearly 1,000 pieces and over 7,200 pages of legislation and regulation. The spring repeal day continues the work of the first repeal day in March, where the government removed over 10,000 pieces and 50,000 pages of legislation and regulation and over $700 million of compliance costs.

Going forward, the government will continue to designate two parliamentary sitting days each year as repeal days to repeal costly and unnecessary legislation and regulation. The coalition's approach will result in more efficient government and more productive business and not-for-profit sectors. This will improve our nation's competitiveness, helping to create more jobs while lowering household costs.

In contrast, Labor introduced more than 21,000 additional regulations, stifling investment and job creation, despite Kevin Rudd promising a 'one regulation in, one regulation out' policy. Let me say that again: in little more than 5½ years, Labor introduced more than 21,000 additional regulations. This is despite Kevin Rudd's 2007 promise of a 'one regulation in, one regulation out' policy, and the then small business minister, Craig Emerson, saying in 2008
that Labor would 'take a giant pair of scissors to the red tape that is strangling small business.'

Under Labor, there were nearly 100 examples of non-compliant and Prime Ministerial exempt regulatory impact statements. These included some of Labor's most significant legislative changes, such as the mining tax, the NBN, the Future of Financial Advice laws, and changes to the Fair Work Act. These measures all escaped detailed regulatory impact scrutiny following exemptions granted by Prime Ministers Rudd and Gillard.

The Borthwick-Milliner review, commissioned by Labor and reporting last year, found:

... widespread lack of acceptance of, and commitment by, ministers and agencies to the regulatory impact assessment process.

Bad regulation and too much regulation hurts productivity, deters investment and innovation, and costs jobs. After essentially being steady for a decade, total factor productivity fell in 2013. In 2014, Australia ranked 124 out of 148 countries for 'burden of government regulation' in the World Economic Forum Global Competitiveness Index. While we improved four spots on last year, we are still immediately behind Colombia and Spain and just in front of Iran. Indeed, the Productivity Commission has estimated that regulation compliance costs could amount to as much as four per cent of Australia's GDP.

Let me now turn to wider issues related to taxation. I note again that this is a bill 'for an act to amend law relating to taxation'. So I would also like to say a few words about the recent taxation debate and the upcoming taxation white paper. The Prime Minister has launched a taxation debate centred on repairing the financial problems of the Australian Federation. They are problems begging to be fixed but will need maximum skills to achieve. I fully support the push for reform and I know you do too, Deputy Speaker Porter.

Obviously, all state premiers will need to be on board for wholesale reform to occur. The government is in the process of producing two parallel white papers—that is, government policy positions on reform of the Federation and on tax reform. In that context the Prime Minister said in a speech at Tenterfield on 25 October:

The Commonwealth would be ready to work with states on a range of tax reforms that could permanently improve the states' tax base, including changes to the indirect tax base with compensating reductions in income tax.

It is assumed that, when he spoke about an indirect tax option, he was clearly referring to the GST. But what is also clear is that the Prime Minister talked of considering a range of tax reforms. I have previously written about and spoken in parliament about the prospects of raising the GST and the difficulties that will be confronted by such an endeavour.

Today I want to explore a different option for reform that has been considered previously but which, in recent times, has been too readily discarded. Many commentators dismiss it out of hand. However, it is an option that has in the past had substantial support in both economic and political terms. I think it should be given serious consideration in the preparation of the government's taxation white paper. I am speaking about an income-tax-sharing agreement between the federal and state governments. The basic problem that needs to be addressed is clearly stated in the government's September issues paper on federation reform that notes that the states' revenue base is inadequate to fund their spending growth responsibilities in areas such as health and education. Demand is outstripping supply.
A brief history of income tax is relevant. Up until 1942, states levied income taxes. Then, due to World War II's funding demands, it was mutually agreed to hand the tax to the federal government. After the emergency passed, the federal government refused to hand it back. That is, until 1977, when then Prime Minister Malcolm Fraser proposed a new federalism policy and passed legislation to allow state income tax surcharges or, for that matter, rebates, to help states meet their funding needs. Unfortunately, then New South Wales Premier Wran waged a short-sighted scare campaign on the issue, alleging this would lead to double taxation and the option was never taken up.

However, 14 years later, Prime Minister Bob Hawke was inching towards reintroducing such a policy through a series of Special Premiers' Conferences when, in 1991, he lost a leadership ballot to Paul Keating. Hawke had set up a working party on tax powers that reported on 4 October 1991 and noted one option for reform was the introduction of a state income tax surcharge. In response, all state and territory leaders at the time signed a communiqué, on 8 November 1991, calling for its implementation. They sought a six per cent surcharge in a broadly revenue neutral package of reforms, whereby the federal government would reduce income tax and also payments to the states. It was recommended by experts and was politically doable.

However, the new Prime Minister Keating was personally against the proposal and it died there and then. Subsequently, an income tax surcharge was recommended by the 1996 National Audit Commission and, importantly, an income tax surcharge was recently recommended by the National Commission of Audit in its February 2014 report.

Many so-called experts will complain that reordering the intergovernmental share of income tax revenue would do nothing to fix the relative balance between the direct, for example, income taxes, and the indirect, for example, GST taxes. The argument they are referring to, recently repeated by the departing Treasury department head Martin Parkinson, is that less reliance on income taxes is more efficient, as it reduces the negative impact of high marginal rates on people's incentive to work. There is truth in that.

However, when you think about it, most taxes, including GST, are paid out of your earned income, so it is not apparent that this is an overwhelmingly decisive argument. And, to make it clear, the income-tax-sharing option that I believe should be debated is not designed to raise more total revenue but to substitute federal taxes with state taxes, thus not increasing the overall reliance on income taxes. Indeed, in my opinion, any possible economic efficiency benefits from reform would be lost if all that we are doing is locking in the deleterious effects of further increases in the overall tax burden.

Another economic benefit claimed for what is often called a 'tax mix switch' is that GST, as a consumption tax, on balance, encourages further saving. Again, Australia does not at present suffer from a household savings problem, with indexes at near historical highs. In conclusion, I put forward an income-tax-sharing proposal as yet another option for debate.

It would not be a perfect solution but, as with other options, should at least be considered in the white paper process. In conclusion, I strongly support this bill and also offer my two cents worth on other taxation matters.

Mrs GRIGGS (Solomon) (19:04): I rise today to support this bill, the Treasury Legislation Amendment (Repeal Day) Bill 2014, that directly delivers on the coalition
government's promise to cut red tape. Today we are doing what we said we would do: cut red and green tape for the good of the nation.

Prior to last year's election, this government committed to cut $1 billion worth of red and green tape per year. I am proud to be standing here today not only delivering on this election commitment but acknowledging that this government has more than doubled its pre-election target.

More than 400 measures have resulted in over $2.1 billion in compliance costs. I will say it again: $2.1 billion of reduced costs to business and not-for-profit groups, which filter down to Australian families.

Last month, we had the 2014 spring repeal day, where we were continuing the work of the government's first repeal day in March this year. Last month's repeal day introduced legislation into the House to remove almost 1,000 pieces and over 7,200 pages of regulation.

In March, the coalition government removed over 10,000 pieces and 50,000 pages of regulation, resulting in over $700 million of compliance costs. This is just the beginning. This government will continue to repeal unnecessary and counterproductive regulation every year, with two designated repeal days per year.

The Treasury Legislation Amendment (Repeal Day) Bill 2014 is just one part of the government's spring repeal day agenda. The measure contained in this bill improves and simplifies the operation of laws relating to taxation, to superannuation and to shareholdings in certain financial sector companies. This bill will implement a number of refinements to simplify the approval requirements when seeking the Treasurer's approval of a change in ownership of a financial sector company while also clarifying employer payslip requirements. This bill will repeal the payslip reporting provisions in the superannuation law that would have increased the regulatory burden on employers beyond that currently imposed under the Fair Work legislation.

The current regulations are in danger of imposing an extremely costly burden on business that was never intended. By repealing this regulation, this government is providing certainty for employers that they do not need to be preparing for significant changes to their payslip software when it comes to superannuation reporting. This bill will repeal duplicative provisions from the superannuation legislation that allows for regulations to be created prescribing additional information to be included on employee payslips on superannuation contributions. The repeal of this regulation will not affect the information employees currently receive on superannuation contributions on their payslip. There is already legislation requiring employers to at least report details of employee superannuation entitlements that accrued during the pay period on an employee's payslip. For employees to report actual contributions and payment dates they would need to invest in major upgrades in their software. We want to avoid that major expense for employers, especially when the benefit for employees would be so marginal.

There are so many provisions in place to recover unpaid super should an employer be doing the wrong thing, and employees can now also typically check online via their superannuation fund whether their employer is making regular superannuation contributions whenever the employee wants to check.

*Mr Brough interjecting*—
Mrs GRIGGS: Someone was being unparliamentary!

Mr Brough interjecting—

Mrs GRIGGS: It also simplifies taxation laws by removing inoperative provisions, consolidating duplicated provisions and moving longstanding regulations into the primary law. I think most Australians would agree that tax laws can be complex and difficult to understand and are frequently costly to comply with. For example, the current provisions dealing with a tax file number and investment income reports provided by investment bodies to the Commissioner of Taxation are overly prescriptive and difficult to comply with. They are not sufficiently flexible to allow the commissioner to continue to pursue further ways of reducing compliance costs. We want to increase that flexibility for the Commissioner of Taxation to facilitate modern reporting methods, which should reduce compliance costs for investment bodies.

Mr Brough: Hear, hear!

Mrs GRIGGS: We are also repealing redundant taxation laws, such as the older harsh penalty regimes, and moving long standing regulations into the primary law. And I am really pleased that the member for Fisher is supportive of my contribution here, because I think he is going to be up next.

Wyatt Roy interjecting—

Mrs GRIGGS: Oh—the member for Longman; good.

Mr Brough: He's hanging on every word!

Mrs GRIGGS: Excellent; wonderful. The result overall of simplifying these taxation laws will mean a reduction in size of the laws altogether. We are scrapping over 50 existing provisions and replacing them with only one or two new provisions. We are making up for former Prime Minister Rudd's failed 'one regulation in, one regulation out' policy. This government is making tax law easier to use and easier to comply with, but we are not altering any current tax policies. We are keeping our changes simple, the way government regulations should be. We are tidying up laws in line with good legislative practice. It is an important part of the care and maintenance of our tax system.

The bill reduces the regulatory burden on the associates of individuals seeking to obtain a shareholding of more than 15 per cent in certain financial sector companies, such as banks and insurance companies. This measure removes a technical legislative trap that imposes unnecessary regulatory burden without compromising the intention of the regulation. Currently, when a person is seeking a shareholding of more than 15 per cent of a financial sector company, they must seek approval from the Treasurer for the shareholding. In addition, any associates of that person must also seek approval from the Treasurer for the shareholdings, even when the associate has no actual shareholding in the company. This measure removes an unnecessary burden on the associates of a person—for example, a person's partner, relatives or related companies—who is seeking approval for a shareholding of greater than 15 per cent in certain financial sector companies. Removal of that provision does not compromise the scrutiny of a shareholder's controlling interest. Further, the Treasurer still has the authority to block shareholdings where practical control can be asserted by an associate and the Treasurer is satisfied that it is in the national interest that the shareholding be divested.
This will also rewrite the definition of 'Australia' into a single location in the tax law for use across all the tax laws in a simple and coherent form. Currently the definition of 'Australia', for taxation purposes, is complex, overly detailed and expressed differently in different parts of the taxation legislation. This is all despite the fact that tax laws are intended to achieve simple and largely equivalent results. If you were working on an offshore oil rig, for example, near Australia and wanted to know whether workers had to pay income tax in Australia, you would have to navigate through about 13 different pieces of Australian legislation. I have had constituents contact me about this specific issue. I think any Australian out there who had to consider 13 pieces of legislation to simply determine whether they had to pay tax or not would be correct in thinking that it is a bit of a burden and a bit over the top. That is why the coalition government is going to fix it.

The complex and ad hoc existing definitions will be consolidated into one place of definition for most tax purposes. This will assist taxpayers to better understand and comply with the laws, resulting in reduced compliance costs. This is another significant step towards achieving a single income tax assessment act for Australia.

