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SITTING DAYS—2012

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FORTY-THIRD PARLIAMENT
FIRST SESSION—SIXTH PERIOD

Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

House of Representatives Office holders
Speaker—Hon. Peter Neil Slipper MP
Deputy Speaker—Ms Anna Elizabeth Burke MP
Second Deputy Speaker—Hon. Bruce Craig Scott MP

Members of the Speaker’s Panel—Hon. Dick Godfrey Harry Adams MP,
Mrs Yvette Maree D’Ath MP, Mr Steven Georganas MP, Ms Sharon Joy Grierson MP,
Dr Andrew Keith Leigh MP, Ms Kirsten Fiona Livermore MP,
Mr Geoffrey Raymond Lyons MP, Mr Robert George Mitchell MP, Mr John Paul Murphy MP,
Mr Robert James Murray Oakeshott MP, Ms Deborah Mary O’Neill MP,
Ms Amanda Louise Rishworth MP, Mr Michael Stuart Symon MP,
Mr Kelvin John Thomson MP, Ms Maria Vamvakinou MP,
Mr Anthony Harold Curties Windsor MP

Leader of the House—Hon. Anthony Norman Albanese MP
Deputy Leader of the House—Hon. Stephen Francis Smith MP
Manager of Opposition Business—Hon. Christopher Maurice Pyne MP
Deputy Manager of Opposition Business—Mr Luke Hartsuyker MP

Party Leaders and Whips
Australian Labor Party
Leader—Hon. Julia Eileen Gillard MP
Deputy Leader—Hon. Wayne Maxwell Swan MP
Chief Government Whip—Hon. Joel Andrew Fitzgibbon MP
Government Whips—Ms Jill Griffiths Hall MP and Mr Ed Husic MP

Liberal Party of Australia
Leader—Hon. Anthony John Abbott MP
Deputy Leader—Hon. Julie Isabel Bishop MP
Chief Opposition Whip—Hon. Warren George Entsch MP
Opposition Whips—Mr Patrick Damien Secker MP and Ms Nola Bethwyn Marino MP

The Nationals
Leader—Hon. Warren Errol Truss MP
Chief Whip—Mr Mark Maclean Coulton MP
Whip—Mr Paul Christopher Neville MP

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### Members of the House of Representatives

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<td>Zappia, Tony</td>
<td>Makin, SA</td>
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**PARTY ABBREVIATIONS**  
ALP—Australian Labor Party; LP—Liberal Party of Australia; LNP—Liberal National Party;  
CLP—Country Liberal Party; Nats—The Nationals; NWA—The Nationals WA; Ind—Independent;  
AG—Australian Greens

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Clerk of the Senate—R Laing  
Clerk of the House of Representatives—B Wright  
Secretary, Department of Parliamentary Services—C Mills
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<tr>
<td>Minister Assisting the Prime Minister on Digital Productivity</td>
<td>Senator the Hon Stephen Conroy</td>
</tr>
<tr>
<td>Minister for Social Inclusion</td>
<td>The Hon Mark Butler MP</td>
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<tr>
<td>Minister Assisting the Prime Minister on Mental Health Reform</td>
<td>The Hon Mark Butler MP</td>
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<tr>
<td>Minister for the Public Service and Integrity</td>
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<tr>
<td>Minister Assisting the Prime Minister on the Centenary of ANZAC</td>
<td>The Hon Warren Snowdon MP</td>
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<tr>
<td>Cabinet Secretary</td>
<td>The Hon Mark Dreyfus QC MP</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>Senator the Hon Jan McLucas</td>
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<tr>
<td>Treasurer (Deputy Prime Minister)</td>
<td>The Hon Wayne Swan MP</td>
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<tr>
<td>Minister for Financial Services and Superannuation</td>
<td>The Hon Bill Shorten MP</td>
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<tr>
<td>Assistant Treasurer</td>
<td>The Hon David Bradbury MP</td>
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<tr>
<td>Parliamentary Secretary to the Treasurer (Leader of the Government in the Senate)</td>
<td>The Hon Bernie Ripoll MP</td>
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<tr>
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<td>Senator the Hon Chris Evans</td>
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<tr>
<td>Minister for Industry and Innovation</td>
<td>The Hon Greg Combet AM MP</td>
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<tr>
<td>Minister for Small Business</td>
<td>The Hon Brendan O'Connor MP</td>
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<td>Minister Assisting for Industry and Innovation</td>
<td>Senator the Hon Kate Lundy</td>
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<td>The Hon Mark Dreyfus QC MP</td>
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<tr>
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<td>The Hon Sharon Bird MP</td>
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<td>(Deputy Leader of the Opposition)</td>
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<td>The Hon Teresa Gambaro MP</td>
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<td>The Hon Warren Truss MP</td>
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<td>(Leader of The Nationals)</td>
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<td>Mr Darren Chester MP</td>
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<td>Senator the Hon Eric Abetz</td>
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<tr>
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<tr>
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<td>The Hon Sussan Ley MP</td>
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<td><strong>Shadow Attorney-General</strong></td>
<td>Senator the Hon George Brandis SC</td>
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<td>Shadow Minister for Justice, Customs and Border Protection</td>
<td>Mr Michael Keenan MP</td>
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<td>Shadow Parliamentary Secretary to the Shadow Attorney-General</td>
<td>Senator Gary Humphries</td>
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<tr>
<td><strong>Shadow Treasurer</strong></td>
<td>The Hon Joe Hockey MP</td>
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<tr>
<td>Shadow Assistant Treasurer and Shadow Minister for Financial Services and Superannuation</td>
<td>Senator Mathias Cormann</td>
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<tr>
<td>Shadow Parliamentary Secretary for Tax Reform</td>
<td>The Hon Tony Smith MP</td>
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<tr>
<td>(Deputy Chairman, Coalition Policy Development Committee)</td>
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<td>The Hon Christopher Pyne MP</td>
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<td>The Hon Sussan Ley MP</td>
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<tr>
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<tr>
<td>Shadow Parliamentary Secretary for Local Government</td>
<td>Mr Don Randall MP</td>
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<tr>
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<tr>
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<td>The Hon Bronwyn Bishop MP</td>
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<tr>
<td>Shadow Minister for COAG</td>
<td>Senator Mari se Payne</td>
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<tr>
<td>(Chairman, Scrutiny of Government Waste Committee)</td>
<td>(Mr Jamie Briggs MP)</td>
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<td>Mr Stuart Robert MP</td>
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<tr>
<td>Shadow Minister for Veterans' Affairs and Shadow Minister</td>
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<tr>
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<tr>
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<td>Shadow Parliamentary Secretary for Supporting Families</td>
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<td>Shadow Parliamentary Secretary for the Status of Women</td>
<td>Senator Michaelia Cash</td>
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<td>Shadow Minister for Productivity and Population</td>
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Thursday, 28 June 2012

The DEPUTY SPEAKER (Ms AE Burke) took the chair at 09:00, made an acknowledgement of country and read prayers.

BILLS
Personally Controlled Electronic Health Records Bill 2011
Personally Controlled Electronic Health Records (Consequential Amendments) Bill 2012

Assent
Messages from the Governor-General reported informing the House of assent to the bills.

Tax Laws Amendment (2012 Measures No. 2) Bill 2012
Pay As You Go Withholding Non-compliance Tax Bill 2012

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

Financial Framework Legislation Amendment Bill (No. 3) 2012

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

COMMITTEES
Government Response
Mr STEPHEN SMITH (Perth—Minister for Defence and Deputy Leader of the House) (09:02): For the information of honourable members, I present a schedule of outstanding government responses to reports of House of Representatives and joint committees, incorporating reports tabled and details of government responses made in the period between 24 November 2011, the date of the last schedule, and 27 June 2012

Copies of the schedule are being made available to honourable members and it will be incorporated in Hansard.

The schedule read as follows—

GOVERNMENT RESPONSES TO PARLIAMENTARY COMMITTEE REPORTS

RESPONSE TO THE SCHEDULE TABLED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON 24 NOVEMBER 2011

ABORIGINAL TORRES STRAIT ISLANDER AFFAIRS (House, Standing)
Indigenous Australia at work: Successful Initiative in Indigenous employment
The government response is being considered and will be tabled in due course.

Open for business: Developing Indigenous enterprises in Australia
The government response is being considered and will be tabled in due course.

Everybody's Business: Remote Aboriginal and Torres Strait Islander Community Stores
The government response is being considered and will be tabled in due course.

Doing time – Time for doing: Indigenous youth in the criminal justice system
The government response was tabled in the House of Representatives on 24 November 2011.

AGRICULTURE, FISHERIES AND FORESTRY (House, Standing)
Seeing the forest through the trees: inquiry into the future of the Australian Forestry Industry
The government response is being considered and will be tabled in due course.

AUSTRALIAN COMMISSION FOR LAW ENFORCEMENT INTEGRITY (Joint Statutory)
Inquiry into the operation of the Law Enforcement Integrity Commissioner Act 2006 (Final Report)

The government response was tabled in both houses on 9 February 2012.

Report on the inquiry into integrity testing

The government response was presented out of sitting in the Senate on 30 March 2012 and tabled in the House of Representatives on 8 May 2012.

COMMUNICATIONS, INFORMATION TECHNOLOGY AND THE ARTS (House, Standing)

Community Television: Options for digital broadcasting

The government response is being considered and will be tabled in due course.

Report: Tuning in to community broadcasting

The government response is being considered and will be tabled in due course.

CORPORATIONS AND FINANCIAL SERVICES (Joint, Statutory)

Inquiry into the review of the Managed Investments Act 1998

The Committee has agreed that a response is no longer required.

The structure and operation of the superannuation industry

The Committee has agreed that a response is no longer required.

Better shareholders—better company—Shareholder engagement and participation in Australia

The Government does not intend to respond to the report because of the time elapsed since the report was tabled. Ten of the 21 recommendations were directed at ASIC and ASX and not in relation to law reform. A letter of 15 December 2008 from ASIC is available detailing ASIC’s actions in response to recommendations. Of the balance, a number of recommendations relate to reforms contained in the Corporations Amendment (No.1) Act 2010 (regarding share registers) and Corporations Amendment (Improving Accountability of Directors and Executive Remuneration) Act 2011. In respect of the recommendation regarding the 100 member rule, relevant amendments were proposed but rejected by Minco on two occasions.

Aspects of agrifusiness managed investment schemes

The government response is being considered and will be tabled in due course.

Access for small and medium business to finance

The government response is being considered and will be tabled in due course.

CYBER-SAFETY (Joint, Select)

High-wire act: Cyber-safety and the young – Interim report

The government response was presented out of sitting in the Senate on 20 December 2011 and tabled in the House of Representatives on 7 February 2012.

ECONOMICS (House, Standing)

Inquiry into raising the productivity growth rate in the Australian economy

The government response is being considered and will be tabled in due course.

Inquiry into Indigenous economic development in Queensland and review of the Wild Rivers (Environmental Management) Bill 2010

The government response is being considered and will be tabled in due course.

EDUCATION AND TRAINING (House, Standing)

Adolescent Overload? Report of the inquiry into combining school and work: supporting successful youth transitions

The government response is being considered and will be tabled in due course.

EDUCATION AND EMPLOYMENT (House, Standing)

School libraries and teacher librarians in 21st century Australia

The government response was tabled in the House of Representatives on 24 November 2011.

ELECTORAL MATTERS (Joint Standing)

Inquiry into the implications of the Parliamentary Electorates and Elections...
Amendment (Automatic Enrolment) Act 2009 (NSW) for the conduct of Commonwealth elections

The government response is being considered and will be tabled in due course.

Report on the conduct of the 2010 Federal Election and matters related thereto

The government response is being considered and will be tabled in due course.

EMPLOYMENT AND WORKPLACE RELATIONS AND WORKFORCE PARTICIPATION (House, Standing)

Making it work: Inquiry into independent contracting and labour hire arrangements

The government response is being considered and will be tabled in due course.

EMPLOYMENT AND WORKPLACE RELATIONS (House, Standing)

Making it Fair: pay equity and associated issues related to increasing female participation in the workforce

The government response is being considered and will be tabled in due course.

ENVIRONMENT AND HERITAGE (House, Standing)

Sustainable cities

The Committee has agreed that a response is no longer required.

Sustainability for survival – Creating a climate for change: Report on the inquiry into a sustainability charter

The Committee has agreed that a response is no longer required.

FAMILY, COMMUNITY, HOUSING AND YOUTH (House, Standing)

Housing the Homeless: Report on the inquiry into homelessness legislation

The government response was tabled in the House of Representatives on 20 June 2012

FOREIGN AFFAIRS, DEFENCE AND TRADE (Joint, Standing)

Human Rights in the Asia-Pacific: Challenges and opportunities

The government response was tabled in both houses on 9 February 2012.

Inquiry into Australia's Relationship with the Countries of Africa

The government response was tabled in the House of Representatives on 22 March 2012.

Inquiry into Australia's trade and investment relations with Asia, the Pacific and Latin America

The government response is being considered.

GAMBLING REFORM (Joint, Select)

First Report: The design and implementation of a mandatory pre-commitment system for electronic gaming machines

The government response was presented out of sitting in the Senate on 4 May 2012 and tabled in the House of Representatives on 8 May 2012.

HEALTH AND AGEING (House, Standing)

Weighing it up: Obesity in Australia

The government response is being considered.

Regional health issues jointly affecting Australia and the South Pacific: Delegation Report

The government response is being considered.

Roundtable forum on burns prevention in Australia

The government response was tabled in the House of Representatives on 28 February 2012.

Before it's too late: Report on early intervention programs aimed at preventing youth suicide

The government response is being considered and will be tabled in due course.

INDUSTRY, SCIENCE AND INNOVATION (House, Standing)

Seasonal forecasting in Australia

The government response is being considered.

INFRASTRUCTURE AND COMMUNICATIONS (House, Standing)

Broadening the debate: Inquiry into the role and potential of the National Broadband Network

The government response is being considered and will be tabled in due course.
The government response was tabled in the House of Representatives on 27 February 2012.

**Find the right balance: Cabin crew ratios on Australian aircraft**

The government response is being considered.

**INFRASTRUCTURE, TRANSPORT, REGIONAL DEVELOPMENT AND LOCAL GOVERNMENT (House, Standing)**

Rebuilding Australia's coastal shipping industry: Inquiry into coastal shipping policy and regulation

The government response is being considered.

**LAW ENFORCEMENT (JOINT)**

Examination of the annual report of the Australian Crime Commission 2009-10

The government response was tabled in both houses on 10 May 2012.

**LEGAL AND CONSTITUTIONAL AFFAIRS (House, Standing)**

A Time for Change: Yes/No? Inquiry into the Machinery of Referendums

The government response is being considered.

**MIGRATION (Joint, Standing)**

Immigration detention in Australia: A new beginning – Criteria for release from detention

The government response is being considered and will be tabled in due course.

Immigration detention in Australia – Community-based alternatives to detention

The government response is being considered and will be tabled in due course.

Immigration detention in Australia: Facilities, services and transparency

The government response is being considered and will be tabled in due course.

Enabling Australia: Inquiry into Migration Treatment of Disability

The government response is being considered and will be tabled in due course.

**NATIONAL BROADBAND NETWORK (Joint, Standing)**

Rollout of the National Broadband Network – First Report

The government response was tabled in the House of Representatives on 1 March 2012 and in the Senate on 13 March 2012.

**NATIONAL CAPITAL AND EXTERNAL TERRITORIES (Joint, Standing)**

Etched in stone? Inquiry into the administration of the National Memorials Ordinance 1928

The government response is being considered and will be tabled in due course.

**PETITIONS (House, Standing)**

Electronic Petitioning to the House of Representatives

The government response is being considered.

The work of the First Petitions Committee 2008-2010

The government response is being considered.

**PRIMARY INDUSTRIES AND RESOURCES (House, Standing)**

Farming the future: The role of Government in assisting Australian farmers to adapt to the impact of climate change

The government response is being considered and will be tabled in due course.

**PROCEDURE (House, Standing)**

Motion to suspend standing orders and condemn a Member: Report on events of 10 October 2006

The government response is being considered.

Building a modern committee system: An inquiry into the effectiveness of the House Committee system

The government response is being considered.

Interim report No. 1: Monitoring and review of procedural changes implemented in the 43rd Parliament

The government response is being considered.

Interim Report No. 2: Monitoring and review of procedural changes implemented in the 43rd Parliament – Referral of bills to committees by the House Selection Committee

The government response is being considered.

**PUBLIC ACCOUNTS AND AUDIT (Joint, Statutory)**
The government response is being considered.
The government response is being considered.
The government response is being considered.
Report 424: Eighth biannual hearing with the Commissioner of Taxation
The government response is being considered.
Report 426: Ninth biannual hearing with the Commissioner of Taxation
The government response is being considered.
PUBLIC WORKS (Joint Standing)
Public works on Christmas Island
The government response is being considered.
REGIONAL AUSTRALIA (House, Standing)
Of drought and flooding rains: Inquiry into the impact of the Guide to the Murray-Darling Basin Plan
The government response was tabled in the House of Representatives on 24 November 2011.
SOCIAL POLICY AND LEGAL AFFAIRS (House, Standing)
Reclaiming public space: Inquiry into the regulation of billboard and outdoor advertising
The government response is being considered and will be tabled in due course.
TREATIES (Joint Standing)
Report 100 – Treaties tabled on 25 June 2008 (2)
The government response is being considered and will be tabled in due course.
Report 110 – Treaties tabled on 18, 25 (2) and 26 November 2009 and 2 (2) February 2010
The government response was tabled in both houses on 9 February 2012.
I move:

That the House take note of the document.
Debate adjourned.

MOTIONS
Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012
Reference to Federation Chamber
Mr FITZGIBBON (Hunter—Chief Government Whip) (09:02): by leave—I move:

That the Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012 be referred to the Federation Chamber for further consideration.

Question agreed to.

COMMITTEES
Intelligence and Security Committee Report
Mr BYRNE (Holt) (09:03): On behalf of the Parliamentary Joint Committee on Intelligence and Security I present the committee's report entitled Review of the re-listing of Hizbollah's External Security Organisation.

Ordered that the report be made a parliamentary paper.

Mr BYRNE: by leave—The current regulation proscribing this organisation was signed by the Governor-General on 10 May, 2012. It was then tabled in the House of Representatives and the Senate on 21 May 2012. The disallowance period of 15 sitting days for the committee's review of the listing began from the date of the tabling. Therefore the committee was required to report to the parliament by today, Thursday, 28 June 2012.

Hizbollah's External Security Organisation was initially listed in 2003 under legislative arrangements which required that, for an organisation to be listed, it had to be on the United Nations list of terrorist organisations. The ESO came up for
review under the current proscription regime in 2005, 2007 and 2009. This review is of the fourth re-listing of ESO as a terrorist organisation.

The committee would like to make it clear that this is not a listing of the entire Hizbollah organisation. However, in looking at the ESO in particular, the committee was faced with a difficulty. Many of the resources, such as Jane's Terrorism and Counter Insurgency Centre and the United States National Counterterrorism Centre, that the committee uses to independently look at terrorist organisations that have been re-listed, do not now differentiate between Hizballah and Hizbollah's ESO.

In relation to the difficulty of attributing specific attacks to Hizbollah's ESO the statement of reasons refers to the 'secretive' nature of the ESO and that:

... it is difficult to gather detailed information about the group's role and activities. However, there is no indication that the ESO's role has changed in recent times, and considering Hizballah's stated desire to avenge the death of Imad Mughniyah, and the recent arrest of a probable Hizballah operative in Bangkok, it is likely that the ESO retains its separate terrorist function within Hizballah's overall organisational structure.

The statement of reasons points out that the External Security Organisation is a discrete branch within Lebanese Hizbollah responsible for the planning, coordination and execution of terrorist attacks against Hizbollah's enemies outside of Lebanon.

The ESO was set up by Imad Mughniyah, who has been described variously as the head of Hizbollah's security section, a senior intelligence official and as one of the founders of Hizbollah. After he fled to Iran following Hizbollah's 1983 attack on the US military in Beirut, the 'international wing' grew out of the military wing to become a separate branch under his control. This is thought to be the genesis of Hizbollah's 'international wing', or the ESO.

GlobalSecurity.org states that:

In Israel's view, Hizballah's activities are part of Iran's overall policy with regard to Israel, which is to fan the flames of the Israeli-Palestinian conflict and initiate terrorist activities against Israel, despite the fact that Hizballah is a Lebanese organization consisting entirely of terrorists from Lebanon, with no national connection to the Israeli-Palestinian conflict. In view of Iran's interest in smudging its fingerprints with regard to direct control over internal terrorist activities, Hizballah's status is significant as Iran's front-line operative arm against Israel.

Hizbollah elements provide training, operational support and material to Palestinian extremist groups, including the Palestinian Islamic Jihad and Hamas's Izz ad-Din al-Qassam Brigades, both of which are proscribed entities, and Shia militia elements in Iraq. Although these activities are undertaken by units within Hizbollah specifically created for these tasks, elements of the ESO are likely involved. As mentioned, it is clear that many research organisations, such as Jane's Terrorism and Insurgency Centre and the United States National Counterterrorism Centre, that the committee refer to in reviewing a re-listing such as this, no longer make a distinction between Hizbollah and Hizbollah's ESO. However, in the statement of reasons provided by the government, ASIO assesses that the ESO continues to directly and/or indirectly engage in conducting, preparing, planning, assisting, advocating or fostering the doing of terrorist acts, involving threats to life and serious property damage. This assessment is corroborated by information provided by reliable and credible intelligence sources.

On this basis, and with the benefit of having examined this organisation on numerous occasions, the committee was able
to conclude that certain activities attributed to Hizbollah could equally be attributed to Hizbollah's ESO. The committee found that the Hizbollah ESO continues to engage in activities that satisfy section 102.1 of the Criminal Code. The committee recommends that the regulation not be disallowance.

I would like to take this opportunity to thank my fellow committee members, and the secretariat, for their work in reviewing this and other terrorist organisations.

I commend the report to the House.

Mr Ruddock (Berowra) (09:08) by leave—I endorse the chair's commentary on the report that has just been tabled and add my thanks to our committee secretariat for the work that they continue to do in supporting this committee. I found it particularly interesting to reflect again on the nature of the organisation we were dealing with.

If you want further information, the report, quoting from Jane's Terrorism and Insurgency Centre, says a little about Hezbollah, or Party of God. It tells us Hezbollah:

... was formed in 1982 but formally announced its existence in February 1985. It was initially composed of small radical Shia Muslim groups that looked to Iran's 1979 Islamic revolution for inspiration. Many of the early leaders had studied in Shia seminaries ... in Iraq where they were inspired by the radical teachings of Mohammed Baqr as-Sadr and Ruhollah Khomeini. Hizbullah began to emerge in the wake of the 1982 Israeli invasion of Lebanon. Islamist members of the mainstream Shia Amal Movement broke away to form Islamic Amal, headed by Hussein Mussawi. He was part of the group that joined with former members of the Lebanese Dawa Party and numerous small radical Shia groups to form Hizbullah. It originated in the Beqaa Valley before spreading south, particularly to Beirut. It won loyalty through the provision of social services, including health, education and infrastructure to the impoverished Shia areas. In 1992, it stood candidates in the first post-war parliamentary elections, securing eight seats, and now it has 12. It is a member of the government of Lebanon.

That makes it particularly interesting that we are dealing with the proscription of an element of it, its external security organisation, which was set up, as we were told, by Imad Mugniyah, who has been described variously as Hizbolla's security section, a senior intelligence officer and one of the founders of Hizbollah. After he fled to Iran, following Hizbollah's 1983 attack on the US military in Beirut, the international wing grew out of the military wing to become a separate branch.

It is important to understand that history that we are dealing with. As mentioned by the chair, the committee does find it a fairly interesting area to deal with. We want to make it very clear that we were not supporting here at the government's request a listing of the entire Hizbollah organisation but, in looking at the external security organisation in particular, we are faced with a difficulty because many of the public resources that we look at, such as Jane's and the United States National Counterterrorism Center, which the committee uses to independently look at terrorist organisations that have been relisted, do not differentiate between the two. But we are required to do that, and we do, and paragraph 27 of the report in relation to the difficulty of attributing specific attacks to Hizbollah's ESO notes the secretive nature of the organisation and that:

... it is difficult to gather detailed information about the group's role and activities. However, there is no indication that the ESO's role has changed in recent times, and considering Hizbollah's stated desire to avenge the death of Imad Mugniyah, and the recent arrest of a
probable Hizballah operative in Bangkok, it is likely that the ESO retains its separate terrorist function within Hizballah's overall organisational structure.

It is for that reason that the government recommends that this organisation be proscribed and it is for that reason that the committee endorses that recommendation.

Mr BYRNE (Holt) (09:13): I move:

That the House take note of the report.

Debate adjourned

Report and Reference to Federation Chamber

Mr BYRNE (Holt) (09:13): I move:

That the order of the day be referred to the Federation Chamber for debate.

Question agreed to.

Foreign Affairs, Defence and Trade Joint Committee

Report

Ms SAFFIN (Page) (09:14): On behalf of the Joint Standing Committee on Foreign Affairs, Defence and Trade I present the committee's advisory report on the Illegal Logging Prohibition Bill 2011, incorporating a minority report and additional comments.

Ordered that the report be made a parliamentary paper.

Ms SAFFIN: by leave—The report of the Joint Standing Committee on Foreign Affairs, Defence and Trade into the Illegal Logging Prohibition Bill 2011 was referred to the committee on 22 March 2012. This inquiry was the third parliamentary inquiry into the proposed legislation. There has been extensive scrutiny, review and consultation. The House of Representatives Selection Committee referred the bill to the committee with the following reason for referral:

Concern over the international implications of the bill which have been expressed by Canada, Indonesia, Malaysia, New Zealand and Papua New Guinea in their submissions to the Senate Rural and Regional Affairs and Transport Legislation Committee inquiry.

The committee specifically sought to avoid unnecessary duplication with earlier inquiries and resolved to focus its inquiry on this reason for referral. The inquiry was therefore advertised and conducted on this basis. The committee also wanted to make it clear to interested parties who have previously presented submissions that it was not revisiting earlier inquiries.

The committee received 22 submissions, including submissions from each of the countries named in the Selection Committee's report. It held a roundtable public hearing in Canberra with representatives of the governments of Canada, Indonesia, Malaysia, New Zealand and Papua New Guinea. It also heard from departmental representatives. I thank those people, departments, organisations and embassies and countries who made submissions as many had before. Some of them actually travelled from Malaysia to attend the hearing.

Illegal logging imposes an enormous financial, environmental and social cost worldwide. The World Bank estimates that illegal logging as a criminal activity generates approximately US$10-15 billion worldwide each year. The committee heard broad support for the intent of this bill. Participants in the inquiry welcomed Australia's contribution to global efforts to combat illegal logging, noting that the bill moves Australia in line with similar legislation in the United States and European Union.

The bill prohibits importation of illegally logged timber and processing of illegally logged raw logs. It also establishes a risk management based due diligence process, in which the level of risk will determine what actions importers and processors must take
to mitigate that risk. The details of this process are to be outlined in the regulations that will be available in about six months. There was quite a lot of discussion at the roundtable on this particular issue.

In its report, the committee acknowledged the concerns of some timber-exporting countries about the details of this due diligence process, including likely compliance costs and the extent to which certification schemes and national laws will be recognised. The committee also satisfied itself that the government is taking Australia's international trade obligations seriously in the development of the bill and subordinate legislation.

It was evident to the committee that there are differing expectations as to whether prosecution will be pursued in the two-year period between the act and the regulations entering into force. The committee has advocated further outreach by the government on this issue.

Although considerable consultation has already occurred and is to continue as the regulations are developed, the committee has made two additional recommendations directed at continued bilateral and multilateral engagement. The first recommendation is that the government continues to consult with the governments of Canada, Indonesia, Malaysia, New Zealand and Papua New Guinea and other stakeholders on implementation of the bill and development of subordinate legislation. I note that in the hearing the Department of Agriculture, Fisheries and Forestry, which have carriage of the Illegal Logging Working Group, said that they would include all the parties in that working group. In its second recommendation, the committee recommended that Malaysia and Papua New Guinea be represented, along with the other countries I just mentioned, on the Illegal Logging Working Group.

Finally, I note that there is a minority report in the report. I want to thank members of the Trade Subcommittee of the Joint Standing Committee on Foreign Affairs, Defence and Trade, which had carriage of this. I want to thank each and every member for the effort they put into trying to accommodate everybody's concerns in this inquiry, even to extent that the committee offered some additional recommendations if we could get agreement. We got close but unfortunately we were not able to get full agreement. The committee recommended that the bill be passed. I commend the report to the House.

Education and Employment Committee Report

Ms RISHWORTH (Kingston) (09:20): On behalf of the Standing Committee on Education and Employment I present the committee's report entitled Work wanted: mental health and workforce participation, together with the minutes of proceedings and evidence received by the committee.

Ordered that the report be made a parliamentary paper.

Ms RISHWORTH: by leave—As many as one in three people have or will experience a period of mental illness in their lifetime. This is reflected in the fact that 30 per cent of people on the disability support pension have a mental illness. This is not the first report to note the entrenched stigma surrounding those with a mental illness. Nonetheless, the committee was struck by how pervasive stigma remains. Our leading recommendation is that the Commonwealth government coordinate a comprehensive, multifaceted national education campaign to reduce the discrimination against people with a mental illness in Australian schools,
workplaces and communities, with inclusion of less well understood mental illnesses such as psychosis.

National antidiscrimination campaigns in other countries have succeeded in raising awareness, countering stereotypes and changing attitudes about people with mental illness. Engaging employer associations and employers is a core component. Evidence also points to the benefits of prevention and early intervention. The early psychosis prevention and intervention centre—EPPIC—model was exemplified by Orygen Youth Health and headspace. All help young people with a mental illness succeed with their studies and employment. The committee recommends extending the Commonwealth government's KidsMatter Australian primary schools mental health initiative into high schools because adolescence and early adulthood are where mental illness often first presents, so support is critical.

Students with mental illness need to be supported in tertiary institutions as well. The committee notes both the increasing workload placed on disability liaison officers and the growing number of students with mental illness in tertiary institutions. It is important that educational leaders, rather than leaving these matters to student services, acknowledge the issues and dedicate resources towards the support and teaching of other relevant staff to assist students with mental illness.

While social enterprises and schemes such as supported wage systems have their place and certainly help some people enter into employment, the goal should be that people with mental illness engage with the open employment market. There are a range of supports which already exist to help job seekers and employers alike. Commonwealth government initiatives such as JobAccess, the Employment Assistance Fund and Job in Jeopardy appear to be under-utilised and need to be promoted more widely, especially amongst employers, for greater take-up.

The committee heard much evidence from the supply side of the equation on this issue but less from employers. Employers that participated in the inquiry provided some model workplace strategies for both employing and retaining employees with a mental health condition and, importantly, for looking after the mental health and wellbeing of all employees. Working with employers to promote the business case for employing someone with mental illness needs to happen more in both the public and private sectors. The Commonwealth Public Service is a major employer and should take a lead in this area.

The complexity of the Centrelink benefits system for disability support pension recipients and its interaction with employment services are repeatedly referred to in this report. Assessment processes need to be streamlined so that they are compatible and consistent across the board. A communication strategy which places consumers and the people who work with them at its heart is integral to ensuring that the needs of clients are met. The system must encourage and engage rather than discourage and disengage job seekers. Participation requirements need to be sufficiently flexible for people to venture into employment without the fear of losing their benefit entitlement and in the knowledge that there is a safety net for them should a job not work out.

Employment service providers which specialise in serving clients with mental illness need to be recognised for the qualitative as well as the quantitative results they produce. Disability employment service providers should be required to demonstrate
their expertise in helping people with a mental illness find meaningful employment, education and training opportunities, and this should be recognised in the disability performance service framework and star rating system.

One of the main messages to come out of the inquiry is the importance of fostering case coordination and leveraging collaborative partnerships between government and other service providers. To this end, the committee has recommended that the Commonwealth government be always in partnership with the states and territories through COAG to support the individual support and placement model and other service models which integrate employment services with clinical mental health services.

I think that for too long employment services, though they have been solid, have sat separately from clinical mental health services. But this committee saw some models in which NGOs are partnering with state-based mental health services to bring employment and clinical services together. We have seen this happen in a number of ways through the headspace model, and the committee feels strongly that this is the direction which needs to be pursued in the future.

Clearly, a third of people with mental illness being on DSP and not working is an economic impost. There are workforce shortages in parts of the country which need to be filled, and there are economic and social benefits in greater inclusivity generally, not just for people with mental illness. In the current climate and into the future workplaces need to be more—not less—flexible, adaptive and innovative in their approach to retaining a healthy and vital workforce.

It is the committee's hope that this inquiry contributes to a national conversation here in Australia and that it empowers people to feel confident in talking about the issues. Discussions need to involve the public, private and community sectors, educational institutions and employers together with individuals with a mental illness, their families and their carers. The statistics are such that, even if we ourselves do not experience a mental illness, we will certainly know someone close to us who does. It is in everyone's interest to help job seekers with a mental illness secure sustainable employment. They want to work, and work is part of their recovery—and this report shows that there are ways for them to find work.

I thank all the people who provided evidence to the inquiry. We had a lot of very brave people who told us their personal stories, and I thank them very much. I also thank organisations which gave up a lot of time to provide us with submissions and evidence. I thank my deputy chair—the member for Grey—and all the other members of the committee. This inquiry spanned a significant period, and their commitment to the inquiry was very impressive. I thank the secretariat, in particular Sara Edson and Glenn Worthington. This inquiry has been complex and was long in the making, and their work to ensure that we got the information we needed and so could produce this report was very much appreciated. I commend the report to the House.

Mr RAMSEY (Grey) (09:29): by leave—I thank the member for Kingston, the chair of the House of Representatives Standing Committee on Education and Employment, for presenting this report, Work wanted: mental health and workforce participation. She has encapsulated much of what the committee has been about so far. It
has made unanimous recommendations. I would also like to thank all those on the committee who have worked so cooperatively together on what is a fairly large report which took up around 12 months of our lives—I have not checked the dates. In some ways it has not revealed anything we did not know. Many of the things that we state in the report are obvious but, I think, worth getting on the record.

These are not direct quotes but rather my thoughts on the matter. Many people operate in the workforce and cope with the stress of mental illness with their fellow workers not knowing anything about their issues at all. For others, employment and mental illness are an impossible mix. The loss of employment, or the inability to engage in it in the first place, because of mental illness is a debilitating barrier which can lead to disconnection from society and exacerbate the original condition. The cost to society of this disconnection is far higher than the cost of positive programs to engage these people. Those things are given but they were confirmed by the inquiry.

However, there were some things that were not, perhaps, quite so obvious, and we have had the opportunity with this inquiry to get them on the record. The widespread ignorance of services available to people with mental illness while they try to cope with finding and holding work was a surprise to me, at least, and possibly for those of us who, as elected members, deal with constituents coming to us on a regular basis with many of the issues that were raised during the inquiry. I do not think my understanding of the way the system works is all that strong. If my understanding of it is not all that good, considering the position I am in and the resources I have at my service, then it must be darn near impossible for many people dealing with a mental illness. The sheer complexity and overlapping of the support system are overwhelming for those who are not well and dealing with a host of challenges on a daily basis.

Most encouragingly—and this was perhaps one of the finest parts of the inquiry—we found a number of progressive businesses which are implementing programs to promote a flexible and proactive working environment for workers with a mental illness. The important point here is that they are not doing it out of some sense of obligation to society. They have these proactive policies because it is in their business interest. That is the greatest message of the report: employers that have the positive programs were telling us that the loyalty they receive from a worker that they make some allowances for, and offer a flexible workplace to, more than repays their investment—in fact, these are some of the most reliable workers. They are the most committed and most likely to stay at the company for a long time and, considering the retraining expenses of companies, this is an important thing. I think that is the best message we can sell: there are people out there who know how to do this. We just have to get the message out and say, 'It is positive for your business to engage people who may be suffering a mental illness but may indeed become some of your best employees.'

The report recommends that the government support many of the great organisations that work in that space—organisations like Beyond Blue to name just one—and should, as an employer, set an example for other organisations and private enterprises to follow. It also makes recommendations dealing with the internal processes of government departments and the skills needed to deal with this vulnerable sector of society and access their untapped potential. It makes recommendations in regard to the educational institutions and recognises that mental illness typically arises
in the first 25 years of a person's life, is often episodic and is best dealt with early.

Many of the things in the report probably restate the obvious—some of these things we already know—but it has brought together a broad range of experience and I hope that it will benefit all in the future of policy formulation in this area. I would like to echo the chair's remarks about those who contributed to the inquiry. I thank them for their time and their frankness with the inquiry. I would also particularly like to thank the secretariat—the long-suffering Sara Edson and Glenn Worthington in particular—for their support and professionalism throughout the inquiry.

The DEPUTY SPEAKER (Ms K Livermore): Does the member for Kingston wish to move a motion in connection with the report to enable it to be debated on a future occasion?

Ms RISHWORTH (Kingston) (09:35): I move:
That the House take note of the report.

The DEPUTY SPEAKER: The debate is adjourned. The resumption of the debate will be made an order of the day for the next sitting.

Report and Reference to Federation Chamber

Ms RISHWORTH (Kingston) (09:35): by leave—I move:
That the order of the day be referred to the Federation Chamber for debate.
Question agreed to.

REGISTER OF MEMBERS' INTERESTS

Mrs D'ATH (Petrie) (09:35): As required by resolutions of the House I present copies of notifications of alterations of interests received during the period 22 March 2012 to 27 June 2012.

COMMITTEES

Social Policy and Legal Affairs Committee

Report

Mr PERRETT (Moreton) (09:36): On behalf of the Standing Committee on Social Policy and Legal Affairs, I seek leave to make a statement on the Maritime Powers Bill 2012, the Maritime Powers (Consequential Amendments) Bill 2012 and the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012, in discharge of the committee’s requirement to provide an advisory report on the bills, and to present a copy of my statement.

Leave granted.

Mr PERRETT: I rise to present this oral statement on behalf of the committee in discharge of the Social Policy and Legal Affairs Committee's obligation to report on the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012, the Maritime Powers Bill 2012 and the Maritime Powers (Consequential Amendments) Bill 2012.

On 31 May the House Selection Committee referred the abovementioned bills to our committee. The Senate Legal and Constitutional Affairs Legislation Committee has been referred the very same bills by the Senate for inquiry. This is not the first time such duplication has occurred. The Senate committee has made a call for submissions and has settled on reporting dates for both inquiries.

The Standing Committee on Social Policy and Legal Affairs does not wish to duplicate the work that the Senate committee is undertaking. Moreover, this committee has received phone calls from stakeholders of the various bills querying why they need to duplicate their work and provide separate
submissions to both the Senate and House of Representatives inquiries. This committee does not wish to burden stakeholders with requests for multiple submissions to the same inquiry or to appear at public hearings more than once for the same inquiry.

Further, the House of Representatives human rights subcommittee has adopted terms of reference for a policy inquiry into human trafficking which will involve the same stakeholders as an inquiry into the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012. The committee believes that in this case it cannot add value to the work of the Senate inquiries into the Crimes Legislation Amendment (Slavery, Slavery-like Conditions and People Trafficking) Bill 2012, the Maritime Powers Bill 2012 and the Maritime Powers (Consequential Amendments) Bill 2012. Further, the committee has determined that in this instance it would be an inefficient use of committee and Department of the House of Representatives resources to conduct concurrent inquiries into these bills.

Publications Committee

Report

Mr HAYES (Fowler) (09:38): I present the report from the Publications Committee sitting in conference with the Publications Committee of the Senate. Copies of the report are being placed on the table.

Mr HAYES: by leave—I move:

That the report be agreed to.

Question agreed to.

BILLS

Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mrs GRIGGS (Solomon) (09:39): As I was saying yesterday, these allowances include access to the pensioner concession card, the pharmaceutical allowance and the telephone allowance. In the last budget, the taper rate for Newstart was amended to allow single parents to earn $62 a week before they lose a reduced taper of 40c in the dollar from their allowance. Additionally to the removal of the grandfathering clause for parents, this bill raises the limits for permissible liquid assets from $2,500 to a maximum of $5,000 for singles, and from $5,000 to $10,000 for people with dependants. Effectively, this translates to potentially a shorter waiting time before Newstart payments commence.

The Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 also seeks to define which payments should be categorised as 'termination payments' with a view to ensuring consistency across the board when considering an income maintenance period, therefore bringing the definition of 'termination payments' in line with the policy intent of the Guide to social security law. Nonetheless, whilst the Welfare to Work reforms penned by the coalition were aimed at assisting Australians off welfare and into the workplace, the main aim of this bill is to grasp much-needed savings for the government. The expected savings to be derived from this bill are in the order of $691.9 million over four years.

My beliefs are pretty simple in that it is a hand up, not a handout, and I am sure that this view is shared by many Australians. From my perspective, it is the core responsibility of government to have mechanisms which extend the hand of assistance to members of our society when they are down, not to carry them. As a working parent, I understand the difficulties associated with raising children and
maintaining a career, particularly in that both of my sisters have at some stage in their lives been single mothers.

I note with disappointment that the government has failed to address the effects of this bill in terms of incentives or initiatives to get those people affected back in to the workforce. Based on figures from 2011, within the Northern Territory there are around 2,800 partnered parenting payment recipients, along with nearly 4,000 single parenting payment recipients. Combined, that is almost 7,000 people, out of a population of around 230,000, receiving these payments. That equates to roughly three per cent of Territorians. Echoing the words of my colleagues, I reinforce the adage: the age of entitlement is at an end. It is not feasible and it is not fair on hardworking Australians. This bill, derived from a government bleeding in debt, comes at a time when belt-tightening is a must. It is a sad irony that the government will cut money here but will be squandering and splashing cash payments around at the same time.

Promoting a strong workforce of parents is not a new concept; it follows on from the Howard government's Welfare to Work agenda and is an issue many previous governments have progressed. In the case of the Howard government, $3.6 billion was invested to support and assist people to transition from welfare to work. In brief review, the reforms included that, post 1 July 2006, all new unpartnered applicants were no longer eligible for parenting payment single when their youngest child turned eight. Generally this meant transferring to the Newstart allowance. However, existing recipients of a parenting payment could be grandfathered on this payment until their youngest child turned 16. At the time, the Howard government's Welfare to Work reforms introduced a range of complementary services to assist parents in their transition into employment once their youngest child had reached school age. A new employment participation service was offered to parents with school-age children, designed to ensure they had the skills they needed to gain a job. The coalition's policy also included flexibility and provisions whereby parents could refuse a job if they were not more than $50 a fortnight better off once the costs of, for example, child care were factored in, or if they had to travel for more than 60 minutes each way to work.

Research undertaken by DEEWR derived from the Welfare to Work reforms demonstrate that there was a 23 per cent increase in the number of single principal carer parents leaving income support after six months, in comparison to the previous three years, with 38 per cent moving off payments during the 2006-07 financial year. The report also showed that over 70 per cent of principal carer parents left income support for employment. The situation was similar for partnered principal carer parents on Newstart allowance, where 45 per cent were no longer in receipt of income support payments after six months, compared to 32 per cent in the 2005-06 financial year.

Whilst I will not oppose this bill, there are some concerns that I wish to voice to the House. Unlike the coalition's Welfare to Work agenda introduced in 2006, within the bill currently under debate there is no additional funding to support parents into work. If this government were truly committed to assisting parents back to work, it would provide the additional assistance necessary to drive this initiative. The Gillard Labor government has slashed $162.2 million in assistance for job seekers from Job Services Australia. Additionally, it has cut a further $44.3 million from outcome payments for Job Services Australia providers. Parents who are working or
seeking work could be worse off financially due to work participation requirements, which may force them into accepting a job where they are worse off financially.

Conversely, the Howard government reforms promised parents that they could refuse a suitable job offer if they were not better off by $25 a week. Welfare to Work for job seekers was introduced by the coalition government at a time of strong surpluses and low unemployment, unlike the environment which the Gillard Labor government has created. We now experience massive debt and deficit, rising unemployment and a business sector reluctant to hire. This will make the unsupported transition from welfare to work that much harder for the parents captured by this legislation. This government should be ashamed of itself.

To add to these concerns, the Gillard Labor government espouses all kinds of hypocrisy surrounding the issue. Labor voted against the Welfare to Work reforms of the Howard government in 2005. Additionally, recently Labor moved to decrease the parenting payment cut-off age of the youngest child from 16 to 12. This further decrease now demonstrates that this bill is more about achieving a budgetary saving than about policy that is genuinely committed to assisting people from welfare to work, particularly given the tough economic times now facing Australian families.

In April 2005, the member for Sydney attacked the then Howard government for allocating additional childcare places in support of mothers with school aged children returning to work by accusing the coalition of introducing the change as a means to ensure single parents had no excuse not to work. She is recorded as saying on ABC radio at the time:

It is part of the government's plan to punish people who are out of the workforce to take away any excuse for them not working.

Shame! Senator Evans, in comments he made on 11 May 2005 when discussing the Welfare to Work agenda in general, claimed:

You're going to have people with severe mental health issues now forced to comply with one of the harshest regimes seen in the Western world and I think it's a recipe for disaster.

To add one further example of hypocrisy from Labor:

This package—Welfare to Work—has nothing to do with moving people from welfare to work and everything to do with extreme cuts to the household budgets of Australian families who can least afford it.

This was stated by Senator Wong in September 2005 when talking about a policy similar to that which the Labor party is now trying to introduce. Despite Labor's hypocrisy, this bill reflects beliefs of 'a hand up not a handout', even though it lacks a clear plan for specific initiatives to help the people this will affect.

As I have said, the Northern Territory has a reasonably high number of recipients of these payments. Initiatives which encourage people to work and get people back to work go a long way to repairing and rebuilding the underpinning foundations necessary in society and our local communities. I wish that this government would do more to get help people get back into the workplace, ensuring that the right measures are in place to support these people, particularly since on Sunday the carbon tax will be introduced, which is going to put more pressure on all Australian families.

Ms OWENS (Parramatta) (09:49): I would not have thought the opposition would be negative on this one. I am quite astonished by that. We have been accused of
hypocrisy by people who introduced this policy themselves in 2006. They now obviously do not think it was a good idea, even though it was their policy. I am quite astonished. I will try and ignore it, I think, and talk about the bill. The bill does three things. Firstly, it makes amendments to the Social Security Act 1991 to bring all parents under the same treatment in terms of when they move from parenting payment to Newstart allowance. At the moment, we have a situation where, depending on when your child is born, you are treated differently for taxpayer payments. This bill brings all parents into line with each other—and I will come back to that. It also amends the liquid assets waiting period.

The third amendment is quite technical, but I am going to talk about it first. It makes adjustments to the income maintenance period. The income maintenance period amendment applies when a person finds themselves out of work. In determining whether and when a person can start to receive income support payments, the Department of Human Services, which we all know as Centrelink, considers the liquid assets that a person has available to them, but it also considers any termination payment that a person has received. This bill makes really quite a simple amendment by extending the definition. The income maintenance period is the period for which the termination payment is treated as income under the act. It is designed to ensure that when people receive a lump-sum termination payment and use that payment to support themselves for a time, they are not eligible for support from Centrelink for a period of time. But currently the definition of a termination payment for the purposes of the income maintenance period only includes leave payment or redundancy payment, when in reality these days payments that are made at the end of a period of employment can be across a whole range of types of payments. So this amendment changes the definition so that those types of payments can be taken into account. It is quite a technical amendment, but an important one given the different ways that people are compensated at the end of an employment period.

Returning to the parenting payment reform which the member for Solomon predominantly concentrated on, back in 2006 when the Howard government introduced the Welfare to Work reforms—and the member for Solomon is right, we were very critical of them at the time—

Mr Laming: Times have changed.

Ms OWENS: The member interjects. It is the nature of government, and if you guys ever get back into government you will find it yourselves. When a previous government does something—it gets elected, it comes to the parliament, it passes bills and it is able to do that and it does it—changes flow through the community. When you become a government again, you have to start with what you are left from the previously democratically elected government. We all do it. We all take things that we had from the previous government that are woven into the budgets of the government and the budgets of state departments and contracts that you have with people and agreements that people have made and decisions that people have made, and you live with them. That is what you do when you move from opposition to government. That is what we have done here, and it is quite right that we do. It is quite right in a country like Australia where governments are democratically elected that one government, to the extent that it can, respects the decisions and the laws that are made by the previous governments, and most governments have done that in Australia's history. I take the interjection from the
member just to make that point. This is one of those cases.

Back in 2006 the government of the day decided that when a parent's youngest child turned six, if they were a couple, or eight if they were a single parent, they would move from parenting payment into the employment system. They would move from Centrelink onto what we used to call back in those days 'the dole'. But when Howard introduced that bill, he grandfathered any parent that had a child prior to 2006. I would have said at the time—and I would probably say it now—that that decision was for political reasons. If he had made the change for everyone, there would have been hundreds of thousands of parents on a single day that moved from parenting payment onto Welfare to Work. By grandfathering anyone who was already a parent, he made sure that parents would go to the new system literally one by one. There would not be an avalanche of parents so the change would not be seen in quite the negative way that it would have been had it suddenly applied to every parent. So it only applied to new parents where a child was born after 1 July 2006.

That means that now there are two sets of parents in Australia. There are parents whose children are born after 1 July 2006, who move from parenting payment to Newstart when their youngest child turns six, if they are in couples, or eight, if they are a single parent, and parents whose children were born prior to that period who keep their parenting payment under the Howard regime, which was up until the youngest child turns 16 years of age. That is quite a difference in the way that parents are treated.

This amendment brings all those grandfathered parents into line with parents whose children were born after 1 July 2006. It is very much an equity issue. We have heard a lot from the other side of politics about how terribly unfair it is that a parent would have to go from parenting payment to Newstart when their youngest child turns eight, if they are a single parent, and how difficult this would be. For a lot of parents it is difficult. It is difficult for the parents for whom this change was made in 2006. So again, I would ask the opposition to just be a little bit honest about this and recognise that this is a change that they made, a change that they expected of parents in 2006. They have not come into this place and argued that it be changed back, and I would ask them to seriously explain to me why now in 2012 parents should be treated differently depending on when their child was born. I am not sure that it was a sensible thing in 2006, although I could understand the politics of it. It did delay the issue of large numbers of parents suddenly having to move off parenting payment onto Newstart—and I can understand the politics of it—but in terms of policy and government and equity and fairness, it was a strange one then and this bill actually removes that inequity.

The member for Solomon also said that we have not made any attempts to assist parents back into work. She has made quite a lengthy statement about the changes that the Howard government made at the time, trying to help parents get back into work, and she said that there is nothing in this bill that does that. She is wrong about that and I am assuming that she has not read it. If she had made any effort at all, she would know that that is not the case. We have done a number of things in this bill that make a difference.

We have already made amendments to the Social Security Act to reform the income test that applies to single carer parents on Newstart allowance and we are allowing a much more generous income test. Again, the member for Solomon talked about one of the changes that the Howard government made, which concerned a $50 change. That was a
good thing at the time. This change allows parents to earn over $400 more per fortnight before they lose eligibility for a payment. That is a significant improvement. It is an improvement that applies to all parents, not just the ones that will come off the Howard government grandfathering because of this amendment. It applies across the board to all parents. A parent can earn $400 more per fortnight before they lose eligibility for payments. That provides a much stronger incentive for parents to undertake paid work by allowing them to retain more of their income as the work that they are doing rises.

We are aware that parents who are moving off parenting payment and onto New Start allowance may have spent significant periods out of the workforce. A lot of parents return to the workforce part-time or full-time quite a few years before their youngest child turns six or eight, but some of them will have been out of the workforce for quite some time. So we have made additional support for them, as well as the hundreds of thousands of additional training places that we have made for the community generally. There are also training places for single parents announced under the Building Australia's Future Workforce package. The government has provided additional funding in the 2012-13 budget for professional career advisory services for single parents through the employment service providers. So there is assistance for parents who have been out of the workforce for some time to get career advice and move back into training. Single parents who are studying an approved course already and receiving the pensioner education supplement will keep that supplement when they transfer from parenting payment to Newstart allowance.

We are providing additional funding to support increased demand and better targeting in the Jobs, Education and Training Child Care Fee Assistance program, a program that I am very proud of. I know that a number of single parents in my electorate who are going back to training use that. It is quite an effective program. So there is considerable support in this bill and in other actions taken by this government for parents who are returning to work.

The member for Solomon was quite scathing about the cash splashes, as she called them, that this government is handing out. But I want to draw the attention of the member for Solomon to where the assistance is being given because it is being given very much to people in most need. The schoolkids bonus that has reached the pockets of parents in the last week or so is specifically targeted to families at the lower end of the income scale. The tripling of the threshold which comes into play on 1 July is also something that will greatly benefit parents as they return to work. The people who are most likely to be on the lower incomes working part-time will benefit significantly from that reform. The household package assistance that has been rolling out over the last month and will continue to roll out over the next couple of weeks is also highly targeted towards households where there is likely to be one person working or a second parent working part-time or returning to the workforce. That is significant assistance for people who find themselves in this kind of position.

We have also made some changes that I am very pleased about in the liquid assets waiting period amendment. Back in the global financial crisis, we made some quite significant changes to the liquid assets waiting period because we recognised that people who suddenly found themselves unemployed needed some rather generous treatment at that time. Essentially, we doubled the liquid assets waiting period threshold in 2009 and we are now in a position where we can afford to reinstate those thresholds permanently. Importantly,
from 1 July 2013 the maximum reserve amount for a person who is single will be doubled from $2,500 to $5,000 and, for a person who is partnered or has a dependent child, from $5,000 to $10,000. These new reserves reduce the waiting time by up to five weeks for an unemployed Australian and student with modest savings or liquid assets before they are eligible for Centrelink assistance. It was something we did in 2009—we thought for a short period of time—and which we are now able to extend on a permanent basis.

This is a pretty good bill. It deals with equity; it quite substantially improves the circumstances of people who find themselves unemployed. I commend the bill to the House. (Time expired)

Mrs MOYLAN (Pearce) (10:05): The Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 seeks to inflict an 18.5 per cent cut in payments to over 100,000 single parents at a time when the cost of living is skyrocketing and power bills alone have increased by over 60 per cent. This bill is an extension of the Welfare to Work reforms passed in 2006 and it removes the grandfather clauses which allowed single parents to claim the parenting payment until their youngest child turned 16. Under this bill, once the youngest child turns eight, sole parents will be abruptly moved to Newstart allowance.

It is commonly known that that the Organisation for Economic Cooperation and Development—the OECD—recently found that more than two-thirds of children in families relying solely on Newstart live in poverty. Newstart equates to $38 a day to feed a parent and child, buy school clothes, pay the rent and pay the utility bills. What a pitiful amount! This legislation, according to the government, will result in more people moving from welfare to work. I say we are moving them from welfare to worse. Let me make it clear: I am supportive of measures that are genuinely designed to assist people into the workforce. I have no difficulty with that concept at all. Paid work leads to financial independence and it provides superannuation and the prospect of engagement with the community. There is no doubt that the best way out of the poverty trap is to have access to a full-time job in the paid workforce. But this bill does nothing to achieve that objective; there is nothing in it that suggests it will achieve that objective. It is simply a cynical exercise to generate budget savings, attacking some of the most vulnerable people in this nation.

