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SITTING DAYS—2014

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FORTY-FOURTH PARLIAMENT
FIRST SESSION—THIRD PERIOD

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

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

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

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

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

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

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<tr>
<td>Wicks, Mrs Lucy Elizabeth</td>
<td>Robertson, NSW</td>
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<tr>
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<tr>
<td>Wilkie, Mr Andrew Damien</td>
<td>Denison, TAS</td>
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<tr>
<td>Williams, Mr Matthew</td>
<td>Hindmarsh, SA</td>
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<tr>
<td>Wilson, Mr Richard James</td>
<td>O'Connor, WA</td>
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<tr>
<td>Wood, Mr Jason Peter</td>
<td>La Trobe, VIC</td>
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<tr>
<td>Wyatt, Mr Kenneth George AM</td>
<td>Hasluck, WA</td>
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<tr>
<td>Zappia, Mr Antonio</td>
<td>Makin, SA</td>
<td>ALP</td>
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</tbody>
</table>

PARTY ABBREVIATIONS
ALP—Australian Labor Party; LP—Liberal Party of Australia; NATS—The Nationals;
IND—Independent; NATSWA—The Nationals WA; CLP—Country Liberal Party;
AUS—Katters Australia Party; AG—Australian Greens; PUP—Palmer United Party

Heads of Parliamentary Departments
Clerk of the Senate—R Laing
Clerk of the House of Representatives—D Elder
Secretary, Department of Parliamentary Services—C Mills
Parliamentary Budget Officer—P Bowen
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<td>The Hon. Tony Abbott MP</td>
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<tr>
<td><strong>Minister for Indigenous Affairs</strong></td>
<td>Senator the Hon. Nigel Scullion</td>
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<tr>
<td>Minister Assisting the Prime Minister for the Public Service</td>
<td>Senator the Hon. Eric Abetz</td>
</tr>
<tr>
<td>Minister Assisting the Prime Minister for Women</td>
<td>Senator the Hon. Michaelia Cash</td>
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<tr>
<td>Parliamentary Secretary to the Prime Minister</td>
<td>The Hon. Josh Frydenberg MP</td>
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<td>The Hon. Alan Tudge MP</td>
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<tr>
<td><strong>Minister for Infrastructure and Regional Development</strong></td>
<td>The Hon. Warren Truss MP</td>
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<tr>
<td>(Deputy Prime Minister)</td>
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<tr>
<td>Assistant Minister for Infrastructure and Regional Development</td>
<td>The Hon. Jamie Briggs MP</td>
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<tr>
<td><strong>Attorney-General</strong></td>
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<tr>
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<td><strong>Treasurer</strong></td>
<td>The Hon. Joe Hockey MP</td>
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<tr>
<td><strong>Minister for Small Business</strong></td>
<td>The Hon. Bruce Billson MP</td>
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<td>The Hon. Christopher Pyne MP</td>
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<tr>
<td>(Leader of the House)</td>
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<tr>
<td>Assistant Minister for Education</td>
<td>The Hon. Sussan Ley MP</td>
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<tr>
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<tr>
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<td>The Hon. Bob Baldwin MP</td>
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<tr>
<td><strong>Minister for Social Services</strong></td>
<td>The Hon. Kevin Andrews MP</td>
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<tr>
<td>Assistant Minister for Social Services</td>
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<tr>
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<tr>
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<tr>
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<td><strong>Minister for Sport</strong></td>
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<tr>
<td>Assistant Minister for Health</td>
<td>Senator the Hon. Fiona Nash</td>
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<tr>
<td><strong>Minister for Defence</strong></td>
<td>Senator the Hon. David Johnston</td>
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<tr>
<td>Minister for Veterans’ Affairs</td>
<td>Senator the Hon. Michael Ronaldson</td>
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<tr>
<td><strong>Minister Assisting the Prime Minister for the Centenary of ANZAC</strong></td>
<td>Senator the Hon. Michael Ronaldson</td>
</tr>
<tr>
<td>Assistant Minister for Defence</td>
<td>The Hon. Stuart Robert MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for Defence</td>
<td>The Hon. Darren Chester MP</td>
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<tr>
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<td>The Hon. Greg Hunt MP</td>
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<tr>
<td>Parliamentary Secretary to the Minister for the Environment</td>
<td>Senator the Hon. Simon Birmingham</td>
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<td><strong>Minister for Immigration and Border Protection</strong></td>
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<tr>
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<tr>
<td>Special Minister of State</td>
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</tr>
<tr>
<td>Parliamentary Secretary to the Minister for Finance</td>
<td>The Hon. Michael McCormack MP</td>
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Each box represents a portfolio. **Cabinet Ministers are shown in bold type.** As a general rule, there is one department in each portfolio. However, there is a Department of Human Services in the Social Services portfolio and a Department of Veterans’ Affairs in the Defence portfolio. The title of a department does not necessarily reflect the title of a minister in all cases.
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</thead>
<tbody>
<tr>
<td><strong>Leader of the Opposition</strong></td>
<td><strong>Hon Bill Shorten MP</strong></td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Science</td>
<td><strong>Senator the Hon Kim Carr</strong></td>
</tr>
<tr>
<td>Shadow Minister Assisting the Leader for Small Business</td>
<td><strong>Hon Bernie Ripoll MP</strong></td>
</tr>
<tr>
<td>Shadow Parliamentary Secretary for Small Business</td>
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<tr>
<td>Shadow Cabinet Secretary</td>
<td><strong>Senator the Hon Jacinta Collins</strong></td>
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<tr>
<td>Shadow Parliamentary Secretary to the Leader of the Opposition</td>
<td><strong>Hon Michael Danby MP</strong></td>
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<td><strong>Dr Jim Chalmers MP</strong></td>
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<tr>
<td><strong>Deputy Leader of the Opposition</strong></td>
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<tr>
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<td><strong>Senator Claire Moore</strong></td>
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<td><strong>Senator the Hon Penny Wong</strong></td>
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<tr>
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<td><strong>Allanah MacTiernan MP</strong></td>
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<tr>
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**TUESDAY, 26 AUGUST 2014**

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

BILLS

Agricultural and Veterinary Chemicals Legislation Amendment (Removing Reapproval and Re-registration) Bill 2014

G20 (Safety and Security) Complementary Bill 2014


Qantas Sale Amendment Bill 2014

Defence Legislation Amendment (Woomera Prohibited Area) Bill 2014

Assent

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

Asset Recycling Fund Bill 2014

Consideration of Senate Message

Message received from Senate returning the bill and acquainting the House that the Senate insists upon the amendments disagreed to by the House.

Senate's amendments—

(1) Title, page 1 (line 1), before "establish the Asset Recycling Fund", insert "encourage privatisation and".

(2) Clause 1, page 1 (line 7), omit "Asset Recycling Fund", substitute "Encouraging Privatisation (Asset Recycling Fund)".

(5) Clause 4, page 4 (lines 16 to 18), omit the definition of Education Investment Fund.

(6) Clause 4, page 4 (lines 19 to 21), omit the definition of Education Investment Fund Special Account.

(12) Heading to subclause 13(1), page 12 (line 4), omit the heading.

(13) Clause 13, page 12 (line 5), omit "(1)".

(15) Clause 13, page 12 (line 14), omit "subsection 34(1)", substitute "section 34".

(16) Clause 13, page 12 (lines 16 to 28), omit subclause (2).

(19) Clause 18, page 17 (after line 23), at the end of subclause (1), add:

Note: See also section 21A.

(20) Clause 18, page 18 (lines 5 and 6), omit "Minister who recommended the specification of the grant (see section 19)", substitute "Infrastructure Minister".

(21) Clause 19, page 18 (lines 7 to 16), omit the clause, substitute:

19 Recommendations about grants payments

(1) The Finance Minister must not make a direction under subsection 18(1) in relation to a grant for an infrastructure project unless the Infrastructure Minister has recommended that a direction be made.
(2) The Infrastructure Minister must not make a recommendation under subsection (1) in relation to a grant for an infrastructure project if:
   (a) capital expenditure on the project is $100 million or more; and
   (b) Infrastructure Australia has not done both of the following:
      (i) given the Minister an evaluation of the project (see subsection (3));
      (ii) advised that there are likely to be productivity gains from the project.

(3) Infrastructure Australia's evaluation of an infrastructure project mentioned in subsection (2) must:
   (a) contain a cost benefit analysis of the project, including an estimate of the productivity gains from the project; and
   (b) set out any other matter that Infrastructure Australia considers relevant to the project.

(4) The Infrastructure Minister must not make a recommendation under subsection (1) in relation to a grant for an infrastructure project if:
   (a) the grant is for expenditure incurred under the National Partnership Agreement on Asset Recycling; and
   (b) the grant does not relate to a transaction that the Treasurer has approved by legislative instrument.

(5) An approval under paragraph (4)(b) must specify the State-owned assets, or the parts of State-owned assets, to the sale of which the transaction relates.

(23) Page 19 (after line 24), at the end of Subdivision B, add:

21A Cost benefit analyses to be made public

If a direction is made under subsection 18(1) in relation to a grant for an infrastructure project, the Infrastructure Minister must:
   (a) table in each House of the Parliament, within 14 sitting days of that House after the direction is made, a copy of the evaluation by Infrastructure Australia provided to the Minister under section 19; and
   (b) within 14 days of the direction being made, ensure that the following information about the project is made available on the Infrastructure Department's website:
      (i) a description of the project;
      (ii) when the project is to start and is likely to be completed.

(27) Clause 24, page 20 (after line 26), at the end of subclause (1), add:

Note: See also section 28A.

(28) Clause 25, page 21 (lines 4 to 7), omit the clause, substitute:

25 Recommendations about payments

(1) The Finance Minister must not make a direction under subsection 24(1) for the purposes of making infrastructure payments for an infrastructure project unless the Infrastructure Minister has recommended that a direction be made.

(2) The Infrastructure Minister must not make a recommendation under subsection (1) in relation to infrastructure payments for an infrastructure project if:
   (a) capital expenditure on the project is $100 million or more; and
   (b) Infrastructure Australia has not done both of the following:
      (i) given the Minister an evaluation of the project (see subsection (3)); and

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CHAMBER
(ii) advised that there are likely to be productivity gains from the project.

(3) Infrastructure Australia's evaluation of an infrastructure project mentioned in subsection (2) must:

(a) contain a cost benefit analysis of the project, including an estimate of the productivity gains from the project; and

(b) set out any other matter that Infrastructure Australia considers relevant to the project.

(4) The Infrastructure Minister must not make a recommendation under subsection (1) in relation to infrastructure payments for an infrastructure project if:

(a) the payments are for expenditure incurred under the National Partnership Agreement on Asset Recycling; and

(b) the payments do not relate to a transaction that the Treasurer has approved by legislative instrument.

(5) An approval under paragraph (4)(b) must specify the State-owned assets, or the parts of State-owned assets, to the sale of which the transaction relates.

(31) Page 22 (after line 28), at the end of Subdivision C, add:

28A Cost benefit analyses to be made public

If a direction is made under subsection 24(1) for the purposes of making infrastructure payments for an infrastructure project, the Infrastructure Minister must:

(a) table in each House of the Parliament, within 14 sitting days of that House after the direction is made, a copy of the evaluation by Infrastructure Australia provided to the Minister under section 25; and

(b) within 14 days of the direction being made, ensure that the following information about the project is made available on the Infrastructure Department's website:

(i) a description of the project;

(ii) when the project is to start and is likely to be completed.

(32) Page 23 (after line 10), after Division 4, insert:

Division 4A—State-owned essential services

29A State-owned essential services

A grant or payment mentioned in this Part must not relate to a transaction that relates to the sale of State-owned assets that provide essential services.

(33) Heading to subclause 34(1), page 26 (line 19), omit the heading.

(34) Clause 34, page 26 (line 21), omit "subsection 13(1)", substitute "section 13".

(36) Clause 34, page 26 (line 26), omit "subsection 13(1)", substitute "section 13".

(37) Clause 34, page 27 (lines 10 to 31), omit subclauses (4) to (6).

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (12:02): I move:

That consideration of the message be made an order of the day for a later hour this day.

Mr ALBANESE (Grayndler) (12:02): I rise to speak against this motion. The House should immediately consider the Senate's message insisting on the amendments to the Asset Recycling Fund Bill 2014 which were previously rejected by the House. The House should take heed of these amendments. They are sensible, they improve the legislation, they increase scrutiny and they ensure value for the public dollar.
The government wants to put the amendments on the backburner because it is trying to avoid scrutiny. The government is simply desperate to avoid any type of accountability over its attempt to encourage states to sell publicly-owned assets to fund new infrastructure projects. For months we have seen the Treasurer squirming about, looking for a way around the Senate on this issue. On a number of occasions the Treasurer vowed that he did not care whether this bill was approved by parliament, because he intended to use an appropriations bill to raise the funding—which he apparently believed could not be amended by the Senate. However, the Parliamentary Library, the Clerk of the Senate and any cursory examination or knowledge of the way appropriation bills work show how out of touch and how incompetent this Treasurer and this government are. The distinction between the odd-numbered appropriation bills—that is, those that provide for supply in the ordinary functioning of government—and even-numbered bills, which are about funding to the states, means that this could not be done to avoid scrutiny. Indeed, what could be more relevant for the Senate to consider than a bill which has at its heart making payments to the states?

We know that in this legislation, in spite of the government's rhetoric, there is not actually a single dollar of new funding for infrastructure. Indeed, in the government's statement of reasons regarding their rejection of these amendments, they say the following about Senate amendments Nos 5, 6, 12, 13, 15, 33, 34 and 36:

Without the proposed transfer from the Education Investment Fund to the Asset Recycling Fund the Asset Recycling Fund will not be viable for the purposes for which it is to be established.

Where are the rest of the funds, apart from the Education Investment Fund, coming from? They are coming from the existing Building Australia Fund. The only thing that is being recycled here is federal government money to pretend that there is new investment where, indeed, there is none. All this is is an ideological crusade to say, 'Privatisation is good, regardless of where it is and regardless of whether it is for essential services' and to therefore offload the federal government's responsibility to invest in infrastructure to the states and the private sector, in particular through encouraging privatisation. Indeed, one of the amendments that has been put forward and passed by the Senate is to rename this bill the 'Encouraging Privatisation Bill', because that is exactly what this legislation does.

The most extraordinary rejection by the government, though, is the amendments that go to ensuring that there be proper cost-benefit analysis for all projects with a value above $100 million. This is the same objection that the government has to the amendments proposed by Labor to the land transport bill—which the government refuses to bring on in the Senate and which is holding up the Roads to Recovery legislation. What is the objection when the government went to the last election saying that for all projects above $100 million there would be cost-benefit analysis and there would be consideration by Infrastructure Australia. But what we have seen is the opposite. In the budget, in spite of the so-called budget emergency that they talk about from time to time—and it is quite unclear at what time of the day there is a budget emergency or not, depending on which government minister is speaking—why is it then that $1½ billion has been made as an advance payment for the East West project in Victoria and $2 billion made as an advance loan for the WestConnex project in Sydney without any proper cost-benefit analysis and without any transparency whatsoever?
For the Victorian East West case, stage 2, for which $1 billion has been advanced, not only did not begin last financial year when the payment was made but it will also not begin this financial year. It will not begin for two years, even under the best-case scenario of the government. And yet they have made this payment forward. This is the same government whose assistant minister was out there saying that payment should only be made upon milestones being met. A very sensible proposition is that you make sure that the actual infrastructure is being built, that the road is being built, that the railway line—under the former government, as well; no railway lines being built under this government—is actually being built.

The extraordinary proposition that the government have to the objections to Senate amendments (19), (23), (27) and (31), is:

The amendments add red tape with no additional benefit …

So they have gone from having proper analysis to having a situation whereby they say that proper analysis is simply red tape. That is contradictory to recommendation 2.3 of the Productivity Commission inquiry report into infrastructure. In volume 1, pages 39-40, the PC's inquiry made very clear that there needed to be published business cases and BCRs.

The ACCC had made it very clear when Rod Sims—the head of the ACCC—called for, in September 2013, 'better, more transparent cost-benefit analysis'. The Reserve Bank of Australia's Philip Lowe, the Deputy Governor, stated in November 2013: … there is no substitute for rigorous and transparent cost-benefit analysis.

The department itself—the department of infrastructure and transport—during the Infrastructure Australia bill Senate inquiry said, and I quote:

Developing a priority list based on transparent and rigorous assessment by a body genuinely independent of political and jurisdictional imperatives will assist future national planning and help achieve the best value for money in infrastructure investment.

The Business Council of Australia said:

All evaluation and prioritisation to be supported by transparent cost–benefit analysis.

Infrastructure Partnerships Australia's Brendan Lyon said in August 2014:

The more you can get transparency and rigour into major projects the better off you will be.

Urban Development Institute of Australia, Engineers Australia, AI Group, Industry Super Australia, the AAA—Australian Automobile Association: all of them make it clear the importance of proper cost-benefit analysis. Here you have the Senate passing amendments to ensure that that would occur and now also insisting on the amendments, and the government is not only rejecting the amendments but also trying to say that, contrary to the advice received by the opposition—and now it seems to have been dropped by the government—that they would try get around this legislation by some other way.

This is what the Parliamentary Library, supported by the Senate Clerk, had to say about it:

It is often incorrectly assumed that the Senate has no power over appropriation bills, and in this case the Treasurer appears to be making that erroneous assumption too.

Slapping down the Treasurer, who does not seem to know the way that appropriations are made in this parliament, and who seems to be trying to avoid proper scrutiny by this parliament into the legislation. This government are a shambles! They had a plan to get into
government but they do not have a plan to govern. And we see it day after day with their failure on this critical legislation. It is an extraordinary proposition that the government continue to reject the amendments that have been made in the Senate. They try to stand over the Senate and say, 'If you do this, we'll make cuts in other areas or we'll put in new taxes.' What they should be doing is sensibly getting on with governing. In terms of this issue, here they are breaking their own commitments.

Another series of amendments that they seem to object to is allowing payments from the fund to be the subject of a disallowable instrument. Why not have accountability for taxpayers' funds being made in this parliament? What is the possible objection to it—particularly given the fact that there is no new money in this bill? It is simply taking money from existing funds that had around them proper accountability, that had around them a situation whereby there needed to be, in the case of the Building Australia Fund, approval of Infrastructure Australia. It could only be used for proper infrastructure, priority-list projects—

The SPEAKER: I will just interrupt the member for a moment. He is allegedly speaking to this motion on the basis that it be made an order of the day for a later hour this day, whereas he is really giving a full contribution that will be made when it should be re-listed. He really has to be relevant to the motion as that is before the chair, particularly as he has chosen to take a full 15 minutes.

Mr ALBANESE: I certainly am. I am explaining why. I hope to convince those opposite of why it should be brought on now and dealt with. It should be brought on now, it should be dealt with and the government should support the legislation as it has been amended in the Senate to provide proper accountability. I am giving examples of why it is—

The SPEAKER: The member can make that point—

Mr ALBANESE: I will make that point, Madam Speaker.

The SPEAKER: but he should be making the point as to why he wants it now and not at a later date.

Mr ALBANESE: That is right. I am doing that, because this is a government that is handing over taxpayers' money. It needs to be dealt with as a matter of urgency, rather than simply being deferred by the government.

There was no notice given to my office of when this would be brought on—no notice, no discussion. Pick up the phone as a minister and say, 'We will debate this at a particular time.' The motion that is before the chair defers it to the never-never at the whim of a government that has shown that it is incompetent and incapable of handling the legislative processes of this House or the other house. That is why it should be brought on now. If the government wanted to have a discussion about when it would be brought on, it should have done that. It has chosen not to, which is why we are objecting to the motion that is before the House.

We know that for the East West Link project you have made an advance payment. You have a government in Victoria that is desperate to sign a contract for a project that has not had a proper cost-benefit analysis. Indeed, during Senate estimates at the time when this legislation was first dealt with, on 26 May, Infrastructure Australia was asked: So Infrastructure Australia has not seen the full business case?

The answer:
No.
Then there is the question:
But it does not recover costs?
IA, Infrastructure Australia, says:
Not for the core benefit-cost ratio.
Question:
It does not recover costs?
Answer:
As presented, yes.
So what we are talking about is government funds being used for projects that do not even get a dollar back for every dollar invested. They are bad investments for the taxpayer.

That is why this motion should not be supported. That is why we should deal with this legislation now. It has been around for a long time. Let's have some certainty. Let's pass the legislation with the amendments that have been supported in the Senate.

The SPEAKER: The question is that the motion moved by the parliamentary secretary be agreed to.

The House divided. [12:22]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ...................... 82
Noes ...................... 51
Majority ................ 31

AYES

Alexander, JG Andrews, KJ
Andrews, KL Billson, BF
Briggs, JE Broad, AJ
Broadbent, RE Brough, MT
Buchholz, S (teller) Christensen, GR
Ciobo, SM Cobb, JK
Coleman, DB Coulton, M (teller)
Dutton, PC Entsch, WG
Fletcher, PW Frydenberg, JA
Gambaro, T Gillespie, DA
Goodenough, IR Griggs, NL
Hartson, L Hawke, AG
Henderson, SM Hendy, PW
Hockey, JB Hogan, KJ
Howarth, LR Hunt, GA
Hutchinson, ER Irons, SJ
Jensen, DG Joyce, BT
Keenan, M Kelly, C
Laming, A Landry, ML
Laundy, C Ley, SP
Macfarlane, IE Marino, NB
Markus, LE Matheson, RG
McCormack, MF McGowan, C
McNamara, KJ Morrison, SJ
Nikolic, AA O’Dowd, KD

CHAMBER
AYES

O’Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Randall, DJ
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tehan, DT
Tudge, AE
Van Manen, AJ
Whiteley, BD
Williams, MP
Wood, JP

Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Taylor, AJ
Truss, WE
Turnbull, MB
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

NOES

Albanese, AN
Bird, SL
Brodtmann, G
Burke, AS
Butler, TM
Chesters, LM
Claydon, SC
Conroy, PM
Dreyfus, MA
Ellis, KM
Fitzgibbon, JA
Gray, G
Hall, JG (teller)
Husic, EN
Katter, RC
Leigh, AK
Marles, RD
Neumann, SK
O’Neill, CE
Parke, M
Pilibarov, TJ
Rishworth, AL
Ryan, JC (teller)
Thistlethwaite, MJ
Vamvakou, M
Zappia, A

Bandt, AP
Bowen, CE
Burke, AE
Butler, MC
Chalmers, JE
Clare, JD
Collins, JM
Danby, M
Elliot, MJ
Ferguson, LDT
Giles, AJ
Griffin, AP
Hayes, CP
Jones, SP
King, CF
MacTiernan, AJGC
Mitchell, RG
O’Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thomson, KJ
Wilkie, AD

Question agreed to.
Asset Recycling Fund (Consequential Amendments) Bill 2014

Consideration of Senate Message

Message received from the Senate returning the bill and acquainting the House that the Senate insists upon the amendments disagreed to by the House.

Senate's amendments—

(1) Clause 1, page 1 (line 6), omit "Asset Recycling Fund", substitute "Encouraging Privatisation (Asset Recycling Fund)".


Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (12:29): I move:
That consideration of the message be made an order of the day for a later hour this day.

Mr ALBANESE (Grayndler) (12:30): Labor will not support this motion for the same reasons—

Mr TUDGE (Aston—Parliamentary Secretary to the Prime Minister) (12:30): I move:
That the question be now put.

The SPEAKER: The question is that the question be now put.

The House divided. [12.46]

(The Speaker—Hon. Bronwyn Bishop)

Ayes ...................... 81
Noes ...................... 54
Majority ................. 27

AYES

Alexander, JG
Andrews, KL
Briggs, JE
Broadbent, RE
Buchholz, S (teller)
Ciobo, SM
Coleman, DB
Dutton, PC
Fletcher, PW
Gambaro, T
Goodenough, IR
Hartsuyker, L
Henderson, SM
Hockey, JB
Howarth, LR
Hutchinson, ER
Jensen, DG
Keenan, M
Laming, A
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF

Ayes ...................... 81
Noes ...................... 54
Majority ................. 27

AYES

Andrews, KJ
Billson, BF
Broad, AJ
Brough, MT
Christensen, GR
Cobb, JK
Coulton, M (teller)
Entsch, WG
Frydenberg, JA
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Hogan, KJ
Hunt, GA
Irons, SJ
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McNamara, KJ
AYES
Morrison, SJ
O'Dowd, KD
Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Roy, WB
Scott, BC
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Taylor, AJ
Truss, WE
Turnbull, MB
Vasta, RX
Wicks, LE
Wilson, RJ
Wyatt, KG

Nikolic, AA
O'Dwyer, KM
Pitt, KJ
Prentice, J
Pyne, CM
Randall, DJ
Ruddock, PM
Scott, FM
Smith, ADH
Stone, SN
Sukkar, MS
Tehan, DT
Tudge, AE
Van Manen, AJ
Whiteley, BD
Williams, MP
Wood, JP

NOES
Albanese, AN
Bird, SL
Brodtmann, G
Burke, AS
Butler, TM
Chesters, LM
Claydon, SC
Conroy, PM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Giles, AJ
Griffin, AP
Hayes, CP
Jones, SP
King, CF
MacTiernan, AJGC
McGowan, C
Neumann, SK
O'Neil, CE
Parke, M
Plibersek, TJ
Rishworth, AL
Ryan, JC (teller)
Thistlethwaite, MJ
Vamvakinou, M
Wilkie, AD

Bandt, AP
Bowen, CE
Burke, AE
Butler, MC
Chalmers, JE
Clare, JD
Collins, JM
Danby, M
Elliot, MJ
Feeney, D
Fitzgibbon, JA
Gray, G
Hall, JG (teller)
Husic, EN
Katter, RC
Leigh, AK
Marles, RD
Mitchell, RG
O'Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thomson, KJ
Watts, TG
Zappia, A

Question agreed to.
The **SPEAKER** (12:34): The question now is that the motion moved by the Parliamentary Secretary be agreed to.

The House divided. [12:36]

(The Speaker—Hon. Bronwyn Bishop)

| Ayes ...................... 84 |
| Noes ...................... 52 |
| Majority ................ 32 |

**AYES**

| Alexander, JG | Andrews, KL |
| Briggs, JE  | Broadbent, RE |
| Buchholz, S (teller) | Christensen, GR |
| Ciobo, SM | Coleman, DB |
| Dutton, PC | Fletcher, PW |
| Gambaro, T | Goodenough, IR |
| Hartseyker, L | Henderson, SM |
| Hockey, JB | Howarth, LR |
| Hutchinson, ER | Jensen, DG |
| Keenan, M | Keenan, M |
| Laming, A | Laundy, C |
| Macfarlane, IE | Markus, LE |
| McCormack, MF | McNamara, KJ |
| Nikolic, AA | O'Dwyer, KM |
| Pitt, KJ | Prentice, J |
| Pyne, CM | Randall, DJ |
| Roy, WB | Scott, BC |
| Simpkins, LXL | Southcott, AJ |
| Sudmalis, AE | Taylor, AJ |
| Truss, WE | Turnbull, MB |
| Varvaris, N | Whiteley, BD |
| Williams, MP | Wood, JP |

| Andrews, KJ | Billson, BF |
| Broad, AJ | Brough, MT |
| Christensen, GR | Cobb, JK |
| Coulton, M (teller) | Entsch, WG |
| Frydenberg, JA | Gillespie, DA |
| Griggs, NL | Hawke, AG |
| Hendy, PW | Hogan, KJ |
| Hunt, GA | Joyce, BT |
| Irons, SJ | Kelly, C |
| Landry, ML | Ley, SP |
| Marino, NB | Matheson, RG |
| McGowan, C | Morrison, SJ |
| O'Dowd, KD | Pasin, A |
| Porter, CC | Price, ML |
| Ramsey, RE | Robert, SR |
| Ruddock, PM | Scott, FM |
| Smith, ADH | Stone, SN |
| Sukkar, MS | Tehan, DT |
| Tudge, AE | Van Manen, AJ |
| Vasta, RX | Wilson, RJ |
| Wyatt, KG | |
Question agreed to.

The SPEAKER (12:38): The member for Kennedy was not counted as he has chosen to sit in the distinguished visitors' gallery. He does seem to be holding what looks remarkably like a prop which, I would remind him, he is not permitted to unfurl.

Minerals Resource Rent Tax Repeal and Other Measures Bill 2013 [No. 2]

Consideration of Senate Message

Message received from the Senate returning the bill and acquainting the House that the Senate insists upon the amendments disagreed to by the House.

Senate's amendments—
(1) Clause 2, page 2 (table item 3, column 1), omit "9", substitute "6".
(2) Schedule 7, page 37 (line 1) to page 39 (line 3), omit the Schedule.
(3) Schedule 8, page 40 (line 1) to page 45 (line 9), omit the Schedule.
(4) Schedule 9, page 46 (line 1) to page 49 (line 24), omit the Schedule.

Ordered that the amendments be considered at a later hour this day.

Fair Work Amendment Bill 2014

Second Reading

Debate resumed on the motion:

That this bill be now read a second time.
to which the following amendment was moved:

That all the words after "That" be omitted with a view to substituting the following words:
"the House declines to give the bill a second reading because:

(1) of the need to provide sufficient protections in Individual Flexibility Arrangements and the impact that losing protections will have on employees;

(2) of the Greenfield agreement making process being heavily skewed in favour of employers;

(3) the provisions of the bill undermine the right for Australian employees to be represented at work including a requirement that an employee tell their employer if they want to speak with a union; and

(4) of the need for a full examination of all amendments within this bill that may unfairly impact on employees."

Ms MARINO (Forrest—Government Whip) (12:40): As I was saying previously in this debate, Australia is a high-cost place to do business and we see the results of this right around the country. In fact, it is acknowledged that to get a project off the ground it can cost 40 to 50 per cent more than our competitors, which makes the cost of doing business in Australia an issue for those who seek to invest here.

The other issue I also want to mention is that fact that in my electorate of Forrest I see cafes closed on weekends in tourist hot spots, like Margaret River and Busselton, because they cannot afford to pay weekend penalty rates. There has to be a way to keep their doors open to keep people employed—flexibility is the key. I noticed an article in the Busselton Dunsborough Times that said the owner of Samovar restaurant was finding it very difficult to open over Easter because of penalty rates. It is also one of the biggest issues for Amalfi Resort owner, Cheryl Morris.

We are committed, as we said in the run up to the election, to implementing a number of amendments to this bill. Through the Fair Work Amendment Bill 2014 we are delivering on improving the process for negotiating the greenfields agreements to ensure that unions can no longer frustrate bargaining for these agreements through unsustainable claims and delays. These are the sorts of things that add the 50 per cent increase in the cost of investment in Australia and threaten investment and delay the commencement of major new projects. These projects are crucial to our prosperity. These are the types of delays that add to that 50 per cent additional cost of getting a project off the ground in Australia.

Through this bill we are committed to restoring union workplace access rules. This is in relation to the excessive right-of-entry visits by union officials. Previously in my speech, before I was interrupted, I touched on the hundreds of visits to Worsley Alumina in my electorate. Through this bill we are also committed to improving workplace productivity and flexibility, giving scope to employees to make those flexible arrangements that meet their genuine needs as determined by the employees. In closing one of the important parts of this legislation—closing the strike first and talk later loophole in the good faith bargaining rules, which Labor totally refused to address—we are maintaining the value of unclaimed wages recovered for workers by the Commonwealth.

These amendments are really important amendments that we have committed to through this bill and through the amendments to the Fair Work Act. One of the most important things that these will do is to increase the flexibility and of course reduce the cost of getting projects off the ground. The fact that it costs up to 50 per cent more to get a project off the ground in
Australia should be of concern to everyone, particularly the workers who will be employed in those projects. The Fair Work Amendment Bill 2014 is a key part of that.

Mr KATTER (Kennedy) (12:44): In rising to speak on this bill, the Fair Work Amendment Bill 2014, I will address the remarks made by the previous speaker. When I jumped university and went into mining, it took me two months from when I put the application in to take up a mining lease. You did not need anything else except a mining lease in those days; so I went out, pegged the country and put in my application for a mining lease. It took me about two hours to fill out the forms and within two months the dozers were in, clearing the site and the pads in preparation for us to commence mining. I was recently with the manager of one of the biggest mines in Australia. He has opened up a number of mines. I said: 'I'm being told it takes three to six years.' He said: 'Yeah, I'd say you're looking at about four years from when you decide to mine to when it actually opens up.'

Now, I have very great respect for the member for Forrest in Western Australia—she is one of the best members we have in this parliament—but that start-up time has got nothing to do with workers going on strike. It is due to the processes put in place by the state governments, nothing else. We have an LNP government in Queensland and there has been no change in the down time for start-up mining in the state whatsoever. The last mines minister in the Bligh government announced that he would be regarded and judged by history on his ability to reduce that start-up time; he would stake his job on it becoming a reasonable figure of some six months. It probably blew out under him and it has continued to blow out under the current administration.

We are on the cusp of opening up the great Galilee basin coalfields. It will be a great tragedy because the railway line will be owned by Adani, and all of the resource is foreign owned already. This is half of Australia's known coal reserves and the workforce will be section 457 workers. The ALP stand condemned by history. They were the people who introduced the architecture for section 457 workers, not the Liberal Party; but I will bet that the Liberal Party doubles those numbers over the next three years. The country will be submerged—our wages undermined, our pay and conditions undermined and our jobs taken. Jobs that were worth $150,000 a year will be going to foreigners who will be working for nothing remotely resembling $150,000 a year.

This is interesting because this is greenfields legislation. I suspect that this legislation is coming from the mining magnate from Western Australia, Mrs Rinehart, because she has said—as has the leader of the National Party; he uses exactly the same figures as she uses—that people in America work for $8 an hour. The leader of the National Party has said it again and again, so clearly he also believes that people in this country should work for $8 an hour. I would like to know how he would pay just the rent on a house—that is more than $300 a week. I would like to know how he would pay just the rent on a house, let alone food or any of the other costs of living we have to confront, including $7 now for going to a doctor or as payment to a pharmacist. It is interesting that he uses the same figure that she used. She said: 'Australians are lazy. They won't work. I've got to get my workers from overseas until Australians accept that they are going to work for $320 a week'—which happens to be $8 an hour. We can see a pattern of behaviour here where what is left of the National Party, which is really nothing very much, are out there ingratiating themselves to Mr Barnaby Joyce's good friend, Mrs Rinehart.
In sharp contrast to her, and unfortunately for her when the history books are written, the neighbouring mining operation is that of Andrew Forrest. Let me pay a great tribute to Andrew Forrest—a well-deserved tribute. He, in sharp contrast to Mrs Rinehart, has trained 2,000 First Australians to go into this work. Not only do they train them but quite literally they hold their hands. A lot of them are not used to working in a job—they have never had a job and have never dreamt of having a job; that has been something that has been in outer space or dreamland for them. Not all of them are trained to go on to his jobs but of that 2,000, over 500 are still working with Fortescue Metals. I am very proud and pleased to say that one of my own fellow little hometownsmen, Nev Power, a fitter from Mount Isa—educated in the boarding schools of Charters Towers like myself—is the CEO there. It is another wonderful achievement for Nev. The bloke that was handling the Aboriginal jobs there said to me—a big, tall, rangy, ringer bloke: 'It's not what we do at Fortescue. Creating 1,000 jobs for First Australians is not what we do, it is who we are.'

That could have been said of Essington Lewis, the founder of BHP. He took a little mining company that was working at a place called Broken Hill and turned it into one of the 10 or 20 biggest mining companies in the world, and one of the 50 or 60 biggest companies in the world. He started work with a pick—he actually worked at the coalface in those days with a pick and shovel. Laurence Hartnett, the founder of the Australian motor car industry, took great pride in the jobs he created for his fellow Australians and in how much he was able to pay them. Henry Ford in his early days said: 'Not only have I put a car within the reach of every American family but every single year, for 20 years, I have been able to put the wages of my workers up.' Even if he went bad later on, we will remember Henry Ford in his great years for that.

These people constantly advocate that the workers should work for nothing—they hate workers, they hate their workforce and their objective constantly in the media is to bash them. You can see, at the front of the banner newspaper, for want of a better term, of one of the press magnates in Australia, a constant, continuous and unremitting attack upon wage structures in this country. As an Australian, one of the proudest boasts I have is that we pay decent wages in this country. Those people sitting over there are going to be remembered as the people who advocated that we should not pay decent wages in this country. Having said that, the people on this side of the House are actually the bad guys. They are the ones who brought in the 130,000 section 457 workers.

Most relevant to this legislation is that it is greenfields legislation. Guess who has the greenfields in Queensland? Madam Rinehart from Western Australia owns a quarter of the greenfields, and she says she is going to work them with workers from overseas. It will be over my dead body, but, then again, she would probably consider that a bonus! One should be scared of the money and power these people have and their influence, but I think they expended all of their power and influence trying to get rid of me last time. If $10 million last time could not get rid of me, I will be pretty confident next time around.

What we are talking about today is greenfields sites in which, effectively, after three months there will be no arbitration commission, so we are back to Work Choices. The Liberal Party just does not seem to learn anything. It was said of the Bourbon kings: 'They have forgotten nothing and they have learnt nothing.' That would be a very suitable comment upon the LNP. They have forgotten nothing and learnt nothing. You just had your Prime Minister
lose his seat in parliament for the second time in Australian history—and why did the first bloke lose his seat in parliament? Because he abolished the arbitration commission. One of the greatest achievements of this nation was arbitration and getting a fair go for both sides of the coin. We can play football without a referee, but it will not be much of a game. We can play the industrial game without a referee too, and I can tell you: you will have mayhem at the end of the day and people working for nothing.

Let me give you a quick picture of what it was like, because I can stand up proudly in this place and say I am a best-selling author of an Australian history book, with over 20,000 copies sold. At this time 100 years ago, one in 31 of us who went down the mines was killed. Almost everyone in my home state of Queensland worked in mining. When the state was settled, goldminers came to Gympie and Charters Towers and more than half the population of Queensland were in those two centres. My own family were there before there was a Charters Towers, so I can speak with authority. One in 31 of those people who went down the mines never came back up again. Whilst the Africans were protected by damping-down laws and whilst the Welsh, who were treated not much better than slaves in England, were protected by damping-down laws, there were no damping-down laws in Queensland. In the building of the sewerage ditches in Sydney, when sewerage was being put in there, there were no damping-down laws, so every single person who worked there for more than two years—I am quoting Humphrey McQueen in Social Sketches of Australia—died a terrible death due to miners phthisis. If there is any doubt in anyone's mind in this place that it was real, the first member for Kennedy left this place dying of miners phthisis of the lungs. The first Labor Premier in world history, Anderson Dawson, left the state parliament dying of miners phthisis, and his father had died of miners phthisis. The second Labor Prime Minister in this place, Andrew Fisher, left this place dying of miners phthisis.

So it was real, and that it was what it was like before we had arbitration. If I speak with passion, I am entitled to. My great-grandad put £3,000, $1 million in today's money, behind the strike fund in 1894, not because we were working class—we most certainly were not. I say that publicly and openly. But he had some moral convictions that this could not go on and that it had to be saved. And I can see today the forces at work taking us back 100 years.

In the cane fields of North Queensland, Mr Deputy Speaker Vasta—your own family were in the cane fields—one in 30, almost exactly the same figure, ironically enough, died because the big plantation owners would not burn. Because they would not burn, we died of Weil's disease. One in 30 of us died of Weil's disease in those days because the owners would sacrifice three per cent of the sugar content in their cane if they burned. So we died. If you have any doubts about what I am saying, in the big meetings and riots that took place in Innisfail there were three people shot dead because some of them were cane cutters at the same time as they were farm owners. Tremendous conflicts and passions ran riot during that period of upheaval.

When we won through on arbitration, what happened was they brought coolies, as they were referred to, to work the mines and they brought Kanaks in to work the cane fields. So they said, 'Two to the valley to you!' It is the same here. Because you lost on the arbitration, the ALP—not the Liberals; the ALP—brought in 130,000 workers to serve their corporate masters. And there is no doubt that the Liberals are going to do a hell of a lot worse—or a hell of a lot better, as they would see it. They will bring in 250,000 instead of 130,000. We are
looking at a state where 20,000 jobs are going to vanish shortly; 10,000 have already vanished. We are not going to get those jobs because they will go to section 457 workers. (Time expired)

Mr RANDALL (Canning) (12:59): I am very pleased to speak on the bill before the House today, the Fair Work Amendment Bill 2014. This is one of the many pieces of legislation that seeks to ensure this government will deliver on its promises and commitments made to the Australian people during the 2013 federal election. Specifically, this bill seeks to bring a balance to the workplace relations system, protect the rights of workers and ensure that a culture which encourages cooperation and mutual respect is fostered. It is not one which rewards acts of industrial terrorism in the workplace.

I wish to remind the House, particularly those opposite, of what happened in the election of 2013. I stand here because over 61 per cent of people in the electorate of Canning believed that, if I were elected and became a member of the Liberal government rather than opposition, we would be a better option to lead this country. More than 53 per cent of people nationally agreed with this sentiment, and at a state level in Western Australia more than 58 per cent of people voted for the coalition. This is over 738,000 Western Australians who voted to abolish the carbon tax and mining tax. These 738,000 people wanted to see the ABCC re-established. That amount of people wanted this government to take a hard line on people smuggling. We have done that. This cohort of people who voted for us wanted the government to take the necessary measures to ensure the 'fair' is put back into the Fair Work Act when it comes to the conduct of militant unions in workplaces.

Predictably, once again, the Labor-Greens alliance is standing in the way of change that the overwhelming majority of Australians voted for in 2013. The Leader of the Opposition, Bill Shorten, has decided to back his union mates over the prosperity of this country and its people. He would rather get into bed with Mr Noonan of the CFMEU than actually stand up for the 87 per cent of Australians in the private sector of the workforce generally who are not union members and want to get on and earn an honest day's pay.

But we know why those opposite do this. Every one of them has to be a member of a union to be preselected. We know that unions control their preselections. So they come in here, and you will hear speaker after speaker after I have sat down, defending the unions' militant behaviour on the work sites. You expect them to do so, because he who pays the piper calls the tune, and this is what happens in this place. The Leader of the Opposition talks about reforming the preselection process of the Australian Labor Party, yet it is all words; nothing has happened.

But I want to turn to the gamut of this bill. This bill deals, for example, with the right-of-entry provisions. Believe it or not, like a lot of people in this place and as that great Labor member of parliament once said, 'You don't really have a right to a say on these issues unless you've washed your hands in Solv-all.' I have washed my hands in Solv-all. As Mick Young was one of the former Labor members who got out amongst the workers and got his hands dirty, he had something to say which people would listen to. But, as we know, in this place today those opposite have either been members of the union or worked for another member of parliament. They have not washed their hands in Solv-all like their predecessors. They have not been in the workplace—though, as an aside, when I said this in the House once, the former member for Batman, Martin Ferguson, came up to me after my speech and said: 'I've
washed my hands in Solv-all. I used to work down the mines when I was a young student, so I know what you're talking about.' And he was one of the good guys in this place because he had actually done a hard day's work.

I have worked on industrial sites. As a young guy I worked down at the Worsley refinery, digging ditches. One of the things that you like to do when you've come in for lunch or morning tea is go into the crib room and have a bit of peace and quiet, but you cannot, because those opposite put into the industrial laws the right-of-entry provisions for militant unionists, particularly those from the CFMEU.

Everyone in Western Australia knows the name Joe McDonald and his flouting of the industrial laws that existed under the previous government. There are plenty of articles—I have heaps of them here—but an article in the Herald Sun from 2 February 2014 shows Joe McDonald again invading the crib rooms of the workplaces in Western Australia continually with thuggish behaviour, threats and coercion along with his other CFMEU mates. He has cost the CFMEU over $1 million in fines. Workers' moneys are paying for fines for Joe flouting the law. McDonald organised an unlawful strike on the Pilbara project in February 2014. When asked if he had permission to enter the site, this article alleges, McDonald said, 'I haven't had one for seven years, and that hasn't stopped me.' He was expelled from the Labor Party in 2007 following reports he had called a building manager 'a parasite dog' who would be 'working at Hungry Jack's when you're finished and I'm still a union official'. Interestingly, though, Mr McDonald is back now as a member of the Australian Labor Party.

The rights of entry are a scam for recruitment, thuggish behaviour and intimidation on work sites, and this was no more borne out than in the Cole royal commission. Just about every examination by the Cole royal commission pointed out bogus safety issues where militant unionists decided to go onto sites to ply their trade of standing over workers, entering their crib rooms and giving them a hard time. I even had in my own electorate some electricians call me. They were trying to work on the yards. They said: 'You've got to stop this bloke. We're contractors and we're only trying to earn an honest day's quid, and in comes McDonald threatening us that we'll never work again.' So I did. I called the ABCC, and they went out and dealt with him. They got him off the site.

At the end of the day, this intimidating behaviour has to stop, and that is what this legislation moves towards, but you will not get any support for this from the other side. They will say, 'They're only entering the site because of safety conditions.' Most of the safety conditions were either conjured—not true—or used as a bogus means of getting on site. There has to be a better way, and the better way is that the union will have to apply to the Fair Work Commission for an invitation certificate. Before the certificate is issued, the Fair Work Commission will be satisfied that a worker who performs work on the premises and whom the union is entitled to represent has invited the union to the workplace and the union has not just invited itself. This is a commonsense move that does not affect any right of entry for any reasonable and responsible union official.

And I want to put on record that there are plenty of responsible union officials. I have told this place many a time that when I was a school teacher I was the union rep at my school because representing the workers and the teachers in a collective way at my school was something that I thought was a good idea. But I did not use this thuggish union behaviour. Being a member of a union is quite a good thing as long as you are doing it for the right
reasons—that is, supporting the terms and conditions of those around you and not using it for empire building. Those opposite talk about the workers all the time. They use the workers: they use them to help finance the union bosses so that they become union elites and most of them end up in this place—see the former head of the ACTU. Most of them end up in this place as a member of parliament. Only recently, since Jennie George, have they started missing out.

This legislation is designed in a common-sense way that does not affect the right of entry. Employees and employers do not want their workplaces turned into battle grounds or territory disputes for or on behalf of the unions. The employers and the employees just want to get on with the job and earn some money so that they can pay their mortgages, and these coalition amendments help them do that. As far as the coalition is concerned, it is common sense to allow an employee to designate a reasonable and alternative location for a union official to meet with employees. When I was working up north as a young guy it was outside the gate. You did not have to meet on site; you could meet out at the front gate. The problem was they were all going outside the gate and it nearly brought Cliffs Robe River to its knees at the time because the workers were striking over things like not getting cream biscuits for morning tea. They had a whole lot of ore carriers 'hanging off the pick', as they used to call it, because they could not get the right biscuits for morning tea. This bill is a sensible vision.

One of the other things it deals with is what is known in the industry as 'helicopter tours'. These amendments seek to remove the requirement for employers to pay for the cost of a 'helicopter tour' to remote locations. The last thing hard-working employers and employees need is some jumped-up union boss getting onto a helicopter at someone else's expense. AMMA estimates that the direct cost of these joy-rides is $4,200 per visit, not including the cost of inducting, training and escorting the union officials around the work sites, and the costs associated with indemnity insurance issues.