Like my coalition colleagues in the chamber here who will be speaking on this very soon, I wholeheartedly support this government's deregulation agenda and these new changes. It is disappointing that the opposition have shown such little interest in job creation and lowering costs for not-for-profit groups and Australian families. Their lack of interest in speaking on this bill says it all—all they are interested in is stifling investment and job creation. They want to continue the failed 'one regulation in, one regulation out' policy that Kevin Rudd instituted. With more than 21,000 additional regulations introduced by the previous Labor government—that is, the Rudd-Gillard-Rudd government—we really need to be axing 10 regulations for every new regulation.

Government is there to assist Australian business, not supervise and micromanage every single aspect of their business. Small business is the backbone of the Australian economy. It is the great Australian story: mums and dads setting up shop to work hard and make a better life for their families. This government is committed to encouraging Australians to seize opportunity and be rewarded for their hard work. Government needs to get out of the way of small business and let them continue contributing to the Australian economy. Time and time again, I meet with small business operators in my electorate of Solomon and their clear message to me is: 'Let me do my job, let me make a living for my family and let me run by business without drowning in mountains of paperwork and hours of complicated compliance work.'

The entire coalition team is committed to deregulation, and the finance minister has certainly done his bit by introducing this bill to cut red tape. Even those opposite cannot deny that bad regulation and too much regulation hurts productivity, deters investment and innovation, and costs jobs. This government's approach will result in more efficient government and more productive business and not-for-profit sectors. This will improve our nation's competitiveness, helping to create more jobs while lowering household costs. Again, the Minister for Finance and the Treasurer should be commended for their work in contributing to the coalition's plan to repeal counterproductive, unnecessary and redundant legislation and regulations. I commend the bill to the House.
WYATT ROY (Longman) (19:19): It is always a great pleasure to follow the member for Solomon, somebody who was a very successful business woman in her own right. She knows that Australian businesses thrive when government gets out of the way. To paraphrase that great quote, it is often a case of government being the problem rather than government having the solution. We on this side of the House are very lucky to have people who have been very successful business people in the private sector. We bring that wisdom to this place to discuss bills such as we are debating here tonight.

This government promised a deregulation agenda that would slash at least $1 billion in red and green tape every year. We are more than delivering. This year we have doubled on that commitment, with hundreds of millions of dollars in compliance costs removed on the first of our dedicated repeal days in March. Our autumn repeal day removed more than 10,000 pieces and 50,000 pages of redundant, unnecessary and burdensome legislation and regulation. Now, together with the second of our repeal days, the government has hit that $2 billion target. On 22 October the government introduced legislation and tabled an instrument to repeal a further 1,000 pieces and more than 7,200 pages of legislation and regulation. The autumn and spring repeal days bring the total net deregulatory saving so far to more than $2.1 billion. The aim of this unflinching, whole-of-government commitment to repeal of costly and utterly frustrating legislation and regulation is to get government out of the way and to streamline our lives so that businesses especially can free their arms, breathe and grow again. That will mean a stronger economy and more jobs for Australians.

The bill we are debating, the Treasury Legislation Amendment (Repeal Day) Bill 2014, is another important step towards this uncluttering of bureaucratic excess. We are a government that want to see enterprise succeed. We are a government that want to see employers advance with confidence and certainty and, frankly, just get on with doing the business they do so well. This bill contains a number of measures that will improve and simplify the laws around taxation, superannuation and shareholdings in certain financial sector companies.

In summary, they repeal pay slip reporting provisions in superannuation law that would have added another layer of regulatory burden on employers above and beyond the current requirement enshrined in the Fair Work legislation. They simplify taxation laws by removing or consolidating redundant and replicated provisions and shifting long-established regulations into the primary law. They cut back the regulatory burden on associates of individuals seeking to obtain a shareholding of more than 15 per cent in certain financial sector companies and they rewrite the definition of Australia into a single location in the tax law so it can be applied across all tax laws for ease and clarity.

The previous Labor government's red tape legacy is well documented. I have spoken about it many times in this place, but once again, for the public record—the former Labor government saw 40 new or increased taxes and more than 21,000 new regulations. We are untangling the mess that has enveloped our businesses, our schools and our hospitals; a mess that has stifled productivity and outcomes and has led to costs being passed on to every single Australian. And so it is that Labor's intention to introduce more crippling regulations—regulations specifying that employers would have to report on pay slips the amount of superannuation contributions and the dates on which the employer expects to pay them—will now be thrown onto the very large red tape bonfire. The government will repeal provisions from the superannuation law that would have allowed the previous government to give effect
to this change—a change that would have placed more costly, time-consuming and, altogether, an unnecessary onus on employers.

This repeal will in no way alter the information employees currently receive on their pay slip with regard to superannuation contributions. Under the Fair Work Act, employers are already required to at least report details of employees’ superannuation entitlements that have occurred during the pay period on an employee’s pay slip. If employers were suddenly required to report actual contributions and payment dates, the major updates to their software would be costly and, for a period at least, disruptive. And for what tangible benefits from the perspective of employees? Little to none, I would think. It is a fact that most employers pay their superannuation. It is also a fact that the Australian Taxation Office investigates every complaint received about unpaid superannuation. Its risk analysis and intelligence work means the ATO knows who to target in terms of high-risk industries and employers.

Mind-numbing duplication was a hallmark of the previous Labor administration. Weaving one's way through a maze of technicality and detail to get a straight answer and a simple solution proved time and time again to be a headache for businesses in my electorate under the government of those members opposite. Is it any wonder that at this time two years ago small business start-ups under Labor had dropped by 95 per cent and the number of businesses going bankrupt had risen by 48 per cent? At that point there were 11,000 fewer small businesses employing people than there had been in 2007. This government, in just 12 months, is turning the ship around. In Longman, confidence is returning to the local economy, with businesses from Caboolture to Narangba hiring new workers. And the phenomenon is in no small part fanned by the government's demolition of red tape.

Another key measure in this bill simplifies the taxation laws by consolidating duplicated taxation administration provisions contained in various taxation acts into a single location in a single act. This measure also repeals spent or redundant taxation laws and relocates long-standing regulations to within the primary law. Existing tax law is complex; it verges on the impenetrable and it makes at times costly compliance demands. However, these changes will result in a material reduction in the size of the taxation laws, with one or two sections replacing in excess of 50 existing provisions. Currently, if a taxpayer seeks to clarify his or her rights in relation to information the Commissioner of Taxation has the power to obtain, they must navigate across 10 different acts. These amendments will put an end to that, with all relevant material being contained within schedule 1 of the Taxation Administration Act. Wherever possible, cleaning up our tax laws so that their integrity is uncompromised, while becoming more accessible and involving less user time and cost, should be a priority of the government. It is, as I can assure you, a priority of this government.

Indeed, the changes in this bill are perhaps, above all, just plain sensible. As such, they stand in stark contrast to the six years of insufferable Labor over-regulation and maladministration. As I mentioned, the unwinding of red tape is already resulting in real, bottom-line results for the businesses of my local region. A case in point is Packer Leather, an iconic local leather manufacturing firm that is the supplier of leather for Kookaburra cricket balls and Sherrin footballs. Packer Leather had been forced to pay up to $20,000 to get an imported chemical approved by Australian regulators for use in the tanning process, despite these chemicals already having met very difficult international standards. After I took up the case with the member for Kooyong and the Parliamentary Secretary to the Prime Minister, the
government will now require the National Industrial Chemicals Notification and Assessment Scheme, or NICNAS, to increase its acceptance of risk assessments made by reputable international authorities such as the European Union regulator. In short, this is just another victory for common sense. The removing of expensive and time-consuming reapprovals in Australia will help put managing director Lindsay Packer on a level footing with his international rivals. Packer Leather is a truly global act, even producing the leather for gloves worn by some of the world's top racing drivers. I want to thank the Parliamentary Secretary for visiting Longman, where he spoke to local businesses, duly noted their red tape concerns and then took action. He understands better than anyone in this place how bad regulation and over-regulation hurts productivity, deters investment and innovation and ultimately costs jobs. With the help of his hard work, the government is righting the wrongs of the former Labor government. In shedding billions of dollars worth of obstructionist red tape, we are unshackling our businesses, industry and communities and pointing them on a path to prosperity. That is what these bills seek to do, and I commend them to the House.

Mr VAN MANEN (Forde) (19:29): It is always a pleasure to rise in this House to once again speak about the positive actions that this government is taking to unshackle our businesses and our economy from the pernicious burden of red tape. Before I get into the specifics of the Treasury Legislation Amendment (Repeal Day) Bill 2014, I would like to take a moment to reflect on the achievements of this government over the course of 2014.

Our starting point, which I think is very relevant to remember, is six years of debt, deficit and waste by those opposite—the former Labor government. As a result of some of the decisions that we have made in the budget, we are now reducing the potential impact of our debt load by some $300 billion. We have put together the largest ever infrastructure package, committing some $50 billion to infrastructure projects around Australia. This, together with the asset recycling scheme, leverages a potential $125 billion investment in infrastructure to build the productivity and economic growth in this country.

In the electorate of Forde, we have some $3 million going towards the Beenleigh CBD redevelopment upgrade. The proceeds of crime legislation will provide $1 million worth of CCTV camera improvements around the electorate. We have also succeeded in repealing the minerals resource rent tax, giving our minerals and resources industry certainty and clarity about the future of their business opportunities. We have repealed the carbon tax, resulting in the largest falls in electricity prices on record. We have privatised Medibank and the third largest IPO globally this year, and we are receiving $1 billion more than we initially expected. We agreed on three free trade agreements with Korea, Japan and a China.

One of the hallmarks of our election campaign was the delivery of smaller government. We started work on achieving that by abolishing 76 agencies, authorities and boards. None of these organisations produce a single cent of wealth for our country. They survive because of the productive capacity of the productive sector—our manufacturing sector, our resources sector and our services sector. Removing the cost impediments and the regulatory burdens and oversights from our business sector allows it to get on and do what it does best, which is generate wealth for this great country.

In addition, we have approved over 300 projects worth nearly $1 trillion through our environmental approvals processes and speeding that up. We have rebuilt the employee share ownership framework to drive start-ups, innovation and productivity and, in the longer term,
to share the wealth not only with the owners of those businesses but also with the shareholder employees. This will give them a genuine economic interest in the business which they work for and truly spread the wealth that this nation can generate for everybody. We have dealt with Labor’s tax backlog of almost 100 unenacted tax measures. We have proceeded with some 32 of those measures, and we have sought to rid the system of the others in order to give clarity and certainty to taxpayers and for the future. This will assist the ATO in simplifying the complexity of the taxation act and in dealing with the uncertainty created by those unenacted tax measures. We have been successful through the G20 process in developing a framework to crack down on tax cheats through international leadership, with a 15-point OECD action plan.

In addition, nearly 75 per cent of the over 400 budget measures have already been implemented, with another 50 or so measures currently before parliament. This will result in an improvement in the budget bottom line of around $15 billion over the forward estimates. In contrast, we have those opposite opposing savings to the tune of $28 billion, currently, including $5 billion of their own. Those opposite, the Labor Party, want an additional $15 billion of spending restored. This is worsening the budget bottom line by $43 billion. We saw six years of economic mismanagement, waste and profligate spending when those opposite were in government; yet, in opposition, they have not learnt the lessons and continue to do the same thing.

We have also succeeded in rolling out a Direct Action Plan, with practical environmental projects and without slugging the Australian people with a carbon tax. The Green Army has been established. We have a project being run by North-East Albert Landcare at the Pimpama River in Ormeau. The NBN is being rolled out in a way that is efficient, affordable and less costly to taxpayers. In the electorate of Forde, with the recently updated national roll-out plan, areas such as Chambers Flat, Munruben, North Maclean and Park Ridge South are going to benefit from the improved roll-out schedule. We have stopped the boats—which many claimed was impossible—and one of the results of that has been to stop deaths at sea. We have responded to the threat of extremism with new counterterrorism measures, because it is our duty to do everything we humanly can to keep Australians safe.

This is just a snapshot of what this government has achieved over the past 12 or so months, but we recognise that there is still a lot of work to do. We continue to be focused on growing our economy through continuing to reduce red tape and regulation, which is exactly this bill is about. The Treasury Legislation Amendment (Repeal Day) Bill 2014 forms part of our whole-of-government commitment to repeal counterproductive, unnecessary and redundant legislation and regulations. We made a commitment at the last election to cut over $1 billion in red and green tape. We have gone beyond that target by more than double, to over $2.1 billion in red- and green-tape costs removed from our economy. It has also resulted in some 57,000 pages of legislation being removed from the statute books. During both the autumn and spring repeal days we set out to dismantle the legacy left to us by the previous government, which oversaw 40 new or increased taxes and the introduction of 21,000 additional regulations, despite former Prime Minister Rudd promising in 2007 a one-regulation-in one-regulation-out policy. The former small-business minister, Dr Emerson, notably supported this ambition in 2008, saying that he would take a giant pair of scissors to red tape that was strangling business. In fairness to Dr Emerson, the end result was that they
brought multiple rows of red ribbons that they wrapped business up and tighter and tighter bows of red and green tape. As with much the previous government did, it was style over substance. However, it has been a coalition government—this government—that has delivered for small business.