It is a fact that the number of single women under 20 years of age claiming the sole parent payment has actually dropped by about 20 per cent over the last decade. That scotches some of the myths around sole parent payments. Undoubtedly, the government will contend that a combination of new payments will alleviate the impact of this bill—we have just heard a member talk about that. However, modelling by the Australian Council of Social Service shows that this is not the case. ACOSS estimates that 50 per cent of sole parents have no earnings and they rely fully on social security payments. This group is already living below the poverty line. Even when one factors in recent increases to the family tax benefits and the new schoolkids bonus, a sole parent with no earnings, studying to acquire skills to be employable, will be $73 a week worse off if the child is in primary school or $65 a week worse off if the child is in high school. This is just disgraceful.

To most of us, $65 a week is a fair amount of money. To these people it is devastating to lose that much of their pension. We are talking about parents trying to do one of the toughest jobs in the nation—that is, raise children alone without support. For single
parents who are working, the effects will be
even more severe. On a parenting payment, a
person can earn up to $88 a week plus $12 a
week extra per child before losing a portion
of their income support. On Newstart, 
parents will lose 40c in the dollar when they 
earn above $31 a week. This bill is entitled
'Fair incentives to work'. Where is the
incentive in that? Some of the modelling that
has been done on these policies shows that
people on the Newstart allowance who are
working and earning will be paying an
effective marginal tax rate of up to 70c in the
dollar. So where is the incentive in that? Not
only will parents have money taken from
them by being corralled into Newstart; they
will be penalised more if they happen to find
work. Some incentive!

Shifting parents to Newstart also exposes
them to harsh noncompliance measures. For
instance, if a child suddenly falls sick and the
parent misses a job interview or training
session, he or she will lose one day's pay for
each interview missed. If the person had a
number of interviews on that day it could
easily mean losing a whole week's
Centrelink benefit. While Centrelink may
repay that money if there is a valid excuse,
such as sickness, it can mean no food on the
table that week whilst waiting for the back
pay. That is an appalling possibility. In the
Treasurer's recent budget speech to the Press
Club he reflected sententiously on the
challenges of raising children. His concerns
would seem to ring hollow in the context of
consigning single parents and their children
to ever deepening poverty. Beware a
government when it takes to espousing
'motherhood' statements—it invariably gets it
wrong.

The extraordinary hypocrisy of this policy
is underlined by the fact that members of this
parliament participated in the annual CEO
Sleepout last week to raise awareness about
homelessness. There are already nearly 7,500
families sleeping on the streets in our
country. I am talking about families; this
does not include all the single people. Data
from the Australian Institute of Health and
Welfare shows that the principal cause of
families ending up on the streets is that they
are evicted, mostly because they cannot
afford rent. And the annual Rental
Affordability Snapshot by Anglicare
Australia found that there are no affordable
housing options for people on Newstart
allowance. Despite claiming to be concerned
about the homeless, the government will, by
a deliberate policy decision, push single-
parent families onto a payment that makes
putting a roof over their heads almost
impossible and certainly unaffordable. It is a
decision that will push these people out onto
the streets. Again, some incentive to work!
How difficult it would be to get work if you
do not have a stable place to live in.

If the government were really intent on
helping people to get off welfare and into
work, it would pay attention to the systemic
problems that make it difficult for people to
access the job market, particularly these
people who are also raising children. These
systemic problems were thoroughly
canvassed in 1999 in the McClure report and
have been largely ignored, obviously, in the
development of this policy. Funding for job
service providers, for example, is already
inadequate. They are already having
difficulties in managing the long-
term unemployed and Commonwealth agencies
are struggling to assist those they are
currently dealing with. Despite this, the
federal government has intemperately sliced
$50 million per annum from the Job Services
Australia budget.

When the Howard government introduced
the Welfare to Work provisions, I was not
particularly happy with that piece of
legislation and I did not actually vote for it.
But at least we did negotiate some changes
to that to make it a little better than it otherwise might have been. It increased access to child care and childcare assistance as well as paying a training supplement to assist in reskilling. Under Labor, a parent transferring to Newstart allowance becomes ineligible to receive the pensioner education supplement. This previously provided up to $62.50 a fortnight for single parents studying part time. In its place the government will pay a $400 per annum lump sum in two instalments. This represents less than a quarter of the former pensioner education supplement. How can a parent find work if he or she cannot afford the education needed? This is particularly so for this particular group of people because nearly 57 per cent of the parents—most of them mothers—on the parenting payment have, at most, a high school certificate and are therefore inevitably consigned to low-paid employment. It will also mean that they have little or no superannuation in their old age, so they will become solely reliant on the age pension in future, and we know that there are a disproportionate number of women on the age pension and that people living on the age pension are, for the most part, really struggling, and that they also live pretty close to the poverty line.

The government has recently changed the JET—or Jobs, Education and Training—supplement, which covers the gap between the childcare payment and out-of-pocket expenses for child care. To be eligible for JET, a person must be studying at least a Certificate II qualification. The Certificate I, which sits between a high school qualification and Certificate II, is ineligible for JET, and so are many short courses that are not officially recognised at certificate level but provide practical training. These types of courses include office administration and barista work, and improving English skills. To study these, the parent must personally pay the gap between the parenting payment and the actual childcare cost, and this can easily be more than the $38 a day the parent receives on Newstart allowance. The government chooses to ignore such systemic anomalies and chooses to imply that single parents are somehow at fault. The electorate deserves better than this.

I remain deeply concerned about the erosion of support for some of the most vulnerable people in our community. I am deeply concerned about how these changes will impact on children of single parents; the lack of attention by government to the systemic problems that prevent people from accessing work; the lack of attention to housing affordability; and the rising costs of living, including power.

Professor Fiona Stanley, a few years ago, produced a book which talked about children from disadvantaged families, and it is a very sorry saga. These parents are not single, for the most part, by their choosing. In this day and age we have no-fault divorce. We have domestic violence, which continues to be a significant problem in this country. And many women who are on sole-parent pensions are victims of domestic violence; they have had no choice but to remove themselves and their children from the family home in order to escape domestic violence and brutality. These are the children in our communities that are gravely disadvantaged.

I listened to the debate with interest in the other place when we had the address in reply to the budget, and I heard them talking about the new family payment and how the children in some schools were pooling this money so that they could go on fantastic trips abroad. Well, I can tell you, Madam Deputy Speaker, that the children of many single parents in this country will not be
going abroad. They will not get out of their own backyard to have a holiday. Their parents are struggling just to put a roof over their heads, to put food on the table, and to put clothes on their backs, and I think this is truly a disgraceful piece of legislation.

I applaud the work of Patricia Karvelas, who has written so often on these issues. I would like to quote from a recent article by Patricia, quoting Maree O’Halloran of the Welfare Rights Network, who writes:

“It is logical to assume that the harsher earnings thresholds for Newstart are responsible for this significant difference in employment and earnings levels.”

She cites research by the National Association of Community Legal Centres that found “44 of the 50 local government areas in Australia with the highest rates of lone-parent households are also some of the most disadvantaged areas”. I have them in my electorate. There are sole-parent families and people on disability support pensions that have to move out of the city and closer city areas to rural and semi-rural areas in order to afford a roof over their heads. Then there are transport problems. Then there are problems finding work and problems finding child care. These all mount up. It is the layering effect of these measures that I find very difficult to support in any way.

In the end, inadequate support for the poor makes us all poorer. We will reap what we sow in the high cost of social upheaval, dislocation, increased crime and a continuing upward trajectory of reliance on welfare. The policy to cut social security payments to single parents in this bill before the House is not worthy of support, and I will not support it.

Ms HALL (Shortland—Government Whip) (10:20): I rise to support the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 but, in doing so, I congratulate the member for Pearce on her contribution to this debate. I do not think there is very much that she said that I disagree with. I know that she was a single parent herself. She understands the struggle that single parents confront each and every day. She understands the level of resilience needed and the impact that being a single parent has upon a person, and she knows that a single person needs and deserves support. Her contribution to this debate was outstanding, and I would like to associate myself with practically every comment that she made.

As I mentioned, I am rising to support this legislation but, in doing so, I must say that I have some serious concerns about it. I would like to thank Minister Shorten and Minister Ellis for the work that they have put into trying to allay some of my concerns and improving the legislation that we have before us today. But, for me, the bottom line is that single parents deserve every bit of support that they can get. Whilst this legislation is only removing a grandfathering clause and putting those people who are currently grandfathered under the Social Security Act in line with other single parents, to me it is putting another group of parents at risk, making it harder for them.

When this legislation was first mooted a number of single parents contacted me in my office. One stands out in my mind. She is not the type of woman who people like to stereotypically identify as a single parent; rather, she is a mum, with three children, who is working really hard part time to look after those children. Under this legislation, she will not be able to design her workload and caring responsibilities around her children. She will suffer a significant loss of income and, as such, she will be extremely disadvantaged. I do understand why this legislation has been introduced. I compliment the ministers involved, as I have already said, on the work that they are doing
in making it easier for single parents to find work. But at the bottom of all this is the fact that Newstart allowance is inadequate. It makes it really hard for unemployed people to survive.

I would like to refer to an ACOSS report which identifies that $35 a day is not enough to live on. I would challenge a person to try to live on $35 a day. This report points out that unemployment can happen to anyone, just the same as becoming a single parent can happen to anyone. When somebody is having a child they do not immediately think, 'I'm going to be a single parent.' Very few people approach parenthood in that way but, when it happens, it is a struggle. The fact is that a person can be employed one day, earning a really good income, and the next day they can be unemployed. When they are unemployed they have to live on $35 a day.

I will refer again to this ACOSS report. It refers to budgeting on Newstart. I will run through this budget for the sake of the House. The budget for a week is: food and drink, $78; clothing and footwear, $10; rent, $105—I think that finding rent at $105 a week would be nearly impossible; electricity, $10; household contents and other services, $15; health, $14, with no health insurance; transport, $18—that is, three trips on a bus and train; phone or internet, $12; recreation and entertainment, $23; holidays, $6; education and training fees, zero dollars; and fees, charges and insurance, zero dollars. That takes you through to a total of $291 a week. That means someone on Newstart is out of pocket by $7 a week and confronting a minus income.

This particular legislation we have before us today will impact on single parents. You might note that the amount that ACOSS has identified for education and training is zero dollars. Once again, I compliment the minister on including in the legislation extra assistance for training. I note that negotiations are taking place to try to approve access for people who have difficulty obtaining transport, because in my electorate a number of communities are quite isolated and if you do not have a car you have to rely on a bus out in the morning and a bus in at night, which will probably take two or three hours to get to where you need to go. Single parents and other, unemployed people will have extreme difficulty in meeting the compliance requirements.

I thought the member for Pearce made a particularly good point about the fact that if a person does not meet those compliance requirements then their Centrelink benefit can be stopped but reinstated once they can prove there was a significant reason for them having their Centrelink payments stopped, such as a sickness of the child. Currently, my daughter and son both have very sick children. They would not be able to go to an interview at Centrelink. When a child is seriously ill, the last thing you think of is: 'I need to go to an interview at Centrelink.' You will be thinking about getting your child to a doctor or the hospital, depending on the level of illness. When you ring the next day or a couple of days later you are told: 'You missed an appointment; therefore your payment has been stopped. It will be reinstated and we will pay you.' Meanwhile, as the member for Pearce said, you cannot put food on the table.

My real concern about this legislation is not the grandfathering of it but the fact that Newstart itself is an inadequate payment. I refer once again to the ACOSS report. What does $35 buy you? It says half a tank of petrol—or maybe not even half a tank—one pair of school or work shoes, family groceries for one day or one weekly bus-and-train ticket. I really think
this is an issue that needs to be looked at. There is quite a disparity between the level of pension and Newstart, and this is where the problem lies.

An aspect of this legislation that I welcome is the liquid asset waiting period amendment. In this bill it is proposed to double the amount of cash or other assets an unemployed person or student may hold without having to wait up to 13 weeks. I think that is a good aspect of the legislation. Currently the maximum reserve amount for liquid assets for many claimants of Newstart sickness benefits is $2,500 for people who are single and $5,000 for those with younger children. Single claimants are required to serve a liquid asset waiting period of one week, up to a maximum of 13 weeks for every $500 of liquid assets above the maximum amount. It is similar with a person who is partnered or has a dependent person.

Beginning 1 July 2013 maximum reserve amounts will be introduced which will reduce the waiting time by up to five weeks for unemployed Australians and students with modest savings and liquid assets. I think that is a really positive aspect of this legislation. For a person who is single and does not have a dependent child it will be doubled from $2,500 to $5,000. They will be required to serve a liquid asset waiting period of at least one week if the liquid asset is of $5,500 or more, up to a maximum of 13 weeks if they have liquid assets of $11,500 or more.

Unemployment leads to a decline in your savings. As I have already identified, the rate of Newstart is quite low. We would all know from constituents who come to see us that any period of unemployment leads to a massive decline in the person's assets. People have trouble meeting their housing loan repayments and draw upon their savings to meet those repayments. It does not take long before they run out of cash and their savings are totally gone. If a person has to live off those assets as well as meet their current financial obligations which they entered into at a time when they were employed and did expect to receive long term the income that they were receiving at that time, it has a very detrimental effect on their savings.

Whilst I do have some problems with this legislation, I will be supporting it. I congratulate the minister on the provision in the legislation for the support that single parents will get with being able to access professional career advice as well as extra money and extra assistance with child care. I think those are very important and very positive aspects of this legislation. I thank both ministers concerned for the work they have put into trying to make this legislation a little fairer, but in the long term I would like to see the Newstart allowance increased. Then I would not have any problem with this legislation whatsoever.

Mr EWEN JONES (Herbert) (10:34): I rise to speak on the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012. This bill represents another of this government's cash grabs as it desperately tries to struggle its way to a surplus. I can find no other way of explaining it. This bill affects those on parenting payments by removing the current grandfathering transition agreements. This will result in parents being moved from these payments over to an income support payment such as Newstart. For couples this will occur when the youngest child turns six; for single parents, when the youngest child turns eight. The goal of this measure is to encourage parents back into the workforce once their kids are old enough to attend school.

This bill also changes the liquid asset waiting period, which requires anyone
claiming Newstart, sickness, Austudy or youth allowances to wait a period of time before being able to access income if they have liquid assets above a certain threshold. With this legislation these thresholds will be doubled to $5,000 for singles and $10,000 for those with dependants. The liquid asset waiting period will be up to five weeks for some applicants, and these changes should remove this waiting period for many more students and applicants.

Lastly, this will clarify the definition of the termination payment with regard to the income maintenance period. Under the definition proposed by this bill the termination payments will include redundancy payments, leave and other payments that are related to an individual’s termination of employment.

The coalition has a history of reform in this area. It was the Howard government that introduced the welfare-to-work changes in 2005 to move people off Centrelink into jobs. Those changes proved to be successful, with a 23 per cent increase in the number of single parents leaving income support after six months. Then, the Labor opposition steadfastly opposed these changes. Now, they have realised the importance of encouraging welfare recipients back into the workplace. But where the Howard government sought to increase workplace participation and decrease welfare dependency, this government is just after savings to make up for this profligate spending elsewhere. Where is the support for parents as they try to return to work, in some cases after years out of the workplace? Where is the guarantee that parents will not find themselves, perversely, financially worse off for taking a job? As the member for Pearce pointed out, we are looking at an effective tax rate of 70 per cent on the money they earn. We are looking at ripping benefits off them so there is no incentive to work.

This is my problem, and I will also go to this in the conclusion of this speech—the complete and utter lack of narrative from this government in relation to everything they do at the moment. They cannot get their message across on what they are trying to achieve. That is what I really struggle with here. The Howard reforms ensured that parents could refuse a job that would not leave them better off. This bill does not leave them with that choice.

Of course we support the sentiment of getting parents back to work. The member for Parramatta spoke very well about the message of getting people back to work. You are a better person when you work; you are more productive when you work, obviously. We want people to kick the welfare habit and not create a cycle of welfare dependence—children too easily follow the model set by their parents. But this government is only interested in the savings that this measure presents. The government is not interested in undertaking true welfare reform, for the sake of not just their bottom line but workers as well.

If this was about doing the right thing by parents affected by these changes, there would be assistance to accompany these new rules, to help parents acquire the skills needed to find long-term work. Instead, we see $162 million slashed from Job Services Australia that would have been spent helping people find work. That this government can splash around $10 billion for the Clean Energy Finance Corporation to fund renewable energy schemes that have failed to attract private sector financing but cannot find any money to help parents transition to the workplace speaks volumes about this government’s priorities. It is one thing to want to encourage welfare recipients back in the workplace—simply cutting welfare payments only addresses one-half of the equation.
What does this government say to a 24-year-old woman at the centre of these reforms who has a child turning six, who for six years has not worked or undergone training or further education and who has not had the chance to develop workplace skills? She now faces her welfare being cut as she is sent on her way to find a job, with the government who is cutting her off providing her no assistance in acquiring the skills she needs to find a job. That is not welfare reform.

In my electorate of Herbert is Palm Island. Palm Island has unemployment of around 95 per cent. Its population are welfare dependent, with little to no opportunity to work. Its population have not had the opportunities or the encouragement to develop skills or pursue education beyond school, if they even attended school. There was a story in the Townsville Bulletin this week about there being only one child on Palm Island who has attended school every day this year so far—one child, at the Bwgcolman Community School, is the only child on Palm Island who has attended school every day this year. And we are going to talk about people transitioning back to the workplace at 24 years old. What are the prospects for the young mother on Palm when her child reaches school age? She will be punished for having no alternatives to welfare. These are people we need to be helping, not hurting. This legislation is not about transitioning people to work; it is about dumping people on cheaper welfare.

It should come as no surprise that this Labor government is ignorant to the concerns of the Indigenous population of Herbert. Over the weekend, the Townsville Bulletin shed some light on the scandal that has engulfed this government and the Townsville Aboriginal and Islander Health Services, or TAIHS, over the past few years. A freedom of information request has shown that this government was concerned about the running of this service as far back as 2008, but it took until last year for any action to be taken against the organisation, and that was driven by the paper—not by the government, not by the previous member for Herbert coming in here and speaking about it and not by me approaching the minister and raising it. Once it got into the press they actually did something about it. It was the Queensland government, through the CMC, that had to do it. We have the situation where there should be people charged, and they are not being charged because this government will not do the work. This government stands condemned for its handling of this issue. It sat back and allowed another three years of corruption of funds intended to provide health care to the Indigenous community. For three years, Labor misled the Indigenous population of Townsville that they had investigated TAIHS and cleared them of wrongdoing. Now we find out that there was no investigation.

It is with no thanks to the Labor party that TAIHS has turned itself around—and I commend it—and is at last getting back on track to help Townsville's Indigenous population. Under the guidance of chair Donald Whaleboat, TAIHS is under administration and has been given the organisational shake-up that has been needed for so long. It took far too long, but Townsville's Indigenous community at last have their health service back.

I would like to once again mention the member for Pearce and her plea on this. We are trying to get people back to work. We are trying to do the right thing here. But, as my wife always says, you catch more flies with honey than you ever will with vinegar. You cannot just take things away from people. We heard the member for Shortland spend 13 of her 15 minutes berating this bill—but she is going to support it. She spent 13 of her
15 minutes telling us what bad legislation this was and how it would hurt absolutely everyone, and then, in winding up, she said, 'But I'm going to support it anyway.' She made her speech so she could do a press release in her electorate and it would look good on her website. She is going to vote with the parliament here and hope no-one notices.

The member for Pearce said it right from the word go. She said this is bad legislation. It goes to the consistent lack of narrative or plan from this government. We see this money being ripped out of the social security system, from single mothers who often do not have the literacy skills, the workforce skills, the interview skills or the transport to get work. It seems to be for people who live in the big cities, where public transport is there. If you miss your bus from the Upper Ross you cannot get to your job interview. If you miss your job interview you get sacked from this organisation—you will get your funds cut straight away, with no questions asked, until you can justify why you missed it. It is a punitive approach to this which is just killing everyone. I do not understand how you can do this.

There is a lack of narrative or a consistent approach. We have seen hundreds of millions of dollars flow out the window to organisations such as American car companies, $42 million just the other day to an aluminium refinery, $300 million to the steel industry and yet we are going to take the benefits away from a single parent. I just do not see it. Perception is neither right nor wrong; it just is. If you are perceived out there as not caring about these people then you are not caring about these people.

On this thing last night, I have age pensioners who send me emails all the time telling me what they are going to do. They say they are going to hop on a boat and sail to Christmas Island and get the benefits that comes from landing there. We know that is how tough it is. That is the perception out there: that people from elsewhere or other people are getting it better. That is the reality. If people in Australia are thinking that, what are people in Afghanistan thinking? People and single pensioners here are thinking that they are being shafted at every turn—that they are the ones coping it in the neck at every turn—and yet we see all this money being thrown out to industry; we see all this money being thrown out at boat people. That is their perception, that is their reality. That is what is wrong with this legislation: it is punitive.

Member for Shortland, I was a single parent, albeit for the blink of an eye. My two daughters and I spent the best part of two years as a single unit. When you are a single parent you do the washing at two o'clock in the morning, because that is when you do it. You are ironing school uniforms and making lunches at four o'clock in the morning, because that is when you do it. I was very, very lucky. I had a boss that had been through it himself—he was on his third marriage—and he understood. I also had a job that allowed me the flexibility to get around it. But it is not easy and we are making it hard for people and harder for people all the time to get this sort of support.

We are talking about people in regional centres like Townsville where if you miss the bus from the Upper Ross at eight o'clock in the morning there will not be another one until 10. So if you have an appointment at 9.30, it is a $45 taxi fare to wherever it is and you do not have that money. It is all right to sit there in the heart of Sydney and catch the next train which comes in three minutes, or to catch the bus from Upper Mount Gravatt from Garden City that comes every three minutes. That is all right because you can do that. But we have single parents, too, in
regional areas and in country areas where you cannot get the jobs, where you do not have access to these things. That is what is wrong with this organisation; that is what is wrong with this government.

You blokes would not have put a bet on Black Caviar on Saturday night, because you cannot pick a winner! You guys cannot pick a winner and you should hang your heads in shame over this thing. It is bad legislation and you should walk away from it, because this is wrong. I thank you for the opportunity.

Mr NEUMANN (Blair) (10:47): I have absolutely no hesitation in supporting the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 at all. Like many in this place I lived in a single parent family and grew up in grinding poverty. The Labor Party is the party of work, not of welfare. The opposition should hang their heads in shame at some of the speeches we have heard from them today. Look at the record of the Howard coalition government. No-one could have been more vicious and demeaning to single parents in this country than the Howard coalition government. They stripped them of their unemployment benefits when they would not turn up, with reasonable excuses, to job application interviews. The way they treated single parents! Don't listen to what they say; look at what they did.

Here today on this legislation we hear the sanctimony and the unction from those opposite in relation to this. If they do not support this legislation, they are adding to their $70 billion black hole by about $684 million. Where were those opposite in terms of our assistance we have given to single parents? Where were they on so much of the legislation being passed by this side of the House to help single parents, jobseekers, families, pensioners, low-income earners and nil-income earners in this country? There is a plethora of it. But those opposite come in here and criticise us about this.

Those members opposite who have come into this place and have criticised us about this particular legislation should hang their heads in shame. Where were they on the Paid Parental Leave scheme that helps so many parents? For 11½ years they did nothing. Where were they when we lifted the tax-free threshold from $6,000 to $18,200? Where were they in relation to so many other pieces of legislation—to the 23,500 pensioners in my electorate who got increased assistance recently? Where were they when we increased the family tax benefit A and family tax benefit B? Where were they when we increased the childcare rebate from $4,354 under them to $7,500—and we made it payable periodically? Where were they in terms of the $3 billion jobs and skills package that we put in? Where were they in relation to all of this?

Those people opposite that now criticise us in relation to getting rid of the grandfather provision were the ones that brought it in the first place when they were in power and sitting on the side of the chamber. So don't give us lectures about us being mean and heartless and not caring. I am sick of it. I am sick and tired of those opposite doing one thing in government and saying another thing when they are in opposition—saying one thing here and getting back in their electorates and claiming credit for all these things when in fact they vote against them here. We are providing a mountain of assistance to those people seeking jobs around the country. I will get onto that in a minute.

There are three aspects to this particular legislation. The first aspect deals with the issue of grandfathering, removing the grandfathering provisions that apply to
parenting payment recipients who have been receiving payments since before July 2006. People should be treated the same, whenever their children are born. The change will take effect from 1 January 2013. By way of background, it was the Howard coalition government that introduced these new income support arrangements for parents with dependent children as part of their Welfare to Work reforms. Let us remember that when they criticise us about what we are doing. From 1 July 2006, new recipients of the parenting payment could only claim the payment when their youngest child turned six, if they were partnered parents, or eight, if they were single parents. Prior to that, of course, it was until their youngest child turned 16 years of age. So there was a grandfather provision in the payment, and with this bill we are getting rid of the provision. With this bill, we will save $685.8 million over four years. If those opposite now criticise us and vote against the bill, which services to education and which roads do they want to get rid of; and what cutbacks do they want to make for families? Mr Shorten, the Minister for Employment and Workplace Relations and Minister for Financial Services and Superannuation, in his second reading speech on this bill said that the changes to parenting payments will encourage parents with school-aged children to re-enter the workforce sooner and ensure a fairer and more consistent set of parenting payment eligibility rules. I think he is absolutely correct.

The OECD economies of the Americans, the Brits, the Canadians and the New Zealanders are the economies we usually compare ourselves to, since we like them have an advanced Western economy. Across the OECD, more than 60 per cent of single parents are in work, but in Australia about 50 per cent are in work. In January 2012 in Australia, there were more than 630,000 families which had dependent children and which were on income support. About 41 per cent of them—that is, 258,000—were jobless families with no reported income in the previous 12 months. Of these jobless families, 85 per cent—that is, 218,000—were single-parent families. We know that, where there is joblessness and poverty, there are also poorer health outcomes for children, intergenerational poverty, low aspiration, low self-esteem, crime, dysfunction, impairment of social inclusion and no participation in civic life.

We believe that we need to lift the rate of job participation in single-parent families to give kids a chance and a start. We think that that is really important. When someone in the home is participating in society—working as an administration officer, attending P&C meetings, coaching soccer, attending the local church or whatever—they are a good role model for their children. In addition to having role models and getting rid of poverty and disadvantage, it is important to increase the economic development and prosperity of our country. If we can get more people participating not just in civic life but also in economic life in this country, we can do better—and it is important that we do better. My comments here are backed up by an OECD report of 2007 called Intergenerational transmission of disadvantage: mobility or immobility across generations? A review of the evidence for OECD countries and by another OECD report of 2011, Doing better for families. The latter report says, ‘Non-employment is the single biggest risk factor for poverty.’ If we condemn a generation of young people in this country to disadvantage, we will keep them in a position where they have no aspirations—no desire to do better.

I grew up in a working-class home in Ipswich in poverty and disadvantage. But I saw the benefit of education and the benefit
of what my parents offered me as role models and hard workers, and I thank them for it. Too often parents do not act as role models and do not work hard, and it is important that we foster positive behaviours and attitudes to work. I have no compunction about supporting this bill, which fosters just these things, even though those opposite have criticised us. We are putting enormous resources into eliminating disadvantage, and to do so we are working with the states through the COAG process. In the 2011-12 budget we announced the Building Australia's Future Workforce Package, which is tied in many ways to the bill we are talking about today and to government policy in general. We passed the legislation that brought in the Building Australia's Future Workforce Package, and through that package we are assisting people. No government has put more money or more resources into assisting people to overcome disadvantage—across the forward estimates we have put $3 billion into doing so. Also, we are increasing the amount that a single parent who transitions to Newstart allowance can earn before losing the benefit. We are increasing the taper from between 50c and 60c in the dollar to 40c in the dollar so that they can keep more money. We will also allow them to earn more than $400 a fortnight extra before losing income support, and this will be effective from 1 January 2013. So much for heartlessness and not caring! We are allowing people to earn more money before they start losing the welfare which is important to them as they transition into employment.

The $1.75 billion national partnership agreement which we achieved with the states in April this year introduces the entitlement of all working age Australians to access a government-subsidised training place to gain qualifications for their first Certificate III, including foundational skills or lower qualifications within the Certificate III. This will allow the person to gain skills which will put them in a better position in the marketplace to gain employment. This is what this government has been doing. The assistance we are providing is very considerable. The unemployment rate around Australia is just over five per cent. It has been at 4.9 per cent; now it is about 5.1 per cent. In my region it is about 4.6 per cent, and that is directly as a result of the very strong investment that this federal Labor government has put into the Ipswich and West Moreton region and the Somerset region. It is assistance that we have provided—which has been opposed in large part—for infrastructure projects across my region. There are many, many projects, including BER projects and the Ipswich Motorway upgrade, where people in single households have got jobs as a result of the infrastructure this government has put in place and funding which has been opposed steadfastly by those opposite, just as they opposed the schoolkids bonus of $410 for each child in primary school and $820 a year for each child in secondary school for thousands and thousands of single parents across the country. So it is a bit rich and a bit galling for those opposite to criticise us about these issues.

The other aspects of this legislation, the liquid assets waiting period amendments, amend the social security legislation, doubling the current maximum reserve amounts for the liquid assets waiting period from 1 July 2013. The member for Shortland outlined something in relation to that. Currently the maximum reserve amounts for liquid assets for new claimants of Newstart allowance, sickness allowance, youth allowance or Austudy are $2,500 for single people and $5,000 for partnered people or parents of young children.
The final aspect of this legislation deals with measures announced in this budget. The measures redefine termination payments, making sure that payments to employees in respect of termination of their employment, representing an amount that would otherwise have been received as wages if employment had continued, are included for the determination of the income maintenance period.

This is legislation in the best interests of the budget, the economy, society and the families we urge to seek employment for the benefit of themselves and their children.

Mr LAMING (Bowman) (11:03): This is an interesting debate about social security reform, coming in the context of nearly a decade of changes initiated by the Howard government. What we are effectively debating today is an extension of John Howard's ideas and the reviews that Patrick McClure contributed to. It surprises me more than anything that a number of people on my side of the chamber have a problem with the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012, because I do not have a problem with a single word of it.

In debates around something as important as welfare reform, Australians need to know that there is some level of intellectual and moral consistency in the way we approach protecting the most vulnerable in this country. On this side of the House we have worked since the mid-nineties on bringing the words 'work for the dole' back into common parlance—where they could be uttered at a barbecue without the speaker being shown to the door—to a point where there is now an expectation that, as a working-age adult who is not incapacitated or a primary caregiver to a large number of children, one contributes as well as one possibly can. The job of the welfare system is to engage every Australian with an opportunity to contribute as best they can. Let us not forget the words of Noel Pearson, who said that the more you raise the payments for inactivity, the more it becomes a 'welfare pedestal' from which you are reluctant to descend.

Ten years ago these thoughts could not have been uttered in groups of more than two or outside a right-wing think tank, but the world has changed. Now we acknowledge—and Prime Minister Cameron in the UK pointed this out just two days ago—that we may well be moving towards a superior system where there is a single payment for those in need, adjusted simply for the needs of those who are dependent on you or those who may have a disability. We need to move to a social security system that pays a lot more to a severely disabled Australian than just a standard pension. The simple notion that when you obtain a disability-support pension you are paid the same as an old-age pension and, if you are more disabled than others, it is just bad luck—it is a single payment—will have to change. There will be a time when we have to tailor these payments directly to the needs of individuals.

One thing that right-of-centre governments around the world have worked on is the proposition not only that everyone should be able to give but that the state should assist them to give as well as they possibly can. As long as you are paid $529 on a Newstart allowance and $648 on a disability support pension or parenting pension, there is very little drive to go out and do anything other than make a series of excuses for why you cannot work. We are in an economy with high capital-to-labour ratios. There is too much capital in this country to not be utilising our labour as well as we can. We have a participation rate lower than many nations in the Northern Hemisphere. Our job, on this side of the
chamber, is to raise that proportion—to hold the hand of every Australian and say, 'There is no reason why you cannot be in the workforce.'

I have been privileged to employ two disabled people in my office. I have learnt that a simple piece of software can open up an entire world to people who could never have dreamed of working in the office of a politician. I have two mums working in my office and they never come in until their kids are looked after. If there is a problem, they leave to look after their kids. This is a cultural shift we need to be thinking about. There are plenty of opportunities for the people we are debating about today, who may well be saying back in my electorate, 'I'm $112 worse off a week after these changes.' I say: not if you get a job. We are paying through publicly funded assets to take your kids to school, to keep them there and give them a great start in life. Why cannot a parent whose children are in publicly funded facilities find time to work in those intervening hours? But, as long as we persist with a $529 payment and grandfather everyone since 2006, it simply will not change until they are forced off the payment by the age of their youngest child. All we are doing today is unravelling the grandfathering that Prime Minister Howard put in place to ensure that the transition from welfare to work was smoother. It is an old, important and valuable political tool to grandfather those who are potentially affected by change and to implement the change immediately.

All we are doing in this legislation is removing the grandfathering—removing that little political flourish that John Howard employed in 2005 to ensure that we did not have a mass protest on 1 July 2006 when Welfare to Work was introduced, because we grandfathered parents. I think that in 2012 we are mature enough to say that the rules that apply to parents today should also apply to the parents who in 2006 had children older than the age of six in the case of single parents or eight in the case of those who were partnered parenting payment recipients. There is nothing inconsistent about that.

Frankly, I am a little disappointed that my side of the chamber is not firmly behind the government in doing all of this to the letter. You cannot deny that this is an important move that we would have made if we were in government. You cannot deny that the government has made changes to the thresholds to make it easier to earn some more money as a parent and still be able to get payments, by relaxing some of the requirements around work earnings so that the taper at $62 and $250 a fortnight moves from 60c and 50c down to 40c—a uniform, simple taper. Everybody understands that you can earn $62 a fortnight and, once you tick over that amount, it is tapered by 40c in the dollar. That is not hard for anyone to understand.

This is the basic proposition: if you are a working-age adult in this country—and I do not care if you live in an Aboriginal community or in the centre of Sydney—if you are not incapacitated and you have children who attend state funded education, it is a reasonable proposition to ask you to fulfil a work obligation, an activity requirement or a work-study-training test. Let's not pick on the 16-year-old and 17-year-old mums; let's have every Australian doing that, and then it is up to the employment sector to find the flexibility to enable those people to engage in the economy.

I hear excuses—and I am disappointed that they come from my side of the chamber today—about not being able to catch a bus or having a hole in your shoe or not having the right shirt to go to a job interview. They are the problems that I want to have as a
government, because I can fix those, but the problem I cannot fix is having the welfare pedestal of $529 a fortnight as a blind entitlement and having the people who fund the welfare system so separated from those who receive it that it simply becomes an entitlement—a line in a Centrelink brochure: 'That's the money I'm entitled to, and don't take it off me.' That is not a sustainable welfare system. That is not what Beveridge conceived over a century ago.

What we need is a tailored, individualised, case-managed welfare system that can identify a person's need. As I said, there are people who need more money than they currently get. I have 1,500 single parents in my electorate who probably will not be happy with what I am saying, but I am saying to them that these rules apply to everyone from this day onwards. All we have done in this legislation is extend Welfare to Work 2005 and the Gillard government's 2011 changes that sought to accelerate the taper. They simply said that, if you have children aged 13 or 14, you can keep the payments until they are 15; if they are aged 12, you can have the payments for another two years. These were thoroughly reasonable tapers and all we are doing now is exercising them in a more rapid way.

We can analyse whether this is fiscal rectitude, whether it is fiscal irresponsibility or whether it is trying to fulfil a grubby political promise about a surplus next year, but in reality it is what this side of the parliament would have done, so how can we possibly have a debate about what the Right of politics right around the world has been working on over the last two decades? People on my side of the chamber should be putting themselves on the back and saying, 'We've reached a point where a government can hold its head high, left of centre, and suggests these changes.' Doesn't that suggest a real paradigm shift? That is something that the Right can be proud of and that John Howard played a major role in.

If you talk to the 30 per cent of people who are no longer on parenting payments, either they have moved across to another form of payment that has a higher activity requirement or they are in the workforce. Suddenly there are households in this country where at least one adult is engaged in the work system—at least one adult who gets out of bed, has a shower, has some breakfast, makes sure the kids are fed and says, 'You know what: I've got to take you to school because I have to go to work.' I am not going to apply any value judgments around the image I have just created, but the evidence speaks for itself. Everything from the Whitehall studies in the UK through to all of the work in the world indicates, through any meta-analysis, that connection to work and connection to capability—Amartya Sen's description of these very issues—means that health improves, welfare reliance reduces and abuse of children falls. Everything is centred around capability. Only with capability can come opportunity.

I do not mean to sound like Noel Pearson but, the moment we pay flat rates of welfare and we have so many people receiving it that we are unable to individually case-manage, we will find a system that is too large and actually controls us. We must take back control and make our welfare system something that is truly tailored to those who need it most. They are cheap words, but in this legislation they are fairly simple, modest changes. They are not changes that leave people destitute; they are changes that leave people with choices. All a Western economy can aspire to is to provide people with reasonable choices, let the state run the economy so that jobs are available, have money to move people if work is in other parts of the country and, finally, have a system whereby we constantly review people...
who need it, and for those who are seriously and permanently disabled we stop molesting them and asking them to chase work. That is not appropriate either for someone who is seriously disabled for the long term.

In this debate around the national disability scheme, I hope we can weave in the elements of Welfare to Work, identify people who have a bad back at the age of 50 and have a meaningful conversation with them about what they can do for the next 15 years. At the moment that is not happening sufficiently. Too often we rely on the medical certificates of selected numbers of providers who write certificates for the disability support pension; other doctors do not do them at all. We need a more standardised arrangement so that there is some form of national consistency.

I think that all of the elements are here, including modifications to termination payments to be fairer and more clear about how we identify end-of-work payments, as far as Centrelink goes. The effort is here now to allow people to earn more money before they have this minimum waiting period for Centrelink access to be available. It is more generous. It allows more people to work and be comfortable that, by working, they do not undermine their payments. Lastly, and most importantly, we need to be able to look in the eyes of primary care givers in this country, male and female, and say to them, 'You know what? This concept that you do one or the other has come to an end.' We have reached a time when, in a nation so reliant on using every part of its very small labour force, we must reach out and have every one of them engaged in the workforce. This bill goes a small but important way towards achieving that.

Mr PERRETT (Moreton) (11:15): I rise to speak to the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012. This bill demonstrates the Gillard Labor government's commitment to deliver for working families, particularly for those parents looking to re-enter the workforce or, as previous speakers have said, for those parents this nation needs to re-enter the workforce. This bill includes amendments that will give effect to the following measures as announced in the 2012-13 budget: parenting payment reforms, liquid assets waiting period amendments and income maintenance period amendments. Today I will focus on the first two reforms.

The parenting payment reform brings forward the gradual alignment of parenting payment rules that was announced as part of the Building Australia's Future Workforce package in the 2011-12 budget, which reduced the maximum age for a youngest child to 12 years from 1 January 2013. Through this amendment to the bill, from 1 January 2013, grandfathered parenting payment recipients will be treated for income support the same as non-grandfathered recipients. This will further align all types of parents and is a fairer treatment of all parents, who will all now be eligible for parenting payment until their youngest child is six years for partnered parents or eight years for single parents—instead of the current 16 years.

The amendments will remove the grandfathering provisions that apply to parenting payment recipients who have been receiving payment since before July 2006. Currently, these recipients are able to receive payment until their youngest child turns 16; while parents who claimed parenting payment after 1 July 2006 are only eligible until their youngest child turns six if partnered or eight if single. The more generous income test provisions for single principal carers on Newstart allowance will apply to eligible single parents affected by the earlier cessation of grandfathering.
change was introduced as part of the Building Australia's Future Workforce measures and will remain, giving greater incentives to parents to find work and be rewarded for their efforts. We have heard from all the previous speakers to this debate on both sides of the chamber about the benefits, the dignity and the change that come with employment.

The changes to parenting payment grandfathering will ultimately reduce the average duration on income support by providing greater incentives for these parents with school aged children, primarily single mothers, to engage in the workforce. This will provide good working family role models for children, which is important as having a working parent can contribute to developing positive attitudes and behaviours, not to mention the economic benefits for the nation. The changes will encourage parents to get back into the workforce, providing longer term benefits for families, children and, obviously, our economy overall.

Regarding the liquid assets waiting period amendments, from time to time some Australians find themselves in a position where they have to rely on government income support. We are fortunate that we are a nation that can afford to do this. Unfortunately, there are many parts of the world where this is not the case, where poverty is endemic. The Gillard Labor government believes these people deserve to be supported, if they need government support, while getting back to work or studying. These amendments would allow newly unemployed Australians and new students to hold onto more of their savings and better adjust their household budgets to reflect their new circumstances. A liquid asset waiting period is from one to 13 weeks, depending on the amount of liquid assets a person has. The amount of money above the relevant threshold determines the waiting period, up to the maximum 13 weeks. A previous temporary doubling of the liquid assets waiting period threshold, which was included as an element of the April 2009 Jobs and Training Compact response to the global recession, ceased on 31 March 2011. The government is now in a position where it can afford to reinstate these thresholds permanently.

The new LAWP maximum reserve amounts, doubled from the current levels, represent an appropriate balance between requiring people to rely on their own resources before seeking income support and, on the other hand, providing fair and reasonable access to support, without overly reducing a person's modest savings while they look for work. The changes will allow many people to access income support more quickly and reduce the extent to which they must expend or draw down their liquid assets, such as savings, before getting income support. The LAWP may be waived in full or in part where a person is in severe financial hardship.

Unemployment is not something that Australia's workers plan for, but, unfortunately, it does occur. Reducing a student or unemployed person's modest savings before they can access income support means it is harder for them to restructure their budget and handle the bills they have already accrued. This added security will also allow them to focus on the most important issue, which, obviously, is finding new employment. The government expects that around 21,000 people, 14,000 singles and 7,000 partnered people or people with dependent children, each year will begin receiving income support up to five weeks earlier as a result of this measure. These new thresholds will commence on 1 July 2013.
This bill is about delivering on key Labor fundamentals by helping those people who need income support the most—those looking for work or those raising a young family. When I talk to people in my electorate, I hear about the mining boom. Some people are taking advantage of that. I have had builders say that the only renovations they are doing at the moment are for properties of people who are connected with the mining industry. The other thing to consider is people who are not able to tap into this boom. The reality is that we have a patchwork economy. As an MP from Queensland and being married to a North Queenslander, I know that in Cairns and Port Douglas unemployment is peaking at around 14 per cent. Occupancy in places like Port Douglas is down to rates that are almost unsustainable. That proud tourism industry definitely needs a helping hand, especially when the exchange rate is as high as it currently is. The legislation before the House goes some way towards helping people get back into employment. I am proud to be on this side of the House supporting this bill. I commend it to the House.

Mr McCormack (Riverina) (11:22): I rise to speak on the Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 which seeks to amend the Social Security Act to remove the grandfathering provisions for parenting payment receipts from 1 January 2013. It will see parents in receipt of parenting payment partnered-support transition to an income support payment such as Newstart when their youngest child turns six, and those single parents on parenting payment transition when their youngest child turns eight. In addition to removing the grandfathering provisions, this bill seeks to double the permissible liquid assets, raising the maximum limit from $2,500 to $5,000 for singles, and from $5,000 to $10,000 for those with dependants. The bill also seeks to define which payments should be categorised as termination payments to ensure consistency across the board when considering the income maintenance period, and this will bring the definition of 'termination payments' in line with the policy intent of the Guide to Social Security Law.

It is very important that these grandfathering provisions for parenting payment receipts from New Year's Day next year are removed. Expected savings from this bill are $691.9 million over four years and, whilst the coalition's Welfare to Work sought to assist Australians off welfare and into work, this bill's aim is to make these savings, and in this particular parliament in this particular economic climate a saving of close to $700 million over four years will, I am sure, be welcomed by the Treasury coffers which are getting emptier by the day.

This bill builds on the reforms brought in by the Howard government in 2006 when $3.6 billion was invested to help people transition from welfare to work. That is so important. The word 'transition' is bandied around so often in this parliament, and certainly in this case transitioning from welfare to work is vital because there are too many people getting a social security payment in this country and we need more people working particularly as we are an ageing population. The more people working and in meaningful employment, who are paying tax to help pay for aged care the better. People in their twilight years ought not be expected to keep putting their hands in their pockets to pay for the higher and higher costs of living. It is so important that people who are able-bodied and willing to work—and even in some cases, who are unwilling to do so—be afforded the opportunity to work. The work does not necessarily have to be in a mine, but work which is going to help the Treasury pay for
all the things that are going to be such an impost on the governments into the future, and certainly aged care is going to be one of those. Mental health care, particularly in regional areas, is also something which is going to be an even greater burden on government coffers and Commonwealth expenses in years to come.

From 1 July 2006, new applicants were eligible for parenting payment when their youngest child was younger than eight and they moved to Newstart or another payment when their youngest child turned eight years of age. Under this legislation, recipients of the parenting payment could be grandfathered on this payment until their youngest child turned 16 years of age providing that child was in their care before 2011. I know how often the minister for families talks about the cost of raising children, and the Prime Minister too as well as the opposition leader talk a lot in this place about the costs of raising children. It is a very great cost. I know: I have three children of my own, two of whom are still teenagers and both attend high school. The costs of getting those children to school, getting them uniforms and paying for excursions, is a great cost.

Single principal carer parents in receipt of Newstart allowance were also given access to the pensioner concession card, the pharmaceutical allowance and the telephone allowance, and for pensioners that is very important. My mother and mother-in-law are both pensioners and I know how much they rely on any assistance that they can possibly get to help them meet their daily cost of living.

This bill will bring the definition of 'termination payments' in line with the policy intent of the Guide to Social Security Law. However, whilst the coalition's Welfare to Work reforms were aimed at assisting Australians off welfare and into work—something that, as I said, was vital—the main aim of this bill is to realise much-needed savings for the government, and certainly this government can do with all the savings it can get. Expected savings from this bill, as I said, are going to be almost $700 million over four years.

A new employment participation service was offered to parents with school-age children, ensuring they had the skills they needed to gain a job. We know how important it is to get schoolchildren skilled up and ready to go into employment, certainly in this day and age when vocational trades are so important. We went through a period when it seemed that every school leaver was urged and encouraged to seek a university place. But we all know that university is not for everybody. We all know that some adolescents are not equipped with the academic qualifications or, in some cases, the desire to go to years 11 and 12 to complete their higher school certificate. They want a vocation—plumbing, electricity, all those sorts of occupations. For a period, children were more or less going to university because they felt that was the right thing to do and that was being encouraged. But these vocational trades are so important and things have changed. I am pleased to say that throughout the Riverina, and other places in Australia, young people are now encouraged to seek those vocations because we all know that we need the trades. We need plumbers and electricians to fix things when they go wrong.

As part of the coalition's policy, parents could refuse a job if they were not more than $50 a fortnight better off once the costs of employment were factored in, such as child care or if they had to travel for more than 60 minutes each way to work. I know how important child care is to the shadow minister at the table, the member for Farrer,
who has campaigned tirelessly on behalf of people in her electorate. I know she is coming into the Riverina electorate during the winter recess to talk to people about how important child care and tertiary education are to regional students. They are so often disadvantaged when it comes to child care and gaining independent youth allowance and those other things which enable them to get a university degree and to get a vocational trade. It often seems that regional students are unfairly disadvantaged and not just because of the tyranny of distance that they have to put up with but also in many ways through bad policy. Governments need to recognise the value of regional areas and the value of regional students. I am constantly amazed by the great work that university students from my electorate and other regions do in all sorts of areas, whether that be achieving wonderful inventions, access to better jobs that are making a difference to this nation and making this nation a better place in which to live for all of us.

Research undertaken by DEEWR from the Welfare to Work reforms shows that there was a 23 per cent increase in the number of single principal carers leaving income support after six months in comparison to the previous years with 38 per cent moving off payment during 2006-07. The report also showed that more than 70 per cent of principal carers left income support for employment. Similarly, for partnered carers on Newstart allowance, 45 per cent were no longer in receipt of income support payments after six months compared to 32 per cent in 2005-06. At the time of the Welfare to Work reforms, the Howard government introduced a range of complementary services to assist parents in their transition into employment once their youngest child had reached the school age.

There are concerns with this bill. Unlike the Welfare to Work agenda the coalition introduced in 2006, there is no additional funding to support parents into work. Another concern is that, if this Labor government was truly committed to assisting parents back into work, it would provide extra assistance. This government has slashed $162.2 million from Job Services Australia assistance for jobseekers. We so often hear the Treasurer talk about the great employment figures of around 5.4 to 5.5 per cent unemployment. Compared to other countries that seems pretty good, but those figures mask the real unemployment figures. There are many people who are underemployed in this country. There are also those who are not covered by those statistics. If the true measure of our real unemployment figures were made public, I think that figure would be far higher and certainly to a level which I do not think the Treasurer, who so often espouses these figures, would be willing to come into this place and take too much credit for.

This Labor government has also cut a further $44.3 million from outcome payments for Job Services Australia providers. Those providers do a wonderful job. So to have that amount of money taken away from their programs and provisions is considered by many to be penny-pinching and a hard cut. Parents who are working could be worse off financially as their participation requirements may force them into accepting a job where they are worse off financially. We do not want that. People, particularly with the carbon tax coming in on Sunday, do not need to be worse off in their employment. In fact, the household assistance package will not go far enough to cover the sorts of cost-of-living increases that they are going to have. These people do not need to be any worse off. The Treasurer has described the past two budgets he has
brought down as being truly Labor budgets. Labor often says it is the government and the party for the underprivileged and that it certainly has a social conscience. But as we have seen so often, particularly yesterday, that does come into question.

This is in contrast to the Howard government reforms where parents were promised that they could refuse a suitable job offer if they were not better off by $25 a week. That $25 a week back when the Howard government was in government between 1996 and 2007 was a lot greater in real terms than $25 a week is going to be into the future and from Sunday when the economy wide world's greatest carbon tax comes into effect. The environment for jobseekers when a coalition government introduced this legislation was vastly different from that under the Labor government today. Instead of strong surpluses and low unemployment, we are now experiencing massive deficit and debt, the interest rate of which is going to take a lot of servicing with rising unemployment and a business sector reluctant to hire. I know from when I speak to small businesses in the Riverina how reluctant they are in the current economic climate, and certainly in the current political climate, to hire more people to help them to grow their businesses. There is not much incentive to grow business in the political climate that we are currently in. This will make the unsupported transition from welfare to work that much harder for job seekers. Thank you, Mr Deputy Speaker, for allowing me to speak on this bill.

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (11:37): This measure was announced as part of the 2012-13 budget. Our government is building on the initial reforms passed by this parliament on 9 May 2012 to make the system fairer for all recipients of the parenting payment. The Social Security Legislation Amendment (Fair Incentives to Work) Bill 2012 will amend the Social Security Act 1991 to give effect to these reforms and recognise that nearly two-thirds of parents are already subject to the requirements that are being introduced for the remainder. Equity and consistency of treatment are part of this legislation.

To make eligibility more consistent for all parents, regardless of when they first claimed the parenting payment, the government is removing the grandfathering arrangements for parenting payment recipients introduced as part of the Welfare to Work reforms in 2006. The government recognises that parents may have spent considerable time outside the workforce and is ensuring that affected recipients will have access to a range of additional assistance to ensure they have the support they need to build their skills, re-engage in the workforce and provide their families with greater financial security and a positive future.

As announced under the Building Australia's Future Workforce package in 2011, the government has provided $80 million for the national partnership on training places for single and teenage parents. It is now providing additional funding in the 2012-13 budget for professional career advisory services for single parents already established through employment service providers. The government also recognises the increased demand for the Jobs, Education and Training Child Care Fee Assistance Program as a result of more parents working. Additional funding to this program will assist parents on eligible income support payments, predominantly sole parents, to undertake work, study or job search activities without the cost of child care being a barrier. To enable those single principal carer parents
who may qualify for Newstart allowance to see greater benefits from their participation and earn up to $400 more per fortnight before losing their eligibility for payment, the government has already introduced a more generous income test commencing on 1 January 2013.

The government believes that, together, these changes provide parents with the right balance of support and incentives to make the most of employment opportunities available, to find meaningful work and to provide themselves and their families with a better future. Under this government there have been better participation outcomes for individuals who have not been grandfathered under the Howard government's parenting payment single policy of 2006. In practical terms the evidence has shown us that, while grandfathered parenting payment recipients do better than most job seekers, principal carer parents on Newstart do even better. Government research shows that 65 per cent of principal carer parents on Newstart allowance are able to find paid employment, compared to 55 per cent of all job seekers. If we look 13 weeks later, these parents on Newstart are nearly 10 per cent more likely still to be in work—and after 26 weeks they are still more likely to be in paid work—than all job seekers.

The amendments align participation requirements for all parenting payment recipients. These requirements will start when their youngest child turns six, noting that parents will continue to have access to more flexible arrangements and exemptions to balance part-time work, study or training, or caring for a child with a disability. Let me be clear: the exemptions that apply to parenting payment will continue to apply to Newstart.

Unemployment is not something that Australians plan for, and reducing a person's modest savings before they can access income support often means it is hard for them to restructure their budget and the bills they have already accrued when unemployment strikes. This bill amends the liquid assets waiting period to allow newly unemployed Australians and new students to hold on to more of their savings and better adjust to their new circumstances. The eminently sensible change will provide unemployed Australians with modest savings access to income support up to five weeks earlier than under the current arrangements. The liquid assets waiting period thresholds were previously doubled in response to the global recession. The government is now in a position where it can afford to reinstate these thresholds permanently. The bill also introduces a technical amendment to the definition of termination payment for the purposes of the income maintenance period. This will clarify that any payments made to an employee in respect of the termination of their employment are included in determining the income maintenance period.

The changes in this bill form an important part of the income support reforms announced in the most recent budget. These reforms will result in fairer and more consistent treatment of income support recipients. The government understands that Australian families who rely on income support do it tough. We know the reality that many Australians do struggle to make ends meet. We understand that parents do sit around the kitchen table at night wondering how they are going to pay the next utilities bill or the next necessary school item for their children. We are acutely aware that cost-of-living pressures do impact upon income support recipients most significantly. While our income support system is targeted on the basis of need, paid at a basic level and affordable in the current economic climate, we understand that being on Newstart is no
easy ride. That is why the Gillard government announced in the 2012-13 budget that it will also provide more than $1.1 billion over the next four years to help people who receive income support payments to manage unexpected cost-of-living pressures. The allowance will be paid in two instalments, in March and September each year, and linked to the consumer price index to keep up with inflation.

I know that there are strongly and sincerely held views by many, particularly in the community sector, about the measures contained in this bill. I believe that, at the core, the concerns are not about the inconsistent treatment of one sole parent compared to another but, rather, the adequacy of the Newstart rate of payment absolutely. I note that the Senate has initiated an inquiry into the adequacy of Newstart and the impacts of the changing nature of the labour market. This inquiry and the inevitable and appropriate public debate that follows will no doubt help the government to continue to implement sensible incentives that better enable individuals to reap the rewards of work. This principle remains at the core of our philosophy and will continue to guide our policy platform through time. I thank the members for their contributions to this debate. I commend the bill to the House.