Some offshore employers have also reported having to charter special service flights because seats were simply not available on normal flights that the workers were on and that this would have resulted in exceptionally critical people being excluded from the trip out to the rig or remote location offshore. This saw an operator pay over $80,000 simply so a union official could come on site to try recruit members. In this day and age, surely it is just as appropriate for officials to communicate with workers and members via programs like Skype. It can be done. They ask us here to do it by teleconference. Further, given 60 per cent of most of the offshore workers' time is spent ashore, why can't the unions simply organise information sessions when they are onshore instead of having to fly out to the rig at great cost and inconvenience to everybody. It is because no-one would be interested if they were onshore. They would not even turn up to the meetings—we know that—so they have to do this to head out there to invade their lunch rooms. The coalition is not trying to see unions not represent the workers in workplaces where they are invited to do so. In fact, that is against all rules of freedom of association. What the coalition is doing is putting 'fair' and 'common sense' back into the rules of entry and the way you get there. If the Labor Party was serious about supporting Australian jobs and supporting Australian employees, they would support this amendment.

In the very short time that I have left, greenfields agreements are part of this legislation. In 2012 the then Labor government tabled a review of the Fair Work Act. One of its findings
related to the ability of the unions to veto greenfields agreements—a form of industrial relations extortion. Unions would refuse to accept any offer or refuse to make any agreement with an employer until the demands of exorbitant wages and conditions were met. In other words, a whole lot of ambit claims before they had even negotiated. Such tactics on these greenfields sites were extremely dangerous, often taking business to the brink of collapse. So unions would rather collapse a business than get their own terms and conditions up. How is that for looking after the workers and their jobs? They would rather business go down the tube and stop them from working than to give away their ambit claim.

These tactics are dangerous, and AMMA has stated that members have identified the union monopolies on greenfields agreements have not just been restricted to new projects. This has now permeated into other areas of agreement making. For example, unions are now commonly withholding greenfields agreements until a business—that business, or an alike business—concedes to the demands in other agreements for brownfields sites. In other words, sites that already up and running. So they are trying to crosspollinate the greenfields into the brownfields sites. The unions do not care about whether the company is solvent or about the welfare of the employees; they would rather head towards this vexatious agenda. As the former government's Fair Work review noted 'such practices potentially threaten the future investment in major projects in Australia.'

I am not alone on this. The coalition is not alone on this. In the *Australian Financial Review* on Tuesday, 1 April 2014 Simon Crean, former head of the ACTU, said, 'Clean out the CFMEU'. Martin Ferguson, former head of the ACTU, has been out saying the same thing: bring these rogue unions into line. Get fair work back into the workplace. Allow the workers to actually get out there and turn a dollar. And no matter what the member for Kennedy says, or anybody speaking after me, we have to get Australia back to being competitive. We know that in Western Australia and all around Australia—but I say Western Australia in particular because we provide nearly 50 per cent of this nation's export income—there are mines, potential mines and expansions on facilities that are not going ahead because of the cost of doing business. Why do you think Shell are providing their offshore platforms? Because putting anything onshore makes it prohibitive. People say, 'Shock, horror', as the member for Kennedy did, about the wage rates in Third World countries. I am not talking about Third World countries; I am talking about our competitors like Canada and Chile, who can remain competitive because they have their wages and industrial relations on a firm footing so that they are competitive. This legislation deals with this and I support this bill in the House today.

Mr SNOWDON (Lingiari) (13:14): Can I start by just making some observations about the member for Canning's speech. It was all over the joint, which is typical. On the one hand, he said, 'I'm a supportive trade unionist, a former representative of my union, a workplace delegate.' On the other hand, he slagged them and slagged unions generally, not any specific union. In the latter part of his contribution, he said, 'Unions don't care about the welfare of their employees.' He said, 'Unions don't care if businesses are solvent or not.' What an asinine piece of nonsense. I do not know one union official, one union delegate or one union member around this country who is not concerned and not committed to looking after the welfare of the people in his or her workplace, or other workplaces—not one. Nor do I know any worker
involved in working in a business who is not interested in making sure the business remains solvent so they can continue their job—not one.

Now we have this puerile attack on trade unionists in this country by the member for Canning, and no doubt from other members opposite, which has no substance. He started by talking about people having Solvol on their hands. Well, I think we have probably moved on to other products, but let me tell him that there are plenty of people on our side of this place who have worked hard all their lives and their families have worked hard all their lives. In my own case, I started working on a building site here in Canberra when I was 15. I was proudly associated with the then BWIU, the Building Workers Industrial Union. One of the people closest to me while I was working on that site, which was for a couple of months, was the delegate and union representative for the BWIU. What this person did for me was educate me about the workplace, about my responsibilities as a worker and about my responsibilities in terms of occupational health and safety. And this was not an unkind workplace.

Let me make it very clear that the sort of nonsense being spoken about by the member for Canning seeks pejoratively to accuse all unionists, effectively by dint of what he said, of somehow or another wanting to undermine their fellow workers in the workplace and of not being interested in the welfare or the future of their jobs because they do not care if the businesses they are working in are solvent or not.

I have had the experience of working on industrial sites and woodchip mills. I am probably the only member on this side of the chamber who has worked in a woodchip mill. There was another—there were two of us in the last parliament. Former minister Peter Garrett, unbeknownst to many in this place, also worked in a woodchip mill. I remember my experiences with this woodchip mill because it was a very unsafe working environment. I was just there as a labourer. What became clear was that we needed to make sure that the union that we were members of that we were associated with understood the nature of the work in that workplace, understood our responsibilities as workers and understood the need to make sure that that workplace remained safe not only for us but for other workers. It was very important to do that. We have this nonsense about the business of visiting people at the workplace, going onto building sites and into workplaces to talk to members, is all about signing up members. That may be a by-product of a visit on a workplace, but there are many workplaces around Australia today that could do with a visit by a trade unionist, by a union official, just to check up on the occupational health and safety issues in those workplaces.

Mr Ciobo interjecting—

**Mr SNOWDON:** You say that to those people who die on workplaces—in the building industry where people die. You have no interest in protecting their interests.

**Mr Ciobo:** Really, none?

**Mr SNOWDON:** Well, I hope you have some. I hope you have a humane element in your body. If you did, you would say to those workers who are working in those workplaces, 'We want to make sure the occupational health and safety issues which your union and our employers have identified are actually what they should be, and we want to get rid of those businesses which don't look after the interests of the working people of this country and have slack working practices.'
I was also on the executive of the Northern Territory Trades and Labor Council, which I was very proud to be. People in this country, even those members opposite, do not know this but most Australians, if not all working Australians, owe their working conditions in some form or another to the work of trade union officials and trade unions. Let us be very clear about it, unlike the members opposite: we on this side of the chamber do not say, because we are proud of the trade union movement and are members of trade unions, that we are going to walk away from the fact that those trade unions work extremely hard for the benefit of working Australians, that they look after the interests of working Australians and do so with an obligation on them by their members to make sure they look after them appropriately. That is the job of a trade union official and that is what they are bound to do.

This Fair Work Amendment Bill 2014 seeks to amend the Fair Work Act in response to the Fair Work Act review. The panel which undertook the review made 43 recommendations. Prior to the election, as with other promises made by this government, the coalition promised to implement the recommendations of the review without change. Surprise, surprise—this, as with so many other promises, has been broken. The government has gone beyond the panel's recommendations, despite promising not to, and the central recommendations are not being implemented without change. This bill, like so much of what this government does, is a poorly disguised vehicle for attacking the conditions of workers and the right of unions to represent them. Consequently, we oppose central elements of this legislation.

We know—and even those on the opposition would understand and recognise the truth of this statement—that the Howard government was thrown out largely because of its very, very poor industrial relations record and, of course, the legislation which it had the gall to pass through this chamber. It was a record of attacks against the rights and conditions of Australian workers. The then opposition leader said Work Choices was 'dead, buried and cremated'. In part, this bill is a resurrection of some of those dead principles. It seeks to undermine workers' rights to fair representation and fair treatment in the workplace.

This government has quickly established itself as a government with total disregard for Australian voters and for the promises that were made to them prior to the election. That is the guts of a lot of this. You must have honesty and integrity. I saw at a book launch this morning where the Prime Minister spoke about integrity and what we should be doing. What he should be doing is being honest with the Australian people. That is what he should be doing. And what he should be doing is apologising to the Australian people for those things he said before the election, the promises he made before the election, and the lies that have been told subsequently, and apologise to the Australian people for his and his government's behaviour. His and his government's behaviour not only in the context of this piece of legislation, where, as I said, promises remain broken, but also of course the pronouncements about no cuts to education, no new taxes, no cuts to health, no change to pensions, no change to the GST, and no cuts for the ABC or SBS. We all know what this Prime Minister should be doing. He should get up in this parliament and apologise to the Australian people for the lies that have been told.

Mr Craig Kelly: Point of order, Deputy Speaker. I would ask the honourable member to withdraw that word.

The DEPUTY SPEAKER (Mr Vasta): I would ask the honourable member for Lingiari to withdraw.
Mr SNOWDON: Lies are able to be told. I did not attribute a particular person as telling a lie; I said 'lies were told'. Surely that cannot be unparliamentary.

The DEPUTY SPEAKER: If you were not referring to the Prime Minister, then—

Mr SNOWDON: Surely that cannot be unparliamentary: 'Lies were told'. Let us be very clear about it: this parliament should see the Prime Minister apologise to the Australian people for what has happened in terms of the undertakings given prior to the election and what has happened subsequently.

Disregard for electors and for the truth clearly now spreads to industrial relations. The Prime Minister's promise to abide by the Fair Work review's recommendations when making changes to this industrial relations legislation has gone the way of his other promises. As the shadow minister has reminded us in his contribution to this bill:

It is now clear that the government could not be trusted to honour its most basic promise—namely, to implement recommendations from the 2012 Fair Work review without change. Instead, the government is putting down its own spin on Fair Work recommendations while trying to pass them off as a carbon copy of what the expert panel proposed.

Let us make it very clear: like in so much of what this government does, it has overstepped. Not only has it been dishonest but it has clearly overstepped. There is within this parliament the capacity for the government to seek to change the way it operates to make sure it does not overstep, that it does operate with honesty and integrity, and that it does not tolerate lies being told. It really has that capacity. Whilst we have these faux lectures from the Prime Minister about what we should as parliamentarians and what the community should be doing about our own honesty and integrity, he needs to demonstrate some in this place. He needs to demonstrate some of this place and he should do it as soon as possible.

We are not fools in this place and the Australian public are not fools. They know precisely what has been going on. Here is just another example. We know that, whilst there are some people in the broader community who might support aspects of this legislation, some believing it not going far enough, it is very clear that this bill, as described by the ACTU secretary:

… undermines a range of key rights at work and is an exercise in the Government ticking off the pre-election wish list of the mining industry.

If that is the case, that is clearly inappropriate and clearly another example of dishonesty and dishonest treatment.

I go back to the member for Canning. How could we not sit here—well, I was sitting in and therefore listened to him. I was confused, simply because he is a confusing fellow, but also because the message was so devoid of any reality about the rights of Australian working men and women and about the role of trade unions in this country. We on this side of the chamber are proud of the role of Australian trade unions in our history. We know, as we were reminded also very recently by a former Prime Minister, about the role the trade unions have played in the lives of every working Australian, whether or not they are a member of a trade union. We should applaud them for the work they have been doing and provide them with the capacity to continue their work in the future and make sure that they, like us—and you—have the responsibility of looking after the interests of Australian working people.
The DEPUTY SPEAKER (Hon. BC Scott): Order! It being almost 1.30 pm, the debate is interrupted in accordance with standing order 43. The debate may be resumed at a later hour.

STATEMENTS BY MEMBERS

Budget

Dr CHALMERS (Rankin) (13:29): The 2014 budget is a toxic brew of arrogance and ambush, incompetence and inequality, division and disunity.

We are told that cabinet met yesterday to talk about how to better spin the budget. What those opposite do not understand is that it is not about the spin and it is not about the sales job; it is about the substance of this unfair budget. The government are now giving every indication that they either do not understand or do not care about the impact on communities like mine in Rankin and right around Australia.

It is little wonder that people are lining up to reject the budget when its chief architect has shown in the last few weeks that he does not have a clue. This is the guy who said that 'it is strongly arguable that pensioners are going to be better off', not understanding that his own budget papers have $449 million coming out of the pockets of pensioners over the next four years. It is the same guy who said, 'We are the best friends pensioners ever had', not knowing that the Parliamentary Budget Office said that $23 billion is coming out of the age pension over the next 10 years. It is the same guy who said that his electorate of North Sydney had one of the highest bulk-billing rates in Australia when in fact North Sydney has the fifth-lowest rate in Sydney, below the national average. It is the bloke who told someone with eight chronic illnesses that he would be exempt from the GP co-payment, when that is not true. It is the same guy who said that the tax system means that the wealthiest pay half their income in tax, not understanding marginal rates of tax.

Capricornia Electorate: Health

Ms LANDRY (Capricornia) (13:31): People in the Rockhampton area now have greater access to potentially lifesaving magnetic resonance imaging scans—or MRI scans—under the Medicare bulk-billing system.

I am pleased to advise the House that, after much lobbying, the Minister for Health has provided another Rockhampton radiology company with Medicare bulk-billing rights, to ensure affordable services are available to Central Queensland patients.

Central Queensland Radiology was one of only 10 MRI providers to be granted one of the new Medicare licences across the country. Rockhampton is a major health centre that treats patients from all over Central Queensland. Having a further Medicare provider there is a benefit to all the patients. It means local patients have better access to scans, resulting in a faster diagnosis and a more timely choice of treatments—which in some cases can help save lives.

MRI uses magnetic fields to generate images that help diagnose illness. MRI is especially effective on soft tissue, making it important for working with diseases such as some cancers and strokes. I congratulate Dr Geoff Clark and his team at Central Queensland Radiology and thank the Minister for Health, Peter Dutton, for acknowledging Rockhampton’s health needs.
Budget

Mr WATTS (Gellibrand) (13:32): Watching the Treasurer's performance selling his 'true Liberal Budget' to the public has been one of the most extraordinary spectacles we have seen in Australian politics in recent times. It has been like watching someone trying to reverse parallel park a shopping trolley—ricocheting from one collision to another, crashing into and inflicting damage on everyone in the general vicinity.

We have watched as the Treasurer has transformed before our very eyes from a strutting rooster in the wake of the last election, to a blowhard Foghorn Leghorn in the lead-up to the budget, to a badly-tattered feather duster after it. The Treasurer has shown that he does not understand marginal tax rates, claiming that his attack on Australians doing it tough is justified by the fact that high-income households already pay half their income in tax, when the real figure is a closer to only 36 per cent. He showed that he does not understand his GP tax when he told a chronic disease sufferer that he would not pay the GP tax when, of course, he would. When called out on his incompetent advocacy of this mean, unfair budget, the only response has been the sound of a glass jaw shattering. Ignoring Disraeli’s sage advice that a politician should never complain, never explain, the Treasurer has whinged that 'Everyone's against me'—as though he were the real victim of this budget.

If the Treasurer wants the support of the Australian people, he needs to listen to what they are telling him. The Treasurer needs to take some time out from launching books about himself. He needs to fold up the cabana lounge on the Fijian beach. He needs to take fewer cigar breaks and he needs to start this budget again from scratch. Australians did not vote for this budget and they do not want it.

Higgins Electorate: Malvern Primary School Student Exchange with China

Ms O'DWYER (Higgins) (13:34): The importance of Australia's relationship with China cannot be overestimated. China is Australia's largest two-way trading partner and our future economic prosperity and theirs are intrinsically linked. To give a quick snapshot, in 2013 China had a more than US$9 trillion economy, a 7.7 GDP growth rate and a population of 1.3 billion. Trade between China and Australia was valued at $150.9 billion.

As we all know, big things can sometimes grow from small seeds, so I was delighted to visit Malvern Primary School in my electorate in Melbourne, whose grade 6 students are soon to visit China on a cultural student exchange with their sister school, Youfu West Street Primary School in Nanjing, China. On 11 October, 14 students, two teachers and the school's principal, Mr Richard Bennetts, will travel to China for the nine-day trip. The teachers will live at the sister school during the visit while the children will be hosted by local families.

Malvern Primary School formed the sister school arrangement in 2010 and, since that time, students and teachers have exchanged between the two schools on an annual basis. I commend the school, led by Mr Bennetts and Vice Principal Dorothy Hayes, whose far-sightedness has led to these opportunities.

I acknowledge and praise the initiative taken by Malvern Primary School to establish and maintain their sister school relationship. Their contribution to fostering understanding and goodwill is cause for celebration and will deepen our people-to-people relationships.
Budget

Mr PALMER (Fairfax) (13:35): I rise to criticise the government for what I think is one of the most unfair budgets in the history of this country. I also rise to advise the House that our senators decided this morning that they will be voting against the GP co-payment and we will do all that we can to make sure that it is not introduced in Australia. I hope that will provide us with better leadership in the future.

We have to remember that our current health system costs us 8.9 per cent of our GDP. The health system of the United States costs just on 17.2 per cent of their GDP. So there is no question that we have a superior health system and it sustains us. Yet, in the United States, 60 million Americans still do not have coverage for their health and they still wander aimlessly, sick, in the cities of the United States while here in Australia we have got universal coverage. It is something we should cherish. There will be no co-payment.

McPherson Electorate: Y20 Youth Forum

Mrs ANDREWS (McPherson) (13:36): I want to report to the House on an event I hosted in early July at Bond University on the Gold Coast—the McPherson Y20 youth forum. As members know, the Y20 is one of five official engagement groups of the G20. The Y20 summit was held in Sydney last month and made a range of recommendations on issues of most importance to youth within the jobs and growth policy framework.

I was very pleased to have the opportunity, just prior to the Y20, to host a local forum with one of Australia's Y20 delegates, Jonathan Pavetto. More than 30 young people from southern Gold Coast schools, universities and community groups attended, and, through lively discussion and debate, they communicated the issues, challenges and opportunities which most affect them. I know that Jonathan actively represented our nation at the Y20 and I am delighted that the views of young people in my electorate of McPherson have been included in this important discussion. I would like to take this opportunity to thank Jonathan for taking the time to consult with our local community. Furthermore, I thank all of my local forum participants for their time and energy. I was very heartened and impressed by the enthusiasm, commitment and innovative thinking that our local young people brought to the discussion.

Budget

Ms KATE ELLIS (Adelaide) (13:37): After five weeks in our communities, we have all heard—loud and clear—of the shock, the anger and the fear that the community feels as a result of this government's budget. In Adelaide, I have heard how residents have been frightened by this budget and how they feel that they have been betrayed by this Prime Minister. I want to share some of their own words on what my community has said about this budget.

Sarah stated that this budget is 'an attack on the Australian way of life'. Melissa, who is a cancer survivor, raised her concerns about the GP co-payment with me. She is worried about the impact it would have not just on our health system but also on the health of individuals if they did not access the health care that they need. Jane raised the fact that she believes 'a quality, affordable education should be the right of every Australian child'. And Costello stated to me that he was concerned about the opportunities of future generations. This government is not fooling anyone with its cruel and tricky budget. We have all heard it in our
communities; they have all heard it in theirs. The difference is that we stand up and represent our communities, put those concerns on the record in this parliament and vote in the way that is going to protect the fairness that the Australian public rely upon. Those over there, who come in here and blindly follow the Prime Minister but duck and weave in their own communities, will not stand up for what they actually believe in. (Time expired)

Lyons Electorate: St Helens Bowls Club

Mr HUTCHINSON (Lyons) (13:39): I can tell you, Mr Deputy Speaker, there is nothing fair about leaving a debt to my children—nothing fair about that at all!

Ms Kate Ellis: And how you voted for the PPL!

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

Mr HUTCHINSON: But, Mr Deputy Speaker, 60 years of continuous operation for an organisation—an achievement for any sporting organisation—run by volunteers from a small community at St Helens in my electorate of Lyons is, indeed, a good story. But the modern story of the St Helens Bowls Club is much more than that. With President, Mark Dickinson, Vice President, Steve Park and Secretary, Gary Laycock, at the helm, the club has developed close relations with the St Helens District High School across the road. A regular part of the bowls club week is its school program. One hundred students from both the primary and high schools play bowls as part of their curriculum over the summer terms.

School children also play bowls at the club as part of the ongoing federally funded Active After-school Communities program. St Helens is the only bowls club on Tasmania's east coast with a synthetic green. The club was started in 1954 on land donated by Mrs Gertrude Johnson. Mrs Johnson, Tom Haley and Alfred Green were already trustees of the St Helens Tennis Club, which bordered the land. The original bowling green was built with the help of machinery from Ansons timber mill and the hard work of inaugural members Frank Wooley, Charles Fish and Jim Morling. St Helens Bowls Club members in 2014 represent the whole of their community—from players as young as nine years old to the club's oldest member, Norman Brook, aged 82. All are actively engaged. The St Helens Bowls Club has much to celebrate on its 60th anniversary, and I offer those involved my heartiest congratulations.

Budget

Ms CHESTERS (Bendigo) (13:40): Two weeks ago today more than 500 people in Bendigo rallied and marched through the streets, standing up in opposition to this toxic budget. Community groups, organisations, trade unions, men and women came together to march through the streets in Bendigo—a regional town—to say that they are opposed to this budget. We had Ann-Marie, the CEO of Amicus, standing up to say that this government's attacks on her clients, people with a disability, are outrageous. We had Luke, who is a Hazeldene's process worker—not earning $1 million, but working for a minimum wage—saying that the attacks on working people, on his family, are just outrageous. They made him angry. He expected his government to be there to support him and his fellow workers and not to attack them.

Brett, an ambo, spoke out about the concerns that the GP tax will have on Bendigo—more people calling an ambulance because they did not go through with preventative health care because it was now unaffordable. Jenny, someone with a disability, stood up to say that people with a disability now fear that they will be kicked off the disability support pension
because of this cruel government. Five weeks of the same conversations, over and over again in regional Australia, with people angry about this budget—(Time expired)

**Economy**

**WYATT ROY** (Longman) (13:42): First of all, I want to acknowledge a school from my electorate, St Michael's, which is visiting Parliament House today. And I want to pick up from where the member for Lyons left off. It is a significant challenge that our nation faces. If we do nothing, we hit debt of $667 billion—that is $25,000 for every man, woman and child or for the next generation to inherit—and we have 5.7 people working today for every person who is not, and that hits a point of 2½ people working for every person that is not. So we do have to have a serious debate in this country about how government lives within its means. But we also have to have a debate about how we can go for growth in the private sector, because without growth and without people making more and earning higher real wages, we cannot collect more tax revenues to deal with those long-term structural challenges that we face as a nation.

I want to take this opportunity to congratulate this government and, particularly, the Minister for Foreign Affairs, the Hon. Julie Bishop, and the Minister for Trade, the Hon. Andrew Robb, on concluding two landmark trade agreements. There are one billion people in Asia coming into the middle class and they are going to want to buy our services and they are going to want to buy our resources. It presents an enormous opportunity for growth. By signing the free trade agreement with Korea and by signing an agreement with Japan—the first time Japan has ever signed an agreement with a major exporting country—we are opening up new market access for our exporters. We are opening up new growth and job opportunities, and, ultimately, greater tax revenues in future generations. (Time expired)

**Budget**

**Ms BRODTMANN** (Canberra) (13:44): Over the last five weeks, the government has supposedly been selling its budget. Well, let me tell those opposite: I have spent the last five weeks out in the community, and Australians are not buying what you have to sell. I have held community forums, seniors' forums, university forums; I have run mobile offices and I have been doorknocking; I have visited businesses, small and large, and I have visited schools and universities. The message is clear: Australians do not want this stinker of a budget. Canberrans do not want this stinker of a budget.

I have spoken to pensioners who will struggle to make ends meet because their pensions are being cut. I have spoken to parents who worry that their children's dreams of attending university are now unaffordable. I have spoken to people which chronic illness, who simply do not know how they will afford the increased costs of GP visits, prescriptions and pathology tests. And I have spoken to families who feel cheated by a government that promised to ease cost-of-living pressures but has instead done the opposite.

Five weeks away from parliament has not made this budget any more palatable or any less unfair. This is still a budget that has the biggest impact on those who can least afford it: low- and middle-income earners, the sick and their carers, pensioners, the unemployed and the young. This is still a budget that is full of broken promises and this is still a budget that Australians see as an attack on our very social fabric.
Literacy and Numeracy

Mr PASIN (Barker) (13:45): This week is National Literacy and Numeracy Week. National Literacy and Numeracy Week aims to celebrate learning and raise awareness of the importance of reading, writing and maths skills. The government has also announced the recipients of the Australian Student Prize, acknowledging the country's top 500 senior secondary students for their outstanding work during the 2013 school year. The prize is awarded in recognition of academic excellence and achievement and has been awarded annually since 1991.

I am very proud to acknowledge that two of the 500 students recognised in the awards were constituents of my electorate: Sophie Munn of Naracoorte, attending Wilderness School—the very school of which my wife was school captain in 1994. Sophie hails from Naracoorte in my electorate. The other student was Ethan Moore of Tanunda, attending Faith Lutheran College.

I encourage all schools in our community to get involved in National Literacy and Numeracy Week. The government understands the important influence parents have on their children's education, and so I congratulate Sophie's and Ethan's parents. I also invite all parents in Barker to get involved and celebrate literacy and numeracy this week.

Budget

Mr CONROY (Charlton) (13:46): I rise to highlight the strong objection of the people of Charlton to this very unfair budget—a budget that cannot work out whether it is putting out a bushfire, is business as usual or represents the resurrection of all Australia. The truth is this is the most unpopular budget in living memory, delivered by the most unpopular Treasurer in living memory—a man who combines all the worst aspects of past Liberal treasurers: the member for North Sydney is as in touch with common people as Robert Menzies, he is as numerate as Billy Snedden and he demonstrates all the loyalty of Billy McMahon.

The truth is we have heard claims from the Treasurer over the last five weeks that highlight just how out of touch and innumerate he is. We have heard about the poorest people not driving cars or not driving them very far! I would like to see him come up to Newcastle and the Hunter Valley region and talk about poor people not driving cars up there. He is a man who argues that pensioners are going to be better off, despite the evidence in the budget papers demonstrating that is in fact very untrue. He is a man who equates the cost of visiting a doctor with that of buying a middy of beer or smoking cigarettes. He is a man who, when confronted with all this drama, complains that everyone is against him. It is no wonder that those on the other side wish that Joe would return to Fiji or spend more time under the sun bed rather than going around selling this deeply unfair budget that will hurt the people of Charlton time and time again.

Member for Fairfax

Mr COLEMAN (Banks) (13:48): I was pleased to welcome a delegation of Chinese-Australians and media to Parliament House today. The delegation visited parliament to protest against the comments made in relation to China by the member for Fairfax on ABC's *Q&A* program on 18 August. The comments made by the member were offensive and wrong and risk damaging Australia's relationship with China. China is a good friend of Australia's. Many Australians have Chinese ancestry, including more than 20 per cent of the residents of my
electorate. Through business, education, tourism, culture and many other areas, China and Australia work closely together in a friendly partnership.

It is the responsibility of leaders to bring communities together. Remarks such as those made by the member for Fairfax are completely at odds with fostering a closer relationship with China. I am very pleased that the member has today apologised for his remarks. During the past week, many members of my local community have expressed the degree to which they have been upset and distressed by those comments. Leadership is about pursuing a steady course in the national interest. It is not about making random pronouncements or shoot-from-the-hip statements. The things that we say matter, as they can reverberate around our nation and the world. When we are talking about our largest economic partner, it goes without saying that we must be temperate and sensible in our statements.

Budget

Ms RISHWORTH (Kingston) (13:49): This week we have seen a whiff of desperation from those on the government backbench about how they can possibly sell their budget, because the Treasurer in the last five weeks has done one of the worst jobs of selling what is inherently an unfair budget. But it is not surprising he has failed because he has shown that he does not understand just how unfair this budget is to many, many Australians from low- and middle-income backgrounds. Australians cannot be tricked. No matter what spin the Treasurer tries to put on it, no matter what comments he makes, the Australian people are smarter than that. They can see a budget that is littered with broken promises—promises made before the election broken straight after the election.

They can also see a Treasurer that is out of touch with ordinary families. One of the comments that show just how out of touch this Treasurer is is that he said poor people do not drive cars and, if they do drive cars, they do not drive very far. I invite the Treasurer to come to the seat of Kingston and talk to ordinary families that drive a long way. These workers have to drive an hour to work, just one way. Many are spending hours on the road, trying to get from one place to another. This budget will impact on those families. What about the carers and the patients who have to drive a long way for specialist appointments? This will affect them. It affects families, it affects children and the Treasurer needs to reconsider his words. (Time expired)

Hearing Awareness Week

Mr LAUNDY (Reid) (13:51): This week is Hearing Awareness Week. Deafness or hearing impairment is often described as the invisible disability. The number of Australians who are deaf or hearing impaired is increasing because of long-term exposure to excessive noise, often in the workplace, as well as accidents, the environment and the ageing of the population.

For my family, this is a cause close to our hearts. Ten years ago my youngest daughter was diagnosed with a severe hearing impairment and the work that this country does in this space is nothing short of astounding. We are the world leader on this front.

Today I would like to acknowledge and pay tribute to the federal Department of Health; Make it Number 10, who aim to make hearing Australia's 10th national health priority; and the Deafness Forum of Australia for the work they are doing not only in promoting this week but in promoting this cause every day—not just for one week at a time.
On a personal level, it would be remiss of me not to thank on behalf of my family Australian Hearing and Cochlear, especially Professor Gibson. Professor Gibson has been so important to my family and the work he does on behalf of this company is nothing short of amazing. Thank you.

Budget

Ms Ryan (Lalor—Opposition Whip) (13:53): I am glad to be back in the chamber today to take the fight back up to this government and its unfair budget.

Despite a five-week parliamentary recess and countless distractions from bumbling members of the government's frontbench, the budget is still what people in my electorate want to talk about. My community survey suggests that cost-of-living pressures are the number one concern in my electorate. And who would be surprised by that, given the detail that keeps coming out and showing that the people of Lalor are going to be hard hit by countless and compounding budget measures?

In the past five weeks we have heard that 'poor people don't drive'—that they do not have cars. Sixty per cent of the 60,000 families in Lalor have two cars and drive long distances to their employment. We have heard that the unemployed will have to apply for 40 jobs. The next thing we heard was that unemployment in the electorate of Lalor had jumped to 8.8 per cent—2.4 per cent higher than the national average. And there is no news yet of a jobs plan. We heard that Lalor will be worst hit by the education cuts, by health cuts, by a GP tax and by a petrol tax.

And what do we hear from the government? We hear that there is a budget emergency; that there is no budget emergency. Let me tell you, Mr Deputy Speaker, there is a budget emergency: it is a household budget emergency and it is going to crash on the people of Lalor.

Pollie Pedal

Mr Taylor (Hume) (13:54): Over the winter recess, the Pollie Pedal has been held again with great success—raising more than $700,000 for Carers Australia.

It was my first opportunity to join the ride this year. We covered close to 1,100 kilometres from Moree in the state's north-west through Bingara, Tamworth, Gunnedah, Coonabarabran, Dubbo and Mudgee, finishing in some pretty ordinary weather through the Blue Mountains down to Penrith. Contrary to popular opinion about how flat it is in north-western New South Wales, in Tamworth and Gunnedah—Barnaby Joyce territory—we managed to find a few good hills. Thanks to all the people in all of those towns and communities we passed through. We received a hero's welcome at each and every stopover and we saw great generosity of spirit.

As in past years, members of the Goulburn Cycle Club were a major part of organising the Pollie Pedal. I am a keen member of this club and ride with them on most weekends. Ride director was local boy, Graeme Northey. He was strongly backed by the former ride director, Larry Meng, and the rest of the Goulburn team. Dave Hadlow from Goulburn ably supported the Prime Minister on the toughest day of the event from Mudgee to Lithgow. Thank you to the Goulburn Cycle Club for their contribution and 'well done' to all who donated money and time for such a worthwhile cause.
Budget

Ms BUTLER (Griffith) (13:56): People from across my electorate of Griffith on Brisbane's south side have been contacting me to raise their concerns about the Abbott government's rotten budget.

One of those people last week was Sharyn, who runs a family day care provider—Kids at Home Family Day Care. And like family daycare providers across this country she is gravely concerned by the budget cuts to family day care in the Abbott government's rotten budget. If you look at Family Day Care Australia's information they estimate that these cuts are going to mean an extra $34.50 per child per week for parents with kids in full-time care. It will be more in rural and remote areas, according to Family Day Care Australia.

Sharyn came to visit me to drop in a number of postcards signed by local families to tell politicians in this place about why they are so concerned about these cuts to family daycare. The postcard says:

My family uses family day care and I know that family day care is an essential service in our community, providing local families like mine with access to high quality and affordable early childhood education and care and allowing me to contribute to our local workforce.

It goes on to say that the changes are going to have:

… a very real and lasting effect in our local community. Should these changes take effect in their current form and time frame, parents like me face uncertainty around increasing fees, service closures, and even my capacity to remain in the workforce.

(Time expired)

International Overdose Awareness Day

Mr MATHESON (Macarthur) (13:57): I rise today to speak about Macarthur's first International Overdose Awareness Day, to be held this Friday 29 August.

International Overdose Awareness Day is a global event held in August each year, and aims to raise awareness of overdose and to reduce the stigma of a drug-related death. It is also a day for acknowledging the grief felt by families and friends remembering those who have met with death or permanent injury as a result of drug overdose.

This year I am proud to say that five Macarthur services have partnered to host Macarthur's first International Overdose Awareness Day. Those services include Lifeline Macarthur, Maryfield's Day Recovery Centre, Campbelltown Anglican churches, Youth Solutions and Macarthur Mental Health Promotion Network. The day will be marked by remembrance service that will be held at St Peter's Anglican Church.

I praise the wonderful work that these services in raising the profile of this issue that is considerably overlooked in society. Whilst only 36 per cent of Australians rated drug overdose as a major issue in today's society in a recent survey, statistics say otherwise. Overdose takes the life of four Australians every single day. In recent years, deaths from drug overdose have exceeded the number of deaths from road accidents. In New South Wales alone around 1,300 deaths are attributed to alcohol and related harms. These statistics are far too high and I commend the range of Macarthur services for working hard to reduce such statistics. I applaud them for organising a day of remembrance dedicated to friends, family, clients and colleagues who the community has lost as a result of a drug overdose.
Tuesday, 26 August 2014

HOUSE OF REPRESENTATIVES

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Budget

Mr STEPHEN JONES (Throsby) (13:59): Today I ask the House why the coalition is continuing to punish rural and regional patients, and why the National Party has gone into hiding as their budget plan goes from bad to worse?

This week we learned that patients in rural and regional Australia will be the hardest hit by the Abbott government’s $1.2 billion hike to PBS medicines. The top 12 electorates are set to pay the highest out-of-pocket expenses and they will be in rural and regional areas. You have to ask yourself, ‘Where is the National Party on this issue? Have they gone into hiding?’

Before the election they were traipsing from town to town promising to reduce the costs of medicines and doctors, and that they were going to have a minister dedicated full-time to health. They even indicated that they were going to lower the PBS safety net. That is because they know the truth—they know that Australians in rural and regional areas—

(Time expired)

CONDOLENCES

Ukraine Air Disaster

Mr ABBOTT (Warringah—Prime Minister) (14:00): I move:

That this House:

(1) express its outrage and condemnation at the downing of Malaysia Airlines Flight MH17 over Eastern Ukraine on 18th July 2014 AEST;

(2) extend its deepest and heartfelt sympathy to the families, friends and loved ones of the 38 men, women and children aboard MH17 who called Australia home;

(3) offer its condolences to the family and friends of all those lost on Flight MH17, which also included citizens from the Netherlands, Malaysia, Indonesia, the United Kingdom, Germany, Belgium, the Philippines, the United States, Canada, New Zealand and South Africa;

(4) condemn the perpetrators of this terrible crime;

(5) note the Australian government has committed to work with the international community in accordance with United Nations Security Council resolution 2166 to ensure a full, thorough and independent international investigation into the crash, to identify the cause of the crash and those responsible, and

(6) support the Australian government’s cooperation with other countries in bringing the perpetrators of this barbaric crime to justice.

When this parliament last met, news was just breaking that flight MH17 had been shot down by Russian backed rebels over eastern Ukraine. This was not just a tragedy; it was an atrocity. Two hundred and ninety-eight innocent people, including 38 Australians had been murdered.

I now report to the House what we know, what we have done to help bring our people home, and what we are continuing to do to support the bereaved and to seek justice for the victims. It was a scheduled international passenger flight from Amsterdam to Kuala Lumpur, so basic humanity should have safeguarded its passage. Instead, it was shot out of the sky. Children lost parents, parents lost children, and an aching void opened in hundreds of lives, made worse by the wanton cruelty of shooting down a passenger jet.

We could not bring them back but we here in this parliament promised to bring them home and to seek justice for their families. I believe that the Australian response has been both swift and compassionate. By nine o’clock on the morning of the atrocity, the government’s crisis
centre, working out of the Department of Foreign Affairs and Trade, was operational, giving information and support to the families of the lost. And throughout the families' long ordeal, our officials in the Department of Foreign Affairs and Trade and in the Australian Federal Police have done tireless, efficient and compassionate work.

At 10 o'clock on that fateful Friday, the National Security Committee of the cabinet met and decided that the Russian ambassador should be called in and an assurance demanded that Russia would fully cooperate in the investigation and recovery operations. Later that day I started calling overseas leaders to register Australia's shock and anger. In the course of the following fortnight I had many conversations with many leaders around the world. The next day, Minister for Foreign Affairs, Julie Bishop, set off for the Security Council in New York, and our Special Envoy, Air Chief Marshal Angus Houston, set off for Kiev. Both Foreign Minister Bishop and Air Chief Marshal Houston have done extraordinary work over the last few weeks, and I thank them both. Our nation thanks them both.

The Security Council resolution that Australia sponsored was adopted unanimously, thanks not just to the skill of the foreign minister, but to the skill and hard work of our diplomatic team in New York. I should also thank the Leader of the Opposition for his support throughout this whole issue, as I thank him for his ongoing support for the government's efforts to bring our people home and seek justice for the victims.

It is important to acknowledge in all of this the leadership of Prime Minister Rutte of the Netherlands and also the help, support and leadership of Prime Minister Najib of Malaysia. No country lost more of its people than the Netherlands. After the chaos and pandemonium on the ground in eastern Ukraine, the way our dead—all the dead—were received in the Netherlands was so dignified and so gracious; it sent a message of reassurance and support to everyone affected by this tragedy. The airline, its crew, and many of its passengers were, of course, Malaysian. I also acknowledge the cooperation and support of President Poroshenko of Ukraine, who has demonstrated goodwill and decency during a difficult time for his country and for ours. He has Australia's enduring gratitude.

Operation Bring Them Home eventually deployed over 500 Australian personnel, including about 250 military personnel to work with the Dutch and the Ukraine to recover, identify and repatriate the remains of the Australian victims. In extremely difficult conditions Australian, Dutch and, subsequently, Malaysian experts spent six days searching the crash site under the auspices of the Organization for Security and Co-operation in Europe. They recovered further remains and a substantial amount of personal effects, but regrettably the war was sweeping over the area, and conditions were simply too dangerous for them to continue. But I do advise the House that when security conditions improve, and if we judge there are more remains to be recovered, recovery efforts will resume. I should also thank our Governor-General Sir Peter Cosgrove, who travelled at very short notice to the Netherlands and performed a sad duty with grace and dignity.

Disaster victim identification is a very, very slow process. Only this week the first Australian victims are coming home to their families. I say to all the families: you have the deepest sympathy of all of us in this parliament. Some families will want to share the difficulty of this grim time, others will want it to be entirely private but, either way, the families' wishes should be respected. Australians have rallied around the bereaved, sharing their shock and sorrow. The national memorial service in Melbourne a few weeks ago was a
reminder of the ties that bind us as Australians and I thank all who participated and organised that service.

I can announce today, Madam Speaker, that a memorial will be erected in the parliamentary gardens to all who perished, especially the 38 Australian victims. I thank you and the President of the Senate for your agreement to this. It will be established for the first anniversary and as a reminder that we will never, ever forget them.

Two investigations are underway: an aircraft accident investigation under the Convention on International Civil Aviation led by the Dutch Safety Board and a multinational criminal investigation led by the Dutch Public Prosecution Service. These investigations will take some time. Australia has contributed experts to both of them.

Our nation will continue to support all who lost loved ones on flight MH17. We will do everything in our power to ensure that this horrific act is investigated and its perpetrators brought to justice.

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:09): I rise to support the Prime Minister's words on this most dreadful matter. I also rise as a father, as a son, as a brother, as a husband and as an Australian to offer my deepest personal sympathies to those who knew and loved the victims of this terrible, violent and unimaginable crime.

On the morning of the very last day our parliament sat we assembled amidst the sudden shock and grief of the incomprehensible tragedy of MH17. In the weeks that have passed between then and now so much has been said about the act of evil that shot, from European skies, an Asian airliner filled with citizens from around the world. I, on behalf of Labor, look forward to continuing to work with the Prime Minister and the government to ensure the strongest possible reaction from Australia. The seeking of justice, as the Prime Minister has indicated, cannot be shirked. The weapons of death were sophisticated and could not have been built automatically by the people who used them. So let me be very clear: I have the gravest reservations about welcoming to Australia anyone in the future who was engaged in this act of terror and we will support the strongest possible reaction from the government on this matter.

We recognise that all involved have done remarkable work. I acknowledge the work of the Prime Minister and the foreign minister. I also acknowledge the Prime Minister's chief of staff and his national security adviser, who have kept the opposition in touch; representatives of DFAT; my colleagues, in particular, Tanya Plibersek; the AFP; military personnel; and His Excellency the Governor-General. I also acknowledge the great cooperation and leadership of the Netherlands, of the Ukrainian government and of Malaysia. I also wish to speak of the opposition's support for Malaysian Airlines, which has been through an unimaginable year. I think it is also appropriate to acknowledge the role of the United States, without whom I believe much could not have been possible.

The suggestion of the memorial is a very worthy idea. Our parliament stops all other business today to offer its thoughts to all of those who have lost their lives on MH17. This has, indeed, been a global tragedy which has struck at Australian hearts. Australia did lose 38 of our own: sons and daughters, brothers and sisters, partners and parents, friends, team mates, classmates, colleagues—wonderful people who loved and were loved, people who laughed and learnt and made a life underneath our Southern Cross. For the loved ones left
behind it is a time of shock, a time of disbelief and a time of continual mourning. We know their grief in this place but we cannot share it. We vow to repatriate their loved ones but we cannot fill the void of their loss. We can hope to an end for the quest for a reason, but it is not enough.

Here in the House of the Australian people, for many who are listening what matters today is not the why or the how, what matters is who we have lost and what we will miss. I had the humbling privilege of meeting with many of the families touched by this tragedy. Their courage, their resilience and their ability to endure public interest in their private grief was remarkable and moving. Who of us can imagine, who of us here can contemplate that sense of cruel coincidence, of avoidable calamity, the unimaginable hell of alternative possibilities that will be haunting the dreams of all those who have lost someone that they loved so unexpectedly on this ill-fated flight?

I know, and the Prime Minister knows because I witnessed him talk to the families, that for the families and the friends of all those aboard MH17 words can mean little at this painful hour. But they should know that Australia shares their sorrow. I sincerely hope they can draw modest consolation from Australia's affirmation, from the knowledge that they do not walk alone in their grief, that we are with them. Our nation's great, invisible, generous, sustaining sympathy is with them and it always will be.

Madam Speaker, let us all pause now to remember the names of those our country lost. Let us remember their potential and their possibility. Let all of us remember them not for how they died but for why they lived, for the love and the friendship and the joy that we who are left behind vow to never again to take for granted. May they rest in eternal peace.

The SPEAKER: As a mark of respect, I ask all present to rise in their places.

Honourable members having stood in their places—

The SPEAKER: I thank the House and those in the gallery.

Debate adjourned.

Reference to Federation Chamber

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:15): by leave—I move:

That the resumption of debate on the Prime Minister's motion of condolence in connection with the downing of Malaysia Airlines flight MH17 be referred to the Federation Chamber.

Question agreed to.

QUESTIONS WITHOUT NOTICE

Budget

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:16): My question is to the Treasurer. Millions of Australians are worried about the GP tax. Treasurer, is it the case that patients will not be hit by the Medicare co-payment if they suffer chronic illnesses?

Mr HOCKEY (North Sydney—The Treasurer) (14:16): It was outlined in the budget papers, and he is absolutely right in relation to chronic illnesses. In relation to the claim it is a GP tax, he is wrong: it is a payment for service.

Opposition members interjecting—

CHAMBER
The SPEAKER: There will be silence on my left.

National Security

Mr HUTCHINSON (Lyons) (14:17): My question is to the Prime Minister. Will the Prime Minister inform the House what measures the government is putting in place to address the problem of foreign fighters and to keep Australia safe?

Mr ABBOTT (Warringah—Prime Minister) (14:17): I thank the member for Lyons for his question and I can assure him that the safety of the community will always be the first priority of government. It has been the first priority of governments of all political persuasions; it will certainly be the first priority of this government.

I think all Australians, and I am sure every member of this House, have watched events unfolding in northern Iraq and eastern Syria with growing horror. We have seen with our own eyes on our screens and on the front pages of our newspapers beheadings, crucifixions and mass executions of innocent people. We have beheld the holding hostage, as it were, of tens of thousands of minority people on Mount Sinjar, and I am pleased and proud to say that the Royal Australian Air Force has been part of humanitarian relief efforts there.

What we have seen in recent weeks is medieval barbarism, perpetrated and spread with the most modern of technology. Regrettably, what might otherwise be horrific events in a faraway country have, because of the interconnectedness of the modern world, ramifications here. What happens somewhere these days tends to have ramifications everywhere. And, regrettably, some 60 Australians are known to be fighting with various terrorist organisations in Iraq and Syria. Some 100 Australians are known to be supporting and facilitating these same terrorist organisations.

The vast majority of these people are Australians born and bred. At some point in time at least some of the 60 will seek to return to Australia. We need to be able to deal with them when they return to their home. A few weeks ago the government announced there will be $630 million in additional support for our intelligence and security agencies. In addition, there will be three pieces of legislation to strengthen agency powers to make it easier to detain and jail people returning from terrorist activities and to ensure we keep the necessary telecommunications metadata.

I want to make it absolutely crystal clear that the enemy here is terrorism. It is not any particular faith; it is not any particular community. But I do have a clear message to people thinking of going overseas to join in terrorist activity: do not go—because if you do, and if you return, you will be arrested and you will be jailed.

Mr Shorten: I seek to associate the opposition with the Prime Minister's remarks with regard to the work of the RAAF in terms of the humanitarian missions in northern Iraq. They are highly professional and the best people possible to do this very risky job.

Medicare

Mr BOWEN (McMahon) (14:20): My question is to the Treasurer. Is it the case that the Treasurer's electorate of North Sydney has one of the highest bulk-billing rates in Australia?

Mr HOCKEY (North Sydney—The Treasurer) (14:21): The national rate is 82.9 per cent. At various times, North Sydney has been quite high. It is not high at the moment. I will tell you why.
Opposition members interjecting—

The SPEAKER: You have asked the question.

Mr HOCKEY: Why is that funny?