I find it hypocritical that those opposite seek to disagree with our deregulation agenda when they once, in the dim, dark, distant past said that they had similar intentions. It is amusing to hear claims that our deregulation agenda is merely fanfare. I would like to take this opportunity to highlight some of the savings appointed and announced since our first repeal day. We have assisted small-business through the Fair Work Ombudsman Small-Business Helpline, which has had more than 100,000 calls, to date. This has led to a reduction in annual compliance costs of over $2½ million, according to the Department of Employment. Additionally, small businesses are to benefit from the improved ATO communications strategy, with the government's Digital First. Small businesses will benefit from a reduction in the amount of time spent reading ATO communications and we will reduce the need to store paper correspondence. I know from my discussions with the ATO that it has been moving rapidly to a digital communication strategy and achieving some very significant successes and some very positive feedback from their small-business customers.

Local pharmacies in my electorate, such as Waterford Discount Chemist, the Chemmart at the hyperdome and Murphy's Health Care Pharmacy, have benefited from the increase in the PBS claims threshold as a result of the reduced paperwork. We have also moved requirements of vocational education and training sector, which includes RTOs, to apply to update the registration when changes to training packages are made but the training outcome remained the same. Furthermore, the minister has announced that the Australian Skills Quality Authority will remove the requirements for financial viability assessments to be undertaken as part of the re-registration process. This will certainly benefit local RTOs in Forde such as Brisbane Business & Hospitality Training and Evocca College.

One innovative step, which, in fairness, started under the previous government, is the MyTax process whereby small taxpayers and people with simple tax affairs can lodge their tax returns through MyTax. That has provided an enormous benefit to some 1.4 million Australians and resulted in some $156 million in compliance-cost savings. My two sons have both lodged their tax returns this year via MyTax. I was sitting with them when they did it. The process is very simple where you have a simple tax return. A lot of the data is prefilled from various sources.

Local charities will be better off with the removal of duplication and financial reporting to the Australian charities and Not-for-profits Commission. Our charities do not want to be stuck behind a desk; they want to be on the front line, assisting the people in our communities who need it most. Charities such as Lighthouse Care, Twin Rivers Centre, Red Cross, Rosies, Soul Centre, Multilink Community Services and Canefields Clubhouse will benefit significantly from these changes.

The next lot of repeals, contained in this bill, go further in reducing the red-tape compliance of business. They include payslip reporting provisions in superannuation law which would have increased the regulatory burden on employees beyond that currently imposed under the Fair Work legislation. They simplify taxation laws by removing inoperative provisions, consolidating duplicate provisions and moving longstanding
regulations into primary law. There is a broad base of changes that will significantly reduce red tape and regulation in our economy.

At the end of the day, it is our business community that generates the wealth of this country. The best thing that we as governments can do to facilitate growth and economic welfare for the future of this country and create long-term economic growth opportunities for businesses and for individuals is for us as governments to get out of the way of business and let them do what they do best—that is, employ Australians and create wealth for the future generations of this great country.

**Mr WHITELEY** (Braddon) (19:44): I thank the House for this opportunity to address the matters relating to this very, very important piece of legislation. I think there is a real sense of lightness coming over business; it is coming over the departments of government. There is a realisation that for too long now governments have been standing in the way of business going about doing what they do best. That is to remove compliance costs and remove duplication and to ensure that business is just freed up to service their customers, do good work, do good business, make a good profits and, more importantly, employ great Australians.

It is not just us saying that there is a lightness coming across this country but many other people outside of this place. There are people like the CEO of Westpac, Gail Kelly, who said this:

The government is showing that Australia is open for business, there is deregulation and a reduction of red tape is under way.

Tony Nicholson, the executive director of the Brotherhood of St Laurence, said these words: 'We warmly welcome the government's red-tape reduction agenda. Streamlining our reporting and compliance requirements makes a real difference as it frees up resources to be directed towards helping disadvantaged young families.' Who would have ever thought that this very piece of legislation and the one that came before it—version 1, if I can say that—back in the autumn session would get out of the way of organisations such as the Brotherhood of St Laurence to the point where they say it actually frees up their resources to now get about the business that they are actually about? That is, helping the disadvantaged people of this great country.

I found it interesting in the early stages of this debate when those opposite stood like soldiers in a row to actually mock repeal day and to mock this legislation that goes about deregulating, removing duplication and doing everything it can to get out of the road of business. They were talking out of the side of their mouths with mockery about what this legislation does. They were laughing. It may be a piece of legislation that may be a little crazy, but it might have removed a quarter of a million dollars, half a million dollars or $2 million worth of compliance costs that were actually having to be paid by business across this country.

I do not see it as a laughing matter at all. I think it goes to show where the mindset of those opposite actually is when it comes to running business in this country. That government—who had six very interesting years, I must say, from 2007 to 2013—were going to be, as they were in many other areas, the messiah of deregulation and the great white hope of getting rid of the impediments to business in this country. But in a little more than 5½ years—you will not believe this—the Labor government introduced more than 21,000 additional regulations.
This is despite Kevin Rudd, Kevin 07, promising this: one regulation in and one regulation out. That was his policy then to small business, coupled together with the then Minister for Small Business, Craig Emerson. I think they lost their way. They forgot that they made a promise of one regulation in and one regulation out. They misinterpreted it. They interpreted it to be one Prime Minister in and one Prime Minister out! They lost their focus. Well, business does not want their government to lose focus and this government is not losing focus when it comes to getting out of the way of business in this country.

The Minister for Small Business, Craig Emerson—referred to by the colleague that spoke before me, the member for Forde—said in 2008 that Labor would take a giant pair of scissors to the red tape that is strangling small business. Again, I sadly have to make this announcement to the parliament: they lost their way, but they did not lose the scissors. The scissors did not end up cutting red tape; the scissors ended up in the back of two prime ministers of this country. They should have been focusing on using the scissors to get rid of the red tape that they promised they would. But they did not. As I said, 21,000 additional pieces of regulation were introduced under the previous Labor government.

As we have done on this side of the House, I could join the queue and come up with 100, 200 or 500 examples of the deregulation agenda that this government has been promoting. We started with our first repeal day back in March. We have had our second repeal day, as we promised. These repeal days will go on under the leadership of the Parliamentary Secretary to the Prime Minister, who is doing a great job. But his job is being made much easier by a change in culture in this place. It is a change in culture from the very top. It is a change in culture led by the Prime Minister of this country, who is a Prime Minister who says, 'This is what will define our government when it comes to small business: we are going to get the heck out of their road.' He has passed that culture onto his cabinet ministers, the outer ministry, the staffers of those ministers and the departments that those ministers lead. That is what leadership from the top is all about. It is about changing culture.

That is what this government is about. That is what we were elected to do in 2013. We were given a mandate to change the culture in this country on a wide range of fronts, whether it was getting the heck out of the way of small business, whether it was changing attitudes when it comes to the payment of social services in this country, whether it comes to the culture of higher education and whether it comes to the culture of actually getting on with investing in this country. The culture change has to be led from the front.

Those opposite can do everything they want to try to devalue this government, me as a backbencher, any of our ministers or even the Prime Minister, but what they fail to tell you is that they were not culture changers. They were just culture embracers. They were culture embracers of their own political history and their own political ideology. Where did it get us? It got us to a point where we are basically in a huge debt and deficit disaster zone.

Mr Nikolic: Shameful!

Mr WHITELEY: It is shameful, as the member for Bass just said behind me. It is shameful. They mock us every day when they come in here. They would have no clue how to get us out of this debt and deficit disaster. They have created the mess but they have no clue, no courage, no fortitude, no vision and no willingness to actually get us out of the disaster that we currently find ourselves in. I find it extraordinary that they can mock even a bill such as
this and yet make no attempt to tell the truth when it comes to the mess that we have inherited.

This is not about us claiming victim status on this side of the House. This is about a government that was elected with a mandate to clean up the mess. Do you know what conclusion I have come to—and I speak as the member for Braddon? Everyone still, to this day—I should not say 'everyone'; I should say 'most'—when they see me up the street, whether I am collecting my mail, getting my newspaper, getting money from the bank or getting coffee, say: 'The job has to be done, Brett; stick at it.' When the tough decisions have to be made—the ones which we were elected to do, and the ones which they still ask us to do—I say to the people of Braddon and I say to the people of this country that we cannot sit back and say, 'Make the tough decision, Prime Minister; make the tough decision, Minister for Defence; make the tough decision, Minister for Social Services; make the tough decision, Minister for Communications; make the tough decision, Treasurer; but make sure the toughness only impacts my neighbour and not me.'

Well, it does not work that way, country. It does not work that way, fellow Australians. We are a team; we are team Australia. Those on the other side may mock that, but we are a team. We are a young team; we are a small team; we are a powerful team—in the top 20 nations of this world. But we have to get in and do the job together. We dig the hole together, we fill it in together, we grow the crop together and we reap the harvest together. That is what we do. We do not blame it on everybody else and say, 'You do the tough stuff.' I need to do the tough stuff. We can all sit back and say, 'Don't hurt me; just make it tough for someone else.' This is not about hurting anyone. This is about growing our future. This is about my kids and my grandkids—the grandkids that I do not have yet. I do not have them yet but I do not want them inheriting the mess that we have actually inherited—$667,000 million of debt if we do not do anything. Well, we are doing something. And I have said in this place before, and I will say it again: if it costs me my seat—which I hope and pray it does not, because I will be working my tail off to ensure it does not—and if I leave legacy of improvement, if I leave a legacy of hope and if I leave a legacy that will actually give some sense of optimism for my kids and my grandkids, then it will all have been worth it.

They on that side do not get it. It is all about political expediency; it is all about the now. They will do anything right now to damage to government, to give an impression of chaos and to give an impression that they will deliver every piece of candy to every child, adult and family in this country. But I ask the question of those opposite: who is going to pay for it? They have never seen a dollar or a 10c coin that they would never spend. They have stolen from our children, they have stolen from our grandchildren, and enough is enough. It is time that those opposite actually acknowledged the mess they put us in and stopped trying to rewrite history. They have walked away from the fire that they lit, mocked the firemen on the way down the garden path and have left town. They do not want to know about it, and I say to the people of Australia: 'Do not fall for it.'

We left an economy in good shape. A $20 billion surplus every year—money in the bank. And what have we got now? We have accumulated deficits of $123 million as far as the eye can see. It is unbelievable. But they just sit back and say, 'Nothing to see here.' They cannot and will not show restraint. And today we saw it again. They continue to mock every policy that we come up with, even though we have a mandate on most of those fronts. I could not
believe it the other day, when the Leader of the Opposition was strutting his stuff in front of the camera, as he does every day and he said: 'They want to do this; they want to make this change or they want to implement this policy. They need to go and get a mandate.' Well, for goodness sake, we got a mandate on the carbon tax and they would not vote to get rid of it. We had to depend on the crossbenchers to get it through, and, thankfully, they saw common sense. So what an absolute hypocrite we have in the Leader of the Opposition! 'Go and get a mandate,' he says to make himself look like this great democratic leader of our country. 'Go and get a mandate.' For goodness sake, the people of Australia gave us a mandate on 13 September, 2013. And what do we see? They have knocked back everything that we actually said we would do. We went to the people and said, 'We are going to do this, this and this,' Even that is not a mandate for those opposite! They just want to cause chaos. They want to sabotage the future of our country, the economic prospects and hope of my children and my grandchildren. I have had enough. I am prepared to stand up and fight for it.

Even though those opposite may mock it, this bill is a symbol of what this government stands for. This is a symbol of where this government wants to take this country. This is a symbol of a prime minister, a cabinet and a ministry of people that want to change the culture in this country. I believe that is what the people of Australia want. If the people of Australia want weak-kneed leadership—a mamma and papa who will give every kid every lolly every day of the week when they go to the show and fatten them up, because that is what every kid wants—then that is what they will get. But if you want a government that is prepared to invest in your future and make sure that there is going to be a pension for yourself or your own parents in 25 years time, get with the program. We cannot afford it. We have to rein in expenditure. We have to make the changes to policies that are just unsustainable.