Question agreed to.

Bill read a second time.

Message from the Governor-General recommending appropriation announced.

Consideration in Detail

Bill—by leave—taken as a whole.

Mr BANDT (Melbourne) (11:44): by leave—I move amendments (1) and (2) together:

(1) Clause 2, page 2 (table item 2), omit the table item.

(2) Schedule 1, page 3 (lines 1 to 22), omit the Schedule.

This amendment will remove schedule 1 from the bill. Schedule 1 is a schedule that the Greens vigorously oppose. If enacted, schedule 1 will see 100,000 sole-parent families lose up to $60 a week when their youngest child turns eight. Instead of $324 under parenting payment single, these parents will be put on the lower paying Newstart allowance of $265 per week—$38 a day for a parent and their child to live on. This is not the kind of country that I want to live in. Any payment reduction will only push these people deeper into poverty. It will not help them secure a paid job.

The evidence is crystal clear, and story after story is told by single parents and their representatives and by welfare groups, that putting people further into poverty in fact becomes a barrier to work. They spend more time just trying to survive. There is less income available to get ready for a job interview, whether for buying new clothes or getting assistance preparing for the job itself. There is less income for the kind of training or activities that would be needed to enhance their work prospects. And, of course, the proposed cuts in schedule 1 will disproportionately impact on women, who make up the majority of single parent payment recipients.

As Minister Shorten has noted in his summing up speech, there is a growing chorus of people from across the political spectrum making the point that Newstart is simply too low. The Greens have succeeded in establishing an inquiry, and that is long overdue. That will, of course, as has been indicated, shine a light on the extraordinarily difficult situation that people on Newstart find themselves in, but we know already that it is too low. We cannot simply say that the inquiry may, at the end, come up with some recommendations. We know that it is too
low now, and this is the rate that we will be pushing these single parents onto.

I commend the Australian Council of Social Service and the wide range of groups that have campaigned against these measures, and I am pleased that the Human Rights Committee has held a hearing into whether schedule 1 breaches Australia's human rights obligations, given the serious concerns expressed by ACOSS and a wide range of groups. However, I am disappointed that the committee needed to hold such a hearing at all.

Single parents, through this bill, are being asked to bear an unfair burden in the push to return to a surplus according to an arbitrary time line. We know that there are many other places that the government could look to find savings to meet a surplus. We live in a country where, if one of these single parents goes to the petrol station to fill up their car to get to a job interview, they are paying 38c a litre in tax. If a wealthy mining company goes to get some fuel, they pay zero because they get a rebate. We are giving somewhere between $9 billion and $15 billion a year in the form of subsidies or handouts to extraordinarily wealthy companies who are doing very well by themselves. For the sake of a few hundred million dollars, we could shave it off them and ask them to take a haircut. Instead, we are asking some of the most vulnerable people in the community to bear a burden that they cannot expect, pushing them down to $38 a day to care for themselves and their child when often they are finding themselves as single parents because they have experienced difficult circumstances in their lives already.

I am pleased that, following the introduction of this bill, there have been a number of people in this place who have raised concerns about it. That shows that they are in touch with the realities that single parents face, and they understand that, as a question of priorities, there are other places that we could find this money from.

I hope that, when these amendments are voted on, all of those who have spoken out in the media and elsewhere will come and sit with us to remove this schedule from the bill.

Mrs MOYLAN (Pearce) (11:50): I have already spoken on this so I will not delay the House any longer than I need to, but I do need to say that I support the amendments that have been moved by the member for Melbourne and thank him for his work in bringing those amendments to this bill.

I have listened to some of the contributions this morning, and I know there is considerable sympathy and concern for parents being moved from a parenting support payment to Newstart allowance. We all know that Newstart allowance is inadequate. There is a strong call out in the community for an increase in Newstart allowance but, even so, to move sole parents onto Newstart allowance— with a minimum loss, I think, of $60 a week—is a tragedy.

I have listened to the contributions of many of my colleagues, and I agree entirely with them that one of the big issues for our country to face up to is the need to lift our productivity, and that means getting every man and woman into the workforce where that is possible. What upsets me about the bill that the government has brought here is that there is nothing in it that acts as an incentive to single parents to actually get into the workforce. In fact, there are disincentives in the way that they are taxed on the small
amount of money they may earn to supplement their pension and to perhaps eventually move off the pension. There is also a disincentive because the government is removing $50 million a year from the job agency services which might help these people to actually access work.

In addition, there is the loss of the education supplement that was originally negotiated with the Howard government to help these people to retrain, to train or to get better education. It is very difficult for people to get work if they have no education. As I said in my speech earlier, about 57 per cent of women—mothers in particular—who are receiving the sole-parent payment have very little education. It will be extremely difficult for them to find work. So it is not right that we should move this group onto the Newstart allowance where it may be not just weeks or months but sometimes years before they are prepared to access the workforce.

I strongly recommend the amendments brought by the member for Melbourne to this bill. I hope that those who have raised concerns today will support the legislation because, in the end, this is about the proper care of our nation's children. It is about not consigning them. This group already lives below the poverty line. Unless this bill is amended, we will drive these groups of people further into poverty—further into the homeless ranks. Currently, there are 12½ thousand families in Australia who are homeless, accounting for 12 per cent of homeless people. Those 12½ thousand families include children. All this bill will do, unless it is amended, is drive more families into homelessness. It is very difficult for them to afford to pay the skyrocketing rents that we are seeing in every capital city in this country, let alone the other cost pressures that we are witnessing today. I commend to the House the amendments brought by the member for Melbourne.

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (11:54): I am speaking against the amendments, but not because I think some of the points made by the member for Melbourne or the member for Pearce are not sincerely held or indeed that some of their concerns have no validity. This measure has been around since 2006. Also, in the 2011-12 budget the government grandfathered children to age 12. The real debate here is not about encouraging sole parents or people on parenting payments to try to find work but about the adequacy of Newstart. I refer those proposing the amendments to what I said and what has happened in the Senate on those questions.

But I also want to speak briefly on the amendments. I do not accept the proposition advanced by the member for Pearce that the government are doing nothing to provide incentives for people to get to work. I do not accept that because, in fact, in our carbon package we are raising the tax-free threshold to $18,200. The government have spent extra money—and it is a matter of record, not a matter of conjecture—on skills and training.

More can be done. That is why we are working on, amongst other measures, a National Disability Insurance Scheme, to help people who need support to have, for whatever reasons, incentives to go to work. I recognise the concerns about this proposition that we are advancing today. I think, on balance, that the propositions that we are advancing are correct, but I also recognise the government has been acting to assist...
people to find work and we will continue to do so. We continue to welcome the contributions of those making the amendments in this case.

Ms LEY (Farrer) (11:56): In speaking briefly to the amendments moved by the member for Melbourne and seconded by the member for Pearce, I acknowledge my colleague and friend the member for Pearce. I commend her on speaking her mind and her heart on this issue. I also recognise her care and compassion. But can I say that that care and compassion is no less present in other members of the coalition who will support the government's bill. In many respects we do so with a heavy heart. We accept that this is a group of parents who are being dumped onto an unfriendly job market with insufficient support from a government that does not appear to care about their future. However, we must also recognise that this bill effectively ungrandfathers a group of parents who have a different set of arrangements applying to them from those applying to an existing group of parents who might have gone on parenting payment after 1 July 2006. One reason for supporting the bill is to recognise the principle of equity between these groups. Another reason, as I said in my remarks in the second reading stage, is the coalition's strong commitment to mutual obligation and Welfare to Work. We definitely recognise that these are tough times for anyone seeking a job in today's environment. I remind the House of the genuine and substantial supports that the coalition put in place around the original group of parents who were removed to an income support payment via the Welfare to Work measures. In conclusion, we do not support the amendments moved by the member for Melbourne, but we do recognise the proud liberal tradition of members of our party speaking their minds and acting accordingly.

The DEPUTY SPEAKER (Mr Irons): The question is that the amendments be agreed to.

A division having been called and the bells having been rung—

The DEPUTY SPEAKER: As there are fewer than five members on the side for the ayes, I declare the question resolved in the negative in accordance with standing order 127. The names of those members who are in the minority will be recorded in the Votes and Proceedings.

Question negatived, Mr Bandt, Mrs Moylan and Mr Wilkie voting aye.

The DEPUTY SPEAKER: The question now is that the bill be agreed to.

A division having been called and the bells having been rung—

The DEPUTY SPEAKER: As there are fewer than five members on the side for the noes, I declare the question resolved in the affirmative in accordance with standing order 127. The names of those members who are in the minority will be recorded in the Votes and Proceedings.

Question agreed to, Mr Bandt and Mr Wilkie voting no. Bill agreed to.

Third Reading

Mr SHORTEN (Maribyrnong—Minister for Financial Services and Superannuation and Minister for Employment and Workplace Relations) (12:07): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Tax Laws Amendment (2012 Measures No. 4) Bill 2012

First Reading

Bill and explanatory memorandum presented by Mr Bradbury.
Bill read a first time.

Second Reading

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (12:09): I move:

That this bill be now read a second time.

This bill amends various taxation laws to implement a range of improvements to Australia's tax laws.

Schedule 1 amends the tax laws to better target the tax concession for living-away-from-home allowances and benefits.

These reforms will better target the tax concession at people who are legitimately maintaining a home away from their actual home in Australia for an initial period.

The amendments implement the reforms that were announced as part of last year's Mid-Year Economic and Fiscal Outlook, and also the reforms in this year's budget.

Use of the tax concession for living-away-from-home allowances has dramatically increased over the past decade.

One of the issues raised at last year's successful Tax Forum was the increasing exploitation and misuse of this tax concession.

The current tax rules have a number of deficiencies.

Firstly, people are able to access the tax concession even if they are not maintaining another home in Australia. This means that people who have sold their old home, or are renting it out, can still access the tax concession.

Secondly, people are able to receive the tax concession in relation to cash payments in excess of the actual amount they spend on accommodation and food.

And thirdly, people are able to access what was meant to be a temporary tax concession for long periods—often three or four years or more.

In November last year, the government announced two reforms to the tax concession as part of the Mid-Year Economic and Fiscal Outlook.

Temporary residents will need to be maintaining a home for their own use in Australia that they are living away from for work to be able to access the tax concession.

And all individuals will need to substantiate their actual expenditure on accommodation and food.

We announced that these reforms would apply from 1 July this year.

We announced two new reforms to the tax concession in this year's budget.

Permanent residents will need to be maintaining a home for their own use in Australia that they are living away from for work to be able to access the tax concession.

And there will be a 12-month time limit on how long all people (other than fly-in fly-out workers) can access the tax concession.

We announced that the reforms in the budget would apply from 1 July this year for arrangements entered into after budget night, and from 1 July 2014 for arrangements entered into prior to that time.

The government held two extensive consultation processes in relation to these reforms.

In response to the submissions received, the government has taken the decision to defer the start date of the reforms from 1 July 2012 to 1 October 2012.

This deferral will give employers and employees more time to prepare for the new arrangements.

Some technical changes have also been made to the amendments in response to feedback on the exposure draft legislation.
The schedule moves the majority of a living-away-from-home allowance to the income tax system, so it is included in the assessable income of the employee.

Employees who satisfy the new requirements will be able to claim an income tax deduction for their accommodation and food expenses, so they pay no tax on the allowance.

The component of a living-away-from-home allowance that represents the 'ordinary weekly food and drink expenses' of an employee will remain in the fringe benefits tax system, in a similar way to the current treatment.

Employers who provide direct living-away-from-home benefits to their employees will be able to apply the otherwise deductible rule to reduce the taxable value of the benefits.

This will ensure the fringe benefits tax treatment mirrors the income tax treatment.

The reforms we are making to this taxpayer funded tax break will provide savings of $1.9 billion over the forward estimates.

These reforms will not affect the tax concession for fly-in fly-out arrangements, as these employees will not be subject to the 12-month time limit.

The reforms will not affect the tax concessions provided for 'remote area fringe benefits'.

And they will not affect the tax treatment of travel and meal allowances.

Schedule 2 amends the GST law to ensure that, in circumstances where a representative of an incapacitated entity is a creditor of that entity, the correct provision of the GST act applies.

This will ensure certainty for entities involved in the mortgage lending sector, as well as reduced compliance costs for these entities.

The amendments restore the intended operation of the GST law following previous amendments to the GST act. As a result of the previous amendments, there are circumstances where two conflicting provisions of the GST act can apply to a mortgagee or other holder of a security interest in possession or control of a corporation's property.

These amendments will apply from the first quarterly tax period after royal assent. Schedule 3 amends schedule 3 to the Tax Laws Amendment (2012 Measures No. 2) Act 2012 so that no interest or penalties are payable if an overpayment of income tax arises, or if additional tax becomes payable, under the recent amendments to the consolidation regime for consolidation events before 30 March 2011.

This will ensure that taxpayers who get deductions as a result of those changes to the consolidation regime do not receive interest in respect of tax they had previously overpaid. However, where interest has already been received by a taxpayer, the taxpayer will not need to pay back the amount received in most cases.

In addition, taxpayers will not have to pay interest and penalties if additional tax becomes payable because a deduction is disallowed as a result of the recent amendments.

These changes were announced as an important part of the recent amendments to the consolidation regime.

Full details of the measures in this bill are contained in the explanatory memorandum.

Debate adjourned.
Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012

Report from Federation Chamber

Bill returned from Federation Chamber without amendment; certified copy of bill presented.

Ordered that this bill be considered immediately.

Bill agreed to.

Third Reading

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (12:16): by leave—I move:

That this bill be now read a third time.

Question agreed to.

Bill read a third time.

Appropriation Bill (No. 5) 2011-2012

Appropriation Bill (No. 6) 2011-2012

Corporations Amendment (Future of Financial Advice) Bill 2012

Corporations Amendment (Further Future of Financial Advice Measures) Bill 2012

Skills Australia Amendment (Australian Workforce and Productivity Agency) Bill 2012

National Water Commission Amendment Bill 2012

Corporations Legislation Amendment (Audit Enhancement) Bill 2012

Corporations Amendment (Proxy Voting) Bill 2012

Telecommunications Interception and Other Legislation Amendment (State Bodies) Bill 2012

Assent

Messages from the Governor-General reported informing the House of assent to the bills.

COMMITTEES

Membership

The DEPUTY SPEAKER (Mr Lyons) (12:17): I have received two messages from the Senate informing the House of the appointment of senators to certain joint committees. As the list of appointments is a lengthy one, I do not propose to read the list to the House. Details will be recorded in the Votes and Proceedings.

BUSINESS

Rearrangement

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (12:18): I move:

That notice No. 1, government business, be postponed until a later hour this day.

Question agreed to.

BILLS

Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012

Courts Legislation Amendment (Judicial Complaints) Bill 2012

Second Reading

Cognate debate.

Debate resumed on the motion:

That this bill be now read a second time.

Mr KEENAN (Stirling) (12:19): This is a suite of bills to provide a formal basis for the discipline and constitutional removal of judicial officers. At present the only formal legislation dealing with judicial complaints is found in section 72 of the Constitution, which provides for removal by the Governor-General in Council ‘on an address from both Houses of Parliament … praying for such removal on the grounds of proved
misbehaviour or incapacity'. It has been invoked only once, in the famous case of Lionel Murphy, who died before the process could be concluded. There have been only two comparable proceedings concerning superior court judges in the states since Federation: in Queensland in 1989 and in New South Wales in 1997.

These two bills are being dealt with concurrently but I will deal with the Courts Legislation Amendment (Judicial Complaints) Bill first. This bill was developed in consultation with the chief justices of the Federal Court and the Family Court and the Chief Federal Magistrate. At present, informal processes exist in each of the courts for handling complaints about judicial officers, exercised by the chief justices and the Chief Federal Magistrate. However, with the increasing size of the courts—80 judges and 62 magistrates—there is a perceived need to have in place a statutory structure for dealing with complaints to ensure that participants in the process are immune from suit.

The bill also proposes the documents arising in the consideration and handling of a complaint against a judicial officer should be exempt from the operation of the Freedom of Information Act 1982. The complaints to be dealt with under the amendments proposed by the bill, in addition to 'proved misbehaviour and incapacity', in the words of section 72 of the Constitution, concern those about the performance by a judge in his or her judicial or official duties. They do not concern complaints about matters in cases that are capable of being raised in an appeal.

The framework itself for the handling of complaints is nonstatutory to provide for the appropriate level of flexibility. Less serious matters may be dealt with by discussion, whilst more serious matters may call for the establishment of a conduct committee which may comprise non-judicial members and possible reference to the Attorney-General. Very serious matters would be referred directly to the Attorney-General for consideration under section 72 of the Constitution and the procedure proposed to be established under the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012. On matters not warranting removal procedures, the chief judge may take any measures reasonably necessary, including temporarily restricting a judge to non-sitting duties.

I now turn to the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012, which is the bill we are debating concurrently here today. As members might recall, this bill was initially introduced as a private member's bill by a previous member of the parliament, Duncan Kerr—although, I understand, he had been working on the bill for some years in cooperation with the coalition. The bill provides a standard mechanism to assist parliament in its consideration of the removal of a judge or magistrate from office under the Constitution. The bill proposes the establishment, by a resolution of each house of parliament, of a parliamentary commission to investigate specified allegations of misbehaviour or incapacity of a specified Commonwealth judicial officer.

The commission would consist of three members appointed on the nomination of the Prime Minister after consultation with the Leader of the Opposition. At least one member of the commission must be a former Commonwealth judicial officer or a judge or former judge of the supreme court of a state or territory. Notably, serving Commonwealth judicial officers are not eligible for appointment. The commission may engage counsel, staff and consultants.
The role of the commission would be to inquire into allegations and to gather information and evidence to present to the parliament. It would conduct its investigations in an inquisitorial rather than adversarial manner. It would also have the power to require witnesses to appear at a hearing, to take evidence on oath, to conduct hearings in private; to require production of documents or other things and to issue search warrants. It would then provide a report to parliament through each of the parliamentary Presiding Officers. The bill does not provide for a standard of proof which the commission would consider necessary to be met before it reported to parliament. Section 72 of the Constitution leaves to parliament to determine what it considers to be proved misbehaviour or incapacity.

In order to preserve judicial independence, serving and former Commonwealth judicial officers would be exempted from the application of the commission’s coercive powers. The Commonwealth would be liable for the reasonable costs of legal representation of the judicial officer under investigation. The Parliamentary Library’s Bills Digests makes a very pertinent point about the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill, and I think it is worth quoting here in full. It says:

The provisions of the current Judicial Complaints Bill do not create problems or intrude into doubtful areas where problems of judicial independence may arise, as the heads of jurisdiction are responsible for receiving complaints and dealing with them. For example, the Chief Justice of the Federal Court is responsible for ensuring ‘the effective, orderly and expeditious discharge of the business of the Court’.

It should also be noted that generally the submissions received by the Senate Standing Committees on Legal and Constitutional Affairs supported the provisions of this bill. The Law Council of Australia on the question of the internal judicial complaints procedures notes:

The establishment of a structure and the provision of the ability to establish conduct committees seems to us to not disempower but empower the head of jurisdiction and to assist the head of jurisdiction and what they are now doing.

Of the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill, the Bills Digests noted:

Having a framework in place for the Parliament to act efficiently on the question of judicial misbehaviour or incapacity will assist in promoting a transparent and effective complaints handling mechanism. This Bill achieves this, but is limited in its scope to address more divisive questions regarding section 72 of the Constitution, namely the definition of the terms ‘misbehaviour’ and ‘proved’. This is not something the Bill has the authority to define so it is possible that, were a Judge to be subject to an allegation of misbehaviour or incapacity, similar problems will arise to those experienced during the Murphy affair. Harry Evans—

Who is a former Clerk of the Senate—wrote in 1984 that ultimately:

the fact that the Houses are politically responsible bodies which deliberate in public may be regarded as additional safeguards for the proper exercise of the power. [...] The removal of a judge under section 72 probably would be a protracted and difficult process, which would make great impositions upon the operations of the legislature and the executive government. The likely difficulty and length of any proceedings may well be regarded as the best safeguard for the proper use of the power.

I conclude by noting that the coalition does not oppose passage of these bills; however, we do reserve the right to move amendments in the Senate pending the final report of the Senate Legal and Constitutional Affairs Legislation Committee, which is due on 15 July.
Mr NEUMANN (Blair) (12:27): Our system of government is a combination of the system of the United Kingdom and the system of the United States. This extends even to the terminology of the parliament. Like the Americans, we do have not a House of Commons but a House of Representatives and not a House of Lords but a Senate. One way in which we have not followed our American friends is in the idea of the popular election of judges. In Australia governors-general are appointed by the government of the day, and eminent jurists, barristers and solicitors, and people in academia are appointed to positions of note. They usually have to have qualifications and to have been a solicitor or barrister of at least five years good standing. They often take recommendations from bar associations, law societies and other institutions, and we vet them very carefully.

This does not mean that the High Court of Australia, for instance, has not vexed governments from the time of the engineers' case through the uniform taxation legislation and the bank nationalisation cases, the Communist Party dissolution legislation case and the Franklin dam decision to the Mabo decision. So High Court decisions have sometimes encouraged governments, sometimes caused them grief and at other times resulted in further legislation having to be passed through this place or through the other chamber to make sure that the laws of this country are in line with the Constitution. I pay tribute to our founding fathers, who put section 72 in the Constitution. Section 72(ii) of the Constitution says:

The Justices of the High Court and of the other courts—

and that includes the Federal Court and the Federal Magistrates Court—created by the Parliament:

(ii) shall not be removed except by the Governor-General in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity;

It is right and proper that the executive and the legislature should be separated from the judiciary. So we need fearless, frank and honest judges in our courts, and they should be able to go about their decisions without fear or favour, without corruption and with integrity.

It is important that, despite the fact that they might cause trouble, confusion or angst for government, we respect them for their position. They are appointed under the Constitution until 70 years of age in the case of federal judicial appointments. I pay tribute to the former member for Denison, the Hon. Duncan Kerr, for his advocacy in relation to addressing a mechanism that concerns section 72 of the Constitution. There is no mechanism in place about how this happens. As the previous speaker said, in the case of New South Wales and Queensland, on a couple of occasions we have seen the removal or purported removal of jurists. In circumstances like that it is very clear that if we get it done it needs to be done correctly and in line with proper process.

The first of these two bills, the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012, deals with a standard mechanism for the Commonwealth parliament to consider the removal of a judge under section 72 of the Constitution. It is proposed under this legislation that a commission be established and that three members be appointed by the houses of parliament, one being a retired judge—and I think it is appropriate that we have someone who has had experience in the judiciary and who understands what has gone on. The members are to be nominated by the Prime Minister—which happens in many
appointments, from the appointment of the Governor-General through to judiciary appointments—in consultation with the Leader of the Opposition.

One reason I think that is important is that we do not want a strong government to overbear and we do not want there to be political interference in relation to this matter. So there needs to be a bipartisan approach on this issue. It is necessary, I think, for any commission recommendation to be supported by the opposition, whether that be Labor or Liberal. In the last 40 years we have had both sides of the political spectrum on this side of the chamber for equal time, so it is important that we do this in a cooperative manner.

As I have said before, parliament can always consider judicial behaviour. This is not simply a decision that is made because the government of the day does not like the decision made by the court—whether it is a federal court or the High Court of Australia. It needs to be for misbehaviour under the Constitution. It is very important that all political parties and people in the general community understand what is going on.

The second bill, the Courts Legislation Amendment (Judicial Complaints) Bill 2012, amends the Family Law Act 1975, the Federal Court of Australia Act 1976, the Federal Magistrates Act 1999 and the Freedom of Information Act to put in place an apparatus or framework to assist the chief justices of the Federal Court and the Family Court and the Chief Federal Magistrate to manage complaints referred to them about judicial conduct within the courts. This non-statutory framework to be put in place, as proposed by this legislation, will improve the complaints processes and the way things have been handled.

It has been my experience in more than 20 years as a lawyer that, if you were unhappy with a judge, a federal magistrate, a state magistrate or whoever, you often wrote to the Law Society, the Bar Association or took further steps. For example, if you were involved in what we used to call a custody case and it was fairly urgent, and the federal magistrate or the Family Court judge had not handed down his or her decision for quite a considerable period of time, the parties were left in limbo and you complained, often the Chief Magistrate or the Chief Justice—perhaps when they were on circuit in, say, Brisbane, or they would make a fly-in trip up there—would have a quiet word with that particular judge and have a look at what was going on in relation to that particular complaint. These things were done behind the scenes—often very successfully, I must say.

Having complained on occasion during my legal career, I have to say that we put the Chief Magistrate or indeed the Chief Justice of the Family Court in those jurisdictions in a really difficult position. The reason for that is that you cannot find a more contentious jurisdiction than the family law jurisdiction, where people's property and parenting arrangements are so contentious on occasions. It was very easy for people to complain about the way one federal magistrate or Family Court judge might have dealt with the case, but you put the judicial officer at the apex of that court in a very difficult position. So putting in place a non-statutory framework for a complaints process is a worthy thing to do. It is likely to reduce the time a chief justice or chief federal magistrate needs to take in relation to this issue and put a bit of arm's length in the process.

These bills were looked at by a number of different parliamentary committees. This legislation was looked at in 2009 by the Senate Legal and Constitutional Affairs Committee, which held an inquiry into the
Australian judicial system and the role of judges. There were about 16 recommendations made, the Australian government reported a response in 2010 and said that they would work through the Standing Committee of Attorneys-General in relation to those processes to look at some kind of national mechanism or framework for judicial complaints handling.

This matter has come before a couple of committees in this place. It came before the Senate Scrutiny of Bills Committee and also the House of Representatives Standing Committee on Social Policy and Legal Affairs, of which I am a member. We looked at these two pieces of legislation to see how they would operate. We noted a number of things. We were very concerned about any trespass on the rights and liberties of anyone about whom complaints were being made. The Senate Scrutiny of Bills Committee looked at a number of aspects of judicial complaints procedure and we talked about that in our report. The committee looked at the capacity of a judicial complaints commission to issue search warrants in relation to limited circumstances and on reasonable grounds and it looked at the commission being able to hold private meetings. It looked at the need for a person to be protected against self-incrimination and against producing documents or answering questions for fear of self-incrimination. Lastly, it looked at what sort of reasonable excuse a person should have if they do not want to appear as a witness, provide a document or thing or give evidence. These are all important things; they are not just esoteric things. If one of these things comes up it is the national headlines of the *Australian* or the *Financial Review* and it would be on every news channel. If this comes up it is really serious stuff.

Our committee conducted a public hearing on 10 May this year. I know that the Senate committee also conducted a public hearing and there is information on our committee website about it. A number of people gave evidence. The Attorney-General's Department gave evidence; we heard from the Federal Court of Australia and the Judicial Conference of Australia. A number of organisations gave evidence as did scholars from the Adelaide Law School and Civil Liberties Australia. Pretty high-profile organisations and individuals gave evidence. The committee report states at 1.33 in relation to the judicial complaints bill:

The Attorney-General's Department provides a distinction between the internal complaints process as described in the Judicial Complaints Bill and the parliamentary process of the Parliamentary Commission. They indicate that:

... provision was made for the costs of legal representation when a judicial officer is being investigated by a Parliamentary Commission in recognition that a judicial officer is subject to a parliamentary process by virtue of their constitutional standing as a Chapter III judge.

I think it is important that the person who has a complaint made against them has access to good legal representation and assistance in relation to costs. That is my personal view. But a number of people, including the Clerk of the Senate, raised issues in relation to the separation of powers. The committee concluded, and I concur with the conclusion, that the system we have had in this country has worked pretty well over a long time. That does not mean that we cannot put mechanisms in place to handle judicial complaints better and have that in place in case something comes up. Often we find that it is only when complaints are made that we realise we have not got the structures and the pathways in place. I am concerned, as the committee was, in relation to the prospect of potential political interference by a majority government that may feel they are not happy with a particular judge. But I think on balance the committee believed that the...
common sense of the Australian parliament and the reputation of the judiciary were such that these things would not happen. We note that the heads of jurisdiction are supportive of the policy and have been involved in the development of it, so the stakeholders have been consulted. The committee found, and I agree, that there are merits in these bills. I do not come to this and cast my vote without some reservations, but I think that, on balance, both bills should be supported. It is important that we do this right and properly, and if it ever comes up again we are to be criticised if we do not put in place the pathways, mechanisms and frameworks which are necessary to make sure that justice is done. The process needs to be accountable and transparent, and the people involved must have all the rights that all Australians would expect them to have.

Mrs MARKUS (Macquarie) (12:43): I rise today to speak on the Courts Legislation Amendment (Judicial Complaints) Bill 2012 and the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012. This is a suite of bills designed to introduce greater transparency and accountability in the handling of complaints about judicial officers in the federal courts. At present, the only formal legislation dealing with judicial complaints is found in section 72 of the Constitution, which provides for removal by the Governor-General in Council, on an address from both houses of parliament requesting such removal on the ground of proved misbehaviour or incapacity. As has been mentioned earlier in the debate, this has been invoked on only one occasion and it was in the case of Lionel Murphy, who passed away before the process could be concluded.

The amendments are designed to provide formal processes and procedures that currently would likely be conducted in a similar way, albeit without explicit statutory guidance. These bills will create an independent, transparent and accountable framework by enabling the establishment of parliamentary commissions to investigate allegations referred to the parliament for consideration. While instances of removal of judges from office in Australia have been extremely rare, the coalition understands that it is important that a clear framework is in place in the event that judicial misbehaviour needs to be addressed. The coalition is satisfied with this suite of bills, as it provides a standard mechanism to assist the parliament in its consideration of removal of a judge or federal magistrate from office. However, we want to wait for the final report from the Senate Legal and Constitutional Committee on 13 July and reserve our right to make any necessary amendments following that report.

I recognise that the Courts Legislation Amendment (Judicial Complaints) Bill 2012 was developed in consultation with chief justices of the Federal Court and the Family Court and with the Chief Federal Magistrate. It is understandable that with the increasing size of the courts—some 80 judges and 62 magistrates—there is a perceived need to have in place a statutory structure for dealing with complaints and to ensure that participants in the process remain immune from follow-up lawsuits. I note that these amendments, combined with the judicial complaints bill, are designed to support a largely non-legislative framework to assist the chief justices of the Federal Court and the Family Court and the Chief Federal Magistrate to manage complaints that are referred to them. It is anticipated that the vast majority of complaints would be dealt with through this internal mechanism.

I have had, however, not many but some constituents who have raised the issue with me of decisions by officers of the court where an additional process for resolving a
complaint about the behaviour of a judge or magistrate would have required the process that is being brought before the parliament today. As such, I, along with my coalition colleagues, cautiously welcome these amendments. One particular resident of the seat of Macquarie has faced ongoing challenges with a chief magistrate from the Family Court. At this point in time, as has been mentioned by members opposite, issues that need to be handled at the Family Court are indeed complex and there are relationships and complexity around those relationships that are brought to bear in any decision made by the court. This particular individual who was directly impacted upon raised concerns regarding judicial procedures and behaviours with the current and previous federal Attorney-Generals. I believe that the processes that are recommended today could potentially go some of the way to resolving the issues that were raised by the constituent. This person expressed frustration to a range of members and departments and, in her own words, continued to 'run into brick walls'. In one letter from the assistant secretary at the Federal Courts branch, she was advised of the following:

You have expressed the desirability of having a proper inquiry into the proceedings and the handling of your complaint. Judicial independence from the executive arm of government is provided under the Australian Constitution to ensure that disputes between people, and between people and governments, are resolved by judges who are impartial and not subject to improper control or pressure. Consistent with this independence, it would not be appropriate for the Attorney-General, as First Law Officer, or the Attorney-General's Department to undertake an inquiry into the way your proceedings have been handled.

While this is accurate and understandable, the procedures and the process recommended today will, hopefully, go some way to enabling the parliament to at arm's length appropriately review the behaviour of officers of the court where it is necessary to do so.

While the introduction of this bill will provide some relief for similar situations to the one I have highlighted above, I note three of the three concerns in the advisory report handed down by the House of Representatives Standing Committee on Social Policy and Legal Affairs. The first is the need to legislate. The coalition, with good reason, remains cautious of the government's instincts to overregulate, particularly with regard to industries, and of the instincts of Australian government departments to attach additional red tape where it may not be necessary. According to the advisory report handed down by the House of Representatives Standing Committee on Social Policy and Legal Affairs, the Law Council of Australia also voiced similar concerns, stating:

The Federal Courts have each established effective formal complaints handling mechanisms with usually the head of the jurisdiction being ultimately responsible for deciding the response to a complaint. The Law Council believes that these existing mechanisms of dealing with complaints have operated successfully.

While it is recognised that these amendments have been developed in consultation with the chief justices of the Federal Court and Family Court and the Chief Federal Magistrate, it would be beneficial for the Attorney-General to clarify to what extent the department considered the comments made by the Australian Law Council. These complaints echo the concerns voiced in 2001 at the Judicial Conference of Australia where Justice Drummond noted that a complaints system would be likely to encourage complaints where no judicial misconduct had occurred. The second issue to highlight with regard to these bills is that the High Court will remain exempt from the judicial
procedure. In the second reading speech on 14 March this year, the Attorney-General stated:

This bill will not apply to the High Court.

That is because the High Court's position at the apex of the Australian judicial system means that it could be called upon to determine the validity of any structure established to handle judicial complaints.

While I accept that the High Court is at the apex, could the Attorney-General please explain how complaints against the High Court will be managed on the occasion that they arise, and will there be a formal process introduced with regard to this procedure? I understand that the submission from scholars at the University of Adelaide Law School raised similar concerns. In their submission, the scholars pointed out that the judicial complaints bill does not provide for the investigation of complaints against the head of the jurisdiction. The scholars consider, therefore, that 'the bill does not provide complete coverage'. I understand that the Attorney-General has responded to this by stating that, under section 72 of the Constitution, these complaints would be managed by the parliament. However, I reiterate the concerns of the scholars. Additional information is required, particularly with regard to how the formal process will ensure that complete coverage and consistency is achieved by the amendments.

The third and final issue that I wish to highlight, and which was highlighted in the advisory report, is with regard to the integrity and reputation of the judiciary. The House of Representatives committee highlighted that this integrity may be compromised by establishing a framework for a parliamentary commission to investigate possible misbehaviour or incapacity, meaning that an adverse finding against a single judge could leave the entire judiciary more vulnerable to criticism. A finding of incapacity might also have implications for previous rulings by that judge. In recent times, these types of situations have remained open to much media scrutiny or, as it is commonly known, trial by media. If the judiciary complaints mechanism as proposed by these bills finds that there is reasonable cause to believe that the complaint is unfounded, what will the implications be for the reputation of the judiciary member and the integrity of the judiciary process itself? The Attorney-General needs to clarify how the integrity of the judiciary will be retained under the mechanisms that are detailed in the amendments, specifically in the circumstances I detailed earlier on, at point 1, where it can be expected that there will be an increase in the number of complaints raised against the judiciary.

The coalition does not oppose these bills. However, we will wait for the final report from the Senate Legal and Constitutional Affairs Legislation Committee on 13 July. Given the concerns that I and others have raised, we reserve our right to make amendments if they are necessary. I commend the bills to the House.

Mr MELHAM (Banks) (12:55): I rise to support the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012 and the Courts Legislation Amendment (Judicial Complaints) Bill 2012. The only reservation I have is that we need to be very careful. The number of complaints against Federal Court judges has been very limited. My only fear is that, when you set up bodies and people know about the bodies, it might attract people to make complaints because they are unhappy with particular decisions, particularly Family Court and Magistrates Court decisions. This is the one reservation I have about judicial commissions. In New South Wales we could get rolling complaints
because we have a complaint mechanism. I
am not against having a look at legitimate
complaints.

I accept that the High Court is removed
from this process, and I believe it should be.
If there is a complaint against a High Court
judge then, because of the nature of the High
Court, the parliament should deal with that
as required. There are two cases where
complaints have been made about High
Court judges. The first was about the late
Justice Lionel Murphy. That was a matter
which, for me, showed one way that the
parliament should not deal with matters.
There was a Senate Select Committee on the
Conduct of a Judge, which reported in
August 1984, and that committee just broke
along party lines. So I am not an advocate of
a parliamentary committee per se doing the
initial investigation or making whatever
recommendation. The Judicial Commission
of New South Wales have the model, I think,
that this legislation is based on. They gather
the evidence but they do not make a
recommendation. But I think they are better
at gathering evidence—where a commission
is set up for that particular purpose—than a
Senate committee or a House of
Representatives committee or whatever,
which can break up along party lines.

There is a great tragedy about this, and we
forget it. We have just had the anniversary
of the accusations against Lindy and Michael
Chamberlain, and the coroner in the
Northern Territory nailing that, taking 30
years. The furore that was around in relation
to His Honour Mr Justice Lionel Murphy led
to the fact that a High Court judge could not
get a fair trial in this country. That is what
happened. Mr Justice Cantor, the most
successfully appealed-against Supreme Court
judge in New South Wales, presided over the
original trial. A specially constituted Court
of Appeal and Court of Criminal Appeal was
expanded to five, found unanimously on
eight points where the trial had miscarried
and did not bother to determine another 20
odd, and on his retrial Mr Justice Murphy
was acquitted. But we had a situation where
the furore and frenzy of the media and
politicians created a climate in which a High
Court judge could not get a fair trial. That
should not happen again. I was a practitioner
in the law at that time, defending people
charged with criminal offences. I was
employed by the Legal Aid Commission of
New South Wales. So that case has
continued to stick in my craw.

The other matter that stuck in my craw
was the complaint made by Senator
Heffernan against His Honour Justice
Michael Kirby. That complaint was made in
relation to a training manual for Comcar
drivers. Senator Heffernan, the Cabinet
Secretary, made a number of serious
allegations which, frankly, did not last all
that long. This is what happened. I have the
press release of the then Attorney-General,
the Hon. Daryl Williams AM QC MP, of 19
March 2002. The first paragraph says:

Last night the Prime Minister announced that he
had asked Senator Heffernan to resign from his
position as Cabinet Secretary and to deliver an
unqualified apology to Justice Michael Kirby for
the allegations he made in the Senate last week.

Senator Heffernan did not offer his
resignation; he basically was forced to
resign, as he should have been. And Justice
Michael Kirby, as he then was, wrote to the
Speaker:

Dear Speaker
I have the honour to attach a copy of a statement
which I am releasing following the speech in the
House by Senator the Honourable Bill Heffernan.
If you consider it appropriate and the House gives
permission, the statement might be tabled.

Sincerely
Michael Kirby
The statement by Justice Michael Kirby said:

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CHAMBER
My family and I have suffered a wrong. But it is insignificant in comparison to the wrong done to Parliament, the High Court and the people.

I have been sustained by my innocence, by the love of my partner and family and support and prayers from all sections of the community.

I accept Senator Heffernan's apology and reach out my hand in a spirit of reconciliation. I hope that my ordeal will show the wrongs that hate of homosexuals can lead to.

Out of this sorry episode, Australians should emerge with a heightened respect for the dignity of all minorities. And a determination to be more careful in future to uphold our national institutions—the Parliament and the Judiciary.

The reason that the lie that had been perpetrated was nailed so quickly was that there was actually a copy on the front page of the *Sun-Herald* at the time that showed the purported entries of those who had had access to Comcars, and Laurie Brereton's name was there. He checked his diaries and knew that he had not had a Comcar on that day. That led to the discovery that what Senator Heffernan was relying on were mock records to do with the training of Comcar drivers. That was resolved very quickly.

What we need here is a respect for our institutions, a respect for the separation of powers. I support this framework, which I note that the House of Representatives standing committee has unanimously recommended should proceed. I note that, in relation to the selection of the members of the commission, the legislation allows for the Prime Minister to consult the Leader of the Opposition, as it should. That is a mechanism that has been used in legislation in the past—indeed, the former Council for Aboriginal Reconciliation used to be appointed on the basis of consultation with the Leader of the Opposition. These things need to be drawn back from politics, because it might suit one side or the other to go after a particular judge because of the balance on the High Court or whatever. I am using theoretical positions here, not positions of the past.

We all know that Senator Heffernan has a particular obsession—and it is an obsession that he genuinely believes, but it is an obsession. In this instance, he made a very serious allegation against a High Court judge under parliamentary privilege, and that allegation did not stand the test of time, whereas Lionel Murphy had to go through a number of inquiries, a number of trials. As I said, the thing that sticks in my craw is that a High Court judge in this country could not even get a fair trial because of the nature of publicity and the nature of the allegations. As I say, for a specially constituted appeals court in New South Wales to unanimously agree on eight matters and not worry about the other 20—because they did not—is an embarrassment to us all.

I know that these matters are the subject of a Senate committee still reporting. This is not, as I have read it, contentious. It is a framework that can stand, hopefully, the test of time. But, if it needs to be revisited or it needs to be looked at, my own urgings are that it be done in a bipartisan fashion.

When we deal with our judiciary—frankly, when we deal with any individual—we should afford them proper process. I never agreed with the Temby doctrine that led to the late Justice Lionel Murphy's prosecution. The Temby doctrine—and it was at the time a doctrine that created a lot of debate—was that if you were in a public position the assumption was that you would be prosecuted to clear the air. My view is that whether you are a Callithumpian, a High Court judge, a Federal Court judge or a member of parliament the same standards should apply. The reason we need to do this—as the honourable member opposite, the member for Berowra, the Father of the
House, would know—is that the judiciary in our Constitution holds, at a federal level, a particular place. At the end of the day, it is a matter for the parliament to determine the fate of a judicial officer in relation to misbehaviour, whatever that definition comes to. As he is the longest-serving member here, he knows that you can be on one side of the debate one minute and the other side of the debate the next minute, depending on what position you occupy. To me, you need to be on the same side of the debate all the way through; we all need to be on the same side of the debate all the way through. I have a strong view about the separation of powers: I respect them and I do not take kindly to the undermining of the judiciary, even if I might not necessarily agree with what the judiciary say. In my personal life as a legal aid solicitor and barrister I have seen cases that on the face of it look to be a lay-down misere; but, when the evidence unfolds, there is always a second side to the story. Vice versa, you think you are on a winner one minute and then evidence comes forward and bang!—guilty, Your Honour.

With this, I want to see the honourable member opposite, the father of the House, get up and say, 'I support the legislation' because it meets certain criteria and certain principles. From what I can gather from the House of Representatives committee, it has been given the tick. The Law Council of Australia says in a letter dated 30 April:

The Law Council considers that the establishment of a formal process to investigate allegations of misbehaviour and incapacity raised against Federal judicial officers will assist in further enhancing the transparency and integrity of the judicial system.

The Law Council considers that the proposed models provide a suitable mechanism through which to consider and investigate allegations of misbehaviour and incapacity raised against Federal judicial officers.

... ... ...

The model for appointment of the Presiding Member of a Parliamentary Commission seems appropriate and appears to address concerns previously raised by the Law Council, in relation to the potential politicisation of the role and the subsequent risk of undermining judicial independence.

From that, I take it there has been a consultation process and there has been some tweaking, which is as it should be.

This is very serious. As I said to you, Mr Acting Deputy Speaker Adams, I am not keen on it, because I do not want it to be a mechanism that attracts complaints; however, having said that, with the nature of our society and of the world we live in, it is better to bring in something like this before a complaint is made, so we can deal with it without any baggage. The counterargument is to have a mechanism that we can agree on in the event that it needs to be used. Let us do it now. Let us do it in the right atmosphere. Let us do it with goodwill. Let us do it with people making their contributions and with legitimate criticisms or suggestions being taken on board.

I am quite happy to stand before the House and support these bills. They deserve support in their current form. I used those other matters to point out what I thought were lessons of history. We make mistakes in the past; we should not repeat the mistakes. I do not think this legislation is repeating the past. I think it has been done in the spirit of doing something before the necessity of doing it, so that it is there if it is needed.

Mr RUDDOCK (Berowra) (13:11): Mr Acting Deputy Speaker Adams, I thank you for the call. I observe simply that the member for Banks seems to understand that this may be a matter that I would have taken some interest in—and I have. I was added as a supplementary member to the committee
that was asked to report on this matter and I
had the opportunity to participate in its
deliberations. I am probably not too far away
from the member for Banks. He uttered the
words: ‘I am not keen on it’; nevertheless, he
supports it. I would say that I have still to be
persuaded that legislation of this type is
necessary but that I do not oppose it.

I want to indicate why, having been the
Attorney for four years and having
considered some of these matters in a variety
of circumstances, if I were still in that role I
would not have been proposing this
legislation. The reason is quite simple: I
think we have an outstanding judiciary. That
is not to say there may not be issues about
which there is complaint from time to time;
but they are so rare that it would worry me if
we are putting in place mechanisms that are
going to invite more complaints. Given my
role as a local member of parliament, I think
there are some areas of activity of our
judiciary that have the potential to invite
significant numbers of complaints from
disgruntled litigants which do not go, in fact,
to the quality of the decision making of our
judiciary, whether they be in the High Court,
the Federal Court, the Family Court or the
federal magistracy. I sat in my office, as
recently as last week, with two people quite
separately coming to me to put their
concerns about the outcome of
the litigation in which they were involved. I heard only
what they had to say, and I was being asked
to form a view about the competency of the
decision maker, because they disagreed with
the judgment as it impacted upon them. I do
not know any issues that generate more
ferment among my constituents than family
law issues.

Some of the evidence I have seen suggests
that putting in place a mechanism through
which you can complain about these matters,
can be seen to complain about these matters
or are perhaps invited to complain about the
way in which the matter was adjudicated is
likely to involve considerably more
complaint. I may not be alone in that view.
The committee in which I participated said it
recommends the bill is passed without
amendment. I would like to read some of the
paragraphs of the committee’s report because
I think there is evidence of a degree of
hesitancy. For example, paragraph 1.61
states:
The Committee is concerned that the reputation
of the judiciary may be compromised by
establishing a framework for a parliamentary
commission to investigate possible misbehaviour
or incapacity. An adverse finding against a single
judge may leave the entire judiciary more
vulnerable to criticism. A finding of incapacity
may also have implications for previous rulings
by that judge.

Paragraph 1.62 continues:
Another concern is potential political interference
with the judiciary. The Committee understands
that the establishment of a parliamentary
commission requires a resolution from both
houses of Parliament and the appointment of
commission members is made by the Prime
Minister in consultation with the Leader of the
Opposition. Nonetheless, there remains the
possibility of political interference by a strong
government in the event of undesirable judicial
decisions.

The committee goes on in paragraph 1.63:
Despite these concerns regarding the need for
these bills and potential unintended
consequences, the Committee is tasked with
assessing the merits of the bills. In doing so, the
Committee has considered the issues raised in
consultation via its own inquiry and through that
of the Senate Legal and Constitutional Affairs
Committee and does not find that the bills warrant
any amendments, and considers that they achieve
their respective objectives.

I understand that one of our former
colleagues had a very strong view on these
matters. I think he drove the issue over a
period of time and has influenced the
government in its decision-making which has
brought forward this legislation. I want to make it clear that in my view, while the legislation reflects in large part the way in which complaints are dealt with now without a legislative basis and the need for a legislative basis, there has not been any call for a measure like this from the heads of the jurisdictions of our courts. I say that because, while the heads of jurisdiction did not give evidence to the committee, we received advice on the government's consultations with them.

The words of Ms Glanville, when she appeared before the committee, were particularly interesting. I assume they were deliberate. The acting chair asked:

Where has the call for this change actually come from? And there is also the question Mr Ruddock was asking.

Ms Glanville replied:

Yes, we are happy to answer. It is government policy and, as I have said previously, the heads of jurisdiction are supportive of this policy and have been involved in the development of it.

Yes, they are supportive of the policy as the appropriate way forward, having to implement the government's policy that there would be legislation of this character. That is quite clear.

This has not come from the heads of jurisdiction saying that they have not been able, through the measures that are in place, to deal with these matters. My colleague quoted from the Law Council of Australia earlier. I thought the Law Council was particularly pointed in one of its early submissions on these matters on 30 April 2009:

The Federal Courts have each established effective informal complaints handling mechanisms with usually the head of the jurisdiction being ultimately responsible for deciding the response to a complaint. The Law Council believes that these existing mechanisms of dealing with complaints have operated successfully.

It goes on to speak about the nature of that:

The Federal Court, the Family Court, the Federal Magistrates Court have judicial complaints procedures which set out the procedure for dealing with complaints about Judges and Magistrates. The procedures recognize the constitutional limitations and safeguards with respect to such matters, and therefore do not provide a mechanism for disciplining a judge. The Chief Justice is nonetheless able to "advise, warn and take appropriate steps"…

I know from personal experience that these mechanisms have worked well.

I do not stand in the way of the legislation because the model, while in my view likely to generate a potentially greater number of complaints, reflects the model which has worked over a long period of time. The heads of jurisdiction will essentially receive those matters and deal with them, and that is appropriate. But I do not want the pursuit of these matters to be seen as in some way reflecting any dissatisfaction with the quality of our judicial system and our judges. I would hate to think that, having adopted this measure, we would see these matters pressed ad infinitum by people who perceive this to be an opportunity to open up another avenue for disputation that has been resolved. That would create enormous potential to bring the quality of our judiciary into question.

I want to finish my remarks today by inviting members' attention to some other arguments I saw in the paper that was prepared for us. It was essentially the view of elements of the judiciary about a parliamentary commission into judicial misconduct. The paper said:

This is an argument well put by Drummond J in a paper entitled "Do Courts Need a Complaints Department?"

That was published in the Bar review at page 11. The paper went on to say:
His Honour there expresses the view that, in these circumstances, a complaints system would be likely to encourage complaints where no judicial misconduct had occurred. His Honour further posits that not only is such a system unnecessary, but that "it verges on the irresponsible to urge the establishment of formal mechanisms for receiving and dealing with complaints about judges: the establishment of such mechanisms in an attempt to force the courts into the currently fashionable business model, when there is no justifiable need for such processes, can only help foster the false impression that there is something rotten in the judiciary."

I put these matters on the record only because I know that, as a matter of policy, this matter is being pursued by the government. I think that policy has arisen because of the fervent advocacy of one former member, not because of any dissatisfaction with our courts.

I recognise that the model proposed fairly closely replicates the system that has operated over time, and to that extent I think it is worthy. But I am concerned that there is the potential to damage the judiciary by pursuing a matter like this at a time when there is no substantial complaint, when there are no issues of substance that need to be pursued and knowing, as I do, about the propensity of people that I see in my electorate who are dissatisfied with an outcome—which is always the case with matters that have been taken to a court—and want to bring into question the very competency of the judicial officer, because it is the only avenue left, perhaps the only affordable avenue left, for them to bring these matters into question, by pushing them. Maybe in time I will be shown to be right in the way in which these matters unfold, but, for the sake of the reputation of our courts, which I hold so highly, I hope very much I am proven to be wrong.

Mr ZAPPIA (Makin) (13:25): I take the opportunity to speak in support of the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012 and the Courts Legislation Amendment (Judicial Complaints) Bill 2012. I will focus my remarks on the first of those two bills.

Unlike the member for Berowra, I not only acknowledge but commend the work of the former member of this place, the Hon. Duncan Kerr, for getting this legislation before the House. Perhaps later in my contribution I will try and respond to some of the concerns that the member for Berowra raised and his view that perhaps there is not enough justification for the bill, because I feel quite the opposite.

The Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill sets out to provide a mechanism to assist the parliament in its consideration of the removal from office of a judge or federal magistrate under the Constitution. Commonwealth judicial officers are appointed under section 72 of the Australian Constitution. The relevant portion of section 72 states:

The Justices of the High Court and of the other Courts created by the Parliament:

(i) shall be appointed by the Governor-General in Council;

(ii) shall not be removed except by the Governor-General in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity ...

Section 72 further states:

The appointment of a Justice of the High Court shall be for a term expiring upon his attaining the age of seventy years, and a person shall not be appointed as a Justice of the High Court if he has attained that age.

Once appointed, subject to the provisions of section 72 of the Constitution relating to misbehaviour or incapacity, judicial officers hold their position until they are 70 years of age. The questions that therefore arise are: who determines misbehaviour or incapacity;
what process is used to make that determination; and what criteria are used in the process in order to advise the Governor-General in Council? Currently there are none.

The Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill establishes a process. The bill will allow for the establishment of a parliamentary commission, where a resolution is passed by each house of the parliament to investigate a specified allegation about a specified Commonwealth judicial officer—that is, a High Court judge, a judge of the Federal Court of Australia or the Family Court of Australia, or a federal magistrate. The commission is to investigate the allegation and report to the houses of parliament on whether there is evidence that would let the houses of parliament conclude that the alleged misbehaviour or incapacity is proved. If the alleged misbehaviour or incapacity is proved and both houses of the parliament request the removal of the judicial officer, the judicial officer may be removed by the Governor-General in Council in accordance with paragraph 72(ii) of the Constitution.

I note that the legislation states that, if the misbehaviour or incapacity is proved, the judicial officer may be removed. It does not say that they will be removed. I can only assume that part of the reason for that is that the position may well be made by a majority of the three members of the commission—that is, it may be the case that two of the three members have one view and the third member has a different view. Therefore, ultimately, the removal remains a decision of the parliament.

Judicial officers are not infallible. Like all people in society they have their beliefs, their political views, their strengths and their weaknesses. Yet once appointed they hold a very responsible position in society—an influential, privileged position. Their judgments can change the course of a government and of a nation. I recently spoke about that in the debate on the 20th anniversary of the Mabo decision. Their judgments can also profoundly affect the future of individuals and families.

I often hear about that from people who have had to appear before the Family Court of Australia. The member for Blair made reference to the Family Court in his remarks during this debate. These are highly responsible appointments and I have no doubt that the people appointed to the judiciary understand that. But they are also appointments made by governments, and governments have political agendas. The delivery of those agendas is often dependent on having a sympathetic or like-minded judiciary. As we all know from the debates in this place, it is always possible to advance an argument that justifies your end position. It is no different in the judiciary.

Perhaps the most prominent example of that was during the 1975 constitutional crisis, with the removal of the Whitlam government and the differences in legal opinion at the time between the Solicitor-General, Maurice Byers, and the Rt Hon. Sir Garfield Barwick, Chief Justice of the High Court. There were several other prominent legal identities who at the time also differed in their interpretations of the Constitution. Subsequent to that, we saw what I can only describe as the political persecution of the Hon. Lionel Murphy in a protracted, failed attempt to have him removed from office. In his remarks, the member for Banks referred to the Hon. Lionel Murphy in a much more detailed fashion than I will. Lionel Murphy's judgments reflected many of his personal convictions, and there is no doubt in my mind that many of his judgments would not
have been received well by the Liberal government at the time.

Lawyers become familiar with the rulings and leanings of members of the judiciary and it is not unusual for lawyers to want their cases heard by whom they perceive to be sympathetic judges. Further evidence that judicial appointments are made by governments, who in turn take into account a prospective appointee's political leanings, was the refusal for years by successive governments in South Australia, both Liberal and Labor, to appoint Elliott Johnston QC to the bench in South Australia because of his Communist Party beliefs. It was not until the election of the Bannon government that in 1983 Elliott Johnston was finally appointed as a justice of the Supreme Court in South Australia.