Ms Kate Ellis interjecting—

The SPEAKER: The member for Adelaide. There will be silence on my left. The Treasurer has the call.

Mr HOCKEY: You know, once upon a time the Labor Party wanted to introduce a copayment for Medicare. Once upon a time, the Labor Party had some principles. But the Labor Party does not have any principles because they have a leader who is entirely inconsistent. What we have inherited is a Medicare system—

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga.

Mr HOCKEY: that is growing at 6.1 per cent per annum. The Labor Party left us with an economic and fiscal mess. They left us with a mess, and the Labor Party does not want to do anything that will help us to fix the mess they created. There is no evidence greater than that provided by the Shadow Treasurer today.

Mr Burke: I raise a point of order, Madam Speaker.

The SPEAKER: Has the Treasurer finished his answer?

Mr HOCKEY: No.

The SPEAKER: The Manager of Opposition Business.

Mr Burke: It is on direct relevance, Madam Speaker: questions do not come more specific than that one.

The SPEAKER: I give the call to the honourable the Treasurer, and he will be mindful of the question.

Mr HOCKEY: That is right: there is no better evidence than that given by the shadow Treasurer today. He said: 'You can fix the budget if you just accept our $21 billion of savings.' Well, their $21 billion of savings includes the reintroduction of the carbon tax. That is part of their $21 billion in savings. And their $21 billion of savings includes an estimated $3.3 billion from a mining tax that raises no money.

Ms Macklin interjecting—

The SPEAKER: The member for Jagajaga will desist or leave, one or the other!

Mr HOCKEY: All the other things that make up the rest of the $21 billion of so-called savings that Labor is proposing to fix the mess that they created include tax increases that the Treasury themselves said were undeliverable. Why? Because they were designed and drafted in the member for Lilley's office before the last budget and they in fact cannot raise a dime. So, true to form, the Labor Party says it has all the solutions, but, true to form, it has no solutions. It only creates problems and expects everyone else to fix them.

I say to the Leader of the Opposition: the coalition is up for fixing the budget, the coalition is up for fixing the economy and the coalition is up for fixing the mess that Labor created.

The SPEAKER: I call the honourable member for Berowra.
Mr Bowen: Madam Speaker—

The SPEAKER: I have called the honourable member for Berowra—you were not quick enough. The member for Berowra has the call.

National Security

Mr RUDDOCK (Berowra—Chief Government Whip) (14:24): My question is addressed to the Minister for Foreign Affairs. Will the minister advise the House of the action the government is taking to ensure that we have a strategic and coordinated approach to combating the threat of terrorism at home and abroad?

Ms JULIE BISHOP (Curtin—Minister for Foreign Affairs) (14:24): The world is now facing a new terrorist threat, and I thank the member for Berowra for his question. He well knows the heightened security risk that this country is facing through the rise of an extreme ideology that inspires its followers to engage in barbarism and brutal acts that are designed to shock and terrify. Who can forget the appalling image of a young Australian boy holding the severed head of what is said to be a Syrian soldier, or the images of the beheading of American journalist James Foley?

ISIL, or Islamic State, is bringing a reign of terror to Syria and northern Iraq as it seeks to exterminate its opponents—that is, anyone who will not willingly submit to its ideals. But this is not an isolated issue for Syria and Iraq, because this is a threat that has implications for all nations. Indeed, thousands of potential terrorists from a dozen countries or more are leaving our region, the Middle East, Europe, the United States and elsewhere to join the conflict. They are becoming radicalised and skilled in terrorist activities and are gaining the experience that we fear they will bring home to their own countries. Shockingly, Australian nationals are figuring prominently in the ranks of ISIL. About 60, as the Prime Minister said, are currently fighting in the conflict; about 100 more, we believe, are providing support, including finance.

The government has demonstrated firm and decisive leadership. ISIL or any iteration is listed as a terrorist organisation. Being involved with ISIL can bring prosecution and offences with penalties of up to 25 years. I am cancelling passports for or not providing passports to those who have received an adverse security assessment. We are talking to our counterparts in the region. This morning, I spoke to Secretary of State John Kerry about a plan that Australia and the United States have to bring this issue to the United Nations during the General Assembly leaders' week in September. We have issued a travel advisory at the highest possible level. If you are in Iraq or Syria, leave. If you are planning to go, don't. We have also introduced legislation to enhance our capabilities to deal with this terrorist threat. We have also announced a package of some $630 million to increase our counterterrorism capabilities.

This is the highest national security risk that we face and we will not rest until we are sure that the Australian people are safe and secure from it.

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:27): on indulgence—Very briefly, I wish to say that the opposition shares the concerns of the government relating to violence against ethnic and religious minorities in Syria and Iraq.

Budget

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (14:28): My question is to the Treasurer. In relation to the government's GP tax, are people in a position now where they
are not prepared to give up a couple of cups of coffee in order to take a sick child to the doctor?

Mr HOCKEY (North Sydney—The Treasurer) (14:28): For a start, the honourable member for Sydney is getting it wrong. It is a payment for a service. It is the very same payment for a service in relation to GPs—

Opposition members interjecting—

The SPEAKER: There will be silence on my left! The opposition has asked its question and it will listen to the answer.

Mr HOCKEY: It is the very same payment for service that the Labor Party actually advocated for and voted for and legislated in this place when the Labor Party actually had principles—when the Labor Party believed in the things that matter. I think Paul Keating said—absolutely right—in relation to the co-payment on the PBS: 'If we want to maintain the quality of service of the PBS, if we want the Pharmaceutical Benefits Scheme to be sustainable into the future, we need to make contributions now.' I say to the Labor Party and the Australian people: if we want Medicare to deliver all that we expect into the future, we need to make a contribution now. We need to make a contribution now to ensure that the system is sustainable in the future. And why? Because the Labor Party left a legacy of debt and deficit as far as the eye could see. And of course someone has to fix the mess, and we are determined to do it. We will not engage in intergenerational theft when it comes to the treatment of the budget.

Ms Owens interjecting—

The SPEAKER: The member for Parramatta is warned.

Mr HOCKEY: We will not allow a billion dollars of interest per month to have to be paid now in order to address the legacy of debt left by Labor. We will not allow it to grow to $3 billion a month in interest in 10 years as a result of the reckless spending initiatives of the Labor Party. We will not burden every single Australian in 10 years time with a debt of $25,000 per person if Labor's spending initiatives remain unchecked. We are determined to fix the budget. We are asking Australians to make a contribution along the way. If we make a contribution now then the pain in the future associated with fixing the mess will be less. But, if we do not take action now, the pain in the future for everyday Australians will be far greater.

Iraq

Mr BANDT (Melbourne) (14:31): My question is for the Prime Minister. Prime Minister, are you already engaged in mission creep with talks underway for Australian forces to fight in Iraq? If you cannot rule this out, will you at least bring the matter here for debate, and will you allow a vote on my bill to require parliamentary approval before troops are deployed?

Mr ABBOTT (Warringah—Prime Minister) (14:31): I thank the member for Melbourne for his question. It is a very serious matter and it deserves to be taken seriously by the House. Certainly I take it seriously and the government takes it seriously.

Australian forces have already been deployed, as the Leader of the Opposition and I have acknowledged, as part of the humanitarian relief efforts in northern Iraq, and they stand ready to engage in further humanitarian relief work in northern Iraq. As you know, President
Obama, witnessing the atrocities unfolding before our eyes, witnessing what he called a ‘potential genocide’ of the Yazidi people and others in northern Iraq, has deployed United States forces. Thanks to the air strikes carried out by United States forces, the ISIL advance has for the moment been halted and the siege of Mount Sinjar was lifted. I think the world should be grateful to President Obama for effectively deploying United States forces for this essentially humanitarian purpose.

Australia is a very close and very supportive partner of the United States, as are other countries such as the United Kingdom, France and Canada. Talks are going on between the United States and its close partners on what can best be done to continue to relieve the humanitarian situation in northern Iraq.

I assure the member that this government will not commit forces without the fullest possible consideration, without the consideration of cabinet, without consultation with the opposition. That is the way it always has been and that is the way it always will be.

DISTINGUISHED VISITORS

The SPEAKER (14:33): I draw to the attention of honourable members the presence in the gallery of the Honourable Sato Kilman Livtuvanu, the Minister for Foreign Affairs, International Cooperation and External Trade from the Republic of Vanuatu. We also have with us the Honourable Sir Alan Haselhurst MP from the United Kingdom. We also have with us Mr Stuart Henry, the former federal member for Hasluck.

On behalf of all members, I wish you all a warm welcome to Australia and, in particular, to the House of Representatives.

Honourable members: Hear, Hear!

QUESTIONS WITHOUT NOTICE

Asylum Seekers

Mr HAWKE (Mitchell) (14:34): My question is to the Minister for Immigration and Border Protection. Will the minister update the House on the humanitarian dividends of the government’s successful border protection policies? What steps is the government taking to further strengthen our borders to deal with terrorist threats?

Mr MORRISON (Cook—Minister for Immigration and Border Protection) (14:34): I thank the member for Mitchell for his question and congratulate him and Amelia on the birth of Jack Alexander Hawke. We know that the coalition’s successful border protection policies are getting serious dividends for this country. One of those is obviously one I am sure all members of this House would welcome, and that is that there have been no deaths at sea since the introduction of the turn-back policy of this government. Furthermore, there has been the consequence of children now getting out of detention centres and continuing to get out of detention centres.

I can tell you that over the course of the previous government there were 8,469 children who arrived on boats to Australia. Under this government there have been 353, and in our view that is 353 too many. Over the course of less than a year, the number of children in held detention has fallen by more than 40 per cent. That is right across the board at offshore centres like Christmas Island and at mainland centres. There are 565 fewer children in detention today than there were at the time of the last election.
The other thing that stopping the boats is achieving is enabling us to free up the refugee and humanitarian program. This year there will be 5,000 places in the special humanitarian program. In Labor's last year there were 500. That means there are 4½ thousand additional places in our special humanitarian program this year as a result of one thing, and that is stopping the boats. That is the dividend it is producing.

The entire program has enabled us to allocate in this year 4,400 places to those who are affected by the terrible events in Iraq and in Syria. Those numbers deal not just with those most recently affected but with those whose applications have been waiting in line for some time because this conflict, as deadly and as disastrous as it is, particularly in Syria, has been going on for some time. So it is a good thing that by stopping the boats we can have this humanitarian dividend.

The arm of humanitarianism in relation to this conflict needs to go further in relation to how we deal with the conflict from a national security point of view. The Prime Minister and the Minister for Foreign Affairs have outlined measures that we are taking to deal with the terrorist threat here in Australia where the deadly consequences of that conflict there could potentially be felt here. That is why, as part of that package, $150 million has been put into making our borders stronger with special e-gates, with special measures and with additional resources to make sure that our borders are stronger. This will ensure that Australian people can know that their borders are secure under this government.

Budget

Mr BOWEN (McMahon) (14:37): Madam Speaker, my question is to the Treasurer. Treasurer, is the GP co-payment a tax by any other name?

The SPEAKER: That is a very strange question.

Honourable members interjecting—

The SPEAKER: The question has been asked. There will be silence so that we can hear the answer.

Mr HOCKEY (North Sydney—The Treasurer) (14:37): We are asking Australians to pay $7 when they visit a GP. That goes to the GP. The bottom line is that it is a payment for service. From our perspective, if we want to make sure that Medicare is sustainable into the future, we are asking Australians to make a contribution along the way. I think this is an important principle. And don't just ask me; ask the shadow assistant Treasurer over there. He thinks it is an important principle. Come on give him a break. I am promoting his book again!

Mr Burke: Madam Speaker, I rise on a point of order on direct relevance. If it helps, on 13 May on 7.30, the Treasurer did agree—

The SPEAKER: The member will resume his seat. As well as being a strange question, it is also very broad. The Treasurer has the call.

Mr HOCKEY: The member for Fraser said:

But there's a better way of operating a health system, and the change should hardly hurt at all. As economists have shown, the ideal model involves a small co-payment—not enough to put a dent in your weekly budget, but enough to make you think twice before you call the [doctor]. And the idea is hardly radical.
Well, the honourable member for Fraser is right: the idea is hardly radical because the Labor Party came up with the idea—it is hardly radical. In fact, the honourable member for Jagajaga—

Ms Macklin: Don't go there!
Mr HOCKEY: I am giving you a plug as well!
Ms Macklin: Don't go there!
Mr HOCKEY: Okay, I won't. The honourable member for Jagajaga, who was there at the time—

Ms Butler interjecting—
The SPEAKER: The member for Griffith will desist.
Ms Butler interjecting—
The SPEAKER: The member for Griffith is warned!
Mr HOCKEY: How about that? Can I go that far? She was witness to the birth of Labor's commitment to a Medicare co-payment. She was there in the birthing room. Can I go that far? She was there in the birthing room, but of course there is no prouder dad than the member for Fraser. And, of course, the bottom line is that if we want to make our health and welfare system sustainable and if we want to make our education system sustainable, we have to ask Australians to make a contribution along the way. Because if we want the same level of service in the future—in fact, if we aspire to have a better level of service in the future—then we have to make it pay along the way.

Ms King interjecting—
The SPEAKER: The member for Ballarat will desist.
Mr HOCKEY: This is the problem with Labor. They have never accepted that you have to live within your means. They have never accepted that because they have never done it. They do not accept the principle because they have never done it. Even on their budget rhetoric at the moment they are completely confused.

Opposition members interjecting—
Mr HOCKEY: The Labor Party say, 'Take the savings'. The Labor Party say, 'Here are our $21 billion of savings', but the Labor Party are voting against their own their own—

Opposition members interjecting—
The SPEAKER: The cacophony on my left—
Mr HOCKEY: Confected laughter—
The SPEAKER: The Treasurer will resume his seat. Has the Treasurer concluded his answer? Well, in that case—

Honourable members interjecting—
An incident having occurred in the gallery—
The SPEAKER: The Treasurer has the call.
Honourable members interjecting—
Mr HOCKEY: Don't encourage him.
The SPEAKER: Due to the interruption in the gallery, I will give the Treasurer a little more time.

Mr HOCKEY: The bottom line is we are being true to our word. We are asking the Australian people to live within their means. We are asking the government to live within its means and that consistent principle will prevail.

Economy

Ms HENDERSON (Corangamite) (14:42): Madam Speaker, my question is to the Treasurer. Will the Treasurer update the House on the state of the economy? How will building a strong economy help small businesses and constituents in my electorate of Corangamite?

Opposition members interjecting—

Ms Owens interjecting—

The SPEAKER: Before I give the call to the Treasurer, there will be silence on my left! I would remind the member for Parramatta that she has been warned. One more utterance and she may leave.

Mr HOCKEY (North Sydney—The Treasurer) (14:43): I thank the honourable member for Corangamite for her question. We have to ensure that Australians hear the truth about the state of the economy today. Yesterday, the Leader of the Opposition said that consumer confidence and business confidence in the high streets of Australia have collapsed. He could not have been more wrong. And he could not have been more wrong because of the facts. The NAB business confidence index rose nearly eight points in July—the second highest rating in four years. The NAB business conditions survey is also at a 4½-year high.

Dr Chalmers interjecting—

The SPEAKER: The member for Rankin will desist.

Mr HOCKEY: The ANZ-Roy Morgan Consumer Confidence data—

Mr Bowen interjecting—

The SPEAKER: The member for McMahon.

Mr HOCKEY: released today shows consumer confidence above its long-term average. In fact, it increased 0.9 per cent in the last week alone. The improvement was driven almost entirely by an 11.1 per cent increase in household perceptions about their financial situation compared to one year ago. So there you have it: the Leader of the Opposition's line yesterday about business confidence and consumer confidence is just dead wrong. But lending has returned to levels last seen prior to the global financial crisis. Total new lending commitments rose 7.6 per cent in June to a 6½-year high of $73 billion.

It all comes down to jobs. Jobs are what are driving our aspirations in the budget. We want to see more Australians in work and in better paid work. That is the focus of our budget. That is the focus of what we are doing in the economy. I can report to the honourable member for Corangamite that job growth in Australia each and every month this year has been three times what it was each and every month last year under Labor. Fifteen thousand new jobs are being created every month in Australia this year and it was around 5,000 jobs per month under Labor last year. But I want to emphasise that there is still much work to be done.
The unemployment rate of 6.4 per cent is too high and that is why we are rolling out of the biggest infrastructure program in Australian history in our budget. There will be cranes over our cities. There will be cranes across the country. We are rolling it out because we want to build the infrastructure of the 21st century and we want to create a great environment where business can go out and employ more Australians.

**Budget**

**Ms KING** (Ballarat) (14:46): My question is to the Treasurer. Is it the case that one of the things that quite astounds the Treasurer is that some people are screaming about the $7 co-payment? Does the Treasurer agree that you can spend just over $3 on a middy of beer, so that is two middies of beer to go to the doctor?

**Mr HOCKEY** (North Sydney—The Treasurer) (14:46): What astounds me is that the Labor Party are in denial about the state of the budget. That astounds me. And it astounds me that the Labor Party are in denial about debt. If 'She'll be all right, mate' is the policy of the Labor Party, it is going to end up in $25,000 of debt for every man, woman and child in Australia in 10 years time. That is unfair—to give every Australian in 10 years time a legacy of $25,000 of debt if there is no policy change now. That is unfair.

**Ms Butler interjecting—**

**The SPEAKER:** The member for Griffith has been warned and will remove herself under 94(a).

**Ms Butler interjecting—**

**The SPEAKER:** The member for Griffith then left the chamber.

**Mr HOCKEY:** But the Labor Party do not care. They are happy to see our children pay for our standard of life now. Well, that is unacceptable to the coalition. We will not pass the debt burden on to the next generation of Australians. We are going to deal with it now and it must be dealt with now otherwise the challenge gets greater and greater—the debt goes up to $667 billion and that is based on the assumption that we do not have over the next decade any severe economic downturns, and based on the assumption that we will have another 10 years of continuous economic growth. We have already had over 22 years of continuous economic growth, one of the longest periods of economic growth in world history in recent times. Very few countries can boast of a period of growth. The reason why we have had that period of growth is that previous governments undertook the reforms to ensure that the economy got stronger and that budgets were sustainable—and they were Labor governments and they were coalition governments. But the last six years of Labor defined recklessness. The last six years of Labor was the most cowardly government Australia has seen in more than a generation. Why so? Because they failed to deliver on their words and the Labor Party failed to prepare Australia for the challenges of the future.

**Ms King interjecting—**

**The SPEAKER:** The member for Ballarat will desist.

**Mr HOCKEY:** We will not give away our future. We will not give away the future of the nation. We will not hand it to the people that we borrow money from. We want to control our destiny and the best way to control our destiny is to ensure that we do not owe people too much money, that we do not owe the bankers of the world too much money. You have to live within your means. If you have financial freedom, if you have economic freedom, you see
jobs created and you see prosperity created. That is exactly what this government is trying to achieve.

**Mining**

Mr IRONS (Swan) (14:50): My question is to the Treasurer. Will the Treasurer update the House on collections of the mining tax so far? How will getting rid of the mining tax boost the economy and boost the budget?

Mr HOCKEY (North Sydney—The Treasurer) (14:50): I thank the honourable member for the question and note that he wants to get rid of the mining tax. In fact, everyone on this side of the House wants to get rid of the mining tax, but it is the Labor Party that wants to keep the mining tax. Now, it is not everyone in the Labor Party who wants to keep the mining tax—I was being a little tough on the member for Perth. I was being a little tough on her because we know she wants to get rid of the mining tax. And we know that Senator Bishop, that is the Labor Senator Bishop in the Senate, wants to get rid of the mining tax. And we know from a sovereign risk perspective, they want to get rid of the mining tax—every investor wants to get rid of the mining tax.

The mining tax is a complete failure. The mining tax was meant to raise $12 billion. But I can proudly report to this parliament that in the last three months the mining tax raised $600,000. I wonder who the poor sucker was who actually paid that $600,000 in mining tax? I doubt it was BHP. I doubt it was Rio. That $600,000 is one per cent of what the Labor Party expected the tax would raise in its last budget.

I saw that the member for Lilley has penned a book. He said he was incredibly proud of that budget, proud of a budget where the mining tax raised just one per cent.

I can only leave it to Martin Ferguson, the former member for Batman, who said in relation to the mining tax, '… we created mess.' The Labor Party created the mess. The problem is that the modern Labor Party wants to keep the mess. That is the problem. They have allocated $17 billion of expenditure against a tax that raises no money. Then they have shock, absolute shock, when they see the budget in deficit, because, 'How does that add up? We are spending $17 billion against a tax that raises no money and we are now surprised that there is a deficit!'

It is basic: if you do not have the revenue to pay the bills you are going to be in deficit. The bottom line is that you cannot keep increasing the debt, because sooner or later you are going to have to pay it back.

**Budget**

Ms MACKLIN (Jagajaga) (14:53): My question is to the Treasurer. Has the government decided whether it will legislate changes to age pension indexation before the next election, or is it actually the case that this legislation has already passed the House of Representatives?

Mr HOCKEY (North Sydney—The Treasurer) (14:53): The matter is before the Senate—

Opposition members interjecting—

Mr HOCKEY: and it does not take effect until after the next election.

Opposition members interjecting—

The SPEAKER: There will be silence on my left! The question has been asked and we will listen to the answer. The Treasurer has the call.
Mr HOCKEY: It is funny that, isn't it? It is really quite interesting: the Labor Party feigns this sort of outrage. I do not think there is a single event that better summarises the Labor Party than the fact that they stood up here and promised surpluses that were never delivered. They even claimed that they had delivered surpluses. Of course, the member for Lilley was the one who was incredibly proud of a budget that delivered ongoing deficits as far as the eye could see.

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

Ms Macklin: My point of order is on relevance. It was the Treasurer that said, 'We haven't said that, so you shouldn't assume it.'

The SPEAKER: Resume your seat! The Treasurer has the call. The Treasurer has completed his answer.

Budget

Mrs PRENTICE (Ryan) (14:54): My question is to the Minister for Education. Will the minister please outline how the government's higher education reforms will impact on university students? Minister, why are these reforms important to help repair the economy and create a strong Australia in uncertain times?

Mr PYNE (Sturt—Leader of the House and Minister for Education) (14:55): I thank the member for Ryan for her question. She will be pleased to know that the government's higher education reforms are necessary to enable our universities to reach their full potential and compete with our Asian competitors. The recent Shanghai Jiao Tong index, which was released in the last two weeks, shows eight Australian universities in the top 200—the G8 universities. But it also shows six Chinese universities in the top 200, when five years ago there were no Chinese universities in the top 200. It exposes the fact that reform is vitally necessary if our universities are going to be able to compete with their Asian competitors.

The second aspect of the reforms are to spread opportunity by having the largest Commonwealth scholarships fund in Australian history; by allowing the demand-driven system to be expanded to students doing diplomas—typically, low-SES students and first generation university goers; and by expanding the Commonwealth Grant Scheme to non-university higher education providers—all expanding opportunity, all things that I would have thought the Labor Party would support.

We are asking students to lift their contribution to the cost of their education from the current 40 per cent to 50 per cent. That is all we are asking: to lift their current contribution from 40 per cent of the cost of their education to 50 per cent of the cost of their education, so that taxpayers are not paying the current 60 per cent, knowing that university students will go on to earn 75 per cent more on average than people without a university degree. The HECS-HELP scheme is available to every one of those students, which means that none of them will pay it up-front. That is not an insufferable debt burden; that is the best loan an Australian will ever get.

To respond to the second part of the member for Ryan's question, the reforms will also build a strong economy by helping to salvage our third-largest export industry. After iron ore and coal, education is our third-largest export. It recently surpassed gold. If we do not protect the international student market we will lose that $15-billion-a-year industry—already
reduced from $19 billion to $15 billion by Labor. We need to repair it, salvage it and grow it. We need to match the skills of the graduates to the skills needed in the workforce, and we need to promote research that can be commercialised by giving more revenue to universities. The G8 universities and Warren Bebbington get this. They are putting out statements, they are visiting the parliament, urging the passage of the reform bill. I would ask the crossbenchers, Labor and the Greens to listen to them.

**Budget**

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (14:58): My question is to the Treasurer. Is it really the case that the poorest people either do not have cars or actually do not drive very far in many cases?

Mr HOCKEY (North Sydney—The Treasurer) (14:58): I dealt with that last week.

*Opposition members interjecting—*

The SPEAKER: There will be silence!

Mr HOCKEY: The reason we are putting in place and we want to put in place a policy that asks Australians to contribute one cent more for petrol is because we need to build the roads that make life easier for Australians. We need to build the infrastructure that helps to make the economy stronger. We are asking Australians to pay 40c a week in order to help us build the roads that are going to make the economy stronger—40c a week. I do not think that is—

The SPEAKER: The member for Charlton on a point of order?

Mr Conroy: On relevance, Madam Speaker. Is it fair that everyone is against the Treasurer?

The SPEAKER: The member for Charlton will remove himself under standing order 94(a).

The member for Charlton then left the chamber.

Mr HOCKEY: Forty cents a week. The reason why we want to build this infrastructure is because there has been a very significant shift in the Australian economy. Mining and resources have helped to drive the strength of the Australian economy over the last decade. There is no doubt about that. That mining and resources activity, primarily in construction, is coming off in intensity and now we need to build up the other 90 per cent of the Australian economy that is not directly in mining and resources. That includes health and education and financial services, agricultural services, industry more generally, telecommunications and IT. We need to fill the infrastructure that is going to help to drive the remainder of the Australian economy, the great bulk of employment. Because, if we do not spend this money now on the infrastructure of the 21st century, unemployment will rise and our quality of life will deteriorate. The Labor Party does not get that, otherwise they would be dealing in reality rather than in the fantasy that somehow 'she'll be right'. 'She'll be right' is not a policy prescription for Australia's future. 'She'll be right' is not a policy for a political party. We have to earn our growth. We have to earn the jobs of the future. The only way to be able to do that is to pay along the way, to contribute along the way. That is the only way we are able to deal with the challenges—
Mr Shorten: Madam Speaker, I rise on a point of order. I have waited patiently. I just want to know one thing, Treasurer: do poor people have cars and do they drive them, and do you know what you are talking about?

Infrastructure

Mr WILLIAMS (Hindmarsh) (15:02): My question is to the Assistant Minister for Infrastructure and Regional Development. Will the minister update the House on the status of the north-south corridor in Adelaide? How will this vital piece of infrastructure boost jobs and slash travel times for people in my community as well as the rest of South Australia?

Mr BRIGGS (Mayo—Assistant Minister for Infrastructure and Regional Development) (15:02): I thank the member for Hindmarsh for his question. Last Friday, he, along with the infrastructure Prime Minister and the Treasurer of South Australia, the Honourable Tom Koutsantonis, turned the first sod on the Torrens to Torrens project, which of course confirms yet again that this government has delivered upon the billion-dollar commitment to both the Torrens to Torrens project in the member for Hindmarsh's electorate and the Darlington project in the member for Boothby's electorate, which will begin very shortly. I commend the South Australian government for the work that it is doing to deliver these projects in conjunction with the federal government.

As the Treasurer said, we are committed to ensuring there are jobs created through our infrastructure investment. As the mining investment phase comes off, we are investing heavily in infrastructure—a $50 billion budget commitment to the infrastructure of the 21st century. We are building projects across the country: the East West Link in Victoria; the WestConnex project in Sydney; the NorthConnex project in Sydney; we are building the Toowoomba Second Range project for the Minister for Industry to ensure that that part of Queensland can take advantage of the mining boom as well; and in Perth we are delivering the Perth Freight Link, which will deliver thousands of jobs and a more efficient and more productive freight route in Perth to take advantage of that great state even further. Our Infrastructure Investment Program is targeting productive infrastructure. We are looking at creating jobs, we are getting on with delivering these projects as quickly as we can, and state governments should be commended for the work that they are doing with this government to ensure that that is the case.

In the nearly 12 months we have been in government, we have been working to ensure that we would have a pipeline of investment that did not exist previously and ensure that we have projects actually happening and not just talked about. We have reformed Infrastructure Australia to take the political element out of Infrastructure Australia, because the states would not work with Infrastructure Australia because it had been politicised utterly. That is what every state government's feedback was. We are working to reform the institutions. And we have had a Productivity Commission report into public infrastructure which says that we are going to ensure that we have infrastructure projects delivered cheaper and more effectively in the future. The Productivity Commission report into public infrastructure pointed to the NBN as the worst project ever in Australia's history—that it had been misused for political purposes, and the member for Grayndler takes responsibility for that, of course. This is a government that is getting on with the job, not just on the Torrens to Torrens but right around the country, led by an infrastructure Prime Minister delivering a stronger economy for Australia.
Fuel Excise

Mr Husic (Chifley) (15:05): My question is to the Treasurer. Is it the case that his fuel tax is a progressive tax? I could not find it in here; they bought them all to stop us from reading them!

The Speaker: I call the Honourable the Treasurer, and I would advise the member for Chifley.

Mr Hockey (North Sydney—The Treasurer) (15:05): I understand it is selling quite well, and I am betting it is going to sell better than the member for McMahon's book as well.

Carbon Pricing

Dr Gillespie (Lyne) (15:06): My question is to the Minister for the Environment. What savings have been passed on to families and businesses since the government scrapped the world's biggest carbon tax? Are there any plans to take away any of those savings?

Mr Hunt (Flinders—Minister for the Environment) (15:06): I particularly thank the member for Lyne, who is not just a successful GP and not just a successful Pollie Pedaller but, more than anything else, he is a successful representative of the families and pensioners of Lyne, because he voted to repeal the carbon tax and bring benefits to families. And, guess what, those benefits are already flowing to families. We said that there would be electricity savings of, on average, nine per cent and gas savings of, on average, seven per cent. Somebody doubted that this would actually happen. Let me take the House to ABC AM on the morning of the carbon tax repeal, 17 July 2014. The interviewer says, 'But Labor predicts the savings will not match the government's expectations,' and then somebody else says, 'Well, do Australians really believe they are going to see back all the money which Tony Abbott alleges the carbon price cost them?' That somebody was the Leader of the Opposition. And the answer is yes—because those savings are already flowing.

Since the carbon tax repeal, there have been over 100 determinations of price reductions by different firms, in different states, for gas and electricity. Let me give some examples. In the member's own state of New South Wales, residential customers with Energy Australia are going to receive an 8.9 per cent price reduction in their electricity bills because of the repeal of the carbon tax. If they are with Simply Energy, they are going to receive a 10 per cent reduction.

Opposition members interjecting—

Mr Hunt: I heard a question from one of the galahs up there about Queensland. If they are with Simply Energy, it is a nine per cent residential production. If they are with Ergon Energy it is a 9.4 per cent reduction—

The Speaker: I would ask the minister to refer to members by their correct titles. He will withdraw the term he used.

Mr Hunt: I am happy to withdraw any avian references, Madam Speaker, and I apologise for that.

Mr Burke interjecting—

Mr Hunt: I am still waiting for a question on the environment from you. I have not had one question on dugongs, not one question on turtles—not one question on the environment
from you guys. And you are the Manager of Opposition Business who used to be the environment minister. Come on, give us just one question!

Ms Ryan interjecting—

The SPEAKER: The member for Lalor will remove herself if she is not quiet! She is not entitled to speak from that seat.

Mr HUNT: Let me make this point: in Queensland, where the question came from, for ERM Power there will be a 9.1 per cent electricity price decrease and for Energy Australia there will be a 9.1 per cent electricity price decrease. But there is somebody who wants to bring back the carbon tax, and that is the Leader of the Opposition. So every one of those decreases in electricity prices is about to go up if 'Electricity Bill' has his way. Don't trust Bill!

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

DOCUMENTS

Presentation

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:10): Documents are presented as listed in the schedule circulated to honourable members. Details of the documents will be recorded in the Votes and Proceedings.

COMMITTEES

Social Policy and Legal Affairs Committee

Membership

The SPEAKER (15:10): I have received advice from the Chief Opposition Whip nominating a member to be a supplementary member of the Standing Committee on Social Policy and Legal Affairs for the purpose of the committee's inquiry into the Child Support program.

Mr PYNE (Sturt—Leader of the House and Minister for Education) (15:11): by leave—I move:

That Mr Palmer be appointed a supplementary member of the Standing Committee on Social Policy and Legal Affairs for the purpose of the committee’s inquiry into the Child Support Program.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Budget

The SPEAKER (15:11): I have received a letter from the honourable Leader of the Opposition proposing that a definite matter of public importance be submitted to the House for discussion, namely:

The Government’s failure to listen to the Australian people on its unfair Budget.

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

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

Mr SHORTEN (Maribyrnong—Leader of the Opposition) (15:11): Before the last federal election, when he was opposition leader, the Prime Minister campaigned on trust, on honesty, on keeping promises. He famously said: 'The government has no mandate. There should be no
tax collection without an election.' Now we have the pot calling the kettle black. Now that he is in government, he believes in taxation without elections. Five weeks ago, I and Labor challenged the Prime Minister and his merry band of gaffsters to go out and listen to the voices of the mighty Australian people. The last five weeks have shown time and time again that there is no mandate for this government's budget because it is built on lies, lies and more lies. This government has the exact opposite of a mandate for its budget: its budget is illegitimate. This is a government trapped in its budget, and this is a nation's budget trapped by this government.

We asked the Leader of the Government and his team to go and talk to families about the $6,000 they are losing and to talk to pensioners about the $4,000 they are losing. We asked them to talk to the motorists, who are paying more—even some of those poor motorists! We asked them to talk to the students and teachers, who are losing $30 billion. We asked them to talk to the GPs collecting the GP tax from aged care and palliative care facilities. We asked them to talk to university students about the doubling and tripling of university fees. We asked them whether they could find some carers to talk about cutting payments. And what about unemployed people under the age of 30? They will have no income for six months. For Indigenous Australians, half a billion will be cut from programs.

The government have had five weeks to change their mind but, in the last five weeks, all they have done is change their tactics. They have had five weeks to listen to people and dump their dishonest, rotten and unfair budget. This is an incompetent government led by an incompetent Prime Minister and an incompetent Treasurer. I am sure, in quiet moments of reflection, that government members wonder, 'Is it possible; can we get a new Treasurer?' Every day there is new disaster for this government.

Let me remind the Australian people about the accomplishments of this government in the last five weeks. We have Mr Right for being a bigot, the Attorney-General himself. He went out to defend watering down the anti-hate laws less than 24 hours before he dumped on himself. Then he followed up with that interview on metadata—surely one of the most bizarre and awkward pieces of television since the John Hewson cake interview. And of course, Senator Abetz, Leader of the Government in the Senate, did not like the attention his deputy was getting, so he decided, in an act of political bravery, to go onto The Project, a show I am not sure he had never watched, to re-investigate the latest in 1950s medical science. And of course we have the Monday, Wednesday, Friday budget emergency, interspersed by the Tuesday and Thursday not such an emergency. There is no doubt the star of this government's sitcom over the last five weeks is no other than 'No average Joe'. He is an albatross around the neck of this government but the Prime Minister must keep the Treasurer because it is very careless for our Prime Minister to lose a Treasurer. Once you lose your Treasurer, you have no-one else to blame but yourself.

I did certainly enjoy the book reviews. In his most famous book, in his must-buy book—according to him—the Treasurer stated, 'I was a little too soft in my budget'. What planet does this Treasurer live on? What I really admire is the marvellous Hamletesque Shakespearean quality of our Treasurer, who says, 'Woe unto me. Why is it that everyone is against me—my backbench, the commentators, the people, Peter Costello? What an ungrateful ex-Treasurer he is.'
The real problem with this unfair budget is that this government does not know where it is going or what it is doing. It has relied on lies. This is a bits and pieces budget, devoid of very much other than a ruthless, right-wing ideology. But today, just when I thought this government could do nothing else to surprise me, it declared war on the War Memorial. It is the 100th anniversary of the start of World War I—

Mr Whiteley interjecting—

Mr SHORTEN: Do not shake your head over there! It is your problem because he is your Treasurer. What the government have done is an utter disgrace. On the anniversary of the start of World War I, they have decided to cut the travelling exhibition because, of course, 'We will fight to the death for rolled gold paid parental leave, but we need to net the $800,000 being spent on a travelling program.' This is a great program; 3.8 million Aussies have seen this program.

Mr Whiteley interjecting—

Mr SHORTEN: I do not mind you muscling up to me; I just wish you would do it in your caucus room! Community galleries all over Australia, in towns some of the city based Liberal MPs have never heard of, are going to be disappointed by this heartless decision. What a clever government. Why would you take away from display in Perth the story about soldiers? Why did we never think of that? Why would you take away from display in Brisbane and Adelaide the story of the forgotten diggers of World War I? Of course, the brain surgeons writing the script for this sitcom government said to each other, 'Let's take away the story of the nurses going from Zululand to the modern time.'

Our veterans deserve better than this government. We deserve better than a government that will cut the funding to its own War Memorial. Where this travelling exhibition goes is a map of Australia and the government is seeking to erase it. These cuts must be reversed. I call upon those members in the government to find a little bit of spine on this question. We do not mind if you get the credit for this; reverse this decision.

The real issue, though, in the last five weeks is that the government has had the chance to demonstrate it can be trusted. The truth of the matter is that in the last 105 days Australia has learnt that you cannot trust Tony Abbott, that you cannot trust Joe Hockey and that you cannot trust this government. This government, in what can only be regarded as a feat of some remarkable foolhardiness, has said to people, 'If you don't vote for our unfair budget, we will tax you more, we will cut research more, we will punish you more.'

This government will stoop to pressuring the Australian people, saying that unless the Senate takes on our unfair budget proposition, it will go harder and worse. This Prime Minister loves to quote to us about mandate—mandate this, mandate that.' Where was the mandate for this budget? He made himself very by famous criticising the former government and saying that there was no mandate, that there should be no new taxation without an election. Well Tony Abbott, what was good for you then is good for you now. I state here clearly, loudly and unequivocally that you have no mandate for your budget, that you have no mandate for your cuts, that you have no mandate to punish pensioners, that you have no mandate to punish the schools and hospitals, that you have no mandate to hurt ordinary Australians. If you really believe in what you say, test it in an election. In the meantime, do not punish ordinary Australians because you told lies before the last election. (Time expired)
Mr McCormack: Madam Speaker, I ask you to ask the opposition leader to withdraw the term 'lies'. It is unparliamentary.

The SPEAKER: It is when it is a descriptor of a person that it is unparliamentary.

Mr McCormack (Riverina—Parliamentary Secretary to the Minister for Finance) (15:22): Thank you, Madam Speaker.

Mr Bowen interjecting—

Mr McCormack: If there were lies spoken, they were certainly spoken in the last six years of the Labor government. There were certainly a lot of lies spoken then. We just heard 10 minutes of book reviews. Mind you, on the day when the Prime Minister actually launched Paul Kelly's *Triumph and Demise: The Broken Promise of a Labor Generation* we discovered in that book how dysfunctional, how disorderly the Labor government was under the Rudd years. We heard some sitcom from the opposition leader, who, quite frankly, is not fit to lead the Labor Party. However, we heard some mirth and merriment from him. We need to be serious about this, though. We also heard some spiteful allegations about what we are doing. We are getting on with the job of fixing—

Mr Bowen interjecting—

Mr McCormack: I will come to you later! Labor are the ones who have not listened to the Australian people. They did not listen when they were voted out of office and they are not listening now.

Mr Bowen interjecting—

Mr McCormack: Yes, it was a good visit to Wagga; I hear the member for McMahon interjecting. I will go straight to your Wagga Wagga visit. In his regular Friday column, in Wagga Wagga's *The Daily Advertiser*, respected newspaperman Graham Gorrel talked of his attendance at Labor's annual Eddie Graham dinner the previous Saturday, where the guest speaker was none other than the member for McMahon.

The Hon. Edgar Hugh Graham was the Labor state member for Wagga Wagga from 1941 until his death at aged 60—far too young—in 1957. If you were not aware, he was known affectionately as the 'Minister for Wagga Wagga' for all his good work for the city. He served as agriculture minister in the New South Wales parliament for nearly 12½ years. He was a good man and a good MP. He was a Labor MP; I acknowledge that. The guest speaker, as I said, was the federal shadow Treasurer, the world's worst immigration minister, under whose watch more unauthorised arrivals came to Australia than ever before. And he is now equally as bad in his current opposition portfolio.

Mr Gorrel referred in his piece to a recent letter to *The Sydney Morning Herald* from Michael Barnacoot, who wrote: 'Labor should stop wasting its breath bagging the government and start building its own credibility by telling me how it will solve the problems of this country and give me something to vote for.' That is fair enough. He will be waiting awhile—a good, long while. Mr Gorrel added: 'One reason I went to the Graham dinner last Saturday was because Bowen was going to give us his version of what was in store for regional Australia under a Labor government.' Graham Gorrel did not think it was a good speech, Member for McMahon. He wrote: 'But we didn't get that. As for news about more dams, irrigation areas, transport systems, port developments (air and sea) and a real vision for...
regional Australia, both inland and coastal, nothing.' Gorrel wrote: 'Bowen missed his opportunity.' Let me tell you: Graham Gorrel is fairly impartial when it comes to this.

I will now talk about Sharon Gordon. She is an assistant teachers aide at Ariah Park Preschool. Her husband, Ian, is a farmhand. They have five kids, five grandkids and one on the way. They are what we call Middle Australia. Sharon wrote to me in an email:

You probably see them anyway but I just thought I would send you a copy of one of the Labor emails we receive and I’m sorry I responded but I really am getting so wild when I open them, I couldn’t help myself yesterday. We would get a new one I suppose once a week, same tone and I don’t do negativity, doesn’t matter which party.

She is fed up with Labor and fed up with getting no vision from them. She is just fed up. She is like so many people in Middle Australia. I will read her email, which was to the member for Watson, which, in part, reads:

Ms Macklin: He’s not here!

Mr McCormack: But he is listening, which is what Australia has stopped doing with you people. Now just listen and give me some respect.

I reply to you not from my position at the Ariah Park Preschool but as a voter who lives in rural NSW and has to sort through our countless emails.

We have received many of your labor emails and I am completely sick of them. If you cannot simply tell me what you are doing and accomplishing in a positive manner, without all the rubbish about the Liberal party, please cease and desist and remove our preschool from you email listing. Letters like the one below do you as a party no favors. It makes you look small, petty and childish.

She could be talking about the member for McMah, but she is talking about the entire Labor Party.

Do you not understand that this isn’t what Australians want? We want leaders, not bickering children ...

I walk out of my office every day and look over to our Central School at the $800,000 monstrosity of a library that is no bigger than a one bedroom flat and should have cost no more than $300,000 at worst and was built by NO LOCAL BUILDERS at all (except one who got to be the foreman) and I think to myself, you have no right to talk about another party doing a bad job because sunshine, we’re in this mess because of all the money you wasted.

Anyway, I would appreciate it if you would either send us productive and informative emails or remove us from your list.

Sharon Gordon is like many annoyed voters right throughout Middle Australia.

Today the Prime Minister said that this is a building and a saving budget. He is right of course. We heard the Treasurer in question time say that it is a budget about living within our means. Labor left us with a huge mess. Labor inherited the best set of figures when it took office in 2007 and it left us with the worst economic mess when it was voted out, kicked out,
punted on 7 September 2013. We heard the Treasurer today talk—not just going to Wagga Wagga and talking about nothing—and spruik about jobs growth three times that which Labor achieved in its last 12 months. 15,000 new jobs, each and every month this year. That is getting on with the job of fixing the debt and deficit and economic malaise that Labor left not us as a government but us as a nation with.

We have a plan for getting the nation's finances back on track. We did not create the problem, but we were elected to fix it. We heard the opposition leader suggest that we have no mandate. Let me remind him that we do, because we were elected on 7 September last year to govern this country. We were elected to fix the mess—the six years of economic discrepancies, the economic mess and the economic malaise that Labor left us and our nation with.

We could squib out of it, but we are not going to. The budget does contain some tough measures. It has had to. You do not get in the sort of debt problem that we are in without then having to make some tough calls to fix it. We understand that Australians are doing it tough in many places, but there is nothing fair about forcing future generations to pay for the debt and deficit legacy that Labor left us with. That is why we are talking in detail with senators, to get Labor's mess cleaned up. When they came to office, as I say, Labor inherited a surplus of $20 billion, with no net debt and $45 billion in the bank. And they wasted it. There were so many portfolio areas, not least of which was immigration under the worst immigration minister in history, the member for McMahon, who is sitting opposite.

But we have a plan to get Australia working because the best form of welfare is a job. We want Australians to be working if they can, preferably for a wage and not for the dole, and that is why we are reinvigorating work for the dole. I want to commend the good work being done in this area by the Assistant Minister for Employment, the member for Cowper, in this particular area. It is important work that we have underway through 18 pilot areas which are providing valuable lessons to get the national roll out of the program from 1 July 2015. It is happening; it is underway thanks to the good work by the member for Cowper. The 18 selected locations have high unemployment, a soft labour market and clear opportunities to address local needs.

We all know that politics is all about local and we all need to understand that when we go into our local areas and listen to people. We on this side are listening to people. We listen to them each and every day. We are out in shopping centres, at sporting venues and those sorts of places listening. People are telling us that they appreciate that it is tough but they realise, they acknowledge, they know that we have got the mandate to get the job done and they have every confidence in us.

We heard from the Treasurer in question time today talk about the biggest infrastructure program in Australia's history that is getting underway thanks to the Deputy Prime Minister and the minister at the table, the member for Mayo. They are getting on with the job of building the biggest infrastructure program in Australia's history. There is $300 million in the Bridges Renewal Program. I had a meeting at Carrathool in my electorate last week. Carrathool is hopeful of getting some funding for that particular program. I see Paul Fletcher, who is helping the $100-million roll out for the Mobile Black Spot Program, which is so crucial to regional Australia and something that was ignored by Labor for six long years.
We have a plan to secure the future of higher education in Australia. We heard from the Minister for Education in parliament today about the good initiatives that we are doing there. Labor are the ones who are not listening. They did not listen in government. They just ignored the will of the people. They were totally oblivious to the fact that they lost the election last September. They are not listening in opposition and history is going to judge them very harshly, as it should, because of that.

Mr BOWEN (McMahon) (15:32): The cabinet met for six hours yesterday in an emergency session for budget reboot No. 17. They got a briefing. Did they get a briefing from the pensioners of Australia? Did they invite pensioners in to talk about their budget changes? Did they talk to university students about the changes and the cuts to university funding and the changes to HECS? Did they talk to people about their $7 GP tax—by any other name—and its impact on families? No, they got a briefing from the spin doctor, from the faceless man of the Liberal Party, the federal director of the Liberal Party, Brian Loughnane. And what did he say? He said, do not say budget emergency. There is no budget emergency. People do not believe it. People do not believe our rhetoric anymore. People do not believe our lies. That is what Brian Loughnane told the cabinet yesterday.

The coalition had a tactic session about how they could sell the budget. I have got a tip for the government: do not have a tactic session about how to sell the budget; have a substance session about starting again because that is what the Australian people demand. Did we have a little photo opportunity at the cabinet meeting yesterday like we used to, like in the good old days of Tony Abbott talking to a united team, with Joe on one side and the deputy leader on the other, about how wonderful everything was going to be if the Liberal and National parties were elected? No, there was no photo opportunity yesterday; the Prime Minister did not want to be seen with the Treasurer yesterday at the cabinet. But there is a key problem here and the government just does not get it. The Australian people get it. In fairness to the Treasurer, it is not about the sales job; it is about the substance because this budget fails every test.