This is not some game we are talking about; this is the future of our country. We are in a competitive fight to the death when it comes to our products and our services across the world, but this lot over here think it is some sort of gee-whiz ride at the local agricultural show. It is not; it is our future that we have to fight for. We have made a commitment to the people of Australia, and we will leave this parliament in the last sitting week of 2014 recommitting to that future—that we will get it under control. We will move on the debt and deficit disaster. We will continue to fight for small businesses to make it possible for them to grow, to make profits and to employ people to get this economy moving. But it takes everyone. You might not be a small-business owner, but you depend on them to employ your children. I implore people as they listen as we end this week to understand the journey that we are on and the journey we need to take. I thank the House.

Mr PASIN (Barker) (20:00): I rise to speak on the Treasury Legislation Amendment (Repeal Day) Bill 2014. But before I do that, it would be absolutely remiss of me if I did not acknowledge the significant and substantial—nay, outstanding—contribution made by the member for Braddon. He is an exceptional representative for his electorate, and it was appropriate that he was accompanied into the chamber and supported by his two fellow amigos from Tasmania. One thing I have learnt from these three gentlemen in my short time in this place is that, when you fight collectively on behalf of your state, you achieve so much more. So I was not surprised to look around the chamber and see that, supporting the member for Braddon, we had the member for Lyons and the member for Bass—and what a credit they are to their state. Well done.
I have had a tough week. I played some cricket against the parliamentary press gallery. I also did battle with a bee. Notwithstanding that, I would walk over hot coals to be in this place today to talk about this issue. Those listening to the broadcast do not have the benefit of seeing my eye, which is about the size of Jupiter. Notwithstanding that, I am here. I am here because this issue is close to my heart—as it is for the member for Braddon and everyone on this side. It is also an issue that is close to the hearts of small businesses throughout my electorate Barker.

I thought I would begin by turning the clock back. What is old is new again. It was in April 1946 that the founder of the Liberal Party, Sir Robert Menzies, took out an advertisement in *The Bulletin* magazine declaring the following: 'We want fewer forms and more reforms.' Alongside that slogan was a picture of a husband and wife overwhelmed by paperwork. The advertorial went on to say: 'I'm fenced in with permits, licences, returns and regulations from every board, division and department under the sun. What I want is to control my own industry.' It was a message that resonated strongly then—and, unfortunately, it still does today. In every facet of life—from aged care to agriculture, from schools to small businesses, from visas to veterans—we are, disappointingly, facing an avalanche of legislation that is stifling investment, stifling innovation and impeding the creation of jobs. It is impeding the creation of hundreds upon thousands—nay, tens of thousands—of jobs.

I take this opportunity to commend the Prime Minister and the Parliamentary Secretary to the Prime Minister, the member for Kooyong, for their commitment to the cause of deregulation. We of course had the first inaugural repeal day on 26 March 2014—

Ms MacTiernan: 'The first inaugural!'—the master of tautology!

Mr PASIN: and a second repeal day on 29 October. We hear an interjection from the other side. They like to heap scorn on this proposal but they are not as confident out there in voter-land to heap scorn on this proposal—

Ms MacTiernan: Every government has repealed!

Mr PASIN: I suppose I should make a concession for the member for Perth because she was not in this place in 2007 when Kevin Rudd proudly boasted that we would have a one-in one-out regulation policy. But, as we have just heard from the member for Braddon, what the Labor Party delivered instead was a policy of 'one Prime Minister in, one Prime Minister out'—in fact they repeated that. But let's get to the core of this subject.

Ms MacTiernan interjecting—

Mr PASIN: The member for Perth can keep going. I remind her that not only was their policy of one-in one-out almost never observed, but we ended up with almost 21,000 additional regulations—not 21, not 210, not 2,100 but 21,000 pieces of additional regulation. I grew up at the feet of my parents operating small businesses, operating agricultural enterprises. Before I had the privilege of coming to this place, I operated a small legal practice in partnership with my wife where, from time to time, I would be called upon to fill out the necessary and requisite paperwork. I always found it curious that on forms—for example, the business activity statement—there was a box that asked how long it took you to fill the form out. I used to take great pride in filling out that box with the words 'too long' because whenever I was filling out that document and others like it I was being taken away from the very important and profitable work of billing for my time.
But we can keep talking about that or we can move forward. What we are doing by moving forward—as the member for Braddon correctly pointed out—is remodelling the culture of this place. It is important that we do that. It is important that we acknowledge every decision we make in this place that adds a regulatory burden to those who are creating wealth. Nobody in this place—and I am sure the member for Perth would agree with me—creates wealth. Disappointingly, we spend public funds. The smaller government can be, the happier this little bee-stung baby will be! But the reality is that we do not create wealth.

Ms MacTiernan interjecting—

The DEPUTY SPEAKER (Mr Vasta): Order! The member for Barker has the call.

Mr PASIN: With the regulations we impose in this place, we make it harder for the people out there who are employing the people who are generating wealth for this country.

Ms MacTiernan interjecting—

The DEPUTY SPEAKER: Order!

Ms MacTiernan interjecting—

Mr PASIN: I will tell you why I know this, for the member for Perth's benefit. I know this because not only was I an employer, not only was my wife an employer; but my parents were employers. My father was an employer and my mother was an employer. I watched as they would stay up late at night, having completed a full and hard day's work, to sit down and undertake the necessary and requisite paperwork. That was a challenge then and it is an ever-increasing burden.

We have red tape, we have green tape and I have this week been introduced to a new term: tier tape. I had to stop the individual who made this remark and say, 'What do you mean by tier tape?' I understand that there is green tape. That relates to environmental matters. I understand there is red tape. That relates to government matters. Tier tape is this concept that there can be regulations imposed upon regulations across the tiers of government. So we now have red tape, green tape and tier tape. Quite frankly, the more that we can do to take that burden off ordinary everyday Australians who take the risks out there in the community to create wealth, the better we will be for it.

The Labor Party, disappointingly, has come into this place, and did so with great fire and brimstone in both March and in October and attempted to heap scorn on the efforts of the Parliamentary Secretary to the Prime Minister and on the PM himself. That is all they have in terms of this argument. As the member for Perth will have to acknowledge, they had six years. They had six years to get on top of this. Instead of getting on top of this, what they did was lump 21,000 extra regulations on the Australian people. It was the World Economic Forum that judged Australia, pitifully, 128th out of 148 countries surveyed for burden of government regulation. That is the background that the Abbott government is determined to turn around. We have to turn around this overwhelming tide of red and green tape.

It was interesting to read a speech recently given by Ms Gina Rinehart, who, of course, is one of our nation's great wealth generators. I am sure the member for Perth—

A government member: And she is a great person too.

Mr PASIN: Exactly. A strong, principled woman in business and, I am sure the member for Perth would agree with me, a great Australian. She was commenting in this speech about
the difference in culture between South-East Asia, where she had been touring, and Australia. She was lamenting the fact that we had created a culture in which forms ruled over reforms. I am determined while I am in this place to give strength to her arm, to give strength to our arm—reforms need to roll over forms.

It is a great privilege to be in this place. Today I hosted students from Murray Bridge High School. I took them all the way to the roof, which was my second occasion on the roof. They asked me, ‘Why is it that you are in this place? What drove you to give up a successful practice in law? What drives you to give up as much time as you do away from your family?’ I can assure you it is not the fare that we get in the cafeteria—it is certainly not that! What it is is the desire to do better—better for my young daughter, for her children if I am ever blessed with grandchildren, better for the future grandchildren of the member for Braddon.

Ms MacTiernan interjecting—

Mr PASIN: The member for Perth can keep interjecting, but she fails to realise that people in this place, on this side, understand how important these reforms are. If those on the other side want to continue to heap scorn on our attempts to cut red tape from the burden that government imposes on its citizenry then the member can keep having that argument because, news for the member for Perth, she will keep sitting on that side of the chamber if that is the agenda she is going to take forward. I can just see the slogans now: ‘Vote 1 Labor for more red tape’. You are not going to say that in future elections; what you will be saying however is this—

Ms MacTiernan interjecting—

The SPEAKER: The member for Barker has the call.

Mr PASIN: And here is a headnote for the people listening to the broadcast: what the member for Perth and her colleagues will be saying in the lead up to the next election is this: ‘Vote for us and we will bring you back that thing called the carbon tax.’ No red tape regulation or burden in that!

Ms MacTiernan interjecting—

The SPEAKER: The member for Perth is to ignore the member for Barker. The member for Barker has the call.

Mr PASIN: I should be fairer to the member for Perth, because in truth she was one of the sane people on the other side of this place who were prepared to denounce the carbon tax. Unfortunately, the problem she has going forward is that her party is going to take to the next election a desire to return the carbon tax to ordinary, everyday Australians. That does not just mean that they will be paying more for their electricity. It does not just mean they will be paying more for their everyday commodities. What it means is there will be more regulation and red tape thrust onto business. And what that, in effect, means is that there will be less employment opportunities for young Australians, older Australians—nay, every Australian.

Those on the other side can continue to attempt to heap scorn on the red tape repeal days. The bad news for them and the good news for the Australian people is that they are going to happen twice a year every year. The other bit of bad news for members opposite is they are going to keep happening while we are in government and, I can tell you, while you are supporting more red tape and we are supporting less red tape, we are going to be on this side.
of the chamber for a very long time. So strap yourself in and come up with a new narrative because this one, with respect, is not working.

I must say that I am glad I lit the fire cracker because I have enjoyed it tonight. But if the member for Perth were serious she would—and I think we should see more of this in this place—join us in a bipartisan approach to finding every single opportunity to deregulate, to snip that red tape. I will remind the member for Perth that it was Craig Emerson who, in 2008, said:

We are promising to take a giant pair of scissors to the red tape that is strangling small businesses.

Mr CRAIG KELLY (Hughes) (20:15): I am pleased tonight to rise to talk on the Treasury Legislation Amendment (Repeal Day) Bill 2014. I am most pleased to speak in support of the member for Tangney on our side, the member for Lyons, the member for Wright, the member for Eden-Monaro, the member for Solomon, the member for Longman, the member for Forde, the member for Braddon and the member for Barker, who just spoke, and I notice, on the speaking list, to follow on our side there are the member for Berowra, the member for Forrest and are member for Cowan. However, I look over on the opposition side and I do not know whether this is a mistake, but there does not seem to be one single speaker listed from the opposition prepared to speak on this bill. So I can only wonder: have they knocked off already? Are they off at Christmas parties and they do not care about this legislation? Or is it, in their heart of hearts, that they do not like the idea that we in the coalition are repealing red tape? I think that is what it is.

Ms MacTiernan: We actually recognise that this is the routine business of government.

The DEPUTY SPEAKER (Mr Vasta): Order! The member for Perth will not interject.

Mr CRAIG KELLY: All that we are left with is the poor, old, sad member for Perth, left here by herself in the chamber, ranting and raving. What a pathetic performance from the opposition!

Why is this legislation so important? In this government, we do not inherit a blank piece of paper. Every government that comes to office inherits the good work or the mess of the previous government. We know what happened when the previous Labor government, the Rudd-Gillard-Greens government, was elected to office. We know they inherited an annual budget running $20 billion in surplus. That is what they inherited. When they inherited, not only did we have no net debt, this nation had $45 billion in the bank account, and we, as the nation, were actually earning interest on that money that the Howard-Costello government had put away for a rainy day. There was $1 billion flowing into the national accounts that we could use as increased spending in all sorts of areas. That was the legacy the previous Labor government inherited.

Fast forward six years and what have we, as the coalition, inherited? In almost every portfolio we see mess after mess, disaster after disaster. But probably the greatest disaster is what they have done to the budget. I would like to go through some of the numbers of the budget so we know why this legislation on repeal day is so important. We often talk about billions of dollars worth of debt and how much of a mess we are actually in. But I think perhaps another way to put it is: how much more did the previous Labor government
overspend because the nation was simply running at a loss for six years? In every one of the six budgets they spent more money than they raised. The reason was their excess spending, their waste, their incompetence and their mismanagement on a Whitlam-esque scale. Over those six years there was a 50 per cent increase in spending. So the spending was the problem, not the revenue.