This legislation appoints a commission of three people to carry out the necessary inquiry where there have been allegations of misconduct or incapacity. It is not a permanent commission but one appointed whenever the need arises. I also note that at least one person would be a retired judge who would be nominated by the Prime Minister in consultation with the Leader of the Opposition. That is an important safeguard to ensure that the appointment is free of politics. However, the appointment of a retired judge raises the following question: if the retired judge is more than 70 years of age—and it is most likely that they would be, and therefore not eligible to continue as a judge—should that person equally be disqualified from sitting on a commission that has a very similar function to that of a judiciary?

I said earlier that members of the judiciary are not infallible. In response to the member for Berowra, who made the case that this legislation is perhaps unwarranted at this stage, I say that in recent years there have been several examples in state jurisdictions of judges or magistrates being required to step down or being suspended for reasons of either inappropriate conduct or incapacity. I do not intend to list them or to name any of them, but the fact is that in recent years there have been many, many cases. It is true that they have occurred in the state jurisdictions, not in the federal jurisdiction. But, with 142 members of the federal judiciary in office right now, with that number perhaps to grow, having the necessary legislation in place to deal with unforeseen situations that may arise is a responsible approach for this parliament to take. Of course, the parliament can at all times act without advice from such a commission, as it does at present, and that is only proper and within the responsibility of the parliament.

I take this opportunity to congratulate Justice Chris Kourakis on his appointment as Chief Justice of the Supreme Court of South Australia. He will be formally sworn in next week and will then become South Australia's ninth Chief Justice in 175 years. Justice Kourakis was admitted to practice law in 1982 and joined the bar in 1989. Between 2001 and 2002, Justice Kourakis was President of the Law Society of South Australia. He subsequently held the position of Solicitor-General for five years before he was appointed to the Supreme Court in 2008. I commend his appointment and wish Justice Kourakis well with his additional responsibilities.

In closing, this legislation puts in place a framework should the need arise. It is responsible legislation and I and, I am sure, all members of this House hope that the framework and the process are never required. But if they are required at least we will have a process in place that can assure all of us that a judgment on a sitting member of the judiciary will be made impartially and independently. If and when this parliament is
put in a position where it has to make a decision it will have done so by having the proper inquiry carried out and recommendations put before it. For those reasons, I commend the legislation to the House.

Mr CRAIG KELLY (Hughes) (13:36): I rise to speak on the Courts Legislation Amendment (Judicial Complaints) Bill 2012 and the Judicial Misbehaviour and Incapacity (Parliamentary Commissions) Bill 2012. These bills are said to be designed to introduce greater transparency and accountability into the handling of complaints about judicial officers in our federal courts, and the coalition does not oppose these bills. The coalition also notes that these bills are, in fact, supported by the Law Council of Australia, who say in their submission:

The Law Council considers that the establishment of a formal process to investigate allegations of misbehaviour and incapacity raised against Federal judicial officers will assist in further enhancing the transparency and integrity of the judicial system.

The Law Council considers that the proposed models provide a suitable mechanism through which to consider and investigate allegations of misbehaviour and incapacity raised against Federal judicial officers.

As I said, the coalition does not oppose these bills.

But, firstly, it is section 72 of our Constitution that sets out the guidelines for judges' appointments, their tenure and, if necessary, their removal from office. Section 72 of our Constitution provides:

The Justices of the High Court and the other courts created by the Parliament:

(i) shall be appointed by the Governor-General in Council;

(ii) shall not be removed except by the Governor-General in Council, on an address from both Houses of the Parliament in the same session, praying for such removal on the ground of proved misbehaviour or incapacity.

These provisions in our Constitution have served our nation well, for they have provided the guidelines for statutory and judicial independence, a concept of vital importance. It is a concept that lies at the very heart of our democratic system that individual judges and the judiciary are impartial and independent of all external pressures. We need to ensure that the average Australian citizen who appears before the court can have the confidence that their case will be decided on its merits, impartially and fearlessly in accordance with the law, without a judge being influenced by self-interest or any other vested special interests of others. As the Hon. Sir Gerard Brennan once observed:

... a free society exists only so long as it is governed by the rule of law ...

So when our judges are sworn into office they take an oath or affirmation to do right by all persons without fear or favour, affection or ill-will. What these words mean in our judicial oath is that judges swear never to be frightened or intimidated by what needs to be done, neither will they unfairly favour one party or the other.

The concept of judicial independence is also critical in a free society for, if ever a time comes when an individual needs to be protected from the state or whenever they have a dispute with another citizen, they need to be heard equally before the law by an impartial and fearless decision maker. Every citizen in our society needs to know that if that knock comes on the door late at night, or if their child is taken away by an overzealous child protection officer, or if they are arrested and placed into custody, or if their insurer unfairly refuses to pay a claim for damaged property, or if a large corporation tells lies and misleads a consumer in trade or commerce, or if a state or local government
fails to do what it is bound by the law to do, it is an independent judiciary that the average citizen may turn to to seek justice to protect their rights, and their case will be heard before the law by an impartial and fearless decision maker.

However, our Constitution recognises that judges, like all of us, are human and that they should not be above criticism. It also recognises that circumstances may arise where a judge is no longer fit to hold office and, therefore, our Constitution provides the means by which a judge may be removed by the parliament on the grounds of misbehaviour or incapacity. The words ‘misbehaviour’ and ‘incapacity’ are not defined in section 72 of our Constitution. This is problematic because they are the only grounds upon which parliament can dismiss a judge. However, it is self-evident that misbehaviour or incapacity may include malfeasance, gross misconduct, gross immorality, high crimes or maladministration, and we would hope that these provisions in our Constitution would never be used, or rarely be used. In fact, there has been only one time since Federation that the parliament has had to consider dismissing a High Court judge, following allegations of misconduct against Justice Lionel Murphy in the mid-1980s.

Although this bill seeks to provide a framework whereby a person can lodge a complaint against one of Australia’s 151 federal judges, section 75(v) of the Constitution already provides that the ‘High Court shall have the original jurisdiction’ in all matters ‘in which a writ of Mandamus or prohibition or an injunction is sought against an officer of the Commonwealth’. This was one part of our Constitution which was included as it was said to be an improvement in the guaranteed rights of all Australians, and it would be a violation of a citizen’s rights—their Constitutional rights—if the High Court refused to hear any application filed under section 75(v).

However, despite the provisions of section 75(v), our Constitution currently does not provide any structure under which a person can lodge a complaint against one of Australia’s 151 federal judges for misbehaviour or incapacity. That is what these bills seek to address. The Courts Legislation Amendment (Judicial Complaints) Bill 2012 amends the Family Law Act 1975, the Federal Court Act 1976, the Federal Magistrates Act 1999 and the Freedom of Information Act 1982 to provide a statutory basis for the relevant heads of jurisdiction to deal with complaints about judicial officers and also to provide immunity from the heads of jurisdiction as well as participants to a head of jurisdiction in the complaints handling process.

Debate interrupted.

STATEMENTS BY MEMBERS
Parliamentary Friends of MS

Mr TONY SMITH (Casey) (13:45): I want to briefly pay tribute to the Parliamentary Friends of MS and to congratulate the co-chairs, Senator Gary Humphries and Senator Kate Lundy, who hosted an important briefing on Monday night that I was unable to attend due to business here in the House—there was some legislation I had to deal with. They held that briefing on a very important matter that all of us in this House talk to constituents about on a regular basis. There is one constituent in particular in Casey who has raised the issues that were the subject of that briefing about future treatment possibilities. I commend in this House those who organised the briefing. Of course, both sides of the House know there is a lot of water still to go under the bridge on these issues, but I associate myself with the Parliamentary Friends of MS and, as...
I said, congratulate the co-chairs who organised that important briefing.

**Tasmania: Wine Industry**

**Mr LYONS (Bass) (13:46):** I rise today in this House to speak about Tasmania's wine industry. Recently a leading international wine magazine said Tasmania is second only to China as the best place in the world to invest in the industry. *The Drinks Business* says the island state's cool climate, affordable land, abundant water and lack of pests and diseases all mean its $75 million wine industry is likely to expand. I use this opportunity to encourage investment in our wine industry. While the magazine's 'Top 10 vineyard investments' article focused on the non-traditional wine-making regions, it still rates Tasmania ahead of France's Languedoc region and the Italian island of Sardinia. This is a fantastic achievement.

Tasmania's wine industry currently employs around 1,000 people, but larger investment was signalled when Brown Brothers spent more than $32 million on several vineyards in 2010, which is indeed positive for our region. Money from the state's forestry peace deal was also recently allocated for more detailed industry studies into soil types and microclimates. We have some great vineyards in Tasmania, particularly in and around my electorate of Bass, including Velo Wines, Josef Chromy Wines, Strathlynn, Three Wishes Vineyard, Delamere Vineyards, Bay of Fires Wines and Leaning Church Vineyard. These vineyards, together with our fantastic tourist spots, are a great place to visit. I encourage these industries and I am most proud that our region has been recognised internationally.

_Time expired_

**Carbon Pricing**

**Mrs GRIGGS (Solomon) (13:48):** 'There will be no carbon tax under the government I lead'—that was the solemn pledge made by the Prime Minister five days before the last election. Yet, in a few days time we will have the world's biggest carbon tax. There is no doubt that this new toxic tax will have massive implications for our electorates in terms of the economy, household budgets and jobs.

So many local businesses have raised their carbon tax concerns with me, as late as today. The company NT Ice, a manufacturing company that uses R22 refrigerant, currently pays a price of $111.38 a kilo for that refrigerant. It already received a 20 per cent increase on 13 June. However, on 9 July it will be increased again to $384.69 a kilo, which will be another 245 per cent increase. How can businesses cope with these sorts of increases? In a letter dated 6 June 2011 from their supplier, Heatcraft Australia, NT Ice were told 'the refrigerants market is moving through a period of unprecedented change. Heatcraft Australia has recently been advised of significant increases in our costs of refrigerants, which prompts the need to increase our refrigerant list prices. We expect price volatility could continue in the coming months.' We know what is causing this uncertainty—_(Time expired)_

**Sangay, Dr Lobsang**

**Ms PARKE (Fremantle) (13:49):** I want to mention the visit to parliament this week of Dr Lobsang Sangay, who was sworn in as the Tibetan leader in exile, the Kalon Tripa or Prime Minister, after a democratic process that followed a handover by His Holiness the Dalai Lama in 2011. Dr Sangay was born in a Tibetan refugee settlement in northern India, and his remarkable life and talent led him to become a Fulbright scholar and the first Tibetan to receive a doctorate from Harvard Law School. Dr Sangay won the historic election as leader after a campaign...
calling for unity, self-reliance and innovation.

It was an honour to meet Dr Sangay and welcome him to his important and critical role at a time when the situation in Tibet has intensified. In the last 12 months we have seen a new wave of resistance and repression, marked by more than 30 self-immolations by Tibetans in protest, and the harsh Chinese military crackdown that has occurred.

The new Tibetan Prime Minister calls for a peaceful resolution of the Tibet issue in keeping with the Dalai Lama's 'middle way' policy of seeking genuine autonomy for Tibet within the framework of the Chinese constitution. There are many people in this place who support Dr Sangay and his desire to pursue a peaceful but swift resolution to the Tibetan issue. Dr Sangay's election has been widely welcomed by people in Tibet and by Tibetans in exile, and I know that many people in Australia would wish him well in his difficult but important role.

Red Nose Day

Mr ALEXANDER (Bennelong) (13:51): This Friday is the 25th anniversary of Red Nose Day, which promotes awareness of sudden and unexpected death in pregnancy, infancy and childbirth. Red Nose Day raises vital funds to enable SIDS and Kids to research causes and prevention techniques and to provide support for families who have experienced the death of their baby. Despite 25 years of great work, more than half the deaths of unborn babies during the last eight weeks of pregnancy still remain unexplained.

SIDS and Kids respond to requests for support for more than 1,000 families per year throughout New South Wales, providing phone, face-to-face and online counselling services for parents, family members and friends affected by the death of a baby or child. This vital service relies on local fundraising, and Red Nose Day provide support for the chance to put on a red nose and act a little silly.

Deputy Speaker, with your indulgence, I wish to take this opportunity to put on my red nose—

Honourable members: No!

Mr ALEXANDER: and urge all of my parliamentary friends to do the same, and all Australians, for that matter, to give support to this very serious and important cause

The DEPUTY SPEAKER (Ms AE Burke): I thank the member for going to great efforts for a good cause.

National Diabetes Week

National Schools Chaplaincy Program

Mr PERRETT (Moreton) (13:52): My mother in her last few years had type 2 diabetes so I point out that National Diabetes Week is coming up, from 8 to 14 July. I am proudly wearing my diabetes pin, which is about turning diabetes around. Unfortunately, diabetes is Australia's fastest growing chronic disease, with up to 1,500 people being diagnosed per week.

I also want to speak about the schools chaplaincy program. I wish to congratulate my colleague Minister Garrett, the Minister for School Education, Early Childhood and Youth, and the federal Labor government for swiftly introducing legislation to ensure the National Schools Chaplaincy and Student Welfare Program continues in my electorate of Moreton. I also note the support of the opposition. The Gillard Labor government has acted quickly to protect this important program, meaning that 26 schools in Moreton will continue to receive funding for the scheme. This means that payments that were due to some service providers by the end of this financial year can still go ahead.

As a former teacher, I understand how valuable this program is to schools, students
and parents and I am pleased that this community program will continue to be funded. I have seen first-hand the great work of school chaplains in our local schools and I am relieved that the parliament has been able to quickly resolve this issue. Once passed, the legislation will ensure that chaplains and welfare workers continue to be funded and services continue to be supplied in schools.

The Gillard government has provided an additional $222 million for the program over the next three years and has extended it to an extra 1,000 schools this year. I welcome the government's ongoing commitment to this program in schools such as Acacia Ridge State School, Brisbane Christian College, Coopers Plains State School, Corinda State High School, Corinda State School, Eight Mile Plains State School, Graceville State School, Macgregor State High School, Macgregor State School, Milperra— (Time expired)

Royal Flying Doctor Service: Jenna Brook's Long Walk Home

Mr BRUCE SCOTT (Maranoa—Second Deputy Speaker) (13:54): In Queensland, when the going gets tough the tough get going. That is very true of Jenna Brook, who is on a long walk home—a 435-kilometre walk from Dalhousie Springs in South Australia through to Birdsville. Jenna Brook has been training for this for six months, but it is for a very good cause: to raise money for the Royal Flying Doctor Service. Her 435-kilometre walk is across the Simpson Desert. She will be walking across some 1,200 sand dunes and will camp out under the stars at night. Anyone who wants to put some money towards her great cause of fundraising for the Royal Flying Doctor Service can look at her website, which is www.everydayhero.com.au/Jenna_Brook.

I urge members in this place to get behind Jenna because I know many of them will one day be grey nomads wanting to go out into many parts of Australia and they may need the services of the Royal Flying Doctor Service. It is an iconic service. It deserves the support not only of government but of members in this place. I commend Jenna for her wonderful initiative. She is not going to be doing it easy—it is going to be a long walk. She started on Monday and has already crossed the 136 longitude line. I am tracking her on a tracker, so if you want to track her have a look at that, but at the same time commit some money to this wonderful cause by supporting Jenna as she raises money for the Royal Flying Doctor Service as she walks across the Simpson Desert. (Time expired)

Coorey, Mr Phillip

Ms BRODTMANN (Canberra) (13:55): Today I want to congratulate Phil Coorey, a constituent of mine, for winning the Paul Lyneham Award at last night's Midwinter Ball. Phil has covered federal politics from Canberra for more than a decade, initially as chief political correspondent with Adelaide's Advertiser. He spent two years in the US as News Ltd's New York correspondent and covered the 2004 US primaries and presidential election. He was appointed political editor of the Advertiser upon his return to the press gallery, joined the Sydney Morning Herald in 2006 and is that paper's chief political correspondent.

Phil is a formidable and tenacious journalist who loves his craft. One of the reasons he is so good is because he swats the small stuff—he does not just break news, he is accurate and fair. While we may not always agree with what journalists do, I do not think we can ask for more in terms of accuracy and fairness.

Last night Phil said winning the award would not have been possible without the support of his wife, Fleur, another esteemed
I too want to acknowledge Fleur’s great work in her craft, coupled with the fact that she carries, as Phil said, 99.9 percent of the domestic load.

Finally, I want to implore Fairfax Media to consider the needs of Canberrans in its review of the Canberra Times. As the nation’s capital, as the home to Parliament House and, I suspect, the nation’s most politically interested population, it is appropriate that we have our own press gallery bureau reporting on politics from a Canberra perspective and a strong stable of journalists and staff reporting on Canberra issues. (Time expired)

Asylum Seekers

Ms O’DWYER (Higgins) (13:57): As I speak, the Senate is debating a piece of legislation that is deeply troubling. In this place a number of members on this side did not have an opportunity to speak on this bill because they were gagged. There are many people in this House who have spent a lifetime defending the rights and protections of others. We have a responsibility in this place to look after the most vulnerable people in our society, yet every single member of the Australian Labor Party yesterday in this House voted to remove human rights protections by abolishing section 198A of the Migration Act.

The Prime Minister said that we should search our conscience and yet in this place she did not allow her members, her caucus, to search their conscience and vote according to it. Apparently it is all right on the other side of the House to be able to talk about gay marriage and vote according to conscience, but not when it comes to matters of life and death. I think it is, quite frankly, a disgrace. I find it perplexing and I think the Prime Minister ought to explain her decision. She ought to come clean on the fact that the UNHCR, Red Crescent and Red Cross have not endorsed her Malaysia solution.

Lopez, Mr Ron

Mr HUSIC (Chifley—Government Whip) (13:58): I want to take this opportunity to pay tribute to a stalwart of my local community, Ron Lopez, who passed away recently. Ron was a proud member of the Labor Party for more than 15 years and a servant of his community. The greatest love in his life was his family and, in recent years, his grandchildren. He was a hard worker, and work made up so much of his life. For over 20 years he served the local community as the caretaker of Blacktown City Council’s Civic Centre and you would often see him when visiting the council. I have known him over that period and he was always kind, grateful and as helpful as possible in his dealings with me and members of the community. Even while he was receiving treatment for his illness, Ron continued to work, only retiring in December last year.

I attended Ron funeral earlier this month at Sacred Heart Church, in Old Mount Druitt, a place of special significance for him as it was the family’s church when they first moved to Australia. Ron is survived by his wife, Anne, and his four sons, Mervyn, Michael, Mark and Matthew, and his seven grandchildren. I want to pass on my deepest condolences to his family and on behalf of all members of our community pass on our gratitude for his great work in our local area.

The DEPUTY SPEAKER (Ms AE Burke): Order! It being 2 pm, the time for members’ statements has concluded.

STATEMENTS ON INDULGENCE

70th Anniversary of the Operations of Bomber Command

Ms GILLARD (Lalor—Prime Minister) (14:00): Madam Deputy Speaker, could I ask your indulgence for a few remarks about
the Bomber Command Memorial, and I believe the Leader of the Opposition will want to make some remarks as well.

So often, when we reflect on the history of the Second World War, we think of the remarkable men of Fighter Command who kept the Nazi forces at bay in the skies over England in that perilous summer of 1940, men rightly celebrated as 'the few'. But we should also remember their brother pilots of Bomber Command, who could be said to be 'the many' in the ranks of the Air Force fraternity. There were 125,000 in all from the UK and around the Commonwealth, including 10,000 Australians. Sadly, more than one in three would never come home: 3,486 Australians were lost in action—a startling number—and another 650 died in training accidents. They endured exceptional danger and faced one of the highest casualty rates of any formation in the Allied armed forces. It is little wonder that Bomber Command yielded up 19 Victoria Cross winners. These men were the bravest of the brave.

For decades, controversy over the nature of the strategic bombing campaign has obscured commemoration of the courage of these bomber crews—that is, until today. In a few hours time, amid the beautiful lawns and trees of Green Park in London, the Queen will unveil the new Bomber Command Memorial. This recognition is long overdue—recognition for the courage and dedication of men who fought a relentless 2,000-day campaign, who endured bitter cold and noise across distant and hostile skies, who flew planes often riddled with bullets or with engines shot away, who faced the ever present risk of fire and horrific burns, all in the long shadow of death, knowing that each take-off might be their last.

Now, 67 years after their final wartime missions, a wrong is corrected and honour is restored. A group of Australian Bomber Command crew will be at the ceremony later today. It will be a homecoming, a restitution and the final settling of a long-overdue debt. To them, to their mates here at home and those no longer with us, the nation says: 'Thank you for your service and sacrifice. You gave your best years and, all too often, you gave your lives. Your valour will never be forgotten.'

Mr ABBOTT (Warringah—Leader of the Opposition) (14:03): I am pleased to support the remarks of the Prime Minister on this day, the day when, in London, the Queen is dedicating a memorial to Bomber Command, commemorating all the Allied aircrew killed in action with Bomber Command during the Second World War, including 3½ thousand Australians. As the Prime Minister has said, this was a difficult campaign. It was morally difficult as well as militarily difficult. But we must never forget that those who served in Bomber Command were serving us, under our flags—serving our countries, serving our cause—and we should honour them for what they did.

As the Prime Minister has reminded the House, there are Australian veterans of Bomber Command in London this day, but we are lucky to have at least one veteran of Bomber Command in the Speaker's Gallery, with us right now: Ted Malmgren DFC, who flew 31 sorties over Europe. He was shot down and survived through parachuting. Ted is one of the last of his kind, and it is an honour to have him in the parliament today. Ted is not only a constituent of mine, and not only someone who flew with Qantas for 35 years; at different times in his retirement he has been a Landcare volunteer and he has recently had published a short book about his life entitled Ed's Story.
On behalf of the coalition, I honour and salute the service and sacrifice of all who served in Bomber Command.

**Reference to Federation Chamber**

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:05): by leave—I move:

That further statements by indulgence in relation to the seventieth anniversary of the operations of Bomber Command be permitted in the Federation Chamber.

Question agreed to.

**DISTINGUISHED VISITORS**

The DEPUTY SPEAKER (Ms AE Burke) (14:06): I would also like to welcome our distinguished visitor to the gallery today. You do us proud by being here. Thank you very much.

Honourable members: Hear, hear!

**STATEMENTS ON INDULGENCE**

**Montevideo Maru**

Mr ABBOTT (Warringah—Leader of the Opposition) (14:06): I rise on indulgence to note the sinking of the *Montevideo Maru* on 1 July 1942, which was one of the worst disasters ever to befall our country. The ship was carrying more than 1,000 survivors of the Japanese assault on Rabaul, including many civilians—even a Salvation Army band. Those on the ship included the uncle of a former leader of the Labor Party, Kim Beazley, and I understand that the grandfather of the member for Kingsford-Smith was indeed on the *Montevideo Maru*. Tragically, it was an American submarine that sunk the ship. Even worse, news of the disaster was suppressed until after the war, compounding the uncertainty and grief of relatives. On Sunday, within the grounds of the Australian War Memorial a new memorial will be dedicated to those who died with Lark Force, in Rabaul, and on the *Montevideo Maru* and in this parliament too, we will remember them.

Ms GILLARD (Lalor—Prime Minister) (14:07): I, alongside the Leader of the Opposition, do believe that it is appropriate for parliament to mark this moment and to note that, on Sunday, the Governor-General will unveil at our pre-eminent shrine of honour, the Australian War Memorial, a commemoration of the loss of the *Montevideo Maru*.

I would also like to note before the parliament that, as we remember the lives lost in that sinking, included among the dead was the grandfather of the Minister for School Education, Early Childhood and Youth. In the Midnight Oil song that he sang, *In the Valley*, he expresses his loss so movingly:

My grandfather went down on the Montevideo
The rising sun sent him floating to his rest.

They are indeed at rest in our nation's remembrance. It is a tragic tale about the fog of war, the confusion that war brings, the damage that can be done by friendly fire and, indeed, the keeping of details from relatives for far too long. This is a truly remarkable Australian story, one of sacrifice and courage, and their loss will not be forgotten.

Mr GARRETT (Kingsford Smith—Minister for School Education, Early Childhood and Youth) (14:09): I want to add my remarks to associate myself with those of the Leader of the Opposition and the Prime Minister. As Patron of the Rabaul and Montevideo Maru Society, I am absolutely thrilled that at last the nation will have an opportunity to commemorate the sacrifices made by some 800 soldiers, who were prisoners of war on this vessel, and some 200 civilians, including my grandfather, who perished at sea 70 years ago this Sunday.

I also reflect on the fact that I inherited this position from a former Leader of the
Opposition, Kim Beazley, who also had a relative who perished there.

In closing, I can say that for those families and friends who perished at sea this will be an incredibly important day. They have waited many, many years for the appropriate recognition of the sacrifice of their family members and I very much look forward to representing you, Prime Minister, at that dedication.

**Reference to Federation Chamber**

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:10): by leave—I move:

That further statements by indulgence in relation to the Montevideo Maru be permitted in the Federation Chamber.

Question agreed to.

**BUSINESS**

**Days and Hours of Meeting**

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:10): Madam Deputy Speaker, on indulgence, for the benefit of members I wish to update the House about likely timings for this afternoon. The Senate has just carried a resolution, with the support of the government and the opposition, that it will be dealing with three further items of business this afternoon. It is indeterminate what the outcome of those will be, but certainly the last item is the Stronger Futures in the Northern Territory. That legislation has the support of the government and the opposition. It is likely that that will have amendments and therefore will return to the House. Therefore, it is likely that we will need to sit later this evening. It would be the government's intention to have a suspension, when we work out what the likely times will be, and to encourage the Senate to deal with these issues as expeditiously as possible. But I will consult with the Manager of Opposition Business. In terms of people's plane bookings et cetera, I felt it appropriate to inform members at the earliest possible opportunity that they are likely to be sitting past 5 pm. I will be moving a motion, which is on the Notice Paper, to suspend standing orders 31 and 33 to allow that to be possible. I thank the House.

**QUESTIONS WITHOUT NOTICE**

**Carbon Pricing**

Mr ABBOTT (Warringah—Leader of the Opposition) (14:12): My question is to the Prime Minister. I refer the Prime Minister to her statement in this chamber that Sweden will have a carbon price of $130 a tonne; Switzerland, up to $60; Norway, $53; and Ireland, up to $37. How does the Prime Minister reconcile that statement with the finding of the Productivity Commission, on page 50 of its report into the carbon tax: 'No country imposes an economy-wide tax on greenhouse gas emissions.' Is the Productivity Commission wrong?

Ms GILLARD (Lalor—Prime Minister) (14:13): To the Leader of the Opposition: I have answered questions like this in comparable terms from the opposition before. I would ask the Leader of the Opposition to direct his attention to the facts: that a number of economies have carbon pricing; to the fact that 850 million people live with carbon pricing; and to the fact that new nations are agreeing, in their domestic economies, to put a price on carbon. Nations such as the Republic of Korea have agreed in recent times to putting a price on carbon in their economy. We have also seen pilot programs being developed in provinces in China, and these are joining the scheme. Countries across the European Union and a number of American states—and of course we are talking about very sizeable economies—also have carbon pricing. And the list goes on.
On 1 July, when our nation moves to carbon pricing, we—more than 20 million of us—will join 850 million other people on our planet who live in economies with carbon pricing. People will of course see tax cuts, family payment increases and pension increases and a nation with a clean energy future. What they will not see at any point are any of the predictions of the Leader of the Opposition come true.

Mr ABBOTT (Warringah—Leader of the Opposition) (14:14): Madam Deputy Speaker, I ask a supplementary question. Given that the supposed carbon prices that the Prime Minister constantly refers to are, in fact, just narrow taxes on items like oil and petrol, when will the Prime Minister stop misleading the Australian people and start telling the truth?

Ms GILLARD (Lalor—Prime Minister) (14:15): No amount of spin or use of insults from the Leader of the Opposition actually changes the facts. The Leader of the Opposition cannot come to that dispatch box and deny 850 million people live in economies with carbon pricing. He cannot do that. He cannot come to the dispatch box and deny that the Republic of Korea has just agreed to have an emissions trading scheme. He cannot come to that dispatch box and deny that in Europe nations have lived with carbon pricing for many, many years. And he cannot come to that dispatch box today and guarantee that his prophecies of doom will come true.

I would be very interested as to whether or not the Leader of the Opposition was prepared to clearly say in this parliament, ‘Whyalla won’t exist at the end of Sunday.’ He said that publicly. Will he say it in here? Will he say in here that the coal industry will cease to exist on Sunday? Will he say in here that there will be astronomical price rises? Will he verify in here his statement that the nation will be in a permanent depression, that a wrecking ball will destroy our economy? The list goes on. No, of course he will not, because the Leader of the Opposition has been out there talking about snakes but actually peddling snake oil on carbon pricing.

Mr Abbott: I seek leave to table a report from the Productivity Commission stating that no country on earth has an economy-wide carbon price.

Leave not granted.

Asylum Seekers

Ms O’NEILL (Robertson) (14:17): My question is to the Prime Minister. Why is it important to have a negotiated plan to help restore offshore processing of asylum seekers as soon as possible? How will this help break the people smugglers’ business model that has led to so much loss of life recently?

Ms GILLARD (Lalor—Prime Minister) (14:17): I thank the member for Robertson for her question. I know she, like so many members across the parliament, has been concerned to see this parliament work together to achieve change and to enable our nation, following the High Court case, to have offshore processing of asylum seekers. We saw in this parliament yesterday just how deeply many members of this parliament feel about this issue, and no-one can fail to have been moved by the tragedies that we have seen in recent days with the loss of life at sea. I think across this parliament we are rightly fearful that we will see more losses of life at sea if people continue to get into boats, many of them unseaworthy, having paid a people smuggler to try to get to our shores. So it is the right thing to do to send an effective message of deterrence. It is the right thing to do to seek to deter people from making those dangerous journeys. And all of us want to see the evil people who ply a
people-smuggling trade and profit from it brought to book and taken out of working that kind of evil and seeking to profit on misery.

This has been the subject of much heated debate in this parliament, but the time for that kind of heat is gone. Now is the time to get an effective outcome to the parliamentary deliberations. Yesterday the House of Representatives expressed its will about new laws to enable offshore processing. The new laws that the House endorsed do not represent the government's plan. They do not represent the opposition's plan. They bring together the key elements of both the government's plan and the opposition's plan. That means that that bill was asking everybody to take a step forward, to move from a rigid position and to embrace compromise and change. That bill—that compromise proposition moved by the member for Lyne—was adopted by this House and is now before the Senate. We are now in a very straightforward situation: either we can leave this parliament with laws that enable offshore processing at the end of this parliamentary day or we can fail the test of getting laws in place. It is a yes or no divide now, and I urge every senator, no matter their party political persuasion, to work today with their fellow senators to ensure that we see these laws adopted and that parts of the government's plan combined with parts of the opposition's plan can be put into effect in the weeks ahead.

Carbon Pricing

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (14:20): My question is to the Prime Minister. I remind the Prime Minister that the Labor leader in Western Australia has joined Tasmania's Labor Premier and the Northern Territory's Labor Chief Minister in withholding support for the government's carbon plan. Why should the Australian people have to pay a tax that even state and territory Labor leaders do not support?

Ms GILLARD (Lalor—Prime Minister) (14:21): To the Deputy Leader of the Opposition's question: I remember the time that Premier Barnett in Western Australia was making positive statements about emissions trading. That would have been the same time that the Leader of the Opposition and the Deputy Leader of the Opposition were making positive statements about putting a price on carbon. In Western Australia, as I understand it, the Leader of the Opposition has been saying to the Premier of Western Australia that he is concerned about the large-scale electricity price rises that are being imposed on the Western Australian people because of actions of the Barnett government. The Leader of the Opposition in Western Australia has been making the point that Premier Barnett today, even though he has made positive statements in the past about emissions trading and as I understand it went to see an Al Gore speech when Al Gore was here a number of years ago, has now, like the Leader of the Opposition himself, changed his position. The Leader of the Opposition in Western Australia has been making the point that Premier Barnett today, even though he has made positive statements in the past about emissions trading and as I understand it went to see an Al Gore speech when Al Gore was here a number of years ago, has now, like the Leader of the Opposition himself, changed his position. 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Mr Simpkins: Make it at the state Labor conference. Oh, that's right—it's cut.

The DEPUTY SPEAKER (Ms AE Burke): The member for Cowan might be cut in a minute.

Ms GILLARD: given the price rises that Premier Barnett has imposed on the people of Western Australia.

Ms JULIE BISHOP (Curtin—Deputy Leader of the Opposition) (14:23): Mr Deputy Speaker, I ask a supplementary question. Can the Prime Minister confirm that the Western Australian Labor Party conference scheduled for this weekend was cancelled as state Labor did not want the Prime Minister in Western Australia talking about her toxic carbon tax?

The DEPUTY SPEAKER: The last part of the question is out of order. The Prime Minister has the call.

Opposition members interjecting—

The DEPUTY SPEAKER: Order! Do you want to hear the answer or not?

Ms GILLARD (Lalor—Prime Minister) (14:23): I thank the Deputy Leader of the Opposition for her interest in my diary, but what I am intending to do on the weekend is to be there on Saturday and Sunday assuring Australians that everything the Leader of the Opposition has said about carbon pricing is untrue. I will be making the point on Sunday morning as the sun goes up that the coal industry is still in operation—

Ms Julie Bishop: Deputy Speaker, I rise on a point of order. My question was whether the Prime Minister can confirm Labor cancelled the conference because they do not want her talking about her carbon tax in the west.

The DEPUTY SPEAKER: Order! The Deputy Leader of the Opposition will resume her seat. Abuse of points of order will not be tolerated.

Ms GILLARD: As usual, the question from the opposition is a misleading one. But let me confirm to the deputy leader that I will be on Sunday saying to Australians: there is the coal industry still working. I will be saying to Australians on Sunday: there are Australians still in jobs, and there is Whyalla still in operation, and the list goes on. I will then be proceeding to Darwin for the official bilateral visit with the president of Indonesia, President Yudhoyono.

Asylum Seekers

Dr LEIGH (Fraser) (14:25): My question is to the Minister for Immigration and Citizenship. Minister, why is the offshore processing bill, the Migration Legislation Amendment (The Bali Process) Bill 2012 passed by the House last night, so important for saving lives and breaking the people-smugglers' business model? What compromises have been put on the table to assist the bill's passage through both houses of parliament?

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (14:25): I thank the member for Fraser for his question. It is a very important one as we wait for the vote in the other place, as we wait to see whether we can put an effective deterrent in place against people smugglers. The member for Lyons's private member's bill is the best chance of legislation to pass this parliament that would allow offshore processing. This bill is a compromise. It is a private member's bill that would allow for the implementation of the Malaysia agreement and the opening of a detention centre on Nauru. It is in line with the compromise offer made by the government to the opposition last year. The coalition says, of course, it is the party of offshore processing. Today they have an opportunity to be the party that votes for offshore processing.
I am asked what compromises were put on the table to see this bill passed. They have all been put on the table by the government. The only change we have seen from the opposition yesterday was an attempt to block a bill being passed, not an attempt to see a bill passed and implemented as law. The coalition’s amendment is explicitly designed to try to stop the implementation of government policy.

Does the opposition seriously suggest that future governments should be authorised to send asylum seekers to Iran, Afghanistan, the Congo and Somalia—all signatories to the refugees convention—but not a regional neighbour prepared to work with Australia and the UNHCR to improve protection outcomes and provide a deterrent? We heard a lot from the opposition yesterday about the treatment of children and we heard a lot of contradictory and false things from the opposition yesterday about the treatment of children. But there were some opposition members raising, I am sure, legitimate concerns about the treatment of children in the Malaysia agreement. For those members who raised those legitimate concerns, they are justified to go to the Leader of the Opposition today and demand that he immediately drop the two-back policy—that he immediately abolish his policy of returning boatloads of people, potentially full of children, to a country which is not a signatory to the refugee convention, with no protections guaranteed or negotiated at all. That is their policy. That is the policy they repeat constantly—

Mr Laming interjecting—

The DEPUTY SPEAKER: The member for Bowman is warned.

Mr BOWEN: and opposition members are entitled to demand its dropping immediately on the basis of those concerns.

The Malaysia arrangement provides a massive disincentive to make that boat travel to Australia. The Nauru detention centre alone does not. That is why, after Nauru was opened in 2001, people continued to arrive in Australia. The SIEVX arrived after the opening of the Nauru detention centre, with the drowning of 353 men, women and children. We want a real deterrent in place. That is why we are passionately arguing this in this House and the other house.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER (Ms AE Burke) (14:28): I welcome into the gallery today the Hon. Jane Aagaard, the Speaker of the Legislative Assembly of the Northern Territory. I welcome her here today.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr TRUSS (Wide Bay—Leader of The Nationals) (14:28): My question is to the Prime Minister. I refer the Prime Minister to the fact that sulphur hexafluoride, a synthetic greenhouse gas widely used in the power industry and even in eye surgery, will face from Monday a carbon tax of $549,000 per tonne, an import application fee of $15,000 per tonne and a handling fee of $165 a tonne to help pay for the carbon tax bureaucracy. Will the Prime Minister stand by her claim that only a few hundred businesses will pay the carbon tax?

Ms GILLARD (Lalor—Prime Minister) (14:29): I thank the Leader of the National Party for his question. Can I say to him, absolutely, the carbon price is being paid by less than 500 businesses in Australia—

Opposition members interjecting—
Ms GILLARD: and no amount of squealing by the opposition frontbench changes that fact. The Leader of the Opposition today and on other occasions has referred to the Australian scheme as an economy-wide carbon price. He is obviously trying to create the false impression in the minds of people that small businesses are paying this price or households are paying this price, whereas the price is paid directly by less than 500 businesses. Indeed, if you take an economy-wide look in Australia, Australia will have around 60 per cent of its emissions covered where other nations, including Denmark, Norway, Switzerland and Sweden, have broader schemes which cover 70 per cent or more of their emissions.

On the synthetic greenhouse gases that the Leader of the National Party raises with me, and these include some gases that are used as refrigerants, the issue here is an import levy for these gases which was first introduced by the Howard government in 2003. Let me repeat that in case anybody has missed it: these levies began under the Howard government. When they began under the Howard government, Dr Kemp, the then Minister for the Environment and Heritage—many of us remember Dr Kemp from his days in the parliament—said this:

As a party to the United Nations Framework Convention on Climate Change Australia is required to adopt policies and measures to mitigate climate change. The amendments introduced by this bill will deliver on this government's—

that is, the Howard government's—

commitment to manage synthetic greenhouse gases—

Mr Pyne: Madam Deputy Speaker, on a point of order. How could the Prime Minister be relevant when she is pretending that David Kemp introduced a carbon tax?
*Sydney region* make any recommendations to change this legislation for all current regional services?

**Mr ALBANESE** (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (14:34): I thank the member for New England for his question. I can get a question from outside of the chamber; it is just that it is always from the crossbenches.

The member for New England has indeed made strong representation, as have other crossbench members from regional communities, to ensure that there is continued access for regional services into Kingsford Smith airport. That is absolutely vital and it is critical when that access is there. It is critical that it be during peak periods so that people in rural communities, be they from Tamworth, Port Macquarie or Armadale, can get access into Sydney in the morning, do work and get home in the evening. This government is absolutely committed to making sure that that is the case.

The slots used by regional airlines for intrastate services at Sydney Airport are protected under the Slot Management Scheme. Regional airlines currently hold about one-quarter of the slots between 7 am and 9 am. These airlines use smaller aircraft, such as the 34-seater Saab 340s and the 30-seater BAe Jetstream J41s through Brindabella.

There will be no change to that under this government because it is absolutely vital that regional services continue to have that protection. I know that there are members on the other side, including the member for North Sydney, who understand how important this is. But what we know is that if the services are going to grow we need a second airport for Sydney. Unless we have that, the pressure will continue to be on.

We know that Sydney Airport is full, but there is some support across the parliament for a second airport. The real concern is those people who do not support a second airport, be they the owners of Sydney Airport or those supporters of Max Moore-Wilton, who do his bidding and who think that is more important than access for regional communities.

The Leader of the National Party had this to say on ABC Illawarra on 16 April. He said two things. One: 'We want larger aircraft in.' Secondly, he said that the extension of KSA can occur ‘through better use of neighbouring airports in places like Bankstown’. They will not be A380s going into Bankstown; they will be smaller aircraft, which is what some of his plan is. That is what Sydney Airport would like to do. Under this government it will not occur, but the National Party need to make very clear to people in regional communities why it is that they will stand up for the owners of Sydney Airport and not stand up for their interests— *(Time expired)*

**Asylum Seekers**

**Mr PERRETT** (Moreton) (14:37): My question is to the Minister for Home Affairs, Minister for Justice and Minister for Defence Materiel. Will the minister update the House on the search-and-rescue operation conducted by the Royal Australian Navy yesterday? What policies are needed to stop this happening again?

**Mr CLARE** (Blaxland—Minister for Home Affairs, Minister for Justice and Minister for Defence Materiel) (14:38): I thank the member for Moreton for his question. Yesterday another boat sank and more people died. At 9:30 pm yesterday, the search-and-rescue effort was suspended. The advice of Border Protection Command is that there were 134 people on the boat. One hundred and thirty lives were saved—113 men, three women, 12 boys and two girls.
The body of one person who died has been recovered; three more have not been found.

Yesterday, as we were debating here in this chamber, there were reports of another vessel that was in distress some 20 nautical miles off the coast of Indonesia. I am advised that this appears to have been a false alarm. Late yesterday, at about 10:30 pm, another boat arrived, carrying another 100 people who put their lives at risk trying to get to Australia. They arrived safely, but in the last 12 months more than 300 people have not been so lucky. Two hundred people died in December; 11 died in February; 90 died last week; four died yesterday. We can stop this.

Yesterday the debate here was about Malaysia or Nauru; today the debate is about whether we do both or whether we do nothing. It is not good enough when people are dying to just vote no. We have made compromises, and it is time for the opposition to do the same. We have made compromises—

Opposition members interjecting—

The DEPUTY SPEAKER (Ms AE Burke): Order! The minister has the call.

Mr CLARE: We are all taught when we are young that, if there is an ambulance with its sirens on, we have to move; that we have to change lanes—

Mr Dutton interjecting—

The DEPUTY SPEAKER: The member for Dickson will leave the chamber under 94(a).

The member for Dickson then left the chamber—

Mr CLARE: and give a bit of ground. It is on its way to an emergency and, if we let the ambulance through, it can save lives. That is what the opposition needs to do today—let the bill through to save lives.

Carbon Pricing

Mrs BRONWYN BISHOP (Mackellar) (14:40): My question is to the Prime Minister. I remind the Prime Minister that some of our nation's most vulnerable older citizens are now being told that they face increased residential care fees which are almost twice as much as the increase forecast by Treasury under the carbon tax. Can the Prime Minister explain to these pensioners why the government is inflicting this additional financial pain on them when our domestic emissions will actually increase under the world's biggest carbon tax by eight per cent?

Ms GILLARD (Lalor—Prime Minister) (14:41): Once again the opposition misleads about the nature of carbon pricing, and once again the opposition is there trying to scare and confuse people. We are very focused on making sure that we assist pensioners. That is why as a government we have been proud to deliver an historic increase in pensions. We understood how difficult pensioners find it to make ends meet—we well and truly understood that. An historic increase in pensions has been delivered under this government.

When it came to putting a price on carbon, having delivered that historic increase to pensioners, we of course wanted to make appropriate arrangements to ensure that we were helping pensioners. So we have provided and will continue to provide additional money to pensioners, which means that pensioners will see more assistance than they require for the average impact of carbon pricing upon them. We have deliberately designed the scheme to provide an extra 20 per cent because we wanted those Australians who are of limited means to have the additional assistance.

Pensioners are seeing an increase, for example, of $338 in the single pension. We
have prepaid that increase. Pensioners around the country in their millions have received money already, and they will keep receiving money from March next year. Three million pensioners have already received assistance, and in March next year they will keep receiving assistance because we want to make sure that we are always looking after our pensioners.

So, in terms of the prices in aged care, of course any adjustments there have been factored into the very modest cost-of-living increase from carbon pricing—less than a cent in a dollar—and assistance has been provided to pensioners so that they are receiving more assistance than they need for the average impact of carbon pricing.

The real risks for Australian pensioners are from the opposition's plan to claw these benefits away and then the opposition's plan to slash the kinds of services older Australians rely on, such as health services, by $70 billion.

Mrs Bronwyn Bishop: I seek leave to table the summary indicators from Strong growth, low pollution: modelling a carbon price, proving the—

Leave not granted.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER (Ms AE Burke) (14:44): May I welcome into the gallery today representatives of the Newcastle East Public School, which I am reliably informed is the oldest continually-running school in Australia, and may I commend them on their exemplary behaviour.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Carbon Pricing

Mr MURPHY (Reid) (14:45): My question is to the Prime Minister. Prime Minister, on 1 July, how will Australians have the opportunity to make up their own minds about putting a price on carbon? What assistance will the government provide to families, pensioners and industry as this important reform comes into effect?

Ms GILLARD (Lalor—Prime Minister) (14:45): I thank the member for Reid for his question. The member knows carbon pricing starts on 1 July; and the member knows that on that date Australians, who are a very practical people, will have the ability to judge for themselves what the impact of carbon pricing is. They will be able to assess the claims that have been made about carbon pricing by the Leader of the Opposition and the opposition front and back bench teams. Australians, as a practical people with common sense, will be able to see the impacts of carbon pricing.

After 1 July they will be able to assess: has the coal industry been brought to an end? Is no-one working in coal anymore? Is there no more investment in coal? Or will they in fact see coalmines continue to work and our coal industry continue to expand? They will be able to assess whether the town of Whyalla is still functioning or has been wiped off the map. They will be able to assess whether the price increases at their local supermarket have been astronomical, as promised by the Leader of the Opposition. They will be able to assess whether Australia has immediately entered a 'permanent depression', as the Leader of the Opposition has claimed. They will be able to assess whether all of the claims of the Leader of the Opposition—whether it is a wrecking ball through the economy, squeals of pain from puppies or any of these things—are coming true on 1 July.

In fact, what they will see is our economy transforming over time into a clean energy economy. They have already seen increases
in family payments, and that assistance will be continued. Pensioners have already seen assistance turn up in their bank accounts, and that assistance will be continued. From the pay period after 1 July many Australians will see tax cuts. People earning less than $80,000 a year will see a tax cut and some people who pay tax today will pay no tax—because if you earn $18,200 or less you will not give a cent of that to the tax man.

These are the changes that Australians will see. These are the facts about carbon pricing. What is it all about? It is about cutting our carbon pollution in the most effective and least-cost way. That is what Australians will see from 1 July. The Leader of the Opposition will then be called to account for every false statement he has made to the Australian people as a result of his relentless negativity.

**Carbon Pricing**

**Mr O'DOWD** (Flynn) (14:48): My question is to the Prime Minister. I refer the Prime Minister to a statement by the Queensland Council of Social Services that more than 7,000 residential electricity customers have had their power cut in the first quarter of 2011-2012 because their bills are unpaid. Can she guarantee that the rate of households that have had their power cut off will not increase because of higher electricity prices due to her carbon tax?

**Ms GILLARD** (Lalor—Prime Minister) (14:49): In response to the member's question, poorer Australians—people who live on fixed incomes such as, for example, the pension—will get more assistance than they need to deal with the impact of carbon pricing; 20 per cent more. The Australians he says he is concerned about will actually have more money in their pockets as a result of the extra payments that are flowing through to them. That is a fact. I am sure that, if the member is genuine and serious in his concern for these poorer Australians, he would want to see these poorer Australians with more money in their pockets, and that is what this government has determined to do. That is what is happening right now with people getting prepayments, for example, of additional moneys going into their pension.

The member who says he is concerned about these issues ought to direct his attention to the right place: not to this government which, in the course of carbon pricing, has sought to benefit low-income households, but to state governments which have had huge electricity price rises without a cent of assistance to Australians and, most particularly, poorer Australians. He might then like to direct his attention to a state government like the O'Farrell government in New South Wales which wants to engage in a public housing rip-off. Barry O'Farrell wants to grab money that we sent some of the poorest Australians—those who are most at risk—out of their purses and wallets and stuff it into his budget because he cannot make it add up. So if the member is genuinely concerned about the poor then he should get on the phone to Barry O'Farrell today and say, 'Don't steal money from people in public housing.' When he is finished with that call he might say to Barry O'Farrell, 'Do something about the increases you are putting on electricity.' Then he can ring Premier Newman, Premier Baillieu and Premier Barnett on exactly the same point.

**Mr Christensen:** A point of order, Madam Deputy Speaker: with a minute to go, or less than a minute to go, we have to get to the question. The question was: can she guarantee that the rate of households who have their power cut off will not increase?

**The DEPUTY SPEAKER:** The member for Dawson will resume his seat. There is no
point of order. The Prime Minister has the call.

Ms GILLARD: Let me clearly say, my concern is that we will continue to see state Liberal governments smashing into these households. Premier Newman, for example, has given absolutely no guarantee about not ripping off money from public housing tenants. They may well be under attack from state Liberal governments, but they will see extra assistance and help from this government every step of the way because we are a Labor government and that is what we do.

DISTINGUISHED VISITORS

The DEPUTY SPEAKER (Ms AE Burke) (14:52): I knew I was getting myself into trouble by recognising a school, because I have also been reliably informed that, all the way from the Northern Territory, we have the O’Loughlin Catholic College with us today. They can represent their speaker, who we also have all the way from the Northern Territory.

Honourable members: Hear, hear!

QUESTIONS WITHOUT NOTICE

Mining

Ms LIVERMORE (Capricornia) (14:52): My question is to the Treasurer. Will the Treasurer outline for the House what recent data and announcements say about the strength of the mining sector and our economy? How confident is the Treasurer that the mining sector will still exist come 1 July?

Mr SWAN (Lilley—Deputy Prime Minister and Treasurer) (14:52): I thank the member for Capricornia for her question. She represents one of the great engine rooms of the Australian economy, with a very important coal industry in that area which is growing all the time. Despite all of the volatility in the global economy, we received another stunning vote of confidence in the future of our economy yesterday. We had a report from the Bureau of Resources and Energy Economics which looks at the pipeline of investment in resources, and they forecast that our resource and energy export earnings will reach a record high of $209 billion in 2012-13. That is underpinned by strong growth in iron ore, in coal and in LNG. And we know there is more to come, because we have a pipeline here that is worth up to half a trillion dollars.

Just today we have seen Yancoal list on the Stock Exchange for $4 billion. This is an industry that the Leader of the Opposition said is going to be annihilated on Sunday. Yancoal listed for $4 billion today. Also, we have had the announcement from Santos that they are going to bring forward $2.5 billion of capital expenditure on a major project at Gladstone right through to now. This is another huge vote of confidence, particularly in our resources sector but most particularly in our economy and in the policies of the government.

All of this deals a very serious blow to the scare campaign from the Leader of the Opposition, because the world is not going to end on Sunday. As the Prime Minister said, the sun is going to rise in Whyalla—and of course the Special Minister of State will be there with his mum—and the coal industry is going to continue to expand. For the Leader of the Opposition, Sunday is going to be the equivalent of the Y2K virus. He has told Australians to build up their stores of bottled water and head for the bathroom in the morning. None of these things will be necessary because none of the doom and gloom that has been promised by the Leader of the Opposition will come to pass.

Our economy will continue to grow and, of course, we will continue to provide the assistance in the Clean Energy Future
package to the pensioners, wage earners and families of Australia. We will do all of that, but that will be ripped off by the Leader of the Opposition should he come to power so he can give a tax cut to his mate Clive Palmer. We know they have had a lovers' tiff, but I have heard they made up overnight. There has been a fix put in. They had a little sandpit tantrum the other day but they are friends again. The truth of it is this: the Leader of the Opposition will go in to bat for billionaires—(Time expired)

Mr Tehan interjecting—

The DEPUTY SPEAKER: Order! The member for Wannon will leave the chamber under 94(a). It is highly inappropriate to be doing as he and several others did. He is the one who got pinged, though.

Carbon Pricing

Mr BILLSON (Dunkley) (14:56): My question is to the Assistant Treasurer. I refer the Assistant Treasurer to his statement on Tuesday threatening small-business owners with prosecution by the ACCC and fines of up to $1.1 million for displaying this poster.

Opposition members interjecting—

The DEPUTY SPEAKER: Order! All the posters are coming down. The member for Dunkley will resume his seat and the props will disappear.

Mrs Griggs interjecting—

The DEPUTY SPEAKER: The member for Solomon has had my patience. No props. The member for Dunkley has the call. He will ask his question again without assistance from his colleagues.

Mr BILLSON: Thank you for leaving it with me, Madam Deputy Speaker. I refer the Assistant Treasurer to his statement on Tuesday threatening small-business owners with prosecution by the ACCC and fines of up to $1.1 million for displaying this poster. How does he reconcile this threat to small business with the fact that the government's own modelling indicates a 10 per cent rise in electricity prices because of the carbon tax with the statement by the ACCC that this poster is in no way misleading?

Mr BRADBURY (Lindsay—Assistant Treasurer and Minister Assisting for Deregulation) (14:57): Thanks very much, Madam Deputy Speaker. It is just a shame they did not get the member for Mitchell to ask this one. The pamphlet that was enclosed in the letter that has been distributed to small businesses all around this country is a pamphlet that has the potential to mislead consumers. The ACCC has made it clear that businesses that jack up their prices and falsely blame the carbon price for those price increases may be subject to the provisions of the Competition and Consumer Act. The sanctions that apply to offences under that act include a fine of, in the case of individuals, up to $6,600 or, in the case of a corporation, $1.1 million. This is a very serious matter. The truth of this particular matter is that the Leader of the Opposition, in encouraging businesses to put up a pamphlet that suggests that any price increases that the businesses may pass on may in fact be a direct result of the carbon price, is potentially misleading. The ACCC has confirmed as much.

What is most important in relation to this matter is that the people who are likely to be in the firing line include, in fact, not the Leader of the Opposition—we know that he has been misleading at every stage of this debate—but the people who could unwittingly be drawn into this particular matter are those small businesses that may, if they act upon the advice of the Leader of the Opposition, put this pamphlet up in their window. If they increase prices by more than what is attributable to the carbon price, in those cases they may well be guilty of misleading their consumers.
We make no apologies on this side for standing up for the rights of consumers. We do not believe that it is appropriate for businesses to jack up their prices unfairly and to falsely blame that on the carbon price.

Mrs Mirabella interjecting—

The DEPUTY SPEAKER: The member for Indi is warned!

Mr BRADBURY: The difference between the government and the opposition on this issue is that the Leader of the Opposition wants businesses to jack up their prices. He has decided that it is in his political interest for businesses to jack up their prices so that his campaign of gloom and doom—

Mr Tony Smith interjecting—

The DEPUTY SPEAKER: The member for Casey might be ship ahoy in a moment!

Mr BRADBURY: which we all know has been hyperbole, can have some justification. The fact of the matter is that 1 July is coming around very soon and we will see that it will not be the cobra strike; it will not even be a python squeeze. At that point the Leader of the Opposition will be exposed for the fraud that he is.

The DEPUTY SPEAKER: The member for Dunkley is seeking to table a document.

Mr Billson: I am, ma'am. I seek leave to table this—this is the one that is not misleading and contains the government's material.

Leave not granted.