We know that Brian Loughnane said do not talk about a budget emergency because nobody believes it. But not even Brian Loughnane would have suggested that they say that the budget is fair. He would not have recommended that because I give Mr Loughnane credit. He is a smart man who knows that is not credible. He knows that that is not an argument that the Australian people would accept—and deep down the Treasurer knows it too because the Treasurer was told before the budget was brought down that his budget would be unfair. The Treasurer was told it by the Treasury of Australia. Do you know what his great plan to deal with this was? He had a very cunning plan to deal with the advice from the Treasury.

The Treasurer had tables in front of him showing that his budget would have an unfair impact on lower middle-income earners in Australia and the Treasurer came up with a great idea to fix this. He said whatever you do, do not put those tables in the budget. That was his plan for the first time. It was good enough for Treasurer Costello, it was good enough for Treasurer Swan to put those tables in the budget but the Treasurer had a cunning plan not to tell anybody about it. 'Nothing to see here' he said. But there was a problem for the Treasurer because there is a thing called freedom of information. Every so often, even under this government, things get out to a newspaper, *The Sydney Morning Herald*. But of course the Treasurer had the direct and right answer. He said you cannot believe everything you read in *The Sydney Morning Herald*. He said that it is somebody else's fault again; it is those pesky
newspapers. Well it was not *The Sydney Morning Herald*’s analysis; it was the Treasury’s analysis. The Treasurer distanced himself from the Treasury’s analysis, which spoke for itself.

But, in fairness to the Treasurer, the people of Australia do not need those tables to tell them the budget is unfair because they had worked that out themselves. They had worked out that this is a government not only hopelessly incompetent but completely out of touch with reality. You have got a Treasurer who says that poor people do not drive and if they do, by some happenstance, they do not drive very far. He then defended himself for 48 hours and selectively released figures from the Australian Bureau of Statistics. I had a look at those figures and I had to release the rest of them that night to show that what he said was absolutely wrong. He selectively released figures which showed that he was deadset wrong. For 48 hours he defended himself and then he finally issued an apology. The next week he was in Geelong and he said he was misunderstood; his words were twisted. It is terrible when everybody is against you. I say this, Treasurer: your words were not twisted; your policies are. Your budget shows wrong priorities. It is unfair to the Australian people and everybody gets it except for him. *(Time expired)*

**Mr CIOBO** (Moncrieff—Parliamentary Secretary to the Treasurer) (15:37): It is quite extraordinary. They are a special breed, the Australian Labor Party. They truly are a special breed. To start with, we had the Leader of the Opposition come into the chamber and make comments about how only the Australian Labor Party could be trusted.

**Mr Perrett** interjecting—

**Mr CIOBO:** I hear the member for Moreton making an inane interjection about the fact that I am losing my voice. Is it really beyond your intellectual capability? Come on, Member for Moreton, make a better contribution—although, unfortunately, it fits the standard that we usually see from the Australian Labor Party.

Let us talk about what we heard from the Leader of the Opposition. What we heard from the Leader of the Opposition was how only Labor can be trusted. The Leader of the Opposition said he is the man who needs to be trusted. Ordinarily, at face value, that would seem like a reasonable proposition. You would expect the Leader of the Opposition to back himself. But today, of all days, is not a day for the Leader of the Opposition to stand up and talk about trust—not after Paul Kelly has published his new book, *Triumph and Demise*.

What does the very distinguished author Paul Kelly say about the Leader of the Opposition? I quote from page 465 of his book. He says: 'The distrust between Rudd and Shorten was intense and injurious. The Gillard camp was contemptuous of Shorten, considering him weak and duplicitous. Neither side trusted him and neither side revised its view.' We also know that the former member for Rankin had views about the Leader of the Opposition. Mr Emerson is quoted in the book as saying: 'He was telling both camps what they wanted to hear. It did not come as a surprise to anyone when he declared for Rudd at the end.' Well, there’s a revelation: the Leader of the Opposition talks out of both sides of his mouth! But he sets the bar for the entirety of the Australian Labor Party.

Here we have the shadow Treasurer, and he stands up and says, 'We in the Australian Labor Party are deeply concerned about equity. We in the Australian Labor Party really care about the future. Just look at our stunning track record on the environment. We do not want
Australian children to inherit an environment that is worse than what we received.’ Perversely, this is the Australian Labor Party.

Ms Macklin: What about the budget?

Mr CIOBO: Let us talk about the budget, Member for Jagajaga. Perversely, the Australian Labor Party entirely miss the point. Their lectures and their moral superiority about caring for the environment and making sure that we hand over to our children a better environment in the future entirely miss the point that the legacy of the Australian Labor Party is to hand to the next generation of Australians decades of debt. That is the legacy of this shadow Treasurer; that is the legacy of the Australian Labor Party. The Australian Labor Party's track record is to write $25,000 of debt for every man, woman and child in Australia. That is Labor's legacy.

So it is no surprise that we members of the coalition do not take them very seriously. Their lectures about equity, their lectures about fairness, their longwinded soliloquies about how only the Australian Labor Party can be trusted to safeguard the future entirely miss the point. The fact is that Labor's track record is one great big 'F', and that is an 'F' for 'fail', because we know that the Australian Labor Party is a complete, abysmal failure. When it comes to economic management, we know Labor's track record: $667 billion of debt. When it comes to deficits, we know Labor's track record: $123 billion worth of budget deficits. When it comes to providing a budget surplus—incidentally, that word 'surplus' is missing from the member for Lilley's index in his book!—on over 500 occasions they promised a surplus, only to fail to deliver it.

I have to conclude on one positive note. There was a Labor frontbencher who tried really hard to set a new record. That is the shadow Treasurer. We all know the shadow Treasurer's record when it came to border protection: over 750 boats and over 50,000 people blowing out the budget by more than $11 billion. That is the reason why the Australian people will never trust the Australian Labor Party. (Time expired)

Mr SNOWDON (Lingiari) (15:42): Good golly! That is all I can say. The member for Moncrieff was supposed to be defending the budget, defending the Prime Minister and defending the Treasurer. But all we got was a filibuster about God knows what—because it made no sense to anyone on this side of the chamber. Let us be very clear. The Leader of the Opposition described this budget as 'dishonest', 'unfair', 'rotten' and 'based upon lies'. Was it based on lies? Of course it was based on lies. Yet those opposite will not defend, or own up to, the lies. All they do is hide behind the stupidity of their budget proposals which impact upon the poorest Australians.

It is okay for the Treasurer, who sits smoking cigars with the Minister for Finance, to look down at poor people and say, 'Poor people do not drive cars.' Well, they do it in my electorate. The poor people in my electorate are those who are most impacted by this budget because they drive cars and pay fuel prices 22c to 25c in excess of what the Treasurer pays in North Sydney. It is okay for the Treasurer, sitting in the sublime suburb of North Sydney, to talk about the poor people of Australia. He does not know a poor person. He has never met a poor person. If he had met a poor person, he would acknowledge how difficult it is for people who live in rural and remote Australia to meet the requirements of this budget.
Let's talk about GP co-payments. The people who are most likely to die early in this country are those who live in regional, rural and remote Australia. They have shorter life spans, a higher level of chronic disease and higher levels of smoking. What does this budget do for them? It says to them: 'By the way, if you've got a chronic disease, if you smoke, if you need to address it, go to the doctor. But it's going to cost you more.' And if you are an Aboriginal person and you go to an Aboriginal community controlled health organisation, they will have to pick up the tab. Frankly, they will not be able to. As a direct result, the health of many Australians will suffer. That does not seem to matter to the government, because the Treasurer says, 'Look, it's all about this.' Try the paid parental leave scheme. Get rid of it and you could pay for most of what we are debating here today. Let us be very clear about that.

Let's talk about universities and let's talk about regional universities like Charles Darwin University. Seventy-five per cent of students at Charles Darwin University are aged 25 or older. Think about it. These are people who may well be married, have a mortgage, have kids going to school and be raising their families—and now they are going to be expected to take out a second mortgage for their education. This budget will directly cost Charles Darwin University $50 million and the potential for student numbers to fall, because students will not be able to afford or will choose not to pay these excessive fees. Somehow or another this is a joke. People in the government who represent regional Australia think that they can parade around their communities saying, 'This is a bloody good idea.' Well, it ain't a bloody good idea. It's a dreadful idea, and it is impacting upon those people who most need assistance in this community.

Let's talk about Aboriginal and Torres Strait Islander affairs, where half a billion dollars has been cut out of programs, with $160 million cut out of health. The government says that they are all for supporting closing the gap, but they cut $160 million out of health programs designed to improve health outcomes for Aboriginal and Torres Strait Islander Australians. Let us be very clear: the truth is being told, it is in the budget papers. Have a look at the budget papers. You on that side deny the budget papers; you deny their existence. Alice Springs is one of the communities impacted by the attack on veterans in remote Australia, the RSL and these travelling projects. The RSL in Alice Springs is miserably affected by the stupidity of this government, the Treasurer and the Prime Minister.

Ms O'DWYER (Higgins) (15:47): When I first read the subject of the MPI before the House today, I have to confess that I caught my breath. I caught my breath because the matter before the House is quite extraordinary. The opposition is lecturing the government on listening and fairness.

I want to cite two examples straight up where the opposition, when they were in government, failed to listen. The first is the carbon tax, where they had a complete tin ear. They refused to abolish the carbon tax, which was costing the average household more than $550 a year and was costing business because it imposed increased costs on them, which they then passed on to consumers—which meant lower unemployment.

The second example is border protection. They refused to listen to the Australian people on border protection, both in government and in opposition. They opposed our measures that provided for a fairer system of border protection, where people who are sitting in camps now
have a chance to get to Australia rather than paying people smugglers. Also, some people, sadly, lost their lives through their measures.

Now there is a third example, and that is fixing the mess that Labor left us with—fixing the budget mess that we inherited from Labor. Of course, Labor is opposing this as well. We can all remember that the previous coalition government delivered surpluses and had money in the bank. I do not need to remind people here that the Labor government delivered $191 billion worth of cumulative deficits and $123 billion worth of deficits over the forward estimates through their projections. They delivered structural spending of ever-increasing proportions. In fact, over their six years in government they increased spending by more than 50 per cent. Each Australian is currently sharing $13,500 of the debt that they created. Without the government taking action in this place, within 10 years the amount of debt that each Australian will be sharing will be just under $25,000.

We know that the Labor Party are in denial because they created this mess. But not all of the people who have been associated with Labor are in denial. I quote Dr John Edwards, an RBA board member appointed by the former Treasurer, Wayne Swan, and former principal economic adviser to Paul Keating. He said: 'I've no doubt there is a budget crisis. We're accumulating debt as a higher share of GDP and, of course, in absolute terms it's absolutely astronomical compared to far more serious episodes in Australian history, including recoveries from serious recessions.' Those are not our words but his words, uttered on 17 June 2014.

How are we actually addressing this problem? We are doing it in two ways in the budget. We are reducing the growth in spending and we are reducing debt. Why are we doing it? We are doing it because it is the right thing to do and the fair thing to do. There are many dimensions to fairness. The truth is that Labor's previous budget settings were both irresponsible and unfair. With the problems of the ageing population on the horizon, and despite high terms of trade and uninterrupted economic growth, the Labor government still managed to deliver substantial deficits and add to ever-increasing significant debt. In short, Labor shifted the burden of financing the spending programs for the Australians of 2007 to 2013 to future generations of Australians. I ask: Is that fair? Worse, they locked in unsustainable and unfunded future spending programs. Is this fair? The answer is: absolutely not. It is not fair for future generations of Australians to pay for the spending of yesterday and also to pay for potential future economic shocks and not be protected against that. The RBA Governor, in a recent hearing, said it was prudent and sensible for us to put Australia on a sustainable path because of the potential for future economic shocks. Those that really pay for the future economic shocks are those people who are least able to afford it. Those are the people who do not have savings. Is it fair to ask them to pay for this, as well? The answer is: it is not. That is why we are taking the measures that are necessary to put Australia on a strong and sustainable footing for the future.

Mr CHAMPION (Wakefield) (15:52): It is always good to follow my friend and colleague, the member for Higgins. It was a great audition for Assistant Treasurer, don't you think, fellas? Oh, not much of a response from the backbench! It was about as brave a defence of this budget as you could get, because, of course, this is a budget of broken promises. It is a budget that the people of Australia did not expect; it is a budget of unfair cuts; it is a budget of
regressive policies. It is a budget of austerity; it is a budget of increased taxes. Who would have thought that when Tony Abbott, on 2 December 2009, said: 

…there will not be any new taxes as part of the Coalition's policies.

That is what those opposite—the member for Barker, the member for Deakin, I think it is—all went to the last election promising 'No new taxes.' And, yet, what do we find in this budget? Well, of course, we find increased taxes.

We know that this is a budget that smashed consumer confidence. We know that this is a budget that saw unemployment rise. We know that this is a budget brought down by an arrogant and out-of-touch Treasurer—a Treasurer who is trying to be tough. He was really tough and brutal with the car industry, and he had to be really tough and brutal with the Australian people in the budget—just to prove some political point. Of course, we know it is as an economic plan—a forward economic plan—with a flawed political strategy.

We know all this because we have seen the Treasurer going around the country and telling everybody little bon mots of wisdom, such as when he compared the GP tax to beer and cigarettes. He said:

One packet of cigarettes costs $22. That gives you three visits to the doctor. You can spend just over $3 on a middy of beer, so that's two middies of beer to go to the doctor.

And is a parent really going to deny their sick child a visit to the doctor which would be the equivalent payment of a couple of beers or one-third of a packet of cigarettes?

That is why the he told the Australian people in the SMH. That is the way he justified these regressive taxes—this attack on families' incomes.

And then, of course, we know what he said about fuel excise. He said:

The poorest people either don't have cars or actually don't drive very far in many cases.

But, I can tell you, that that is not the case for my constituents. That is not the case for the member for Barker's constituents. He has constituents on a very low income, and they rely on their cars because they live in the country and because there is no public transport. We all know that that is the case; it is just the Treasurer who does not know.

When people had the temerity to be anxious about this budget, we know what Joe said:

It's important that everyone has a bit of a chill-pill here and understands that the budget is a long-term structural plan…

No-one understands! They are all of Joe's quotes. So what started as a budget emergency has warped into an attempt to make that which is regressive progressive. And we saw him dodging the question today about whether his policies are progressive or regressive. We know that there is $2.2 billion in this budget of increased petrol taxes—some 17 billion over the last decade. And we did not hear anything from those opposite at the last election about any of that.

We know that this budget strategy is very, very awkward. So you have the Prime Minister out there talking about fires. He said:

You see, we had a fire, and the Budget is the fire brigade.

And then we have the trade minister saying that there is a sovereign risk to Australia because the Senate has the temerity to oppose the budget. And then we have Barnaby talking about
melanomas. This government should learn that loose lips sink ships. This budget is affecting economic confidence; it is affecting jobs; it is affecting the security of everyday Australians.

We know that this is a budget of broken commitments. It is budget of broken promises; it is a budget of regressive taxation and brutal regressive cuts; it is a budget, fundamentally, built on lies. Everybody opposite knows that. That is why they are so quiet. That is why there are no interjections. That is why there is no response. It is just simply that they cannot defend the indefensible. That is why Joe's explanations are so tortured. That is why the budget strategy changes from week to week and from day to day—because this is a budget built on lies. It is built on lies, and you will pay for it. You will pay for it at the next election.

Mr HOWARTH (Petrie) (15:58): I rise today to talk on this MPI. We know that this budget is about a number of things—one of which is about tackling Labor's debt and deficit problem which they left Australians. It is about ensuring the welfare, in this country, is sustainable for the long term, well into the future. And, of course, it is about building the infrastructure of the 21st century—infrastructure that will create jobs and infrastructure that will get businesses moving throughout this country. I must say that in my electorate of Petrie there has been a lot of investment in infrastructure—$108 million in this year's budget alone for the Moreton Bay Rail Link, which has hundreds of people employed on it right now. And I must say that we have the Bruce Highway being upgraded—every intersection between Pine Rivers and the member for Fisher's electorate is being upgraded. We have the Gateway Motorway being upgraded, as well—and that is more fantastic news.

The Labor Party says that we are not listening. Well, I must say that every coalition member here is out listening on a regular basis. Wouldn't you agree? We are out listening at the coffee shops; we are out in the pubs listening to local people there; we are down at the schools. We have been at the local community groups over the last five weeks throughout our electorates; we have been at the sporting clubs. We have been out doing mobile offices, and doing listening posts throughout our electorates. One of the great things that we, on both sides of the chamber, get to do is to go to local citizenship ceremonies and see the many people who want to become citizens of this country and to welcome them into this country. Another great thing that we get to do as members is to read what the Minister for Immigration and Border Protection says, and he says that the Australian story is one of courage, mateship, endurance and sacrifice. This is the legacy that our predecessors have left us.

I say today: what has the Labor Party left us? They have left us record debt and deficit. I say to every person who works in Australia who is paying income tax, to the members of the gallery up here, to the clerks here, to the attendants, to the lady doing the Hansard, to the MPs here—and all of us pay income tax every single year—and I say to the Australian companies who are paying company tax: ladies and gentlemen, and Mr Deputy Speaker Scott, what happens is that the first billion dollars that we receive every month through income tax and company tax goes out the back door to pay for Labor's debt and deficit disaster, to pay foreign banks in Europe the interest that Labor left this nation.

And who have we heard from in this discussion? We have heard from the opposition leader, and from the members for McMahon and Lingiari and Wakefield—all members of the previous two Labor governments that blew the $50 billion surplus left by the Howard government into billions of dollars of interest every month.
I say to the children up in the gallery today, who will one day be paying income tax: Labor left you $1 billion a month in interest repayments so that one day, when you were working, you would have had to repay that as well. But, no; this government is tackling that on your behalf.

The members opposite, those three in the front row, were all members of the Rudd government and then the Gillard government. What did the previous Rudd government say? Rudd said, 'I'm an economic conservative.' He said, 'I'm another John Howard.' Well, he did not even last three years; they did not even trust him enough to leave him in for one single term. I do not know who in the front row was responsible for that, but it was an absolute disgrace. He was no John Howard. He left six record deficits that we are now paying for. And not one Labor member has got up to talk about budget savings, because we know that, one day, when the Labor Party get back into government and are responsible for the $400 billion a year that we spend, they will continue to run deficits. You will continue to leave the children of this nation with huge interest bills. You know what? We would be happy if you could just spend less than you earn. Is that too much to ask? One day, when you are back in office, spend less than you earn.

Mr PERRETT (Moreton) (16:03): For the sake of those people listening at home and the kids up in the gallery, I would just explain what the topic for today's MPI is, because the member for Petrie drifted right off the topic. The topic is:

The Government’s failure to listen to the Australian people on its unfair Budget—

Mr Ewen Jones interjecting—

Mr PERRETT: Maybe the member for Hinkler can go back to having a blue with his mates, all right? Just settle down for a minute; we are talking about the budget.

Government members interjecting—

Mr PERRETT: The member for Herbert—I beg your pardon!

I just want to remind those opposite of a few words that I heard hundreds of times before the last election. They were from the Prime Minister, and he said a million times—I know you know it—that there would be no cuts to education, no cuts to health, no changes to pensions and no new taxes. I heard it time after time after time. These were lines that we just heard time and again. Obviously, in this job, as a politician, the only currency we have is our ability to be true to our word. Yet when we saw the budget delivered in May by Treasurer Hockey we had a complete backflip—a complete volte-face, I should say, in terms of those promises. Do we see cuts to education and health? Well, the budget papers clearly detail $80 billion in savings—$80 billion, in their own budget papers. There are changes to pensions, as confirmed by Treasurer Hockey today in question time. As to taxes, there is $8.8 billion in new and increased taxes, including $2.2 billion in increased petrol taxes which will affect the people from Petrie, particularly, who make that long commute into Brisbane. As to the $3.4 billion in the new GP tax, let us be honest about what that is: $2 in red tape; $5 on the never-never; a tax to be paid by sick people. As confirmed by Treasurer Hockey, it is a tax.

This MPI is all about whether or not those opposite are listening to the Australian people. Well, this is my first time standing at the dispatch box, and you get a new perspective up here. You can actually look down the corridor, and you look down the corridor from the representation of people power, that being the Speaker or the Deputy Speaker. You go down
the corridor, under the Australian flag, through to the Senate, which is the expression, obviously, of the states' intentions at the ballot box. Here we have the House of Representatives representing the people's view, and then there is the states' view. We know that the architecture was designed so that there is an intersection of power. There is a line of power from here to the Senate. The other line of power is obviously from the Prime Minister's desk, through the cabinet, under the flag, straight out to the people. In between those two, you can go and find a black fountain, and that fountain is designed so that people can talk and have discussions and their conversations can be private. Well, I would suggest, Mr Deputy Speaker, that you speak to the Speaker and the President about turning that fountain off, because that fountain currently is disconnecting the Australian people from the cabinet and the Prime Minister and the Treasurer, because they are not listening. They are not getting the message.

What did we have, when there was a little bit of people being concerned about the budget? What did the Prime Minister say? He said, down in South Australia: 'If the budget stays weak, that means higher taxes; that comes out of your pockets; that means more borrowings and that means higher interest rates.'

And what did Matthias Cormann say on Insiders on Sunday? … the only alternative to balance the books is to increase taxes.

This is the same group—the same mob of clowns—that before the election said that there would be no new taxes. The same group that said there would be no cuts to education, no cuts to health and no changes to pensions. And it has terrified people.

I do drive around a bit in the 111 square kilometres of my electorate—massive that it is. I get to hear the radio quite a bit, and on Triple M the other day, they were mocking Joe Hockey about his petrol comments. And I thought that when Triple M is sticking it up the Treasurer you know that the Treasurer has lost the Australian people. Triple M were doing a much better job at listening to the Australian people than Prime Minister Abbott and anyone on the opposite side. (Time expired)

Mr SUKKAR (Deakin) (16:08): What breathtaking hypocrisy! What hide, for this opposition to start talking about the budget!

When I came to this place I thought the members opposite would have some pride and that they would hang their heads in shame due to the fact that they took a $20 billion surplus—$50 billion in the bank—to a debt projected to rise to $667 billion and cumulative deficits of $191 billion over their term of office. I would have thought they would have had avoided trying to make the kinds of accusations that we have heard today because of their abject failure in respect of any budgetary matters.

We saw the former treasurer stand up at the dispatch box and talk about the four surpluses that he was going to deliver and that never eventuated—the 500 promises of a surplus.

Mr Hutchinson: Didn't they deliver one?

Mr SUKKAR: No. They were not delivered. I have looked around for them. I looked everywhere for it and I could not find a surplus from those opposite.

We were elected with a commitment to get the budget back under control and I am very proud that we are doing it in a prudent way. We are reducing expenditures over the medium to long term. We are making earnest attempts to ensure that any adverse impacts of reductions in
expenditure are not felt by those who are the most needy. That is because we are doing it over the medium to long term.

That is what this country needed: a government which actually looks at the medium to long term rather than at the next electoral cycle. I give members opposite some advice: if they think that just splashing cash around is going to work for them, well, it did not work for them in the last six years. The Australian public are smarter than they think. They think they can come out with these base political lines that are going to fool the Australian public about the abject failure that we would see again were they ever to be in government—certainly, on these benches, with control of our budget.

I say to members opposite: for an MPI such as this, do not show the kind of hide that you have shown today. We are undertaking the serious task of investing in our future; investing in productive income-producing assets for this country. Rather than splashing $95 billion on stimulus payments, even after the economy started to recover after the GFC, we are investing in income-producing assets for this country. That is what is needed. That is why this year we are running a significant deficit. But that is because we are investing for long-term growth. Again, I highlight that as an outstanding example of this government looking at the medium to long term rather than just looking at the short-term electoral cycle.

I would also say to members opposite and those who spoke on the MPI earlier: in each of the cases that they highlighted as far as reductions in expenditure go, the undisputed evidence from the budget is that there are no cuts that are being claimed. Rather they are reductions in expenditure growth over the forward estimates—whether those be in health or education. A reduction in growth in expenditure is not a 'cut'. It is quite basic. That is not a cut. So promising something that was not there is the most callous thing that you can do. There is nothing more callous than promising the Australian people expenditure that did not exist. Seventeen billion dollars promised against the mining tax, that we heard raised $600,000 in the last quarter! Nothing is more callous than making those promises to the Australian people, knowing that you could not deliver them.

I would say that all of the people on the opposition benches there are responsible, because they were all part of a government which saw this absolute economic mismanagement. We will fix it, and this budget will fix their mess. (Time expired)

The DEPUTY SPEAKER: Order! The time allocated to this debate has concluded and therefore the discussion has concluded.

BUSINESS
Rearrangement

Mr ALBANESE (Grayndler) (16:13): I seek leave to move the following motion:
That so much of the standing and sessional orders be suspended as would prevent the notice relating to the Nation Building Program (National Land Transport) Amendment (Nation Building Roads to Recovery Program) Bill 2014, standing in the name of the member for Grayndler, being called on immediately and being given priority over all other business for passage through all stages.

Leave not granted.

Mr ALBANESE (Grayndler) (16:14): I move:
That so much of the standing and sessional orders be suspended as would prevent the notice relating to the Nation Building Program (National Land Transport) Amendment (Nation Building Roads to
Recovery Program) Bill 2014, standing in the name of the member for Grayndler, being called on immediately and being given priority over all other business for passage through all stages.

This bill is about providing funding for roads for local government throughout Australia. The government says that this is a priority. Well, we can fix this—we can fix it today in a process of under an hour.

Mr KEENAN (Stirling—Minister for Justice) (16:14): Given that there is still an enormous amount of government business to get through, I move:

That the member be no longer heard.

The DEPUTY SPEAKER (Hon. BC Scott): The question is that the member be no longer heard.

The House divided. [16:19]

(The Deputy Speaker—Hon. BC Scott)

Ayes ...................... 82
Noes ...................... 56
Majority ............... 26

AYES

Alexander, JG
Andrews, KL
Bishop, JI
Broad, AJ
Brough, MT
Chester, D
Ciobo, SM
Coleman, DB
Dutton, PC
Fletcher, PW
Gambaro, T
Goodenough, IR
Hartsuyker, L
Henderson, SM
Hockey, JB
Howarth, LR
Hutchinson, ER
Jensen, DG
Joyce, BT
Kelly, C
Landry, ML
Ley, SP
Marino, NB
Matheson, RG
McNamara, KJ
O'Dowd, KD
Pitt, KJ
Prentice, J
Pyne, CM
Randall, DJ
Roy, WB
Scott, FM
Smith, ADH
Stone, SN

and

Billson, BF
Briggs, JE
Broadbent, RE
Buchholz, S (teller)
Christensen, GR
Cobb, JK
Coulton, M (teller)
Entsch, WG
Frydenberg, JA
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Hogan, KJ
Hunt, GA
Irons, SJ
Jones, ET
Keenan, M
Laming, A
Laundy, C
Macfarlane, IE
Markus, LE
McCormack, MF
Nikolic, AA
Pasin, A
Porter, CC
Price, ML
Ramsey, RE
Robert, SR
Ruddock, PM
Simpkins, LXL
Southcott, AJ
Sudmalis, AE
Question agreed to.

Ms Collins (Franklin) (16:26): I second the motion. This roads to recovery funding is critical to local government all across the country and they are relying on this funding. The minister should let this bill—

Mr Keenan (Stirling—Minister for Justice) (16:26): I move:

That the member be no longer heard.

The Deputy Speaker (Hon. BC Scott) (16:26): The question is that the member be no longer heard.

The House divided. [16:27]
(The Deputy Speaker—Hon. BC Scott)

Ayes ...................... 81
Noes ...................... 56
Majority .............. 25

**AYES**

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**NOES**

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**CHAMBER**
Question agreed to.

**The DEPUTY SPEAKER (Hon. BC Scott)** (16:37): The question now is that the motion be agreed to.

**Mr BURKE** (Watson—Manager of Opposition Business) (16:37): Roads to Recovery funding can be resolved today. Today it can be resolved and the only thing stopping it is those opposite—

**Mr KEENAN** (Stirling—Minister for Justice) (16:37): Given that the government does not agree with this motion, I move:

That the motion be put.

The House divided. [16:39]

(The Speaker—Hon. BC Scott)

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**AYES**

Alexander, JG
Andrews, KL
Bishop, JI
Broad, AJ
Brough, MT
Chester, D
Ciobo, SM

**NOES**

Butler, TM
Chalmers, JE
Chesters, LM
Claydon, SC
Conroy, PM
Dreyfus, MA
Ellis, KM
Ferguson, LDT
Gray, G
Hall, JG (teller)
Husic, EN
King, CF
Macklin, JL
Marles, RD
Mitchell, RG
O'Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thistlethwaite, MJ
Vamvakinou, M
Wilkie, AD

Byrne, AM
Champion, ND
Clare, JD
Collins, JM
Danby, M
Elliot, MJ
Feeney, D
Giles, AJ
Griffin, AP
Hayes, CP
Jones, SP
Leigh, AK
MacTierman, AJGC
McGowan, C
Neumann, SK
O’Neil, CE
Parke, M
Pibersek, TJ
Rishworth, AL
Ryan, JC (teller)
Swan, WM
Thomson, KJ
Watts, TG
Zappia, A
AYES

Coleman, DB
Dutton, PC
Fletcher, PW
Gambaro, T
Goodenough, IR
Hartseyker, L
Henderson, SM
Hogan, KJ
Hunt, GA
Irons, SJ
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Vasta, RX
Wicks, LE
Wood, JP

Coulton, M (teller)
Entsch, WG
Frydenberg, JA
Gillespie, DA
Griggs, NL
Hawke, AG
Hendy, PW
Howarth, LR
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Simpkins, LXL
Southcott, AJ
Sudmalis, AE
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Turnbull, MB
Varvaris, N
Whiteley, BD
Wilson, RJ
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NOES

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Bandt, AP
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Butler, MC
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Clare, JD
Collins, JM
Danby, M
Elliott, MJ
Feeney, D
Giles, AJ
Griffin, AP
Hayes, CP
Jones, SP
Leigh, AK
Question agreed to.

The DEPUTY SPEAKER (Hon. BC Scott) (16:40): The question now is that the motion be agreed to.

The House divided. [16:42]

(The Speaker—Hon. BC Scott)

Ayes .....................55
Noes .....................83
Majority.................28

AYES

Albanese, AN
Bird, SL
Brodtmann, G
Burke, AS
Butler, TM
Chalmers, JE
Chesters, LM
Claydon, SC
Conroy, PM
Dreyfus, MA
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Parke, M
Plibersek, TJ
Ripoll, BF
Rishworth, AL
Ryan, JC (teller)
Swan, WM
Thomson, KJ
Watts, TG
Wilkie, AD

NOES

Macklin, JL
Marles, RD
Mitchell, RG
O’Connor, BPJ
Owens, J
Perrett, GD
Ripoll, BF
Rowland, MA
Snowdon, WE
Thistledthwaite, MJ
Vamvakinou, M
Wilkie, AD

MacTiernan, AJGC
McGowan, C
Neumann, SK
O’Neil, CE
Parke, M
Plibersek, TJ
Ryan, JC (teller)
Swan, WM
Thomson, KJ
Watts, TG
Zappia, A
Question negatived.
Debate resumed on the motion:
That this bill be now read a second time.
to which the following amendment was moved:
That all the words after "That" be omitted with a view to substituting the following words:
"the House declines to give the bill a second reading because:
(1) of the need to provide sufficient protections in Individual Flexibility Arrangements and the impact that losing protections will have on employees;
(2) of the Greenfield agreement making process being heavily skewed in favour of employers;
(3) the provisions of the bill undermine the right for Australian employees to be represented at work including a requirement that an employee tell their employer if they want to speak with a union; and
(4) of the need for a full examination of all amendments within this bill that may unfairly impact on employees."

Mr CRAIG KELLY (Hughes) (16:49): I rise to speak on the Fair Work Amendment Bill 2014. I would like to start with why this bill is important. Firstly we need to recognise as a nation the difficulty we have and the mess we are in with our debt and our deficit. We have had six years of completely dysfunctional government and six years of back-to-back deficits. In fact, we saw today the release of Paul Kelly's new book, Triumph and Demise: The broken promise of a Labor generation, at around 500 pages. I think there were one or two pages of triumph and about 498 pages listed as demise!

We know what that demise is. We are now north of $300 billion in debt, and we know that, if nothing is done, that number will blow out to $667 billion and then continue to increase to $1 trillion. Currently the cost to the economy is $12 billion a year—$1 billion every month, $33 million every day, 70 per cent of which flows out of the country. That is just the interest on the debt we have accumulated. We have also heard about the wonderful Sydney desalination plant, currently mothballed, costing the taxpayers of Sydney an extra $500,000 every day of the year.

To get ourselves out of this problem we as a nation need to lift our productivity. We need to grow the economy, and the best way we can do that is to make sure we give business the confidence to go out, invest and innovate. That is the only way we can do it. I was fortunate the previous week to be at the Reserve Bank hearings in Brisbane. We heard Reserve Bank Governor Stevens talking about the needs of 'animal spirit', but the comments that were not reported were the comments of the other Reserve Bank board member, the assistant governor, Dr Philip Lowe. I think his words about the importance of the decisions we make here in this parliament encouraging small business entrepreneurs are important. Dr Lowe said:

... monetary policy cannot drive sustainable, stronger growth in our economies. It comes through structural reform and entrepreneurship. And it is really the task of political leaders and business leaders to put in place the preconditions for that …

He continued:
… the message is that when the legislature is putting forward new laws and new regulations we need to be very mindful of the effect it has on the ability of people with new ideas, which ultimately are going to be the source of our growth and our income, to come forward and to test these ideas in the marketplace, to create the environment where that is really what they want to do. They have got the ideas—there is no shortage of ideas out there. We have to create the environment in which they do that. It is really up to our parliaments to do that.

That is exactly right. It is up to the parliaments here to make sure that we are doing things that encourage business to invest because that is what will drive the growth in the economy. Unfortunately, over the past six years we have seen broken promises—especially on the issue of workplace relations. We have seen the broken promises. We know, going back before the 2007 election when Labor was first elected, the Labor Party promised time after time after time that there would be no changes to unions' right-of-entry laws. In fact, in a press conference on 28 August 2007, the then deputy opposition leader, Julia Gillard, said:

We will make sure that current right of entry provisions stay. We understand that entering on the premises of an employer needs to happen in an orderly way. We will keep the right of entry provisions.

We know the history. These promises were not kept and unions were given much easier access under the Fair Work Act provisions, which were then exploited. That meant that businesses faced excessive workplace visits from unions even when the employees at that workplace were not union members or when they had not even asked for the union's presence. This is a problem that has been exacerbated in some workplaces by unions competing to represent employees at that workplace.

Of course, the true engine room of our economy, what we need to drive that growth, is our small business sector. We have seen over the past six years 500,000 jobs lost in that sector—500,000 jobs lost in the small business sector over the previous six years. What we need to do is go back to restoring the balance in our workplace laws and to get that balance right because over the previous six years the balance was tilted too far away from the people taking risks: those entrepreneurs in our economy who we need to drive and to create the prosperity to create the employment.

The other thing we have seen is the great decline in trade unionism over the years. If we go back, from August 1992 to August 2011 the proportion of those who are trade union members of the workforce has actually—

The DEPUTY SPEAKER (Mr Mitchell): The member for Hughes has been pulled up by one of his own side. The member for Canning.

Mr Randall: There is no opposition member in the chamber.

The DEPUTY SPEAKER: I thank the member for Canning. The advice is that it is desirable but not compulsory.

Mr CRAIG KELLY: It is a bit disappointing that the opposition cannot rake up one member to be in the chamber. But we now have the good member for Melbourne Ports joining us. It is very pleasing to see that we have at least one member of the opposition here during this debate.

What I was saying while there was a dearth of members there on the opposition side was that there has been a significant decline in trade union membership. From August 1992 the proportion of those with union membership has fallen from 43 per cent to just 17 per cent of
the workforce. This is the lowest proportion of union membership recorded in the history of our nation. In fact, if we look at union membership it is holding up, of course, in the public service, but in the private sector we are down to 12 per cent of employees with trade union membership. What we have seen in the royal commission is the union blackmail, the harassment, the coercion, the corruption and the bribery. With the things that we have seen, is it any wonder that union membership is at such low levels in our nation's history?

I want to get back to the details of what this bill actually does and how it restores the balance. Firstly, the bill reforms the greenfields agreement to remove the current union powers to veto, including good-faith bargaining rules to negotiations by allowing an employer to seek approval of a greenfields agreement after three months of bargaining while protecting future employees by retaining existing agreement approval requirements and ensuring agreements are consistent with prevailing industry standards. Secondly, the bill deals with the excessive right-of-entry visits by union officials by limiting the right of entry for discussion purposes to unions that are covered by a relevant enterprise agreement or who are invited to the workplace by a member or prospective member. The reforms will also involve the repealing of objectionable amendments to the provisions introduced by the former government in 2013 relating to lunch room invitations and also helicopter joy-rides. Thirdly, the bill provides that underpaid workers receiving interest on unclaimed money will be back paid for that when it is held by the Commonwealth, when the amount is at least $100 and when it has been held back by the Commonwealth for at least six months. It will also be implementing a number of recommendations from the 2012 Fair Work panel not implemented by the previous government.

In the time allowed, I will quickly go through those. They are simplifying the interaction between workers' compensation and annual leave; requiring employers to give employees a reasonable opportunity to discuss requests for extended unpaid parental leave before a request can be refused; clarifying the circumstances where annual leave loading is payable on termination; a range of measures to improve the operation of individual flexibility arrangements, including ensuring enterprise agreements cannot unduly limit their scope; increasing unilateral termination for a period of 13 weeks; clarifying the existing position that monetary benefits can be traded for non-monetary benefits; and providing a defence for employers to an alleged contravention of a flexibility term where they reasonably believe that the requirements of the term were complied with. Also introducing a new protection for employees who make individual flexibility arrangements by providing that employees must provide a statement confirming the reasons they consider that the conditions they have negotiated make them better off overall; removing Labor's 'strike first, talk later' loophole in the act by providing that an application for a protected action ballot order cannot be made unless bargaining has commenced—also delivering on Labor's 2007 election promise that such scenarios would not occur; providing that industrial instruments do not transfer with workers who transfer on their own initiative between associated entities; and, finally, providing the Fair Work Commission with clearer powers to dismiss unfair dismissal proceedings without a hearing or a conference in certain circumstances, such as where an application is frivolous or vexatious, or the applicant fails to comply with a Fair Work Commission direction or order.
This is part of the coalition's task of getting on with the job of fixing the mess that we inherited. The carbon tax is gone. The boats are as good as stopped. We are fixing the mess on the NBN. We have made a decision on an airport for Western Sydney with our first international airport for Western Sydney. We have the roads of the 21st century and the construction has started and the plans are underway. We are tackling the budget deficit and we are also restoring a fair and sensible balance to the workplace act. And we can see the results today.

Today, we had the release of the ANZ-Roy Morgan Consumer Confidence ratings. That has shown the results of the sound steps that the coalition are making. There has been an 11.1 per cent rise in household perceptions about their financial situation compared to last year. Of course last year was when the previous Labor government was in power. In 12 months we have added 11 per cent to consumer perceptions. Because of the measures that the coalition are sensibly putting in place, we now have consumer confidence back above its long-term average. The ANZ chief economist, Warren Hogan, is quoted today as saying:

Signs that consumer confidence is bouncing back, combined with strengthening business surveys, gives us more confidence that the non-mining recovery remains on track.

The Fair Work Amendment Bill 2014 is a part of the coalition repairing the mess we inherited. It restores the sensible balance to the Fair Work Act and I commend the bill to the House.

Ms BURKE (Chisholm) (17:02): Here we are again: a coalition government attacking workers' pay and conditions, exhuming one of the worst elements of the dead, buried and cremated Work Choices. It is interesting that government members cannot remember their own words they uttered, not in the dim, dark past but in the recent past. Work Choices were dead, buried and cremated—but apparently not. This bill is the beginning of Work Choices mark II. It will enable employers to cut basic award entitlements. If my memory serves me correctly, and I am sure it does, the last time the coalition tried this, former Prime Minister John Howard belatedly admitted his error and at least sought to implement the no-disadvantage test. I distinctly remember it; I was in the parliament at the time. It is hard to see this government, even in the face of the strongest possible evidence, ever having the humility to admit its own mistakes or errors. We only need to see what they are doing with their current budget to realise that.

Night and weekend pay is a core part of the budgets of millions of Australian families. The Fair Work Amendment Bill 2014 is designed to cut the pay of Australians. I am fully aware of how important overtime payments are for night and weekend work, having been married to a MICA paramedic for many, many years. The base wage for a MICA paramedic—a job that is quite exhausting, onerous, difficult and vitally important to the community—is actually very low. The only way to make a decent wage out of being on the road, serving the community and saving lives is through overtime payments. This legislation could see the end to all that.

This bill and the ideology behind it seeks to deny the fact that penalty rates for working unsociable hours are a fair and reasonable form of compensation for the negative impact these hours have on a worker's family and social life.

For the first four years of my married life, my husband and I had never spent Christmas together and we did not have Easter together. It took until about my fifth wedding anniversary for us to spend the day with each other. This is the reality of the lives of shift workers. I do
not begrudge that; that was the understanding. When we were first married, my husband was working a rotating eight-day structure. We did not actually know from week to week if it was morning, noon or afternoon. It was terrible trying to coordinate any social engagements with the pattern of the roster. Then the ambulance in Victoria moved to a 10-14 roster—two 10-hour days and two 14-hour nights. That sounds horrendous and it is, but it concentrates it into four days. You knew the pattern and you could get your lives together. You could actually work out things. 'Yes, our friends are getting married this weekend. We'll actually be able to go to that together.' It had this enormous impact on your life.

Of course, once I entered parliament my husband actually had to change his career because you cannot coordinate being a parliamentarian with being married to a rotating shift worker and have children. So he went casual and went on this terrible thing called the reserve roster for many years, where you would, literally, be woken up in the morning to be told where you were off to and what shift you would be covering. Without the penalty rates, none of this would have been viable or reasonable for people doing this day to day. Indeed, on two of our applications for home loans, it was only when my husband's overtime and penalty rates were included that we could actually borrow the money to buy a home because his base wage was so insubstantial that it was not recognised. He said: 'It's a rolled-in rate. I generally get this and I generally get some overtime.' So that was what the bank actually took as his payment. His actual base rate without any of that was so insignificant we would not have been able to buy a home.

People working these unsociable hours deserve this compensation. Eighty per cent of Australians agree with this proposition. It is only the minority on the government benches opposite me that think that it is reasonable not to compensate someone working unsociable hours. If this bill is passed, 4.5 million Australians will have their wages cut. These include paramedics, security guards, bakers, cleaners, factory workers and hospitality and retail workers—people who are the backbone of our society. It is a diverse list of industries and there will also be many more industries where workers could no longer rely on penalty rates, thanks to this legislation.

I was visiting a factory in my electorate only the other day where they work a 24-hour rotating roster. Again, as most of the guys in the plant said, 'It is actually a very good company to work for, but if it wasn't for the overtime and penalty rates for working the longer shifts, it wouldn't be viable to stay here.' These were workers who were promised by the Prime Minister before the election that he would not cut their wages—another broken promise. This Prime Minister is intent on actually never keeping a promise he made before the election. Labor understands how hard it is for families to keep on top of costs and just how important it is to keep the certainty of penalty rates in place while also offering flexibility in the workplace. Under Labor, individual flexibility arrangements were used to give employers genuine flexibility, not to cut wages.

I always love this terminology 'flexibility'. It is flexible one way, the one way where the worker is ripped off and the employer gets everything they are seeking. Labor's key safeguard was the 'BOOT' test. Individual flexibility arrangements had to ensure employers were 'better off overall'. That is the basis: better off overall. Yes, you could trade something off, but in the end the bill would ensure that key protections were in place. This bill will allow night and weekend rates to be traded off for an unlimited variety of non-monetary benefits.
One of the last actions before I came into parliament, in my former life at the Finance Sector Union, was negotiating the enterprise agreement at ANZ Bank. The biggest thing everybody wanted there was to maintain their RDO—their rostered day off. It was the sacrosanct thing that people in that place wanted. Most of them were mums. Most working in branches of banks were women who—and men also—needed the certainty of knowing you eventually were going to have a day in the week where you might be able to make medical or dental appointments, or you could perhaps organise to take your mother out for a coffee or something like that.

A lot of people are not just interested in monetary reward; it is the certainty of conditions that they want. So if you had something where you could trade of a non-monetary agreement, it was something that people were looking for, but you had to be no worse off. It could not just be a cash grab to strip away wages. For non-monetary benefits to be taken into account under Labor's BOOT safeguards, they had to be relatively insignificant and genuinely agreed to; not a sign-it-or-lose-the-job type agreement. Under this bill the safeguards have been removed. Labor's safeguard to limit the use of non-monetary trade-offs are replaced by a short note providing for, apparently, any 'benefits other than an entitlement to the payment of money' to be used. No security, no safeguards—not even going back to Howard's agreement of a no-disadvantage test. Nothing.

The requirement that it be relatively insignificant and genuinely proportionate is gone. This opens the door to weekend and night pay being traded away for all sorts of non-monetary items, which comes nowhere near compensating workers at a rate equitable to their penalty rates. I was recently at an organisation where the manager said, 'I give them a Coles voucher every once in awhile and that keeps them happy.' No, it doesn't. It doesn't pay the bills; it doesn't make up for unsociable hours. Without these safeguards, overnight and weekend penalty rates can be traded away, just as they could under John Howard's much hated individual contracts—the parts of the Work Choices legislation that were meant to be 'dead, buried and cremated'.

This bill also continues on in the well-established Liberal-National Party tradition of attacking workers' rights to collectively organise. The bill says that 1.5 million Australians on the award safety net will need to show their employer they invited a union to their workplace if they need information and support. If passed, workers will lose easy access to the information and support which is available to help them understand their rights when negotiating with her employers. It opens the door to exploitation of vulnerable people, such as recent migrants, who in the real workplace of Australia will now be expected to know immediately that they need to ask their employer if they can invite the union into their workplace. How ridiculous! You are having a dispute or a misunderstanding with your employer. You are scared and vulnerable enough, and you have got to go to your employer and say, 'Can I invite the union in?' It just belittles. It has no understanding of how unions work, how collectivism works and what is needed to protect people in their workplaces.

Most of the businesses I dealt with in my previous life were happy to have you come on site. You did not just rock up. You didn't just bash down the door. You generally arranged it, organised a time and you went into the tea room. Especially when you were dealing with rotating shift work, you were dealing with a call centre, you couldn't just do it. There is a complete misunderstanding about how this works. People are allowed to belong to groups so
long as you are not belonging to a group that is called 'a union'. That is what does my head in. It seems to be the name. Somehow they are this vile creation—as opposed to a group of individuals coming together for the protection of each other. I would have thought that that was a basic human right. Indeed, the Catholic Church has intoned that that is a basic human right.

These migrant workers, many in my electorate, who have come to Australia may be employed in their first job in Australia. They are doing their best to please their employer. In reality it may be very unlikely that they need to speak to a union—but they might. And they are presented with a document and told that they can sign away their rights. Do they say no? Of course they don't.