If we look at the 2008-09 budget, the Labor government overspent by 10 per cent. In 2009-10, they overspent by 18 per cent. In 2010-11, they again overspent by 17 per cent. In the following year, 2011-12, it was a 12 per cent overspend. In 2012-13, it was a 13 per cent overspend. What we inherited is, again, more than a 10 per cent overspend. What happens when the government overspends? They quickly whittled away that $45 billion that they had inherited. They quickly whittled that away and they had to start to cover the losses. Because they were running this nation at a loss, they had to borrow the money. They had to borrow the money, and most of the money they borrowed was from overseas.

The first job that we, as the incoming government, have is to pay the interest on the debt. Currently, that is running at $13.5 billion every single year. We must find over $1 billion a month. Instead of giving it to schools or to infrastructure or to aged care or to hospitals or to kids with disabilities, we have to take that money from the taxpayer and use that to simply pay the interest on the debt, and the sad thing is that that $13½ billion does not even repay one cent of the principal that they borrowed. It is simply an interest-only repayment. So we have to continue to pay the interest bill almost forever, until we get the budget into surplus and we start to whittle away that $300 billion plus debt that this previous Labor government left us with.

It was not just the financial mess. We know they tied the hands of small business with their red tape because they think that you can micromanage the economy to get the best results. Despite 200 years of economic history showing that this is a nonsense, that is still the mantra of the current Labor opposition—get in there, control the levers, give everyone instructions and directions—because they do not have trust in the citizens of Australia. They do not have trust in the small businesses of Australia to get out there and to grow the economy. They simply believe that the government and the bureaucracies know best. That is why they love red tape. But we know that that hurts productivity, it deters investment and it costs jobs.

That is exactly what the figures show. In 2013 our productivity actually went backwards. If we are going to fund all of the things that we want to fund for the future of this nation, if we want to fund a national disability insurance scheme, the only way we are going to be able to do that is to increase the productivity of this nation. We have to increase our productivity. That simply means doing more with less. Every single business in the private sector understands doing more with less.

When we come to rankings—just to see where we are in the global sphere and what we inherited—on the ranking of burden of government regulation from the World Economic Forum Global Competitive Index of 148 nations, where do you think Australia ranks? According to the World Economic Forum, after six years of this mob, we rank 124th out of 148 countries. We are still behind Colombia and Spain, but the good news is that we are in front of Iran. Congratulations to the previous government—124th and we are actually ahead of Iran. What an amazing effort!

*Ms MacTiernan interjecting—*
Mr CRAIG KELLY: What we have seen—which the member for Perth would well know—is the result of the policies that she favours—is probably the biggest decline in small business in our nation's history. What they managed to do, while they were going through their revolving door of small business ministers, was decrease small business in this nation. Today there are close to 500,000 fewer people employed in small business than there were when the previous Labor government came to office. The most disturbing fact is that we are seeing fewer people wanting to start their own business. That is one of the most disturbing economic statistics we inherited from the previous Labor government. They deterred people with their red tape, mismanagement and Labor ideology. They deterred people from going out, taking a risk and starting up a small business. Shame! Absolute shame!

On the specifics of this bill, schedule 1 amends the requirements for employer reporting of superannuation contributions on payslips. There are already existing requirements under the Fair Work Act 2009 and the Fair Work Regulations 2009 for employers to include on payslips the amount of superannuation contributions they are liable make. But that was not enough for the previous Labor government. They wanted more regulation on top of that to try and create more work for our small business people.

While I am on this topic of superannuation and red tape, I bring the House's attention to a gentleman called Mr Bracegirdle. His case was provided as evidence to the recent royal commission into trade unions. Mr Bracegirdle worked for Toll. I have the utmost respect for the people who work in our road transport industry. Driving a truck is one of the hardest, most difficult and dangerous jobs we have in our nation, and they deserve all the support that we can give them. Mr Bracegirdle, like every Australian, simply wanted to get the best return from his superannuation fund. He wanted to be free to decide where to put the superannuation money that he had earned. He looked at the TWU union super fund and thought:

I just didn't think that TWU super was stacking up as well as some of the commercial organisations, some of the banks and things.

What he wanted was freedom of choice, freedom to decide to put his superannuation money with a fund other than the one he was being told to put it in—simple freedom of choice—but red tape got to him.

He went to his employer, Toll, and was told: 'You don't get a choice.' Toll's pay officer then said that, if he wanted to challenge that, he would have to see his union delegate. He went to the union delegate and the union delegate told him it was not possible for him to choose where he put his superannuation money—it had to go to the TWU superannuation fund.

Then he went to his local member, Mr Stephen Smith, who in turn went to the minister for superannuation at the time—the member for McMahon, Mr Bowen. The letter he got back from the member for McMahon stated:

Employees who receive employer superannuation contributions under a collective agreement are not eligible for choice of fund.

We have such red tape in our superannuation sector that an employee can earn that money—it is his money—which the government requires him to put into superannuation, and then have his union step in and tell him: 'You do not have freedom of choice. You must put that money into a TWU fund.' Just imagine if we had a requirement that you had to spend 10 per cent of the money you earned at only one supermarket, one clothing store or one restaurant. We...
would consider such red tape an absurdity. But we have this red tape currently in our country today on superannuation—coercive red tape. This is a further example of the work we must do.

While I am on the subject of red tape—and I have talked about the Whitlam incompetence and how so much money was wasted—with the release of the Australian National Audit Office report, *The Design and Conduct of the Third and Fourth Funding Rounds of the Regional Development Australia Fund*, we have found that not only was there massive debt and waste and incompetence but also that that debt was run up through rorts. That is all you can call the Regional Development Australia Fund. That money was simply rorted by the previous Labor government and pork-barrelled into marginal electorates—a complete rort. Billions of dollars were misappropriated from the taxpayer to promote Labor Party members.

In the remaining time, I would like to read some of the key points of the audit. One hundred and six funding applications were deemed not recommended for funding, to which the Audit Office gave the acronym NRF. The independent advisory panel did not recommend them to be funded, but the minister at the time decided that she would fund 14 of them, at a cost to the taxpayer of $87 million.

**Mrs Griggs:** Who was the minister?

**Mr CRAIG KELLY:** I think it was Minister King.

**Mrs Griggs:** The member for Ballaroi.

**Mr CRAIG KELLY:** The area is called 'Ballaroi', I think. I thank the member for Solomon. I commend this bill to the House. It is a small step in removing red tape. We need to do more and more of this.

**Ms MacTiernan:** Mr Deputy Speaker, I rise on a point of order. The standing orders require that members be referred to by their correct titles.

**The DEPUTY SPEAKER (Mr Vasta):** I thank the honourable member for Perth. Debate adjourned.

**Tax and Superannuation Laws Amendment (2014 Measures No. 6) Bill 2014**

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

**Omnibus Repeal Day (Spring 2014) Bill 2014**

**Consideration of Senate Message**

Bill returned from the Senate with amendments.

Ordered that the amendments be considered at the next sitting.

*Senate amendments*—

(1) Schedule 3, Parts 1 and 2, page 16 (line 2) to page 17 (line 19), omit the Parts.

(2) Schedule 3, items 9 to 23, page 18 (line 3) to page 20 (line 10), omit the items.

(3) Schedule 3, item 25, page 20 (line 14) to page 21 (line 2), omit subitems (1) to (4).

(4) Schedule 3, item 25, page 21 (lines 6 to 22), omit subitems (6) and (7).

(5) Schedule 3, items 28 to 37, page 22 (line 12) to page 24 (line 30), omit the items.

(6) Schedule 3, item 41, page 25 (lines 6 to 24), omit subitems (1) to (5).
(7) Page 25 (after line 29), after Schedule 3, insert:

Schedule 3A—Finance

Public Governance, Performance and Accountability Act 2013

1 At the end of Division 2 of Part 4-1A

Add:

105BA Future submarine project tender process

(1) This section applies if the Commonwealth (including a Minister on behalf of the Commonwealth) proposes to enter into a contract (a submarine design and building contract) for the design and building of a submarine, or a substantial part of a submarine, as part of the future submarine project.

Note 1: The future submarine project is designated SEA 1000 in the Defence Capability Plan as in force on 1 December 2014.

Note 2: This section does not apply to contracts for research, concept or preliminary design, planning or other preparatory work that does not involve the building of a submarine or a substantial part of a submarine.

(2) The submarine design and building contract must not be entered into other than as the result of a limited tender process conducted in accordance with the Defence Procurement Policy Manual as in force on 1 December 2014, subject to this section.

Tender process

(3) At least 4 bidders must be invited to participate in the limited tender.

(4) The future submarine project is taken not to be an exempt procurement for the purposes of the Defence Procurement Policy Manual.

(5) A request for tender must invite the bidders to give the Commonwealth a project definition study and preliminary design that meets top level requirements specified by the Commonwealth, sufficient to allow mainly fixed pricing and 10 vessel years of post-commissioning integrated logistics support.

(6) The Commonwealth must consider the Australian Industry Capability Program, the Defence and Industry Policy Statement and the impact on the strategically vital Australian submarine and shipbuilding industry when deciding whether to enter into a submarine building design and contract in relation to the future submarine project.

(7) This section ceases to have effect at the end of 30 June 2020.

Treasury Legislation Amendment (Repeal Day) Bill 2014

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Ms MARINO (Forrest—Government Whip) (20:32): The Treasury Legislation Amendment (Repeal Day) Bill 2014 is a very important bill given the circumstances Australia now faces. As members before me—the member for Hughes and others—have mentioned in their speeches to this debate, this bill is particularly important given the state of the budget and the state of the debt and deficit left by the previous government. So impacts on productivity and any measures that we as a government can take to improve productivity in this country need strong support. That is why the members on this side are speaking in support of this bill, which repeals an exorbitant amount of red tape.
We know why this is necessary when we look at the situation that is facing this country—and I think all members need to take this particularly seriously—and even the interest component alone. As we heard from the member for Hughes, around $13.5 billion must be paid each year in interest alone. When I am out in my community and I talk to people about the fact that we are paying over $1 billion a month in interest as a result of the decisions of the previous Labor government, it is amazing how many people are simply astounded, as they should be, and horrified by that level of debt. With that level of interest and the level of debt and deficit, it was a never-ending spiral with the previous government. It had no responsibility and no concern as to how any of this would ever be repaid. One billion dollars a month in interest is obscene by anybody's terms. All of us out in our electorates see so many useful and greatly needed projects that would benefit from that expenditure of $1 billion, which is literally going overseas in interest as a result of the previous government's decisions.

Looking at business, we see the additional 21,000 new or additional regulations that were imposed by the previous government. When you are out and about in your community visiting small businesses, you might walk into a light industrial area, and that is one of the most common themes that you hear from small business—'We just want to get on with the job that we're here to do. We've invested ourselves. We've taken the risk. We just want to get on with the job.' They are very good small business people, but they have been, and are, overburdened. That is no wonder, with 21,000 new and additional regulations imposed by the previous Labor government. It is no wonder that these repeal days are so important to the country and no wonder that they have been so strongly supported right around industry and small business sectors. They well understand just what an imposition this is on their businesses. You walk in their doors and see the amount of time that they spend on compliance, away from their customers and away from what they do best—and I am surprised that there are not more speakers to this debate from the other side who understand how important repealing red tape is, particularly for small business in this country and particularly given that over 500,000 people are no longer employed by small business. Of course—

Ms MacTiernan: Including at Serana in your electorate. They'd be very interested to know what you've done to protect their business.

Ms MARINO: As I was saying, the previous government's decisions imposed such a level of red tape and saw 500,000 people fewer employed as a result of those decisions. Added to that is the $1 billion a month in interest imposed by the previous government. That is a huge burden right across the economy, which is certainly felt in small business.

We have taken a very direct approach to this. We all know that bad regulation and too much regulation compromises productivity—one of the measures we have to assist this country in achieving what it needs to achieve and to improve the budget bottom line. We also know that too much regulation deters investment. As you would know well from your experience as an engineer Madam Deputy Speaker Andrews, it certainly deters investment and innovation in all fields. And it costs jobs. Productivity fell in 2013.

Ms MacTiernan: Don’t you lecture us—

The DEPUTY SPEAKER (Mrs Andrews): The member will be heard in silence. The member for Perth!
Ms MARINO: In 2014, Australia ranked 124 out of 148 countries for the burden of government regulation in the World Economic Forum global competitiveness index. That should be a real concern for everyone in this House, including the members on the opposite side. But from the comments that I am hearing it is clearly not of concern to them. The Productivity Commission has estimated that regulation compliance cost could amount to as much as four per cent of Australia's GDP. That is an extraordinary amount of GDP spent on compliance.