The DEPUTY SPEAKER: I ask that members not wave to the galleries as I have instructed somebody to leave the chamber for that. It was under other circumstances, I will point out, however.

Carbon Pricing

Ms OWENS (Parramatta) (15:01): My question is to the Minister for Climate Change and Energy Efficiency and Minister for Industry and Innovation. With the carbon price coming into effect from 1 July, why is it important for Australians to have accurate information about this important economic and environmental reform?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (15:01): I thank the member for Parramatta for her question. When it comes to important economic and environmental reforms like carbon pricing, the community expect leadership and they do not expect the silly sort of nonsense that the Leader of the Opposition has gone on with. What we have heard over the last 12 or 18 months from the Leader of the Opposition is an extraordinary number of reckless, irresponsible and downright deceitful statements about carbon pricing. With carbon pricing coming in from this Sunday—

Dr Jensen interjecting—

The DEPUTY SPEAKER (Ms AE Burke): The member for Tangney is warned!

Mr COMBET: and with his two-week tour of doom and gloom that we have heard about upcoming, it is worthwhile just reflecting upon some of the deceitful statements that the Leader of the Opposition has made. Let's start with the contention that carbon dioxide has no weight at all. We are trying to encourage students into maths and science. What sort of leadership is that type of silliness? A year ago he forecast that, from Sunday, 45,000 jobs would be lost in energy intensive industries and another 126,000 jobs lost mainly in regional Australia. They are all gone from Sunday—nearly 200,000 jobs gone from Sunday, forecast by the prophet of doom. The facts, of course, are pretty different. The economy is in good position. It is growing well. Jobs are forecast to grow by
1.6 million through to 2020. Jobs will grow under carbon pricing.

Another one of his claims is:
I've never been in favour of a carbon tax or an emissions trading scheme.

But, in fact, on the record, on camera, he has supported both on different occasions. Try this old favourite. He said that the price increases from carbon pricing will be 'unimaginable'. It might betray a lack of imagination, but really it is just completely deceitful, because we know, of course, that the price impacts will be very modest. According to reports just yesterday, both Coles and Woolworths, from which most Australians buy their produce, have ruled out price increases on 1 July and have said that energy savings will allow them to absorb the costs. It is not any wonder that the Leader of the Opposition and the shadow minister for small business are now trying to incite price rises, because their position is so fraudulent and so deceitful. They should be ashamed and they will be exposed.

Ms OWENS (Parramatta) (15:04): Madam Deputy Speaker, I ask a supplementary question. The minister has discussed the importance of accurate information about the carbon price. Is he aware of examples where Australians have thoroughly assessed the impact of the carbon price and then taken action?

Mr COMBET (Charlton—Minister for Industry and Innovation and Minister for Climate Change and Energy Efficiency) (15:04): Thank you to the member for Parramatta for the question once more. As a member representing a lot of coal workers I have taken a keen interest in the resources sector and the coal industry in particular. Something that has always fascinated me is the prediction by the Leader of the Opposition that, from Sunday, the coal industry will die. It is doomed. Everyone is gone. It is all over, gone, faster than the run out of the House of Representatives the other week—all gone.

But it has been puzzling because, after the Leader of the Opposition had made this forecast, a prominent Liberal with years of government service took on the role as chairman of a coalmining company. Why would you head up a coalmining company after the leader of your own party has predicted that it would be destroyed?

A government member: Who would that be?

Mr COMBET: It was none other than now Senator Arthur Sinodinos—New South Wales Liberal heavyweight, New South Wales Liberal Party finance director and state president, John Howard's right-hand man and the opposition's economics brains trust.

Opposition members interjecting—

Mr COMBET: Well, you would not credit it to you mob, would you? Fair dinkum! Arthur Sinodinos knew what was going on and he knew that the Leader of the Opposition's claims were a total fraud.

Carbon Pricing

Mr HUNT (Flinders) (15:06): My question is to the Prime Minister. I refer the Prime Minister to her concession today that small businesses will directly pay the carbon tax on synthetic greenhouse gases. I also refer to the statement from the Refrigeration and Air Conditioning Contractors Association that at least 800 companies from the refrigeration industry will be paying this tax direct to the government. Will the Prime Minister now apologise for quadrupling the price of gases such as R404A and for misleading the parliament when she says that fewer than 500 companies will pay the carbon tax? (Time expired)

Mr Champion interjecting—
The DEPUTY SPEAKER: Order! The member for Wakefield is warned!

Ms GILLARD (Lalor—Prime Minister) (15:07): There are synthetic greenhouse gases that have a global warming impact more than a thousand times more potent than carbon dioxide. The Howard government had the courage to recognise that and impose a levy—

Mr Truss interjecting—

Ms GILLARD: I see, so they are into an amount of money that businesses pay for the Leader of the Opposition. He voted for it, he supported it when he was in government—more hypocrisy, more ridiculousness from the Leader of the Opposition and his team.

MOTIONS
Prime Minister
Censure

Mr ABBOTT (Warringah—Leader of the Opposition) (15:07): I seek leave to move a motion of censure against the Prime Minister.

Leave not granted.

Honourable members interjecting—

The DEPUTY SPEAKER (15:08): Order! Order! The Leader of the House!

Mr ABBOTT: I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Warringah moving immediately—That this House censure the Prime Minister for breach of faith with the Australian people by introducing the world's biggest carbon tax starting on Sunday and in particular for stating:

(1) six days before the election, that "there will be no carbon tax under the Government I lead";
(2) one day before the election, that "I rule out a carbon tax"; and
(3) on the day she took over as Prime Minister after knifing Kevin Rudd, that "I also believe that if we are to have a price on carbon … we need a deep and lasting community consensus about that".

What a red-letter day! The Prime Minister is sitting in this chamber for once to face a suspension motion. Presumably, she is prepared to respond at last and to explain why it is that she is so thoroughly misled and lied to the Australian people before the last election.

The DEPUTY SPEAKER: Order! The Leader of the Opposition will withdraw.

Mr ABBOTT: I withdraw, Madam Deputy Speaker. Standing orders must be suspended because Sunday is carbon tax day and this House needs the opportunity to censure this Prime Minister for introducing a bad tax based on a lie. This was the tax that was never, ever going to happen. It was a tax that would never happen, because we had the Prime Minister's word for it. We had her solemnly pledged word that the carbon tax would never happen.

That is why the Australian people are so angry about this tax. They are angry because they have not just been injured by this tax; they have been insulted by this tax. They have been insulted by a Prime Minister who said before the election that there would be no carbon tax, to win votes, and then to her everlasting shame agreed to a carbon tax to stay in office. This is a Prime Minister who sacrificed the welfare of the Australian people, who shredded her own credibility, who broke her own word, to save her job. That is the political crime that gnaws at this Prime Minister every hour of every day. That is the political crime which haunts this parliament. This is the political crime that is destroying this government, a government that lacks legitimacy not because it lacks a majority but because it lacks integrity. And it all starts over there. The Prime Minister is scribbling away, but she cannot wash away
the stain on the soul of this government. That is why standing orders should be suspended.

Six days before the last election—and it was not just something that was blurted out, something that just slipped out in the heat of the moment—she made a solemn promise to the Australian people. At least 15 times I had said in the course of the last election campaign that as sure as night follows day there will be a carbon tax if this government is re-elected. So the Prime Minister quite deliberately with malice aforethought went on television and said, 'Trust me, there will be no carbon tax under the government I lead.'

Because that was not enough—because people knew this Prime Minister already—one day before the last election she said, 'I rule out a carbon tax.' And she was not on her own. Her henchman over there, the Treasurer, described talk of a carbon tax as a 'hysterical allegation'. She went further to completely and absolutely bury the idea of any emissions trading scheme and the idea of a carbon tax. She said repeatedly during the campaign, 'Don't you worry about that,' because there was going to be a citizens assembly to look after all of that and nothing would happen, not a single thing would happen. This was to try to reassure the Australian people that not a single thing would happen until, in her words, 'a deep and lasting consensus was achieved. We don't have it now,' she said back then. Well, we certainly did not have it then and we certainly do not have it now.

I'll tell you what, Madam Deputy Speaker—and this is why standing orders must be suspended—there is a deep and lasting consensus on two things: first, that this carbon tax is a bad tax based on a lie and, second, you cannot trust a single commitment that this Prime Minister gives.

That is the deep and lasting consensus that this Prime Minister has achieved.

Just imagine for a second—and this is why standing orders must be suspended—that members opposite do not change leaders. I think they will, but just imagine that they decide to persist with the current Prime Minister. She will be going into the election campaign time and time again giving solemn pledges on this, solemn pledges on that. She might even give a solemn pledge that no price will go up under 'the government I lead' because of the carbon tax. That was the pledge we got from the Minister for Climate Change and Energy Efficiency. Not a single pledge that this Prime Minister makes will be taken seriously by anyone. Not a single pledge will be taken seriously by anyone because this country is haunted by the memory of the big lie—'There will be no carbon tax under the government I lead.'

This is why standing orders should be suspended and this is why the Australian public feel so betrayed. Circumstances did not change—oh, no. One hundred and forty nine members of this parliament got elected saying there would be no carbon tax. So the Prime Minister cannot say she was forced by the member for Melbourne. Good old Adam Bandt; God, he is powerful! She cannot say, 'He forced me. Just one man forced me. Just one man twisted my arm to bring in this carbon tax.'

It was an absolute act of betrayal by a Prime Minister who was never straight with the Australian people. But I have to say—and this is why standing orders should be suspended—betrayal is the stock in trade of this Prime Minister. I regret to say it. It is a heavy thing to say of the Prime Minister of this country that betrayal is her stock in trade. But the member for Griffith knows that. The member for Griffith knows that
only too well. He knows the protestations that she made in public and in private that his job was safe. He was betrayed over the prime ministership—

Mr Fitzgibbon: Madam Deputy Speaker, I rise on a point of order on relevance. The Leader of the Opposition's attempts to now and again show he is speaking to the motion are surely insufficient. You really should ask him to address the motion before the chair.

The DEPUTY SPEAKER: The Leader of the Opposition will refer to the motion before the chair.

Mr Abbott: Nothing is more important at this time than debating the integrity of the Prime Minister. That is why standing orders must be suspended. I was surprised that the Chief Government Whip took that point of order because he has been let down too. He was promised—

The DEPUTY SPEAKER: The Leader of the Opposition is straying. He must return to the motion.

Mr Abbott: Standing orders must be suspended because the Australian people deserve to hear from the Prime Minister how on earth she justifies this travesty of a policy, the worst piece of economic policy that the former head of the Commonwealth Bank, David Murray, has seen in his lifetime. That is why standing orders should be suspended. There is a better way. There is a better way than following a government that has sold its soul to the Greens to damage the very workers who voted for it.

We heard from the Prime Minister that people could have their say. Give them a say; give them a vote. (Time expired)

The DEPUTY SPEAKER: Is the motion seconded?

Mr Pyne (Sturt—Manager of Opposition Business) (15:18): I second the motion. The reason standing orders should be suspended is that the most important item that should be before the chamber today is the integrity of the Prime Minister. On Sunday, when the carbon tax is introduced, exhibit A in the case against the Prime Minister's integrity will be the broken promise that 'there will be no carbon tax under a government I lead'. Standing orders should be suspended because this is a Prime Minister without integrity, without solutions and without a future. She promised she would stop the boats. She promised she would build a lasting consensus before she introduced any change on climate change, and she failed. She promised that she would fix the mining tax, and she failed. She promised she would lead a more transparent and accountable government, and she failed. And she promised that she would restore respect in the parliament and, my, how she has failed.

But the great conceit of this Prime Minister is that when she first announced the reversal of her position on the carbon tax and introduced a carbon tax she said she was just doing what John Howard had done on the goods and services tax. That was the great conceit—that she compared herself to John Howard. Prime Minister, I know John Howard, I served with John Howard, John Howard is a friend of mine and you are no John Howard.

The DEPUTY SPEAKER (Ms Burke): Order! The Manager of Opposition Business will refer to the motion before the chair.

Mr Pyne: Her colleagues know it. The press gallery knows it.

The DEPUTY SPEAKER: The Manager of Opposition Business must refer to the motion.

Mr Pyne: Standing orders must be suspended because there is no more important matter that should be before the
chamber today than the integrity of the Prime Minister. The caucus knows she has lost her integrity. The media know it. The public knows it. Finally, the Labor Party should put the Prime Minister and this government out of their misery.

Standing orders should not just be suspended because this Prime Minister has lost her integrity when it comes to introducing the biggest carbon tax in the world; they should be suspended because she showed the same lack of integrity to the member for Griffith, the former Attorney-General, former minister Kim Carr, the former Speaker—the current Speaker still maintains the position—and the member for Dobell. In fact, many of her staff have fallen on the funeral pyre of her pride and vanity. Why should any member of the caucus support a Prime Minister who expects them to go to the funeral pyre at the next election simply to protect the pride and vanity of an unworthy prime minister?

Standing orders should be suspended because the Prime Minister reminds me of a rabbit at a greyhound race meet. She is out the front, she is being pursued by the greyhounds behind her—the member for Griffith, the minister for local government, the Minister for Defence and, of course, the littlest minister of all, the Minister for Employment and Workplace Relations. Even if the Prime Minister had succeeded in any of the matters that she promised two years ago, standing orders should be suspended and this Prime Minister should be censured even for just one matter alone, and that was her most solemn promise, her absolute pledge, that there would be 'no carbon tax under a government I lead', which she followed up in order to ensure the Australian public could trust her. And could they trust her? I think all the evidence is to the contrary. You only have to look at the faces of the frontbench and the backbench this week in question time, to watch those frowns on the backbench, except for 'Rumpole' over there, who has got no feelings and does not know what is going on in his electorate because he does not live there—he lives in Toorak instead.

The DEPUTY SPEAKER: The Manager of Opposition Business will refer to the motion before the chair.

Mr PYNE: Madam Deputy Speaker, standing orders should be suspended and the Prime Minister should be censured because she lied to the Australian people before the election. She lied to the Australian people about a carbon tax.

The DEPUTY SPEAKER: The Manager of Opposition Business will withdraw.

Mr PYNE: I withdraw the statement that she lied, but certainly—

The DEPUTY SPEAKER: No, the Manager of Opposition Business will withdraw.

Mr PYNE: I withdraw. Certainly what is true is that this is a bad tax built on a lie—without attributing it to the Prime Minister, but I think we all know who was responsible for it. The Prime Minister's time is up. The Prime Minister's time is—

The DEPUTY SPEAKER: Order! The Manager of Opposition Business will resume his seat. The Leader of the House.

Mr Albanese: He must withdraw, Deputy Speaker.

The DEPUTY SPEAKER: The Manager of Opposition Business did withdraw. His time has concluded. The question is that the motion be agreed to. I call the Prime Minister.

Ms GILLARD (Lalor—Prime Minister) (15:23): Thank you very much, Deputy Speaker. Perhaps those opposite—
Opposition members interjecting—

The DEPUTY SPEAKER (Ms AE Burke): Order, if you want to remain for the vote!

Ms GILLARD: They have had a big night out, Deputy Speaker, and they just need to settle down.

Ms Julie Bishop interjecting—

The DEPUTY SPEAKER: The Deputy Leader of the Opposition is warned!

Ms GILLARD: What we have seen from the Leader of the Opposition today and then from the Manager of Opposition Business is—

Mr Hartsuyker interjecting—

The DEPUTY SPEAKER: The member for Cowper will leave the chamber under 94(a).

The member for Cowper then left the chamber.

Ms GILLARD: exactly the kind of negative contributions you would expect from an opposition that has got no policies or plans for the nation's future. The Leader of the Opposition day after day believes that insults are substitutes for ideas. You cannot say that you want to be Prime Minister of this country and not offer one idea about the nation's future. Here we are in this parliament meeting a few days before two significant national reforms start: carbon pricing to transform us to a clean energy future and the minerals resource rent tax to share the benefits of the boom around the country. These are two transforming national reforms, just like the major national reforms of the past, like floating the dollar, like reducing tariff walls, like universal superannuation—transforming reforms—and all the Leader of the Opposition can offer in his case as to why the standing orders should suspended is a series of insults.

Has the Leader of the Opposition ever walked into this place and up to that dispatch box and said, 'Let's suspend standing orders because I've got an idea about how to make sure our nation has a better and more prosperous future? Have you ever heard the Leader of the Opposition do that: walk in here and offer an idea? An idea about jobs? An idea about growing the national economy? An idea about improving our healthcare system? An idea about improving our schools? No, because he believes that in his relentless negativity he can hoodwink the Australian people. He has never offered one idea.

Standing orders should not be suspended to enable the Leader of the Opposition to further expose himself for his desperate and destructive negativity. The Leader of the Opposition is as worked up as he is today, as full of insults, because he can see 1 July looming. He can see Sunday looming. And he knows that from 1 July on he will be held to account for every negative reckless campaign claim he has made. He will be exposed to the Australian people when the coal industry continues to function and his backbench continue to buy shares in coalmining companies. He will be exposed when price rises—

The DEPUTY SPEAKER: The Prime Minister will resume her seat. The Leader of the Opposition on a point of order?

Mr Abbott: Yes, Madam Deputy Speaker, I raise a point of order. If the carbon tax is such a good idea, why didn't she tell us before the election?

The DEPUTY SPEAKER: The Leader of the Opposition will resume his seat. There is no point of order. The Prime Minister has the call.

Ms GILLARD: Here we have it: the Leader of the Opposition in his weakness, in his inability to sustain a genuine debate.
When we talk about ideas he goes for the cheap insults and the points of order because he knows that he will never be able to sustain a debate in this parliament on the facts. The facts at every stage are his enemy. He has claimed the end of the coal industry. It will function from 1 July. He has claimed astronomical price rises. That will not happen. He has claimed our economy will be in a permanent depression. That will not happen either. And the list of falsehoods just goes on and on and on.

To assist those who want to have an index at their fingers as the opposition leader's ridiculous claims get punctured after 1 July, we are providing members with this, Abbott's Little Book of Deceit, a ready reckoner—

The DEPUTY SPEAKER: No props will be tolerated!

Ms GILLARD: so you can see every false claim day after day.

The DEPUTY SPEAKER: The Prime Minister can desist!

Ms GILLARD: The Leader of the Opposition is very fond of giving people lectures about honesty and is seeking a suspension of standing orders so he can continue his lectures. What the Leader of the Opposition does not want the Australian people to know is that he stood in the 2007 election alongside John Howard promising a price on carbon. He in his book Battlelines reflected on that price on carbon as a good thing. He is on the record as saying that action must be taken on climate change and it needs to be with a price on carbon.

Mr Tony Smith interjecting—

The DEPUTY SPEAKER: The member for Casey can go too, under 94(a)

The member for Casey then left the chamber.

Ms GILLARD: The opposition leader in his heart of hearts is a believer in a price on carbon. He stood on an election ticket to do it. He has talked of it approvingly on more than one occasion. But, of course, what the Leader of the Opposition has done is embark on a political campaign firstly to depose the member for Wentworth as Leader of the Opposition and then, in the absence of any ideas during the period that he has been Leader of the Opposition, to try and create a campaign for political profit. But the Leader of the Opposition's campaign is going to come to a shuddering halt, because the days of just going out there and making it up are coming to an end. Australians are a common-sense people. Even in days when they have been worried about big reforms in the past—whether it was floating the dollar, universal superannuation or Mabo and native title—Australians ultimately ended up judging from their own experiences. They ended up living it. They ended up forming their own judgments based on how they lived the experience. And, from 1 July, Australians will be able to live that experience. They will be able to go to the shops like Coles and Woolworths, and the prices will not have increased on 1 July. They will get their pay packet and they will see a tax cut. For some, they will move from paying tax to no tax. Think about the power of that: money that you worked hard for used to go to the tax man and now none of it goes to the tax man. You get to keep it all and to spend it on your family. Pensioners are seeing increases. There are increases in family payments.

And then, importantly, our nation will see a transformation to a clean energy future. Australians who have often looked up into our beautiful sky and seen the power of our sunshine and have asked themselves the question, 'Why don't we use that great solar resource?’ will be able to see the development of a clean energy future. Australians who want to bequeath a planet to future generations with less carbon pollution
will be able to know that their nation is taking the appropriate steps to achieve that. Our nation will be able to stand in the councils of the world alongside other nations who have priced carbon pollution, as our world works towards addressing this global challenge of climate change.

Whilst all of that happens the Leader of the Opposition will be out there with his tortured analogies—with his 'python' and his 'cobra' and his 'wrecking ball'—trying to explain to the Australian people why, month after month, day after day, he has misled them while, month after month, day after day, he has made false claims. I am looking forward to the return of this parliament after the start of carbon pricing, when the Leader of the Opposition's claims will have been proven to be hollow. What will the Leader of the Opposition say then? Well, I hope that he is man enough to apologise for the kind of reckless, destructive, aggressive, negative campaign he has run in the months in between, but I will not be holding my breath on that.

In the meantime, apart from delivering these nation-changing reforms, we will keep the economy strong, we will manage it in the interests of working people, we will continue to improve our hospitals, we will continue to improve our schools, we will treat our older generation with respect, and we will look after Australia's children with new policies to support them and their education. The Leader of the Opposition will be mired in his negativity, in his aggression and in his bitterness. In the meantime, we will keep leading the nation, leading it to a stronger and fairer future, because we are a Labor government and that is the Labor way.

**Mr Pyne:** Madam Deputy Speaker, I rise on a point of order. The opposition would be prepared to entertain an extension of time for the Prime Minister.

**The Manager of Opposition Business:** The time allotted for the debate has expired. The question is that the motion be agreed to.

The House divided. [15:37]

(The Deputy Speaker—Ms AE Burke)

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<thead>
<tr>
<th>Ayes</th>
<th>Noes</th>
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<td>74</td>
<td>7</td>
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**AYES**

Abbott, AJ
Andrews, KJ
Baldwin, RC
Bishop, BK
Briggs, JE
Buchholz, S
Christensen, GR
Cobb, JK
Crook, AJ
Fletcher, PW
Frydenberg, JA
Gash, J
Haase, BW
Hockey, JB
Irons, SJ
Jones, ET
Kelly, C
Ley, SP
Marino, NB
Matheson, RG
Mirabella, S
Moylan, JE
O'Dowd, KD
Prentice, J
Ramsey, RE
Robb, AJ
Roy, WB
Schultz, AJ
Secker, PD (teller)
Southcott, AJ
Truss, WE
Turnbull, MB
Vasta, RX
Wyatt, KG

**NOES**

Adams, DGH
Bandh, AP
Bowen, CE

Albanese, AN
Bird, SL
Bradbury, DJ
Noes

Brodtmann, G
Butler, MC
Champion, ND
Clare, JD
Combet, GI
Danby, M
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Fitzgibbon, JA
Geogginas, S
Gillard, JA
Hall, JG
Husic, EN
Jones, SP
King, CF
Livermore, KF
Macklin, JI
McClelland, RB
Mitchell, RG
Neumann, SK
O'Conner, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Roxon, NL
Saffin, JA
Sidebottom, PS
Smith, L
Swan, WM
Thomson, CR
Vamvakas, M
Windsor, AHC

Burke, AS
Byrne, AM
Cheeseman, DL
Collins, JM
Crean, SF
D'ath, YM
Elliot, MJ
Emerson, CA
Ferguson, MJ
Garrett, PR
Gibbons, SW
Gray, G
Griffin, AP
Hayes, CP
Jenkins, HA
Kelly, MJ
Leigh, AK
Lyons, GR
Marles, RD
Meham, D
Murphy, JP
Oakeshott, RJM
O'Neill, DM
Parke, M
Plibersek, TJ
Rishworth, AL
Rudd, KM
Shorten, WR
Smith, SF
Snowdon, WE
Symon, MS
Thomson, KJ
Wilkie, AD
Zappia, A

Pairs

Somlyay, AM
Rowland, MA

Question negatived.

Questions Without Notice

Carbon Pricing

Mr Zappia (Makin) (15:41): My question is to the Minister for Trade and Competitiveness. Will the minister inform the House—

Mr Pyne: Madam Deputy Speaker, I rise on a point of order. Standing orders indicate that question time finishes at approximately 3.10 pm. The last time I looked it was eighteen minutes to four.

The Deputy Speaker (Ms AE Burke): Question time concludes at the indication of the Prime Minister. The member for Makin has the call.

Mr Zappia: My question is to the Minister for Trade and Competitiveness. Will the minister inform the House of the future of export-oriented Australian cities and regions under a carbon price? What would be the impacts of inaccurate claims that those places will be severely damaged by a carbon price?

Dr Emerson (Rankin—Minister for Trade and Competitiveness) (15:43): I thank the member for Makin, a proud South Australian. Shell is investing $30 billion in Australia, in the full knowledge of a carbon price; Rio Tinto, another $3.7 billion in the Pilbara; and BHP, $833 million in the Illawarra. However, I am asked about the effects of inaccurate claims. We have heard that the following places will be wiped off the map on Sunday: Whyalla, Gladstone, Kwinana, Portland, the Latrobe Valley, the Hunter Valley and the Illawarra. The opposition leader is trying to terrify these communities, destroy jobs and destroy confidence in them. The 'great Whyalla wipe-out' will not occur on Sunday but, just to be sure, I will be going to Whyalla with the Special Minister of State and I will be meeting his mum. I will be taking my sky-high measuring device—

Government members interjecting—

The Deputy Speaker (Ms AE Burke): The minister for trade will not regret me letting him get the question.

Dr Emerson: We will be checking the height of the sky, because Chicken Little will be proved wrong. The sky-height measuring device will show that Chicken Little is wrong: the sky will not fall in. Obviously an
indication of a falling sky would be failing light, so I will be taking my light meter too. When I try it, I go to the opposition and it is dark; here, it is light—forces of darkness, forces of light, forces of darkness, forces of light!

We will be doing everything we can to ensure that these communities are protected. The light will be good. It will be game on, and game on means the end of the fear and smear because the Gillard Labor government is a triumph of hope over fear, of ideas over smear, and we will prevail.

Ms Gillard: It was worth the extension, but at this point further questions should be placed on the Notice Paper.

PERSONAL EXPLANATIONS

Dr LEIGH (Fraser): Madam Deputy Speaker Burke, I wish to make a personal explanation.

The DEPUTY SPEAKER (Ms AE Burke): Does the honourable member claim to have been misrepresented?

Dr LEIGH: I do, most grievously.

The DEPUTY SPEAKER: Please proceed.

Dr LEIGH: In a Liberal Party ad posted online this week I am quoted as saying, 'I think my colleagues, like me, are looking forward to the tax which is coming on 1 July.' This is an incorrect transcript of my statement. In fact I said, 'My colleagues, like me, are looking forward to the tax switch that's coming on 1 July.' The incorrect transcribing in the Liberal Party ad is not an accident. The ad is clearly aimed at deceiving the viewer. The Liberal Party operative who transcribed my words would have heard the next sentence: 'Taxes on big polluters going up; taxes on workers—'

Mr Pyne: Madam Deputy Speaker, I rise on a point of order. He is clearly now debating the issue, and that is unparliamentary.

The DEPUTY SPEAKER: The member for Fraser needs to indicate where he has been misrepresented.

Dr LEIGH: The second line is pretty essential to the misrepresentation, being a deliberate deception. We are not only pricing pollution; we are cutting income taxes, and it is about time the Liberal Party focused on—

The DEPUTY SPEAKER: The member for Fraser will resume his seat.

QUESTIONS TO THE SPEAKER

Political Advertising

Mr PERRETT (Moreton): I have a question for you, Deputy Speaker Burke. Although this building is a unique workplace—currently with a slightly strained atmosphere—it is still a workplace where every employee is entitled to quiet enjoyment and freedom from harassment and daily seeing offensive material. But it is also a workplace that is the crucible for the freedom of political communication in this nation. There are probably not many workplaces in Australia that would have fewer swinging voters walking the halls except for Labor and Liberal Party headquarters. Therefore, I ask the Speaker, through you, if the many belittling and offensive posters shouting out from the windows of MPs offices from both sides of the chamber are 'reasonably appropriate and adapted to serve a legitimate end the fulfilment of which is compatible with the maintenance of the constitutionally prescribed system of representative and responsible government'.

The DEPUTY SPEAKER (Ms AE Burke): I will pass the question on to the Speaker.
Questions Without Notice

Mr PYNE (Sturt—Manager of Opposition Business) (15:47): Madam Deputy Speaker, I took a point of order when the member for Makin asked a question, and you indicated that I was incorrect, but you will find that the routine of business under the House order of business figure 2 in chapter 6 of the standing orders clearly indicates that question time is designed to finish at 3.10 pm.

The DEPUTY SPEAKER (Ms AE Burke) (15:48): Is designed to finish at 3:10 pm, yes. But there is no actual standing order that indicates—

Mr Pyne interjecting—

The DEPUTY SPEAKER: I accept the point of order of the Manager of Opposition Business.

Mr PYNE: This is not a criticism of you at all, Madam Deputy Speaker. My question is how does your answer fit with the government saying that we cannot have question time after suspensions of standing orders?

The DEPUTY SPEAKER: The Manager of Opposition Business will resume his seat.

PERSONAL EXPLANATIONS

Mr BROADBENT (McMillan) (15:48): Madam Deputy Speaker Burke, I wish to make a personal explanation.

The DEPUTY SPEAKER (Ms AE Burke): Does the honourable member claim to have been misrepresented?

Mr BROADBENT: I do, most severely.

The DEPUTY SPEAKER: Please proceed.

Mr BROADBENT: In the Herald Sun of 28 June it says:

… some Liberals - including Judi Moylan, Mal Washer and Russell Broadbent - considered backing Labor.

That was not the case. To my knowledge neither I nor Ms Moylan thought at any stage of backing the Labor Party yesterday.

AUDITOR-GENERAL’S REPORTS

Reports Nos 53, 54 and 55 of 2011-12

The DEPUTY SPEAKER (Ms AE Burke) (15:49): I present the following Auditor-General's performance audit reports No. 53, Records Management in the Australian Public Service, No. 54, The Engagement of External Debt Collection Agencies, and No. 55, Administration of the Digital Television Switchover Household Assistance Scheme.

Ordered that the reports be made parliamentary papers.

DOCUMENTS

Presentation

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:50): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings and I move:

That the House take note of the following documents:

Department of Defence—Special purpose flights—Schedules for the period July to December 2011.

Department of Finance and Deregulation—Reports—

Former parliamentarians’ expenditure on entitlements paid by the department for the period July to December 2011.

Parliamentarians’ expenditure on entitlements paid by the department for the period July to December 2011.

Parliamentarians’ overseas study travel reports for the period July to December 2011.
Social Policy and Legal Affairs—Standing Committee—In the wake of disasters—
Volume 1: The operation of the insurance industry during disaster events—Government response.

Question agreed to.

Debate adjourned.

BUSINESS

Leave of Absence

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:51): I move:
That leave of absence be given to every member of the House of Representatives from the determination of this sitting of the House to the date of its next sitting.
Question agreed to.

Suspension of Standing and Sessional Orders

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:52): I move:
That standing order 31 (automatic adjournment of the House) and standing order 33 (limit on business after normal time of adjournment) be suspended for the sitting on Thursday, 28 June 2012.
Question agreed to.

COMMITTEES

Publications Joint Committee Report

The DEPUTY SPEAKER (15:52): I present the Presiding Officers' further response to the report of the Joint Committee on Publications entitled Inquiry into the development of a digital repository and electronic distribution of the Parliamentary Papers Series.

Government Response

The DEPUTY SPEAKER (15:53): For the information of honourable members, I present a schedule of outstanding government responses to reports of House of Representatives and joint committees, incorporating reports tabled and details of government responses made in the period between 24 November 2011, the date of the last schedule, and 27 June 2012.
Copies of the schedule are being made available to honourable members and it will be incorporated in Hansard.

The schedule read as follows—

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO REPORTS OF HOUSE OF REPRESENTATIVES AND JOINT COMMITTEES
(also incorporating reports tabled and details of Government responses made in the period between
24 November 2011, the date of the last schedule, and 27 June 2012)

28 June 2012

THE SPEAKER'S SCHEDULE OF OUTSTANDING GOVERNMENT RESPONSES TO COMMITTEE REPORTS
The attached schedule lists committee reports tabled and government responses to House and joint committee reports made since the last schedule was presented on 24 November 2011. It also lists reports for which the House has not received a government response. Schedules of outstanding responses will continue to be presented at approximately six monthly intervals, generally in the last sitting weeks of the winter and spring sittings.
The schedule does not include advisory reports on bills introduced into the House of Representatives unless the reports make recommendations which are wider than the provisions of the bills and which could be the subject of a government response. The Government's response to these reports is apparent in the resumption of consideration of the relevant legislation by the House. Also not included are reports from the Parliamentary Standing Committee on Public Works, the House of Representatives Committee of Privileges and Members' Interests, and the Publications Committee (other than reports on inquiries). Government responses to reports of the Public Works Committee are normally reflected in motions for the approval of works after the relevant report has been presented and considered. Reports from other committees which do not include recommendations are only included when first tabled.

Reports of the Joint Committee of Public Accounts and Audit primarily make administrative recommendations but may make policy recommendations. A government response is required in respect of such policy recommendations made by the committee. Responses to administrative recommendations are made in the form of an Executive Minute provided to, and subsequently tabled by, the committee. Agencies responding to administrative recommendations are required to provide an Executive Minute within 6 months of tabling a report.

June 2012

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<td>15-03-10</td>
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<td>Building a modern committee system: An inquiry into the effectiveness of the House Committee system</td>
<td>21-06-10</td>
<td>No response to date</td>
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<td>23-05-11</td>
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<td>04-07-11</td>
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<td>01-03-12</td>
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<td><strong>Social Policy and Legal Affairs (House, Standing)</strong> Reclaiming public space: Inquiry into the regulation of billboard and outdoor advertising</td>
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**Notes**

1. The date of tabling is the date the report was presented to the House of Representatives or to the Speaker, whichever is earlier. In the case of joint committees, the date shown is the date of first presentation to either the House or the Senate. Reports published when the House (or Houses) are not sitting are tabled at a later date.

2. If the source for the date is not the Votes and Proceedings of the House of Representatives or the Journals of the Senate, the source is shown in an endnote.

3. For reports up to the end of 42nd Parliament, the time specified is three months from the date of tabling. For reports from the 43rd Parliament (28/09/10 onwards) the period is 6 months - see resolution of the House of Representatives of 29/09/10.

4. The Committee has advised the government that no response is required for this inquiry. This report will be removed from further schedules.

5. The Committee has advised the government that no response is required for this inquiry. This report will be removed from further schedules.
6. In July 2011 the government advised that it did not intend to respond to the report because of the time elapsed since the report was tabled. The Committee has not agreed to the removal of this report from the schedule.

7. In June 2009 the government advised that it did not intend to respond formally to this report. The Committee awaits a response to recommendations of the report. In November 2009 the government indicated a response is being considered and will be tabled in due course. In November 2011 the government indicated it was in discussion with the Committee on this matter.

8. After receiving correspondence from the government, the Committee has agreed that a response to this report is no longer required. This report will be removed from future schedules.

9. After receiving correspondence from the government, the Committee has agreed that a response to this report is no longer required. This report will be removed from future schedules.

10. On 13 May 2010 the Presiding Officers’ response to recommendation 1 was tabled.

11. Recommendation 1 of the report was implemented on 20/10/10 when Standing Orders 207 and 209 were adopted permanently.

12. Partial response received.

13. Executive Minute received by the Committee on this date.

14. Partial response received.

15. Executive Minute received by the Committee on this date.

16. The Minister for Home Affairs advised on 7 October 2011 that he intended to refer the Committee’s recommendations to the Australia Law Reform Commission for advice by the end of February 2012. In view of this the Committee requested a response by 28 March 2012.

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Selection Committee Report

The DEPUTY SPEAKER (15:53): I present the Selection Committee’s report No. 59 relating to the consideration of bills. The report will be printed in today’s Hansard. Copies of the report have been placed on the table.

The report read as follows—

Report relating to private Members’ business and the consideration of bills introduced 25 to 28 June 2012

1. The committee met in private session on 27 and 28 June 2012.

2. The committee determined that the following referrals of bills to committees be made—

Standing Committee on Social Policy and Legal Affairs:
- Customs Amendment (Smuggled Tobacco) Bill 2012

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: to ensure the new proposed criminal offences are given proper examination.

Joint Standing Committee on Electoral Matters:
- Electoral and Referendum Amendment (Improving Electoral Procedure) Bill 2012

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: the bill and explanatory memorandum are particularly ambiguous when it comes to what specific changes are being made to the process about postal vote applications and it is necessary for the committee to investigate the full extent that these changes will have on the current practice.

Standing Committee on Economics:
- Tax Laws Amendment (2012 Measures No. 4) Bill 2012

REASONS FOR REFERRAL/PRINCIPAL ISSUES FOR CONSIDERATION: (a) impact of changes to the taxation treatment of Living Away from Home allowances and benefits; (b) the
tiebreaker provision, where two provisions would otherwise apply where a mortgagee takes possession of, and exercises, their power of sale with respect to a corporation's property; and (c) amendments to Tax Laws Amendment (2012 Measures No. 2) Bill 2012 (passed by Senate only on 27 June and already needing amendment) that seek to ensure no interest or penalties are payable if an overpayment of income tax arises, or if additional tax becomes payable, because a claim for deduction is allowed or disallowed because of rules made under provisions of that bill.

3. The committee recommends that the following items of private Members' business listed on the notice paper be voted on:

Orders of the Day—
International Year of Cooperatives (Mr Hartsuyker)
Chinese-Australians (Mr Alexander)
School and work (Mr Tehan)
Business assistance payments and the live cattle export ban (Mr Entsch).

BILLS
Tax Laws Amendment (2012 Measures No. 1) Bill 2012
Tax and Superannuation Laws Amendment (2012 Measures No. 1) Bill 2012
Health Insurance Amendment (Professional Services Review) Bill 2012
Financial Framework Legislation Amendment Bill (No. 3) 2012

Assent
Messages from the Governor-General reported informing the House of assent to the bills.

DOCUMENTS
Law Making Powers of the Houses Presentation

The DEPUTY SPEAKER (15:54): For the information of honourable members I present a document entitled The law making powers of the houses—three aspects of the financial initiative: updated notes for members.

QUESTIONS TO THE SPEAKER

Questions Without Notice

Mr ALBANESE (Grayndler—Leader of the House and Minister for Infrastructure and Transport) (15:54): On the point raised by the Manager of Opposition Business, which I agree with, it is confusing when you look at the standing orders because the timetable of business is in the form of a figure, figure 2, but figure 2 is attached to standing order 34.

MATTERS OF PUBLIC IMPORTANCE

Carbon Pricing

The DEPUTY SPEAKER (15:55): The Speaker has received letters from the honourable member for Blair and the honourable member for Mackellar proposing that definite matters of public importance be submitted to the House for discussion today. As required by standing order 46(d) the Speaker has selected the matter which, in his opinion, is the most urgent and important—that is, that proposed by the honourable Member for Blair, namely:

The urgent need ahead of 1 July 2012 for all Australians to be informed accurately of the impact of the carbon price and of the assistance being delivered in relation thereto.

I therefore call upon those honourable 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 NEUMANN (Blair) (15:55): There once was a time when the Liberal Party believed in building a strong economy and protecting the environment—no longer.
What those opposite do in this place is support some of our expenditure, oppose most of our savings and allege that they will repeal most of the revenue base through legislation that will build a strong economy and do things to assist Australians from the Torres Strait to Tasmania and from Palm Beach to Perth.

What we are doing in relation to a price on carbon is in the great Labor tradition. We have made great reforms in this country in terms of Medicare, compulsory superannuation, the age pension, and the National Disability Insurance Scheme—we have started rolling out money in that regard. But it is important to be accurate when it comes to the impact of the price on carbon on our households, on our companies, on our communities and on our councils. It is also important to look at the assistance that is being rolled out across the country.

It is important for people to understand that, across the chamber, those opposite, when it comes to tax cuts, family tax assistance, pension rises and the help that is important to all Australians—regardless of whether they live up in the Torres Strait, in Tasmania or in the east or west of this country—cannot bring themselves to support those measures. They cannot even guarantee that, if they come to this side of the Treasury benches, they will maintain the pension and family tax benefit rises, maintain the tax cuts and support companies as they transition to a clean energy future. They will not make that guarantee.

They came into this place and actually voted against a schoolkids bonus. Having supported an education tax refund, they opposed a schoolkids bonus. The assistance that we are rolling out to adjust the economy and help families with the impact of the price on carbon those opposite will not support. They will not support it and they will not talk about it. And they will not guarantee, as they go around in their mobile offices, as they sit in their electorate offices, as they do their street stalls and as they go to their country shows, that support. They will claw it back.

When it comes to this place, one of the most disgraceful things I have ever seen is the way the opposition belittle the Minister for Families, Community Services and Indigenous Affairs when she accurately states that that is what they will do. They constantly make fun of the minister for families. What they are doing is making fun of families across the country, of pensioners, of self-funded superannuation retirees, of companies and of small business operators across the country—those hardworking Australians. What they are doing by their opposition is showing that they do not care. They feign care in this place but they do not care. When it comes to their vote, they show that they do not care. They do not care about the environment and they do not care about the economy. They do not care about families and individuals across the country.

It is important to note why we are doing this. On this side of the chamber we believe in the power of the market. We believe in free enterprise and we believe in competition. We do; those opposite adopt a Stalinist solution to climate change—a command-economy style approach. And the member for Flinders, what a road to Damascus conversion experience he has had!

Mr Perrett: He's a long way from Damascus!

Mr NEUMANN: He is a long way from Damascus, I agree, Member for Moreton. He has gone in the opposite direction. He has gone from lightness to darkness.

On this side of the chamber we do not think that there are many on that side of the chamber that actually believe that climate change is real and that human beings
contribute to climate change. On this side of the chamber we prefer to believe the CSIRO and the Bureau of Meteorology and not Andrew Bolt and Alan Jones. But there are plenty on the opposite side of the chamber that actually believe in those people—and in Lord Monckton. The Moncktonites across the chamber—that is what they are.

I did not get into politics to be all that green. I got into politics because I wanted to see a fair system in industrial relations, to fix a road that is so important and to make an impact. I rejected every overture to get into politics for many, many years. I got in because of Work Choices—Work Choices showed what they would do to my local community—and their failure to build a road called the Ipswich motorway. That is what motivated me.

But I tell you this: I do believe in experts. I do not actually do root canal work on my teeth; I would go to a dentist. I do not actually do my own health check; I go to see my GP. I get my mechanic to fix my car. It is a long time since I worked on a car, I can tell you.

Mr Tudge: Mr Deputy Speaker, I rise on a point of order. The point of order is relevance. This matter of public importance is very clear. It is about being accurately informed about the carbon tax. I fail to see how this is directly relevant to the carbon tax.

The DEPUTY SPEAKER (Hon. BC Scott): The member for Aston will resume his seat. There is no point of order.

Mr NEUMANN: The Productivity Commission has said that the most economically efficient way to deal with that challenge of human contribution towards climate change is a market based mechanism. Once it was that those opposite agreed.

According to Treasury, the impact on the economy is not going to be great. If those opposite got into this side of the chamber, what would be their attitude to Treasury, having rejected Treasury's advice in all that pertains to the carbon price? Guess what? We have the New South Wales Liberal government, the Western Australian Liberal government and the Victorian Liberal government all saying the impact on their budgets is 0.5 per cent to 0.7 per cent. I see the member for Ryan here. The Brisbane City Council's budget is $3.1 billion a year and the impact on that budget is $15 million. Brisbane City Council has debts of $1.9 billion, because they wasted all that money on those tunnels. The Ipswich City Council today handed down a budget of $450 million and the impact on that council is—guess what?—0.71 per cent, in line with what we said. To all those naysayers and doomsayers opposite who talked about the impact on councils, communities, and on state governments: the impact has proved to be in line with what we on the Treasury bench had to say.

I talked about how important assistance is going to be. It is also important to outline the impact on the economy—what Treasury says; not what Lord Monckton or Alan Jones or Andrew Bolt says. Or the member for Flinders. We should call him 'Saul' not 'Paul', because he has gone back to those days, taking the member for Moreton's previous interjection. Real wages will grow by 20 per cent by 2020. We will see employment grow by 1.6 million new jobs by 2020. We will see a modest impact on prices of 0.7 per cent compared to the 2.5 per cent of the GST.

I saw those opposite hanging on to some sort of brochure about butchers today during question time. Have a look at the impact on grocery prices according to Treasury. On meat and seafood it is 10c per week. It is a 0.40 per cent, 10c a week average, impact
and they are giving these things to butchers to put in the front of their shops.

Let us look at household assistance. Those opposite are going to oppose it. The 14,000 families in Blair will receive a lump sum in their bank accounts in family payments of about $3 million. The 22,000 pensioners in my electorate will receive a lump sum payment in pension rises of $4.8 million. The 1,400 students in my electorate will receive about $230,000. The 47,000 local workers get a tax cut, with most getting about $300 extra in their pockets every year. We are increasing the tax-free threshold from $6,000 to $18,200. That is taking hundreds of thousands of people out of the tax system and them not having to pay tax.

We are getting extra money to families to deal with the challenges of climate change, delivering money for local families and pensioners—and those opposite belittle it when we say they want to claw it back. They want to hit them in their hip pocket. Treasury says it is going to cost $1,300 per household if the coalition’s policies on climate change are implemented. I find it hard to believe that those opposite, when we say that we are going to tax the big polluters and give back to consumers, would tax the consumers and give back to the big polluters. Where are the small 'l' liberals over there? Where are the bleeding hearts who supposedly want to help struggling families and pensioners?

We have heard so many claims, such as those that our clean energy household assistance is not going to be permanent. It is going to be permanent. They claim that not just Whyalla but also Gladstone, which is in my home state of Queensland, is going to be wiped off the face of the earth. Their claims are extraordinary. They claim that the great big mining boom in Queensland is going to be wiped off the face of the map from 1 July. It is an extraordinary claim from those opposite, but it is typical of what we have heard. With hyperbole and hysteria they exaggerate the impact of the carbon price. That is what the Liberals are always about—fear and loathing and doom and gloom. There was a time when the Liberal Party said that there were big bogeymen all over the place—reds under the bed and the Communist Party. Now it is the carbon tax.

The Liberal Party can never campaign on hope and opportunity and reward; they always campaign on gloom and doom. What they say is typical of the economic irresponsibility of the party who once prided themselves on being the party of Menzies and the market. They were not supportive of jobs during the global financial crisis, when they put jobs at risk by their doom and gloom and their constant downplaying of the Australian economy. The impact of the carbon price will be modest. We have said that all along, and Treasury says it. Even the Liberal mates of those opposite in Victoria, New South Wales and Western Australia and in the Brisbane City Council say it. I suggest that those opposite listen to the Treasury figures and start talking about carbon pricing with a degree of accuracy.

Under the Clean Energy Future Household Assistance Package, nine out of 10 households in this country will receive assistance. Treasury modelling was recently released which says that 98 per cent of people earning up to $150,000 a year will get assistance. Almost six million households in this country will get tax cuts or increases in their payments. Over four million Australians will get an extra buffer covering 120 per cent of the average increase in costs from the carbon tax. On average, the cost is going to be $9.90 per week, and we are providing $10.10 in assistance.

It is important to be accurate. It is important to outline the impact on the
economy, on councils, on businesses and on families and households. It is also important to make sure that we deliver for Australians. We are doing that, and those opposite will claw all of our assistance back. I say this because, when they go into their communities, they never guarantee that they will retain it. But I expect them to do so. Do the right thing for once and talk with accuracy about the impact on the economy—

(Time expired)

Mr HUNT (Flinders) (16:11): That was a wall-banger! It has come to this: the party whose leader before the last election pronounced to Australians, 'there will be no carbon tax under the government I lead', whose leader pronounced to Australians the day before the election, 'I rule out a carbon tax,' and whose deputy leader only a few days before the election made it absolutely clear that he thought that the idea of the ALP introducing a carbon tax was 'hysterical' is now worried about truth in advertising! If the ALP were a trading operation, the ACCC would have put them into liquidation by now; in fact, I suspect that they are in liquidation at this moment!

The member for Blair tried to cite the Productivity Commission. If we are interested in truth in advertising, let us go to page 50 of the Productivity Commission's Emission reduction policies and carbon prices in key economies paper of last year. This may be a little bit inconvenient for those opposite, because it says:

… no country currently imposes an economy-wide tax on carbon emissions or has in place an economy-wide—

ETS. That is what the Productivity Commission said last year. My advice to the member for Blair is: if you are going to quote the Productivity Commission in a debate about truth in advertising, you might want to be truthful about what they said.

I turn to the issue of truth in advertising. I will deal with the facts: firstly, whether the carbon tax works at an environmental level, before we address anything else; secondly, what it means for electricity and refrigeration costs; and, thirdly, who pays. At the moment we are living through a $70 million carbon tax advertising blitz. That includes the $46 million which will be spent on the advertising to be screened until Saturday night. Forty-six million dollars has been budgeted for this advertising by the government and spent so far. Since budget day, that is $270,000 a day on advertising telling us about the carbon tax. After 1 July it will continue—there is another $24 million in advertising to come after 1 July. Apart from the fact that it has not really worked, there is just one problem with the advertising: it is the Basil Fawlty moment of political advertising—'Don't mention the carbon tax!' At the moment we are seeing carbon tax advertisements which do not mention the carbon tax. So this matter of public importance, this critical issue before us today, is about truth in advertising and about the government, the party, the group of people and the parliamentarians who have authorised $70 million of expenditure on carbon tax advertising and who do not have the courage to call it by its name of a carbon tax. These miraculous ads with—believe it or not—the hashtag '#cashforyou' do not actually bother to mention 'carbon tax for you afterwards'. It is a slightly bizarre moment of Pythonesque proportions from our furry friends on the opposite side. These guys have a degree of hide when it comes to talking about truth in advertising: $70 million—$46 million so far with another $24 million to come—at $270,000 a day and nobody bothers to mention the carbon tax! That is how much they care about truth in advertising.
Let me go to the whole point of this carbon tax, being to reduce emissions in Australia—so the whole goal is to do the right thing. I am one who believes categorically, absolutely, emphatically that that is an important and valuable thing to do—never doubted it, never will; it is something I believe in. But let us look at the Treasury modelling, because the member for Blair mentioned the Treasury modelling and I have a suspicion he has not read it. Let me say this about the Treasury modelling: it is quite crystal clear and categorical. In 2010, according to page 18 of the summary of modelling, Australia's emissions were 578 million tonnes. By 2020, when you look at the modelling—again on page 18—Australia's emissions will be 621 million tonnes. So over 10 years, after a carbon tax of $36 billion in the first four years and a carbon tax which is going to increase significantly according to that same Treasury modelling, Australia's emissions will have gone up by 43 million tonnes, or by almost two tonnes per person across Australia's population.

That is the starting point, but the consequence of that is that the government then has to go offshore and purchase, through corporations that are doing the acquisitions on their behalf, 94 million tonnes of foreign carbon credits. These carbon credits are going to come from China and Kazakhstan, among other places. I love Borat but I would not be buying 94 million tonnes of carbon credits from Borat and his friends, and there is a reason why: we lived through the Home Insulation Program and we saw what happened when you let loose the dodgy traders and the shonks and when you do not put probity in place. This system is designed to do that. Don't take our word for it; take that of the European police authorities. At the moment they are prosecuting a €5 billion scam from Norway and in Italy they caught a Mafia don over false trading and dubbed him 'The Lord of the Winds' as he was so engaged in this. This government is not exactly heading off in the right direction, because the purpose—the reason for being—of the carbon tax is to reduce emissions in Australia and it completely fails to do that, not on our modelling and not on our estimates but on the government's own estimates.

Beyond all of that, though, there is a financial implication: when you purchase 94 million tonnes from overseas at the government's projected rate of $37 tonne by 2020 you will be spending $3½ billion a year on top of the likely carbon tax revenue of $14 billion. So that is $3½ billion a year on foreign carbon credits. But when you follow it through—because, as the member for Aston has often pointed out to me, this carbon tax starts at $23 a tonne, it hits $37 a tonne in 2020 and it hits $350 a tonne in 2050; it is a 1,500 per cent increase in the price—what it means for the purchase of foreign carbon credits is that, on the government's own estimates, we will be buying 434 million tonnes of foreign carbon credits at—now wait for this—$350 a tonne, which is about $150 billion. That is 1.5 per cent of GDP by 2050 which we will be spending not once or twice but each and every year. These are the figures directly from the government's own modelling. That 1½ per cent of GDP on foreign carbon credits is in addition to the carbon tax, and that 1½ per cent of GDP is what we will be spending every year, and that is almost as much as the current defence budget as a proportion of GDP. So each and every year for eternity, on this government's own modelling, we will be purchasing foreign carbon credits to the extent of almost the entire defence budget. So when they talk about sustainability, when they talk about truth in advertising, they might—just one of
them—pick up their own Treasury modelling and understand that the system they have created is so unsustainable that no government will be able to continue this into the future and that no government can condone or authorise almost the entire Australian defence budget, as we project forward to their target datelines, being spent on foreign carbon credits. The impact on Australia's budget is incredible. It is extraordinary.

So what does it mean in human terms? This is a carbon tax about electricity, and let us look at what is happening with electricity. The government does not talk about electricity in its advertising. It does not talk about the massive impacts on manufacturing and otherwise. Let us start with the facts. In New South Wales there are 18 per cent price rises, and nine per cent of those come from the carbon tax; in Western Australia, 12 per cent price rises, with a nine per cent price rise—or 72 per cent of the price rises—coming from the carbon tax; and in the ACT, 17.74 per cent price rises, of which 14 per cent, according to the regulator, comes from the carbon tax. So, in other words, 79 per cent of the price rises in the ACT, for both residents and commercial operators, come from the carbon tax. That is the reality. So if you want truth in advertising you might want to put those figures on the table, and that is my suggestion to the government.

Let us go back to the point that the member for Aston has made. We start at, per tonne, $23, we go to $37 and we hit $350—and that is on the government's own modelling. It is not an incremental increase; it is a manifest, manyfold increase which starts on day one. It does not finish on day one; it starts on day one and it continues thereafter, every day and into eternity, on the design of this system.

Mr Van Manen: 1 July is the easiest day.

Mr HUNT: You are right—1 July is the easiest day, not the hardest day. What we know is this, and refrigeration is a very simple example. The Prime Minister today conceded that it is not some mythical group of under 500 companies; it is small businesses around the country. Let me read what was said by the Refrigeration and Air Conditioning Contractors Association in a letter received today: 'At least 800 companies from the refrigeration industry will be paying this tax direct to the government. In most applications there is no viable alternative to these refrigerants.' What does that mean? It means that at least 800 companies, over and above all of those that are already listed, are going to directly pay the tax. And they are not going to pay small price rises. In the case of R404A, one of the leading refrigerant gases in Australia, we are looking at a quadrupling of price. Let me look at other examples. In the case of R23 there is a doubling, for R134A there is a tripling, for R507 there is a tripling, and for R407C there is a doubling. These are the real price rises that we are looking at because of this tax on refrigerants. And who pays that? Cool stores, warehouses, distribution centres, butchers, cafes, bottle shops—anybody who has to keep things cold; the list goes on and on. They are the people who pay the carbon tax.

Mrs Prentice: Charities.