In the real world, lack of knowledge, the insecurity of the workplace and fear of unemployment mean that people do sign away their rights. They will be exploited and they and their families will lose out. How can someone who does not know that help is available be expected to ask for it? In the real world, it is 'take it or leave it' and that is all that they will be told when it is time to sign on the dotted line. Given the precarious nature of the employment situation at the moment and the high rates of unemployment, particularly among youth—again, you are going to sign it. You are going to take the job, you are going to be exploited later, and you are going to have no recourse. You might not, but you might. That is why we all have insurance. Isn't this just a basic form of insurance that people should be entitled to have?

A government which is apparently so devoted to freedom in our lives is attempting to deny some of this country's lowest-paid workers the right to unionise so that big business—and, indeed, small business—will have the freedom to pay these people even less than they are currently. Meanwhile, higher-paid Australians who are already on collective agreements will have ongoing access to union information and support. All Australian workers deserve the same right of access to unions regardless of where they work, how much they are paid and if they are on an enterprise agreement or not.

The Prime Minister promised he would only implement changes from the Fair Work review. But that was just another hollow promise he never intended to keep. The notion that an employer must offer an invite before unions can provide support in the workplace was rejected by the Fair Work review panel. The panel agreed that people on the award safety net should not have their access to union information and support reduced. But here we are, debating a bill that seeks to severely reduce the ability of the lowest-paid people in Australia to access union information and support if they need it. Australians on the awards safety net will be the most vulnerable. They need help from unions to know their award rights. They need help to know when not to sign those rights away. And they need help to improve their rights by joining with others and winning the better living standards that come with collective bargaining. Without these rights, workers will lose pay and conditions. They will lose time with their families and friends with little or no compensation, and they will be left struggling to stay above the poverty line.

These amendments are an attack on Australians' rights at work and should not be proceeded with. I will finish by quoting an ambo, Paul, who was interviewed by his union and said:
Weekend and night pay takes an experienced ambulance paramedic’s pay to $71,000. That is a 26 per cent increase on the base rate, as compensation for shifts of 14 hours and 10 hours and working any time of the week, day and night, all with unpredictable overtime.

Without that 26 per cent you would find people have to get another job. I have done 10 years and I want to stick it out. It’s incredibly rewarding in many ways but it’s tough on families. We are always juggling child care, relying on friends and family … Without that extra pay … would lose their experienced people …

Mrs ANDREWS (McPherson) (17:18): I rise today to strongly support the Fair Work Amendment Bill 2014. This bill contains policies we took to the last election to make Australian workplaces more flexible, more productive and, most importantly, fairer for both employers and employees.

As someone with a background in industrial relations, I am very pleased to be part of a government that is serious about making sure we improve the system. I do not subscribe to the view that the spectre of Work Choices should forever cloud the coalition’s approach to IR. Of course, we have to be vigilant to ensure that the practices that occur in our workplaces reflect community expectations and that reforms are designed to keep pace with changing trends in the modern workplace. We have to be ever mindful that our IR policies reflect the Australian ethos of a fair go—and that means a fair go for all, not just union bosses. This bill strikes the right balance.

At the outset, I want to draw the attention of the House to the comprehensive policy document that we produced before the last election, entitled The coalition’s policy to improve the fair work laws. It is a very detailed 38-page booklet which goes through each of the changes we intended to make to the Fair Work Act. It states:

A Coalition Government will keep the Fair Work framework and work to improve them. Although there are some problems with the current laws as set out in this document, there are also many positive aspects. The Coalition will work to improve the operation of the Fair Work laws so that workers, business and the economy are better off.

It goes on to outline our plans to restore union workplace access rules to make them fairer—to make sure that access rules are more like those that were in place prior to Labor’s unbalanced amendments. We also signal our intention to deal with excessive right of entry visits by union officials.

Our policy will: improve the process for the negotiation of greenfield agreements to ensure that unions can no longer frustrate bargaining for these agreements through unsustainable claims and delays. It will improve workplace productivity and flexibility by enhancing the scope for employees to make individual flexibility arrangements that meet their needs. It will close the ‘strike first, talk later’ loophole in the good faith bargaining rules, which Labor refused to address; and it will maintain the value of unclaimed wages recovered for workers by the Commonwealth. These are exactly the reforms we are undertaking with this bill, and I will detail some of these later in my speech. I also want to point out that this bill enacts a number of recommendations of Labor’s own Fair Work review panel’s 2012 report—which, incidentally, was commissioned by the now Leader of the Opposition.

This bill clearly delivers on our election commitments in relation to the Fair Work Act—no more and no less. These are not radical changes; these are sensible amendments to ensure that workplaces meet the needs of employees and employers alike. These are improvements to the
Fair Work Act. They do not change fundamental protections for workers, but they do reduce some of the more obstructionist and unbalanced power that remains for union bosses. We were upfront before the election about our plans, and we have worked to deliver our commitments. We are getting on with the job we were elected to do.

So what is Labor's response? Naturally, they oppose this bill. They are standing in the way of letting the government fulfil our election commitments—just as they opposed our legislation to scrap the carbon tax, just as they are blocking our attempts to fix the economy by opposing responsible budget measures. This is an opposition hell-bent on opposing any attempt by this government to fix the mess they created. You would think they would be a little more circumspect and let us get on with the job of reversing the decline that occurred on their watch. But not this mob. However, I suspect that with this bill it is not just about being obstructionist. I suspect that with this bill it is more personal: it is more about their own self-interest.

Why do Labor oppose this bill?
The answer is very obvious: they oppose it because they are still, despite the Leader of the Opposition's empty rhetoric and platitudes, very much beholden to the union movement. Make no mistake: Labor and the union bosses remain as co-dependent on each other today as they have ever been. Understandably, the unions do not like this legislation because it curbs some of the excessive power that the former government granted to union bosses—for example, union workplace access.

Our changes will fairly and sensibly balance the right of employees to be represented in the workplace, if they wish to be, with the right of employers to go about their business without unnecessary disruption. Ironically, it was the Labor Party itself that promised in 2007 that there would be no changes to the union right-of-entry laws. In a press conference on 28 August 2007 then deputy opposition leader, Julia Gillard, said:

We will make sure that current right of entry provisions stay. We understand that entering on the premises of an employer needs to happen in an orderly way. We will keep the right of entry provisions.

Ms Gillard had already recognised that excessive workplace visits by unions had the potential to impact on productivity when she said in June 2007:

We would not want to see changes to the right of entry systems that jeopardise work performance.

It was reiterated again on 28 August when, as announced today, Labor said, 'Federal Labor will maintain the existing right-of-entry rules without exception.'

Sadly, Labor did not keep these promises, and unions were given much easier access to workplaces under the Fair Work Act provisions which were exploited. This has meant that many businesses, even those whose employees are not members of a union or who have not asked for a union to visit, have had to deal with repeated and excessive visits by unions. The problem gets even worse when you have multiple unions competing to represent employees at a workplace. The former government's Fair Work Act review panel noted the excessive nature of some union access, with the Pluto LNG project receiving over 200 right-of-entry visits in only three months. BHP Billiton's Worsley Alumina plant faced 676 right-of-entry visits in a single year. Our changes will reduce the capacity for unions to deliberately harass and disrupt businesses in this way. These right-of-entry amendments should not really be contentious. They are, after all, a reflection of Labor's publicly stated position prior to the 2007 election.
I also want to point out that most reasonable union officials will find that these changes do not impact, in any way, on their sensible approach to their right-of-entry activities. However, they are necessary to curb the excesses of some union bosses who, sadly, believe they remain a law unto themselves. Other sensible right-of-entry changes include repealing the previous government's amendments made in 2013 that expanded union right-of-entry rights even further by allowing for uninvited lunchroom invasions and required employers to pay for the cost of union boss joy-rides to remote worksites. Those amendments gave unions the right to insist on addressing workers in the lunch room, even when the workers had not requested their presence and are not union members. This is unfair to the 87 per cent of private-sector workers who are not union members. As Minister Abetz so eloquently put it, it is unfair for all workers that just want to eat their lunch in peace.

This bill will, in fact, restore the sensible arrangements that were previously in place, requiring union officials to comply with the reasonable request by the employer to hold discussions in a particular room. Employers will continue to be prevented from nominating locations with the intention of intimidating, discouraging or hindering employees from participating in discussions. The former government also introduced obligations on employers at remote worksites to provide union officials with transport and accommodation to enable them to access those sites. We will repeal this costly and onerous piece of regulation and instead reinstate the previous approach in which unions and employers can reach their own arrangements in these circumstances. I suggest that travelling to worksites might be a better use of union funds than some of the expenses we have seen claimed by union officials like claim Craig Thomson or Michael Williamson.

Ms MacTiernan interjecting—

Mrs ANDREWS: The changes to right-of-entry provisions in this bill are not revolutionary; they are common sense. They are designed to strike the right balance between ensuring a productive workplace and ensuring union members can be effectively represented. As I said before, reasonable union leaders have nothing at all to fear in these reforms. So I say to the members opposite that they should be wary of the language that they have used in this debate and the alarmism with which they have opposed the issue. It is nice to see that some members from the opposition have actually turned up, because not that long ago we looked around the chamber and there was no-one here from the opposition—so it is good to see you here and interested in the debate that is taking place.

The shadow minister for employment and workplace relations made the absurd claim that this bill is part of the some crusade against the employment conditions of workers across Australia. It is a line right from the union playbook and clearly demonstrates how Labor really is the parliamentary wing of the union movement. It was Labor that introduced IFAs to enable workers and their employers to mutually agree on conditions that suit their individual needs. IFAs are an important option to enable employees to, for instance, manage their child care or other caring arrangements, to spend time with family or for other commitments. They are specific to the individual and not to the workforce as a whole.

When we talk about the need to encourage more women in the workforce, flexibility and, in particular, the ability to be able to manage the demands of family life are huge factors. I also think flexibility is the key for harnessing the experience and wisdom of our seniors in the
workplace, as many would like to remain in the workforce but have more flexibility when it comes to hours, time off and other conditions.

When we talk in this place about work and family balance, we need to recognise the importance of workplace flexibility. Managing Work Life Balance International, an HR consultancy based in New South Wales, says:

Workplace flexibility is a critical component of any attraction and retention strategy. Australian and international research clearly indicates that employees, be they Baby Boomers, Gen X or Gen Y, perceive flexibility in when, where and how they achieve their work commitments to be a key factor in maintaining their motivation and commitment to their employer.

They go on to say:

Best Practice employers have put processes in place that ensure their responses and management of flexible work options meet the requirements of the legislation, are non-discriminatory and address the needs of the business and the employee.

So I think it is very important to note that more flexible workplaces tailored to suit individual needs are an increasingly important component of any modern IR system. They are, of course, not favoured by the unions. Perhaps this failure to recognise that collectivism does not always suit the needs of individuals and the workplace or produce the best outcome is part of the reason why union membership has plummeted in the last 20 years, falling from 43 per cent of males and 35 per cent of females in 1992 to just 18 per cent for both genders in 2012.

Of course, when we talk about flexibility and IFAs, the government is very mindful that protections must be in place for employees. The amendments in this bill to IFAs are based on the fair work review panel's recommendations. They also include further new safeguards to ensure that employees are better off.

Despite Labor's hysteria, the fact is that the current IFA framework in the Fair Work Act will stay, with additional protections put in place. For example, this means that an employer cannot force an employee to sign an IFA or make it a condition of employment; the employee must be better off overall than they would have been under the applicable modern award or enterprise agreement; and a worker must provide a statement to the employer saying that the IFA meets their genuine needs and that they are better off overall.

Under the current system, unions can restrict the scope of flexibility terms under enterprise agreements through the bargaining process to only cover a single matter—for instance, the taking of leave. This means that workers may be denied the chance to have IFAs on other matters even if they and their employer want to agree to more suitable arrangements.

Once again, the amendments will deliver on the promises made by Labor themselves in 2007 and provide that IFAs may be made in relation to all of the matters currently prescribed in the model flexibility term, to the extent that those matters are covered in the agreement. This will ensure that workers have access to fair flexibility without a veto by union bosses.

This bill also implements the Fair Work Act Review Panel recommendation that employers should, in limited circumstances, have a legal defence if they enter into an IFA in good faith believing it meets all the requirements of the legislation when it turns out later that it does not. The bill also strengthens protections for employees by requiring a statement setting out that the arrangement meets their genuine needs and results in them being better off overall. This will make the position absolutely clear: employees will only make IFAs that provide for non-
monetary benefits when the employees themselves make a clear statement in writing of why they are better off overall. Two further amendments recommended by the fair work review panel will be made to provide clarity and certainty to both employers and employees.

In the time remaining, I would just like to commend this bill to the House. I believe that it is an important part of our plan to boost productivity and ensure fairer, more flexible workplaces. These are sensible and reasonable reforms, and I do commend them to the House. I am proud to be part of a government that is taking a sensible, positive approach to industrial relations.

Mr NEUMANN (Blair) (17:32): I speak on the Fair Work Amendment Bill 2014. As other speakers have referred to, this particular piece of legislation deals with union workplace access, right of entry issues, greenfields agreements, what some people call the 'strike first talk later loophole', individual flexible arrangements and other Fair Work Act recommendations, and interest on money held for unpaid workers.

This particular bill deals with some of the recommendations of the Fair Work Act Review Panel established by Labor when Labor was in government, which had a report back in March 2013. The coalition, in opposition and in government, have promised a couple of things in relation to this particular bill and in relation to their industrial relations policies. They promised that, as to this particular bill, they would not go any further than they promised during the election campaign and that they would be implementing the recommendations of the Fair Work Act Review Panel report of March 2013. It appears, on the face of it, that the coalition, as they have done with so much when in government, have said one thing before the election and done just the opposite after it. This particular bill is more evidence that the coalition will do one thing before an election—will promise anything to get into office—and then do exactly the opposite upon coming to the Treasury benches.

This is, once again, evidence of their twisted priorities and their obsession—their right wing, ideological obsession—as to industrial relations. I have said a number of times in speeches over the years that, in some countries, geography, religion, socioeconomic backgrounds, culture, even race and ethnicity divide political parties in those countries. But, in Australia, if you want to look at the division between the major political parties, it is about industrial relations. Every time the coalition gets into government they cannot help themselves—they simply have to attack workers and make it more difficult for those organisations which represent workers to do their jobs. We do not believe that what the coalition is doing with this legislation implements what they said they would do before the election, and it certainly does not implement the recommendations of that panel I referred to.

The government is using weasel words—almost Orwellian words; tricky language—to overstep its mandate in relation to individual flexibility arrangements, greenfields agreements, and right of entry and other matters. They simply are.

This bill is all about taking away conditions and making it worse for Australian workers. We do not believe at all that this particular bill 'restores the balance to the sensible centre'. It is not about that. The 'sensible centre' for the coalition is way out to the right.

Workers ought to be wary of this government, as previous coalition governments have undertaken right-wing, hard agendas with respect to industrial relations. I think Australian workers have not forgotten Work Choices, and they have neither forgiven nor forgotten the
coalition. That is why this government when in opposition ran away from any major changes before the election. But we know that the workforce of this country and the workplaces of this country were transformed by individual statutory agreements. Under the infamous Australian workplace agreements, wages were driven down. And, like other speakers in this debate, I will speak about the circumstances behind which we are seeing an ideology foisted on the Australian public, and the historicity of this particular debate. I will be looking at what the coalition did in the past and what they are planning to do and looking at how this legislation goes down that way during my speech.

It is worth remembering the industrial relations landscape when Labor came into power in 2007 after 11 years of coalition government. We saw the AWAs come in, we saw Work Choices, we saw the ditching of the no-disadvantage test for the five minimum conditions known as the Australian Fair Pay and Conditions Standards. We saw every other award entitlement apart from those conditions, such as penalty rates, overtime rates, allowances and consultation rights left unprotected in law and vulnerable to AWAs taking away those rights that workers in this country had expected and enjoyed for decades. We saw Work Choices tear away the unfair dismissal protection for workers for all businesses with fewer than 100 employees and further exempt all businesses from unfair dismissal laws where dismissal was for a bona fides operational reason—and bona fides operational reason was the excuse given again and again.

In practice, we saw this happening. The consequences were devastating in Australian workplaces. The average AWA employee worked a 13 per cent longer work week than their peers who were employed under collective agreements. For example, in New South Wales, female AWA employees worked 4.4 per cent longer hours than their counterparts engaged in collective agreements but earned 11.2 per cent less. It was also common practice for there to be no wage increases during the life of an AWA. Twenty-two per cent of AWAs in April 2006 contained no provision for wage increases during the life of the agreement, and this figure rose to 34 per cent in April to September 2006. In 2006 the median AWA worker earned 16.3 per cent less per hour than a comparable worker in a collective agreement. In the hospitality industry average AWA earnings in 2004 and 2006 were 1.8 per cent and 1.6 per cent below average earnings of workers reliant on award minimum respectively. So they were below the award minimum.

Employees most negatively affected by AWAs included women, low-skilled workers, employees in small firms and workers with less bargaining power than others. Women on AWAs earned less than women in collective agreements in every single state and territory by margins raging between eight to 30 per cent. Female casual workers on AWAs received average earnings of some 7.5 per cent below average award earnings.

So Australians hated this. That is one of the major reasons why Labor came to power in 2007. And we are seeing the start of it with legislation like this coming back. We stood up for workers. We abolished Work Choices and returned real fairness and flexibility to workplaces through the Fair Work legislation. Make no mistake: Work Choices haunts the coalition in relation to this. That is why they kept talking about it being ‘dead, buried and cremated’. They promised that again and again. But we see in this particular legislation before the House, once again, the coalition overreaching in its commitment to workers and to the detriment of workers. That is what we are seeing.
Labor introduced individual flexibility arrangements in the Fair Work Act to enable the negotiation of fair and genuine flexibility in the workplace, while protecting workers rights and making certain that no worker could be worse off. Individual flexibility arrangements already provide an enormous flexibility without statutory arrangements being put in place. The government now claims that out of the goodness of its heart it is going to provide employees with clarity and certainty around the use of IFAs. Unsurprisingly, there is some chicanery here. The Fair Work Amendment Bill mandates that flexibility terms of an award or agreement require that an IFA, if entered into, must include a genuine needs statement.

Now, what is a genuine needs statement? Do not bother asking an Australian worker—most of them would not have heard the phrase, I am sure. It was not promised by anyone in the coalition before the election. And do not bother checking The coalition's policy to improve fair work laws, which was their policy from May 2013. You may have been mistaken in relation to this, but the phrase 'genuine needs statement' is not there. It turns out that a 'genuine needs statement' is essentially a testimonial provided by an employee at the time they enter into an individual flexibility agreement. The bill says that such a statement sets out why the employee believes at the time of entering into the IFA:

(i) meets the genuine needs of the employee; and
(ii) results in the employee being better off overall than the 11 employee would have been if no individual flexibility arrangement were agreed to …

So do not worry about that then in the circumstances. The employee completes a genuine needs statement and has an IFA and that is the end of it. And you wonder what the purpose of that statement is.

Labor is concerned that this particular statement which, remember, is essentially nothing more than a testimonial from the employee, is likely to work in conjunction with legal defence provisions included in the Fair Work Amendment Bill in relation to individual flexibility arrangements. Under the current act, a defective individual flexibility arrangement is deemed to have been contravened when it remains on foot until withdrawn. Employers may face prosecution for breaches of a flexibility clause where the individual flexibility agreement did not result in the worker being better off overall.

Now, if found guilty, penalties may be awarded against the employer and compensation paid to the worker. Under the defence proposed in this bill:

An employer does not contravene a flexibility term of a modern award in relation to a particular individual flexibility arrangement if, at the time when the arrangement is made, the employer reasonably believes that the requirements of the term were complied with, …

And what would prove that an employer had reason to believe they were being complied with in terms of the flexibility condition? Why? Of course, the genuine needs statement could be provided by the employee. What a lucky coincidence for the employer!

The employer may then offer this statement as evidence of a reasonable belief and escape penalty or the requirement when they may have underpaid the employee. So it is about helping the employer. It is about providing evidence to assist the employer. It is not about helping the employee at all; it is about helping the employer. It is a provision that makes it more difficult in terms of fairness in the workplace.
Although the coalition policy identified 'reasonable leave defences' with respect to recommendation 11 from the Fair Work Act Review panel, the recommendation itself was that the defence only be available to employers who had notified the Fair Work Ombudsman of the IFA. As you may have guessed, Mr Acting Deputy Speaker, the Fair Work Amendment Bill before the chamber today contains no requirement that the employer notify the Fair Work Ombudsman in writing of the IFA, the name of the employee or the award or agreement under which the IFA was made. All this was suggested by the review panel in recommendation 10. It was all ignored in the legislation before the chamber.

Then there is the curious case of the 'better off overall' test. For the purpose of this test, the Fair Work Amendment Bill proposes inserting a note providing that 'benefits other than an entitlement to a payment of money may be taken into account'. That is all well and good. Recommendation 9 from the Fair Work Act Review panel details changes to the 'better off overall' test with respect to non-monetary benefits. Reassuringly, although the coalition's policy to improve fair work law was silent on the 'genuine needs' statement, it does mention recommendation 9 in a section that lists the kinds of recommendations that a future coalition government would implement. Let's have a look at the text of recommendation 9. It says:

The Panel recommends that the better off overall test in s.144 (4) (c) and s.204 (4) be amended to expressly permit an individual flexibility arrangement to confer a non-monetary benefit on an employee in exchange for a monetary benefit, provided that the value of the monetary benefit foregone is specified in writing and is relatively insignificant, and the value of the non-monetary benefit is proportionate …

However, despite promising to implement recommendation 9 the note purporting to do exactly that fails to implement the safeguards recommended by the review panel.

You have to be a bit suspicious of a government that sees no need for the monetary entitlement that an employee foregoes when entering into independent flexibility agreement to be written down, or that it is at least proportionate to the non-monetary benefit that it is being exchanged for. And Australian workers can quite reasonably ask what this government is trying to hide from them in this circumstance.

And we should consider the workers most likely to be impacted by this bill—those workers that I referred to earlier in my speech who are worse off under AWAs. The AMWU submission to the Senate Education and Employment Legislation Committee inquiry on this bill identified that those workers who are reward reliant are 'predominantly casual, 55 per cent; and part-time, 65 per cent, with 75 per cent earning less than $18.60 per hour, meaning that their bargaining position when it comes to employer initiated flexibility arrangements is already at a disadvantage'.

The government's suggestion that this bill provides greater protection and certainty for workers in relation to individual flexibility agreements is pure bunkum. It is complete and utter nonsense. We have heard about it time and again from those speakers opposite. I suspect that many Australians will see this bill for what it is: the first step back towards WorkChoices and the government's dark and relentless right-wing agenda desiring to erode wages and conditions of Australia's most vulnerable workers.

Mr WHITELEY (Braddon) (17:47): I rise today to speak on this second reading amendment to the Fair Work Amendment Bill 2014. The Fair Work Amendment Bill 2014 is the fulfilment of a coalition policy made prior to the 2013 election. No surprises here. It was a
policy that outlined to the people our commitment to ensure Australian workplaces can get on with doing what they do best—that is, promoting jobs growth and productivity. And we are, in government, delivering on that commitment. Not only does this bill deliver on the coalition's commitment but it also delivers on broken election commitments made by the Labor Party prior to the 2007 election, and recommendations from the Fair Work Review panel, which was commissioned by the now Leader of the Opposition in 2012.

The Fair Work Amendment Bill will help to restore balance in the workplace through a number of features. It will improve the negotiation process for greenfield agreements to ensure that unions cannot actively set out to exasperate bargaining for these agreements through unrealistic and unsustainable claims and delays. Such claims and delays can threaten the very workers they purportedly support, threaten investment and delay the commencement of major new products that are crucial to our future—particularly, as far as I am concerned, Tasmania's future.

Another feature of this bill restores union workplace-access rules reflecting those in place prior to Labor's unbalanced amendments, and deals with excessive right-of-entry visits by union officials. It also improves workplace productivity and flexibility by enhancing the ability of employees to make individual flexibility arrangements with their employers to meet their genuine needs as determined by those employees. As the member for Braddon, I have a responsibility to ensure that flexibility arrangements are in place that will meet the needs of the employees in my electorate.

Another feature of the bill is that it removes the business-destroying 'strike first, talk later' loophole in the good faith bargaining rules which the previous, Labor government refused to address. Finally, the bill will maintain the value of unclaimed wages recovered for workers by the Commonwealth.

While the amendments contained in the Fair Work Amendment Bill are vital for the future economic growth of this country, and therefore for jobs growth, they are perhaps even more important for regions in Australia that are struggling at the moment to attract investment, and in areas like Tasmania, where the former state and federal governments conspired with fringe political interest groups to try and destroy an entire industry. I speak here, of course, of the forest industry. As this newly elected coalition government, together with the newly elected state government, sets about rebooting the Tasmanian economy and promoting jobs growth, laws such as those to be enacted by this bill will only build confidence for businesses to take the financial risk of putting on extra employees without facing the undue risk of unwarranted actions by overzealous officials.

The contrast between this government and the previous government cannot be greater than when it comes to economic matters, and this bill demonstrates the contrast dramatically. I have heard people say that the former, ALP government was addicted to debt and deficit. That is true, but in some ways debt and deficit was not really their addition; their addiction was cover-up. It was a government so incompetent that the only way it could hide its failings was by distracting the country on a regular basis with massive, uncosted, ill-thought-out spending programs. They went from one program to another. You would wake up in the next news cycle and there would be something else to be hailed by the leader—like a street-corner magician wanting to distract you while they empty your pockets.
This government, in stark contrast, is not here to spend the country into the ground. It is here to create the conditions whereby businesses can thrive and employ more people and create prosperity.

The formula to prosperity is not that difficult. It is getting those environmental conditions right. The Fair Work Amendment Bill 2014 will go some way to achieving this by ensuring labour unions are not abusing their rights to represent employees in the workplace. The changes aim to get the balance right between the right of employees to be represented in the workplace, if they wish to be, and the right of the employers to go about their business without unwarranted disruption. This was a key election commitment of the Labor Party in 2007. It was one of the many commitments the Rudd-Gillard-Rudd government failed to honour. They said one thing in opposition and another in government. When in government the Labor Party relaxed laws pertaining to right of entry. Labor's broken promise led to some atrocious abuses of the widely accepted right-of-entry principle. For example, the Pluto LNG project received over 200 right-of-entry visits in a three-month period. Furthermore, BHP Billiton's Worsley Alumina plant faced 676 right-of-entry visits in a single year.

But the unions in these cases of mass disruption are not my principal concern here. My concern is for the small- and medium-sized businesses that do not have teams of lawyers or the financial backing to take on these cashed-up unions determined on using right of entry to justify their own jobs. For small- and medium-sized businesses—the steam engine of our economy, I believe—these sorts of disruptions have the potential to inflict significant pain on productivity and influence decisions to employ even more workers.

As it stands—after former Prime Minister Kevin Rudd broke his promise to implement a level of common sense on right of entry—right of entry for discussion purposes can occur when the relevant union is entitled to represent the industrial interests of the employees at the workplace. This means that unions can enter the workplace and hold discussions even if they have no actual members at that workplace and even if no-one has sought their presence. Importantly, this bill will amend the act to ensure that entry to a workplace by a union is fixed to the recognised role of the union representative at that workplace or to an employee's request for the union's presence at that workplace. A union will only be entitled to enter a workplace for discussion purposes if: firstly, they are covered by an enterprise agreement or, secondly, they have been invited by a member or employee that they are entitled to represent.

The bill also enacts the right of an employee to seek a union representative to enter the workplace under anonymity. In this case a union will be able to apply to the Fair Work Commission for an invitation certificate. The Fair Work Commission must issue a certificate if it is satisfied that a worker, who performs work on the premises and whom the union is entitled to represent, has invited the union to the workplace to hold discussions. The certificate, importantly, will not identify the employee who has made the request. This will restore the balance in the right-of-entry regime so that it is similar to prior to the commencement of the Fair Work Act and is, in fact, absolutely consistent with the bipartisan consensus at the time of the 2007 election—a fact that seems to have been missed, conveniently, by those who have spoken before on this bill. Furthermore, the bill gives the commission the ability to ensure union officials do not abuse their position by disrupting workplaces and inflicting an unreasonably high frequency of visits. Under the current arrangements it is only in the most extreme cases that the commission is able to act. This bill...
centres the pendulum, allowing unions to go about their business but not at the expense of productivity in our workplaces.

Another aspect of this bill that I want to focus on is greenfields agreements. Importantly, this bill will wind back union power to unilaterally veto greenfields agreements. This veto provides unions with the power to disrupt and frustrate the process of these agreements with unrealistic demands on wages and conditions. The Fair Work review, established by the now Leader of the Opposition, highlighted this very concern. It is not our review; it is the now Leader of the Opposition's review. According to this review, these union tactics:

... potentially threaten future investment in major projects in Australia.

Again, these words are not my words, these words are not the Minister for Employment's words and these words are not the Prime Minister of Australia's words. These are the words of the review initiated by the now Leader of the Opposition. Unfortunately, that potential has been realised with major resource projects worth billions of dollars being delayed.

The bill will extend existing good faith bargaining rules to greenfields agreements to raise the conduct and tactics used in bargaining negotiations. This means that both the employer and the unions will be required, among other things, to consider and respond to proposals appropriately and in a timely manner. To assist in timely agreements, this bill will establish an optional three-month negotiation time frame. This time frame will apply where appropriate notice is provided by an employer to the relevant union or unions. If the parties are not able to come to a satisfactory agreement the employer will have the ability to take its proposed agreement to the Fair Work Commission for approval. The agreement will need to meet the workplace agreement requirements under the Fair Work Act, which you would expect, including the 'better off overall' test. The agreement will also have to satisfy a new requirement that it provides for pay and conditions that are consistent with the prevailing standards within the relevant industry for equivalent work. I repeat: the agreement will also have to satisfy a new requirement that it provides for pay and conditions that are consistent with the prevailing standards within the relevant industry for equivalent work.

Consistent with the existing framework, the Fair Work Commission must also be satisfied that the union or unions to be covered by the agreement are able to represent the majority of future employees. This is vital to ensuring that major projects are not needlessly held up by unions intent on making unreasonable demands in order to gain the upper hand in negotiations. These tactics, which have become so commonplace in so many workplaces around this country, have no place in this economy or in a fair nation and this government, through this bill, will not allow them to continue.

By any measure this bill is reasonable. This bill is fair. And this bill takes up, in part, many of the issues raised by the very review that the Leader of the Opposition, in his former capacity as minister, ordered. These are not my words. They are not the words of the government. They are, in fact, the words of the review ordered by the now Leader of the Opposition. Any fair-minded person will understand, if they are not in the pockets of the unions, that this is fair. It is reasonable and it is in the best interests of the restoration of the prosperity and financial viability of many companies in Australia. More importantly, it is in the best interest of seeing more people employed in jobs in this great country.

Ms HALL (Shortland—Opposition Whip) (18:01): I always enjoy following the previous member when he speaks. He very selectively picks out recommendations and accuses
members on this side of being in the pockets of the unions. I could throw back the accusation of him being in the pockets of the employers, but that would not be true—because he is in the pocket only of certain employers and that is quite a worry. The previous speaker said this takes us back prior to the commencement of the Fair Work Act. What I would say to the previous speaker is: it is back to the future—back to Work Choices. I believe that is where members of this parliament want to take us: back to Work Choices.

The Fair Work Amendment Act 2013 is further proof of how this government sees the Australian people, because they said one thing before the election and are doing another thing after the election. Remember those words, "No return to Work Choices"? Every piece of industrial relations legislation that has been through this parliament has taken us a step closer to Work Choices. The people of Australia will remember it. The people of Australia will know that they have been deceived by the Abbott government. Each and every day this government demonstrates to the Australian people that it cannot be trusted. When it comes to workplace relations and negotiation between employers and workers this government has a very jaundiced, one-sided view on how those negotiations should take place.

The vast majority of the provisions of this bill are anti worker. We need a government that is about providing jobs, one that is about looking at both sides—what is best for business and what is best for workers—and at the same time is generating jobs. In under 12 months the Abbott government has charted a course to return to Work Choices, yet it has done nothing—absolutely nothing—to address the issue of full-time jobs collapsing across this country. Every day we hear about another major employer either moving offshore or jobs disappearing. At the same time this government has absolutely no plan whatsoever for jobs. The government is all about cutting pay and conditions and making it harder for working Australians.

The Prime Minister does not speak the name of Work Choices. His ministers do not speak the name of Work Choices. Those on the other side of this parliament avoid the words Work Choices. But in reality we are on that track, back to Work Choices. We want to make sure that the bill that is before us does not take us back to that point, but it is very difficult when you have zealots on the other side of this parliament that are rabid in their hatred of unions. The one thing that they want to do is see that we return to Work Choices. The workers get less pay and poorer conditions and, at the same time, there will be an enormous impact on the lives of families.

The opposition opposes this fair work bill because it is a continuation of the government's crusade against employees' conditions and wages. It is a continuation of the race to the bottom. This government will not rest until we have a US-style situation in Australia where workers are working for $5 an hour. This government does not believe in providing workers with a voice. It is about disempowering workers and creating a state where workers have to take what they are given—where they do not have strong representation and unions do not have the right to enter workplaces. The previous speaker was talking about how a worker could ask to invite a union into the workplace. Even if that were anonymous it is not too hard, in many workplaces, to work out who invited the person in. Then that worker worries about being vilified and the consequences of that act.

Before the election and when introducing this bill, the government promised that, when proposing amendments to the Fair Work Act, those amendments would not go any further
than its pre-election promise—that was point No. 1—and that it would implement specific recommendations 'directly' from the 2012 Fair Work review. It would definitely appear that the government has broken its promises on both these counts. The government has gone much further than its pre-election promises in a number of places, including individual flexibility arrangements, greenfields agreements and right of entry.

I would like to first spend a little time on right of entry. The government is seeking to restrict union access to work sites. It claims—this is what it is claiming; it certainly is not the fact—that, currently, right-of-entry provisions are skewed in favour of unions and that Labor created a situation where unions could visit workplaces where employees are not members of unions. This is the government moving to disempower workers in the workplace. This is the government moving to stop workers having a voice in the workplace. This is the government denying workplaces the right to have unions enter. Quite frankly, it is not good enough. This bill will restore the arrangements that existed prior to Labor's changes. Union officials will have to comply with 'a reasonable request' by an employer to hold discussions in 'a particular room'. Reasonable request? Who determines what reasonable is? Particular room? Even a particular room can be very intimidating. Employees will be prevented from nominating locations and employers will nominate locations that will intimidate, as I stated.

When it comes to greenfields agreements, the government claims that unions are too easily able to frustrate the making of greenfields agreements. This bill will extend good-faith bargaining rules to the negotiation of greenfields agreements. For example, employers and unions will be required to participate in meetings with each other. There will be new, optional, three-month negotiation times and, if agreement cannot be reached within that time—this is the really telling point—the employer will be able to take its proposal directly to the Fair Work Commission for approval. So it is really not negotiation; it is about skewing the system very much in favour of the employer.

There are a number of individual flexibility agreements, greenfields agreements and right-of-entry agreements. In a number of cases, including in individual flexibility agreements, the government has clearly overstepped its pre-election commitment. It is doing this by using tricky language, as we have come to expect this government always to do. I want to touch on individual flexibility. Individual flexibility is a trade-off of money for benefits that are non-financial. That can be good if it involves small amounts of money and creates a degree of flexibility, but it is not good when it is used to whittle away the working conditions of workers in a particular place.

This legislation is really about the government very much seeking to change the balance in the workplace and take away workers' conditions. I want to concentrate a little more on those flexible agreements. Flexible work practices can, as I was saying, deliver benefits to both employers and employees if they are applied appropriately. The key factor there is fairness. At the same time, vulnerable, low-paid workers and their families must be protected. These are the lifters and carriers. These are the people who the Treasurer targets with his cuts. These are the people who the budget seeks to impose the greatest hurt and pain on. These are the people who this Abbott government is seeking to inflict more pain on. If these flexible agreements are imposed on unsuspecting employees, quite often, if you do not have the proper union representation, you can agree to a condition that you really do not understand.
At the end of the day, when they find out that their pay has gone down and their conditions have been weakened, it is really difficult for workers. They are the losers in that situation.

I know there are some very good people on the other side of this House—people who do not really want to see workers disadvantaged. Any flexibility should be a win-win for both the employer and the worker. It should not be a situation where the employer benefits and the worker is disadvantaged. It is about both parties, and this is a system that is already in place across a majority of enterprise agreements in Australia. It really concerns me when we have this sort of legislation before the parliament. The government is unreasonably proposing that a key safeguard be abandoned, traded away through its flexible agreements. The expert panel stated:

... if a nonmonetary benefit is being traded for a monetary benefit, the value of the monetary foregone must be relatively insignificant, and the value of the non-monetary benefit is proportionate.

That is not what I see this legislation do. Despite the clear prescription for 'relatively insignificant' and 'proportionate', these are missing from the bill that we have before us today.

The government has also included a requirement for employees to provide their employers with what it has misleadingly labelled a 'genuine need statement'. I think that genuine need statement is something that really skews this legislation. Who determines what a genuine need is? The arbitration on that would really disadvantage the workers in a workplace unless there are some fair minded employers out there who will interpret it in the spirit of genuineness—and I am sure there are some like that. But, where there is a statement of genuine need, who determines what 'genuine' is? The statement is intended to catch an employee's state of mind at the time the flexible agreement was agreed to. How do you do that? That is the question.

This government has tried to pass this off as an employee safeguard. It is not an employee safeguard. It is actually a tool to discriminate against employees. I think this government should hang its head in shame. This legislation is antiworker. This legislation is anti-union, but this government is always anti-union. In industrial relations, to establish a good industrial relations system you need balance between the employers and the workers. You do not start a vendetta against the union movement or one side of the equation. For the government, it is punish one, punish all. It is really only concerned about one thing, and that is punishing workers and punishing unions. (Time expired)

Mr SIMPKINS (Cowan) (18:17): I appreciate the opportunity to speak on the Fair Work Amendment Bill 2014 today and wholeheartedly endorse it. You would recall that the 2007 election was not a great moment for our side; we lost many people. That is the nature of politics. People make a decision about what they see in front of them; and, unfortunately, they decided against us. I think it would be fair to say that, particularly on the east coast—not so much on the west coast—the Work Choices argument was a fair influence on many people. Again, not on the west coast; I was elected with a 2½ per cent swing. My good friend the member for Swan was elected with a one per cent swing despite the worst advertising that could have been thrown at us, as indeed ran in the rest of the country. But I know that, in the cases of the member for Brisbane, who is the former member for Petrie, and the member for Fisher, who is the former member for Longman, the moment was not lost on them. Everybody on this side of politics remembers that there were lessons learnt about things going too far. There was a no-disadvantage clause in the Work Choices policy, and I think that was a mistake. The Labor Party, the government back at the start of 2008, kept reminding us and
talking about Work Choices. For years they talked about Work Choices, and it was not lost on us. So what we see in this bill is exactly what was promised before the last election. There is no Work Choices anymore; it is just a sensible rebalancing to the centre.

I know the other side has a great interest in this. The arguments that we have heard against this bill are really not about the workers, not about the employees; they are really about the vested interests of the funders of the other side—the union movement—and the preselectors of the other side, of which something like 50 per cent are again from the union movement. It is not really representative of private-sector workers. Eighty-seven per cent are not members of a union. It is much higher, of course, in the public sector. But 87 per cent of private-sector workers reject union representation, and I think there is something in that. When we talk about and implement this policy of rebalancing the Fair Work Act, what we are really doing is speaking up in the best interests of the majority of workers in this country. The reason for that is that, without development, without businesses, without the very strong private sector, there are no jobs for anybody beyond the public sector, and an economy must have a strong private sector to thrive. That is really where the jobs go.

As I said, I understand why there is this stoic defence by the Labor Party against any change at all to the Fair Work Act. I know there is a battle on the other side of politics between the extreme left of the Greens and the not-so-left of the Labor Party. It is a battle for who is actually getting the funding from the unions. I know the piper is to be paid. If people want their preselections and funding for their election campaigns, the industrial arm of the Labor Party—or maybe the political arm of the union movement—has to do as it is told. If they do not, who knows what is going to happen with these factional deals? As former senator Louise Pratt found out, a lot of people can be victims of deals between the factions over there. While certain union leaders might just parachute into a safe seat, if you live by the sword, you die by the sword; and, in any case, you have to do as the bosses tell you.

Turning specifically to this bill, as I said, it is about returning to a fair balance. We are trying to do something that is going to be good for workers and good for business so that there are more jobs and a can-do attitude. The first point I would like to talk about is the greenfields projects. A can-do attitude is required when we are talking about investments. The questions must be about what are the advantages for Australia and what benefits can Australians gather by working hard on these new projects. Labour arrangements must be put in place so that investors know what the costs will be. As I said, no investment does not help the country. It does not help the employees or potential employees, and there will be no-one for a union to represent if this is not done properly.

It is wrong for any party in such matters to seek to frustrate any agreement in an attempt to merely start talking about the wages or the other benefits before they even know the country and the future investments created. Instead, we propose to ensure good faith bargaining and to set time limits so that there is a requirement to actually be constructive in these negotiations, and I really do wonder sometimes how that can be objected to. Put very simply, the employer informs the union of the proposal and then there is a three-month period to get an agreement. That is where the can-do attitude comes in. You have three months to work it out; that is a long time. It is around 100 days to come to an agreement. If they still cannot come to an agreement after three months, it is then that the employer can take the proposed agreement to Fair Work. That agreement has to comply with the existing requirements and of course satisfy
the 'better off overall' assessment. That is a really critical point because in the end no-one will go backwards as a result. I find it disappointing that those on the other side are suddenly so against Fair Work, that they are harbouring a belief that Fair Work will not ensure that these rules and laws will be carried out. It is disappointing.

The next point I would like to speak about is the issue of right of entry, and that is really about freedom of choice. If a person wants a union to represent them, then fine. But if a person does not want a union to represent them or preach to them or cajole them in the workplace, then they should not have to put up with that either. As I said, in the private sector 87 per cent of people have come to that exact conclusion. On the issue of workplace access for unions, there really is a current imbalance in the access rules. What is proposed is a fair and sensible balance. It will, of course, ensure employees have the right to be represented in the workplace if they wish to be, but it will also take away the level of unnecessary disruption to employers so that they can get on with running the business that actually employs and generates the returns. Again: if they were not generating returns, then no-one would have a job in any case.

As we know, and I know a lot of speakers have referenced this, back in 2007 there were certain guarantees given by the then shadow minister, Julia Gillard, that the existing rights-of-entry laws would remain. That was from 2007, so the arrangements before the 2007 election were that they would remain. Instead, through the original Fair Work Act, easier access was provided. This took the form of excessive workplace visits from unions. It did not matter whether the employees were union members or not. They did not even need to ask for the union to come to the site. They were the extreme arrangements and that was what faced us. Add to that the competition for membership between several unions and it became a worse problem. Difficulties running a business enterprise were made that much more difficult. I do wonder what those opposite would consider to be a fair number of right-of-entry visits. As the minister noted—this is relevant to Western Australia—the Pluto LNG joint venture project had 200 right-of-entry visits from unions in just three months—that is more than two a day. I think others have also mentioned that BHP's Worsley Alumina plant had 676 visits in 12 months—again, something in the vicinity of two a day. This does not actually create productivity; this is disrupting people and pulling people off their jobs and getting in the way.

Therefore, it is little wonder that action has been required and that is why we are here. On this point, what is going to change is that, yes, a union will still be able to enter a workplace where they have an existing representative role via an enterprise agreement or if employees have asked them to attend. But if there is no existing role an employee who wants to remain anonymous can still seek to have the union come to their workplace but the union then has to make an application to the Fair Work Commission to obtain an invitation certificate. This request has to be proven to the satisfaction of the commission after they have ascertained that a worker has invited the union, and that that worker does work on the site. To protect the anonymity of the worker, their name will not be on that certificate. These changes will restore the balance and will be consistent with what both sides of politics said before the 2007 election.

One of the great defining features of the previous government's departure from everything they had said before the 2007 election was excessive right-of-entry visits. As I said, 676 visits to BHP's Worsley Alumina plant in a single year. While those opposite may think that the
destruction of productivity is acceptable, clearly it is not. This bill will provide the mechanism for the commission to deal with disputes about excessive right-of-entry visits for discussion purposes. The previous government's faux attempts to deal with this problem were to place amendments in the Fair Work Act that were ineffective and were almost impossible to use. Their plan was to allow action on excessive visits only where there had been 'unreasonable diversion of the occupiers' critical resources.' Contrast that with our plan to allow the commission to possibly suspend the entry permit or revoke it, to place conditions upon it such as time limits. In this way, the history of the union's previous actions will be considered and the permit will be conditional.

As the minister said, 87 per cent of private sector employees are not union members and it is right that the rights of those workers are not impacted by union visits. The amendments address the venue for unions to address their members. The employer will have to nominate a room that is reasonable and fit for the purpose, but the lunch room at lunchtime will not be such a room. The travel and accommodation costs of union officials visiting remote worksites should be borne not by the business but by the union officials and their members. I recall that former CFMEU union secretary Kevin Reynolds had a top of the line Range Rover, so it is not as though they do not have four-wheel drive vehicles to support this.

I want to turn to some comments made by the member for Shortland. She made some false allegations about reducing people's pay and conditions, and I think she might have even quoted the individual agreements. I would like to clarify that. It was under the Fair Work Act of the former government that individual flexibility agreements, IFAs, were enshrined. IFAs are important because they allow employers and employees the opportunity to agree on conditions for the employee that suit the business and the employee. It gives them greater flexibility. In retaining this, it is clear that an employer cannot force an employee to sign an IFA or make it a condition of employment, and the employee must be better off overall than they would have been under the applicable modern award or enterprise agreement.

There is no doubt that this bill restores things to a sensible balance. There are loads of protections for workers, but for the opposition it is not about protection of workers; it is about protection of their preselectors—the union movement. We are getting back to a very small centre, and I endorse this bill.

Mr MARLES (Corio) (18:32): I rise to speak in opposition to the Fair Work Amendment Bill 2014—I know this is a surprise to those across the bench! I do so because this is another bill in a long tradition of propositions that come from the coalition which seek to reduce the rights of working people in the workplace. Notwithstanding their statement that they seek to promote a sensible centre, we never see from the coalition a proposition which ever gives rise to benefits for employees. At the end of the day, this is a bill which is in the tradition of a government and a political movement which when you look inside you see in there the beating heart of Work Choices. This is very much a contemporary manifestation of that. It is on that basis that we seek to oppose this bill. We also oppose it because, in essence, it represents a broken promise, a broken promise from a government which before the election said that they would go no further after being elected than the pre-election commitments that they made. That has not been honoured in this bill, where there are provisions that go beyond those proposals that were put to the Australian people this time last year.
The coalition said that they would implement specific recommendations directly from the 2012 Fair Work review. Again, propositions contained within this bill go well beyond what was contained within the Fair Work review. Not only does this represent a manifestation of an itching desire on the part of the coalition to walk down the path of Work Choices, to resurrect it; it also represents a series of broken promises compared to the proposition that they put to the Australian people this time last year. This is particularly the case in relation to individual flexibility arrangements, greenfields agreements and the right of entry, all of which are contained within the bill. I want to deal with each of those points.