There are a range of measures—very important measures—that we are taking to minimise and simplify interaction with government. Australians can now use a centralised on-line point of access for government services, including the Australian Taxation Office, Medicare, Centrelink, eHealth records, child support, veterans' affairs and the NDIS. And over five million people have already created their MyGov account. With that, and other improvements to services and government access, this community is saving, in general, around $88 million a year in compliance costs. And every cent counts, particularly in small business.

The Australian Taxation Office's new online return service MyTax will save over 1.4 million taxpayers nearly $160 million a year in compliance costs by pre-populating tax returns. An estimated 447,000 small businesses—the people who invest their own time and money; people who mortgages their houses to get into small business—will benefit from a reduced tax compliance burden arising from changes to GST and PAYG reporting. Businesses with no GST payable will no longer be required to lodge a business activity statement. If you think of that in a practical sense and you look at small business you will see that these measures will save small businesses an estimated $67 million in red tape.

I will now look at other regulatory obligations and reporting processes. Aged care providers will no longer be required to notify the Department of Social Services of key personnel changes unless the changes significantly or materially affect the providers' suitability to provide care. These are all simple, practical measures. When you are out in your electorate talking to these providers, you know that every layer of compliance adds costs and time and takes people away from the jobs that they are actually there to perform—the jobs that they really want to do most.

Builders who tender for Australian government projects will no longer need to be accredited with the Federal Safety Commissioner to undertake single-dwelling residential constructions. It is very important to note that they are still subject to federal and state workplace health and safety laws. Universities—this is something very dear to your heart, Madam Deputy Speaker—are being saved $2.1 million in compliance costs by not being required to complete the Sustainable Research Excellence staff-hours survey. That is supposed to measure how university researchers balance their time between research and other activities over a two-week period.

These are all just simple, practical measures—one measure after another. One common-sense practical reform is that Australia will accept products, systems and services that are approved overseas under a trusted international standard or risk assessment. And NBN customers can opt not to have battery backups installed in their homes or businesses, as many customers can use their mobile phones or generators during power blackouts. That will save $21.1 million in compliance costs.
There is another reform that I often get questioned about when I am out in the electorate. Registration on the 'do not call' register will now be indefinite, saving more than 9.2 million individuals and families from having to re-register their phone and fax numbers. That is something that is unbelievably practical and simple, but was never done by those opposite. It probably required too much common sense.

Australian beef producers exporting to the EU will no longer have to tag their cattle with lime green tail tags for the European Union Cattle Accreditation Scheme, saving farmers around $0.5 million per year. The next reform is an interesting one. The estimated 70,000 new motorcycles sold in Australia each year will no longer require modification to be fitted with an Australian-specific rear mudguard, bringing Australia into line with the UK, France and Germany, and saving an estimated $14.4 million in industry compliance and manufacturing costs.

These measures all sound particularly simple and common sense but they are very important to individual businesses and individual members of our community. We are taking a common-sense approach to regulation, even in what we as a government do, and we are looking at the purpose, cost and impact on productivity of proposed initiatives before regulating. A simple, common-sense approach is certainly what we are about.

The bill amends various laws relating to taxation, superannuation and shareholdings in certain financial sector companies, to implement a range of improvements to Australia's laws. Schedule 1 amends to Superannuation Industry (Supervision) Act to repeal the payslip reporting provisions. These are existing requirements in the Fair Work Act 2009 that require employers to include on payslips the amount of superannuation contributions they are liable to make. The bill will not make any changes to existing requirements. But Labor had intended that regulations be made so that employers had to report on payslips the amount of super contributions and the date on which the employer expects to pay them. However, they did not deliver these regulations. Removing these provisions reduces unnecessary duplication in the law and provides certainty to employers so that they do not need to be preparing for costly upgrades to the payslip reporting software.

There are a range of measures within the bills. When you walk into small businesses and industry one of the most common issues is that of compliance. I commend the minister and the government for actually having a practical approach to this—the repeal days are actively repealing these types of regulations and are taking a proactive response to it. We have seen the response in the business community. I commend the bill to the House.

**Mr SIMPKINS (Cowan) (20:46):** I am looking forward to this opportunity tonight to speak on the Treasury Legislation Amendment (Repeal Day) Bill 2014. As other speakers on our side have said, at the last election we talked about the repeal of red and green tape. We spoke about how much that would generate within the economy, cutting $1 billion in red and green tape each year. We have absolutely done that. In fact we have exceeded that expectation. It is now over $2 billion.

But, of course, it is not just about ticking a box. It is not just trying to reach out to some figure. It is actually about making a real difference. It is about trying to make people's lives easier and trying to make it easier for businesses so that they can get on with what they do best. Small business all the way around this country has suffered from over-regulation as they try to get by on a shoestring budget. Small businesses in this country have stretched
themselves in pursuing a dream, in trying to turn their ideas into reality and fulfil their dreams. They have been trying to do their best, but red and green tape regulation and having to jump through hoops does nothing but undermine the confidence of small businesses and their ability to get on with what they do best.

Not every small business succeeds in this country, but they back themselves. That is so important. I do not have a business background. I spent time in the Federal Police and then in the Army and in a couple of other things along the way. There is a big difference between that and small business. But small businesses are the people who have a vision for the future. Sometimes they put their house on the line. Sometimes the shirt on their back is at risk. We in this place should be thinking about doing everything we possibly can to take the burden off them and let them do what they do best.

This bill has been much maligned by the Labor opposition. They talk about punctuation—that this bill today is nothing more than punctuation. But the agenda the government is pursuing through this bill and through previous bills is in every way what we said we would do and in every way is about trying to help small business around this country. It is not just business itself. We acknowledge that small business is a huge employer of Australian people. If we can help them to employ more people and give the community more confidence to spend to help generate activity within the economy, that is a good thing.

I look at this bill and I say it is exactly what we were elected to do. It is to help Australian people, to help improve the job prospects of Australian people and to help improve the lives of people who own small businesses. There is an outcome that filters down into every suburb around this country. There is no doubt about that.

In earlier speeches, particularly those given by the opposition before they ran out of people who were interested in reducing red tape—and that was a long time ago in this debate—they talked about how when they reduced red tape it was just a normal day at the office. But they were the side who increased regulations by 21,000 in the time that they were in government. They had a minister for deregulation, as well, but if anything it was more like the 'minister for over-regulation'. Now is the moment for the side that is in government to make some real progress in this area. With $2 billion in reductions in red and green tape that has flowed from what we have done, and through the efforts of the member for Kooyong and the other front benchers involved, we are now seeing some real changes.

Through this work, nearly 1,000 pieces of red and green tape will be taken away, and 7,200 pages of legislation and regulations have been removed. That adds to the work of the first repeal day, back in March, where over 10,000 pieces and 50,000 pages of legislation and regulations were taken away. That took away over $700 million of compliance costs. This is something real. It is not just a bit of punctuation around the edges. This is an agenda which actually turns into real improvements and savings for Australian businesses and thereby encourages more people to employ. There is a lot being done and once this bill is passed, as I am sure it will be, the people of Australia and the businesses who are involved in this area will see the benefits of it.

I know that to many people on the street red and green tape does not mean a whole lot. If you are not involved with business and filling out forms, or if you are an employee, you might not see the full impact of everything that we were talking about in the first repeal day or in the repeal day that is involved in this legislation. But the end result still remains, that businesses
do not have the same costs that they would have had and they do not have the same burdens. Small-business owners do half the jobs themselves in their business—the owner or their partner might end up doing the books and the taxation arrangements, and superannuation and wages—and obviously when they do those things we should make sure that the bare minimum of requirements are placed upon them. There is no doubt that we should be working towards that and ultimately that will help small businesses in Australia.

Of course, bad regulation and too much regulation is obviously the enemy of productivity and, if it is too much of a hurdle to be jumped, then investment and innovation will also suffer—and jobs as well. So, we must do everything that we can. In 2014, as other speakers have said, Australia was ranked 124 of 148 countries for the 'burden of government regulation' by the World Economic Forum Global Competitiveness Index. The slight improvement of four spots last year obviously and loudly in a megaphone manner really does suggest that something must be done differently. Bills such as this and the first bills from the first repeal day do give us a way to change that. We need to be open for business because if we are open for business and if we are making things as easy as possible for business in Australia, then the economic activity of the country is improved upon and obviously more people are employed—that is one of the big goals for the government of this country. So, there is a lot being done and, as other speakers have talked about, there are some real improvements. With regard to superannuation, we are taking away the onerous requirements of reporting what is being paid. Obviously there must be the requirement for those moneys to be paid by businesses for employee superannuation, but at the same time there are easier ways and better ways to demonstrate that than what has been the case of having to possibly even add extra expensive software to fulfil the requirements that had been talked about in the past. Taking that away, we can still have the safety and security but without having the onerous red-tape burdens upon business.

In conclusion, I absolutely endorse both the agenda of the government in red and green tape repeal and this bill in particular. Earlier today the Treasurer talked about a trillion dollars worth of investment that had been signed off as a result of the efforts of the government and business in this country—that is nothing but a good news story. Through measures such as this, where we are taking the burden off business in this country so that they can then offer more opportunities to those people working in Australia or that are seeking jobs in Australia, that is exactly the right thing to do. That is just another way in which the Abbott government is returning hope, reward and opportunity to Australians.

Ms MacTIERNAN (Perth) (20:57): It has been fascinating listening tonight to the debate on the Treasury Legislation Amendment (Repeal Day) Bill. Of course I agree that any government needs to constantly be reviewing excess legislation. I think what we have got on the other side is a whole bunch of self-hating legislators. They have come in here tonight and one after one absolutely sledged the whole concept of legislation and providing a framework. If their analysis that the smaller the regulation that you have the more vibrant and active an economy you would have was correct, then certainly Gabon, the Dominican Republic and all of those countries that do not have sophisticated administrative and legal structures would be the ones that are up there really kicking the economic goals, but we know that that is not the case. I urge the members opposite to become a bit more intellectually sophisticated and to understand that the creation of a legal and administrative framework is absolutely essential for
the success of business. Just look at those countries and look at what has led to the successful formation of business in the Western tradition. Just look at what was necessary in terms of legislative regimes to allow the whole concept of the notion of a nonhuman person, a corporation, to emerge. I think there has been a very primitive understanding of our economic system on show here tonight, and I think that is very disappointing.

Debate interrupted.

ADJOURNMENT

The SPEAKER (20:59): I propose the question:

That the House do now adjourn.

Victoria State Election

Ms VAMVAKINOU (Calwell) (20:59): I want to take this opportunity this evening to refer to the Victorian election result and reflect on what an Andrews-led Labor government will now mean for the people of my electorate. First, I would like to congratulate Daniel Andrews and his team on their wonderful victory on Saturday night, and I certainly look forward to working with them for the benefit not only of Victorians but also of my electorate in particular.

The Victorian state election was as much a judgement on the federal budget as it was on the four years of a state coalition government which effectively saw policies and measures taken that hurt Victorians generally and provided little or no support to the many people and families who live in my electorate. In fact, I well remember that, upon coming to office four years ago, the now former coalition state Liberal government stripped away from my electorate $30 million that had been allocated and budgeted for by the previous Brumby Labor government for the redevelopment of the Broadmeadows train station centre. This was a bad omen indeed for my constituents, and, unfortunately, it did not get any better for them, as our local families and communities were largely ignored by the Baillieu and Naptine governments.

At a time when families were already experiencing difficulties and facing further stresses, we saw very little government investment in health and education services, or, more importantly, in the vital area of job creation. In the city of Hume, unemployment has increased since June 2013 from 6.9 per cent to 10 per cent in June 2014. In Broadmeadows in particular, unemployment has risen from 21.9 per cent to 26.4 per cent, and unemployment in the suburbs of Campbellfield and Coolaroo has risen from 18.8 per cent to 22.9 per cent, and unemployment in Meadow Heights has risen from 18.6 per cent to 22.9 per cent. These are very worrying figures, and they also show that unemployment in Melbourne's inner north is now higher in some cases than in the unemployment crisis currently facing Europe.