Mr HUNT: I heard mention of charities, and that is dead right. The government has seemed to belittle the fact that the RSPCA pays the carbon tax. We were at the RSPCA two days ago and it pays $180,000 in its first year, according to the president of the ACT and national chapters of the RSPCA. That is $180,000 for a charity. That is what they pay. The government may mock the RSPCA,
but they sure as heck are taxing them at the same time.

I think that Australians are astonished that it is not some mythical group of 500 companies but every Australian small business, every Australian charity and every Australian household who uses electricity that will pay this tax, because at its heart the carbon tax is an electricity tax. When people ask, 'What will go up?' it is electricity. On day one—and this is where I want to finish—the moment you wake up and turn on the television, you will be paying the carbon tax. The moment you open the fridge door, you will be paying the carbon tax; the moment you use the kettle, you will be paying the carbon tax; and the moment you use the toaster, you will be paying the carbon tax. That is before you leave the door. That tax will apply to public transport, visits to the shop and visits to the tip.

The government talk about truth in advertising and yet the reality is that they advertise without reference to the carbon tax, they advertise without reference to electricity prices and they advertise without reference to the great deception of two years ago. (Time expired)

Mr MURPHY (Reid) (16:26): I begin by applauding the member for Blair for bringing this very important matter of public importance before the parliament today. Some of the outrageous and false claims that have been made by the Leader of the Opposition, the shadow minister for climate action, environment and heritage, and other members of the operation are truly appalling.

The truth is that the carbon price will have a modest impact on the cost of living and an increase in the CPI of 0.7 per cent, but you will never hear the Leader of the Opposition or the member for Flinders say that. The New South Wales pricing regulator, the Independent Pricing and Regulatory Tribunal, has confirmed Treasury's forecast that electricity prices would rise by $3.30 per week, but of course you will never hear the Leader of the Opposition or the member for Flinders say that. The Independent Pricing and Regulatory Tribunal said that the impact on council rates will be 0.4 per cent, which is less than the Treasury modelling, but of course you will never hear the Leader of the Opposition or the member for Flinders say that. The Independent Pricing and Regulatory Tribunal figures have been confirmed by the New South Wales Liberal government, but you will never hear the Leader of the Opposition or the member for Flinders say that.

The Liberal New South Wales local government minister issued a press release showing council rates will rise by 0.4 per cent as a result of the carbon price and that for the average household this is only 6c a week, but you will never hear the Leader of the Opposition or the member for Flinders say that. The New South Wales Liberal government has confirmed the Treasury forecast about the modest impact of a price on carbon, but you will never hear the Leader of the Opposition or the member for Flinders say that. Our government is providing tax cuts, increases in family payments and other benefits, and all up an extra $10.10 per week, on average, will be delivered through the government's household assistance package. That is $10.10 per week against, in this case, a 6c per week rate rise, but you will never hear the Leader of the Opposition or the member for Flinders say that.

What the opposition leader has said is that the impacts of carbon pricing will be unimaginable. For the last 12 months the
opposition leader has been going around the country making numerous false claims designed to engender fear that the carbon price would increase electricity prices by 20, 25 and 30 per cent. That is specifically what he has claimed. That is dishonest. Just last week the Leader of the Opposition said that, as a result of the carbon price, 'Power costs will go up by 20 per cent'. That is dishonest.

It is well known that the opposition cannot add up, and recent claims about the effects of the price on carbon made by the Manager of Opposition Business and the shadow minister for climate action, environment and heritage, amongst others, exceed any previous efforts in the deliberate distortion and misrepresentation of the facts and figures that affect this vital issue. Then they claim that the $3.40 per week that will be due to the price on carbon is some sort—

The DEPUTY SPEAKER (Mr KJ Thomson): Order! I hate to interrupt the member for Reid in full flight, but the member for Reid will resume his seat.

Mr Hunt: Mr Deputy Speaker, I rise on a point of order. In relation to comments by the member for Reid, I would ask that he withdraw references to 'deliberate misrepresentation' and 'dishonesty' with regards to the Leader of the Opposition.

The DEPUTY SPEAKER: I did not hear any remarks in relation to 'dishonesty', but I will take advice. It may assist the chamber if the member for Reid were to withdraw.

Mr MURPHY: If it assists the House, I withdraw, but I will not withdraw, Deputy Speaker, from the misrepresentation and distortion that has been undertaken by the shadow minister for climate change, environment and heritage, the member for Flinders, the Leader of the Opposition and other members on the other side of the House.

Nowhere is the subterfuge more evident than some statements by opposition members claiming that 85 per cent of the increased price of electricity supplied by Integral Energy is due to the so-called carbon tax. According to the report of the New South Wales Independent Pricing and Regulatory Tribunal, which I referred to earlier, electricity prices in New South Wales will rise by approximately 18 per cent. The report states that regulated retail electricity prices for typical households will rise from 1 July 2012 by $7 per week for Energy Australia residential customers, $4 per week for Integral Energy residential customers and $8 per week for Country Energy residential customers. These figures show that Integral Energy's increases in prices are the lowest of all the major providers; yet some members of the opposition seek to alarm the public by pronouncing the increase to 85 per cent.

The other big hoax being peddled by the opposition is that Australia's carbon price is the biggest in the world. Well, it simply is not. It lies roughly in the middle of the field—which stretches from $130 per tonne in Sweden to less than $10 per tonne for a few other countries—and the member for Flinders knows that.

Unless measures such as the carbon price are adopted, there is little doubt that the effects of rising carbon dioxide levels will certainly lead to more frequent real national disasters on the scale of the Black Sunday bushfires in Victoria or the Queensland floods. According to the Bureau of Meteorology, current weather patterns were proceeding as predicted in the first report of the Intergovernmental Panel on Climate Change in 1990, which stated, amongst other things:

We calculate with confidence that:

- carbon dioxide has been responsible for over half the enhanced greenhouse effect caused ...
The long-lived gases would require immediate reductions in emissions from human activities of over 60% to stabilize the concentrations at today's levels, methane would require 15 to 20% reduction.

Further, Karl Braganza, a Bureau of Meteorology climatologist, has said:

Since about 1990, all the climate models have been producing the same or similar results, and that's what we are seeing now. There is more heavy rain in the tropics, as well as more drought in southern Australia.

Of course, deceptive claims by the opposition about that effects of carbon dioxide emissions and the carbon price are nothing new to us—a prime example being the statement by the Leader of the Opposition that the Australian steel industry would be destroyed by the carbon price, notwithstanding the fact that the global steel industry is moving to reduce carbon dioxide emissions even without the encouragement of a price on carbon.

Those who believe that Australia's coal exporters, such as the major sponsor of the opposition, Mr Clive Palmer, will continue to ride on an unending conveyor belt of money should realise that, according to the International Energy Agency, energy consumption in the global steel industry could be readily cut by one-third by the adoption of proven technology that would save and recycle heat within the steel-making process, even without significant changes to existing steel mills. Quite possibly the demand for coal will decline as overseas steelmakers become even more efficient and reduce emissions. Yet none of that matters to the opposition or their supporters, keen to dig up as much of Australia's natural resources as quickly and as cheaply as possible.

Although the opposition may claim that nothing can be done to reduce emissions because of the nature of the process, for some reason overseas steelmakers do not seem to be bound by the same natural laws that apparently apply only in our country and are actually moving to halve emissions, despite the denials of the opposition. There are those that may think that such a goal is unattainable, yet according to the United States Department of Energy, the US steel industry has already reduced its energy and carbon intensity by almost half over the past 30 years. Thanks to process improvements, carbon dioxide emissions declined from 2.2 metric tonnes per tonne of steel produced in the early 1970s to one metric tonne per tonne of steel produced in 2011. And the member for Flinders and the shadow minister knows that. (Time expired)

Mrs PRENTICE (Ryan) (16:36): The most important word in this MPI before us today is the word 'accurately'—that Australians be informed accurately of the impact of the carbon tax. In May this year the government began what by Saturday will be a $46 million advertising campaign—rising to another $24 million—to explain that the Gillard government was actually doing something. The ads indicated that, out of the kindness of the government's heart, Australians will receive 'extra help with their everyday expenses'. The government told Australians that they did not have to do anything—the money would just magically appear in their bank account and appear regularly. Earlier this month the Prime Minister and other Labor ministers decided to come up with a handy hashtag on Twitter: 'cash for you'. There was no mention of where this money was coming from or even why they were doing it.

There are two words that this government seem to have forgotten how to say—'carbon tax'. In those taxpayer funded ads, nowhere did the government mention the carbon tax. They did not even mention why Australians would suddenly have higher everyday

CHAMBER
expenses. Call it what you will—carbon pricing, emissions trading, a tax on carbon dioxide emissions—the Gillard Labor government have minced their language so much that they have deceived even themselves on the fact that they are threatening the Australian economy and the livelihoods of all Australians with the world's only economy-wide carbon tax.

Despite pre-election claims, the Gillard government brought in a carbon tax and then introduced a massive welfare program to cover up the true cost of that tax. The government then misled the Australian people by inaccurately saying that the coalition would take away people's money. Yes, they claimed that we would cut welfare programs, like the schoolkids bonus, because we would repeal what led to their necessity in the first place.

Make no mistake: the next election will be a referendum on the carbon tax. If elected, the coalition will repeal the legislation and scrap the carbon tax. The coalition will do this because we know that the carbon tax comes at the worst possible time for Australian businesses and will begin a slow squeeze on the economy, hurting current businesses and driving away future investment. Every Australian in this country will be affected by the carbon tax, and not all Australians will be compensated—duly or otherwise, and never to the extent of their hurt.

In particular, Australians should be accurately informed that the carbon tax will negatively affect senior Australians—a group that constitutes 30 per cent of the population. This is an important group in our society, which this Gillard Labor government constantly disregards. As such, it is absolutely crucial that the parliament is discussing this matter of public importance today. There is no doubt that there will be a huge adverse effect on senior Australians caused by the carbon tax, for which even this failed government, with its money grab here and 'cash for you' programs there, will not be able to recompense. The government claims that the carbon tax is not a tax on Australians but that it is a tax on polluters. The real point with that claim is that the Labor Party values the intelligence of Australians so little that they think that they can get away with such a statement.

We need only consider the electricity industry. All Australians, including seniors, will still be using electricity in four days time, from 1 July 2012. All electricity production will face a tax of $23 a tonne and the price elasticity for demand for electricity is so inelastic that close to, if not exactly, 100 per cent of those costs will be passed on—and passed on to seniors. The government do not understand that after 1 July the annual bill for a typical residential household will be around $192—or 11.2 per cent higher, as calculated by the Queensland Competition Authority. Brisbane has just experienced the longest run of cold days in four years, and senior Australians need to keep warm by using their heaters. There are currently over 1.2 million Australians on the full-rate pension and almost 800,000 Australians are on a part pension. Those people on a fixed Centrelink or pension income are already being frugal with their budgets, and they have already reduced their electricity consumption to the bare minimum. When prices go up, they simply cannot reduce their electricity demand and will be paying the full brunt of the carbon tax.

What do these people do after 1 July? What is the government's accurate advice to senior Australians during a cold winter? On the government's LivingGreener website they suggest that a fun way to save on electricity costs is to "break out the board
games'. Perhaps they should have expressly mentioned when they began the rollout of so-called compensation packages, or even thinly-veiled ones such as the schoolkids bonus, that everyone should spend that money buying games of Monopoly.

On top of electricity price rises, seniors in many council areas will be hit harder by the carbon tax. Is the government going to compensate them for the extra costs incurred as a result of residing in the Brisbane City Council local government area? The answer is no.

*Honourable members interjecting—*

**The DEPUTY SPEAKER (Mr KJ Thomson):** Order! Members on both sides will cease interjecting. The member for Ryan has the call.

**Mrs PRENTICE:** Thank you, Mr Deputy Speaker. I asked the Deputy Prime Minister two questions in question time recently about how the carbon tax will add 1.9 per cent to every resident's rates and how the government will assist the council. As is the wont of government ministers in this place, he did not answer those questions directly; instead he responded with half-truths and political nonsense.

The other group which this Gillard Labor government has turned its back on is self-funded retirees, estimated to consist of more than 500,000 Australians. Of these, there are some 285,000 people who are not eligible for a Commonwealth Seniors Health Card and as such are not eligible for assistance from this government to pay for the price increases as a result of the carbon tax. These are senior Australians who have sacrificed spending and who have done the right thing to save for their retirement. Because they worked hard, they do not have to rely on taxpayers. But this carbon tax and lack of compensation for cost-of-living increases demonstrates the Prime Minister's contempt for self-funded retirees.

The Deputy Prime Minister said that this carbon tax will cause our economy to prosper. Well, he is from Brisbane and lives in the Brisbane City Council area, but he will not explain why one of the largest purchasers of green power in this country, and a council which has spent millions of dollars on real green initiatives, has been branded as one of the top 294 polluters in the country. I encourage him to return to Queensland and explain directly why his government is forcing the Brisbane City Council to pay more than $15 million in the 2012-13 financial year and forcing their rates up at a time of increasing cost-of-living pressures.

Seniors were ignored in this year's budget. The Gillard government reduced the amount that someone over 50 is able to voluntarily contribute to their superannuation. They introduced means testing of the medical expenses tax offset. They are phasing out the mature age worker tax offset, and they had already abolished the More Help for Mature Age Workers election promise. Instead, they propose to spend an extra $56.9 million to hold yet another talkfest.

The failure of this Prime Minister to honour her promise before the election that there would be no carbon tax under a government she leads is another example of her lack of commitment to senior Australians. This Labor government have also failed on many other fronts. They opposed the opposition's bill to abolish the superannuation age limit. They have continually failed to listen to the opposition's commitment to the fair indexation of the DFRB and DFRDB schemes for military superannuants. They have failed to support workers experiencing age discrimination. They failed to take up the opposition's commitment to indexing the Commonwealth
Seniors Health Card and they have failed to recognise the contribution of self-funded retirees to this country. The coalition will look after senior Australians, as we have always done in government. It was the coalition that ensured the pension would always be maintained at 25 per cent of male total average weekly earnings and that the pension would be indexed to that level rather than the lower CPI. The coalition introduced the utilities allowance to assist seniors to be independent. Not only will the coalition rescind the carbon tax, the coalition if it is elected will implement our Supporting Seniors policy. The coalition will create a Minister for Ageing and Seniors because we want senior Australians to have their voice heard, and because the coalition values their contribution and their input. We want to hear their opinion, while the government obviously does not.

The next election will be a referendum on the carbon tax. Should the coalition be elected by the people of Australia at the next election to form government, my message to the Prime Minister and the Labor-Greens coalition is simple: 'You ignored the will of the Australian people at the last election; you deceived all Australians. Get out of the way and let the coalition repair the damage you have caused to our economy.'

Ms O'NEILL: I am glad to see there are a few young people in the gallery. The reason this important MPI has been brought on today is because there have been all sorts of inaccuracies spread all around this country. Indeed, it reminds me of a terrible fairytale designed to teach people a lesson. It goes something like this. Once upon a time there was a little chicken called Abbott who wanted a big job. Abbott hatched a negative plan to scare all the people of the land. He decided to travel the land and tell people—

Ms Gambaro: Mr Deputy Speaker, I raise a point of order. That is unparliamentary and I ask the member to call the Leader of the Opposition by his correct title.

Ms O'NEILL: I was not referring to the leader. It is a story.

The DEPUTY SPEAKER: If the member for Robertson wishes to refer to the Leader of the Opposition, she should refer to him as the Leader of the Opposition. It is a matter for the member for Robertson as to whether she is making that reference or not.

Ms O'NEILL: The fact is that the Leader of the Opposition has been getting around the whole country scaring people, in the same way as that very famous story about the sky falling in, saying it is going to fall nowhere harder or further than in the place we have been hearing about here, Whyalla. The reality is that we need to get some facts on the record here for Australian people. In my seat there is a pensioner who has gone recently to a tax agent and actually asked, 'How do I pay my carbon tax?' That is how misled she has been by the members of the government tax, the coalition will once again provide hope, reward and opportunity to all Australians because they need to know about the accuracy of the impact of the carbon tax on all Australians.

The next election will be a referendum on the carbon tax. Should the coalition be elected by the people of Australia at the next election to form government, my message to the Prime Minister and the Labor-Greens coalition is simple: 'You ignored the will of the Australian people at the last election; you deceived all Australians. Get out of the way and let the coalition repair the damage you have caused to our economy.'
opposition absolutely misleading and fear-mongering when the reality is that in the seat of Robertson we have got so many people set to benefit by the assistance we will give them by taking the money from those who will be polluting, helping them to change their behaviours, and assisting families as we move to a clean future.

About 10,600 families in the seat of Robertson have received a lump sum payment in their bank accounts, which means $2.2 million to assist them as we make this transition. That is money from polluters to families to help them manage this change. Families on family tax benefit A are going to get $110 per child and those on family tax benefit B are going to get $69 per child. I inform the member who has just been on her feet that in the seat of Ryan there are 6,200 families that she does not want to assist, that she is rejecting any assistance for.

A typical family with a household income of $75,000 with two kids in school is going to see an expected impact of $549 a year from the carbon price. This is the fact. It will not be astronomical. In contrast to the increases we have seen in electricity prices to today, we as a federal Labor government are giving assistance to people to make this very significant change.

As a person living in New South Wales I have paid incredibly increased electricity bills. Anybody listening to this broadcast should remember that to this day there is no carbon price. At this point of time in New South Wales power has gone up in the last three years by 55 per cent. Where is my assistance, Barry O'Farrell? Where is the Liberal government assisting with that in any way? We have made sure that we give assistance not only to families.

The member for Ryan speaks of her great concern for pensioners. She has got 11,600 of them in her electorate, and we are helping them by giving them $338 extra per year if they are a single and an extra $510 per year for couples combined. I hope she writes to those 11,600 people and lets them know that she is not going to help them. I am very pleased to say that in my electorate of Robertson we have 26,500 pensioners who are getting assistance to the tune of $5.8 million to make sure that they are going to be well looked after while we make this transition.

So when 1 July rolls around we will be making sure that the sky is not falling, because we understand that ordinary people, ordinary working Australians, need a hand as we make massive reform in our economy. When we put in superannuation everybody on the other side said it could not be done, it should not be done, and there could not be a worse time. And now we hear that it could not be done, it should not be done and there could not be a worse time. It is always the same relentless, destructive negativity. We have got on the record here a plan for the future, hope for our country, opportunities for lots of businesses to get on and reward for ordinary working Australians, who get to share in the benefit of this great country.

Mr COULTON (Parkes—The Nationals Chief Whip) (16:51): It is interesting that the member for Robertson only had five minutes of debate. She is clearly suffering from lack of information. I have got a little fairy story of my own. Once upon a time there was a planet called Earth and everyone was living happily on this planet. But all of a sudden the citizens became concerned because the seas were going to rise, the temperature was going to increase, the crops were going to die, the cities were going to be inundated. But the Gillard government imposed a carbon tax, the earth cooled down, the sea levels calmed and we all lived happily ever after. The end. That was a short precis of the member for Robertson's speech!
This MPI is 'The urgent need ahead of 1 July 2012 for all Australians to be informed accurately of the impact of the carbon price and of the assistance being delivered in relation thereto'. We are seeing plenty of information being delivered to the public, but very little of it, if any, is about the carbon tax. The advertisements we have been seeing on the television and in the papers and hearing on the radio do not mention the carbon tax. It is something you do not mention. But, as a diligent member of parliament, I have been giving my constituents a bit of advice, seeing as the government will not. I am saying: 'This is not a gift from the government. This is not largesse. Please do not squander this payment, because you will need it, because your costs are going to go up.'

The member for Robertson said that her accountant could not tell her constituent how she was going to pay the carbon tax. I can tell her how she is going to pay the carbon tax. She is going to pay it through her power bill. She is going to pay it through her food bill. When she goes shopping, she is going to pay her share of keeping the air-conditioner going. When she pays her shire rates, she is going to pay her share for the bitumen that makes our roads. When her grandkids go to the pool, she will be paying her share for the extra energy it costs to keep the pool clean and the water circulating. When she goes walking at night-time, she will be paying her share for the streetlights that keep the place safe. How can the member for Robertson say she does not know how her constituent is going to pay the carbon tax? Everyone knows how they are going to pay it. The only people in this debate that seem to be clueless are the government.

I was at the tip last Sunday. It is a little tragic that, when you become a member of parliament, one of the great pleasures in life is going to the tip on Sunday. But tragically it is. I was speaking to a good friend of mine called Grant. Grant works in the local council, and he said, 'Hey, come over here; I want to talk to you.' He said, 'This carbon tax—they're telling us that all the big polluters are going to pay. That's what they're telling us, aren't they?' I said, 'Yeah, Grant; that's what they're telling you.' He said, 'But that's not true, is it?' I will not say exactly what he said. Grant had worked it out. He said, 'We're going to be paying, aren't we?' Grant is a single bloke. Grant does not earn a lot of money. There is no compensation for Grant. Grant did not get a schoolkids bonus and he did not get a pension bonus. But he still has to pay for his electricity. In the little council that he works at, a council with fewer than 10,000 people, the increase from the carbon tax will be $365,000. Grant has worked it out, but the members over there cannot.

It is interesting that the members on this side of the House generally represent some of the electorates that have low levels of income. The members on that side of the House, with green leanings, tend to represent electorates that have people with high income. This inner city urban elite that are pushing, through the Greens, for a carbon tax are expecting the constituents of those of us on this side to pay it. This is not just me speaking; it is also Professor Garnaut, the great champion of climate change reform, the one that did the white paper for the government. Professor Garnaut said that regional Australia will face an economic downturn of 20 per cent and the cities will face a downturn of eight per cent. When you want to bring a tax into this House under which my constituents pay the same as everyone else, maybe we will start to talk about it, but you are expecting regional Australia to carry the can for this tax—and no-one is saying that that is not the truth; even Professor Garnaut has predicted it.
The member for Reid talked about how many cents for groceries. That is a bit of an academic argument if you happen to be a cement worker from Kandos. Kandos was in the seat of Parkes; it is now in the seat of Hunter—and I wonder what that change of boundaries in 2010 has done for them. In Kandos, there were 106 workers at the cement plant—four or five generations had been working at the same plant—and that plant is now gone, closed down. The members on the government side are saying, 'It's not the carbon tax; it's the dollar and everything else.' Ask Cement Australia, who have been knocking my door down since 2007. They will tell you it was the carbon tax. If you go to Kandos and ask those retrenched workers what caused this, they will tell you it was the carbon tax. The great irony of this is that, not far from Kandos, on the other side of Mudgee, they are building great big wind farms—wind turbines 170 metres high with blades 60 metres across. They are mostly made out of steel coming from China, which does not have a carbon tax. Underneath those wind turbines there are quite a few hundred tonnes of concrete to keep them up—they are big heavy things. That concrete has not been made from cement from Kandos. That cement now is coming on a boat from Asia into Sydney Harbour, where it is unloaded as clinker, ground up and sent out over the mountains to build these wind farms. What on earth have we come to?

This is a grand gesture. That side have stopped talking about saving the climate. They are talking about compensation and micro-economics, but they have actually stopped talking about saving the environment. If this is not going to change the environment, why the heck are we doing it? We talk about agriculture, and they say, 'Oh no; agriculture's been exempted.' The member for New England, who sits up here and whinges and whines and carries on all day in our ears, supporting the government, says, 'We've got the Carbon Farming Initiative.' Anyone that knows anything about agriculture knows that zero-till farming, increasing the amount of carbon in the soil, which is basically organic material, has been going on for years. Indeed, my brothers and I were undertaking trials with the New South Wales department of agriculture in the late seventies, with Roundup when it was first invented. This is not a new thing. Graziers have been changing the way they manage the grazing of their pastures to keep a higher level of organic material. But this is being sold as some sort of a windfall for farmers. Any money that is to be made out of carbon farming cannot possibly compensate for the increase in the costs of fuel, fertiliser, electricity and, for dairy farmers, refrigeration. There is no way that that can actually balance out. The interest of this is that the incentive—the incentive to use less energy, the incentive to sequester the carbon—has always been there, without the tax. There are the productivity gains, the extra production and the extra use of water. Australian farmers are growing more kilograms of grain, fibre and meat per litre of water and per unit of electricity now than they ever have. They are far more efficient now than they have ever been. They are the most efficient farmers in the world. They did not need a tax. They did not need the government to come with its Carbon Farming Initiative to show them the new way. People come from all over the world to see the farmers of my electorate, to see how things are done. They did not need a tax to do that. Indeed, the shadow minister at the table, the member for Flinders, has been and seen what I am talking about.

As to the idea that we are going to tax these farmers to make them more profitable
by some sort of a payoff, look at the carbon trading on the Chicago Board of Trade that was brought in by Al Gore. That landscape-style trading has ceased to exist because the value of those carbon credits got so low that they stopped trading. So this idea that agriculture is somehow going to benefit from the carbon tax is an absolute nonsense.

In my electorate, a lot of people are suffering. They are not getting any sort of compensation. The self-funded retirees, the small businesses, the low-income earners, the people who do not have families, the farmers—all those sorts of people are paying the price for this carbon tax. On the last sitting day before this tax comes in, it is with a heavy heart that I stand here and believe that I am actually saying these things. The Australian people have had their pockets filled up with lead. They have a ball and chain around their ankles. They have been told to go out and compete with the rest of the world while they are dragging this heavy burden, which is nothing but a grand gesture, which is this carbon tax. (Time expired)

MOTIONS
Asylum Seekers

Mr WILKIE (Denison) (03:34): I seek leave to move that the House, in consideration of the urgent need to find a way through the irregular immigration impasse, continue to sit until private member's notice No.1 given for Thursday, 28 June 2012, by the member for Cook, Migration Legislation Amendment (Offshore Processing, Protection and Other Measures) Bill 2012, is called on immediately.

Leave granted.

Mr WILKIE: I move:

That so much of the standing and sessional orders be suspended as would prevent the Member for Denison from moving the following motion forthwith—That the House, in consideration of the urgent need to find a way through the irregular immigration impasse, continue to sit until private Members' notice No. 1 given for Thursday, 28 June 2102, by the member for Cook, Migration Legislation Amendment (Offshore Processing, Protection and Other Measures) Bill 2012, is called on immediately.

Standing orders need to be suspended and we need to continue sitting as an absolute priority of this parliament because this matter is more important than any other business that could possibly be brought before the parliament, even at this silly hour in the morning. I am appalled that this House is set to go into recess tonight for six weeks even though the people smugglers are busy filling their manifests with the names of so many desperate souls. I am appalled that the House is set to go into recess tonight for six weeks even though numerous boats are being readied right now in Indonesia and probably elsewhere for the perilous journey to Australia. I am appalled that during the next six weeks there is the very real likelihood that some of those boats will sink and some of the unfortunate souls aboard will drown.
I am appalled that the defeat of the member for Lyne's bill in the Senate yesterday is seen as being enough done for now by this parliament, even though time is of the essence and every minute saved could be the difference between life and death for some asylum seekers. I am appalled that the boat that might go down while we dither could be as large as SIEVX, the vessel that disappeared in late 2001 with 421 people on board, including 146 children and 142 women.

Yes, I do acknowledge the Prime Minister has today announced a review headed up by Angus Houston, a great Australian whose competency and impartiality are beyond question. But surely that is not enough because we must do everything possible—including Angus Houston's review, but also much more—to stop people attempting the voyage to Australia. In particular, we must look right now for any sort of stopgap measure that would stop or at least deter the people smugglers right now.

I do not agree with offshore processing, whether it be on Nauru or in Malaysia, and I do not agree with the member for Cook's solution. But his bill does provide a mechanism for this parliament to keep talking and the opportunity for this parliament to come at least to some sort of agreement, however unpalatable, which might send a shock wave through the people-smuggler network and at least stop some boats being organised. Even if we can do no more than deter a handful of asylum seekers from boarding a boat or no more than stopping just a boat or two, surely that is something worth striving for.

The DEPUTY SPEAKER (Ms AE Burke): Is the motion seconded?

Mr PYNE (Sturt—Manager of Opposition Business) (03:38): I second the motion to suspend standing orders to allow the member for Cook's bill to be brought on for debate. Obviously at this very late hour, at 20 to four in the morning, this has come as somewhat of a surprise to the opposition. The member for Denison and I spoke about five minutes ago and he indicated to me that he intended to seek leave to bring on this bill and then, if he was not given leave, to move a suspension of standing orders to bring on the member for Cook's bill. The opposition obviously supports the member for Cook's bill; it is our policy. We believe very strongly that any offshore processing should occur in a country that has signed the UN convention on refugees. We have had debates for the last two days in both this place and the other place on the importance of refugees being processed offshore in places that have signed the refugee convention. It is shocking to us that the government would continue to insist on its failed policy of the Malaysian people swap. We do not support the Malaysian people swap. Yesterday when I spoke in the House I made it absolutely clear that the greatest problem from my point of view with respect to the Malaysian people swap was the idea that women and children would become the gold standard for people smugglers to bring to Australia so they could then take advantage of the family reunion program to bring either their fathers or their husbands to Australia, rather than the current situation where that is not the case. Therefore, we obviously do support the suspension of standing orders to allow the member for Cook's bill to be brought on for debate.

It is also clearly obvious to me, as I have been in this place for some time, that the idea that the House would gain 76 votes for a suspension of standing orders at 20 to four on the Thursday night and Friday morning of the end of a session is very unlikely. Clearly, that will not happen. It would be very optimistic, as the Chief Government Whip
says. But this is a very serious issue. While it is optimistic, I would hope that 76 votes can be gained if the government supports the member for Denison's motion. The opposition will certainly support the member for Denison's motion. With his support and the government's support, this motion could be carried, the suspension of standing orders could be carried and the member for Cook's bill could therefore be debated. And, therefore, the bill could be carried.

So, while some members are making merry with the idea that at 20 to four we could have this vote, in fact, if the government chose to support a suspension of standing orders, it would carry; the 76 votes would be gained. If the Leader of the House were in the chamber, I am sure he would support such a suspension of standing orders. I do not know where the Leader of the House is, but surely he is somewhere in the vicinity of the parliament and capable of appearing in this place and voting with the opposition.

I have spent some time with the Leader of the House tonight. We have had many good occasions over many years, the Leader of the House and I, and I would call on him to come into the House tonight and support the member for Denison's motion, because there is a very serious point to be made. The member for Denison has, in all good conscience, raised this suspension of standing orders tonight—

The DEPUTY SPEAKER: The member for Sturt will resume his seat. I am finding it difficult to recognise the Chief Government Whip. The Chief Government Whip has a point of order.

Mr Fitzgibbon: Madam Deputy Speaker, it is because the minister for immigration is now wearing my tie. I rise on a point of order. I ask you to remind the Manager of Opposition Business that the motion before the chair is one about the urgency of the motion, not the frivolous matters he is now going on about.

The DEPUTY SPEAKER: The question is that the motion be agreed to. I call the Minister for Immigration and Citizenship.

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (03:44): The government would convene the House now; it would convene the Senate now; it would convene the House and Senate at five o'clock, six o'clock or seven o'clock in the morning; it would convene on Christmas Day if the parliament would pass the government's legislation. But, very clearly, given the opposition's point of view, given the opposition has decided in the Senate to obstruct the will of the government and given the opposition has indicated that it will not support this legislation, it is very clear that we need a circuit breaker.

Honourable members interjecting—

The DEPUTY SPEAKER: Order! The minister has the call. Regardless of the hour, the standing orders still apply.

Mr BOWEN: The House of Representatives has passed a bill. The House of Representatives has done the responsible thing. The House of Representatives has given the government of the day the power to implement its policies. The other place has not. The other place has taken a different point of view. The member for Denison said, 'We may not pass anything, but this is an opportunity for talk.' Talk will not save lives. Talk will not stop people smugglers. Talk will not act to break the people smugglers' business model. Action will.

The member for Sturt said we could pass the member for Cook's bill and then implement Nauru. It has been a matter of record in this House that Nauru, a Christmas Island style detention centre further away, will not break the people smugglers' business model. The single largest, most tragic
maritime tragedy this nation has faced on asylum seekers was SIEVX. It occurred when Nauru was up and operating. It occurred when Nauru was designed by the previous government to break the people smugglers' business model and was failing. It occurred when Nauru was open and just before it was too full, and then they had to open Manus Island as well. That is why the government has put forward its legislation.

Nauru at that time was not a signatory to the UN Convention relating to the Status of Refugees. This is something that the opposition says has been its consistent position for 10 years. It has not; it is a recent invention. Hence the announcement made by the Prime Minister and me yesterday to appoint two bodies: firstly, an expert panel to advise the entire parliament. The government has had the benefit of advice for many months about what is necessary to break the people smugglers' business model. We made that advice available to the opposition. We made it available to the crossbench. The crossbench, to its very great credit, listened to that advice, and I recognise the member for Denison's difficulty. He had previously opposed the legislation. It was a matter of some personal difficulty for him. He reflected on his situation and he reflected on the advice and he decided to act, and I congratulate him on that. I congratulate him on not being so small as to stick to a position when the circumstances had changed. I recognise that it was not an easy decision for him to make. He listened to the advice. Others in the House and in the Senate chose not to.

We want a formal mechanism to share the sort of advice that the government has received, so we have announced that the former Chief of the Australian Defence Force, Mr Angus Houston; Mr Paris Aristotle, a deeply respected refugee counsellor and adviser; and Mr Michael L'Estrange, a former secretary of the Department of Foreign Affairs and Trade, have been commissioned to convene that expert panel. There has been a cross-party reference group established and the Leader of the Opposition has been invited to nominate a representative. If he chooses not to do so the government will be happy to receive a self-nominated member of the opposition to sit on that cross-party reference group to help the parliament work its way through. The parliament, over the last 48 hours, has made it clear: it will not pass this legislation. The government accepts this, but we will not walk away from the need for this legislation and we will continue to make the case for it. We will continue to make the case based on that expert advice and we will share that expert advice with the House.

With all due respect to the member for Denison, he says he does not support offshore processing, and I accept that, but he said we need to do something. We do need to do something, but what we need to do is offshore processing. What we need to do is offshore processing within the regional framework. We need to do that offshore processing with proper resettlement, not the resettlement into Australia which a detention centre on Nauru would deliver.

This government stands ready to pass legislation. More talk is not the answer; action is the answer. We again call on the parliament to take action, but with proper consideration and expert advice, not the politicking and more talk that will see this debate drag on without the parliament taking heed of the expert advice. The government therefore opposes the member for Denison's motion.

Mrs BRONWYN BISHOP (Mackellar) (03:49): I rise to support the motion to suspend standing and sessional orders, moved by the member for Denison, who of
his own volition has thought this matter through in the light of what has transpired and decided that this is the best course of action to take. Obviously, opposition members support this motion, as it was originally moved by the member for Cook. The member for Denison has moved this motion because the government, which has been complaining about no action, has declined leave for the bill to be debated. I have just listened to the Minister for Immigration and Citizenship speak, and he said, 'This is a time for action, not talking.' Yet the very proposal that he is putting forth is for more talking and not action.

The Migration Legislation Amendment (Offshore Processing, Protection and Other Measures) Bill 2012 has been brought forward on the initiative of the member for Denison, who, obviously, has given a lot of thought to it, because he voted in a different way previously. He has decided that at this hour of the morning it is still important and that, while this parliament is still sitting, even though it is 10 to four in the morning, the parliament is capable of ensuring that we can have an offshore processing system which will act as a deterrent, because it will impose the need for the country where the offshore processing is to take place to be a signatory to the UN Convention relating to the Status of Refugees. There are 148 countries that can be thought of. However, the point is this: when we utilised Nauru previously—

Mr Bowen interjecting—

The DEPUTY SPEAKER (Ms AE Burke): Order! The minister! The member for Mackellar has the call.

Mrs BRONWYN BISHOP: Thank you, Madam Deputy Speaker. We listened to the minister in relative silence; I think it would be polite if he could do the same. The fact is that, when we originally utilised Nauru under John Howard, in dealing with the difficult problem we had, we in fact were able to apply Australian law and it was administered by Australian law. That was the importance of section 198 of the Migration Act; it enabled us to be in control. But the minister would like to do away with that, because the High Court ruled against him for not having effectively done his work. He was unable to convince the High Court that any of the undertakings he had got were enforceable at law and therefore were meaningless in terms of that piece of legislation. Thus, having instead the requirement that we choose a country which is a signatory to the convention means that there will be protection of the human rights of those people.

It would seem that the minister is perfectly happy for this trade in human flesh, which the government purport to be a good solution and which I will always reject as totally unacceptable, and to put people at risk of being birched or having other things done to them. All the minister can say in return is that he has received undertakings—and yet that is precisely what the High Court said was not acceptable and did not meet the requirements of the law.

Therefore, I think it is seemly that the government should vote to allow the motion to suspend standing and sessional orders to succeed. We would indeed, as the Manager of Opposition Business said, have the 76 votes required for that suspension and the bill could then be debated. Alternatively, the minister at the table could, if he decided to, grant leave and the legislation could be debated. So the government has two choices which would allow a solution—not another talkfest but a solution—to be reached this morning.

I saw the Prime Minister on the television last night, saying what a shame and what a
terrible thing it was that the parliament had not come to a solution but had reached an impasse. So this is an opportunity which the member for Denison, of his own volition, has brought forward and it is one that the government should accept. We will, first, accept his motion to suspend and, second, support the bill he is bringing forth, as it was originally brought forth by the member for Cook.

So I say to the minister and to those government members present: act as you have spoken in the debate and support the motion. (Time expired)

Dr Emerson (Rankin—Minister for Trade and Competitiveness) (03:55): Here is yet another set of contradictions, where we have the Manager of Opposition Business saying that children will not be sent and then we have the member for North Sydney saying that children will be sent. What this reveals is that the coalition does not have a consistent position on this matter. Some members of the coalition say children will not be sent to Malaysia; other members of the coalition say that children will be sent to Malaysia. It just shows that the coalition will do anything in its power to stop the passage of legislation which has the best possible chance to break the people-smugglers' model.

I understand that members of the coalition come into this place and they seem to be genuinely concerned, genuinely distressed about the situation, and we share that distress. But then of course they say that the correct remedy is that boats should be towed back to Indonesia. This compassion is on display from the coalition, and then when it is revealed that they actually support towing boats back to Indonesia I ask across the table to the shadow immigration minister: what happens to those children then under the coalition's bill, because the coalition's bill does not allow processing in countries of nonsignatories to the refugee convention? Indonesia is a nonsignatory to the refugee convention. We have the coalition saying that their policy is to tow boats back into Indonesian waters to a nonsignatory country and that that is somehow acceptable, and the whole basis of their alleged objection to our legislation is that Malaysia is a nonsignatory.

So I have asked the member for Cook across the chamber: what happens to the people who are towed back to Indonesia and who processes them? He just will not answer, because this is the fundamental flaw in their legislation and in their entire position. They have a so-called principled position that it is absolutely imperative that asylum seekers be processed in a country which is a signatory to the refugee convention. Yet what they are demanding is that boats be towed back to the waters of the country of a nonsignatory country. What do they expect to happen to these people—that they perish on the way back? They have said that they would only do it in circumstances where it is safe to do so, that they would take them back to Indonesia, a nonsignatory country.

Mrs Griggs interjecting—

Dr Emerson: Now we have got a member saying, 'That's right,' that it is right that they be taken back to Indonesia. It violates your own legislation. That is how much thought some people have put into this. You cannot take people back into Indonesia under your legislation because it would violate the coalition's own legislation, and I ask whether this is an indication of the lack of sincerity of the coalition in the legislation that they put forward. They believe that it is okay to take people back under their legislation to a nonsignatory country, when in fact it completely violates their own legislation.
That is the situation. We have got people of goodwill, I think, displaying compassion, but at the same time when they go back to their electorates—whether it is in the Northern Territory or whether it is the member for Macarthur—they describe the asylum seekers as 'illegals'. So here there is compassion; back in the electorate they are illegals. On so many matters they say one thing in the parliament because they want to be seen to be reasonable and compassionate, and back in the electorate there are the arrows coming down from the north-west into Australia of all of these 'illegals', with the opposition leader describing it as an 'invasion'. Here in the parliament he would not dare describe it as an invasion, yet he goes to other places to describe it as an invasion, and he goes to other places to describe asylum seekers as illegals. It is not illegal to seek asylum. They seek to denigrate asylum seekers outside the parliament, yet come into the parliament, where there is a press gallery, and then say that they are very sympathetic and concerned. There are people on the coalition side who are very sympathetic and concerned—but just drop the hypocrisy.

The DEPUTY SPEAKER (Ms AE Burke): The time for the debate has expired. The question is that the member for Denison's motion be agreed to.

The House divided. [04:04]

The Deputy Speaker—Ms AE Burke

AYES

Forrest, JA
Griggs, NL
Hawke, AG
Jones, ET
Laming, A
Marino, NB
Matheson, RG
Mirabella, S
Moylan, JE
O'Dowd, KD
Prentice, J
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Stone, SN
Tudge, AE
Vasta, RX
Wyatt, KG

NOES

Adams, DGH
Bird, SL
Bradbury, DJ
Byrne, AM
Cheeseman, DL
Emerson, CA
Fitzgibbon, JA
Georganas, S
Grierson, SJ
Hall, JG (teller)
Husic, EN (teller)
Jones, SP
Leigh, AK
Lyons, GR
Marles, RD
Mitchell, RG
Neumann, SK
Owens, J
Ripoll, BF
Shorten, WR
Smyth, L
Symon, MS
Thomson, KJ

PAIRS

Gillard, JE
Elliot, MJ
Saffin, JA
Collins, JM
Vamvakinou, M
The requirements for an absolute majority not having been satisfied, the motion was not carried.

**BILLS**

**Social Security Legislation Amendment Bill 2011**

**Consideration of Senate Message**

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

*Senate’s amendments—*

(1) Schedule 1, item 6, page 4 (line 4), before "The", insert "(1)".

(2) Schedule 1, item 6, page 4 (after line 10), at the end of section 123TGAA, add:

> Functions, powers or duties of officers or employees

(2) Before making a determination under subsection (1), the Minister must be satisfied that officers or employees of the department or part of the department, or of the body or agency, have functions, powers or duties in relation to the care, protection, welfare or safety of adults, children or families.

*Appropriate review process*

(3) Before making a determination under subsection (1), the Minister must be satisfied that there is an appropriate process for reviewing any decisions to give notices of the kind referred to in paragraph 123UFAA(1)(b) that could be made by officers or employees of the department or part of the department or of the body or agency if the Minister were to make the determination.

(4) In deciding whether the Minister is satisfied as mentioned in subsection (3), the Minister must have regard to the following:

(a) the cost of the review process to applicants;

(b) the timeliness of the review process;

(c) whether the review process provides that applicants are entitled to be represented and heard;

(d) the degree of independence of the review process;

(e) whether the review process provides for the use of the services of an interpreter.

This subsection does not limit the matters to which the Minister may have regard to in deciding whether the Minister is satisfied as mentioned in subsection (3).

*Ms MACKLIN* (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (04:09): I move:

That the amendments be agreed to.

I just want to make a few remarks to thank the House for staying here to consider three important pieces of legislation, and I do mean that. I want to thank the senators as well for considering the legislation at this late hour. There are three bills that go together known as the Stronger Futures in the Northern Territory legislation and they are accompanied by $3.4 billion and a 10-year commitment by the government to work with Aboriginal people in the Northern Territory. I think everybody in the House would agree that this is very urgent work and I know members of the opposition support it. It is all about addressing the disadvantage that Aboriginal people face in the Northern Territory.
We have heard loud and clear from Aboriginal people what their priorities are. It has been very plain that they are about tackling alcohol abuse, putting in place proper alcohol restrictions, strengthening penalties for grog-running and strengthening arrangements for local alcohol management plans such that they focus more on harm minimisation in the future.

Another priority has come through loud and clear from Aboriginal people and is shared across this parliament. We all want to make sure that children go to school on a regular basis. If you do not go to school every single day, it is impossible to get a decent education. That is why we are very pleased that these bills support and improve school enrolment and attendance measures, which will be very important for these children. This means that, if children fall below a set attendance benchmark, schools and Centrelink will work with families to make sure that the children are attending on a regular basis. It will only be as a last resort that, where parents do not meet part of the agreed attendance plan, we will see income support payments suspended.

Another area that has been demonstrated to be very important—a success from the Northern Territory Emergency Response—is the licensing of stores to make sure that people have access to healthy food. And I can inform the House that the bills also provide extended opportunities for voluntary leasing to community living areas and town camp land to support economic development and opportunities for people to own their own homes.

Honourable members interjecting—

The DEPUTY SPEAKER: Order! The minister should be heard in silence and our visiting senator might like to take a seat in the visitors box.

Ms MACKLIN: One of the most important considerations for the government was that the legislation be designed to comply with the Racial Discrimination Act. I want to be very clear with the House and with Aboriginal people that this legislation now states explicitly that it does not affect the operation of the Racial Discrimination Act. This is something that Aboriginal people in the Northern Territory particularly wanted to see, and we are very pleased to have it implemented as a result of our actions tonight. The legislation also repeals the Northern Territory National Emergency Response Act 2007 and has been prepared in line with Australia's human rights obligations.

I want to thank a number of people who have been involved, including in the House and the Senate. There was a Senate committee inquiry and many, many Aboriginal people were involved in consultations right around the Northern Territory. I thank those who shared their views with me, particularly those women whose voices are often not heard but who were able to be heard because of the way we conducted the consultations. All of us know that, wherever you go, there will be men and women who will quietly tell you what needs to be done. I have had men telling me that alcohol abuse is killing their families and women telling me about the abuse happening to them and their children. It is our job to do our best in this area. These are very serious matters. I know it is very late, but I want to finish by thanking not only those I have already mentioned but also the Northern Territory government, the Chief Minister and the staff of my department, who have worked long and hard on this issue. I will just mention a very senior staff member, Brian Stacey, and Alice Kimble from my office. All of this has been done in the interests of Aboriginal people in the
Northern Territory who suffer much greater disadvantage than any other group in our community. It is our collective responsibility to do everything we can with them to address these matters.

Question agreed to.

**Stronger Futures in the Northern Territory Bill 2012**

**Consideration of Senate Message**

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

*Senate’s amendments—*

(1) Clause 3, page 3 (line 12), omit "Aboriginal people", substitute "the community".

(2) Clause 3, page 4 (line 14), omit "7 years", substitute "3 years".

(3) Page 4 (after line 22), after clause 4, insert:

> 4A The Racial Discrimination Act is not affected

This Act does not affect the operation of the *Racial Discrimination Act 1975*.

(4) Clause 6, page 8 (line 26), omit "Aboriginal people", substitute "the community".

(5) Clause 8, page 13 (line 31), before "alcohol", insert "ethyl".

(6) Clause 8, page 14 (line 3), omit "alcohol", substitute "liquor".

(7) Clause 8, page 14 (line 5), omit "alcohol", substitute "liquor".

(8) Clause 11, page 16 (lines 14 to 20), omit the clause, substitute:

> 11 Modification of the NT Liquor Regulations

The NT Liquor Regulations apply, while this Act is in effect, as if:

(i) an offence against subsection 75B(1);

(ii) an offence against subsection 75C(1) if the quantity of the ethyl alcohol involved in the commission of the offence is 1,350 ml or less;

(iii) an offence against subsection 75F(1);

(b) the reference to section 75(1) of the NT Liquor Act in Part 1 of Schedule 2 to those Regulations included a reference to subsections 75B(1), 75C(1) and 75F(1) of that Act.

Note 1: Section 8 of this Act includes sections 75B, 75C and 75F into the NT Liquor Act.

Note 2: This Act ceases to have effect at the end of 10 years after commencement: see section 118.

(9) Clause 15, page 22 (line 7), omit "Aboriginal people", substitute "the community".

(10) Clause 111, page 95 (line 6), omit "7 years", substitute "3 years".

(11) Clause 117, page 97 (line 27), omit "7 years", substitute "3 years".

(12) Clause 117, page 98 (line 3), omit "8 years", substitute "4 years".

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (04:16): I move:

That the amendments be agreed to.

Question agreed to.

**Stronger Futures in the Northern Territory (Consequential and Transitional Provisions) Bill 2011**

**Consideration of Senate Message**

Bill returned from the Senate with amendments.

Ordered that the amendments be considered immediately.

*Senate’s amendments—*

(1) Schedule 2, item 4, page 11 (line 18), omit "and at the Land Council's expense".

(2) Schedule 3, page 14 (after line 15), after item 3, insert:
3A After section 99
Insert:

99A The Racial Discrimination Act is not affected

This Part does not affect the operation of the Racial Discrimination Act 1975.

Ms MACKLIN (Jagajaga—Minister for Families, Community Services and Indigenous Affairs and Minister for Disability Reform) (04:17): I move:

That the amendments be agreed to.
Question agreed to.

COMMITTEES

Economics Committee

Membership

The DEPUTY SPEAKER: The Speaker has received advice from the Chief Opposition Whip nominating a member to be a supplementary member of the Standing Committee on Economics for the purposes of the committee's inquiry into the Tax Laws Amendment (2012 Measures No. 4) Bill 2012.

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (04:17): by leave—I move:

That Mr Morrison be appointed a supplementary member of the Standing Committee on Economics for the purpose of the committee’s inquiry into the Tax Laws Amendment (2012 Measures No. 4) Bill 2012.

Question agreed to.

ADJOURNMENT

Mr BOWEN (McMahon—Minister for Immigration and Citizenship) (04:18): I move:

That the House do now adjourn.
Question agreed to.

House adjourned at 04:19

NOTICES

The following notice was given:
Dr Leigh to move:

That this House:
(1) recognises the extraordinary athletic achievements of the late Peter Norman, who won the silver medal in the 200m at the 1968 Mexico City Olympics, in a time of 20.06 seconds, which still stands as the Australian record;
(2) acknowledges the bravery of Peter Norman in donning an Olympic Project for Human Rights badge on the podium, in solidarity with African-American athletes Tommie Smith and John Carlos, who gave the 'black power' salute;
(3) apologises to Peter Norman for the wrong done by Australia in failing to send him to the 1972 Munich Olympics, despite repeatedly qualifying; and
(4) belatedly recognises the powerful role that Peter Norman played in furthering racial equality.
The DEPUTY SPEAKER (Mr Scott) took the chair at 09:30.

CONSTITUENCY STATEMENTS

Canning Electorate: Mandurah Aquatic Centre

Mr RANDALL (Canning) (09:31): A much needed upgrade to the Mandurah Aquatic Centre in my electorate of Canning is on the brink of becoming a reality. This centre is a vital piece of community infrastructure that services a vast area and a burgeoning population. Mandurah lies in the Peel region, which is the smallest region in WA yet it has the second-highest population. Its growth continues to outpace the rest of Australia and there are no signs of this slowing down. Mandurah services a large proportion of the Peel region. The Mandurah Aquatic Centre is used by 16 schools, three disability organisations and six sporting clubs who manage over 600 volunteers. The centre averages 600,000 visits annually, which is far greater than what similar facilities accrue. Furthermore the centre employs 120 people. It is a major facility that plays a major role in Mandurah.

However, it is in desperate need of an upgrade. It needs to continue to offer the facilities and programs it currently provides to the local community; however, it also has to cater for the expected growth in the region, which is averaging 4.4 per cent annually as opposed to the state average of 2.2 per cent. The centre was built in 1982 and has served the community well over the past 30 years. However, it has been widely recognised for many years that the upgrade is a major infrastructure priority in the area. The push to upgrade the Mandurah Aquatic Centre has been led by the Mandurah Mayor, Paddi Creevey, CEO Mark Newman and Western Australian Minister Kim Hames.

The funding for the proposed upgrade is at a crossroads. The funding breakdown is: the City of Mandurah has committed $10 million; the state government has confirmed that it will contribute $13½ million, with $11 million coming from the Royalties for Regions scheme; and the remaining $10 million is potentially available through the Regional Development of Australia Fund. Such a contribution is an opportunity for this federal government to provide and show good faith to the people of Mandurah and the Peel region. I call on the Minister for Regional Australia, Regional Development and Local Government, Simon Crean, to provide the money and show that WA is not, as we suspect, a forgotten state that simply pays the rest of Australia's bills.

In the entire term of this government not a single dollar of RDA funding has flowed to the Peel region. This can be verified by investigating the RDA website. Peel is a prime example of a region that deserves Commonwealth money spent on it due to its high growth. RDA Peel is servicing a high-growth region and yet such Commonwealth organisations are expected to do more each year with less money. When governments do not adequately fund such programs they become empty vessels, unable to do what they are promoted as. Australians have obviously become cynical about this. This is an opportunity for the Gillard government to make a real investment in the Peel region and give something significant back to
Mandurah. I implore Minister Simon Crean to grant Mandurah Aquatic Centre the remaining $10 million it requires to make this dream a reality.

Franklin Electorate: Rail Infrastructure

Ms COLLINS (Franklin—Minister for Community Services, Minister for the Status of Women and Minister for Indigenous Employment and Economic Development) (09:34): I was pleased to be on the Hobart waterfront last Friday on a very cold morning with the Tasmanian Minister for Infrastructure and the Premier of Tasmania, along with my federal colleagues Labor Senator Carol Brown and Independent Andrew Wilkie, for a very important announcement for Hobart. We were able to announce $50 million of federal government money from the Infrastructure Fund going to remediation of the rail yard site in Hobart. This is an iconic site in Hobart, 8.4 hectares of land on Hobart's waterfront that will be remediated and become available for development. It is, if you like, so iconic it is Hobart's Circular Quay or it could be our Southbank. It is really a special part of the local area and has connections to the wharf and to Salamanca Place. We are only limited by our imagination on what the site could be and what it could mean for Hobartians and for Tasmanians generally.

Part of the announcement was the remediation of this rail yard site. It is a once-in-a-lifetime opportunity to do something about development on the waterfront of Hobart. Included in the announcement was the Brook Street Pier redevelopment. The federal government will be putting money into that. This is really important for vessel-berthing as well as for local ferry and cruise services out of the Hobart harbour. There is tremendous tourism potential, tremendous education potential, social housing potential and a whole range of things in this announcement of $50 million for the Hobart waterfront. My federal colleagues, particularly Senator Carol Brown, and I have been lobbying and meeting with ministers for over 18 months to try and get this project up, so we were very, very pleased to hear that announcement in Hobart last week. At the moment a lot of work is going on at the site. There is a rail yard on the site, along with transport and trucks. A whole heap of work needs to be done on this site, and it is now ready for the bulldozers to go in and clean it up.

This announcement also comes at a really important time for the Hobart and Tasmanian economy. People would be aware that our economy in Tasmania does have its challenges, but this really shows the optimism of the local community in terms of what they hope to achieve. We will go to community consultations. We have set up a local authority to do the consultations, so that we can bring with us the local community and tap into ideas of developers and the community alike in terms of what this iconic space on the waterfront can really be. We are expecting around $1 billion in investment for this 8.4-hectare site. So many developers are interested in what this site could and should be for Hobartians. I am really pleased to be part of a government that took the initiative and saw the potential of this remarkable site.