Individual flexibility arrangements were introduced by the former Labor government, acknowledging that there are circumstances in which employers and employees may well want to enter an agreement which differs from the enterprise agreement or the award which pertains to a particular workplace, and that such a flexibility arrangement may well represent a win-win for both the employer and the employee in the workplace. That is obviously something to be encouraged. At the same time, there is a real risk that when you put in regimes of this kind they can be exploited to the detriment of an employee.

The safeguard that was put in place by Labor at the time was the BOOT, the better off overall test, which sought to make sure that there was a protection for employees with the individual flexibility arrangements that they entered into. At the heart of that was a proposition which said that it would be possible to sacrifice, potentially, conditions which had a monetary value associated with them in return for a non-monetary benefit and where that happened, it needed to be the case that— and this was recommended by the expert panel —the monetary value that was to be foregone needed to be relatively insignificant and the value of the non-monetary benefit needed to be proportionate. That was at the heart of the expert panel's recommendation in relation to individual flexibility arrangements.

That is not what we see in relation to the proposition which is put before us in this bill, where it makes it clear that that relationship between the insignificance of the monetary benefit foregone and the proportionality of the non-monetary benefit gained does not form part of the flexibility arrangement contained within this bill. That, in our view, opens up a real possibility that workers can be exploited through an individual flexibility arrangement which may well mean that people are asked to give up significant conditions that are either existing in a workplace agreement or a workplace award. That is a key example where people can be significantly worse off. We all remember the no disadvantage test, which was such a key component of what was removed during the Work Choices legislation. This has echoes of that, and so it is very important that it be contested within this parliament, and that is why we oppose it.

In relation to greenfields agreements, greenfields agreements clearly have their place within the industrial system, where you do have a new workplace which needs to be established based on a set of working conditions, and obviously they are often done so on the basis of negotiating those agreements with a relevant union which may represent people covered by the kind of work that would be the subject of the workplace and therefore the agreement. But what this provision provides is an ability to put employers in a much greater position of power when negotiating those agreements. Specifically, the provision that requires that an employer notify a three-month negotiation period has the effect of beginning a clock which will run for three months. During that time it would in effect be possible for the
employer not to significantly or seriously negotiate with the union in relation to the agreement, and once the clock expires after the three months the employer is then given the opportunity of taking whatever is in place at that moment to the Fair Work Commission. It would have the effect of, in essence, allowing an employer to negotiate with itself in order to come up with what is ultimately taken to the Fair Work Commission. There is nothing in that which represents fairness or a sensible centre in terms of the workplace.

Finally, in terms of the specific issues that I want to deal with, is right of entry. Right of entry is an important provision which gives employees an opportunity to consult with unions about the issues they have within their workplace. There is a balancing act which needs to be undertaken, which Labor undertook in government, to balance the rights of employees to gain the advice that they want to gain from their union whilst also not giving rise to a situation where you see an unreasonable obstruction to the operations of an employer's business. That is common sense. Balancing the rights of an employer to continue their business as they will and the rights of employees to get information is at the heart of any right of entry provision. But what we are seeing in this proposition is an ability to further restrict unions from being able to consult with employees in a workplace, and that balance is upset.

There is also the proposition of an invitation certificate, which is couched in terms of seeking to give rise to or provide for anonymity for employees who want to have a union come into a workplace in order to give them advice. But I do not think anyone can seriously suggest that a proposition of an invitation certificate could realistically remain anonymous in circumstances where you have a small workplace. If you are talking about 15 or 20 employees, a union turns up by virtue of the issuing of an invitation certificate, it would be very difficult to maintain any anonymity around the person who gave rise to that certificate. Therefore, as a proposition, we see that as being unrealistic and therefore one which would mean that the ability for individuals in those circumstances to be able to consult with a union would be seriously curtailed.

In all of this there is nothing which seeks to create the sensible centre that the government talks about. This is nothing more than starting the walk down the path towards Work Choices—walking down the path towards a situation where employees are further disempowered within the workplace, where their ability to maintain their conditions of employment are further curtailed.

But what I find extraordinary about this bill coming forward before this parliament at this moment in time is the preoccupation that exists with his government in pursuing this kind of legislation when we have in Australia the loss of manufacturing and the increase in unemployment that we are seeing. In my electorate of Corio, based as it is on Geelong, we have seen in the last 12 months or more, the two pillars of our private sector economy—Ford and Alcoa—announce that they will no longer continue operations in Geelong. At the beginning of this month we had Alcoa conclude its smelting in Geelong, having pursued that activity for more than 50 years. We have an enormous amount of people whose lives have been placed in a position of uncertainty as their employment is removed from them. All of that has happened whilst we have seen this government effectively goad the car industry offshore. No-one will forget the words of the Treasurer in response to Holden last year and what has then ensued in relation to both the car industry and manufacturing in general. That ought to be the focus of the government's activities—dealing with that issue, making sure that
we maintain a manufacturing industry in this country and making sure that regions such as mine are given the appropriate resources to transition from a significant economic shock such as that which the closure of a company such as Alcoa represents in Geelong. Yet we have seen none of that from this government. When it comes to the question of employment and jobs, what interests this government is walking down the path of unveiling Work Choices again. It is about limiting employees' rights within the workplace rather than making sure that this country continues to have the kinds of industries that will employ people going forward.

There is a real sense in Geelong that this is a government that has cut Geelong loose in terms of its manifest failure to maintain manufacturing in Australia and its failure to assist Geelong in the transition from the loss of those employers—and then, in the context of the budget, reduced the social safety net for many people who are now going to need it. Instead of doing any of that, what we have before us is this bill which seeks to limit employees' rights in the workplace and which is, at its heart, a fundamental broken promise.

Mr HOWARTH (Petrie) (18:46): I rise tonight in support of the Fair Work Amendment Bill 2014. It is a bill that delivers on key aspects of the coalition government's election policy and does not go any further. This bill sets out to deliver these amendments to the Fair Work Act. It includes greenfield agreements, right of entry and individual flexibility arrangements, and it closes the 'strike first, talk later' loophole. These were recommendations made by the 2012 Fair Work Act review.

In 2013, Labor conducted a review of the Fair Work Act but did not implement any of the recommendations from the review. The coalition's Fair Work Amendment Bill is offering employers and employees the clarity and certainty that Labor was unable to deliver. Many of the changes outlined in the bill will have a great effect on businesses and workers throughout the country and a positive effect on workers and businesses in my electorate as well.

Let us look at greenfields agreements first. This bill will improve the greenfields agreements negotiation process to ensure that unions can no longer frustrate the making of these agreements by seeking excessive wages or conditions or by refusing to agree at all. As the former government's Fair Work review noted, in somewhat understated language, these practices 'potentially threaten future investment in major projects in Australia'. It is not policy that drives the economy, it is not government control and it is not union control; it is the efforts of both employees and employers. And all they want is to get on with the job. That is what this bill is all about.

Amendments to the greenfields provisions will help unlock new investment and prevent needless delays to new projects. These amendments will send a strong message to overseas investors that Australia is open for business and that projects can get underway quickly. Along with these amendments, the bill addresses the current imbalance in union workplace access rules. Currently, some businesses face excessive workplace visits from unions—even when their employees are not union members and have not asked for the union's presence.

In 2007, the Labor Party promised on multiple occasions that there would be no changes to the union right of entry laws. In a press conference on 28 August 2007, the then deputy opposition leader, Julia Gillard, said:

We will make sure that current right of entry provisions stay. We understand that entering on the premises of an employer needs to happen in an orderly way. We will keep the right of entry provisions.
As we know, these promises were not kept and unions were given much easier access to workplaces under the Fair Work Act provisions, which were routinely exploited by some—I note 'some'—unions. Unions are now allowed to enter a much wider range of workplaces for discussion purposes, including workplaces where that union has not traditionally had members or played a significant role. In addition, Labor’s amendments removed the previous ability for employers to specify an appropriate location within the workplace for unions to meet with employees and instead set the workplace lunch room as the default meeting place. This has led to disruptive 'lunch room invasions' which unions have used to target employees who did not wish to meet with them. You can imagine an employer trying to sit down with an employee on their lunch break to discuss different things. It would not be acceptable. Certainly in this case it does seem to be a bit excessive.

Furthermore, Labor’s most recent amendments also introduced an obligation on employers to pay for the cost of transport of union officials to remote work sites, such as offshore resources projects. This has created an employer-funded 'union boss joy ride' scheme which has also been abused. Should this not be covered by membership fees? Thousands of hardworking Australians who are union members pay their membership fees every year. Should not union delegates’ travel fees be covered by those fees? That is what those fees are for—not for companies to pay for union officials to visit remote work sites. The former government’s Fair Work Act review panel highlighted the problem, noting that the Pluto LNG project—as the previous member mentioned—received more than 200 right-of-entry visits in only three months, while BHP Billiton’s Worsley Alumina plant faced 676 right-of-entry visits in a single year. This, in both cases, is more than two visits a day. That is a lot of visits, isn’t it?

On a more local level, I approached several business owners in my electorate when I decided to speak on this bill because I was interested to see if they, too, had been affected by excessive right-of-entry visits. Unfortunately, they had. One of these business owners said she has had to deal with union reps turning up every two weeks. I stress that she did not want her name or the name of her business mentioned out of fear that her business would be targeted even more. This business owner is losing productivity because of right-of-entry visits. Two years ago she was employing around 160 people; today she is down to 47. When I asked her what these visits were for, the only practical reason she could give was that these union reps were out to pressure her employees and herself to join a union EBA.

She drew my attention to an email that was sent out by the CEO of Brisbane-based air-con manufacturer, Siganto and Stacey, that was the basis of an article put in The Courier-Mail last month. It said: The 46-year-old company’s construction arm has closed, assets will be liquidated … Sacked workers were briefed on entitlements and allowed to collect personal items yesterday morning. In an email sent to staff on Monday night, company CEO William Siganto described his “bitter disappointment”. “There have been difficult projects, delays and confrontation,” Mr Siganto wrote. Confrontation from unions. Our changes to right of entry will reduce the capacity for unions to deliberately harass and disrupt businesses in this way. Furthermore, the bill before us today will improve workplace productivity and flexibility by enhancing the scope for employees to
make individual flexibility arrangements that meet their genuine needs as determined by those employees.

Although IFAs were included in the Fair Work Act since its commencement, this bill addresses the shortfalls to Labor's 2007 election policy to introduce IFAs. I understand the need for employers to enter into IFAs with employees. IFAs offer flexible workplaces that ultimately deliver benefits to both the employers and the employees—benefits such as greater job satisfaction, improved productivity, improved efficiency and, ultimately, improvements in the employees' motivation to continue working. IFAs allow employers and employees to enter into specific arrangements for when work is performed. For example, it should allow for them to determine remuneration on overtime rates and penalty rates, provided the employee is not worse off. It can simplify the task of a pay clerk—for example, having one hourly rate instead of working out an overtime rate, laundry allowances and all the other allowances that are often included. There would be just one higher hourly rate.

An important aspect of IFAs is that an employer can consider non-monetary benefits to an employee, provided the employee is better off overall under the IFA, and that is set out in writing—how this arrangement will benefit them. One example may be a pay clerk who is working 20 hours a week permanent part time. They are given a certain amount of work to do each week. They may do overtime; they may decide to work a couple of extra hours to meet all the aspects. Rather than having the pay clerk work out overtime on those extra hours that they have worked, they are paid a higher hourly rate to simplify the process. As long as the employee is not disadvantaged, this seems quite reasonable.

This government's proposed amendments to IFAs has the potential to deliver a more user friendly process for employers in which they can bargain with their employees. While IFAs were introduced in 2009 by the Gillard government, not many employers have adopted them. This is because the IFAs turned out to be not as flexible as initially planned. Under Labor's Forward with Fairness policy implementation plan, released in August 2007, the IFAs flexibility pertained to: rostering; hours of work and rates of pay; provisions that certain award conditions may not apply when employees are paid above a fixed percentage, as set out in the award; an arrangement to allow the employee to start and finish work early to allow them to collect their children from school without the employer paying additional penalty rates for the early start.

This bill will ensure all current protections for employees, making IFAs remain in place. And it sets out to provide additional protections, which include: an IFA cannot be a condition of employment, only a worker can approach an employer for an IFA, an employer cannot force an employee to sign an IFA, an employee must provide a statement to the employer saying how the IFA meets their genuine needs and how they consider themselves better off overall.

This bill sets out to implement the review's recommendations. This bill responds directly to the Fair Work review panel's recommendations, whilst, at the same time, keeping the current IFA framework. Amendments to this bill will provide a more balanced workplace relations system, whilst safeguarding workers' conditions and protections. This bill implements the coalition's publicly stated election policy—nothing more and nothing less.

This bill seeks to provide a harmonious working relationship between the employee and the employer where together they can work out individual circumstances that will benefit both
parties. I trust that when this bill is passed it will ensure that businesses feel confident that flexible arrangements can be made.

The government is strongly committed to these measures. They are necessary to help build a more stable, fair and prosperous future for Australian workers and businesses and the economy. That is why I support the sensible and measured reforms presented in the Fair Work Amendment Bill 2014.

Mr DREYFUS (Isaacs—Deputy Manager of Opposition Business) (19:00): This bill will enable employers to undercut basic award entitlements—a move that even former Prime Minister John Howard admitted was a key mistake of Work Choices. And of course former Prime Minister John Howard subsequently reinstated the no-disadvantage test in 2007.

Let us not be in any way confused by the multiple speeches filled with talking points that we have heard from those on the government back bench in the course of the debate on this bill, the Fair Work Amendment Bill 2014. This is part of a war that the Liberal Party is waging on weekend and night pay, and it is just the first step to an open slather on cutting the pay and allowances of Australian workers.

The bill goes much further than the coalition's pre-election policy which was published in May 2013. It goes much further than the fair work review panel's recommendations. Of course, this kind of legislation, now being introduced to the parliament, is what we have come to expect from this government—a government which said one thing to the Australian people before the election and has done another, in so many areas, after the election. Before the election we had a vague policy on industrial relations from the Liberal Party, designed to reassure Australians that they were not proposing to attack Australians' wages and conditions, and very much vague in order to ensure that their true intentions—a hard-right agenda that we see now being implemented by this government in so many areas—their real intentions, were to go much further than anything they had said before the election. It can only be said that what this Liberal Party said before the election was intended to deliberately mislead Australian voters.

Night and weekend pay is a core part of the budgets of millions of Australians. Some 4.5 million Australians work in sectors where night and weekend pay rates apply, and it has, for a very long time, been an expectation of Australians—a very large majority of Australians—that people who work nights and weekends should be paid more. That is something that has been confirmed by recent polling by Essential Research, who found that some 80 per cent of Australians believe that people who work at night and on weekends should be paid more.

What this bill does is to set up circumstances designed to cut Australians' pay. It is worth looking a little bit at the history of the industrial background to this by noting that—contrary to what has been said in multiple speeches by those opposite—under the Labor government, individual flexibility arrangements or IFAs were used to give employees genuine flexibility, not to cut wages.

The key safeguard that Labor introduced was, of course, the BOOT—the better off overall test. IFAs had to ensure that employees were better off overall. What this bill does is to make changes that will remove that key protection. It will allow night and weekend rates to be traded off for an unlimited variety of so-called non-monetary benefits. For non-monetary benefits to be taken into account under Labor's BOOT safeguards, they had to be relatively
insignificant and genuinely agreed to. Under this bill, these safeguards will be removed. Labor's safeguards to limit the use of the non-monetary trade-offs are replaced by a short note providing for, apparently, any ‘benefits other than an entitlement to the payment of money’ to be used. The requirement that these be relatively insignificant and genuinely proportionate has gone, and it will open the door to weekend and night pay being traded away for all sorts of non-monetary items—perhaps even pizza.

Mr Laming: Let them have a choice.

Mr DREYFUS: Without these safeguards, overnight and weekend rates could be traded away just like they could be under John Howard's hated individual contracts. And I hear one of the government backbenchers saying, 'Let them have a choice.' 'Let them have a choice' is, of course, the illusion that those opposite would like to present, pretending that every worker in Australia has a real choice, when he should know—and I believe that those opposite do, in truth, know—that not every Australian worker has a real choice; that very often the pressures that are brought to bear on them by their employer, the pressures that are brought to bear on them when they do not have the protection of a union, the pressures that will be brought to bear on them when they do not have the protection of legislation, mean that there is no real choice. So 'Let them have a choice' is the illusion that those opposite put forward when John Howard introduced his hated Work Choices laws, and now we hear again the echoes of Work Choices: 'Let them have a choice.' Well, 'Let them have a choice' was firmly rejected by the Australian people at the 2007 election, and this government should be ashamed of itself for returning, in the sly way that it is seeking to return, to the Work Choices regime that was so resoundingly rejected by Australians in 2007 and will be rejected again at the next chance that the Australian people get at the ballot box.

I just wanted to give as an example one of my own constituents—Paul Toll, who is a paramedic from Aspendale. Paul Toll is in no doubt that if extra pay for night duty, for overtime and for weekends were stripped away most of Victoria's experienced ambulance staff could not afford to stay in the job. It would be a devastating loss of experience and commitment but no-one with a family could afford to do the job for its base rate of $56,000 a year. That is what Paul Toll tells me. Weekend and night pay takes an experienced ambulance paramedic's pay to $71,000—that is a 26.7 per cent increase on the base rate—as compensation for shifts of 14 hours and 10 hours, and working any time—because this, of course, is what paramedics and ambulance workers have to do—of the week, day and night, all with unpredictable overtime.

This is what Paul said, 'Without that 26 per cent you would find people have to get another job. I've done 10 years and I want to stick it out. It's incredibly rewarding in many ways, but it's tough on families. We are always juggling child care, relying on family and friends.' That is what Paul Toll said. Paul went on to say, 'Without that extra pay, Ambulance Victoria would lose their experienced people who provide that supervision for the young graduates coming in. Already a lot of us are looking around at other options. My wife works full-time and we are already struggling to pay bills and the mortgage.'

That is the kind of dedication that we have come to expect from ambulance workers and paramedics in Victoria and, indeed, throughout Australia, and it is those kinds of Australian workers—paramedics and ambulance workers—whose night and weekend pay rates are at risk. They are under threat if this bill is allowed to pass.
I would go on to say that it is not just this attack on weekend and night pay that we see in this bill. There is another aspect to this bill that I should mention in the remaining time available. It is a bill which says that some 1.5 million Australians on the award safety-net will need to show their employer that they invited a union to their workplace if they need information and support. This goes back to the interjection before from the government backbencher, to the effect of, 'Let them have a real choice.' I say it again: in the real world of Australian workplaces, vulnerable people, including perhaps by way of example, recent immigrants, will not get access to their union and to the information they need if the changes proposed in this bill go through.

In the real world, fear and insecurity and lack of knowledge mean that people do sign their rights away. In the real world it is a 'take it or leave it' situation, which is why we legislate in industrial relations to provide basic protections to Australian workers and why Labor will fight on every occasion to preserve those rights and protections for Australian workers, because what we will fight for is a decent workplace—one in which every Australian worker is respected.

Meanwhile, putting the provisions of this bill to one side, higher-paid Australians already on collective agreements have ongoing access to union information and support. All Australian workers deserve the same right of access to a union, regardless of where they work, regardless of how much they are paid and regardless if they have an enterprise agreement or not. Again, what we see is a coalition backflip. The Prime Minister promised that he would only implement changes from the Fair Work Review. But not one of these union information proposals arise from that process. Not one. In fact, the Fair Work Review Panel specifically rejected the idea that people on the award safety net should have lesser access to union information and support. The Fair Work Review Panel also rejected the idea of employee 'invitations'—so called—being issued before unions can provide that support.

Indeed, Australians on the award safety net absolutely need access to union information more than any other workers. These are workers who need help from unions to know their award rights. These are workers who need help to know when not to sign those rights away. And they need help to improve their rights by joining with others and winning the better living standards that come with collective bargaining.

This other part of the bill, these amendments, are a transparent attack on Australians' rights at work. They appear designed to keep people on the award safety net, or on IFAs that undercut that safety net. Regrettably, it is what we have come to expect from this government, which thinks that attacking the Labor movement, attacking the union movement and attacking unions is what they were elected to do. Of course, that is not what they said to the Australian people before the election. Nothing of it! They did not say to the Australian people before the election that they were going to embark on a wholesale attack on workers' rights and information being provided to Australian workers on the rights of unions to serve workers in every industry in Australia. Of course they did not because they wanted to create the false impression that they were not planning, as is now apparent, a return to Work Choices.

We are seeing here the first steps—the first small steps—of a return to the harsh industrial relations regime that Australians were forced to endure when the Howard government got control of the Senate and rushed legislation through both houses of parliament, introducing the hated Work Choices regime. We are seeing here in this bill again the first steps being
made by what is, regrettably, a very hard-right Liberal government indeed. Again, this is not anything they liked to talk about before the election. We are seeing here from this government their first steps on the path of return to work choices.

The government deserves to be condemned for bringing this legislation into the House. Australians will see it for what it is, which is an attack on workers' rights, an attack on workers' rights to information and an attack on the entirely appropriate role that is played by unions in the Australian workplace.

Mr TEHAN (Wannon) (19:14): What confected outrage have we just heard from the member for Isaacs. It was so confected that he tripped over himself, lost his spot and did not quite know how to finish. He knows, like everyone else in this place knows, that all we are doing here is honouring our election commitments. We took workplace relations policies to the last election and we are seeking to implement them. In doing so we are also ensuring that the previous Labor government implements the policies it took to the 2007 election. As we know only too well, they were the ones who said one thing before the election and did another thing after the election.

Just while the member for Isaacs leaves, still bloated by his confected outrage, I will give him an example. This is what then Deputy Leader of the Opposition Julia Gillard said before the 2007 election:

We will make sure that current right of entry provisions stay. We understand that entering on the premises of an employer needs to happen in an orderly way. We will keep the right of entry provisions. But, sadly, Mr Deputy Speaker Vasta, as you know only too well, that is not what happened. The Labor government, when in power, could not help itself. I do not think it even needed the union movement to twist its arm. It just said, 'What would you like? What would you need?'—especially when we saw Prime Minister Gillard needing that union support to prop up her failing leadership. She decided that the key ingredient for her to survive was for her to give her union movement what they wanted. It was not the union movement as such; the union bosses who control the numbers were controlling her destiny.

One of the first things that Prime Minister Gillard relented on was union access to workplaces. This bill addresses this. It will address the current imbalance in union workplace access rules. Before the election, we said that we would fix this, and fixing it is what we are doing. We are doing it in two key areas. We are doing it with regard to the eligibility requirement for right of entry. They will be broken down into two key ingredients. Are the members of a workplace covered by an enterprise agreement? A union will only be entitled to enter a workplace for discussion purposes if they are covered by an enterprise agreement or they have been invited by a member or employee they are entitled to represent. I would have thought that is fairly straightforward, fairly simple and fairly uncontroversial. That is why we are seeing such confected outrage from those opposite. They have no genuine grievances when it comes to this bill. What we are putting in place are common sense, straightforward requirements that say to unions, 'If you want to access a workplace, there are some requirements that you need to abide by.' In very much the same way that we ask people to behave in a polite manner, that is what we are asking the union movement to do when it requires access to premises.

There are also changes being made with regard to right of entry when it comes to frequency disputes. What we do not want to see is union entry day after day after day. In some cases,
sites are being visited up to 144 times a year, which leads to an unreasonable diversion of the occupier's critical resources. Sadly, this is a tactic which has been used by various union bosses to disrupt workplaces: unreasonably seek to gain access to a workplace day after day after day. These provisions seek to change that in, once again, a very straightforward, sensible way which is perfectly in line with the commitments that we took to the last election.

There are also the changes that will be made when it comes to repeals. The bill will also repeal the previous government's amendments, made in 2013, that expanded union right of entry even further by allowing for uninvited 'lunchroom invasions' and requiring employers to pay for the cost of union boss joy-rides to remote worksites. As all of us here would know, especially when it comes to remote worksites, we have people doing their jobs. They often work in fairly tough conditions. They work in a way that makes sure it benefits them and benefits the productivity of the enterprise they work for. The last thing that they need is the distraction caused by people deciding that they will go for a ride and seek to disrupt a remote workplace. This section makes sure that that sort of hindrance, that type of intimidation, can no longer take place. When it comes to right of entry, we are putting in place sensible safeguards to make sure that unions cannot exploit right of entry provisions. These are consistent with what then Deputy Leader of the Opposition Julia Gillard said in 2007.

There are three other key components of this bill that we think need to be addressed. The second one goes to greenfields agreements. As we have heard from the former Labor minister for resources, what is occurring with greenfields agreements is meaning that the development of new sites is not occurring because of the expense incurred for these major projects because unions, sadly, are holding some of these projects to ransom. Once again, it is not just our side who are saying this. Reasonable people on the other side are also prepared to admit that, when it comes to greenfields sites, there has been a problem with the way the Fair Work Bill has been implemented and we need to address that.

The bill will extend good faith bargaining rules to the negotiation of greenfields agreements to improve the standard of bargaining conduct. This will mean that employers and unions will be required to, for example, attend and participate in meetings with each other and consider and respond to proposals in a timely manner. Once again, this is straightforward and sensible. This is not radical change. This is common-sense change to make sure that, as we develop greenfield sites, unions cannot put themselves in a position where they hold the projects to ransom. And there is nothing here that those opposite should be afraid of. As a matter of fact, their own review of the Fair Work Act said some changes are required in this area.

The third important aspect of this bill is to do with fixing the 'strike first, talk later' loophole. Once again, this is very uncontroversial. Would those opposite like to see continue the idea of unions striking first and then deciding to negotiate? Surely, the fairer way to do it is to ensure that there are negotiations before strikes occur. Once again, this is consistent with the promises of the Labor Party prior to the 2007 election and the recommendation of the Fair Work Review Panel. In his speech to the National Press Club on 17 April 2007, the then Labor Leader, Kevin Rudd, said:

Industrial disputes are serious. They hurt workers, they hurt businesses, they can hurt families and communities, and they certainly hurt the economy. They—employees—
will not be able to strike unless there has been genuine good faith bargaining.

Well, that is what we are trying to achieve here. I know that many of those opposite now try and disown their association with Prime Minister Rudd. But he said this prior to an election and I think it is beholden upon the Labor Party to say: 'Yes, we understand that and, yes, we are happy to abide by what he said because he took the Australian people into his confidence that this is what he would do.' Sadly, that is not what was finally implemented over the six years of the Rudd-Gillard-Rudd government. We want to hold Labor to account and make sure they honour their own commitments and the promises they made to the Australian people.

Fourthly, and importantly, this bill seeks to make individual flexibility arrangements, which are in the Fair Work Act, workable so that workers and employers can use them. We want to make sure that if a worker wants to negotiate better arrangements in his workplace, and do that through these individual flexibility arrangements, they can do so. So far, these arrangements have proven to be almost unworkable. We want to make sure that they are workable, and we want to put in place additional protections because we want to make sure that these individual flexibility arrangements work for both the employer and the employee.

It is incredibly important that we get this right—and it is incredibly important for the union movement. The union movement now only represents 13 per cent of the private sector Australian workforce. So a union needs to make sure that its behaviours and practices represent workers and that the workers want to work with the union and be members of the union. If they get it right, there is a place for them to do so. But at the moment they must be asking themselves, 'What are we doing wrong?' And the Labor Party should be saying, 'Are we seriously helping the unions to do their job and play their role?' With private sector union membership at 13 per cent the Labor Party needs to be saying: 'Maybe we do need to look at what the government is proposing here. Maybe these are sensible changes that will help the union movement in the way it goes about its business. And, in the long run, that might be better for the union movement—rather than just taking the blind ideological approach that any change in this area cannot be countenanced, that any change needs to take us backwards rather than forwards.'

So I appeal to the Labor Party: think about the good you could do by agreeing to these sensible changes—which this government took to the last election and, in many cases, changes which honour commitments that you made to the Australian people in the lead-up to the 2007 election. These are fair-minded, reasonable changes which will make our workplaces a lot better and lead to job creation. I commend the bill to the House.

Mr ZAPPIA (Makin) (19:29): The Fair Work Amendment Bill 2014 does two things. Firstly, it purports to respond to the 2012 Fair Work Act Review and the 53 recommendations that arose from that review. Secondly, the bill purports to implement coalition election policies. Neither of those claims are accurate when you look closely at what is in the bill. It is interesting, when you listen to speakers opposite, to hear how they are prepared to distort the interpretation of what is in the bill to suit their arguments. Many of the 53 recommendations which arose from the 2012 Fair Work Act Review were, in fact, implemented by the last Labor government with respect to the Fair Work Amendment Act 2012 and subsequently the Fair Work Amendment Act 2013. Both those acts implemented the recommendations which we on this side of the House thought were fair and reasonable.
Going to the second point in respect to the claimed that this legislation implements coalition election policies, again that is not true either. I would suggest that members opposite who come into the House and constantly make that claim look carefully at what their policies specifically said in the lead-up to the 2013 election and how they match up with what is in this legislation because close scrutiny will show that the legislation goes much further than those opposite claim it does and goes much further than the policies they took to the 2013 election said they would do as well.

As many members on this side of the House have already made clear, this legislation is the first step to the Abbott government implementing its extreme, right-wing industrial relations policies, policies which the coalition failed to get through this place in 2007 because they failed to win the election, I believe largely because the Australian people rejected their Work Choices policies. Most Australians I spoke to at the time, regardless of on which side of politics they stood, saw right through those policies and knew they were bad for all working Australians. Indeed several people, whom I know are not supporters for our side of politics, were not concerned about Work Choices for themselves but for the children and their grandchildren, who they felt would perhaps not have the experience to look after their workplace conditions in the same way they were able to do.

As others have clearly spelt out, the name 'Work Choices' may be dead, buried and cremated, but the ideology is alive and well in the minds of coalition members and in the minds of their key political puppet masters. This legislation covers the key issues of union right of entry, greenfield agreements and individual flexibility arrangements. Those of the three key areas where I suspect we differ from coalition members with respect to the legislation. These are matters for which, in this legislation, the balance of fairness is heavily skewed in favour of the employers against the employees. Not surprisingly, I speak in support of the very sensible amendment moved by the member for Gorton—that is, that this bill be not given a second reading. Contrary to what the government claims, the propositions in this bill go much further than their commitments made before the election and the claims being made by members as they come into the chamber to support this legislation. I just heard the member for Wannon. It is interesting how different people can read this legislation and come into this place to put their own interpretation on it. I suggest members opposite look not to comments from the people on this side of the House and not to the comments from members of their own side. If they were to look to the Parliamentary Library's assessment of this legislation they would find that the concerns we have are very clearly articulated in the paper put out by the Parliamentary Library.

It should come as no surprise that we see another election commitment broken—that is, the commitment on industrial policy which the coalition took on the 2007 election. Since its election, we have seen this government break promise after promise. We have seen it with the $80 billion cuts to health and education. We have seen it with changes to pensions, when they promised not to make any such changes. We have seen it with cuts to industry assistance, cuts to the ABC and SBS, cuts to research institutions, cuts to Newstart payments, the $7 doctor tax and the increases in petrol tax. There is a litany of broken promises by this government so it should come as no surprise that they are also going to break their promise on matters of industrial relations, which they fought so strongly for in the 2007 election, which they lost, but which they have not given up on.
The Australian public have been betrayed by the Abbott government. Let me tell members opposite that the people I speak to clearly tell me that they know it. They are no fools and they know when they are being given spin by members of the coalition, particularly by the Prime Minister himself. There is another matter relating to all of this legislation which is deeply concerning. It is one thing to come into the House and constantly attack the unions. I have heard that since 2007 when I was first elected. Every time there is any form of industrial legislation brought before this place the first thing members opposite do is attack the unions. Rather than going to the substance of the legislation that is being debated, there are always generalisations about the union, never once looking at the specifics and the detail of what is being proposed.

They have now gone even further since the election of the Abbott government—that is, to blame working Australians, as part of their narrative, for why the Australian economy is in difficulty and for why so many Australian businesses are also having their own problems. 'Do not look at other factors but look straight at the workers and blame them.' We are hearing it continually from those opposite. We heard it in respect of the Toyota and Holden autoworkers where their wages and conditions were being blamed for the difficulties the automakers were having in Australia. We heard it with respect to SPC Ardmona where all sorts of claims were being made about the wages and conditions of those workers—claims that simply were not true—and it took a member of the coalition to come into this place and refute the comments of her own Prime Minister.

We have heard it constantly in respect of the woes that the restaurants in this country are having where, every time we talk about difficulties, the first thing that members opposite do is blame the workers who work for those organisations for the demise of those industries. I find those attacks on working Australians very unfair and, quite frankly, very wrong.

We are told that workers' remuneration, work packages and entitlements are causing so much difficulty in the Australian economy. What members opposite are trying to do is set a narrative, whereby working Australians are expected to lose conditions that, in many cases, have been hard fought for over the last 100 years or so and to work longer hours—and I now see that on a regular basis—for less pay, with fewer working rights. I frequently speak to people who tell me that they work much more than 40 hours a week, but they do not get paid for it and that it is expected of them. It has now been ingrained into them that, if they do not do that, they will be seen as someone who is perhaps not contributing their fair share to the workplace.

We know full well that those same people probably work where they do because they need a job. They have bills to pay and they also have families to keep and the like. So they cannot afford to stand up for their rights because they cannot afford to, in any way, risk losing their job. So we see them being put under pressure and, bit by bit, their work entitlements are being taken away from them. This legislation goes in that very direction and takes it just that little bit further.

We have also seen Australian workers being put under pressure to accept the conditions that they work under by the easing of regulations relating to allowing foreign workers to come into Australia on 457 visas and do work that could otherwise be done by Australians. There is only one reason for that: those workers more than likely come from countries where their wages and conditions are much less than those of Australian workers.
They are prepared to work in Australia for the same conditions—maybe better conditions—that they might have worked for in their own country and certainly for much less wages than what Australian workers would. It is a way of putting pressure on Australian workers to lower their own standards.

We know that most employers want to do the right thing by their employees and we know that most employees want to do the right thing by their employers. But there is no doubt in my mind that there are many unscrupulous employers who are prepared to take advantage of workers whenever and wherever they can. People have come to my office not once, not twice but time and time again where they have been badly treated by their employer and sought assistance from my office. It happens; it is the real world. Just as it is the real world in that I have no doubt that there are employees who do not do the right thing by their employer. But we need to strike a fair and proper balance and this legislation simply does not do that. What concerns me most about this legislation is that the people who are likely to be the worst affected, the people who rely the most on support from their unions, the people who are not in the best position to enter into individual agreements with employers are likely to be those people on the lowest incomes, young people, new arrivals, women and part-time workers. They are already at the low end of the scale in terms of the income they receive. Yet they are the people who most rely on support from outside and, for workers, that support comes from the unions of which they are members. Yet this legislation is clearly trying to make it much more difficult for them to get support from the unions by not allowing unions a right of entry as easily as they might have had in the past. It is part of a belief, an ideology that the Abbott government and coalition members opposite have and which they will continue to have if they support this legislation.

I doubt very much that any member opposite would ever want to be treated unfairly by an employer. I doubt very much that any member opposite would like to see conditions cut or work entitlements taken away from either them or any family member. But yet that is exactly what they are agreeing to do if they support this legislation.

The legislation was referred to the Senate Education and Employment Legislation Committee. I understand that Labor produced a dissenting report. I want to specifically talk about the part that deals with greenfields agreements, because I think that is one of the critical parts of this legislation. It is clear from this legislation that the greenfields agreement component is skewed in favour of employers and, in particular, the notion that if you do not have an agreement within three months then you can go to the commission certainly smacks of trying to deliberately set up a framework whereby you can stall the negotiations for three months, waste your time, drag your feet and then, at the end of three months, you do not have to negotiate anymore. That is not what the recommendations from the 2012 review suggested but yet coalition members are saying it was part of the review and that is why they are doing it. That is simply not the case.

This legislation, as many of my colleagues on the Labor side of parliament have already made clear, is the first step by the Abbott government and coalition members to reintroduce all of the elements of Work Choices, albeit under different names. Labor is opposed to this bill and the member for Gorton, speaking on behalf of Labor members as the shadow minister, has made it clear that we will oppose this legislation and we do so for good reason.
because it does not strike a fair balance between the rights of workers and the rights of employers.

Mrs GRIGGS (Solomon) (19:44): The ideological divide that separates the two sides of this House are pretty clearly defined on most issues, no more though than in the area of industrial relations. While the Labor Party does not stand for much, one group that it does advocate for robustly and steadfastly is its union mates. In other words, it can never ever be accused of putting the interest of its union mates last. While that is not necessarily a good thing; at least, I suppose, it is something. A lot of those on the other side posture around making a show for the nightly bulletins without any real conviction behind what they say. That is not surprising given the lack of consistency that the Leader of the Opposition has shown over the years. The movable feast that was his position on the party leadership in previous governments is a case in point.

By contrast, this is a government that is prepared to actually stand for something, to stick to its guns and not shift its position to suit the prevailing fashions of the day. This government was determined to stop the deaths of asylum seekers trying to arrive here by boat, so we can tick that off. This government promised it would scrap the carbon tax, so we can tick that one off. This government made it clear that it will roll back Labor's debt, which is still a work in progress.

It is with genuine pleasure that I am part of a government that is prepared to make reforms to fix the problems that hold back this country. Australia as a nation and the Northern Territory as a future state have enormous potential but under Labor this was frittered away in the interests of political opportunism, glad handling and carpet bagging. The coalition is introducing a new way focused on sound economic management and a big-picture government.

I spoke in this chamber during the last parliamentary sittings about the predominant role that Labor handed trade unions in this country and how instead of representing the interests of fee-paying members, the power was vested in dodgy union bosses. Today I rise to speak on the Fair Work amendment Bill 2014, legislation designed, again, to chip away at the union monolith bequeathed to this country by Kevin Rudd, Julia Gillard and Bill Shorten. The bill is structured to deliver on our election commitments regarding union workplace access, individual flexibility arrangements and the removal of the ability to strike first and talk later. I should point out that these were all commitments made by Labor prior to the 2007 election but were killed stone dead by the removal of Kevin Rudd. Union ideologues like Bill Shorten were not having a bar of these reforms and Kevin Rudd was a victim of the current Labor leader-at-all-costs protection of the union movement and the mates who backed him through his political rise.

This legislation has five main points that combine to restore balance to the workplace. Firstly, it will improve the process for the negotiation of greenfield agreements which will ensure that unions will no longer have the capacity to frustrate bargaining during negotiations of these agreements through unsustainable claims and delays. These can threaten investment and stymie the commencement of major new projects, reduce incentives and come at a considerable cost to entrepreneurs and to the workers. This legislation will remove the effective union veto power over greenfields which have enabled them to frustrate the making of these agreements by seeking exorbitant wages and conditions or refusing to agree at all.
This right of veto has already delayed major resource projects worth billions and billions of dollars.

This legislation intends to improve standards for bargaining conduct which means that employers and unions will, for example, be required to attend and participate in meeting with each other and consider and respond to proposals in a timely manner. To do this, this legislation establishes a three-month negotiation time frame which will apply where appropriate notice is provided by an employer to the relevant union or unions. At the end of the three months if there is no agreement reached then the employer will be able to take its proposed agreement to the Fair Work Commission for approval. The agreement will have to satisfy a new requirement that it provides for pay and conditions that are consistent with standards within the relevant industry for equivalent work. In line with this, the Fair Work Commission must also be satisfied that the union or unions to be covered by the agreement are able to represent the majority of future employees.

Secondly, it will establish union workplace access rules which restore the balance between workplaces and unions. Under Labor, union bosses had carte blanche to do what they wanted in the workplaces. As I said, this balance needs to be restored. This bill will improve workplace productivity and flexibility by enhancing the scope for employees to make individual flexibility arrangements that meet their genuine need as determined by those employees. No longer will unions be able to stand in the way of decision making by individuals. The amendments will provide clarity for employees around the use of individual flexibility arrangements which are an important tool to enable workers and employers to agree on conditions while ensuring workers are actually better off. These amendments are designed to promote flexibility for workers and employers in a range of different areas. For example, if a worker is also a carer for an elderly parent or another loved one, then time away from the workplace can be built into the agreement—likewise with childcare arrangements or other unrelated but important commitments that an employee may have. This will be of particular use in the Northern Territory and in my electorate of Solomon, where a lack of family support can present challenges for workers who do not have understanding employers or are reluctant to take time off from paid employment to care for sick children.

Two further amendments recommended by the Fair Work Act Review panel will be made to provide clarity and certainty to both parties. First, the unilateral termination period for IFAs made under enterprise agreements will be extended from 28 days to 13 weeks, consistent with the position for awards. To buttress this, the 13-week unilateral termination period for both modern awards and enterprise agreements will be placed in the legislation. The second amendment will confirm the existing position that the better-off, overall test for IFAs can be satisfied by exchanging monetary benefits for non-monetary benefits. This, along with the government's new requirement for a statement in writing from the employee, will provide greater protection and certainty for all parties.

All other rules relating to an IFA will be retained, including that they cannot be made a condition of employment, that they must leave the employee better off overall and that they must genuinely be agreed to. Under our amendments, an employer cannot force an employee to sign an individual flexibility arrangement or make it a condition of employment. An employee must be better off overall than they would have been under a modern award or an enterprise agreement. It will also close the strike-first, talk-later loophole in the good-faith
bargaining rules and will also maintain the value of unclaimed wages recovered for workers by the Commonwealth. It will do this by amending the Fair Work Act to provide that protected industrial action can only be taken if bargaining for a proposed agreement has commenced. This amendment will mean that industrial action cannot be the first step in the bargaining process and in doing so it removes the whip-hand that unions currently hold.

I have been referencing to the Fair Work Act Review panel during this speech; it is a body initiated by the now Leader of the Opposition back in 2012 but never implemented by the Labor government. The panel made a number of recommendations that this government will implement, not because they are courageous or because we are going out on a limb, but because we are not beholden to the union movement for our daily bread. These are sensible measures that any sensible government can see are overdue for delivery. This legislation will clarify the interaction between leave and workers compensation by removing an exception that allows employees to accrue or take leave while absent from work receiving workers compensation. It will also clarify the circumstances where annual leave loading is payable when a person leaves their job. This is intended to restore the long-understood but sometimes confused position that workers are only entitled leave loading when they leave a job if it is expressly provided for in their award or workplace agreement. The government will introduce a requirement that an employer must give an employee a reasonable opportunity to discuss their request of extending their unpaid parental leave, unless the employer has already agreed to the request. It cuts red tape around the transfer of business rules to assist employees who wish to move between associated entities.

It also gives the Fair Work Commission clearer powers to dismiss unfair dismissal proceedings without conducting a conference or hearing in circumstances where there has been a clear breach by either party of an order or direction. It is also important that this substantial package of measures passes through this parliament to restore procedural fairness for employees and employers. The key words that I have identified in the reading of this legislation are 'clarity', 'flexibility', 'consistency', 'certainty' and, most important of all, 'fairness'.

Under the Labor government these concepts were ignored in place of political expediency and solidarity with their union mates. It is beyond me why Labor, time and time again, are on the wrong side of the argument when it comes to industrial relations reform. It even lacked the bottle to implement the recommendations made by its own Fair Work Review panel from 2012. It was symptomatic of a government paralysed by division and rancour that had followed it across to the opposition benches over the past 12 months. This legislation gives the Labor Party the chance to show to the Australian people that it has seriously changed direction and is committed to supporting the greater good, rather than reacting on the basis of ideological belief. It would be retrograde and absurd but hardly surprising if the Labor Party tries to block these amendments. I appeal to the crossbenchers in the other chamber to have a very close look at the sensible proposals outlined in this legislation and support its passage in the interests of employers, employees and the economy. We have to stop listening to Labor's scaremongering about WorkChoices; this has nothing to do with WorkChoices.

Mr STEPHEN JONES (Throsby) (19:59): In December this year we will mark the 110th anniversary of the Conciliation and Arbitration Act. It was then, as it is now, probably one of the most controversial pieces of legislation that has ever been debated by the Commonwealth
parliament. In fact, the 1904 act did not have an easy birth. It saw the collapse of three governments—the first Deakin government, the Watson government and the Reid government—before it was established in law. The government of Chris Watson, the then leader of the first Labor government in this country, that ushered through the Conciliation and Arbitration Act and appointed, shortly thereafter, the man who was at that time the Attorney-General of this country, Henry Bournes Higgins—he was also one of the finest High Court judges—as the President of the Commonwealth Court of Conciliation and Arbitration.

It is a shame that the member for Solomon is not here to hear this, because she said in her contribution that Labor is always on the wrong side of this debate. I beg to differ, and history will bear this out. Henry Bournes Higgins, in his memoirs, described the architecture of the Conciliation and Arbitration Act as a new province for law and order in this country. He said this with quite some experience because, as a barrister at equity before the Melbourne bar and a president, for many years, of the Court of Conciliation and Arbitration he saw many cases. He also had experience of the bitter industrial disputes which characterised employer and employee relations before the establishment of this court.

He said that the conciliation and arbitration legislation established a new province of law and order in this country. That judgement of Henry Bournes Higgins echoes down over the 110 years since the first piece of real, robust industrial legislation was passed through this Commonwealth parliament.

Over those 110 years three things have been pretty constant in this debate. The first thing that has been constant has been the dogged opposition of the Liberal and National parties and their progenitors to any form of regulation which gave workers a fair go and, at some point in time, restricted the power of employers to dictate the terms and conditions of employment. I will not say that the Liberal and National parties and their progenitors have not moved in their attitudes over those 110 years, but if there has been one constant it has been their dogged opposition to these forms of legislation. Whenever they get the opportunity they do their darndest to unwind the reforms that have been put in place by Labor governments. It has been so since the great friend of the Liberal Party, HR Nicholls, attempted to undo the work of the Court of Conciliation and Arbitration in the Harvester case. It has been so since Stanley Melbourne Bruce—the first Prime Minister of this country to lose not only an election but his own seat around the very issue of workers rights and industrial law—attempted to cancel the Commonwealth regulation in the industrial relations sphere. It has been so since the former Prime Minister John Winston Howard and the hapless member for Menzies, his workplace relations spokesperson—ably assisted by the member for North Sydney, who was brought in at the last moment to help with the task—tried to sell this dead cat to the Australian people. It has been the constant from the time of the fall of the first Liberal government to the fall of the last Liberal government. They have had it in their sights to unwind the reforms that have been put in place in workplace relations by the Labor government.

The second constant in those 110 years has been the clash between two founding principles. The first is adopted by those on the other side as the right to collective bargain versus the freedom of contract. In a nutshell this is the principle that lies at the heart of every single dispute within parliament and between employers and employees when it comes to the big disputes that have defined industrial relations history in this country.
We know—we see it in the legislation before the House today—that this notion of the freedom of contract is little more than a Trojan Horse for those who wish to determine, line by line, the terms and conditions of employment with little right to negotiate for their employees. This notion of the freedom of contract, as espoused by those radicals—many of them represented on the other side of the House in this debate today—is little more than a Trojan Horse to be able to dictate the terms and conditions of employment to an employee. We saw this great battle between the freedom to contract and the right to collective bargain played out in that tortuous instrument known as the Australian workplace agreement—I will have a bit more to say about that in a moment—and we see it again today in the amendments that are brought forward in the name of individual flexibility agreements.