Of course, we are yet to fully absorb the effects of the hollowing out of local manufacturing industry, not assisted, unfortunately, by the Abbott government's decision to abandon manufacturing and the Napthine government's failure to defend it, particularly through the closure of Ford's manufacturing plant in Broadmeadows. Thankfully, however, and despite inaction, my electorate is set to benefit—and I welcome this—from the former Rudd-Gillard Labor government initiatives that were put in place when Ford announced it would cease manufacturing in Broadmeadows by 2016. The then federal Labor government did not blame the workers. Instead, we had the foresight to create far-reaching initiatives to
assist employment by setting up the $24.5 million Melbourne's North Innovation and Investment Fund, to encourage local businesses to diversify and to create jobs in the region. I am pleased to say that an Andrews state Labor government will invest an additional $10.5 million into this fund, and it will help create some 100,000 jobs across Victoria by investing in the industries of the future and encouraging companies to hire retrenched workers and unemployed youth.

Fourteen grants to date have been allocated from the Melbourne's North Innovation and Investment Fund, to a total value of $17 million, and they are said to leverage some $81.9 million in private sector investment. They are expected to create more than 580 new full-time equivalent jobs. I am very pleased at the announcement made by the federal Minister for Industry Ian Macfarlane in October that $1.1 million from this fund would assist a very important food manufacturer in my electorate, Colonial Farm, to establish a food production line and new manufacturing and warehouse plant, and this will create 23 new jobs.

There are many other businesses in my electorate that have received money under this fund. I realise I only have time to mention a few, but I would like to single out Top Cat's Kitchen Innovations unit, in Campbellfield, which has received $600,000 to expand on its operations to service the market for stone top kitchen benches, and that is expected to create some 15 jobs. The Sparkling Beverages company in Campbellfield has received $993,000 to upgrade its production lines for glass bottle and canned beverage production and to create 27 jobs. Cottage Cheese Farm in Broadmeadows has received funding—

**Solomon Electorate: Small Business**

*Mrs GRIGGS (Solomon) (21:05):* I would like to take the opportunity to encourage my constituents to shop local this Christmas. My electorate of Solomon has a large range of locally owned retailers that stock wonderful products, and we have a great range of locally owned services we can all utilise this festive season. In the lead-up to the busy Christmas period, it is important to visit local shops and small businesses when thinking about your Christmas presents and Christmas preparations. I understand that shopping small can sometimes be a little more expensive, but I like to think that, when you are shopping locally, you are giving back to your local community by supporting local jobs.

This Christmas, Australians will spend around $32.6 billion on Christmas. The power of shopping small or shopping locally has huge potential if we want to embrace it. If we all chose to divert just one per cent of that money into the more than two million small businesses in Australia, that would mean an extra $326 million into our local businesses. For every dollar we spend at a chain store, just 13.6 per cent is re-spent in the local economy. However, for every dollar spent at a local small business, 48 per cent is said to be re-spent locally.

Imagine the money that could be pumped back into the communities of Darwin and Palmerston if we all chose to shop small this Christmas. If Australians can shop small to the point where one million local businesses can employ just one more staff member, that would be one million extra jobs.

Darwin City, as you know, Madam Speaker, has a great range of locally owned retailers with excellent Christmas gift ideas. For example, we have Cameo Gifts and Homewares on Cavenagh Street, Embrace Boutique on Knuckey Street, Stomp Shoes on Knuckey Street,
Elevated Boutique on Cavenagh Street, The Bookshop Darwin in the mall, Pink Hill Boutique in Knuckey Street, Splash on Knuckey Street, di CROCO in the mall and Elements Day Spa.

A popular Christmas gift this year I am sure will be the *Northern Territory News* coffee table book *What a Croc*, showcasing their most popular headlines and front pages. Who could forget front pages like 'Why I stuck a cracker up my clacker', 'Taxpayers fund bondage workshop', 'Horny rooster stalks woman' or 'Dog ate my G string'. I am sure this is going to be very popular. I went to purchase a couple of copies to share with my colleagues. Unfortunately, the books were sold out. But I do understand we can buy them online.

Another favourite gift I have received in the past is from Territory photographer Paul Arnold. He has three local places where his products can be purchased, including the Darwin Gallery in Mitchell Street, in Casuarina Square and in Palmerston Shopping Centre. For your costume parties this Christmas why not try Penny's Fancy Dress in Winnellie or Bec's Costume Box in Pinelands? Fresh Produce Distributors in Coconut Grove stock a great range of fresh fruit and veges. Pop in and get some Territory mangoes for your Christmas pavlova.

If you live around Fannie Bay, why not do some Christmas shopping at the local surfwear shop, Beach Bums. Fannie Bay also has a great IGA, a fantastic butcher and an awesome Outback Bakery. If you are looking for gifts for the little ones, try Little Lamb in Casuarina, Little Rompers in Coconut Grove or the newly opened Milly, Molly and Mandy in Cullen Bay. I love to visit the local Five Star supermarket in Nightcliff in Aralia Street when I visit my favourite dress shop, Raw Cloth. I love their clothes and they have a fantastic range of homewares and accessories as well.

If people work around Winnellie, they can grab some groceries from the Winnellie Supermarket or order their Christmas ham from the Trader on Winnellie Road. Dimitrios Speciality Cakes on Eric Street in Alawa create amazing cakes, which would be a very impressive contribution to any Christmas party. But, if you live around Gray in Palmerston, my dad swears by the Gray supermarket schnitzel sandwich.

For your Christmas day seafood or takeaway chicken, consider the Chook Shed or Mr Barra in Tipperary Waters. Or you can try Parap Fine Foods for all your specialty food requirements for the festive season. This year, I encourage you to try and spend just one per cent of your Christmas budget at a small business near you and watch the benefits it will bring to our local area. Shop small this Christmas. *(Time expired)*

**Regional Infrastructure and Services**

Ms McGOWAN (Indi) (21:10): Twelve months ago I stood in this chamber and delivered my first speech as the Independent member for Indi. In that speech I committed to making a difference in a range of areas—areas identified by the people of Indi. Their message was that they loved living in regional Australia and they wanted our government to listen to them, to consider them when developing policies, spending money and delivering services.

During this first year my focus has been on championing regional living, regularly speaking in this House about what communities in regional Australia need in order to enjoy good and productive lives in the places we choose to live. But what has become clear to me as this year has passed is the lack of a national plan for regional Australia. Clearly, we need vision and commitment to address the differences between the regions and the cities. Travelling around my electorate I listen to the problems that face those who live in regional
Australia and I hear the same old stories. The one complaint that is on top of the list is that businesses cannot reach their potential because of poor broadband and inconsistent mobile phone service. Public transport is the second priority area. Trains just do not run on time. The trains have no mobile phone coverage and no wi-fi to speak of. Passengers say they feel like second-class citizens. Ongoing track work being undertaken by the ARTC continues to delay trains between Melbourne and Wodonga.

Regional communities only have to look at the broadband, mobile phone services and transport infrastructure that is available to our city cousins to see the 'great divide' between the city and regional Australia. We need to ensure that regional Australia has the infrastructure needed for families and businesses so that they can reach their potential. We need infrastructure for access to appropriate and timely health resources, to enable children to attend school and move to higher education. We need to have access to doctors and hospitals, to be connected to Australia and to the world. Quite simply, we need to be able to 'bloom where we are planted'.

I know that there are many members of this House who share my view. I believe that the government is genuine in its endeavour to create an informed and connected community, a stronger and more sustainable economy and a better quality of life for all Australians, both now and in the future.

I commend the work of the Regional Australia Institute, established in September 2011, with seed funding from the government. It is working to develop real solutions to key policy area through research and ongoing conversation with the Australian community. The Regional Australia Institute provides me with some key data: 32 per cent of all Australians call regional Australia home; 67 per cent of our national exports come from the regions; 4.3 million Australians live in regional cities; 57 regional LGAs are growing faster than Sydney; and 60 per cent of the 10 most efficient labour markets are situated in regional Australia. Regional Australia is crying out for the government to act.

In bringing my remarks this evening to a close, I cannot stress enough that there is lots to be done. As a Victorian, I hope the new Victorian state government will be proactive and will listen to and act for regional Victoria. I look forward to working with Daniel Andrews and his government.

But in this place I call on the Minister for Infrastructure and Regional Development and Leader of the Nationals to take up the fight for regional Australia in the cabinet. Minister, as you well know, infrastructure is not just about roads. We need action on the full suite of infrastructure items. We need a strategic long-term plan for regional Australia on water, energy, broadband, public transport, freight, rail, telecommunications, higher education, manufacturing and health. Minister, your party priority is to build stronger regional economies and secure communities, to deliver opportunity and prosperity for all regional Australians, and ensure a sustainable environment. Now in your second year of government, it is time to deliver on this promise. I believe there was a strong message for the government from what recently happened in Victoria: ignore the voice of regional Australia at your peril.

Royal Far West

Mr COULTON (Parkes—The Nationals Chief Whip) (21:15): I rise tonight to speak about Royal Far West. Reverend Stanley Drummond established Royal Far West, in Cobar,
which is located within my electorate, in the 1920s. The non-government organisation has since grown to service the whole of regional and rural New South Wales. The organisation has since increased the number of services it offers, from primarily providing recreational camps to regional children to providing a range of services, including health and education.

Royal Far West's vision is for a healthy life for all country children, regardless of their circumstances. Royal Far West's mission statement is to make an outstanding contribution to the health and wellbeing of children in regional New South Wales. These are both extremely commendable and charitable goals and it highlights the common decency of Royal Far West and the volunteers that make up its organisation.

Currently, Royal Far West provides health, education and recreational services to over 1,300 rural families. During its current year Royal Far West has provided 27,060 occasions of service. This is an excellent use of resources, given that the organisation operates on a budget of slightly over $9.5 million. It must be noted that, for every dollar that is invested into Royal Far West by state or federal governments, the organisation is able to deliver $3 worth of public services to country children. These numbers stand testament to the amazing work and dedication of Royal Far West and its volunteers.

Health services delivered by Royal Far West are diverse and numerous. One such program is the Healthy Kids Bus Stop. Healthy Kids Bus Stop is a whole-child health screening, assessment and pathway to care program for children. It provides multidiscipline screening and pathways to care across a number of areas, such as physical health, immunisation and oral health. The program has been extremely successful at achieving its goals.

A recent report found that the program was successful in providing greater awareness of health needs for its target populations and was successful in identifying children with complex developmental needs. A second healthcare service provided by Royal Far West is an innovative and client-beneficial service of telecare services, which allows for children to be treated at home or at school. In 2012-2013, over 3,500 clients were treated by the service. This program helps overcome the tyranny of distance that is inherent in the provision of health within regional services. Both these programs are essential to many regional families, who, due to distance and economic commitments, are unable to access these services locally, especially dental and vision services.

The educational services provided by Royal Far West are mainly targeted at filling the void of services which are financially unsustainable to provide in isolated areas. These services include but are not exclusive to services for children suffering from development and learning difficulties; educational support programs; community educational programs for parents, teachers, carers and volunteers; and Ronald McDonald Care Mobile, which has been to 12 towns and will have delivered health education to over 1,000 primary school children when it concludes in December 2014. By helping to provide these services to families in regional Australia, Royal Far West is helping to provide an outstanding contribution to the lives of many rural children.

The number of awards received by Royal Far West speaks to the important role it plays in the lives of many regional families. One such award is the New South Wales Premier's Award for Excellent Public Service. Royal Far West was awarded this prestigious honour for its efficient and effective service delivery. An award such as this shows that Royal Far West is...
fulfilling its mission statement of making an outstanding contribution to the health and wellbeing of regional children.

In conclusion, Royal Far West makes an outstanding contribution to the health, education and recreational services provided to regional children. Its operations have benefited children across regional Australia. Therefore, I wish to congratulate Royal Far West on its 90th anniversary and on its great work.

**Australian Labor Party**

**Mr GILES** (Scullin) (21:19): Today marks the anniversary of the election of the first Whitlam government. It also marks the anniversary of the election of the Goss government. It is a significant day in Australian politics, particularly for members of the Australian Labor Party.

Forty-two years ago today modern Australia started to take shape. Forty-two years ago today Australians placed their trust in the Australian Labor Party and, more particularly, in the program for transformative government, long argued for and articulated by Gough Whitlam.

I think the irony of the Senate's action this day of preserving a significant element of Gough's legacy would not be lost on him. A couple of weeks ago, I think, this parliament was at its best, in giving voice to Gough Whitlam's life and extending its sympathies to his family and friends. I did not have the opportunity to participate in that debate; I now extend my condolences to his family and friends.