Parliamentary Friendship Group of Women in Science, Maths and Engineering

Ms O'DWYER (Higgins) (09:37): Last Wednesday, I along with the member for Kingston hosted the inaugural function for the Parliamentary Friendship Group of Women in Science, Maths and Engineering. I am pleased to report that it was a great success with so many members of this place supporting it and over 200 people attending. The mission of the Parliamentary Friendship Group of Women in Science, Maths and Engineering has four parts. First, to promote the role and achievements of women in the areas of science, maths and
engineering with parliamentarians and the wider community. Second, to encourage more women to consider careers in the areas of science, maths and engineering. Third, to look at any barriers that may exist. And fourth, to connect women in science, maths and engineering with their local parliamentarians in order for them to better understand their respective roles.

One of the barriers that is faced by so many women in these fields is exemplified by the example of a constituent of mine, Dr Julia Sarant. Dr Sarant is currently a senior research fellow at the University of Melbourne and is a chief investigator on grants that she has received from the Australian Research Council. Dr Sarant faces the rather farcical situation whereby she can apply for a full-time grant and subsequently go part time; however, she cannot apply directly for a part-time grant. This simply does not make sense. Intended or not, it creates a natural barrier to women, in particular those who wish to balance a career and family life and who would greatly benefit from these more flexible part-time arrangements. There is no logical reason why Dr Sarant should not simply be able to apply for a part-time grant at the outset.

But I digress: I wanted to particularly highlight the fact that on last Wednesday night we had over 40 different universities, associations, hospitals and research centres represented, with some of the best and brightest female scientists, engineers and mathematicians in the country and, of course, a couple of men. Nobel laureate Professor Elizabeth Blackburn AC spoke as the guest of honour. She spoke about the importance of medical research and science in general, and discussed the challenges faced by women in what is traditionally a male dominated field. However, more interesting, was her take on the different approaches males and females adopt in relation to research and analysis and how vital it is to have a wide and varied mix of methods in order to come to well-informed and well-rounded conclusions.

I would personally like to thank all those who attended—in particular, the Leader of the Opposition, Tony Abbott; the minister for education, employment and workplace relations; my colleague Amanda Rishworth; and so many members and senators in this place—and Professor Suzanne Cory, Dr Cathy Foley, Professor Penny Sackett and their staff Sam Hogan and Karen O'Rourke for their timeless energy and work in helping to organise this event.

Canberra Electorate: Sporting Legends and Business Awards

Ms BRODTMANN (Canberra) (09:40): I would like to start by commending the efforts of the member for Higgins and the member for Kingston with regard to the Parliamentary Friendship Group. I went to the event last week. It was a great success and, with two sisters who are scientists, I am fully aware of the issues that are currently facing women in the science field.

Recently I put out a call for local sporting legends in the Canberra electorate, extending my Canberra Legends Program with the hope of discovering some hidden sporting talent. With the London Olympics almost upon us, I want to mention my first Canberra sports legend here today. Ten-year-old Alex Halank is a young windsurfer, born and raised in Canberra. He is currently in year 5 and, although Canberra is not the best nor the most likely location for developing windsurfing skills, he has persevered and practised to become one of the youngest advanced windsurfers in the world. Alex is currently the Under 11s Windsurfing Freestyle World Champion and the Under 13s Windsurfing Slalom Vice World Champion. To top that off, he is also the Under 17s Wavesailing Australian Vice Champion.
I am told it is quite unusual for a child as young as Alex to learn to windsurf, particularly to the high standards he has achieved. Windsurfing requires self-reliance and, considering some of the conditions out there on the seas, bravery. Alex is an inspiration, and his courage to pursue his love of windsurfing has shown his friends and family that getting out there and giving something a go can be lots of fun. He is a wonderful ambassador for Canberra and for the sport of windsurfing and I wish him well.

I would also like to congratulate the finalists in the 2012 Telstra Australian ACT Business Awards. In fact, there were 16 finalists in this year’s awards, and I think it is telling for the future of small business that they are all very active online and making use of the latest social media to get their brand out there. Many small business people I speak to, particularly those who are just starting out, know the internet is a vitally important tool and central to their business plan. Once the NBN is up and running here in Canberra, the benefits to small business will be even more pronounced.

There were four award categories in the awards, and the finalists are Shop Handmade, a great shop which I frequently visit; Sliced Tech; and Swish Education, for the HTC Start-Up Award. Other finalists include Canberra Furnished Accommodation; Makin Trax Australia; and Transformed, for the News Limited Micro-Business Award. The MYOB Small Business Award category finalists include Choku Bai Jo, the farmers outlet; HRMWEB; Nexus Accountants and Business Advisors; PayMe Australia; PCA People; and Provincial Plants and Landscapes. The finalists for the Commonwealth Bank Medium Business Award are Adore Tea Australia; Instyle Indoor Plant Hire; Intelledox; and Point Project Management. Congratulations to all the finalists. You have done Canberra proud.

**Dawson Electorate: Mackay Harbour Beach Race Day**

Mr CHristensen (Dawson) (09:43): Thank you for the opportunity of allowing me to speak on a constituency matter. Given this jacket that I am wearing, I am grateful to the Speaker that I have not been ejected and grateful to the members opposite that they have not raised a point of order as yet—and the member for Higgins for a comment that this is perhaps the flashiest outfit in parliament. I do not know whether that means that you need sunglasses at the moment. The jacket, perhaps a little more tropical than a Peter Allen special, is louder than traditional dress in this place for a reason. There is a method in this 'couturial' chaos. It is not exactly haute couture; it is a bit like bass couture. The jacket was made especially for me by local constituents, because they knew that I would be talking about an important tourism event in this place this morning.

As most of would be aware, the tourism industry has been suffering from a downturn for some time. Operators are looking for more assistance or understanding from all levels of government. There are people in organisations in my electorate who cannot wait for something. They are going out and making it themselves. They have worked hard to improve tourism products and create innovative events to help the tourism industry survive and, hopefully, grow. I would like to highlight one of these new events in particular—and this goes to my jacket—the first Mackay Beach Race Day which is the perfect combination of horseracing and the tropical lifestyle. The jacket is a symbol of the tropics and the fun lifestyle we have in Mackay. Organisers of the beach race day have embodied the spirit in a landmark event on the Australian social calendar. The spirit is also embodied in this suit. While the jacket is loud, colourful and tropical there are also some pants to match—and thank...
God I am not wearing them! I will keep the pants in the closet until 26 August, because on 26 August thousands of Australians will descend on Mackay to attend this nation's one and only beach horseracing event.

Australians love horseracing and we have seen that borne out in the many late nights put in by fans to watch Black Caviar make history in England during the early hours of Sunday morning. Beach horseracing in Mackay will also make history, because as far as I am aware beach horseracing only happens in two countries: Spain, at Sanlucar de Barrameda, and Ireland, at Laytown. Mackay will be the third place in the world to do serious beach horseracing. The residents of the Mackay region will support this event in their thousands, and I believe that race day fans from all over Australia, given the momentum this is picking up, will take the opportunity to escape the cold and visit the tropics which, I strongly suggest, is why I am wearing this suit.

It is a unique event and I look forward to seeing some of our southern colleagues, perhaps those opposite, donning a tropical shirt—maybe not as colourful as this—to help Mackay make history. For more information you can simply google Mackay Beach horseracing. I congratulate all of those locals and sponsors who are making this event possible.

The DEPUTY SPEAKER (Hon. BC Scott): The member for Dawson looks resplendent.

Holt Electorate: Cranbourne Special Needs Interest Group

Mr BYRNE (Holt) (09:46): I rise to talk about a very special group of women from the Cranbourne Special Needs Support Group, which is a mothers' disability support group made up of mothers who look after their special-needs kids. Rosnia O'Neal is the convenor of the group which is made up of several other mothers including Christine McDonald, Noela Hall, Jodie Clarence and Bharti Green, who is a carer from Respite and Carelink Centre in Dandenong.

Whilst each of these mothers are eagerly awaiting the benefits that will come with the full implementation of the National Disability Insurance Scheme, the point they have wanted to make at several meetings I have had with them, one of which was attended by the member for Cranbourne, Jude Perera, was that life is pretty tough for them at the present time and has been tough for a long time. The advantage of being able to speak to these women about the difficulties they are facing is just making sure that someone hears what they have to say.

The one woman in particular I want to talk about in my limited remaining time is Jodie Clarence. Jodie has a 15-year-old daughter with cerebral palsy who is totally dependent on her for everyday living. Jodie has cared for her without respite for 15 years. In February this year, due to a lack of respite or even a holiday, Jodie asked and then begged for assistance. However, Jodie was told that emergency respite was only for emergencies, which was interesting because I think Jodie was at the point of relinquishing her child.

According to Jodie, she was 'then put through myriad places to call, but was only met with waiting list after waiting list'. Jodie went on to inform me that she made a call to the Department of Human Services in Victoria on 6 March 2012, in order to obtain some respite care. It took seven weeks for her application to be assessed, and it was not until 10 June 2012 when the application was approved. However, even after going through this process it did not mean that she got funding for respite care.
According to Jodie: 'I am now on a register where I have to wait until someone else on a package either dies or is relinquished, for a funding package to become available, or the government releases more funding. The day when this situation occurs, someone from the Department of Human Services then has the power to decide who is most needy, and who should deserve those funds.' In the meantime Jodie has applied to local services, including Windermere and the City of Casey. After another lengthy assessment period the City of Casey has at least provided Jodie with personal care for three hours a week, but the demand for council services far outweighs the supply. According to Jodie: 'I cannot simply sit and wait for the NDIS to be implemented; more funding is needed in the here and now.'

Talking about Jodie's experience I am amazed by the dedication and sacrifices that parents with special-needs kids have to make. Then there are the demands that we put upon them, and I think it is incumbent upon us to provide all the support we can. I will continue to talk about this until we get something done in the here and now.

**Carbon Pricing**

**Mr HUNT** (Flinders) (09:49): I refer to the impact of the carbon tax on three businesses within my electorate of Flinders. The first is Sunbather Pool Technologies in Hastings. This was founded in 1974, by Simon Boadle, so it is nearly 40 years old. It manufactures pool-heating systems and pool covers around the country and it employs 60 people across three states. In particular, the carbon tax will, according to Simon, push up the cost of the petrochemical based raw materials they use, the cost of electricity, and the cost of freighting parts and materials between each state of production as of 2014 and off-road diesel immediately. They face competition from Chinese companies. Simon has said the increase in manufacturing costs will have an impact on their competitiveness and will put at risk their Australian manufacturing operations. He is doing everything he can to ensure he protects these jobs but he worries that the squeeze will continue.

Secondly, we have Carroll's Injection Moulding of Hastings. Carroll's was founded in 1994 by Mick and Marina Carroll. They employ six people in manufacturing quality plastic parts, and I have spent time onsite on the manufacturing floor. They make products for light industrial and commercial uses. Whether in air conditioning or automotive products, they contribute to the Australian manufacturing cycle. They are on tight margins and face stiff competition from China. Almost every day, according to Mick, they have calls or faxes from China offering to outsource the manufacturing of these products from Australia. They have spent a lot of money on energy efficiency in recent years and there is not much more they can do to minimise the impact of increased power bills as a result of the carbon tax. Therefore, they in particular face risks to their Australian manufacturing.

The third business is Jack Thompson Engineering. This is based in Hastings and also has a plant in Moorabbin. It was founded in 1934 and the General Manager is David Kent. We know this is an iconic business for Hastings, the Mornington Peninsula and Victoria and that it is already under pressure. It is an engineering firm that does a lot of work for the Latrobe Valley power companies. Maintenance spending by the coal-fired power stations in the valley is now minimal compared with the level of spending prior to the announcement of the carbon tax. This is the direct advice and evidence of David Kent. It has led to a significant impact on the business and on plans to close the Moorabbin factory. David Kent has made it absolutely clear that the carbon tax has been detrimental to confidence and to the flow of jobs throughout
the manufacturing and manufacturing services sectors. Lately, the company has been advised by some suppliers of price increases directly attributable to the carbon tax. All of these three businesses will experience deep, significant impacts precisely because of the carbon tax.

Tibet

Mr Griffin (Bruce) (09:52): I rise today in this House to highlight the serious and deteriorating human rights situation in Tibet. This serious and deteriorating situation has received some notoriety here in Australia in recent days with the visit of Dr Lobsang Sangay, the new Kalon Tripa, or Prime Minister, of Tibet in exile. With respect to the circumstances in Tibet I quote from a recent publication. On 19 June Human Rights Watch reported:

As many as several hundred Tibetans from eastern areas of the Tibetan plateau who live in Lhasa, the capital of the Tibet Autonomous Region … have been arbitrarily expelled from the city as part of a drastic security drive …

This move has come in the wake of the first immolations in Lhasa last month. The report continued:

'This arbitrary expulsion of people because of their ethnicity or place of birth is clearly discriminatory and violates their basic rights to freedom of movement and residence,' said Sophie Richardson, China Director of Human Rights Watch.

The wave of self-immolation protests, unknown in Tibet before 2009, has continued unabated through 2012 with some 28 Tibetans known to have set themselves on fire this year alone. These acts have often been followed by large public protests. In my view there can be almost no more serious personal and individual act of defiance than this act of personal destruction. It is a tragedy for the individuals involved but it is an enormously powerful statement of what they feel about the circumstances of their people and the situation they find themselves in.

The Minister for Foreign Affairs, Senator Bob Carr, announced in the Senate in March:

… our ambassador will be seeking today to travel to Tibet to see for herself the grievances which have given rise to the self-immolations. … Secondly, … the deputy head of mission, who today is visiting Sichuan Province, is making today a request to the Sichuan Foreign Affairs Office to inspect Tibetan establishments in that province, again to investigate the grievances that have given rise to these extreme and distressing forms of protest. Moreover, … our ambassador in Beijing is making an application today to have permission granted for a delegation of our Joint Standing Committee on Foreign Affairs, Defence and Trade to go to Tibet to investigate these things themselves.

Clearly, the situation in Tibet is incredibly serious. I do not for a minute believe that I should stand here and tell the Chinese government how to do their business. The Chinese government—the Chinese people as well—have been our friends and our trading partners for a long period of time. But what I would say is that this matter needs to be dealt with. The Tibetans do not seek separation from China but autonomy within a Chinese federation. They ask for China to abide by its own constitution, which protects minorities, by protecting Tibet's linguistic, religious and cultural autonomy. The right to freedom of speech and the right to freedom of assembly are essential rights. They are rights that the Tibetan people deserve to have.

Red Nose Day

Mrs Griggs (Solomon) (09:55): I rise this morning to advise that tomorrow is the 25th anniversary of Red Nose Day. Red Nose Day occurs every year on the last Friday of June. Red Nose Day is, of course, organised through SIDS and Kids, which is a fantastic national
organisation dedicated to saving the lives of babies and children during pregnancy, birth, infancy and childhood up to a child is the age of 18. SIDS and Kids provides much-needed support to bereaved families, with over 3,500 Australian families experiencing the sudden and unexpected death of a baby or child each year.

Last year I was named the patron for SIDS and Kids Northern Territory, which is a role that I take very seriously. I am absolutely delighted that I have got this privileged position. In the Northern Territory we have been working very hard to raise money and to sell the red noses. I would like to take a little bit of time to acknowledge those people that have been helping the outstanding SIDS and Kids committee that we have in the Northern Territory. Deborah Gardiner-Munro, is the chairperson of SIDS and Kids and she is incredible. Fiona Peters is the vice-chairperson. Christine Paynter is a committee member, with Kelly Yates. The Harley Owners Group Darwin Chapter has contributed significantly to SIDS and Kids, as has the NT Motorcycle Centre with their substantial donation to SIDS and Kids. I note the dedicated staff: Brenda Day, who is the educator, and Christina Erb, who looks after the grants and is the fundraising officer.

We have been selling the red noses for the whole of June. I thank the Navy personnel in Darwin. In particular, Leading Seaman Bradley Thomas, from the electronic maintenance room, has organised some of his colleagues to help out on our stalls. So we have had helping Leading Seaman Kieran Jarrett, Seaman Cook, Seaman Dalziel, Seaman Corbett, Able Seaman Sergiacomi, Seaman Pollock, Seaman Lee Groves, Seaman Matt Chambers, Seaman Turner, Seaman Miller, Seaman Matt Chambers, Seaman Ludwig, Seaman Thomas, Seaman Fairbanks, Seaman Adams, Seaman Pollock and Seaman Hauser. We have also had members of the Kiwanis Club, the Lions Club and Quota International assisting and also some of my parliamentary colleagues in the Northern Territory. We have had Peter Chandler, Terry Mills, John Elferink and Kezia Purick and two of my 'up and coming and hopeful' colleagues in Kim Loveday, who is the candidate for Nightcliff, and Lia Finocchiaro, who is the candidate for Drysdale. So a big thank you to all of them for their help during June to help SIDS and Kids.

New South Wales: Workers Compensation

Mr STEPHEN JONES (Throsby) (09:59): The New South Wales government have shown themselves to be against working Australians yet again, with the O'Farrell government's sweeping cuts to workers compensation benefits in New South Wales. In my electorate of Throsby, in the Illawarra, I often meet people who have had the misfortune to be affected by workplace accidents and injuries. Some of them, tragically, have been permanently disabled. One of these workers is Graeme Holz, whom I took the time to meet with and discuss his circumstances a few weeks ago. Graeme has been on workers compensation since he sustained a debilitating back injury on the job 22 months ago. I am sure that Mr Holz did not foresee this accident occurring nor do anything to warrant his injuries, but it just goes to show that workplace injuries can happen to anyone at any time.

For the first time in decades, workers in New South Wales will no longer be looked after if they are injured during their passage to or from work. Further, those who are injured while moving between job assignments during working hours face a very uncertain status. What is worse, from the day you are injured, your salary is immediately cut, with further reductions occurring to your benefits after 13 weeks from the injury taking place. These laws completely terminate benefits to large numbers of injured workers after 2½ years and for many others...
after five years, even if the injury is permanent and they cannot return to work. What is more, workers who do the right thing and return to work will lose their medical benefits after 12 months, even if they require ongoing treatment or their injury comes back.

These are good, honest, hardworking people. People like Mr Holz, who have been injured through no fault of their own, are being treated like cheats and bludgers, while falling behind on their bills and facing the real danger of losing their homes and their livelihoods. It is not just workers who are impacted by these laws; it is their families and loved ones. The emotional and financial ramifications can be profound. These people are not only suffering the debilitation of their injuries; they are suffering a loss of income and everything that that means to them and their families.

Thanks to Barry O'Farrell's broken promise on workers compensation, people like Mr Holz and thousands and thousands of others stand on the verge of losing absolutely everything. This does not sit right with me, and I encourage all right-thinking people to get behind the campaign that is currently being led by the Leader of the Opposition in New South Wales, Mr John Robertson, to join the fight against these changes, in the interests of people like Mr Holz and every other worker who stands to be affected by them.

The DEPUTY SPEAKER (Hon. BC Scott): Order! In accordance with standing order 193 the time for constituency statements has concluded.

BIllS

Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.

Mr TONY SMITH (Casey) (10:02): It is my pleasure to speak on behalf of the opposition on the Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012. The opposition will not be opposing this legislation, which was introduced last week by the Parliamentary Secretary to the Treasurer. I will briefly run through what the parliamentary secretary outlined in his second reading speech in the House. The Financial Reporting Panel was established some six years ago, in 2006, to resolve disputes between ASIC and companies over accounting standards and financial reporting. It was—I think the parliamentary secretary, those participating in this debate and all members would agree—something that industry had argued for, and its intentions were certainly good. It was intended to help avoid court action and speed up the process of resolving disputes.

Since the inception of the Financial Reporting Panel, only five cases have been referred to it, and none have been referred to it since August 2010. Given this, the government announced sometime ago its intention to close the panel. There was then a delay while some consultation could take place, via a discussion paper that was issued on the future of the panel in 2011. But the government, having considered the views of stakeholders and having considered the fact that so few matters had been referred—in fact no matters in recent months, getting on to almost two years—announced in February that it would close the panel.

The coalition did not express any opposition to the government's announcement in February this year. Certainly given the lack of referrals to the panel, it is hard to justify the
ongoing costs in keeping it. On behalf of the opposition I indicate that we are not opposing this legislation. I note that my good friend, the member for Blair, from the other side, is speaking on this bill. It is our happy duty to keep the wheels turning on these matters of technicality to do with taxation—in this case, the Corporations Law.

Mr NEUMANN (Blair) (10:05): I speak in support of the Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012. It gives me an opportunity—as this is the first bill I have spoken on that the parliamentary secretary has carriage of—to congratulate my good friend, the member for Oxley, on his overdue and welcomed elevation to the position of Parliamentary Secretary to the Treasurer, and I thank him for asking me to speak on the bill.

The Financial Reporting Panel was established with the best of intentions by the Howard coalition government, pursuant to legislation in 2004 under the Corporate Law Economic Reform Program (Audit Reform and Corporate Disclosure) Act 2004. Small- and medium-size enterprises wish to avoid at all cost litigation. That is why so many of them engage, for example, in debt collection agencies and pursue all they can to avoid litigation. It has been my experience with more than 20 years as a lawyer that business does not wish to go to court if at all possible.

Governments of all persuasions set in place arbitration, mediation and conciliation mechanisms by which business can avoid actually going to court. One of the things established, with the best of intentions, was the Financial Reporting Panel as a third-party vehicle which small and medium enterprises could use if there were any issues concerning the application of accounting standards. It was thought that those SMEs would actually consult with the panel in relation to issues if they had disputes between them and ASIC, but that did not happen. This was put in place with the best of intentions, but it did not proceed. The panel commenced on 3 July 2006 and virtually nothing took place. For three years it heard no cases and it cost the Australian taxpayer $800,000.

I do not criticise the previous coalition government in relation to that. It was at the request of industry and stakeholders that that panel was established. In fact, when Treasury circulated in November 2011 a discussion paper in relation to this, 11 submissions were made and organisations like KPMG, Deloittes and Ernst and Young recommended, with some amendment, that the panel continue. Regrettably, despite, as the member for Casey said, a number of cases being referred to the panel, very little activity has taken place. In circumstances where we want to get back into surplus, where the budget is tight and where across the forward estimates we can save $1.2 million of taxpayers' money, I think the parliamentary secretary is to be commended for the decision that was made. There are a number of options that could have been undertaken—he could have retained the panel; maintained the current processes and powers; modified any referral process; or repealed it and closed it—and I think he chose the right path in the circumstances. It is not as if these decisions of the panel were actually binding from a legal point of view. They would have had to be accepted by the corporate sector and by ASIC. We are not leaving industry without the opportunity to refer this to some sort of arbitration or indeed to go to court in relation to these matters. It has always been the case that industry could have taken matters to court. Further, the International Financial Reporting Interpretations Committee is able to provide interpretations when issues in relation to accounting standards still remain on foot. Reporting entities and ASIC could have the dispute in relation to that and refer to that particular
committee for consideration. I note there is a transitional provision so that the courts, if they are going to look at these types of things, can have regard to decisions and reports made by the panel prior to its closure. That is a sensible suggestion in the circumstances.

This is a non-contentious bill. Even the fact that there were only 11 submissions made on the Treasury website in relation to the consultation process indicates that it is not a controversial issue and it is a sensible way to maintain the taxpayers' dollars in the circumstances. I support the legislation.

Ms BRODTMANN (Canberra) (10:11): I welcome the opportunity to speak on the Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012 introduced by my colleague the Parliamentary Secretary to the Treasurer. I would like to echo the words of the member for Blair in congratulating him for his promotion, long overdue. He is doing a wonderful job. I am very much looking forward to hosting my second financial literacy seminar tomorrow with the parliamentary secretary. It is going to be held in the Griffith neighbourhood centre. I am looking forward to getting a number of people from the community, from the multicultural community as well as the seniors community and the general community in to learn about scams and how to avoid them, and also to learn about the fabulous MoneySmart website and the range of skills that you can gain from accessing that website to find out how much super you need, how to manage a budget, and if you are pregnant how to manage the transition in terms of pay. I am a strong advocate of MoneySmart. I am constantly sending it out to people on my Facebook site and also when it is released every month I give notification through my Twitter as well. It is a wonderful way of getting free information to improve your financial literacy and free information you would probably need to pay quite a bit for, and I have paid for it in the past, through a financial adviser. So I am very much looking forward to my second financial literacy seminar and hosting many more for Canberrans in coming years.

The main function of this bill is to close down the Treasury-administered Financial Reporting Panel by repealing its functions and its powers. The panel is an independent third-party review mechanism consisting of nine part-time panel members from the business and accounting community. At the time it was established in 2006 under the Howard government its aim was to examine and resolve contested issues between the Australian Securities and Investments Commission, ASIC, and reporting bodies in relation to the accounting standards of financial reporting. Over recent years there have been a number of significant changes in financial reporting stemming from the global financial crisis and other reviews and it is important that people keep up-to-date with what is going on and their accountants, most importantly, keep up with what is going on.

It has been almost six years since the panel was established and in that time only five cases have been referred to the panel. Of these four were only introduced because the government in 2010 decided to close down the panel. Not only is this significantly lower than the expected number of referrals but it is also an inefficient use of our resources. After the four extra cases had been brought before the panel in late 2010, the government deferred the panel’s closing and issued a discussion paper for review. It contained various options, including retaining the panel in its current state, making modifications to the tedious referral process or closing it down altogether. The 11 submissions received in the consultation process have been made available publicly through the Treasury website. The submissions generally supported the
retention of the panel with some amendments, because it can be an incentive for companies to meet their financial reporting requirements and because it can facilitate cooperation and agreement where there is dispute. However, it became clear that any changes made to the way the panel operates would not necessarily increase the number of referrals, which is the main reason its closure was initiated.

It is simply unsustainable for a panel which has reviewed just five cases in six years to continue operating. It adds pressure to our budget, makes it increasingly difficult to find high-quality panel members and reduces its effectiveness as an intermediary review board between ASIC and reporting entities. Closing it down by enacting this legislation would save $1.2 million over four years. However, doing so would not leave ASIC and reporting companies without any dispute resolution process, and it would not have a significant impact on the standards of financial reporting. As my colleague the member for Blair mentioned, the International Financial Reporting Standards Interpretations Committee can still provide advice where issues with accounting standards are identified. Furthermore, companies have always had access to, and in many cases have preferred, legal action though the courts for disputes that cannot be resolved between ASIC and reporting companies.

Though the panel was initially viewed as a way of bypassing court proceedings—that is admirable, because it cuts down on costs—its findings are not legally binding, unlike a court's. In fact, the industry's use of other more certain and effective methods of dispute resolution such as the courts has contributed to the lack of use of this panel. As we all know, from someone who has been in business herself, time is money in business. If you are investing significant time in getting a case together you would like to know that it will end in a resolution you are going to be happy with—hence, the preference of some to go through the courts, and get a legally binding decision, rather than to use other mechanisms.

I note from my own experience that most companies are keen to resolve issues internally, particularly on financial matters. I know from being on a number of boards and on a number of audit committees of those boards that when it comes to financial and accounting issues you do everything in your power to ensure that you are abiding by the appropriate standards. You go out and get your own professional education on it through the AICD or other bodies and you ensure that you have an annual audit, of course. But throughout the year you conduct a number of internal audits in a range of different areas to ensure that you are abiding by the appropriate accounting standards and that you are keeping an eye on what is going on in the company. It is by doing those more forensic dips through internal audits that you get the opportunity to focus on specific areas that you would not necessarily get the chance to with a more general audit. I know that most companies are very keen to ensure that they abide by those standards and set up a number of mechanisms—internal mechanisms as well as external audits—to ensure that they do. Organisations can now go to an external committee as well to get decisions on matters of accounting.

Clearly, a review of the Financial Reporting Panel has been long overdue and its lack of use by companies and ASIC allows for its immediate closure through the enactment of this bill. With the inclusion of a transitional provision in this bill, courts can continue to refer to reports previously issued by the panel, even after its closure, as a point of reference.

Enacting this bill will save money. It will also ensure that other methods of upholding financial accounting standards are available to ASIC. That is particularly important, because,
as I mentioned, there is a range of mechanisms that companies use, including internal and external audits, and they will be able to ensure that they can uphold accounting standards through access to ASIC and reporting companies. For this reason, I commend the bill to the House.

Mr RIPOLL (Oxley—Parliamentary Secretary to the Treasurer) (10:19): Firstly, I thank all those honourable members who have taken part in this debate on the Corporations Legislation Amendment (Financial Reporting Panel) Bill 2012. I particularly thank the member for Casey, the member for Blair and the member for Canberra for their good work in this area and their support of this bill—and of course the support across the chamber. The Financial Reporting Panel was designed to provide an alternative means of resolving disputes relating to the application of accounting standards to financial statements. However, due to lower than expected referral rates, the panel will be wound up.

The amendment in this bill will close the Financial Reporting Panel by repealing references to its functions and powers in the ASIC Act and the Corporations Act. To give companies greater certainty, the amendment in this bill clarifies that courts may continue to have regard to reports previously issued by the panel despite its closure. I thank the House and commend the bill.

Question agreed to.

Bill read a second time.

Ordered that this bill be reported to the House without amendment.

BUSINESS

Rearrangement

Mr HUSIC (Chifley—Government Whip) (10:21): I move:

That business intervening before order of the day No. 5, committee and delegation reports, be postponed until a later hour this day.

Question agreed to.

DELEGATION REPORTS

Parliamentary Delegation to Vietnam, Thailand and Singapore

Debate resumed on the motion:

That the House take note of the report.

Mr CHESTER (Gippsland) (10:22): I rise to speak in relation to the Report of the Australian Parliamentary Delegation to Vietnam, Thailand and Singapore: 6 to 16 November 2011. Can I say at the outset that it was quite an extraordinary experience, both at a professional level and certainly at a personal level. I congratulate the other members of the delegation, which was very ably led by the member for Braddon, Sid Sidebottom. I also note in the chamber today the member for Reid, the member for Cowper and the member for Swan. All members of the delegation took part in this trip with a great deal of bipartisan spirit. They were certainly terrific travelling companions but also very well informed. Without blowing our own trumpets too much, I think that we represented the parliament well in all of the functions we attended and in the briefings that we also attended. It was an outstanding experience, I think, for all the members involved in the delegation.
I strongly believe in the importance of such delegations, particularly because they provide newer members of the House such as me with the opportunity to participate in dialogue at a level that would not normally be available to me in another way. I certainly appreciate the opportunity provided to me by the parliament to go to Asia and to get involved in an exchange of ideas, to experience some of the cultural differences and also to explore some of the trade links which are obviously so critical to our nation's future. For an area like Gippsland, there are ongoing opportunities for its agricultural products in particular to be exported into the Asian region. I think it is important that I fulfil my role as the member for Gippsland in exploring what those opportunities may be and, wherever possible, helping to link my community and its outstanding products with the markets which exist in the growing Asian region, so I believe that such delegations are enormously important.

I congratulate everyone involved at the Australian end of the delegation for organising our schedule, but I also particularly pay my compliments to our embassy staff at each of the posts in Vietnam, Thailand and Singapore for the support they provided. Without exception, the embassy staff provided us with extraordinary hospitality, but also their professionalism, their enthusiasm and the thoroughness of their preparation was something we can be very proud of here in Australia. They certainly represent our nation very well in their foreign posts.

I would also like to take the opportunity to thank the host nations. They were very warm and friendly in their welcome. They certainly appreciated the fact that our delegation was visiting their country, and we were able to participate in some very frank and open discussions which we simply would not have had the opportunity to do in any other fashion. You can read all the reports in the world but to actually sit down with people and gain a better understanding of the issues facing their nations and the opportunities that exist for Australian businesses and the Australian government to work in close partnership with their nations can only come about through face-to-face dialogue. That was certainly the highlight of the trip, from my perspective.

I refer to the member for Braddon's comments in the House earlier in relation to this report that the opportunity to build better links within Asia and to build trust within the Asian region is something that we need to continually explore as a nation. One issue that came up quite strongly during our discussions was the fact that a lot of Asian young people have had the opportunity to come to Australia, but it has not necessarily been a two-way street. I think the opportunity to explore more links at an education level for young people from Australia to go to Asia, further their studies and build a better understanding is a real opportunity for us as a nation. That was one of the issues that came through in each of the places we visited: that the young Asian students who have the opportunity to come to Australia were going back to their country and making an enormous contribution. I am not sure we are taking full advantage of that yet here in Australia. I think there is an opportunity for us to explore at a state and federal level how we build more links the other way: make it a two-way street where young Australian students can go to Asia, study there and get a real appreciation of their culture and build those links for the future.

I would just like to make a few observations about each of the destinations we attended. We started our delegation with a visit to Hanoi. There is no question that Vietnam is going through a very exciting stage in its development as a nation. It is emerging as another giant in the Asian region. The opportunities that exist there for future trade development are quite
extraordinary. There was a constant theme throughout all of our meetings in Hanoi that Vietnam was looking for more capital investment in the nation, more opportunities to help it develop, to have an economic relationship prosper in partnership with other countries. There was a willingness to open up opportunities in Vietnam region.

One of the challenges that did come through, though, is how to do that in an environmentally sustainable way. The Vietnamese, obviously coming from a lower standard of living than we experience in Australia right now, are grappling with some of the issues we grapple with in terms of sustainability: how that development will occur, particularly in the agricultural regions, in a way that is environmentally sustainable. So our discussions there were very interesting. It was important for our delegation to understand that some of the challenges we face here in Australia are being experienced by the Vietnamese, perhaps at a more basic stage, with regard to issues like water quality and maintaining the sustainability of their agricultural land.

We then visited Thailand. In fact, it was an issue of some contention at the time as to whether we would actually go to Thailand, given that most of the nation was experiencing some quite horrific flooding. As we flew into Bangkok we flew over the second airport and we could see large aircraft with water up to the undercarriage. It was a severe flooding event that impacted very heavily on the people of Bangkok and, as a delegation, we were quite reluctant to go there. We had some discussions in Hanoi about whether we would proceed with that part of the journey. But we were reassured by the Thai government and by our post on the ground that they were very anxious for us to come, so we went but we were very specific in our dialogue that we did not want to put anyone out, we did not want to divert any attention from the recovery effort that was underway. In the end, it was good that we did go but certainly at the time we were a bit concerned about whether we would be an unnecessary distraction from some more serious business that was occurring in and around Bangkok at the time. Again, the visit there included some important meetings from a trade and economic development perspective. But, from a personal perspective, the highlight of our time in Thailand was our trip to Hellfire Pass. Australia is certainly greatly honoured by the Thai government in that they have worked with our government to allow such an extraordinary monument and museum to exist on their soil. It is something that I think every Australian who has the opportunity should go and experience. To walk along Hellfire Pass and get a sense of what it must have been like—and only a very small sense, I hasten to add—for those prisoners of war on the Thai Burma Railway is something that any Australian who has the opportunity should do as soon as possible. Obviously we were there to pay our respects to the POWs, who suffered enormously and died at the hands of the Japanese during that campaign. We were very fortunate to be joined at the museum by a delegation of British POWs, some of whom were in their early 90s. It was a real treat for us to talk to them. They had experienced extraordinary hardship during World War II. We met them just by coincidence; we were there at the same time. To be able to talk to them and exchange some pleasantries, and to get an understanding of what they had experienced, was something that I felt very privileged to be a part of.

There was not a member of our delegation who was not touched by the Hellfire Pass Memorial. It is very well developed. You get the opportunity to guide yourself through the museum, and also down to Hellfire Pass, with an MP3 player which gives you direct
commentary from survivors of that experience. It gives you a real sense of what it must have been like. I would defy anyone to walk through Hellfire Pass and not be absolutely overawed by the hardship that our soldiers endured. It was a very grounding experience and something that I will carry with me for the rest of my life.

Finally, we also had the opportunity to visit our good friends in Singapore. Again, we were very warmly received there, particularly by the high commissioner. It was to some extent a family reunion. Doug Chester is a relative of mine, which, I must say, caused the other members of the delegation a great deal of merriment. They thought I was going to take over his role. They saw D Chester on the itinerary, and all sorts of assumptions were made about my future career plans. Doug is a member of my extended family. He was a terrific host and also gave us some great insights into the relationship between Australia and Singapore. In Singapore I was struck most of all by the extraordinary innovation that goes on in managing the country's water needs. We also had the opportunity to visit Marina Bay Sands, one of the largest developments I have ever had the opportunity to have a look through. It is quite an extraordinary building, and anyone who has been there would be struck by the enormity of the task and the ingenuity of Singaporeans. Nothing seems to be too hard for them. They are very creative and innovative. We certainly enjoyed their hospitality. We also had a meeting with the Singaporean defence minister, which gave all members of our delegation a greater appreciation of the important link between Australia and Singapore and how we fit into the defence structure of both nations.

In closing, may I simply say that I was greatly honoured by the parliament in having the opportunity to participate in the delegation. We had a terrific team: the member for Braddon, the member for Reid, the member for Cowper and the member for Swan. We participated in a very bipartisan way. Every member of the delegation not only enjoyed the experience but certainly learnt an enormous amount. I commend the parliament for providing for such delegations and I look forward to utilising the information I have received and capitalising on that experience as I do my work as the member for Gippsland.

Mr MURPHY (Reid) (10:34): As a member of the parliamentary delegation to Vietnam, Thailand and Singapore in November 2011, I join with my friend and colleague the member for Gippsland and support his remarks in the chamber today. It was a great honour for all of us to have the privilege of representing our country on a delegation such as the one we experienced. As the member for Gippsland said, it certainly is a privilege and an honour to engage with people at a very senior level in other countries and get a better understanding in a bipartisan way with fellow parliamentary colleagues of the trade and investment opportunities, and bring closer links between our countries. I, too, thank our host nations for the very warm hospitality extended to us and our partners, and I support the comments in their entirety made by the member for Gippsland about the importance of improving our relations with these ASEAN countries.

On the subject of ASEAN it is important to record that Singapore, Thailand and Vietnam comprise three of the 10 countries, the others including Indonesia, Malaysia, the Philippines, Brunei, Dar es Salaam, Lao PDR and Myanmar. When we think about that it comprises a total population in excess of 600 million people—little wonder it is a very important market for Australia. In fact, the ASEAN region is around the ninth largest export market for our country.
and the sixth largest source of Australian imports. ASEAN nations are very important, hence this important delegation.

I thank Sid Sidebottom, who led our delegation with very good humour and who was a great credit to our parliament, as I am sure the member for Gippsland will agree. It was not very long after he returned that the Prime Minister promoted the member for Braddon, and he is now the Parliamentary Secretary for Agriculture, Fisheries and Forestry. This was well deserved because he has been a very hardworking local member. To see him on the international stage leading his parliamentary colleagues was something that we will long remember.

Mr Chester: The reports from Asia were very positive.

Mr MURPHY: As the member for Gippsland has just said; yes, the reports from Asia were very encouraging, and the member for Braddon can take great credit for the role he fulfilled.

I thank my colleague the member for Gippsland and his lovely wife, Julie; the member for Cowper; and the member for Swan and his new bride. They added great value to the delegation and we could not have done without them. I record my sincere appreciation for the invaluable and lasting support that we were given by Mr James Rees. He gave tremendous support to me personally and to all members of the delegation. James Rees: you do great credit to the staff of the House of Representatives and I thank you for all your great work. I also thank the two ambassadors and the high commissioner who looked after us together with the staff in Hanoi, Bangkok and Singapore.

It is noteworthy that the two-way trade between Vietnam and Australia is in the order of about $6 billion, and it was even higher before the global financial crisis. I will not go over what the member for Gippsland said but Vietnam is certainly a country which is terribly important to the future of Australia, and vice versa. Although commodities have been of longstanding importance in our two-way trade there is a lot of encouragement in the expansion of our services sector, principally in the area of education. Other areas, such as agriculture, energy, electricity, oil and gas are sectors for growth and development in our two-way trade.

Thailand and Australia have had a free trade agreement since 2005 and the two-way trade between Australia and Thailand is over $16 billion. That is a lot of money. As the member for Gippsland said, when we arrived in Thailand we were concerned about whether that part of the delegation could proceed due to the devastating floods that the Thai people had experienced, but to their great credit they managed their water very well and managed to avert a terrible disaster. Coming out of those discussions were opportunities for us, as the Thais are having to deal with problems of salinity. The report goes into some detail about those opportunities, so I will not go over that, but Australia can help Thailand with salinity problems.

Like Vietnam, education is an important sector and a source of export revenue for our country. There are many young Thais studying in Australia. It was very surprising to learn that, conversely, there are almost no Australians studying in Thailand. That is something that ought to be remedied. There are great opportunities for two-way trade between our countries,
Thailand and Australia. Another area is sugar, which should be explored because Thailand and Australia are the third- and fourth-largest sugar exporters in the world respectively.

The member for Gippsland referred to our visit to Hellfire Pass. That was a very, very moving experience, as he said. I worked for many years in the Department of Veterans' Affairs before I came here. I know Tom Uren, a former Deputy Prime Minister of our country, who was on the Burma-Thailand railway. I knew many of his colleagues who experienced the privations and hardships as POWs in that terrible part of the war and about their experiences. To go there and see what they experienced all those years ago is something I will not forget. We also visited Kanchanaburi War Cemetery and saw the graves of the young men who perished on the Burma-Thailand railway or as POWs. That was a terribly moving experience. We laid a wreath there and had a memorial service to honour the soldiers who lost their lives. We paid particular tribute to Weary Dunlop who is a legend in that part of the campaign.

Finally, we went to Singapore. We have a free-trade agreement with Singapore which has been in existence since 2003. Clearly the two-way trade relationship with Singapore is going from strength to strength. It is noteworthy that Australia has invested something like $25 billion in Singapore, and we are about the fifth-largest foreign investor there. One thing that came up while we were in Singapore is that they are very sensitive about defence cooperation. It is good to see Australia being so closely involved with Singaporeans in maintaining very close defence contact, because the stability of that region—as Singaporeans know only too well from what happened in World War II—is vital to them and to us.

Water management and water security are also important, because we come from a country which experiences droughts. We have had our own problems, and it was only a matter of about four years ago that everyone in Australia was worried that we were running out of water. Now we have had an abundance of rain and seem to have an abundance of water, but that will change. Singapore forever and a day has relied on imported water, so there are great opportunities for us to cooperate on water security and water management.

I conclude by saying it was a very, very successful delegation. Again I thank our hosts for the opportunity to visit their countries and bring our countries closer together. ASEAN is very important to the future of Australia, and the countries we visited are important to us and we are important to them. I encourage anyone who gets the opportunity to visit Vietnam, Thailand and Singapore to do so, because they are great friends of Australia and can contribute greatly to the growth of our country.

Debate adjourned.

**ADJOURNMENT**

**Mr HUSIC** (Chifley—Government Whip) (10:45): I move:

That the Federation Chamber do now adjourn.

**Carbon Pricing**

**Mr BILLSON** (Dunkley) (10:45): We are just a few days away from the introduction of the world's largest carbon tax. I concur with the statement released by the Australian Retailers Association that it is indeed a nerve-wracking time. This is a time when small businesses are already feeling very vulnerable at a difficult time of challenging trading conditions: their costs are going up; their customers are not keen to be paying more; they will be the ones facing
consumers as the wash-through effects of the carbon tax, which will hit each and every stage of the supply chain and the service system, compound and are then presented to the consumer; they have no fat in their budgets and profit margins, if in fact they are profitable at this time, and the soaring cost of living is affecting consumer and business confidence. It could not be a worse time to introduce the world's largest carbon tax. That is something that small businesses feel quite vividly.

As I travel around this continent, small business people continually tell me how appalled they are by this government's failure to take account of their particular circumstances and the challenges they face in deciding to proceed with a carbon tax that they heard the Prime Minister say would not be introduced under a government she led. The harm that has caused has been followed by the injury being inflicted on small business people. They have been overlooked and disregarded, and their concerns have not been met by a receptive and interested government. Instead, the government has shown hostility and has tried to discredit small business people when they have spoken about their concerns. It has challenged small business people and their representative organisations when they bring forward legitimate concerns and case studies about how the carbon tax will adversely impact on those businesses, on their ability to remain viable and to continue to provide employment opportunities, hope, reward and opportunity within their communities.

The latest episode, in terms of harming small business, has seen the government use the ACCC, not in a way that is consistent with the law and with the responsibilities of the commission but as an instrument of intimidation and bullying, to try to frighten and create fear in small businesses who are talking truthfully and honestly about the carbon tax's impact on their business and on the prices of their goods and services.

It is not the ACCC's role to be the bodyguards of government spin; its role is to implement the law. That is why it was very important for the coalition to produce and circulate information brochures. These information brochures that we have sent to butchers, cafes, restaurants and bakeries state some very simple facts—facts that the government has released about what it believes will be the energy price increases arising from the carbon tax, price increases that have been widely challenged as wildly underestimating the impact on energy prices. Think of a business that operates heavy-energy-use equipment during the night and that has structured its enterprise to take advantage of cheaper tariffs during the night. The carbon tax does not discern between high-tariff periods and low-tariff periods. We have seen example after example of people who operate and rely heavily on off-peak tariffs overnight seeing electricity price increases of the order of 50 and 60 per cent at a time when they are operating during the night to remain competitive. We have sought to explain and help small businesses understand, in an honourable and accurate way, what the impact of the carbon tax will be. It will impact not only directly on the energy costs of businesses but, as it says here, on the cost of refrigeration and on the supply chain, where it will build at each and every stage. Imagine an ice cream retailer: the carbon tax will affect the dairy operations when the cows are being milked, the transport to the milk processor, the energy intense refrigeration of perishable goods at the ice creamery, the wholesaler and the small business, which gets to buy an input to its business that has had those impacts all the way through.

The government stands condemned for trying to imply that there is something unlawful about these brochures, when there is not. It is the coalition that has been informing small
business about the need to be reliable and to be able to substantiate claims they make about the need to raise prices related to the impact of the carbon tax. There has been no modelling done by this government. The government should be condemned for that. The ACCC is relying on industry advice, which the government criticises at every turn. This was a necessary step by the coalition to put out some factual information, to be an ally with small businesses and consumers and to inform them about the real impact of the carbon tax. This should be supported, not attacked. (Time expired)

Ferguson, Mrs Mary Ellen Clare

Mr MELHAM (Banks) (10:50): Today I wish to honour the life of Mary Ellen Clare Ferguson, nee Bett. I met Mary almost 38 years ago when I went to university with two of her sons, Laurie and Martin. I spoke in this place on 23 September 2002 on the death of her husband, Jack Ferguson, the former Deputy Premier of New South Wales.

Since her death on 15 June 2012, much has been said about Mary. Mary was a political wife who graciously accepted the impact this had on both her and her children. Mary's total focus was on her children; they were the centre of her life. Mary believed in the strength and mutual support of family, not only her immediate family but her extended family and Jack's as well. Her parents, grandparents, cousins, nieces and nephews were as much a part of her as her immediate family. Her daughter Jenny said that Mary unselfishly allowed Jack to pursue his career.

Mary's husband was elected to the New South Wales parliament in 1959. For the first decade, members had no staff or offices. Jack built a sunroom at the back of the house and an office in the back garden. Once Jack assumed frontbench duties, especially the deputy leadership, Mary was effectively the member. She had the perfect touch with all people but especially those in difficulty. Her kindness transcended language. She liked people and she liked to be with people. I recall visiting my aunty in Royal Prince Alfred Hospital. Her English was limited. To my surprise, Mary was in the bed beside her. They spent a number of weeks in hospital together throughout that time. Mary was a calming and reassuring influence on her. Mary's extended family came to include people like me and Rodney Cavalier, friends of her children and, later, friends of their children. The local community became a part of her extensive family. Mary prided herself on her own education, and the later success of her children academically is testament to that principle. It must have been a source of satisfaction that both her daughters became teachers. Indeed, Deborah taught at the local public school in Guildford in the heart of the Ferguson's community.

Mary's role as the heart of her family widened as the five children moved into their careers and, geographically, away from Guildford. Her children recollect the regular Christmas get-together and the customary phone calls to ensure that everyone knew what was happening with all the family. Advice would be provided but her children made their own decisions and were then supported. Her task expanded again with the advent of her grandchildren and, recently, her great-grandchildren. I last saw Mary when we both attended her grandson Ben's wedding in Melbourne on 4 February 2012. It was a great gathering of the clan. She overcame extreme hardship to be there.

There are so many words to describe this unique person: unselfish, humble, authentic, generous, determined, supportive, immaculate, houseproud, energetic, independent, dignified, undemanding, down-to-earth and true to her faith. This is well illustrated by a recent event.
When her son Andrew was experiencing his long court case, Mary gave up the lollies she loved as a penance—God would hear her prayers and justice would prevail. God did hear her prayers and justice did prevail. To celebrate, Mary indulged in a bag of chocolate almonds from Darrell Lea. In the months leading to her death, Mary was never alone; family members were always with her. Jenny commented that her mother was going to be surrounded by love, solidarity and strength—the things that she had portrayed to her family throughout her life. During the mass, Laurie gave a moving and warm tribute to his mother. At the end of the mass, her sons, son-in-law and grandsons carried the coffin from the church. The coffin had entered the church on wheels, pushed by her daughters, granddaughters, daughters-in-law and nieces. It was a powerful sight. Mary had first entered that church 88 years earlier. Her Catholic faith was absolute and unquestioning. I extend my condolences and those of my family to Mary's children: Laurie, Martin, Andrew, Deborah and Jenny; their families; and various relatives and extended family.

**Carbon Pricing**

Mr SIMPKINS (Cowan) (10:55): The apocalypse is apparently coming. Dangerous climate change is what the minister says. Every minister and every government backbencher, together with the Greens, the member for Lyne, the member for New England and the member for Dennison, stand by the fundamental belief that climate change is dangerous and that extreme weather will occur because of human activity. They also stand by the position that CO\(_2\) must be reduced to slow or halt the effects of climate change. The government tells us that, without the carbon tax, oceans will rise and extreme weather patterns will take place; droughts will occur, Perth will become a ghost metropolis, there will be no snow left at our ski fields, Sydney will run out of water—and the list of climate change disasters goes on.

It certainly seems—whether through popular culture, education in our schools, or the statements of Tim Flannery who has made many ludicrous claims—that the available public information is overwhelmingly one-sided. Indeed, alternative views in the science world have been suppressed, as research funding is virtually impossible to obtain if you seek to address matters inconsistent with the theory of human-induced global warming, whereas research funding that makes mention of climate change has a greatly increased chance of being funded.

I am pleased that the government and others line up in support of the carbon tax, when a majority of the rest of the country is against it. The question that this terrible government should be asking is: why don't the majority of Australians believe the government? Before the 2010 election, government members all lined up against the carbon tax and are now all for it, because the sheep follow the feed.

It is not, however, my intention to offer a view of the future but rather to remind the House that those on the other side saved their political hides by saying no to a carbon tax before the election, and then held on to government through a deal with the Greens and bringing in a carbon tax after the election. For that betrayal of the Australian people I will now talk about what they will deliver to the Australian people.

It is interesting that the concept behind the world's biggest carbon tax is to change behaviour: increased costs of carbon emissions so that people use less emissions and then everyone will feel they are 'doing their bit'. It does sound great, but the problem is that the 294 'biggest polluters' will, if they can, lift their prices to cover their extra costs. Those costs cascade down the line, piling up until they reach the consumer in suburbs like Girrawheen,
Ashby, Tapping or Greenwood. For those people the money the Labor government has collected from the alleged polluters will be given back in compensation in certain cases. That will mean that some of the alleged polluters will be able to pass on the carbon tax costs so they do not have to change their emissions and consequently their behaviour.

There are two groups that are wearing this tax: those that do not get the government's compensation and those big employers that cannot pass on the costs down the line, normally because they trade overseas or compete with untaxed overseas businesses or with imported goods. Therefore the impact of this deceitful tax will be to make our manufacturing sector, our exporters of commodities and others in Cowan, less competitive. Already manufacturing is suffering and jobs are being lost, and this outcome will be made worse by this. The Chinese manufacturers of steel, using coal-fired power stations and with worse pollution controls, will be even more competitive than Polysplastics in Wangara that uses gas-fired power and has great pollution control. This means the loss of more market share and more jobs in Cowan. There is a middle-sized engineering company in the electorate of Cowan that has informed me that the uncertainty around the carbon tax has resulted in a dramatic hold of jobs from smaller companies. This company is not getting as many jobs as it would like to have.

I should say that consumers in Cowan that are not given the government handouts may be forced to buy less at the shops at Wanneroo Central, Kingsway or Ballajura City shopping centres, so already-struggling retail will in effect be hit again. I wonder how Kel's Menswear will go at Warwick Grove or Murray's Sportpower will go at Kingsway, with reduced spending courtesy of Labor's world's biggest carbon tax. The outcome of this carbon tax will be fewer jobs in Cowan's manufacturing and retail sector and, if enough businesses go out of business, perhaps even a slowing of emissions growth. The question then becomes: for the business closures and the pain suffered by Cowan constituents and workers, how much better will the world be? What will have changed in temperatures? For the pain of the world's biggest carbon tax, the temperature of the world will not reduce any more than it has already in recent years. CO2 will not be lowered; there will be no change. In fact, it will be economic pain for no environmental gain. In the end, will anyone really be better off with this whole pathetic plan? The answer is that it will not be better for anyone, but over there on the government benches it will be far worse. It certainly will not be better for Australians on the streets of Cowan or anywhere else across the nation as prices prove to be higher than anticipated. It will be no gain, all pain and the people will look for someone to blame. Everyone knows who that will be: the Labor party. *(Time expired)*

**Ottawa Declaration on Tibet**

Mr JENKINS (Scullin) (11:00): Over the last couple of days the Kalon Tripa of the Central Tibetan Administration—that is, the Prime Minister of the Central Tibetan Administration—has been in Parliament House. Dr Lobsang Sangay, a 43-year-old Tibetan who was born in India of parents who had fled Tibet earlier, is a very well-educated gentleman. He has been Harvard trained and spent 16 years in the United States before deciding to stand for the election—the first election—of a Kalon Tripa. He has succeeded the Dalai Lama as the political head of the Tibetan movement. He is a very impressive advocate on behalf of the cause of Tibetans in exile. When we talk about displaced people in the context of other debates, there can be no more striking example of displaced people than the Tibetan people.
It has been quite a while since I have spoken in the parliament about affairs to do with Tibet, and I was reflecting on some of the things that I had highlighted in the past. I wish to go back to a statement made 25 years ago by the then Minister for Foreign Affairs, Bill Hayden. He said:

Australia condemns abuses of human rights wherever and whenever they occur. While Australia acknowledges that Tibet is part of China, the Government and people of Australia remain deeply concerned that ethnic Tibetans should be treated according to internationally accepted standards of human rights. The concern of the Australian Government in all these aspects has been registered with the Chinese Government.

Now we find ourselves in the same position 25 years later. That is a disappointment. It is a disappointment in the context that the dialogues that had been set in place between representatives of the then Dalai Lama as not only the spiritual head of the Tibetan people but the political head of those in exile have not proceeded with Chinese PRC officials.

In April this year at the Sixth World Parliamentarians Convention on Tibet, the Ottawa Declaration on Tibet was adopted. I wish to refer to some of the conclusions in that declaration. It was agreed that the participants:

Dispel the false accusation that His Holiness the Dalai Lama and the Central Tibetan Administration is seeking separation from the PRC since the Tibetan proposals expressly formulate a solution within the constitutional framework of the PRC and therefore call upon the government of the PRC to cease to propagate such misinformation.