The third constant in over 110 years of industrial regulation has been the absolute repudiation of the so-called commitment of those opposite to small government and red tape when it comes to the regulation of industrial relations. And I say that quite purposefully, because never has so much needless regulation been introduced in the name of freedom. Never have so many new constraints, new conditions and new requirements been introduced by a government that espouses the principles of deregulation and the reduction of red tape. Never has so much red tape been introduced in the name of deregulation. When you look at the three constants that have characterised the debates on these legislations for over 110 years, they have been: the constant opposition of the Liberal and National parties to regulation by this parliament; then, when they yield that ground, their absolute repudiation of any pretence that they stand for a reduction in regulation and red tape—they are willing to wrap every workplace and every industrial agreement in this country in as much red tape as they can land their hands on when it comes to workplace relations; and that constant conflict between the right to collective bargain versus the right to freedom of contract.

Never has there been so much wanton slaughter of the ordinary, everyday meaning of words in the cause of legislation than we have seen in this legislation before the House. It is competitive. It is even competitive with the performance of the former minister for workplace relations the Hon. Peter Reith in his famous 'more jobs, better pay' legislation that was designed to deliver the exact opposite. In this legislation we see the denial of access to workplace fall under the heading of 'right of entry', freedom of contract becomes the 'right to dictate' and good faith bargaining stands as the right to conduct a perfectly good negotiation with yourself or those who you have hand-picked to negotiate with if you are the employer seeking to establish a new greenfields agreement.

I turn to a few specific problems with the bill. I want to talk about the individual flexibility agreements because their history is instructive. They were borne of the demise of Australian workplace agreements but, indeed, reflect a concession—that is, within a collective instrument there may be a need to provide workers and employers with the opportunity for individual flexibility, provided that it does not undermine the rights of either. We knew that in introducing such a scheme that it would be important to introduce protections, so we did an analysis. The universities' research and the longitudinal studies that were conducted on AWAs found that over 80 per cent of Australian workplace agreements had provisions within them that reduced the overall conditions of employees. Over 80 per cent of them reduced the actual take-home pay, wages and conditions of employees who were subject to them.
The picture was even worse for women and people from a non-English-speaking background, which sheds a light on the reality of the capacity of individuals to bargain. Deputy Speaker, I wager that if you and I sat down to bargain we would probably have some bargaining power and, perhaps, the skills and professions that put us in a privileged place within the labour market. But most, if not many, are not so privileged and so protections are necessary. We saw ridiculous things; we saw penalty rates, overtime entitlements and monetary entitlements being traded for pizzas and videos. This is not right to any proper thinking person. The protections were put in there. The 'better off overall' test that these provisions seek to undermine was put in the legislation to ensure that these sorts of abuses could not occur. Individual flexibility arrangements, yes, but these sorts of abuses, definitely not.

In the name of individual flexibility we see some quite odd provisions within the agreement. They have removed those restrictions on the things that an individual flexibility agreement could cover, thereby permitting the trade-off of monetary for non-monetary—and without proper scrutiny perhaps pizzas and videos could once again be a feature of individual flexibility agreements. The idea that a statement of mind of the worker at the point in time of contracting is going to be used as some sort of protection really is risible, because anybody who turns their mind to the reality of these sorts of negotiations and the situations in which this is likely to arise will understand that this is a nonsense. Think about this: the example where an individual flexibility agreement has been arrived at by inducement, unfair inducement and perhaps coercion—that is, a worker has been asked to sign an agreement but we know that there has been an improper form of inducement or, indeed, the worker did not understand, through no fault of their own, what they were being asked to sign up to at the time. How can an additional statement that the worker is also asked to sign, at the very same point of time that they sign the offending agreement, be some sort of protection or defence against abuse? It is an absolute nonsense. It is almost as ridiculous as some of the statements that have been made by those opposite.

The problem at the core of this is: when they see rights and entitlements, they do not see protections for ordinary workers—they see union bosses. They do not see rights and protections and they do not see the organisations that protect those rights and protections; they see some bogey that they have dedicated their lives to destroying.

Ms O’Dwyer (Higgins) (20:14): I rise today to speak on the Fair Work Amendment Bill 2014. As federal parliamentary representatives we have a duty to ensure that what we do in this place will help build a stronger, more prosperous Australia. This bill will do that by delivering on another one of the government’s election commitments—that is, to improve industrial relations by balancing the rights of employers to run their business without unnecessary workplace interruptions with the rights of employees to have proper representation within their workplace. There are a number of important elements to this bill but in the time available I will confine my focus to the following three elements, namely: fairer workplace access; individual flexibility arrangements; and the removal of the ‘strike first and talk later’ approach.

There is currently an imbalance in the workplace access rules. The Rudd-Gillard-Rudd government changed the law to give union officials unilateral access to workplaces. This had a direct and immediate impact on many business owners and employees who just wanted to
get on with their job and operate efficiently and effectively without unnecessary and uninvited visits from union officials. As it currently stands, right of entry for discussion purposes can occur when a relevant union wants to enter a site and hold discussions. They do not need to have any actual union members at that particular workplace, nor does their presence need to be sought by employees, for them to access that workplace and those employees.

It should not really come as a great surprise, then, that as a result of these changes to the law there were many abuses, with excessive and unwarranted workplace visits resulting from unions wanting to flex their muscle or cause disruption to a particular workplace. Many workplaces were held hostage to turf wars between unions looking for union members. There are many examples of such abuses, as I have outlined before. One such example included more than 200 visits to the Pluto LNG project under this provision of the law. What is worse is that all of these 200 visits occurred in under a three-month period. BHP is another example, targeted at their Worsley Alumina plant with 676 right-of-entry visits in a 12-month period. What we saw under these provisions of the law were lunchtime invasions by union officials dictating that they would hold these discussions in places where employees were having lunch. The employees in many of these workplaces could not escape such discussions, even if they wanted to, because these were the only places where these discussions could be held and where their lunch could be had in peace and quiet. What we had were many private sector employees—87 per cent of whom are not union members—being subject to these union campaigns. The bill before the House proposes to address these issues by restricting access for discussion purposes to unions covered by an enterprise agreement, or to occasions when a union official has been invited by one of the members or an employee they are entitled to represent.

There are protections in place for employees who might wish to remain anonymous. They can make an application to a union for a union member to come on site. That union can then make an application to the Fair Work Commission to enable the visit and an invitation certificate will be granted. This invitation certificate will only be granted where the commission is satisfied that it is not simply a fishing expedition by the union but in fact the result of a bona fide invitation.

Under this bill the Fair Work Commission would be able to suspend, revoke or impose conditions on an entry permit should they feel that excessive right-of-entry visits have taken place. This includes the combined visits of all unions, not just of one specific union. This will be welcomed both by employers and employees right around the nation.

Measures in this bill also include protections pertaining to individual flexibility arrangements. It is important that individuals be able to make arrangements with their employer that suit those individuals but also suit the employer. The measures within this bill will prevent an employer from forcing an employee to sign an individual flexibility arrangement. The measures will ensure that the employee remains better off than they would have been, with an employee statement confirming that their individual flexibility arrangement will meet their genuine needs and they will be better off than they would have been under the applicable modern award or enterprise agreement. This way we will see individual arrangements being accommodated with safeguards in place.

There are also changes to greenfield agreements in this bill that will ensure that enterprise agreements for new projects can be negotiated efficiently. Union officials, under the
legislation that stands today, were preventing the start of projects through unnecessary delays, often hijacking greenfield agreements with ambit claims. This ultimately threatens investment and also jobs. The 'good faith bargaining rules' will be extended under this bill to the negotiation of greenfield agreements, meaning that employers and unions will be required to meet with each other to consider and respond to proposals in a timely manner. To ensure that agreements are met in a timely manner this bill will establish a new optional three-month negotiation time frame which will apply where appropriate notice is provided by an employer to the relevant union or unions. Should an agreement not be reached within this time frame, the employer can take a proposed agreement to the Fair Work Commission for approval. This will deliver a lot more certainty to employers and also, ultimately, to employees, who will benefit from new employment opportunities.

The final aspect that I would like to highlight in the bill is changes to the 'strike first, talk later' arrangements that existed under the previous legislation. The Labor Party, prior to the 2007 election, recognised that these loopholes under the Fair Work Act were a serious problem, resulting in escalating industrial activity and strikes. The Labor leader even acknowledged, prior to the 2007 election, in his National Press Club address:

Industrial disputes are serious. They hurt workers, they hurt businesses, they can hurt families and communities, and they certainly hurt the economy

They—
meaning employees—
will not be able to strike unless there's been genuine good faith bargaining.

We on this side of this chamber agree with that statement. The only problem was that the previous government did not enact those changes. They talked a big game, but they were not prepared to follow through.

We will, however, follow through, and this bill does just that. We will amend the Fair Work Act so that protected industrial action can only be taken if bargaining for a proposed agreement has commenced. This will mean that industrial action is not the first step in the bargaining process but will occur only when good-faith bargaining has been exhausted. This will restore balance to our Fair Work Act and ensure that bargaining does take place on a good-faith basis and is in fact the first thing that both unions and employers, rather than engage in simply more and more strikes.

There are many other important measures in this bill. I do not have time to address each of them individually; however, the measures that I have outlined work towards ensuring that certainty and clarity are once again restored to workplaces around the country and that our industrial relations laws work in favour of both employees and employers. I commend the bill to the House.

Ms RYAN (Lalor—Opposition Whip) (20:24): I rise to oppose the Fair Work Amendment Bill 2014, just like I oppose the Treasurer's so-called fair budget, with its so-called fair changes to pensions, fair cuts to education, fair GP tax, fair changes to Newstart eligibility and fair changes to higher education, training and apprenticeships. I rise to oppose the ludicrous, ridiculous situation where this government would retain the word 'fair' while making amendments that are clearly not fair.
When I was working in schools in the western suburbs of Melbourne, I saw the impact on local families of then Minister Abbott's Work Choices legislation. I saw students exploited by individual contracts. I heard directly from these students about being paid in pizzas. I heard time and time again about kids who did not get a job when they asked about conditions and overtime arrangements. I saw parents put under pressure in their employment too. I saw people being made casual after many years of permanent employment. I saw people lose penalty rates. I heard about people being sacked without warning. I remember one mother being sacked who, when she asked why, was told it was due to a personality clash. In my community, Work Choices is a dirty word. No-one wants to return to the Work Choices regime.

We have all learnt the hard way that the government made a lot of promises before the election that it appears they had no intention of keeping. This legislation is yet another example of broken promises. Before the election, and even when this bill was introduced, the government promised the proposed amendments would go no further than their pre-election promises and would only go to those recommendations from the 2012 Fair Work review. They promised a workplace review that we are still waiting for, and the clock will tick over to one year of this government in a little over two weeks. So, nearly 12 months on, here we are and those opposite are doing exactly the opposite to what they said they would do. They are moving amendments that have the potential to hurt workers, and they are deceptively doing this while still calling it a Fair Work bill. Let's be honest: this is being done to fly under the radar while the public are learning every day about another unfair measure in their unfair budget.

But we on this side of the House know that Work Choices is in this Prime Minister's blood. We know it from this quote from 2002, when he said:

If we're honest, most of us would accept that a bad boss is a little bit like a bad father or a bad husband. Notwithstanding all his … faults, you find that he tends to do more good than harm. He might be a bad boss but at least he's employing someone …

I will speak not to the inherent patriarchal gender bias in this statement, which equates bosses to fathers rather than parents, but to the attitude that the government brings to this amendment bill and that is inherent in the now Prime Minister's statement. Let me translate it for you: better a bad parent than no parent. Better a bad boss than no boss. Better a bad job than no job. Fair work indeed! No, this is the road to nowhere like fair work; this is the road back to Work Choices.

This bill makes changes to individual flexibility arrangements, greenfield agreements and right-of-entry provisions, as we have been hearing for most of the afternoon and into the evening. I know what this will mean for the constituents of Lalor: workers will suffer. I agree that, in some circumstances, flexibility in workplace agreements can be beneficial, but only if applied appropriately. We know that, under Work Choices, 65 per cent of workers lost penalty rates and hundreds of thousands of workers were pushed into individual contracts. These contracts then meant that 70 per cent of those workers lost shift loadings, 68 per cent lost annual leave loadings, 49 per cent lost overtime loadings and 25 per cent no longer had public holidays. We also know that 3.5 million workers lost protection-from-unfair-dismissal provisions. Those were the former students and parents that I remember being adversely
affected during this time. This bill must not allow arrangements that can be used to rip away penalty rates and other working conditions.

The current fair work system as introduced by Labor is acknowledged to be a fair and equitable system for both employees and employers. I remember the strong mandate Labor had when it won the 2007 election—a strong mandate that was delivered through Labor's Fair Work Act. The Australian people sent a strong message to the Howard government and to IR minister Abbott that Work Choices had gone too far. In response, like in so many areas, the LNP made all sorts of assurances in the lead-up to both the 2010 and 2013 elections. The current Prime Minister promised there would be no return to Work Choices and that the recommendations of the 2012 review of the Fair Work Act would be delivered without change. However, like so many promises, this one will not be delivered. What this government wants to do is make small but significant changes.

Let's look first at the individual flexibility arrangements. There is a current provision for workers to negotiate and trade a monetary benefit for a non-monetary benefit. It is important to note the monetary benefit forgone must be relatively insignificant and the value of the non-monetary benefit must be in proportion. For example, if a worker wants to negotiate swapping a scheduled RDO for a day the kids have off school, this can be negotiated at the local level.

Employers can negotiate for extra hours to be worked to meet an urgent deadline in exchange for extra annual leave. As a school principal I managed arrangements like these on a daily basis and found no difficulty doing so.

But, by taking away the 'relatively insignificant' and 'proportional' provisions, we can see what the government's true intention is. This small omission has the potential to allow employers to strip away workplace provisions. The bill's own explanatory memorandum outlines the ability to forgo penalty rates in exchange for flexible hours. I am not sure anyone thinks penalty rates could be considered relatively insignificant; and, with the debate about penalty rates going on in the public now, I think everyone on both sides of this chamber understands that.

We saw in the past many employers go down this path. There was the famous Spotlight case where an employee received a 2c-per-hour increase in exchange for the loss of penalty rates. This is not the workplace regime we want to return to. This is changing penalty rates by stealth—without debate, without conversation, without the fight those opposite know the community is prepared to have to protect this provision and all done under the cover of a community coming to grips every day with new facets of how this cruel budget will impact on them and the community.

Let's look at the greenfield agreements. Greenfield agreements currently play an important role in the Fair Work Act. It can be a useful exercise to negotiate a greenfield agreement before workers have been employed. This ability to establish an agreement with the relevant unions and the prospective employer is beneficial, establishing the provisions and allowing for a timely and smooth transition at the project's commencement. The 2012 review identified that, unlike other forms of agreement making in the Fair Work Act, this section made no provision for good-faith bargaining and had no notified negotiation period. So what has this government included in the amendment bill to address this? Not what the review recommended. The amendments do not, as recommended in the review, require employers to take all reasonable steps to notify all unions with eligibility to represent relevant employees of
the intention to negotiate an agreement. This means employers can pick and choose the unions they may wish to negotiate with—if there are any.

The review recommended a three-month termination period for bargaining under greenfield agreements, but this bill allows for employers to essentially walk away from negotiations and simply wait for the three-month period to expire, then—as only the employer can do this—taking the proposed agreements to the Fair Work Commission for assessment and approval. The proposed amendments give employers the absolute advantage in these negotiations, and therefore this fails the fairness test.

The third area of the amendment I would like to discuss is the right of entry. Just last month I had a constituent come see me about some issues in the workplace. She had been asked to meet with management to discuss concerns. When she asked for a union representative to sit in on the meeting, she was told that that would not be allowed. That is a concern under the current arrangements, so imagine a world where a union entry provision is being further eroded. That is what this bill has the potential to do.

The principal thrust of the Work Choices act when it was introduced by the Howard government in 2006 was to individualise employment relations. It was an attempt to marginalise both trade unions and industrial tribunals. The Australian public gave a very strong message at the election of 2007 that Work Choices went too far. I want to remind the House of some of the examples of the impact on workers back in 2006.

Three workers at a cabinet installation company in the west of Melbourne were sacked on the day Work Choices came into effect and then offered casual positions at a lower rate of pay. Seventy Optus workers received letters from the company, directing them to a seminar to teach them how to set themselves up as contractors. As contractors, they would be up to $300 a week worse off and would have to pay $12,000 for their own van as well as workers compensation, superannuation and other overheads. A woman employee of 15 years was sacked while she was on sick leave just days after the Work Choices laws came into effect. A clerical employee was dismissed via email for requesting her pay, which was six weeks in arrears. A university student was working in a medium-sized business that dismissed all permanent employees on the day the new legislation came into effect. They were offered AWAs with lower levels of pay and worse conditions. A young worker lost her job in a cafe after refusing to sign an AWA that included a hefty pay cut. A hairdressing apprentice was offered a contract, which included unpaid trial work as a condition of employment and no overtime and no penalty rates. These are not things we want to return to.

This bill has, to date, not received much commentary in the press or more broadly, so our debate in this chamber is critical. I can only assume that the lack of coverage is because the Australian public have resigned themselves to the idea that undermining employees is what this coalition government does, that possibly people have been distracted by the appalling and embarrassing performance of government frontbenchers across the last five weeks. I can only assume they are distracted by the terribly unfair budget that has a negative impact on so many in our communities. And I can only assume they are distracted as they ponder how to work harder to meet the cost-of-living pressures, how to earn more to pay for child care, how to raise funds to support the programs at their local schools, and how to start saving now to pay for a possible $100,000 degree for each child or to support a teenage apprentice and avoid a loan.
Those opposite need to remember that when the public go to the polls in two years' time and they focus on who to vote for, they will see unfair workplaces heavily reliant on individual workplace agreements that have stripped away conditions and pay and that were made possible if these amendments go through. Labor opposes these amendments and will always stand up for workers and employers to ensure that there is a balance. We will not allow this government to continue its race to the bottom on labour standards—a race to create an unfair Australia.

Mr ENTSCH (Leichhardt) (20:39): I welcome the opportunity to speak on this bill. Unlike the previous speaker, the member for Lalor, I will not be speaking about hypotheticals. The Fair Work Amendment Bill 2014 certainly covers a number of issues, including addressing the current imbalance in union workplace access rules, right of entry and greenfields agreements. However, I want to focus on how we are going to improve workplace productivity through the use of individual flexibility arrangements and, as a result, increase profitability for small business because, at the end of the day, it is the small businesses that survive that are going to create the most employment in any of our communities.

We live in a 24-hour society where people can do their weekly grocery shopping online. People can go to the gym or grab a bite to eat at times when most of us are tucked up in our beds asleep. People work from home using the latest technology to communicate with offices overseas. Working hours in Dubai, London or New York could be anywhere from 4 pm to 4 am in Cairns. There are university students whose class and lecture times mean that they can only work in the evening and on weekends, and parents who want to spend their days with their kids but work in the evenings when their partner is home. It is clear that flexibility in the workplace has not kept pace with the demands of modern life and the evolving challenges of modern employment.

This bill introduces amendments to provide clarity and certainty for employees around the use of individual flexibility arrangements—IFAs. IFAs were actually introduced by Labor, aimed at helping workers and their employers to mutually agree to conditions that suited their needs. The amendments in this bill are based on the Fair Work review panel's recommendations. A key factor is that employees have to be better off overall compared to their previous contract or workplace agreement. IFAs are designed to help employees to manage child care or other caring arrangements, to spend time with their families or to have time for other commitments. They are specific to the individual and are not designed as a management tool for a business. There are also key safeguards to ensure that employees are actually better off: an employer cannot force an employee to sign an IFA or make it a condition of their employment, an employee must be better off overall than they would be under the modern award or enterprise agreements that apply to them and a worker has to provide a statement to the employer saying that the IFA meets their genuine needs and that they are better off overall. Anybody who opposes these amendments needs to explain to Australian workers why they should not have the opportunity to work out an arrangement that genuinely meets their own needs. These changes are something that I have been pushing for because in Leichhardt we have the highest rate of closure of small businesses in the country, with more than 400 of the Far North's small businesses shutting their doors in just a two-year period. We have experienced record unemployment levels in recent years, hitting 9.6 per cent at the start of this year, and we have seen extremely high youth unemployment. We have the
unenviable record of the highest unemployment on mainland Australia with one in four young people aged between 20 and 24 years not working. This has doubled since 2007, and it is reaching crisis point. How have we got to this point, you might ask? The global financial crisis hit Cairns very, very hard, as did the high Australian dollar, increased government red tape, a drop in tourism and the lack of new construction projects from 2007. We also have an employment environment where penalty rates have got totally out of control. Tourism in Cairns is one of our greatest income earners. It generates almost $3 billion a year for the regional economy and 11.3 per cent of the workforce in Leichhardt is directly employed in tourism—the highest proportion in Australia. Around 40 per cent of businesses in Leichhardt have some reliance on tourism industry. The inherent nature of tourism means it is not a nine-to-five enterprise. We all know that wonderful feeling on holiday when we lose track of what day of the week it is because it really does not matter.

Tourists want to go out hot-air ballooning at five o'clock in the morning, eat dinner after 9 pm, visit the late-night markets or hit the bars until the wee hours, go out for breakfast on a Saturday and dive on the reefs on a Sunday. If we are dealing with international tourists, particularly from southern Europe, their dining habits mean that they do not even consider having a meal until at least nine o'clock in the evening. Public holidays are of course a hugely popular time for visitors to come to Far North Queensland, but you can walk around Cairns and find that many businesses are not open. It is no coincidence that the very times that tourists are walking the streets looking for a coffee or a meal the doors are closed. These are of course the times when penalty rates apply. It is these rates that make it virtually impossible for businesses to open their doors, pay staff and still make a profit. It is particularly difficult for small businesses that are run as mum-and-dad operations—and an overwhelming majority of small businesses are exactly in that category. If you cannot afford to employ someone else, you have to do it yourself. This has a huge impact on their work-life balance. People just cannot keep up with these sorts of hours without cracking under pressure. The Easter long weekend, which included three public holidays and a Sunday, should have been a financial windfall; instead, for many it was an economic disaster. There are restaurants and cafes in Cairns that did not open over Easter or dramatically reduced their hours in a bid to work around penalty rates, which allowed some wait staff to earn double time and a half, or more than $50 an hour.

The Chamber of Commerce and Industry Queensland estimated that about 60 per cent of hospitality businesses closed at stages over that long weekend. That has a huge negative impact on the experience of the many visitors who come to our region for their holidays, and of course that story is always carried back with them if they cannot get the experience they expect for the holiday they have purchased. I know that the Minister for Employment, my colleague Senator Abetz, met with business groups in Brisbane around that time and said that changing the structure of penalty rates was not on the agenda. That is why this legislation is so valuable—it is providing a means for employers and employees to negotiate better working arrangements that do not involve penalty or overtime rates. I will give a couple of examples of how it could work.

Rob is one of the maintenance crew on the dive boats that visit the Great Barrier Reef. His employment is covered by an enterprise agreement, which has penalty rates. Unfortunately, Rob's mum lives in Weipa and she is not well. Rob wants to work from Monday to Thursday...
so he can travel on Fridays to his mum and stay with her until Sunday. He still wants to get his normal weekly wage and he does not want to work part time. Rob speaks to his boss and they agree on an individual flexibility arrangement, allowing him to work 38 hours per week by working later Mondays to Thursdays without the penalty and overtime rates that would usually apply. Rob is better off overall because he can help his mum, something that means a lot to him, and he still gets his weekly wage.

Gemma is another good example. She is a local mum who works part time as a bookkeeper for a restaurant chain. She usually works from 9 am to 4.30 pm under an award agreement. Her husband Greg works an afternoon shift and starts work at two o'clock. Gemma would like to finish work earlier in the afternoons so she can pick up the kids from school. Gemma talks to her employer and they make an IFA so she can start work at seven and finish at 2.30, meaning she can start work before the normal hours of work for the business. Gemma is better off overall because she still works the same number of hours but can pick up her kids and avoids paying after-school care.

If you are in the service industry, hospitality in particular, getting paid double or more than your normal hourly rate is certainly a bonus and you are working public holidays or weekends to earn that. But there are a lot of people out there who would rather just be working—earning a normal wage is far better than not earning at all. We have a lot of people in my electorate, such as university students or mums, who want to work or want more flexibility in their working arrangements but cannot because employers do not want to employ them on a Sunday, a public holiday or outside of the so-called normal working hours because of the high cost of penalty rates. My son is a classic example. He is 20 years old. He is in his fourth year of university. With his study schedule and his interests he is quite happy to work on a Sunday or a public holiday. He does not want to get double or triple pay; he would just be happy to get a bit of spending money. But he has struggled for a very long time to get any sort of work. The situation is absolutely adding to the unemployment and small business sustainability issue in Leichhardt and this is reflected right around the country.

There needs to be a full review of the rates. I am not talking about exploitation; I am saying that this 1950s view of the business world—from nine till five, Monday till Friday, excluding public holidays—is, quite frankly, no longer relevant. People are used to working those hours and there is no reason why one person's weekend on Saturday and Sunday cannot be another's on Tuesday and Wednesday. By no means are we saying people have to do this, and this protection is built into this legislation, but I think you will find there will be more people in employment if they have the chance to work specific hours. They would be happy with a fair rate of pay and improved flexibility without all the penalties that go with it.

As a government, we need to step up to this. I know the unions will jump up and down and, as did the previous speaker, start talking about Work Choices and such nonsense. But, at the end of the day, it is about people power. We have to reduce our unacceptably high level of business failure and our unacceptably high level of youth unemployment. We can see where the problems have come from and we have to make decisions to fix them. The unions also have an obligation—rather than running around like Chicken Little, saying the sky will fall, they should be part of this debate—to make sure that as many of their members as possible stay in the workforce. They are only going to stay in the workforce if small businesses
continue to prosper and continue to employ them, rather than the situation where only mum, dad and the family are operating the business.

The Australian Chamber of Commerce and Industry has warned unions that they are harming young people's chances of being competitive in the job market by seeking increases in apprentice and junior wages. The ACCI is concerned about rising youth unemployment and the number of people under 24 who are neither working nor learning. It says that unions are 'not representing the long-term interests of young people'.

Deputy Speaker Goodenough, when I look at my son's case—and that of many of his friends—we are talking about a young man who is 20 years old—21 this year—who has barely had any opportunity in the workforce. As he is getting older, of course, it is going to be harder and harder for him to be able to show any qualifications or any ability to be in the paid workforce. That worries me immensely. Those part-time jobs that he got to help pay for his bit of fuel money and a little bit of entertainment as he went through his university degree are very, very critical for an employer—even after he has got his degree—looking at him to see what capacity he has to go into the paid workforce. This is why it is important.

To be fair, there is only a short period between when youth rates and adult rates apply. This is why it is important that we see that opportunity being captured by young people. It is not unreasonable for those entering the workforce to accept that their early years in the workforce are about building skills, gaining experience and getting a foothold in the workforce. Do that, and they will certainly find that as their qualifications improve with their education that higher wages will follow.

We all talk about work-life balance, and for many that is very hard to achieve. But by creating more flexibility in the workplace under agreements that ensure workers are better off, as judged by their own particular circumstances, I think there is a huge amount of potential here. At the end of the day we want to be a modern, dynamic, flexible economy. This goes hand in hand with creating a productive workforce that will lead to greater prosperity for our community and for our country.

Mr ALEXANDER (Bennelong) (20:54): I rise today to speak for the government's Fair Work Amendment Bill 2014. In considering the government's task in having these vitally important amendments accepted and implemented, I am aware of the responsibility in presenting our case. These amendments are vital and important because they will restore certainty to workplace relations and bring back balance to the workplace. They are vitally important because they will increase opportunities for business expansion, which will in turn lead to successful jobs growth and higher real wages growth. Furthermore, the amendments and their full implementation are vitally important, as they will increase the opportunities for real prosperity for individuals, for businesses, for industry and commerce and trade, and for our country.

In putting the government's case in support of these amendments, I will appeal to the facts, to cold logic and to unbiased reason. The government has already provided a comprehensive explanation of its proposed amendments, as well as a logical explanation for those changes. This was articulated in the coalition's policy to improve the Fair Work laws, which was released four months prior to the 2013 federal election. The electorate passed judgement on this policy in the form of a resounding election win for the coalition. This alone should lead
the members opposite to support the government's proposed amendments, rather than resist the change demanded and expected by the electorate.

My argument today in support of the government's amendments to the Fair Work Act is based on three main elements: fairness, consistency and the common good. 'Fairness' is an often articulated term used by the opposition. All members of this government share with members opposite concerns for fairness. Rest assured our commitment to this common cause. Because of this, because the goal of fairness is one espoused by both government and by members opposite, I am sure all will judge for themselves the validity of the government's argument—the fairness that the government's proposed amendments bring to the current Fair Work Act.

My argument for consistency is based on the unassailable fact that the government amendments are not original coalition concepts or imposts being presented to a disbelieving opposition, increasingly horrified by the heartless temerity of our proposals; our amendments are the promises of the previous Labor opposition. Our amendments reflect undertakings and intentions of the previous Labor opposition. Our amendments reflect the values of the previous Labor opposition, which I trust are the values of the current Labor opposition. Those values comprise efforts always to improve the prospects and the lot of all Australians. Regrettably, the previous Labor government failed to hold itself to its own promises; it failed to hold itself to its own intentions and undertakings; and it failed dismally to hold itself to its own stated values. It is now the task of this coalition government to finish what Labor promised but did not deliver; what Labor espoused but did not support; what Labor envisioned but would not see through.

Finally, my argument is based on the common good—the common good of individual employees and employers; the common good of small, medium and large businesses and enterprises; the common good of the economy; and the common good of Australia. These amendments will increase the common weal of our Commonwealth.

The act which this government proposes to amend is called the Fair Work Act. It is therefore only appropriate that the act itself be fair. The current act legislated by the previous Labor government is, however, not fair. It is unfairly biased against one group while being unfairly biased towards another. It is unfair to employers and employees and it provides unassailable rights to unions—rights which are to the detriment of employers and employees, of apprentices and trainees and those entering the workforce, of mature and willing job seekers, and of investors and entrepreneurs. Unions now have the right of entry, which has seen many businesses suffer excessive, disruptive and costly workplace visits from unions, even when their employees were not union members and did not ask for the unions' presence. The Pluto LNG project received over 200 right-of-entry visits in only three months, and BHP Billiton's plant faced 676 right-of-entry visits in a single year. Such attitudes and behaviour unfairly and improperly delay the investment and the development that is essential for economic growth and prosperity for all. Furthermore, employers also have rights—including the right to go about their business—

Debate interrupted.
ADJOURNMENT

The SPEAKER (21:00): It being 9 pm, I propose the question:
That the House do now adjourn.

Foreign Correspondents

Ms PLIBERSEK (Sydney—Deputy Leader of the Opposition) (21:00): We are all aware of the shocking video of the beheading of American journalist James Foley. For those of us who follow the news, it has been unavoidable. Even the still photograph that many television channels and newspapers have used, of the journalist standing beside his killer, is horrific enough, because we know what follows. This was a remarkable manifestation of the globalised world that we live in: a group with a medieval, barbaric, extremist ideology making sophisticated use of modern social media.

I want to reflect tonight on the role played by Mr Foley in his career as a journalist in a war zone and on the role of war correspondents through history.

Mr Foley was a man of immense courage who paid the ultimate price for pursuing a noble profession. A free press is one of the most important institutions in a democracy, and journalists working in dangerous locations exemplify the very best of their profession. They shine a light on dark events of great importance. They help us understand a complex world. They make real to us the people suffering in foreign wars who otherwise would fall into abstraction.

Mr Foley was captured by Islamic State when he was reporting in Syria. Australian journalist Martin Chulov writes that Mr Foley's luck ran out while covering the most dangerous conflict for reporters anywhere in the world. Chulov argues that Mr Foley was an example of a new kind of journalist: freelancers taking high risks in dangerous regions as established media outlets cut back their budgets and cut back their support for their own dedicated correspondents. He wrote:

Foley, an affable, former reporter for the US military newspaper Stars and Stripes, was typical of the new band. He arrived with a sense of purpose and opportunity and, at times, immunity to the dangers. …

Foley's luck ran out in November 2012. He was seized near the Syrian town of Binnish, along with another photographer with whom he had entered the country.

Mr Foley's death came just two months after the regrettable and unjustified decision by a Cairo court against Australian journalist Peter Greste, found guilty of supposedly 'spreading false news and supporting the Muslim Brotherhood'. Like Mr Foley, Mr Greste had chosen to take some risks to keep the world informed. Our community relies on brave people to take those risks, although we wish the worst would never come to pass.

Australia has a proud tradition of reporters taking such risks, going back before Federation when several newspapers sent correspondents to the Boer War—the most famous of them, of course, Banjo Paterson. Unusually for those days, a woman, Edith Charlotte Musgrave Dickenson, reported from South Africa for the Adelaide Advertiser in 1901, under the by-line 'ECM Dickenson'.

The World War I correspondent Charles Bean landed at Anzac Cove on 25 April 1915, just a few hours after the first troops landed. His reports are informing us on this centenary. Bean
and his modern counterparts play a vital role but, regrettably, media organisations are spending less on foreign correspondents as the economics of the media changes. The proliferation of social media and the internet is undermining the economics of the traditional news organisations, making it harder to afford to put correspondents in such dangerous situations with all the security that they need.

With the cuts by commercial news organisations, it becomes all the more important that our national broadcaster, the ABC—a wellspring of quality journalism—continues its important work. Of course, the ABC also faces further cuts in the months ahead, and the closure of the Australia Network means that experienced journalists of many years are losing their jobs right now, while their colleagues like Matt Brown, in northern Iraq, and Stephen McDonnell, reporting from the MH17 crash site continue to risk their lives.

We fervently hope that no more journalists meet the fate of James Foley, Peter Greste, or the many journalists who have given their lives or liberty to bring the stories of the world into our living rooms. But we celebrate and honour the role they play in protecting and expanding democracy.

Islamic State

Mr RUDDOCK (Berowra—Chief Government Whip) (21:05): I hope my comments will complement those of the Deputy Leader of the Opposition, because tonight I speak on a matter of utmost public importance. In five minutes it is very difficult to convey the reality that faces thousands upon thousands of innocent people at this time.

Tonight in Iraq there is an organisation perpetrating crimes of the most horrendous nature: a jihadist group known by the name of the Islamic State whose primary goal is to create an illegitimate world that rules with terror and oppression, enslaving its people at the point of a sword.

Islamic State are committing atrocities against anyone who differs from them in religion, culture or ethnicity. Christians, Yazidis, Assyrians, Shia Muslims, Mandeans, Shabaks and Druze are all victims of forced displacement, murder, torture, kidnappings, rape and enslavement. If unchecked, this terror will spread further. We can confirm that a small number of Australian citizens are currently in these regions committing terrorist acts. I commend the Prime Minister, the Foreign Minister and the Attorney-General for the actions they have undertaken to combat home-grown terrorism and Australians who participate in terrorist activities overseas.

I commend the Minister for Immigration and Border Protection for the decision to allow an additional 4,000 places in the humanitarian program for those who have suffered at the hands of this terror, and I call for other nations to follow and do the same. I commend the Prime Minister on his communication with cultural leaders within Australia.

I stress that not all Muslims are terrorists. There are currently a small number of Australian Muslims engaging in terrorist activities overseas, and thus there is a need to engage with the communities to enlist their support in efforts to discourage any involvement with terrorist organisations.

I think it is also important at this time to commend the Royal Australian Air Force: they place themselves in danger in order to deliver humanitarian aid and relief to people who, at the
moment, need it more than anybody else. We stand here, we speak and they conduct actions on our behalf. They are decisions that risk their lives.

I want to stress that this cannot go on unchecked. These are crimes against humanity that we are witnessing. As the Prime Minister has said, we are witnessing something that is pure evil—a systematic persecution of multiple minority groups with the goal to wiping them out—and the world must react. We must not fail them. For the sake of tens of thousands of innocent men, women and children, for the sake of the future prospects of peace in the Middle East and for the sake of peace around the globe, we must not fail them.

I believe that here in Australia we are in a very special and unique situation. We are a society that has brought together people of many different races, many different religions and many different cultures. We have shown that it can, in fact, work. As I have said to Islamic leaders here in Australia when I have spoken to them: people in Australia are free to share their faith, but we have an expectation that they will appreciate that they live in a parliamentary democracy—a country that respects the rule of law, that recognises gender equity—and that, if people are going to be treated with tolerance and understanding, then they have to offer it. I think we can continue to demonstrate to others around the world that what we are witnessing is horrific, but that if people are prepared to share values then a great deal more can be done in a very positive way to make this world a better place in which to live.

Ukraine Air Disaster

Mr GRAY (Brand) (21:09): I rise to speak in this adjournment but, in fact, to speak in condolence for the downing of MH17. Many comforting words have been spoken and countless selfless deeds performed since the downing of MH17. On that day the world stopped for we lost so much that was good: Australia lost doctors who worked with refugees, teachers who worked with Indigenous Australians, educators of children with disability, scientists, volunteers who helped to protect our communities, volunteers for charities, business innovators, pillars of local churches, pillars of communities, young people filled with passion and life, and grandparents full of wisdom. And we lost children.

Within hours of this tragic event, hundreds of Australian government personnel had been mobilised. We thank the Australian Federal Police. We thank the Department of Foreign Affairs and Trade Perth staff, consular staff and staff at The Hague. We thank the staff from the Australian Transport Safety Bureau. We thank the military for their work. We thank the Ambassador to the United Nations and the Security Council, Gary Quinlan; his representative in New York, Philippa King; the Australian Ambassador to the United States, Kim Beazley; the Governor-General, Sir Peter Cosgrove; and Malaysia Airlines staff and the government of Malaysia. We also thank Air Chief Marshal Angus Houston for his efforts in coordinating the logistics and leading the Australian presence in the Ukraine. The Prime Minister has worked hard; he has been tireless. We all thank him for his efforts. The Minister for Foreign Affairs, Julie Bishop, has been tireless, and we thank her. In this condolence speech, I would also like to convey the thoughts of Lindy, the surviving partner of Nick, who died in that crash. Lindy is personally deeply indebted to the foreign minister for the personal contact which the foreign minister has maintained with her.

Many moving words have been shared in the memory of those who were lost, but perhaps the most beautiful words were those of Anthony Maslin and his wife, Marite Norris—parents of Mo, Evie and Otis Maslin, aged 12, 10 and eight. They said:
No hate in the world is as strong as the love we have for our children, for Mo, for Evie, for Otis. No hate in the world is as strong as the love we have for Grandad Nick. No hate in the world is as strong as the love we have for each other.

Nick Norris was returning to Australia with his beautiful grandchildren Mo, Evie and Otis. Nick and his wife, Lindy Norris, recently settled in Rockingham, part of my electorate. I never met Nick, but we visited the same coffee shop, so I know that he liked good coffee, good food and good company. Nick was also a keen yachtie—a member of the South of Perth Yacht Club, where my son Toby sails a minnow. Nick worked as a valued member of the staff of Murdoch University from 1991 to 2006, and Lindy, his wife, remains on the staff after more than 20 years.

Two days ago I spoke with Chief Justice French, a great and distinguished Western Australian, and he told me this wonderful story about Nick. In a mid-1960s University of Western Australia student guild election, Nick stood as a candidate. He was required to furnish a manifesto—his own election platform. Nick provided a simple box containing the letters of the alphabet and the following words: 'These letters, when suitably rearranged, spell all of my policies and ideas.' Nick was not elected. I know I would have liked Nick. His daughter and son-in-law show such depth of humanity, and Nick showed such commitment and humour that we cannot but feel we all would have liked Nick.

Five other Western Australians perished aboard MH17. They were Edel Mahady, Dafne Neiveen, Yvonne Ryder, Arjen Ryder and Fatima Dyczynsk. My love, care and thoughts are with all the families who are suffering unspeakable grief. Should I be able to be of any help to these families in any matter, it would be my honour.

Maranoa Electorate: Live Animal Exports

Mr BRUCE SCOTT (Maranoa—Deputy Speaker) (21:14): I rise tonight to speak about an issue which is facing many farming families in my electorate and in many parts of northern Australia. Madam Speaker, as I know you would be aware, I do not exaggerate a situation; I give it the way I see it. Having grown up on the land, I understand the situation that is confronting so many out there at the moment, and it really does disturb me. I know that we as a government have certainly got a package in place, as do state governments, but I do not believe it is going to be enough to address the situation of the human tragedy that is confronting so many farming families, particularly across the central western parts of my electorate, and the northern cattle industry.

We have had Rob Atkinson and Barry Hughes down here in Parliament House and they are here for the week. They are representing the gulf cattle producers of Australia. They are bringing to me and to many around this House the situation as it is confronting those cattle producers up there and their families as a direct result of the previous Labor government banning the export of live cattle.

There are so many young families that went out there, full of energy and full of experience—backed by a bank, I might say, because there was a product they could produce and there was a market to be had: the market for the export of live cattle to Indonesia. There were over 700,000 head of cattle being exported to Indonesia. So the banks said: 'Here's a proposition. This looks good. We can back this, and we will borrow and we will back the
human capital’—that is, the families that have a lifetime of experience. The next generation is wanting to take up the same challenge out there on the land, and to take up the challenge of producing these cattle for Indonesia, through these feedlots, which would create jobs but also a food line for the people of Indonesia.

Overnight, with one decision, the previous Labor government banned those people who had bred a product not for Australia, not for our domestic market, but to go into Indonesia. They were cut off from their supply line. Imagine shutting down a factory that a company had built up, had borrowed for, had workers employed in, with skills, and that it was for an export market, and that overnight the government said, 'You can no longer do that.'

I want to touch on the impact that that has had on the drought—the loss of the capital value of the asset, as a direct result of the ban on the export of live cattle, but also the loss of livestock through the central western Queensland areas of my electorate because people have had to de-stock. They now have, in most cases, no revenue. There is no cash out there. These are pastoral properties with bills still to pay and a limited capacity to continue to borrow. And I know the banks at the moment are putting enormous pressure on these families.

The entire electorate of Maranoa, which covers 42 per cent of the land mass of Queensland, is now drought declared, and has been for the best part of this year—some of it, since late last year. All 17 council regions in Maranoa are drought declared, as is 75½ per cent of the land mass of Queensland. We have an exceptional drought out there that perhaps many producers would have been able to cope with, but they could not cope with the bad decision of a bad government which was the banning of the opportunity for the export of live cattle to Indonesia.

Last Friday, James Walker, a Nuffield scholar, a pastoralist near Longreach, put on a tremendous program, bringing CEOs into Longreach and having, you might say, a brainstorm as to how we are going to deal with the two issues: (1) the debt situation out there now, and (2) when it rains, how people will restock, given that the banks are very reluctant to add any further debt to these pastoral properties today.

One proposition got a lot of air, and that was the tax loss credit swap, which we modelled in this place when we first came to government. They looked at the debt of rural Australia, all over Australia. I say we have to look at that in isolation to the northern cattle industry and the large areas of western Queensland that have had the impact of the extended drought on these properties as well. The people there were CEOs from Melbourne, heads of industry, and they saw this as a proposition that should be explored, and I am hoping that we will be able to explore it.

I also say to the banks: it is about time that the banks got off the backs of these landholders and started to back human capital, because we will need these farming families into the future and we have got to make sure we can keep— *(Time expired)*

**Human Rights**

**Dr Leigh** (Fraser) (21:19): My late grandmother, Jean Stebbins, was a passionate member of Amnesty International. One of my enduring childhood memories was sitting at my grandparents’ sun-soaked dining table in Ivanhoe, where Jean always seemed to be working on a letter addressed to a prisoner or a jailer somewhere in the world. I rise tonight to speak in the same spirit in which Jean Stebbins wrote those letters—not because Australia is perfect
but because there is a moral obligation on good people to speak out when we see wrongdoing. Tonight, I will touch on six cases of human rights concerns: in Iran, China, Cameroon, Uzbekistan, Guatemala and Saudi Arabia.

Iranian girl Razieh Ebrahimi was married at the age of 14 and suffered several years of physical and psychological abuse from her husband before killing him in 2010. Despite Razieh being 17 years old at the time of her crime, she now sits on death row. No consideration seems to have been given to her age, or the desperate circumstances under which she committed the act. Since 2009, Iran has executed 11 child offenders.

Chinese scholar and 2010 Nobel Peace Prize recipient Liu Xiaobo was handed an 11-year sentence in 2009 for writing on the issue of political and legal reform in China. Liu Xiaobo was sentenced due to six articles he wrote and distributed between 2005 and 2007 which criticised corruption, censorship and one-party rule, which the court considered to be 'rumour-mongering, slander and smear'. His sentence was also due to his involvement in writing Charter 08, which calls for the protection of human rights and democratic reform. The court considered this an attempt to incite the subversion of the current regime. In November 2010, I argued in this parliament that China needs Liu Xiaobo. It needs his courage to speak truth to power; it needs his advocacy on behalf of the dispossessed; it needs him to argue for an independent legal system, freedom of association and citizens' rights. That is still my view today.

In Cameroon, Jean-Claude Roger Mbede was sentenced to three years prison in 2011 for homosexuality, a criminal offence under the Cameroonian Penal Code. Mbede was arrested by members of the Secretary of State for Defence security service on suspicion of homosexuality, and was held for seven days. Mbede was then charged with homosexuality and attempted homosexuality, and transferred to prison. In July 2012, Mbede was granted provisional release by the Court of Appeal; however, later that year, the three-year prison term was upheld. The case highlights the continued human rights abuses of lesbian, gay, bisexual and transgender people of Cameroon.

In Uzbekistan, 2006, Alisher Karamatov and Azam Farmonov—both regional heads of the Independent Human Rights Society of Uzbekistan—were detained, allegedly tortured, charged with extortion and subjected to a trial in which they were declined adequate legal defence. They had attempted to defend the rights of local farmers who had accused local farming officials of corruption and extortion. The men’s legal representatives were given only four days to prepare for the trial in which Karamatov and Farmonov were sentenced to nine years imprisonment.

Norma Cruz, the head of the Survivors Foundation—a women’s rights organisation in Guatemala—has received numerous death threats for her work in pursuing women’s justice. Since 2009, Cruz has received dozens of threats relating specifically to her organisation’s defence of a girl in a particular rape case. Threats arrive by text message and phone calls, and even some of her family members have been subjected to attacks. One man already charged with making death threats has since been released on bail. The serious problem of violence against women appears to be continuing in Guatemala.

In 2008, Raif Badawi, co-founded a website as a platform for open debate on religion in Saudi Arabia. Since 2012, he has been in prison for breaching a law that bans the production, preparation, circulation or storage of content that undermines public order, religious values,
public decency or privacy'. In May of this year, Mr Badawi was sentenced to another 10 years in jail, plus 1,000 lashes. His lawyer, Waleed Abulkhair, has also been jailed.

My grandmother must have written hundreds of Amnesty letters. She was inspired by the simple idea of Amnesty founder, Peter Benenson: ‘if...feelings of disgust could be united into common action, something could be done.' I believe that ideal holds true today and I hope that the governments to which I have referred will consider these six cases.