Ben Chifley gave an inspirational purpose to Labor as a party of government, when he described the quest for the light on the hill. But, more than anyone else, Gough Whitlam turned this aspiration into something concrete and enduring. His program for government in 1972, before I was born, imagined the country we live in today and, indeed, the country which many of us would like to see tomorrow. He won the battle of ideas before he won government. He enlarged our national conversation. So many of the things he put into the national political discourse remain goals. I think of constitutional recognition and our progress towards a republic. But, in broad terms, that program was to enable three great aims: to promote equality; to involve the people of Australia in the decision-making processes of our land; and to liberate the talents and uplift the horizons of the Australian people. These continue to represent the aims of Labor today, and many of his policies continue to represent the means towards these great ends.

I wish to touch briefly on two issues that illuminate how Gough Whitlam transformed Australian politics. Firstly, I want to touch on his interest in our cities. It was Gough Whitlam who identified the spatial dimension of inequality in Australia and brought the concerns of people in Australia's suburbs into the heart of national life. In 1969 he said:

We needlessly reduce the quality of life available to us. Crucial in determining the quality of that life is the environment in which we live; the shape of our cities and our towns shapes all our lives, for all of our lives. In no country in the world is this more important than Australia, the most urbanised country on earth. Eighty percent of our people live in cities and large towns. Yet in no comparable country does the national government accept so little responsibility for the problems of our cities and centres. A Labor Government will place cities and centres in the forefront of its responsibilities.

And his government did, as did its successors. Today, with urbanisation increasing apace and other challenges to liveability and indeed sustainability, this task is more urgent. Representing
the electorate that I do, I am more convinced than ever that Gough Whitlam's vision for cities being at the centre of our national life must be brought to the centre of our national politics now.

Gough Whitlam also believed, critically, in public life as a vocation. I share that view, and I think it needs to be amplified. Those of us who care about the quality of our democracy and who wish to do justice to Gough Whitlam's legacy should think about his efforts in reforming the Australian Labor Party—difficult as it is for me, as a Victorian left-winger, in some circles, to say this. We should recognise that it is no tribute to Gough Whitlam that the Labor Party of today so closely resembles the party he reformed more than 40 years ago. Only the impotent are pure, surely. This remains a powerful injunction today. It is a reminder and must be a call to arms that we in Labor are in the business of solving problems through collective action and through the work of government, not of serving the cause of complaint when we enter public life. We should structure our internal affairs to advance this aim and to give more people more of a say. We should be doing more to enable us to do the work of achieving equality and broadening democracy and to give every Australian every opportunity to achieve. In echoing these thoughts from 1972, I also make this commitment: that I will maintain my rage and my enthusiasm in this task. Thank you, Gough Whitlam.

**Australian Broadcasting Corporation**

**Mr HAWKE** (Mitchell) (21:24): I rise tonight to address some of the recent commentary that has been circulating about reductions in funding to the ABC. Indeed, it is illuminating to examine many of the circumstances between the ABC and the SBS and the ways they operate and the efficiencies of both organisations to understand what is going wrong with the ABC at the moment. Recently in the *Australian*, on 26 November, in an article by Darren Davidson, there was a breakdown of the costs of both organisations—the ABC and the SBS—as well as free-to-air television stations. People who are interested in these matters will see there that wages comprise 46 per cent of the ABC's budget, compared with 31.2 per cent of the SBS's budget, and that it is just 10.7 per cent for free-to-air commercial networks. That is, there are great efficiencies that can be obtained within the ABC simply by examining a simple breakdown of their budgets.

But then when you examine matters like the Asian Cup bid, where we have two government-owned broadcasters effectively bidding against each other for the same rights, and the ABC being in a position to offer double the amount of the SBS, with no way of recouping any of their money—unlike the SBS, which of course has the ability to advertise—it does belie greater problems with the ABC than have been given airing in recent times. It is interesting to note that Mark Scott responded to the challenge about the Asian Cup bid—where the ABC bid doubled SBS's bids for the rights—by saying that the only way this could be solved and the only way he would pick up the phone to Michael Ebeid from the SBS would be if the organisations were merged. And there are no plans at the moment to do that.

Well, given the ABC's record versus that of the SBS—and the ABC has a budget of about $1.2 billion, versus the SBS's $300 million—there would be no way that the government or any other rational person in society today would propose a merger of the ABC and the SBS, because the SBS is a lean organisation that delivers good content. I do not believe that anybody has any problems with it; I do not hear any complaints about the SBS from my constituents. I do not hear any complaints from commentators about the operation of the SBS.
In fact, it is a respected news channel that provides a great service, completely meeting its charter—unlike the ABC.

I also want to draw to the attention of the House not just my own observations about bias within the ABC, on *Q&A*—we will leave that to one side—but a disturbing trend within the ABC to substitute for its own news services that of Al Jazeera when reporting about Middle Eastern affairs—in particular, conflicts between Palestine and Israel. This has come to light in recent times, such as in July this year. Because of the way that many of the ABC's news feeds are only partially archived, it is sometimes difficult to understand the precise nature and the number of times that Al Jazeera has been used by the network in this conflict. Recently there has been an escalation in the conflict in the Middle East between Israel and Palestine. However, it is of the utmost importance that the publicly funded broadcaster in Australia reports accurately and fairly and that it does not use other, international, news services that are fully noted for the absolute bias against Israel. And Al Jazeera in Arabic is completely and utterly anti-Israel. Al Jazeera in English is more careful but is, again, a biased news service. It is its right to be so, but for the ABC to use it as its news broadcaster of choice in reporting on Middle Eastern affairs is, to me, unacceptable and against its charter, and it is yet another example of the ABC being out of control in relation to its charter.

That is why I fully support the government's stance in relation to the ABC. In fact, not only are there efficiencies to be made in relation to the operational matters of the ABC but there is a need for a rethink about the way the ABC operates, and the SBS provides a great model of a lean and efficient organisation where a broadcaster can be made to deliver great, high-quality content at a relatively low price without any controversy about its content and yet deliver fundamentally on its charter principles. There is a lot of work to do in this space, but the ABC needs to be on notice, not just that it has to find efficiencies but that it has to rethink its method of operating and get back the support of the people it is losing across this nation. And it is losing many people, who are sick and tired of the ABC being out of control.

The SPEAKER: It being 9.30 pm, the debate is interrupted.

House adjourned at 21:30

NOTICES

The following notices were given:

Mr Macfarlane to present a Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage Act 2006*, and for other purposes.

Mr Macfarlane to present a Bill for an Act to amend the *Offshore Petroleum and Greenhouse Gas Storage (Regulatory Levies) Act 2003*, and for related purposes.

Mr Fletcher to present a Bill for an Act to enhance online safety for children, and for other purposes.

Mr Fletcher to present a Bill for an Act to deal with consequential matters arising from the enactment of the *Enhancing Online Safety for Children Act 2014*, and for other purposes.

Mr McCormack to move:

That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on
Mr McCormack to move:

That, in accordance with the provisions of the *Public Works Committee Act 1969*, it is expedient to carry out the following proposed work which was referred to the Parliamentary Standing Committee on Public Works and on which the committee has duly reported to Parliament: Project JP154 Phase 1—Defence Counter Improvised Explosive Device Capability Facilities and Infrastructure Project.

Mr McCormack to 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: Hamilton Island Replacement Fire Station.

Mr McCormack to move:

That, in accordance with the provisions of the *Public Works Committee Act 1969*, the following proposed work be referred to the Parliamentary Standing Committee on Public Works for consideration and report: Fit-out of new leased premises for the Department of Finance, Australian Capital Territory.

Mr McCormack to 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: The Cox Peninsula Remediation Project.

Mr Pyne to present a Bill for an Act to amend legislation relating to higher education and research, and for other purposes.

Ms Parke to move:

That this House:

(1) notes that:

(a) the Syrian conflict which began in March 2011 has:

(i) developed into one of the worst humanitarian disasters of our time; and

(ii) caused widespread damage to infrastructure across Syria, with basic necessities such as food, water and medical care difficult or impossible to access;

(b) serious human rights violations remain a common occurrence in Syria;

(c) it is estimated that more than 190,000 people have lost their lives in the Syrian conflict so far;

(d) in the three and a half years since the beginning of the Syrian conflict, more than 3.5 million refugees have fled their homes and crossed into neighbouring countries, while the United Nations estimates a further 6.5 million are displaced within Syria itself, representing an increase of 2 million in just six months;

(e) hosting the Syrian refugees has put enormous pressure on the infrastructure, services, utilities and local populations of the host countries of Jordan, Lebanon and Turkey, with Syrian refugees in Lebanon now constituting approximately one-third of the population, and unemployment among poor Lebanese rising significantly;

(f) the United Nations High Commissioner for Refugees (UNHCR) has encouraged the international community to share the burden of supporting Syrian refugees, having a target for resettlement of 130,000 by the end of 2016, but has received a minimal response to date with less than 2 per cent of the registered refugee population having secured a resettlement place;

(g) while the regional response to the crisis should be commended, the global response has been relatively weak;
(h) the United Nations issued its largest appeal in relation to a single crisis in December 2013, stating that $6.5 billion was vital to adequately support Syrians inside and outside of the conflict-ravaged nation, but to date the appeal has only raised 62 per cent of that target; and

(i) in December 2014 the United Nations World Food Programme announced that it was suspending its food aid program for Syrian refugees for lack of funding, leaving 1.7 million refugees to go hungry during winter, and has called for US$64 million in immediate assistance to allow the recommencement of this essential aid; and

(2) calls on the Australian Government to:

(a) reconsider the level of Australia’s existing humanitarian support and funding to assist those affected by the Syrian crisis with a view to making a significantly larger contribution;

(b) offer direct support to neighbouring countries, including through funding and arrangements to receive additional refugees in Australia by expanding the existing quota of asylum seekers and focusing resettlement on those Syrian refugees recommended by the UNHCR on the basis of vulnerability; and

(c) take an active role in all relevant multilateral fora in calling for a more substantial and better coordinated global response, including a ‘fair share’ approach to the resettlement of refugees.

Mr Danby to move:

That this House:

(1) notes:

(a) that the Reclink National Program (RNP) has delivered over 100,000 participation opportunities to thousands of people experiencing disadvantage across Australia, in partnership with over 450 community organisations;

(b) that there is no other organisation in Australia with the expertise, capacity and capability of effectively and efficiently providing over 100,000 participation opportunities every year to the most disenfranchised, disadvantaged and forgotten Australians; and

(c) widespread community concern at the diminishing resources to support people experiencing disadvantage, many of whom have relied upon the RNP for social participation and social inclusion through engagement with sport and recreation programs; and

(2) calls on the Government to reinstate funding to the RNP.

Mr Hayes to move:

That this House:

(1) notes that:

(a) tensions have increased in the long standing maritime and territorial disputes in the South China Sea which is being contested by six governments, namely China, Vietnam, Brunei, Taiwan, Malaysia and the Philippines;

(b) in 2002, parties to the dispute signed a Declaration on the Conduct of Parties in the South China Sea (the Declaration), which provides guidelines for managing tensions over this area;

(c) the Declaration proposed the drafting of a code of conduct between the parties, which to date has not eventuated;

(d) on 1 May 2014, China deployed an oil rig in the vicinity of the Paracel and Spratly islands;

(e) significant demonstrations by Vietnamese citizens have occurred regarding this encroachment in this disputed territory; and

(f) to date, the Philippines is the only country to have filed a submission against China’s territorial claims in the region—a submission was filed in 2013 to the International Tribunal for the Law of the Sea and another to the United Nations Permanent Court of Arbitration in early 2014; and
(2) calls on the Australian Government to:

(a) affirm that whilst Australia does not have any competing claims in the South China Sea, it has a strong interest in promoting peace and stability in the region;

(b) encourage claimants to this territorial dispute to refrain from using force or threat, and to resolve their claims of sovereignty through peaceful negotiations in accordance with international law, including the 1982 United Nations Convention on the Law of the Sea; and

(c) request parties to negotiate and adopt a binding regional code of conduct as specified under the Declaration which all parties signed in 2002.
Mr Conroy asked the Minister for Education, in writing, on 3 September 2014:
Since 7 September 2013, has the Minister's department paid for or stocked the 'drinks cabinet' for (a) the Minister, and where applicable, each (b) junior Minister (including Assistant Ministers), and (c) Parliamentary Secretary; if so, at what cost.

Mr Pyne: The answer to the honourable member's question is as follows:
No.