I think this is a very important point, because continually the PRC seem to want to adopt an argumentative stance that this is all about the separation of Tibet. This is not the middle way, as the Dalai Lama has been pushing. It is not the middle way that Lobsang Sangay used as his platform in being elected as the Kalon Tripa. Definitely, they are supportive of adopting an approach in which Tibet gets true autonomy within the constitution of the PRC and that ethnic Tibetans are given all the human rights that they should expect.

The Ottawa declaration also says it will:

Call upon the Government of the PRC to end the repression in Tibet, provide access to all Tibetan areas in the PRC, schedule the UN High Commissioner for Human Rights' mission to China and especially to Tibet, and to resume the dialogue with the envoys of His Holiness the Dalai Lama in the same positive spirit—

that is talked about earlier in the declaration. This is an approach to the People's Republic of China in the way that friends would approach problems. This is not something where, because we have a different approach, it means we do not have a continuing special relationship with the People's Republic of China. But within that special relationship we have an expectation that they will return to the dialogue that is necessary. I know that there is a small political hiatus as we await the new leadership in the PRC, and that is appropriate, but I hope that the PRC leadership does make sure that it is in a position to continue to discuss these matters.

Mr Forrest: Mr Deputy Speaker, I seek to make an intervention to ask the member for Scullin if he would like an extension of time to continue his remarks.

The DEPUTY SPEAKER (Mr Mitchell): You cannot do an intervention during an adjournment debate.

Mr Forrest: Well, I am willing to offer the member for Scullin an extension so he can continue his remarks.
The DEPUTY SPEAKER: If he seeks the call he can keep going.

Mr JENKINS: Thank you, Mr Deputy Speaker, and I thank the member for Mallee for his assistance. This is an issue that I do have some concerns about. As I have said, I would hope that our many friends in China understand that we approach this problem from wanting to see a proper solution within the constitution of the People's Republic of China that adequately means that an autonomous state of Tibet that meets the aspirations of the Tibetan people can be achieved. In talking about meeting the aspirations of the Tibetan people, we cannot not mention the numerous self-immolations that have occurred over recent months. This is an extraordinarily testing phenomenon. The fact that young Tibetans have been so moved to indicate their concern about the way that they have been treated that they have suicided in such a ghastly way should be recognised. This should not merely be described as the act of a terrorist. The only person that is involved is the actual person that self-immolates. This is not an act of a terrorist. This is an expression of protest, and I regret, and it should be emphasised, that all of these people are of an age that they have only lived under the Chinese rule in Tibet. They have only known the conditions that have been given to them by the PRC. It is their reaction to those conditions—we cannot avoid that. It is not something that anybody wishes to encourage. It is not something that the leadership of the central Tibetan administration encourages. It is a phenomenon that is occurring and we cannot ignore it.

It is in that sense that I would hope that the incoming leadership in the People's Republic of China would look within their heart and say, as one of the acts of their leadership and their control, 'We must sit down to talk these issues through.' One of the great challenges for a nation of the size of the People's Republic of China—and we see this with some of our other neighbours—is that it is so big that, even when the central government might be very positive for change and might have the right ideas for change, they have to be able to get that right out to the extremes and into the provinces. I hope that they are able to establish a renewed effort to continue into dialogue with people—like Lobsang Sangay—who have made a great sacrifice. He left the world of academia—in Boston at Harvard—to go to Dharamsala to devote his time as the leader of the Tibetans in exile and enable the representatives of that administration, including himself as the continuing spiritual leader of the Tibetan people, to sit down, to look at the proposals that have been put to China by the Tibetans. This is under the umbrella of the description of the middle way, and you can see that this is not a threat to the territorial integrity of the People's Republic of China. It actually has the potential of emphasising the diversity of China. When you go to China, they are proud to indicate the numerous ethnicities that make up the Chinese population. This has the potential to ensure that China can showcase that diversity and say to the rest of the world, 'We understand that in the past there has been a perception about the way that we have treated the Tibetan people. In a new China, what we are doing is coming to grips with that as a problem. We celebrate the diversity that the Tibetan people can give to us, and we showcase it to the world.' I hope, as I have said, that the new leadership does re-enter into dialogue with people like the Kalon Tripa or the representative of the Central Tibetan Administration in a way that sees a sustainable, autonomic Tibet as part of the People's Republic.

Carbon Pricing

Mr COULTON (Parkes—The Nationals Chief Whip) (11:11): As of this Sunday, 1 July, the Australian economy will have a carbon tax. Initially carbon will be priced at $23 a tonne,
and it is predicted to go up from there. IBISWorld released a report on the carbon tax and Australian industries on 26 June 2012. This report found that, even though agriculture was initially exempt from the carbon tax, the agriculture industry will be damaged by the carbon tax in the 2012-13 year to the tune of 6.4 per cent, going up to $50 billion in years to come. The carbon tax will affect farmers, even though agriculture is exempt, through energy costs, fertiliser, chemicals and packaging. Indeed, I had a correspondence with a poultry farmer in my electorate, in the town of Gilgandra, who is facing increased costs packaging their eggs because of the costs imposed by the carbon tax.

There has been a lot made of the Carbon Farming Initiative, but I have to say it is proving to be a very, very inadequate program just in implementation. For instance, there is a 15 per cent rebate for zero-till equipment purchased after 1 July. Zero-till equipment basically comes in the form of ground-engaging tools that can place the seed into the undisturbed soil through thick stubble cover for minimal disturbance. That is the ground engaging. That is the tool bar part of it. It is generally accompanied by an air cart that carries the seed and fertiliser and, through a system of blowing air, blows the seed around this machine. But the Australian Taxation Office have decided that, to obtain the 15 per cent offset for your no-till equipment, you actually have to purchase the air cart as well. So people can understand, this is like having a rebate of 15 per cent on a caravan but you can only get that if you purchase the car to pull it. What has happened is that many people do have adequate air carts and only need to purchase the tool bar itself, but therefore they are exempt from this. It is just a crazy thing for a farmer to have to spend an extra $50,000 to $80,000 on an air cart when they do not need to. So most of these people are exempt from this.

Much is said about carbon farming, as if this is some brave new world. I have to say that my brothers and I were doing work with the New South Wales Department of Primary Industries back in the late seventies, when Roundup was first invented, with zero-till farming. This is something that has been going on for nearly 40 years, largely due to the work of Sydney university and a chap by the name of Jeff Esdaile at Livingston farm in Moree. It has become pretty well the norm and is widespread across the wheat growing areas of Australia. The driver for zero-till farming is obviously to increase the organic material in the soil and to reduce the loss from erosion, whether from water or wind. Organic material basically is carbon. So the driver is an agronomic one, a production one and ultimately an economic one because since farmers have been undertaking zero-till farming, they have been producing many more kilograms of grain per litre of diesel than ever would have been thought of in the past. The idea that farmers would go into this to make money to trade carbon is a false one. The production and the savings will always outweigh what they make from the carbon, and certainly there will not be enough money made out of trading carbon to offset the increase in fuel costs.

The other one is the irrigation industry. With a lot more systems being piped, the energy costs are going up. For farmers now, it is not so much the cost of the water but the cost of the electricity that is restricting— (Time expired)

**Amazon Kindle**

**Dr LEIGH (Fraser)** (11:16): Access to many and affordable books is an important component of a civilised society. It is through books that children are exposed to new ideas and it is through books that many of us as adults broaden our experience. Indeed, one of the
last things I wrote while as an academic was a survey of the books that federal parliamentarians were then reading which turned into an article with my friend Macgregor Duncan. Reading opens new worlds and makes us better people. It is in that vein that I urge the House to place pressure on amazon.com to provide better and cheaper access to books through the Amazon Kindle.

I draw the House's attention to three ways in which Australians are restricted in their access to one of the world's largest collections of e-books. The first is limitations on access to the Kindle itself. While Australians have access to some Kindle models, others—the Kindle Fire, for example—will not be delivered to Australia. Such are the limitations that Amazon has placed on its deliveries that third parties have now set up with the sole purpose of forwarding on Amazon products from US addresses to Australian addresses. It should not be that way. Australians should have access to the Kindle Fire as well.

More important is access to the range of books that are provided on the Kindle. According to Delimiter figures, if one looks at fiction books, a United States Kindle reader can access 501,610 books; an Australian reader, 456,237 books—a difference of 45,000 books available to US readers but not Australian readers. For nonfiction, the gap is larger: US readers get access to 930,139 titles; Australians to 723,852 titles—a difference of 206,000 titles. For magazines: 450 titles available to US readers and 183 for Australian Kindle readers—a difference of 267. So fewer books are available to Australian readers. Australian Kindle readers are unable to access the full Amazon catalogue.

In addition, some books are more expensive for Australian readers than they are for United States Kindle readers. For example, quoting prices in US dollars: Gone with the Wind, $14.05 for an Australian reader, $13.99 for a US reader, $12.71 for a UK reader; The Colour Purple, $12.04 for an Australian reader, $8.50 for a US reader, $7.94 for a UK reader; and, appropriately enough, The Book Thief, $12.93 for an Australian reader, $9.99 for a US reader, $7.83 for a UK reader. Some books are cheaper in Australia, but the analysis done by teleread.com suggests that for many books Australians are paying higher prices than Europeans, Latin Americans and people in the United States. Expanding access to a larger catalogue of Kindle books is absolutely essential since the world is moving to an e-book world. Paper books will exist for some time to come, but increasingly younger readers will begin on e-books and that will be their entire experience. Having access to the world's knowledge at an economical price is important for our education system and also for the strength of the Australian economy. Part of the problem is the limitations of copyright law that allow territorial restrictions imposed by e-book retailers seeking to limit access; however, part of it is simple differential pricing, and I urge Amazon to abandon it. I commend the member for Chifley for his work on access to digital products for Australians in general and urge the committee that has been established on his instigation to include e-books in its remit. Access to the world's knowledge is as important as access to the world's music, and Australians have a right to be treated equitably by Amazon.com.

Imports
Employment

Mr KATTER (Kennedy) (11:21): It seems to me that very seldom does a day goes by when I do not get further bad news from the coalface. I have long since given up reading journals and newspapers and watching the television, because the flow of information is so
erroneous and misleading. Everybody involved in agriculture knows that it is simply closing down. The free-market—for the sake of a better term—and deregulatory policies of the Keating government and then the Howard-Costello government have been absolutely disastrous for agricultural Australia. Of course, no-one else in the world is free-trading. This week we found out pineapples were coming in from overseas and that a very large proportion were carrying a very serious disease which can be air borne. There was no action by AQIS. They had decided in the first place to allow pineapples in, knowing that the disease was endemic in Malaysia. We pleaded with them not to allow prawns in, because they contained white spot and IHHNV, but AQIS allowed them in. We now have IHHNV, which is a very serious disease, on the Barrier Reef and 21 tonnes of poison was dumped into Darwin Harbour to try and kill white spot. Biosecurity is a joke. They have said, 'no', to nothing. When confronted at a meeting in Innisfail, they were asked, 'What application have you rejected in the last seven years?' They rang Canberra to try and find out if they had rejected something: there was nothing that they had rejected. In other words you know if you make an application to Australia, eventually and ultimately, your product will get into Australia. They talk about the restrictive nature; tell that to the grape growers. When the grapes were allowed in we were told by the coalition government—the Howard-Costello government—that the restrictions would be such that they would not really be able to bring the grapes in. That was pretty true for about six months and then the restrictions were liberalised. Then they were liberalised again and again. Now if you go into our supermarkets you will mostly buy California grapes, not Australian grapes. For example, apples are coming in from China, California and New Zealand. They have fire blight in those places and they spray the apples with streptomycin. If you like eating streptomycin on your apples, most certainly buy an apple from overseas. Biosecurity is just a joke and those people are taking their money under false pretences. On the issue of the loss of jobs, it is very, very sad to see what is happening in publishing throughout Australia. I do not seriously believe—I think a few Australians do—that the mass sackings of journalists at the present moment are a necessary requirement. People are not going to move totally onto the internet to get their information but, obviously if they do, the journalists will be working on the internet.

We have had large mass sackings from newspapers in North Queensland. These papers will be subedited, apparently, from Brisbane. In fairness to the Murdoch press, even though they own all the newspapers for one million people in North Queensland—almost all of them are Murdoch owned—there has been journalistic freedom and a moderate fair go has been provided to these newspapers.

The transfer and centralisation of power in Brisbane in itself is appalling. I have two very talented ladies working on my staff, and both of them were journalists working for the Murdoch press. The pool of resources of intelligent people who are knowledgeable in these areas and have certain convictions will shrink, because the number of journalists just will not be there.

As well as that, Fairfax is coming under a very serious influence—and, in my opinion, a very bad influence—of the mining magnate—(Time expired)

International Mathematics and Science Olympiad

Mr Griffin (Bruce) (11:26): It is a pleasure today to stand in this adjournment debate and to herald excellent work being done representing this country by a group of young
Australians who are in the process of heading overseas to represent our nation internationally. Of course, I speak of the Olympics. But I also speak of an element of our international Olympics that is not occurring in London in the weeks ahead. Of course, all of us congratulate those who have worked so hard and strived to represent our nation across a range of sports and will be in London, and all of us will watch to see their excellent efforts on behalf of themselves and on behalf of all of us. We will all be cheering them on, knowing full well that in the history of the Olympic movement Australia can be very proud of the excellent efforts that have taken place on our behalf by men and women of greater sporting prowess than, certainly, me.

But I rise to speak about a group of 23 young Australians who will be competing in olympiads elsewhere in the world over that period of time—that is, the International Mathematics and Science Olympiads—and the recognition of that. Some members would have recently attended a blazer presentation ceremony here in Parliament House, where the Hon. Peter Garrett MP presented a number of young Australians who will be representing Australia overseas with blazers. Six students will be part of a mathematics team that will compete in Argentina on 4 July, four students in the biology team will compete in Singapore, five students in the physics team will compete in Estonia, four students in the chemistry team will compete in Washington and four students in the informatics team will compete in Italy.

All of these young Australians—and I had the pleasure of meeting several of them at the ceremony—are outstanding examples of our school system. They are outstanding examples of young people with enormous ability and potential, who are at the cutting edge of the potential that this nation has with respect to the maths and science fields. Australia has competed in these olympiads since 1981 and we have won 526 medals. Last year the mathematics team returned with three silver medals and three bronze medals and the science teams brought home 12 medals.

If we look to the future of our nation, and beyond the debate we are currently having with respect to matters such as the mining tax, there is no doubt that the significance of our mining industry is there for us all to see and understand. It is also recognised on all sides that there is a time line on that industry. There is also no doubt that our agricultural sector has a promising future and an important future as part of what this nation can do. But there is also no doubt that if we do not as a nation move into other areas and if we do not as a nation maximise our capacity and potential—particularly in high-tech areas—then we will suffer accordingly over time. And there is absolutely no doubt that developing these sectors and the expertise in these areas is incredibly important in terms of our future as a nation. These young Australians show what this nation can do. But also all this shows that there is more that we can do.

At that ceremony it was very pleasing to come across our most recent Nobel laureate, Professor Brian Schmidt. It was great to see him there talking to those young Australians and I suppose it was great for me, bathing in the reflected glory of people much smarter than me. This is not a problem I normally have in this chamber, I might add, or certainly in my caucus but it is certainly something that I enjoyed on that particular occasion! To all those who are going to represent our nation overseas in these olympiads, I say this: I wish you all the very best. They are the very best of a generation that has significant potential. They are the very best of a generation that we need to encourage. Governments must fund the sciences to ensure that we develop those skills into the future. But governments and members and the
community must also celebrate their achievements and their abilities and understand that all that is part of the future. I am very proud to have spent a short period of time with a bunch of young people who will achieve far more than I will ever achieve and I wish them all the best for the future. I commend their activities and I say to them: go for gold!

**Carbon Pricing**

Mr LAMING (Bowman) (11:31): You hear all sorts of things in the chamber. Just yesterday we had the Labor Party—or what is left of the Labor Party—trying to erode human rights through our immigration policy. Today we have a Labor member lauding the maths and science olympiads on the day after they doubled the HELP fees for people who choose to study science and maths. So I say they will be saying, 'Thank you, Member for Bruce, for the adjournment speech but why are you doubling my HELP fees?' They will be saying, 'Why are you hitting us with a carbon tax?' And when they get home, having been sent overseas to Estonia—where they only pay a dollar per person per year for a carbon tax—to be engaged in the wonderful pursuits of maths and science, they will say, 'Thank you for the adjournment speech, but when are you getting rid of the carbon tax?' Let me say that after the next election when this tax is about to be repealed we will see where members on the other side sit when we need to make that decision. Will they quiver and shrivel up with what is left of the Greens or will they come across and vote with the new government and say that this tax was one big fat mistake?

Let us go straight to the electorate of Bowman, where I have in my electorate the largest offshore population in Australia—nearly 5,000 people, many of whom commute every day of the working week through the year to jobs on the mainland. They make 600,000 trips by water taxi. The Prime Minister, in exempting road travel and the fuel cost associated with it, obviously forgot water based travel. These Australians are no less Australians—they are Stradbroke Islanders and they are Southern Moreton Bay Islanders—but they pay a carbon tax on the ferry journey that they take over half a million times a year. This is yet another prism through which we can look at the impact of the carbon tax for which these islanders will not be compensated.

Just tell me for a moment how the Treasury modelling accounted for Australians living on offshore islands who need to make ferry journeys to the mainland for work? Precisely where in the modelling—show me the line—will they be compensated specifically, over and above it all, for the transport costs that they will face? These are not wealthy Australians. They live in an average $260,000 household compared to a $400,000 one on the mainland. They are lower income earners. More of their seniors are in the workforce. There are more people with slightly larger families than on the mainland. Most importantly of all, a large number of people are trying to find work and are moving off the islands to do so. That is where of course the only hope of a lot of employment exists. There is no provision for these forgotten people. To adjust Menzies' words, these are people who have been forgotten by the carbon tax.

We should not just think that you are hit by the carbon tax when you are at work or are going to the shopping centre. Let us also remember the very important work done by the New South Wales and Victorian governments on the impact of the carbon tax on hospital beds, no less. Take the New South Wales government—and don't say they cannot add up just because they had a Labor government that preceded them and racked up a debt. This is a coalition
government that commissioned independent research to look at the costs for their hospital system and now this is a state facing a $26 million carbon tax bill for their 13,496 beds. When you do the maths, it is a $2,000 bill per bed per year in the health system. Extrapolated to Queensland, where the power prices are only slightly less, thanks to the former Bligh government, my 174-bed Redland base hospital is looking at paying more than a third of a million dollars a year in carbon tax—my local hospital that cares for the ill and the most vulnerable. Where will that money come from? Explain to me where in the wonderful carbon tax churn-go-round is there some form of compensation for my hospital that will pay this ridiculous fee and has no means of recouping it? Does the Labor government propose that we have a boom gate and charge for parking? Does the Labor government suggest that we reduce some services or have no more outreach to the community? No, they do not. There is money going into this, money going into that, but nothing to help us run the hospital or to compensate for those costs. This is just another example.

Wherever you go, from 1 June you will find a coalition member of parliament fighting against this evil and insidious tax. This is not a tax that bears any resemblance to predecessors in other countries. This is not a tax that has caused any other nations to follow in our path. This is simply a post-election conception by a Prime Minister who had all the choice in the world about whether or not to introduce a carbon tax. What she said before the election is what she wanted to do after. She was not in any way compelled to do this by the Greens. She could have raised her hands and said: ‘You know what? I made a promise to the people.’ But that is something she never did. She turned to the Greens and said: ‘Now we're in, let's change it all. Let's get on with what we really want to do.’ That is why, wherever you go, Australians will tell you that at that moment she wrote her political obituary.

NAIDOC Week

Mr HAYES (Fowler) (11:36): Next week, the nation will come together to acknowledge and celebrate NAIDOC Week, and the wonderful contribution of Aboriginal and Torres Strait Islanders—a celebration of their culture. NAIDOC stands for the National Aboriginal Islander Day Observance Committee. Its origins have been traced back to the 1920s. It first emerged as a group of Aboriginal people trying to increase awareness amongst the general population about the status and treatment of Aboriginal people. In my electorate in excess of 2,000 people identify themselves as being of Indigenous Australian descent. A majority of these people live in the suburb of Liverpool.

In order to celebrate the contribution of the local Indigenous community, a number of events are being held throughout my electorate, including a march from Augusta Cullen Park to Macquarie Mall and on to the Whitlam Centre in Liverpool. The suburb of Bonnyrigg will host a family friendly day, supporting various cultural and entertainment events and showcasing the activities and cultural performances of Indigenous people. All of this will culminate in a NAIDOC ball, which will be held at the Liverpool Catholic Club. On Tuesday, I will be visiting a local group, the KARI project, which has been in operation since 1999, providing foster care to Indigenous children and young persons in need. We are very fortunate to have exceptional people in our community, people who are genuinely making a difference, and it is only right that we acknowledge their contribution.

I would also like to acknowledge the great work being done by Jack Johnson, Nancy Davis and Rae Stewart from the Gandangara Local Aboriginal Land Council, which is based in
Liverpool, right in the heart of my electorate. I also pay my respects to Aunty Norma Shelley and Aunty Mae Robinson, both extraordinary women. I would hate to say they are in their mature years, but they are both retired teachers. I get to see firsthand their dedication in providing their time and their passion in supporting the Indigenous youth in my area, particularly with respect to education. In 2010, Aunty Mae Robinson was awarded a woman of the west award by the University of Western Sydney, in recognition of her tireless work in Indigenous education. Both are very good friends. I am so impressed with the commitment they show on an ongoing basis to the Aboriginal community of Western Sydney. For a number of years now, I have also been a very strong advocate against domestic violence, and there are special issues in respect of domestic violence in the Indigenous community. Last year, I had the opportunity of visiting the Aboriginal women against domestic violence program run by the Joan Harrison Support and Outreach Services for Women, in Liverpool. There were matters raised with me that I had not really had the opportunity to consider before. One of those was that Aboriginal women are reluctant to advise authorities of domestic violence, not so much from fear that their partner might be held to account but from fear that the authorities might take their children because the parents are in an abusive relationship. The fear is very real and it is palpable among Aboriginal women. I commend all those involved in that program, trying to work on those issues.

As I said, that visit gave me very clear insight into some of the special needs that apply when considering domestic violence in our community. Through a partnership with TAFE, the local WILMA Women's Health Centre, the Bonnyrigg Public School and Aboriginal mental health workers, this program really gets the message out that violence is never okay in any family. I commend all those people involved. They are making a difference in our community. I feel very humbled by their commitment and I will continue to support their efforts.

Carbon Pricing

Mr TEHAN (Wannon) (11:41): I rise today to implore the Prime Minister, two days out from the carbon tax, to think again— to think of the impact that this is going to have on the Australian community, on the cost of living; what it is going to do to our international competitiveness; and what it is going to do to her own credibility. She has two days to be honest with the Australian people, to say, 'I misled you before the election. I will now do the right and honourable thing. I will go to the people over this insidious tax, rather than deceiving you before the election and then introducing it after.'

There is no doubt that this tax will hurt our manufacturing sector. We have already seen that Alcoa has had to be paid $40 million to compensate for the costs they will incur. That is at Point Henry alone. We have seen nothing about what will happen to the smelter at Portland, in my electorate, because, as we know and we have seen from the government's modelling, the carbon tax is all about making it harder for companies to manufacture and process aluminium in this country.

But it is also about what this tax is going to do to the agricultural sector, which is alarming. A report out in the last few days shows that the carbon tax in its first year will put $3.2 billion of extra costs on our agricultural communities. This is backed by other research. But the latest research is that there will be $3.2 billion of extra costs on our agricultural sector in the first year alone. The alarm bells should be ringing in the Prime Minister's office. She should be
realising that she has made an enormous mistake that this country will take years to recover from.

Let me give an example of one of those costs. Let us look at our dairy sector. My electorate of Wannon produces more milk than any other electorate in Australia. It does so because we have first-class dairy farmers and we have first-class processors. They will be hit by the carbon tax. Each farm will be hit with extra costs of between $5,000 and $7,000. That is for the average dairy farm. For the larger ones, we are looking at $10,000 to $15,000. That is the straight-up hit. I have also been speaking to a small business man in my electorate who goes and repairs the dairy vats at a lot of the dairies. Because the carbon tax will also hit refrigerants, it is now becoming apparent that there will be additional costs, besides the immediate ones from the carbon tax, which are going to accrue. The cost of repairing a dairy vat before the carbon tax came in, according to Ron Cashmore, was roughly $3,200. As a result of the carbon tax, that is going to lift to roughly $13,200. So, once a year, which is about the regularity of when a dairy farmer has a vat fixed, they will face an additional cost of $10,000 as a result of the Prime Minister's carbon tax. It gets worse because, occasionally, these vats need repairing two or three times in a month if something goes wrong. You are not looking at a cost of $10,000 per annum on top of the $5,000 to $6,000 which will be impacted immediately; you are looking at dairy farmers potentially facing additional costs of $20,000 to $30,000 per year.

The average dairy farmer earns an income of roughly $65,000. This carbon tax must be stopped. It is why, when we get into government, the first thing that the Abbott-led coalition government will do is repeal it. It is insidious. It will go into every aspect of our lives. It will go into every aspect of our businesses' competitiveness. It must be stopped. We will fight it and we will stop it. (Time expired)

Indonesia

Mr LAURIE FERGUSON (Werriwa) (11:46): Earlier this week, the Joint Standing Committee on Foreign Affairs, Defence and Trade resolved to have an inquiry into Indonesian language education in Australia. It will look at the reasons for the decline in Indonesian language teaching at secondary and tertiary levels, the impact of the decline on our relationship with Indonesia, the impediments to teaching Indonesian and strategies to promote the teaching and learning of Indonesian in Australia.

I notice that the DFAT website refers to our relationship with Indonesia as 'strong and multifunctional with a broad agenda'. It speaks of interfaith dialogue, antismuggling and relationships with the 15,000 students that we have here; cites Indonesia as Australia's largest grant based donor recipient; and mentions that two-way trade increased by 15 per cent over 2011.

This is a very timely and overdue inquiry. I notice the work of Professor David Hill of Murdoch University in his contribution Indonesian Language in Australian Universities: strategies for a stronger future launched in February this year. He notes that since 2006 two-way trade between both countries has grown by an average of 9.7 per cent per annum and given Indonesia's maintenance of respectable real GDP growth—6.1 per cent in 2010—trade between Australia and Indonesia is likely to continue to intensify in the years ahead.
There is no doubt about the importance of the relationship. We discussed in the parliament only yesterday the question of asylum claimers arriving in Australia. Professor Hill goes on to say that, even though this relationship is so important to Australia, we have seen in this country a continual decline of bahasa Indonesia in our schools and universities. He says:

Indonesian language learning in Australian education is in crisis. In schools, there were fewer year 12 students studying Indonesian in 2009 than there were in 1972. In universities, during the decade from 2001 to 2010, enrolments in Indonesian nationally dropped by 40 per cent, at a time when the overall undergraduate population in universities expanded by nearly 40 per cent.

I know from personal experience that my stepdaughter undertook bahasa studies at Birrong High School. I remember taking an education committee of this parliament to the Patrician Brothers in the early nineties where there were posters all around the room about bahasa. Today, sadly, you will find it very difficult to discover schools where bahasa is being taught. I had the privilege of attending the national conference of bahasa Indonesia teachers a few years ago, and it was very depressing to see those people struggling on. They are keen, but every time, they say, they get somewhere in regard to bahasa in this country there is an event like the Bali bombing that works against it. There is a view among Australian people that it is a dangerous society et cetera.

The Lowy Institute found that Australians lacked knowledge of Indonesia. A survey in 2011 by the institute indicated that, while 77 per cent of Australian respondents believed that it was 'very important that Australia and Indonesia work to develop a close relationship', 69 per cent still believed erroneously that Indonesia was 'essentially controlled by the military'. Only 52 per cent were aware that 'Indonesia is an emerging democracy'. Can I say on that matter that on a recent visit to Indonesia a point made by the Indonesians is that America, Australia and the United Kingdom can talk about democracy all they want in the Arab Spring, but one country that can have some influence there is Indonesia as an Islamic democracy, and they are actually working at that.

In this important inquiry, the professor came up with 20 recommendations, and he notes that the cost of many of them is minimal, but they are crucial. Amongst those recommendations is:

That an Indonesian Specialist Scholarship Scheme be established to support undergraduate students undertaking a major in Indonesian which includes a year of in-country study …

Recommendation 7 was:
That direct, targeted Commonwealth funding be provided for (up to) 15 new lectureships to teach Indonesian language, for a minimum of five years.

Another recommendation was:
That the Commonwealth Government provide funding for the establishment and maintenance of an Indonesian tertiary teaching resources bank.

Another was:
That the government support the development of a set of contemporary university-level Indonesian teaching and learning materials.

Another was:
That, in their staff practices and policies, universities:
ensure that faculty and departmental structures provide appropriate representation for (Indonesian) language teaching staff, with equal opportunities for professional development—et cetera. Just to show how depressing this situation is, I have heard in the last week that the Indonesian government recently offered scholarships in that country and could not get any takers to go to Indonesia and study it. We heard some nice words from the Leader of the Opposition in regard to budget—one of the few efforts that are positive. He talked broadly about how he is going to talk to a few people around the country about increasing Asian language activity in this country. I think it is going to need a bit more than that, and I am pleased to see the foreign affairs committee taking up this matter to try to drive this issue home.

**Carbon Pricing**

Mr RANDALL (Canning) (11:51): The carbon tax starts in just a few days, on 1 July. This carbon tax's impact will not be felt straightaway. This economy-wide tax will be a slow burn as the costs make their way to consumers through a range of measures in our economy, and this tax will go up every year.

I have the Boddington mine in my electorate. At a meeting with Tony Esplin, the general manager of Newmont's Boddington Gold Mine, in April this year Mr Esplin highlighted the crippling effects that Labor's taxes are about to have on the mining industry. Mr Esplin is concerned about the carbon tax's negative effect on their business. He believes that if the mining tax is eventually applied to gold—which the Greens want—and Newmont's Boddington Gold had a double whammy of big taxes then it would make it very difficult for it to stay profitable. This is troubling news to hear, particularly as the site has petitioned to become Australia's largest goldmine when in full production; some suggest it could be up to a million ounces a year. It simply shows us that the companies that mine resources, other than iron ore and coal, are still very nervous about what taxes might be thrust upon them next by this government, in coalition with the Greens, and they should be.

Just six days before the last election, we know what Prime Minister Gillard said: 'There will be no carbon tax under the government I lead.' She misled the Australian public and business owners nationwide. I am very concerned, as Newmont Boddington Gold supports my electorate greatly through the provision of jobs, with Canning having about 1,500 fly-in fly-out and drive-in drive-out workers, encouraging consumer spending throughout the local economy.

This brings me to the area of small business. When the shadow small business minister, Bruce Billson, visited my electorate on 7 June, he heard the concerns about the carbon tax from local small business people. This tax does not discriminate. If you use power, lighting, cooling, heating, computers or any such electrical machine, you will be paying a tax. If you have transport costs associated with doing business, you will be paying the carbon tax. If you need products built and made for your businesses—steel, office furniture or motor parts—your business will feel the impact of this carbon tax.

Local government authorities are feeling carbon tax pain as well. There is pressure on councils and local government authorities to factor carbon tax costs into their budgets from now on. Councils may be shocked to see that the impact could go as high as $1 million to them individually. Any increased costs are difficult for councils to easily absorb, particularly ones with small ratepayer bases. It is unfair for this Gillard government to say that businesses
cannot say cost increases are due to the carbon tax or they will be investigated by the ACCC. That is a bit of a standover tactic by the government. The City of Armadale in my electorate has been listed as one of the top 500 organisations on Prime Minister Gillard's hit list for this carbon tax. Armadale city's landfill pushes them onto this list because landfill facilities with emissions of 25,000 tonnes of carbon dioxide equivalent or more are liable to pay this carbon tax. Although the city will not pay carbon tax on legacy emissions—legacy emissions are those produced from waste deposited prior to 1 July 2012—these emissions have been used to calculate whether they are liable for the tax. The calculation, including the legacy emissions, pushed the City of Armadale to just around 26,000 tonnes. How unfortunate! If it were 24,000 tonnes they would not pay anything, especially as the city has operated at this landfill since 1974 and, back then, having a landfill was doing the right thing. They have not even had time to budget for or install any gas-capture technology to soften the blow of this carbon tax, even though it was only discovered they were on this carbon tax hit list when it was announced through media reports less than two months ago.

The shire of Murray in my electorate has also indicated it may need to review the hours that the streetlights stay on in their local government authority because of the additional cost of the carbon tax on electricity. The shire wants to keep rates as low as possible and has said that any increase in costs is always a concern as it risks other projects and services within the community. Councils are also finding it difficult to calculate these costs. Housing affordability will be hit, some say by up to $16,000 on a new home.

I say to the members opposite: you are like a bunch of lemmings following your Prime Minister over a cliff and you will come back to us here one day and say, 'Yes, but we all thought we were doing the right thing.' The difference is that when I lost my seat to the GST election, John Howard took it to the people. Julia Gillard, this Prime Minister, did not take it to the people, and it is going to cost her members dearly. (Time expired)

Carbon Pricing

Mr MURPHY (Reid) (11:56): In response to the previous speaker, the member for Canning, it is important to put a price on carbon. Despite the scaremongering by him and his colleagues, the Leader of the Opposition and his fellow deniers on the science that warns of the disastrous consequences of global warming, the latest reports of the rapid decline in Arctic sea ice further reinforces the concerns of climate scientists and responsible governments around the world about the destructive effects of carbon dioxide emissions and why it is so important to put a price on carbon.

For some time, climate scientists have warned that, unless carbon dioxide emissions are reduced, the world risks passing through irreversible climate tipping points that will push the world's climate from the current stable state to another less desirable state—for instance, from present conditions where the world has polar ice caps to one where there are no polar ice caps and where, according to the United States Geological Service, sea levels would be 80 metres higher. By definition, once a climatic tipping point is passed, returning to current conditions will be impossible because tipping points are self-reinforced by positive feedback, the well-understood process familiar as the howl that emanates from a public address system when the microphone is brought too close to the loudspeakers.

Positive feedback in climate change is of great concern because, like a screeching PA system set off by moving the microphone, what may seem to be inconsequential changes are
rapidly amplified and fed back into the climate system, driving it to another less desirable stable state. For instance, positive feedback has been shown to drive the climate from ice ages to conditions similar to those that prevail at the present time, when cyclic changes in the earth's orbit initiate the switch from glacial episodes to interglacials every hundred years or so.

In 1941, the Serbian geophysicist and astronomer Milutin Milankovic published a paper entitled *Canon of Insolation of the Earth and Its Application to the Problem of the Ice Ages* in which he showed that the driving force behind the cycles of ice ages and interglacials were regular variations in the intensity of solar radiation received at higher latitudes. Such was Milankovic's prestige that, despite the fact that his country had been invaded and was then occupied by Germany, German scientists assisted in the publication of this important document. According to Milankovic's theory, the earth should now be cooling and beginning to enter the next glacial period. Yet what we see, as the CSIRO said in its 2012 report on climate, is that average global warming temperatures are increasing—

A division having been called in the House of Representatives—

**Sitting suspended from 12:00 to 12:11**

**Mr MURPHY:** Each decade since the 1950s has been warmer than the previous decade. Ice-core evidence, which shows that carbon dioxide levels follow average global temperatures from ice-age frigidity to warm interglacial conditions, is frequently used by deniers to argue against the fact that carbon dioxide is driving global warming. In fact, this process is actually a clear demonstration of the operation of a positive feedback in the climate, wherein an initial warming caused by orbital changes is amplified by the build up of atmospheric carbon dioxide, driven from the oceans by increasing temperatures.

To digress, it is a well-known principle of chemistry that warmer water will dissolve less gas than colder water. In the regular switch from glacial to interglacial periods, the initial warming at high altitudes, identified by Milankovic, is reinforced by accumulating atmospheric carbon dioxide that further drives up temperatures by positive feedback, until an equilibrium similar to present day conditions is reached. Positive feedback initiated by global warming is now evident in the Arctic Ocean, where the decline in sea ice initially caused by increased local temperatures has been reinforced by darker seawater absorbing more solar heat, thus accelerating a further decline in the ice cover. As temperatures increase, more ice melts, more sea water is exposed to the sun, and since 2007, the difference between summer and winter ice cover is now more than one million square kilometres and growing.

New evidence presented by Professor Tim Lenton of the University of Exeter at the Planet Under Pressure Conference in London at the end of March this year, suggested that we are close to or may even have crossed the tipping point in the Arctic, with the area of summer sea-ice cover having reached a record low that may be the prelude to ice-free summers across most of the Arctic ocean. Drastic changes in the northern hemisphere weather systems are expected to follow the development of an ice-free Arctic ocean. Some palaeontologists believe that the Neanderthals were driven to extinction by climate change and despite the population imagine of Neanderthals, recent discoveries suggest that these close relatives had a complex culture, comparable to modern humans. Yet they are, as we well know, extinct., the well-known NASA scientist and climate change adviser to US presidents, seriously warns that
unless we drastically curtail carbon dioxide emissions, the same fate may await us, the last surviving human species. (*Time expired*)

**Carbon Pricing**

Mr **FLETCHER** (Bradfield) (12:13): With the arrival of the carbon tax on 1 July, we will see cascading price increases throughout much of the economy, including in particular a sharp increase in electricity prices continuing and being exacerbated as a result of the introduction of the carbon tax. In my own electorate of Bradfield, sporting clubs wishing to hire sports grounds for the purpose of practice on winter evenings, who are required to play a floodlighting fee to Ku-ring-gai council, are facing sharp increases in the charges that they are required to pay, as a consequence of steeply rising electricity prices, which are of course associated with the introduction of the carbon tax. The floodlighting fee charges that are faced by sporting bodies in Ku-ring-gai are going to increase by up to 22 to 25 per cent.

That is just one instance of the kind of impact throughout the economy of the introduction of the carbon tax, because the carbon tax is going to contribute to an increase in electricity prices, coming on top of substantial price increases that have already come through in recent years. The regulated retail electricity prices in New South Wales will increase in July 2012 by up to 19.2 per cent. It is hardly surprising that Ku-ring-gai council needs to pass on increases of that magnitude, and it is local sporting bodies which are bearing the impact of that by being required to pay substantial increases in the charges for the floodlit sports grounds they require for practice on dark winter evenings. This is but one instance of many of the way that the increase in prices due to the carbon tax is going to cascade through the economy. What do we hear from the government in response to this? The government says, 'Don't worry because the ACCC is on the case and they are going to come down hard on any business which increases prices.' For example, the member for Isaacs recently in the parliament said, 'If businesses make false claims they run the risk of breaching the competition law and could expose themselves to a $1.1 million fine.' Recently in the parliament the Treasurer said: I make the point that those sorts of claims and pricing decisions will be subject to scrutiny from the ACCC.

So do not worry about price increases because the ACCC is apparently there to protect against that! This is a deeply misleading claim from the government and it is a claim which deliberately obfuscates the key point about how the carbon tax is designed to work. It deliberately obfuscates the key point about the very nature of the policy design.

The design and purpose of the carbon tax is to reduce carbon-intensive economic activities by increasing the price of goods and services which draw on a carbon-intensive production process. That is the very purpose and intent of this regulatory scheme. It is designed to use the price signal to make goods and services which are based upon a carbon-intensive production process more expensive in relative terms. Of course that means that in the energy sector in the area of electricity generation or transport, or in a whole range of other sectors which use a carbon-intensive production process, prices are going to increase. Then we hear repeatedly the economically illiterate claim from senior members of the government that the tax falls on the big polluters so everybody else need not worry.

Mr Deputy Speaker Leigh, you would have on many occasions drummed into first-year economics students the difference between the legal incidence and the economic incidence of a tax. The economic incidence of the carbon tax will cascade throughout the entire economy.
It will drive prices up across a whole range of activities and the reason is that that is what it is designed to do. The carbon tax is designed to increase the price of a whole range of activities so as to produce a consumption effect to reduce consumption. So for the government to argue that the ACCC is going to prevent price increases, to argue that only a small number of companies will pay the tax, is misleading and wrong.

**Technical and Further Education**

**Mr MELHAM** (Banks) (12:18): I rise to congratulate several young achievers from my seat of Banks. It is well-known that our TAFE network is an essential public institution and one which the government values highly. TAFE is on the front line when it comes to giving Australians the skills they need to get a job and to secure their future. We are experiencing an unprecedented demand for skills as the resources and construction industries boom. Our workforce is shrinking and we need to encourage greater participation from those who are not currently engaged in work. The nature of work itself is changing due to the impact of rapid technological change. We are seeing high-skilled jobs grow at 2.5 times the rate of other jobs. Skills Australia forecast that we will need an additional 2.4 million people within the workforce with qualifications at Certificate III or higher by 2015. To meet industry demand, that figure will rise to 5.2 million by 2025. As the oldest, the biggest and the most respected VET provider in Australia, TAFE plays a central role in the development of our future workforce. TAFE not only has a proud place in Australia's economic history as a source of skills and social mobility for millions of people, it has a pivotal role to play in Australia's economic future.

Locally, Bankstown, Padstow and St George TAFE campuses service the needs of the constituents of Banks. Recently, federal funding of $406,446 has been provided to Padstow for wireless and voice over internet protocol, maintenance, customer service facilities and environmental facilities. Bankstown has received $762,146 for upgrade, refurbishment and maintenance. St George received $1,323,479 for refurbishment and maintenance.

On 6 June I attended the South Western Sydney Institute high achievers award ceremony. This is the institute's premier event of the year and acknowledges the outstanding achievements of both students and staff. It showcases the high standards of teaching and learning through staff and student success stories. This year those students included Kogulan Baskaran from Padstow TAFE, who received a TAFE NSW State Medal. TAFE NSW State Medals are awarded to those students who have achieved first place in their course across all TAFE institutes in New South Wales. Kogulan graduated with a Diploma of Information Technology (Software Development). In his comments on his award, he noted that he was fortunate to have dedicated teachers who helped set him on the path to achieving his goal of becoming an engineer.

Josephine Stefani also received a TAFE medal on her graduation with a Diploma of Information Technology (Website Development). Josephine also commented on the quality of the teachers who assisted her develop her skills and experience in her chosen career.

Katarina Marcok received a Certificate IV in Floristry from Padstow TAFE. She was recognised with the award in the School of Tourism, Hospitality, Industry and Arts. This award was recognition of her outstanding achievement in her area of study and her contribution to college life and her community. Katarina also acknowledged the contribution
of her teachers, not only in the quality of teaching but in the guidance and support they provide.

The success of these students is testament to their hard work and commitment. Further, the recognition of the students reflects the professionalism and dedication of their teachers and the staff of their TAFE. I congratulate those students and also acknowledge the support they receive from their families and friends.

On a personal level, four members of my family were educated through the TAFE system. They were fortunate in that they had dedicated teachers as well. I had an interaction with TAFE dating back to the 1980s; I was on the then College Committee of Bankstown TAFE. On every occasion on which I have had something to do with TAFE, I have always been gobsmacked by the enthusiasm, dedication and commitment of the teachers. That is where the success of TAFE comes from: the teaching community. I want to commend those teachers who assisted these students achieve as well as they have.

Carbon Pricing

Mrs ANDREWS (McPherson) (12:23): The countdown is on to Australia being lobbed with the biggest and broadest carbon tax that the world has ever seen. Sunday, 1 July will signal the beginning of the 'python squeeze', the slow but deliberate strangulation of Australian businesses and consumers. That is the date on which we will start to see the already substantial cost-of-living pressures go up—and they will go up even further.

I, of course, am very concerned about the impact of the carbon tax on southern Gold Coast families, many of whom are already struggling to make ends meet. The unemployment figure for May, released by the Australian Bureau of Statistics, remains very high for the southern Gold Coast, where the rate increased from 5.4 per cent in April to 6.6 per cent in May. Looking at these figures, it is understandable that locals in my electorate are extremely worried and concerned about the implications of the carbon tax, not just on the cost-of-living pressures but also on employment.

Australians will start to see and feel the effects of yet another bad Labor policy from Sunday. That is because it will not be just the mythical so-called 500 big polluters coping the extra costs; it will be everyone. Electricity prices will be among the first price increases that Australians will begin to feel immediately. Electricity companies are bracing to be badly burnt by this flawed policy and have already indicated that they will be forced to pass costs on to their customers.

I have many small businesses in my electorate of McPherson that are dreading 1 July. These are hardworking Australians who feel cheated by the Gillard government. It is, after all, not easy to forget the Prime Minister telling the nation that there would be no carbon tax under her government. It is well known that small businesses will not be compensated for the carbon tax. One such business with serious concerns about this tax is the Currimbun-based PAC Refrigeration Services. This small business is worried about its viability as a commercial refrigeration and air-conditioning unit business post 1 July. The owner, Jeff Gaw, is concerned that costs for refrigerant gas will sky rocket. Currently, PAC pays about $96 plus GST for a kilo of R404A refrigerant gas, which is widely used in industrial and supermarket refrigeration. Jeff's supplier has calculated that a kilo of R404A will rise to $377 plus GST under the carbon tax. That is an increase of almost 400 per cent. This unpleasant surprise will
hit the industry and consumers hard. It is just one more pain that Australians simply do not deserve.

Another small business bracing for losses is Print It in Burleigh. The owner, Jeff Roberts, has been told by his supplier to expect costs to sharply increase. He has been told that prices on custom cartons, corrugated board, stock cartons and sheets will increase from 1.8 per cent from 1 July this year, but this is only the start of the increases. I will quote from the email that Mr Roberts was sent by his supplier:

Our major board suppliers have advised that this increase is the first part of major price increases as direct and indirect effects of the Carbon Tax are felt by business and the wider economy. We regret this increase, but remind customers that these increases are part of the Federal Government's stated intentions for the Carbon Tax.

I seriously question the so called benefits of this carbon tax and what effect it will have on our environment, which I sincerely do care about protecting. The toxic policy will only increase year after year. In just one year, it will reach $9 billion. For what benefit to Mother Nature? The carbon tax will not actually lead to decreased carbon emissions. Carbon dioxide emissions will increase from 2012 to 2020 from 578 million tonnes to 621 million tonnes.

What impact does the government think the carbon tax will have on young Australians, the future leaders of the nation? I know personally that having to fork out more on my electricity bills will not make my children think twice about turning lights off or leaving them on around the house. This poor policy is just another example of where Labor does need to go back to the drawing board and start again.

**Fowler Electorate: Festival of the Chariots**

Mr HAYES (Fowler) (12:28): Last Saturday I had the honour of attending the Festival of the Chariots celebration in Bigge Park, Liverpool, in my electorate. I was joined at the event by the member for Werriwa; the member for Hughes; the state member for Liverpool, Paul Lynch, and the Liverpool City Council mayor, Wendy Waller. The Festival of the Chariots was being held in over 100 cities around the world. It certainly presents an opportunity to celebrate the contributions made by the Indian and Fijian-Indian communities worldwide. In fact, the Ratha-Yatra festival or, as it is known, Festival of the Chariots is one of the oldest continuously celebrated spiritual festivals in the world. The event has a wonderful history, tradition and significance of the ancient nation of India.

As far back as most records show, the splendidly decorated chariots of the Lord Jagannath have rolled each summer in the town of Puri on the Bay of Bengal, in India, to the delight of millions of joyous pilgrims. The towering red and blue silken canopies rise into the skies as the drums and cymbals surround the joyous celebration. The celebrations in the city of Liverpool in my electorate were slightly more low key but festive nevertheless. During the local celebrations, visitors took part in the street parade and cultural show and sampled very tasty vegetarian snacks. I would like to praise the hard work of Arvind Baldeo and his organising committee for coordinating this wonderful festival.

The Indian and Fiji Indian communities certainly make a valuable contribution to my electorate of Fowler and the wider Australian community. According to the recent census data, more than 3,000 individuals from Indian and Fiji Indian backgrounds reside in my multicultural electorate of Fowler, and they have a great influence. Bear in mind that 800 of these local residents were born in India while 2,500 Fowler residents noted they follow the
Hindu religion. The Indian community is one of a large number of diverse cultural and religious communities residing in Fowler. This is a testament to the success of multiculturalism and diversity in our great nation. Multiculturalism in Australia is about building a shared sense of nationhood forged through mutual respect, common values and a commitment to fairness and equity. This did not happen by chance in south-west Sydney but through the hard work and dedication of members and leaders of a number of different cultural and religious groups. I have always been touched by the talents and the cultural richness of our fellow Australians who come here as migrants and refugees.

The Festival of Chariots was organised as part of the Refugee Week celebrations conducted throughout our nation last week. Refugee Week provides us with an opportunity to acknowledge and celebrate the unique position that refugees and recently arrived immigrants hold in our community. The Festival of Chariots truly showcased the wonderful cultural and social contribution made by those Australians of Indian and Fijian origin to our community. Indian Australians have played, and continue to play, a very important role in shaping the face of Australia today and building a bridge of friendship between India and Australia. Tens of thousands of Indian international students are welcomed to study in Australia each year and they will undoubtedly help to further the good relationship between our two countries in the years to come.

I am very proud and honoured to have the opportunity to represent such a diverse community. I see first-hand the values of multiculturalism as it is played out on a daily basis in Western Sydney. People who come to this country for various reasons, out of fear, fleeing persecution or oppression or alternatively applying to come here as immigrants, all do so with a view of pursuing a better way of life. I note from south-west Sydney the contribution our diverse range of ethnic communities makes in terms of reshaping the face of our nation. They certainly change our outlook and I for one believe we are the richer for it.

Question agreed to.

Federation Chamber adjourned at 12:33, until 9:30 on Wednesday, 15 August, unless in accordance with standing order 186 an alternative date or time is fixed.
QUESTIONS IN WRITING

School Education, Early Childhood and Youth, and Employment and Workplace Relations: Credit Card Breaches
(Question Nos 919 and 930)

Mr Briggs asked the Minister for School Education, Early Childhood and Youth and the Minister for Employment and Workplace Relations, in writing, on 20 March 2012:
In respect of departmental credit card use in (a) 2008-09, (b) 2009-10, and (c) 2010-11, (i) how many times has the use of a credit card breached departmental guidelines, (ii) what was the dollar value of each breach, and what sum was repaid in each instance, and (iii) were any employees disciplined for such breaches.

Mr Garrett: The answer to the honourable member's question is as follows:
The department's credit card management system was implemented in April 2009. The systems used prior to this date have been de-commissioned and the information requested prior to this date is not readily available.
The majority of instances of misuse relate to circumstances where the officer has mistaken the corporate credit card for their own. Where card misuse has been repeated or the intention of the card holder appears to be of concern these matters have been referred for follow up action. There have been a small number of more serious cases which have led to formal investigations. The department requires full reimbursement in all instances.
The breaches represent less than 0.05% of the value of transactions made using departmental credit cards.
From 1 April 2009-30 June 2009 there were 45 instances of breaches of departmental credit card guidelines. The dollar value of the breaches is as follows:

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<tr>
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No internal investigations were finalised during the period.
For the period 1 July 2009 to 30 June 2010 there were 108 instances of breaches of credit card guidelines. The dollar value of the breaches is as follows:

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<tr>
<td>200.00 – 299.99</td>
<td>4</td>
<td>834.20</td>
</tr>
<tr>
<td>300.00 – 399.99</td>
<td>3</td>
<td>1,050.50</td>
</tr>
<tr>
<td>400.00 – 499.99</td>
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</tr>
<tr>
<td>600.00 – 699.99</td>
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<td>1,318.03</td>
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</tbody>
</table>

Three internal investigations were finalised during the period.
For the period 1 July 2010 to 30 June 2011 there were 64 instances of breaches of credit card guidelines. The dollar value of the breaches is as follows:

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</tr>
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<tbody>
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<td>600.00 – 699.99</td>
<td>2</td>
<td>1,318.03</td>
</tr>
</tbody>
</table>

Three internal investigations were finalised during the period.

QUESTIONS IN WRITING
During the 2010-11 financial year one instance of serious credit card misuse was identified totalling $39,711.42. The officer's employment has been terminated and a repayment arrangement is in place to fully recover the funds.

Health and Ageing: Credit Card Breaches
(Question Nos 928 and 932)

Mr Briggs asked the Minister for Health, in writing, on 20 March 2012:
In respect of departmental credit card use in (a) 2008-09, (b) 2009-10, and (c) 2010-11, (i) how many times has the use of a credit card breached departmental guidelines, (ii) what was the dollar value of each breach, and what sum was repaid in each instance, and (iii) were any employees disciplined for such breaches.

Ms Plibersek: The answer to the honourable member's question is as follows:
(a) to (c) The Department of Health and Ageing had the following breaches of departmental guidelines for credit cards that constituted a breach of the Financial Management and Accountability Act 1997 and Regulations:
- Two breaches in 2008-09 for the amounts of $200 and $91 GST inclusive;
- Two breaches in 2009-10 for the amounts of $50 and $12 GST inclusive; and
- No breaches in 2010-11.
In each of these cases a debt was raised against the credit card user and the amount was repaid to the department. Staff were reminded of their responsibilities and conditions of use for departmental credit cards.
There were a number of instances where the credit card limit was exceeded, contrary to departmental guidelines, however these were for legitimate departmental purposes, therefore it was not considered necessary to provide details. The Department has reminded all credit card holders of limits pertaining to credit cards and regularly monitors credit card usage to ensure limits are observed.

Mackay GP Super Clinic
(Question No. 963)

Mr Christensen asked the Minister for Health, in writing, on 8 May 2012:
What is the detailed project delivery timetable for the Government's proposed Super GP Clinic in Mackay.

Ms Plibersek: The answer to the honourable member's question is as follows:
The detailed project delivery timetable for the Mackay GP Super Clinic has not yet been developed. The Funding Agreement has only recently been entered into and the project timelines will be subject to the conclusion of land acquisition and council approval processes.

QUESTIONS IN WRITING
Townsville GP Super Clinic
(Question No. 1019)

Mr Ewen Jones asked the Minister for Health, in writing, on 29 May 2012:

(1) In respect of the GP Super Clinic currently under construction on Charters Towers Road in Townsville,
   (a) what will be the total cost to taxpayers upon completion of this project;
   (b) will the clinic offer medical services 24 hours a day;
   (c) what percentage of patients will be fully bulk billed; and
   (d) will the clinic be offering a new range of triage protocols

(2) When will the GP Super Clinic promised in 2010 for the Northern Beaches suburbs of Townsville be completed.

Ms Plibersek: The answer to the honourable member's question is as follows:

(1) In respect of the GP Super Clinic currently under construction on Charters Towers Road in Townsville:
   (a) The total Commonwealth funding for the project is $5.5 million (GST inclusive);
   (b) The hours of operation of the GP Super Clinic, as approved by the Townsville City Council, will be 7am – 11pm seven days a week;
   (c) Bulk billing is anticipated for clients with concession cards, children under 16 and senior citizens over 65;
   (d) Triage protocols are a matter for the operator and will be determined closer to the opening date of the GP Super Clinic.

(2) In respect of the establishment of a GP Super Clinic for the Northern Beaches suburbs of Townsville, this will be dependent on:
   (a) the achievement of a successful proposal in the ITA process; and
   (b) the successful negotiation of a funding agreement with the applicant.