United Arab Emirates: Trade

Ms O'DWYER (Higgins) (21:24): Trade agreements allow Australians to win through both exports and imports. We can export more and reduce costs for imported goods. The free trade agreements that the government recently signed with Japan and South Korea are historic examples of how an energetic government can use trade agreements to support our economy. They mark an era of increased cooperation between Australia and its second- and third-largest export partners. However, there are other trade opportunities beyond our immediate region that go somewhat unrecognised.

In April, I had the opportunity to visit Abu Dhabi and Dubai as part of the Australian parliamentary delegation to the United Arab Emirates, invited by the Crown Prince of Abu Dhabi. In the past, UK parliamentarians and US senators have been invited, but this marked a significant occasion for Australia as it was the first time that members of both the government and the opposition have been invited to the country to take part in this dialogue.

Given its central geographic position, the United Arab Emirates has become one of the world's most important exchanges for both passengers and freight. This status as a hub has provided it with unprecedented development opportunities, and Australia is well positioned to offer products and services which assist with this development. There are four particular areas of trade focus where the UAE relationship is concerned: education; construction and engineering; sustainable energy services; and agribusiness.

Taking education as an example opportunity: in July 2013 the UAE began seeking an Australian partnership to develop new training courses and degree programs. Education is already a key export for us—$14.5 billion in the 2012-2013 financial year—so we have the products and experiences to add enormous value. Furthermore, our construction companies can also assist in the large-scale infrastructure projects sponsored by the UAE government. For example, a 2,117-kilometre-long rail network is planned to connect a number of countries in the UAE's neighbourhood. Our building experts can also assist with the construction which has been encouraged by the UAE's increased focus on tourism. The UAE is also interested in sustainable economic development, opening up another doorway for us to expand our renewable energy and water management sectors.

Finally, the UAE imports up to 90 per cent of its food due to harsh geographical conditions that impact on agricultural production. As a result, food security is a major concern of the UAE, and with increased cooperation Australia could see significant increases to its agricultural exports.

Fortunately, Australia is already pursuing a free trade agreement with the Gulf Cooperation Council, which comprises Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and the UAE. However, these negotiations have stalled. It is clearly in our interests that this process be concluded successfully, yet in the absence of an FTA with this collective body, it may be
beneficial to consider pursuing a separate trade dialogue with the UAE. This is a path already taken by the US, who began an economic policy dialogue with the UAE in 2012.

So what can we, as a government, do to support Australia's trade interests? Firstly, it is important to continue work towards the FTA with the Gulf Cooperation Council. Secondly, it would be helpful if this were supported by a tax treaty to avoid double taxation on dividends for companies. Finally, it may also be useful to consider a separate policy dialogue with the UAE, as the US is doing.

Following on from the successful South Korean and Japanese trade agreement negotiations, it is essential that we do not rest on our laurels. If we wish to sustain and even improve the quality of life for future Australians, we must be working hard now to ensure that the trade infrastructure is in place to support our economic growth and job creation. The trade roads of the future are not just waterways and highways, but are the agreements between nations that energetic governments have put in place. Let's ensure that future generations perceive us as having been energetic enough.

House adjourned at 21:28

NOTICES

Presentation

Mr Pyne: To move:
That:

(1) the resolution of appointment of the Joint Select Committee on Northern Australia be amended by inserting:

(4A) following presentation of its report, the committee:

(a) monitor issues relevant to the development and implementation of the government’s white paper;

(b) consider any related issues as may be referred to it by either House of the Parliament or a Minister;

(c) report from time to time; and

(d) continue this work until the House of Representatives is dissolved or expires by effluxion of time; and

(2) a message be sent to the Senate acquainting it of this resolution and seeking its concurrence in this resolution.

Mr Wilkie: To move:

That this House:

(1) acknowledges that industrial hemp—the non-drug, low-tetrahydrocannabinol version of cannabis—is an economically viable and environmentally responsible product that is also highly nutritious, yet is not able to be sold for human consumption in Australia;

(2) notes that Australia and New Zealand are the only two countries in the western world still preventing the sale of hemp products for human consumption (with the exception of hemp seed oil only in New Zealand); and

(3) calls on the Government, through the Executive Council, to champion changes to the Food Standards Code administered by Food Standards Australia New Zealand (FSANZ) to allow the sale of hemp for human consumption in Australia, especially given that FSANZ has already recommended the approval of hemp for human consumption in October 2012.
Mr Ferguson: To move:

That this House:

(1) notes:
   (a) that Peter Greste has had a distinguished career as a journalist with CNN, Reuters, WTN, BBC and Al Jazeera;
   (b) the long pre-trial incarceration, refusal of bail, procedural errors, extraordinary allegations, and acknowledged extremely severe sentences; and
   (c) widespread international condemnation of the process, characterised by US Secretary of State John Kerry's comment that it was 'a chilling and draconian sentence'; and

(2) calls on the Government to continue pressing Egyptian authorities for justice and raising these human rights issues in all viable international fora.

Mr Christensen: To move:

That this House:

(1) acknowledges the 20th anniversary of the Australian Government’s recognition of Australian-born South Sea Islanders as a distinct ethnic group in Australia;
(2) expresses deep regret
   (a) over the cruel treatment of the approximately 60,000 South Sea Islanders, mainly young men, who were blackbirded (or essentially kidnapped) or lured onto ships and then transported to Australia for the purpose of indentured labour; and
   (b) that a number of discriminatory acts followed, chief among these being the forced repatriation of Pacific Island labourers back to their place of origin in 1906, in many cases against the will of those being repatriated;
(3) acknowledges the considerable economic contribution of Australians of South Sea Islander descent to the establishment of the sugar industry in the state of Queensland, and other agricultural and industrial development in the north;
(4) celebrates the contributions of so many Australians of South Sea Islander descent to Australian life in every field of endeavour, from the football field to the political sphere; and
(5) calls for consideration of measures to ensure that Australians of South Sea Islander descent can achieve equity and assistance in this present day through:
   (a) inclusion on the national census as a separate people group, by the simple addition of an extra question;
   (b) access to diabetes treatment in the same way this is available to Aboriginal and Torres Strait Islanders; and
   (c) access to assistance in all areas of disadvantage such as health, housing, education and training.

Ms Plibersek: To move:

That the House:

(1) notes that:
   (a) 2014 is the Centenary year of Red Cross in Australia, a significant milestone in the social history of the nation and commemorating 100 years of humanitarian service to the people of Australia;
   (b) most Australians have shared a personal connection with Red Cross, from its humanitarian role during two world wars, to preparing, responding to and recovering from natural disasters, or helping vulnerable people and communities overcome disadvantage, and through its world-class national blood service; and
(c) for 100 years the Australian Red Cross has enjoyed a unique auxiliary status to the public authorities in the humanitarian field, working in partnership with governments of all political persuasions, in Australia and internationally, to alleviate suffering in a voluntary aid capacity whilst adhering to its principles of independence, neutrality and impartiality;

(d) Australian Red Cross is part of the world’s largest humanitarian movement, with tens of millions of volunteers working in 189 countries, united by the fundamental principle of preventing and alleviating human suffering, without discrimination, wherever it may be found in times of war, conflict, disaster or personal crisis;

(2) recognises that:

(a) today the Australian Red Cross has a network of over one million volunteers, members, staff, donors, aid workers and supporters; and

(b) through this network, the Australian Red Cross mobilises the power of humanity to work right across the country in local communities in every state and territory, and further afield, to help transform the lives of vulnerable people in need, whoever they are; and

(3) calls on all honourable members to:

(a) join the Australian Red Cross in celebrating the 100th anniversary of its founding on 13 August 1914, nine days after the outbreak of World War I;

(b) congratulate generations of Australians for their extraordinary contributions through the everyday work of Red Cross; and

(c) continue to support the independent, neutral and impartial humanitarian mission of Red Cross to work with and assist the most vulnerable people in need, both in Australia and internationally.

Mr Bowen: To move:

That this House:

(1) condemns the actions of the Islamic State in Iraq which amounts to attempted genocide of minorities including the Assyrian, Chaldean, Mandaen and Yezidi people;

(2) re-affirms the rights of the Christian and other minorities of Iraq to live in peace and freedom and calls for all steps to be taken to ensure that all members of the affected communities can live in freedom in Iraq;

(3) calls on the Australian Government and the international community to provide humanitarian, financial and other forms of appropriate assistance to support those Christian and other minorities who have been internally displaced within Iraq;

(4) notes the aspirations of the Assyrian people for the establishment of an autonomous region in the Ninevah plains and welcomes the in-principle agreement of the Iraqi Government to this request earlier this year; and

(5) calls on the Australian Government through its seat on the United Nations Security Council and the international community to take appropriate steps to protect the rights of minorities in Iraq, including the Assyrian Christian people.

Ms Rishworth: To move:

That this House:

(1) notes the importance of supporting young people transition from school into work or further training and preventing them from falling into the trap of unemployment;

(2) recognises the important work done in ensuring that students are supported to make the transition through:
(a) the Youth Connections program that has a proven track record in helping young people who have not, or are at risk of not completing year 12 transition back into school or further education, training and employment;
(b) the Partnership Brokers program which builds partnerships between schools and the wider community including business and charities that help young people achieve year 12 or equivalent qualifications; and
(c) National Career Development services that support vital links between industry, students and training options;
(3) is extremely concerned that there is no funding in the budget for these programs past 1 January 2015; and
(4) calls on the Government to immediately reverse its decision to no longer fund these programs past the 2014 calendar year.
QUESTIONs IN WRITING

Population Policy
(Question No. 103)

Mr Kelvin Thomson asked the Minister for the Environment, in writing, on 13 May 2014:

Will the Government consider adopting a stable population policy to avoid new infrastructure imperatives.

Mr Hunt: The answer to the honourable member's question is as follows:

No.

Population Policy
(Question No. 104)

Mr Kelvin Thomson asked the Minister for the Environment, in writing, on 13 May 2014:

(1) Is he aware that there is no engineered population growth imperative policy in Western Europe.
(2) Has the Government informed itself of the stable population policy alternative as a means of avoiding continuing major disturbances to democracy, quality of life and the environment, resulting from its current engineered population growth policy.

Mr Hunt: The answer to the honourable member's question is as follows:

(1) The Government is aware that there is no engineered population growth imperative policy in Western Europe.
(2) Yes.

East West Link
(Question No. 107)

Mr Kelvin Thomson asked the Assistant Minister for Infrastructure and Regional Development, in writing, on 13 May 2014:

(1) Is the East-West Link predicated on the assumption that massive population growth will entail more automobile traffic and that this traffic will be catered to by continuous massive engineering projects; if so,
(a) has the Government factored in the rising cost of fuel and materials, and
(b) is he aware that the cost of petroleum has been rising so much since the 1990s that governments are now engaging in horizontal drilling or 'fracking' in order to recover inaccessible petroleum type deposits, such as shale oil and coal gas, which are energy-expensive and impact on major property and democratic rights.
(2) Has the Government considered that given these rising financial, energy, environmental and social costs, the infrastructure projects implicit in its growth policies may not be possible and the electorate is at risk of becoming an overpopulated and underserviced slum; if so, what is the Government doing to avoid this prospect.

Mr Briggs: The answer to the honourable member's question is as follows:

1. Yes, fuel cost forecasts are included within the transport modelling scenarios
2. The Australian Government continues to maintain and improve the wellbeing of current and future generations through encouraging more effective anticipation, planning and responses to the impacts of population changes on our economy, communities and environment.

Unemployment
(Question No. 128)

Mr Kelvin Thomson asked the Minister for Immigration and Border Protection, in writing, on 13 May 2014:

(1) What number of (a) Australians are currently unemployed, and (b) people in Australia are on temporary visas with work rights.

(2) Is it a fact that Australian employers seeking to bring in migrant workers do not have to provide to the Government copies of job applications by, or records of interviews with, Australian job applicants for the position(s) for which visas are sought.

(3) Is it a fact that (a) employers need only conduct labour market testing at 'any time' during the 12 months prior to bringing in foreign workers, without any minimum time requirement, (b) employers need only advertise a vacant position on Facebook to comply with the labour market testing requirements, and (c) employers will not be penalised for hiring more foreign workers than they applied for; if so, can employers bring in an unlimited number of foreign workers.

(4) How many overseas labour agreements have been approved since 7 September 2013.

(5) Will the Minister publish a list of all employers who have (a) engaged temporary visa holders, and (b) obtained a labour agreement; if not, why not.

Mr Morrison: The answer to the honourable member's question is:

(1) (a) Australian Bureau of Statistics (trend) data for April 2014 estimates the number of unemployed persons in Australia at 723,800 persons and the unemployment rate at 5.9 per cent. The Department of Employment's administrative data for March 2014 shows 806,770 job seekers (aged 15 plus) are registered and active with Job Services Australia.

(b) The number of people on temporary visas with work rights in Australia as at 31 May 2014 is 791,430. It should be noted, however, that not everyone holding a temporary visa will choose to work.

(2) That is correct. For labour agreements and some subclass 457 visa nominations, evidence of labour market shortages or testing is required.

(3) (a) Yes, except if the position was made redundant by the business in the four months prior to the date of the nomination.

(b) Yes, a broad range of recruitment activity may be accepted as evidence of having conducted labour market testing, including the use of social media channels such as LinkedIn, Facebook and Twitter.

(c) Yes, the 'nomination ceiling' of the number of nominations an approved sponsor may make has been removed for sponsorships approved after 14 February 2014, but each individual nomination must still be genuine and, where relevant, subject to labour market testing.

(4) Between 7 September 2013 and 13 May 2014, 70 labour agreements with Australian businesses were approved.

(5) No, for reasons of privacy and commercial sensitivity, as has been the policy under successive governments.
Australian Water Holdings Pty Ltd  
(Question No. 145)  

Mr Danby asked the Minister for Education, in writing, on 13 May 2014:

On (a) how many occasions, and (b) what date(s), has the Minister met with Australian Water Holdings Pty Ltd chief executive Mr Nick Di Girolamo, and can the Minister provide the nature of each meeting.

Mr Pyne: The answer to the honourable member's question is as follows:

(a) None
(b) Not applicable

Medicare Locals  
(Question No. 157)  

Mr Kelvin Thomson asked the Minister for Health, in writing, on 15 May 2014:

(1) Is it a fact that during the 2013 election campaign, the then Opposition Leader committed during a leaders debate, that "no Medicare Locals would be shut down".

(2) Does the Government intend to retain the Lower Murray Medicare Local.

(3) Is the Minister aware of the work of the Mildura band Lower Murray Medicare Local, which includes: (a) development of a Regional Care Coordination model to address local service gaps in the areas of autism and developmental disorders, movement disorders and pain management, (b) provision of support to 327 consumers through the autism and developmental disorders regional care coordination service, (c) development of a new pain management regional care coordination service that has engaged a pain management specialist to move to the region and a pain management coordinator to bring the service together, (d) provision of 24 additional supported Opioid Replacement Therapy program places, and (e) delivery of over 6,800 mental health services and 13,724 allied health services.

Mr Dutton: The answer to the honourable member's question is as follows:

(1) to (2) Prior to the 2013 election, the then Opposition announced the intention to undertake a Review of Medicare Locals. Following the election of the Abbott Government, I announced the Review of Medicare Locals (the Review) on 16 December 2013. Professor John Horvath AO was appointed to oversee the Review. The Review found that many patients continue to experience fragmented health care and identified a need for an organisation to link up the parts of the health system to improve outcomes and productivity. The Review found that Medicare Locals cannot fulfil this role in their current form.

Announcements in the 2014-15 Budget, included the Government's response to the Review. Accordingly, the Commonwealth will establish Primary Health Networks (PHNs) from 1 July 2015. PHNs will be fewer in number than Medicare Locals and will be aligned with Local Hospital Networks. They will be clinically and systems focused and work to improve frontline health care through primary, community and secondary sector integration.

The opportunity to operate PHNs will be available through an open and competitive Invitation to Apply later this year, and will be open to public and private organisations. The Lower Murray Medicare Local will have the opportunity to apply to become a PHN, should it wish to do so.

(3) (a) to (e) The Government is aware of the programmes that the Lower Murray Medicare Local delivers. The focus for 2014-15 is to maintain existing frontline services that meet community needs during this transition period.
Federally leased airports
(Question No. 163)

Mr Albanese asked the Minister for Infrastructure and Regional Development, in writing, on 26 May 2014:

Has he sought advice on changing community consultation arrangements around any federally leased airports?

Mr Truss: the answer to the honourable member’s question is as follows:

The Department of Infrastructure and Regional Development monitors the effectiveness of consultation arrangements at federally leased airports on an ongoing basis to ensure that communities are adequately represented and that the level of consultation meets local needs. I am advised that the community aviation consultation groups are working effectively and are considered appropriate by both the Department and by stakeholders. It is anticipated the community consultation arrangements will be reviewed in 2015 consistent with a recommendation made by the Productivity Commission in 2011.

I have also asked the Chair of the Sydney Airport Community Forum (SACF) to review the group’s current membership and terms of reference to ensure SACF remains an effective forum for community engagement on issues relating to the operation of Sydney Airport. I understand the Chair has circulated a discussion paper to SACF members seeking feedback by 30 June 2014.

Australian sheep exports
(Question No. 167)

Mr Kelvin Thomson asked the Minister for Agriculture, in writing, on 27 May 2014:

(1) Is he aware that one of the primary reasons for implementing the Exporter Supply Chain Assurance System (ESCAS) was to prevent the sale of Australian sheep in unregulated livestock markets due to the associated welfare repercussions; if so, why are Australian sheep still being sold in such markets in Jordan.

(2) Since systemic breaches of the ESCAS in Jordan were reported 12 months ago, what action has his department taken to ensure that Australian sheep exporters are operating within approved supply chains in Jordan.

Mr Joyce: The Minister for Agriculture has provided the following answer to the honourable member’s question:

(1) Yes. The department monitors compliance with the Exporter Supply Chain Assurance System (ESCAS) and where appropriate may take regulatory actions intended to promote compliance with ESCAS. Consignments of slaughter sheep exported to Jordan are subject to additional conditions which aim to strengthen control and traceability elements of exporters’ supply chains. The department continues to monitor, through independent performance audit reports and reconciliation information submitted by exporters, the ongoing performance of the supply chains in Jordan to determine what measures are appropriate to prevent, detect and manage unauthorised movement of sheep.

The regulatory framework for livestock exports is designed to minimise risk and provides a mechanism to deal with issues when they occur. It also provides stability for the industry, and the families and communities that depend on the trade.

(2) The department has required exporters to implement additional measures to manage the risks in the supply chain including:

(a) restrictions to supply chains
(b) increased supervision of livestock movement
(c) increased reporting and auditing

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(d) additional security at feedlots and abattoirs
(e) additional animal identification
(f) having supply chain officers in place

The department has released three reports about non-compliance with ESCAS requirements in Jordan. The reports include information on regulatory actions and are available on the department’s website:


Farm Finance Concessional Loans Scheme
(Question No. 170)

Mr Katter asked the Minister for Agriculture, in writing, on 27 May 2014:

In respect of the Farm Finance Concessional Loans Scheme, what sum has been issued (a) in total, and (b) to the cattle industry in the Mid-West and Gulf Country of Northern Queensland.

Mr Joyce:
The Minister for Agriculture has provided the following answer to the honourable member's question:

In respect of the Farm Finance Concessional Loans Scheme, as at 31 May 2014:
(a) the total value of approved loans in all jurisdictions is $115.54 million.
(b) the total value of approved loans in the cattle industry in the Mid-West and Gulf Country of Northern Queensland is $4.395 million*.

*This total includes any approved applications in the cattle industry in the following Local Government Areas:
- Barcaldine
- Barcoo
- Blackall-Tambo
- Boulia
- Diamantina
- Longreach
- Winton
- Burke
- Carpentaria
- Flinders
- Richmond
- Cloncurry
- McKinlay
- Mount Isa.
Shortland Electorate: Family Tax Benefit B
(Question No. 171)

Ms Hall asked the Minister for Social Services, in writing, on 27 May 2014:

How many families in the electoral division of Shortland will lose Family Tax Benefit B as result of the 2014 budget.

Mr Andrews: The answer to the honourable member's question is as follows:

To answer this question would require a significant diversion of departmental resources from other business priorities and regular operations.

Sri Lanka
(Question No. 174)

Ms Rowland asked the Minister for Foreign Affairs, in writing, on 3 June 2014:

In respect of the 16 international Tamil organisations, including the Australian Tamil Congress (ATC), recently listed as terror groups by the Sri Lankan Government, (a) why has the Australian Government not yet released a statement (i) condemning this list, and (ii) representing the concerns of its Tamil population, (b) what is the Australian Government doing to ensure that the (i) Australian Tamil community in Australia gains proper and beneficial information about the actions of the Sri Lankan Government, and (ii) ATC does not continue to be vilified by the Sri Lankan Government through its presence on the list, (c) why has the Australian Government not acted more publicically in stating that this list is not only contrary to future reconciliation, but also goes against the basic democratic right of freedom of speech, and (d) has the Australian Government analysed and scrutinised Sri Lanka’s justification for proscribing the ATC; if so, can the Australian Government state its policy position on this matter.

Ms Julie Bishop: The answer to the honourable member’s question is as follows:

(a) In a statement released to the media in April I made clear that the Australian Government does not consider the listings of the Tamil diaspora organisations referred to as conducive to reconciliation in Sri Lanka.

(b) The Sri Lankan Government listings do not affect Australia’s implementation of UNSC sanctions regimes, and do not constrain the freedom of the Australian Tamil Congress (ATC) or any other listed group or individual to express views and operate in Australia in accordance with Australian law. Australian Government officials have met with ATC representatives to discuss these concerns. I have also written to the ATC regarding this matter.

Australian Government officials have raised concerns about the impact of the listings on the Tamil diaspora in Australia with the Sri Lankan Government, both in Canberra and in Colombo.

Australian officials continue to seek clarification on the practical implications of the listings for individuals or members of listed groups under Sri Lankan law, which remain unclear. In addition, officials have sought advice on available processes for designated persons or entities to seek revocation of their listing.

Australia’s travel advice for Sri Lanka was updated on 9 April to highlight that the Prevention of Terrorism Act remains in place in Sri Lanka.

(c) See (a) above.

Australia strongly supports the right to freedom of expression.

(d) The Australian Government takes very seriously any listings by foreign governments pursuant to UN Security Council Resolution 1373. On the available information, however, the Australian Government does not consider there are any grounds to list the ATC under Australian law.
Australia has separately listed the Liberation Tigers of Tamil Eelam (LTTE) pursuant to our counter terrorism sanctions regime under the Charter of the United Nations Act 1945. It is a serious offence under Australian law to make assets (including funds) available to the LTTE, whether directly or indirectly, or to deal with LTTE assets.

NBN Co Limited
(Question No. 177)

Ms Rowland asked the Minister for Communications, in writing, on 5 June 2014:
When will Acacia Gardens in the electoral division of Greenway have access to the National Broadband Network?

Mr Turnbull: the answer to the member’s question is as follows:

Labor failed New South Wales in rolling out the NBN. Prior to the time of the last election, as at 2 September 2014, NBN Co had connected just 8,232 active brownfields users in New South Wales. In the following 8 months the Coalition Government has increased active NBN brownfields users in NSW by 3.5 times what Labor achieved in 6 years.

The Strategic review found that the fastest and most affordable way to deliver the NBN is to apply a mix of technologies based on their best fit with the infrastructure already in place. NBN Co is now making preparations to implement the Government’s directions. NBN Co’s review into the wireless and satellite programs has been completed and is available on its website.

The outcomes of these reviews will feed into the process of determining which areas of Australia will be serviced by which technology. Meanwhile, the Fibre to the Premises (FTTP) build is continuing and the areas where build has commenced or where services are available are listed on the NBN Co website.

Once these processes have been completed and NBN Co has stabilised the FTTP rollout, the company will be in a position to provide further details. NBN Co is currently working on a new rollout schedule which will indicate when different parts of Australia will be connected to the NBN. The Government expects this information will be released in the second half of this year.

Importantly, the Strategic Review found that most areas in the fixed line footprint that currently, across the area, have no or very low levels of broadband will receive an NBN Co service, on average two years earlier in the deployment.

NAPLAN Testing
(Question No. 178)

Ms Rowland asked the Minister for Education, in writing, on 4 June 2014:

Has the Government decided that from 2015, answers to the NAPLAN exams will be submitted online; if so, (a) is the Government aware that many public schools are currently unable to fulfil that policy decision due to the limited number of computers available, (b) what is the Government’s plan to ensure that (i) all schools are able to submit NAPLAN exams online, and (ii) the NAPLAN exam results of all students are treated fairly, (c) how does the Government plan to provide enough resources to public schools to ensure that students attending public schools are afforded the same opportunities as students attending private schools, and (d) if the Government is unable to provide improved computer capacity to public schools, what advice will it offer to reassure the parents of these students.

Mr Pyne: The answer to the honourable member’s question is as follows:

In December 2012, Australian Education Ministers through the Standing Council on School Education and Early Childhood (SCSEEC) agreed NAPLAN testing should transition from paper-based to online delivery and to 2016 as the provisional target implementation date. SCSEEC reaffirmed this commitment in April 2014.
Collaboration across jurisdictions and sectors with the input and support of our key national education agencies aims to ensure NAPLAN online will be successfully delivered including continuation of existing arrangements to ensure test results are treated fairly in respect to the security of information and test equity.

To achieve this, significant work is underway with states and territories collaborating with the Australian Government, Education Services Australia (ESA) and the Australian Curriculum, Assessment and Reporting Authority (ACARA) through the AEEYSOC Online Assessment Working Group, to plan for and identify implementation requirements. A key component of this work is analysis of local readiness issues to ensure all schools will be able to participate in NAPLAN online. These issues include the number of computers or devices in schools, capability of schools’ networks and bandwidth and the level of IT capability of school staff, amongst a range of other considerations. Any school readiness gaps identified in this work will enable decisions to be made about the best approach to introduce NAPLAN online. It is the responsibility of states and territories and non-government education authorities to ensure their schools are sufficiently resourced to deliver high quality, contemporary education which includes implementing the Australian Curriculum which is a fully online curriculum; communicating with parents and the school community online and will, in agreed timeframes, include participating in online assessment.

Education Ministers in August this year will consider a range of costed implementation options to deliver NAPLAN online, this will enable Ministers to make a decision on the agreed implementation arrangements with detailed knowledge of local readiness, technical and assessment requirements.

Medicare Locals
(Question No. 182)

Ms Claydon asked the Minister for Health, in writing, on 5 June 2014:

(1) Is it a fact that during the 2013 election campaign, the then Opposition Leader committed during a leaders debate, that "no Medicare Locals would be shut down".
(2) Does the Government intend to retain the Hunter Medicare Local.
(3) Is the Minister aware of the work of the Hunter Medicare Local, which includes: (a) delivery of the General Practitioner Access After Hours Program which has delivered after hours care for the Newcastle and Hunter communities for the last 10 years, (b) being a lead site for the Government's Personally Controlled Electronic Health Record initiative, (c) delivery of the Partners in Recovery program with a consortium of local service providers to provide support and care to people residing in the Hunter living with severe and persistent mental illness and complex needs, (d) improving Aboriginal health outcomes through providing services such as Self-Identification, Cultural Awareness Training and 715 Health Checks, and (e) providing a full suite of holistic health services available to young people aged 12 to 25 through headspace Newcastle.

Mr Dutton: The answer to the honourable member's question is as follows:

(1) to (2) Prior to the 2013 election, the then Opposition announced the intention to undertake a Review of Medicare Locals. Following the election of the Abbott Government, I announced the Review of Medicare Locals (the Review) on 16 December 2013. Professor John Horvath AO was appointed to oversee the Review. The Review found that many patients continue to experience fragmented health care and identified a need for an organisation to link up the parts of the health system to improve outcomes and productivity. The Review found that Medicare Locals cannot fulfil this role in their current form.

Announcements in the 2014-15 Budget, included the Government's response to the Review. Accordingly, the Commonwealth will establish Primary Health Networks (PHNs) from 1 July 2015. PHNs will be fewer in number than Medicare Locals and will be aligned with Local Hospital Networks.
They will be clinically and systems focused and work to improve frontline health care through primary, community and secondary sector integration.

The opportunity to operate PHNs will be available through an open and competitive Invitation to Apply later this year, and will be open to public and private organisations. The Hunter Medicare Local will have the opportunity to apply to become a PHN, should it wish to do so.

(3) (a) to (c) The Government is aware of the programmes that the Hunter Medicare Local delivers. The focus for 2014-15 is to maintain existing frontline services that meet community needs during this transition period.

**Mother Language Day**

(Question No. 184)

**Ms Rowland** asked the Minister for Social Services, in writing, on 16 June 2014:

What measures are the Government taking to support Mother Language Day on 21 February.

**Mr Andrews:** The answer to the honourable member's question is as follows:

The Government has no measures in place to support Mother Language Day.

The Government remains committed to Harmony Day which celebrates all aspects of the success of our multicultural society.

**Pecuniary Interests: Defence**

(Question No. 185)

**Mr Kelvin Thomson** asked the Minister representing the Minister for Defence, in writing, on 16 June 2014:

(1) Is there a requirement for a register of pecuniary interests for senior officers in the Minister's department who provide advice on Defence equipment purchases costing billions of dollars; if not, why not.

(2) Is there a record of what largesse is provided to senior Defence personnel by Defence contractors.

(3) Are there any restrictions on Defence personnel who leave the services getting jobs with Defence contractors, for whom they may have provided advice favouring that contractor's product.

(4) What arrangements exist to ensure probity in Defence equipment contracts and tendering.

**Ms Julie Bishop:** the Minister for Defence has provided the following answer to the honourable member's question:

(1) and (2) Yes.

(3) Yes. Conditions governing the post-separation employment of Defence personnel, both military and civilian, are shown below.

- Where post-separation employment could result in an actual or perceived conflict of interest, Defence personnel must inform Defence management before accepting the offer and notify their prospective employer of their conflict of interest disclosure obligations to Defence.
- There is a specific documented notification procedure, with more stringent requirements for Star ranked and Senior Executive Service officers as well as personnel who have a significant role in procurement decisions.
- The Chief of the Defence Force, the Secretary and the Chief Executive Officer Defence Materiel Organisation, as appropriate, in consultation with the relevant Service Chief, assess the likelihood and extent of actual or perceived conflict of interest and impose control measures accordingly.

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**QUESTIONS IN WRITING**
While members and employees remain with Defence, these measures may include the allocation of alternative duties, reduced information flow or access restrictions on the employee, consideration of leave provisions prior to separation, or review of access to specific information with relevance to the employee’s future employment.

Other measures include a requirement for a Statutory Declaration on separation, confirming the employee’s understanding of their obligations not to disclose or improperly use sensitive information or to participate in specific activities with the future employer.

Defence may also impose restrictions on the future employer, including instructing the employer not to employ the Defence employee on specific Defence-related activities for a defined time period or a potential company exclusion from consideration for specific contracts or activities should it employ the Defence member in a related area of work.

The time frame for any restriction is determined case by case by the relevant authority.

(4) The Department monitors and manages the probity risk in all procurements, mitigating risks through:

- observance of the Commonwealth Procurement Rules and template Conditions of Tender which regulate the procurement process in accordance with Commonwealth practice;
- executing procurements in accordance with policy guidance as set out in the Defence Procurement and Policy Manual;
- extensive use of probity plans and team briefings, conflict of interest protocols, control of sensitive information arising from procurement planning and tender evaluations, sound record keeping, formal risk assessment methodologies; use of both internal and external (generally the Australian Government Solicitor) probity advisers in accordance with Department of Finance policy on Ethics and Probit in Procurement; and
- consultation with internal legal and procurement specialists.

### Primary Health Networks

**Question No. 186**

Ms Burke asked the Minister for Health, in writing, on 16 June 2014:

1. Is it the Government’s intent to allow private industry to tender for the Primary Health Networks (PHNs) that will replace the current 61 Medicare locals closing on 1 July 2015.

2. If private health insurers or equivalent organisations are successful in tendering to operate the new PHNs, how will the Government ensure that (a) insured patients in networks operated by a private insurer are not given preferential treatment to the advantage of private industry and the detriment of vulnerable populations, and (b) uninsured patients will receive the services they require and are not disadvantaged.

3. Will the Government be liaising with state health departments on the selection of PHNs, including the number of PHNs and how the boundaries will be determined, particularly in Victoria.

**Mr Dutton:** The answer to the honourable member's question is as follows:

1. Yes.

2. Specific detail and arrangements on how Primary Health Networks (PHN) will operate will be available through the Invitation to Apply selection process, as is appropriate for probity.

3. My department is currently meeting with each jurisdiction to discuss the establishment of PHNs, including proposed boundaries. However, the Australian Government will make the final decision on PHN numbers and boundaries.
Building Multicultural Communities Program
(Question No. 189)

Ms Rowland asked the Minister for Social Services, in writing, on 18 June 2014:

Why has the Coptic Orthodox Church of South Australia not received $10,000 of Stream One funding from the Building Multicultural Communities Program, and when will it receive this sum.

Mr Andrews: The answer to the honourable member's question is as follows:

As a funding agreement for the Coptic Orthodox Church of South Australia was not executed prior to the commencement of the Government's review of discretionary grant spending on 4 October 2013, this grant is not proceeding. All organisations affected by the reduction in the scope of this programme were advised of the status of their grants in mid-December 2013.

National Commission of Audit
(Question No. 191)

Mr Kelvin Thomson asked the Minister representing the Minister for Finance, in writing, on 19 June 2014:

What was the total cost of the National Commission of Audit?

Mr Hockey: The Minister for Finance has supplied the following answer to the honourable member's question:

The Commission of Audit was provided with a budget of $1 million. As at 30 June 2014 expenditure totalled $687,858.54.

The following table provides a breakdown.

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Meat Exports
(Question No. 200)

Mr Zappia asked the Minister for Trade and Investment, in writing, on 26 June:

Have any representations been received concerning risks to Australia's meat or live exports arising from the Government's comments on East Jerusalem.

Mr Robb: The answer to the honourable member's question is as follows:
Yes, one letter. The government has clarified that there has been no change in the Australian Government's position on the legal status of the Palestinian Territories, including East Jerusalem.

Anti-Dumping Commission
(Question No. 201)

Mr Zappia asked the Minister for Industry, in writing, on 26 June 2014:

How many cases of alleged dumping of overseas products have been referred to the Anti-Dumping Commission, and of those, how many a) have been investigated, and b) are under investigation.

Mr Ian Macfarlane: The answer to the honourable Member's question is as follows:
From establishment on 1 July 2013 to 30 June 2014, the Anti-Dumping Commission received 49 applications¹ in the approved form for anti-dumping or countervailing measures. Of those:
a. 28 investigations were initiated during 2013/14
b. 27 cases were under investigation as at 30 June 2014.

¹ The number of applications are counted by commodity, case type and country, consistent with the WTO's statistical methodology.

East West Link
(Question No. 204)

Mr Kelvin Thomson asked the Assistant Minister for Infrastructure and Regional Development, in writing, on 8 July 2014:

Further to his answer to question in writing No. 114 (House Hansard, 19 June 2014, page 121), will the design of the successful tenderer be subject to a full Environment Effects Statement process before it is signed off on.

Mr Briggs: The answer to the honourable member's question is as follows:
The planning approvals process for the Eastern section of the East West Link has already been undertaken under the Victorian Major Transport Projects Facilitation Act 2009 and includes the necessary assessment and approvals for the project to proceed.

Employment
(Question No. 205)

Mr Kelvin Thomson asked the Minister representing the Minister for Employment, in writing, on 8 July 2014:

In respect of (a) a media report 'Yarra Trams offers foreigners lucrative tram depot jobs' by Annika Smethurst (Herald Sun, 25 June 2014, 9 pm), (b) Tech Staff's online job advertisement in the United
Kingdom for a Depot Manager at Yarra Trams in Melbourne (http://jobview.monster.co.uk/Tram-Driver-Depot-Manager-Job-Melbourne-VIC-AU-135756117.aspx?WT.mc_n=sk_feed_indeed_UK), and (c) the 'Live in Victoria' website which advertises employment opportunities to prospective overseas workers, (i) what checks and balances does the Minister's department undertake to ensure that Australian job opportunities and vacancies are advertised and offered to Australians before they are advertised to overseas workers, and (ii) will the Minister encourage these companies to advertise employment opportunities in Australia instead of overseas given that unemployment in Australia remains at 5.8 per cent, or are there no suitable Australians available for such employment opportunities.

**Mr Pyne:** The Minister for Employment has provided the following answer to the honourable Member's question:

(i) The Department of Employment provides advice to the Department of Immigration and Border Protection on labour market and workplace relations issues associated with the policy settings for the temporary work skilled (Subclass 457) and related programmes.

Under migration law, the Department of Employment does not have a role in the assessment of individual Subclass 457 visa applications or in checking advertising of related vacancies.

(ii) The Government fully supports the principle that Australian workers have priority and that the Subclass 457 programme should merely supplement domestic workforce planning initiatives where there is no Australian ready, willing and able to perform duties.

**Budget**

*(Question No. 207)*

**Mr Kelvin Thomson** asked the Minister representing the Minister for Employment, in writing, on 8 July 2014:

Will the cuts to the Newstart Allowance, childcare rebates and Disability Support payments, and the introduction of a General Practitioner $7 co-payment and the increased education costs for young people, combined with the high skilled migration program, increase or decrease employment opportunities for Australians.

**Mr Pyne:** The Minister for Employment has provided the following answer to the honourable Member’s question:

The 2014–15 Budget measures are designed to increase participation in the workforce, including by moving more Australians from welfare into the workforce.

It is noted that under the previous term of Government, the unemployment rate increased from 4.4 per cent in November 2007 to 5.7 per cent in September 2013.

**Food and Beverage Manufacturing Businesses**

*(Question No. 217)*

**Mr Zappia** asked the Minister for Industry, in writing, on 14 July 2014:

1. Since 7 September 2014, how many food processing businesses have (a) closed, and (b) opened.
2. How many food processing businesses were operating in Australia as at 30 June 2014.

**Mr Ian Macfarlane:** The answer to the honourable member's question is as follows:

1. The Australian Bureau of Statistics (ABS) reports on business entries and exits, rather than openings and closings. A business exit does not necessarily equate to a business 'failure'. A business is considered to have entered the market when it registers for an ABN and has a GST role allocated. A business is considered to have exited the market when the ABN or GST role has been cancelled and/or the business has ceased to remit GST for at least five consecutive quarters.
According to the ABS, in the period June 2012 to June 2013: (a) 1,724 food and beverage manufacturing businesses exited; and (b) 1,142 food and beverage manufacturing businesses entered, the Australian market.

(2) According to the ABS, 12,606 food and beverage manufacturing businesses were operating in Australia as at June 2013.

Note: The answers to your question were sourced from ABS Counts of Australian Businesses, including entries and exits, June 2009 to June 2013, Catalogue Number 8165.0. Statistics are not available for the periods specified in your question, since statistics in catalogue 8165.0 are reported on a financial year basis. The answers provided reflect the most recent ABS statistics available, that is, as at June 2013. Statistics for 2013–14 Financial Year will likely be reported in early 2015.

Accountants
(Question No. 227)

Mr Kelvin Thomson asked the Minister representing the Minister for Employment, in writing, on 14 July 2014:

(1) What is the current number of unemployed persons who list accounting as their field of expertise.

(2) What information can the Minister provide concerning the level of (a) employment, (b) under-employment, and (c) unemployment among recent accounting graduates.

(3) Is it correct that the Department of Employment wanted accounting to be removed from the list of ‘in demand’ occupations for skilled migrants.

(4) Is it a fact that the Department of Employment believes there is a surplus of accountants, deteriorating outcomes and relatively low pay rates for Bachelor of Accounting graduates and weak employment outcomes for Master of Accounting graduates.

(5) Is the Minister aware of research by Professor Suzanne Ryan from Newcastle Business School, that there is a ‘considerable surplus’ of international accounting graduates from Australian universities, that international students who remain in Australia after they complete their course have ‘great trouble’ getting entry-level accounting jobs, and that the number of applicants per job is the highest of any profession tracked by the Department of Employment.

(6) Will the Minister review the Government’s decision to keep accounting on the list of ‘in demand’ occupations for skilled migrants.

Mr Pyne: The Minister for Employment has provided the following answer to the honourable Member’s question:

(1) According to the Australian Bureau of Statistics, in May 2013 (latest available data) there were approximately 8,700 people who were unemployed and who listed Accounting as the main field of study for their highest educational qualification.

(2) Graduate Careers Australia provides data concerning the destinations of Australian resident graduates. The latest available information shows that in 2013, 77.4 per cent of 2012 accounting bachelor degree graduates who were available for full-time work were in full-time employment four months after graduation and 22.6 per cent were seeking full-time work (comprising 12.2 per cent who were not working and seeking full-time employment and 10.4 per cent who were working part-time but were seeking full-time work).

Graduate Careers Australia data show that about 55 per cent of bachelor degree graduates who were employed full-time in 2013 worked as accountants, 14 per cent as clerical and administrative workers, 9 per cent as auditors, company secretaries and corporate treasurers and 3 per cent as sales workers.

The Graduate Careers Australia data also show that 61.7 per cent of masters graduates in accounting who were available for full-time work were employed full-time.
(3) – (4) The Department of Employment was one of a number of organisations which made a submission to the Australian Workforce and Productivity Agency in late 2013, as part of that agency’s deliberations prior to its annual advice to the Australian Government on the Skilled Occupation List for migration.


(5) The Department of Employment assesses the labour market for many skilled occupations and monitors commentary and information from a wide range of organisations and researchers.

(6) Portfolio responsibility for the Skilled Occupation List rests with the Minister for Immigration and Border Protection.

Commonwealth Cleaning Services Guidelines
(Question No. 230)

Mr Brendan O’Connor asked the Minister representing the Minister for Employment, in writing, on 14 July 2014:

(1) How many contracts are covered by the Commonwealth Cleaning Services Guidelines 2012, and on what date does each contract expire.

(2) How many cleaners on current contracts are covered by the Commonwealth Cleaning Services Guidelines 2012.

(3) What is the process for transitioning workers away from the revoked Commonwealth Cleaning Services Guidelines 2012.

Mr Pyne: The Minister for Employment has provided the following answer to the honourable member's question:

(1) There have been about 25 to 30 contracts covered by the Commonwealth Cleaning Services Guidelines (Guidelines) since their commencement on 1 January 2012. Details of the contracts, including expiry dates, are managed by individual contracting agencies.

(2) Details of individual cleaning contracts, including the number of cleaners employed, are the responsibility of individual agencies. However, the Department of Employment has contacted a sample of agencies with Australian Government Cleaning Services Contracts.

Based on this sample, there may be several hundred cleaners doing work associated with the relevant contracts. It is estimated that, in total, there are over 100,000 employees in the Australian cleaning industry, therefore the Commonwealth Cleaning Guidelines applied to less than 1 per cent of cleaners in Australia.

(3) All existing contractual arrangements, including contracts between agencies and cleaning providers and contracts between providers and their employees, will remain in place until they expire or are renegotiated. After these contracts expire, cleaning companies and their employees will have the flexibility to negotiate above award wages and other conditions through enterprise bargaining. The Cleaning Services Award 2010 and the National Employment Standards will continue to be the safety net of wages and conditions for all cleaners covered by the national workplace relations system. It is noted that agencies continue to have the flexibility to engage providers that pay above award wages and there were at least 65 such contracts in place prior to the commencement of the Guidelines.
Lygon Distributors Pty Ltd  
(Question No. 232)

Mr Kelvin Thomson asked the Minister representing the Assistant Treasurer, upon notice, on 14 July 2014:

(1) What action will the Minister take to ensure that outstanding superannuation entitlements are paid to employees of the failed company Lygon Distributors Pty Ltd.

(2) Will the Australian Securities and Investments Commission investigate allegations by the liquidator of Lygon Distributors Pty Ltd, Bolwell Kelson Advisory, that a director may have traded this company while insolvent.

Mr Hockey: The acting Assistant Treasurer has provided the following answer to the Honourable Member’s question:

(1) The Minister does not have any power to ensure that the outstanding superannuation entitlements of a company in liquidation, such as Lygon Distributors Pty Ltd, are paid to employees.

(2) ASIC has advised that on the information currently available to it regarding the failure of Lygon Distributors Pty Ltd (the company), there is not sufficient grounds at this time for ASIC to take regulatory action. ASIC will consider any allegations that it receives from the liquidators of the company, as well as any other reports of alleged misconduct that it may receive from a person or company affected by the company’s failure, to determine whether there are sufficient grounds for ASIC to reconsider its decision.

Armidale Regional Airport Upgrade
(Question No. 237)

Ms Collins asked the Minister for Infrastructure and Regional Development, in writing, on 15 July 2014:

In respect of the $3.5 million of funding for the Armidale Regional Airport upgrade, (a) can he (i) explain, and (ii) provide, his correspondence with the Department of Finance on this matter, and (b) was any analysis undertaken to assess the need for this upgrade; if not, why not; if so, can he provide it.

Mr Truss: The answer to the honourable member's question is as follows:

(a) There is no correspondence.

(b) The Armidale Dumaresq Council initially developed a Master Plan for the Armidale Regional Airport in 2003 and an in house review of the Master Plan commenced in March 2014.

A draft of the Armidale Regional Airport Master Plan 2014 is at Attachment A.

Attachment A is available at the House of Representatives Table Office

The Housing and Hearing Taskforce
(Question No. 239)

Mr Burke asked the Minister representing the Minister for Finance, in writing, on 16 July 2014:

In respect of the Housing and Hearing Taskforce, (a) when was it set up, (b) what activities is it undertaking, and (c) in respect of staffing,
(i) what is the total number,
(ii) what is the breakdown (by work level), and
(iii) are any external.

Mr Hockey: The Minister for Finance has supplied the following answer to the honourable member's question:

(a) The 2014-15 Budget provided the Department of Finance with funding for the scoping studies from 1 July 2014. The Housing and Hearing Taskforce was fully staffed as at 16 July 2014;

(b) The Taskforce will investigate the future ownership options for Defence Housing Australia and Australian Hearing Services by working closely with business and legal advisers, relevant entities and other relevant Commonwealth agencies to assess the capability and competition in the market and provide recommendations to the Government regarding the most efficient and effective way of delivering those services to the public in the future; and

(c) In respect of staffing, as at 16 July 2014, the Housing and Hearing Taskforce had a total number of eight staff consisting of 1 x SES 1, 2 x EL2, 3 x EL1, 1 x APS6 and 1 x APS5. All are current Finance employees.

Defence Expenditure by Electorate
(Question No.241)

Ms Brodtmann asked the Minister representing the Minister for Defence, in writing, on 17 July 2014:

To ask the Minister representing the Minister for Defence—For each electoral division from 1 July 2013 to 30 June 2014, and as contained in the Defence Expenditure by Electorate year to date first quarter for 2013-14 within the Chief Finance Officer Group, what was the financial expenditure for (a) Military Employee Expenses, (b) Civilian Employee Expenses, (c) Facilities—Capital, (d) Facilities—Operating, (e) Grants, (f) Major Capital Equipment, and (g) Supplier Expenses.

Ms Julie Bishop: The Minister for Defence has provided the following answer to the honourable member’s question:

Defence expenditure by electorate for the period 1 July 2013 to 30 June 2014 is at Attachment A.

Defence’s 2013-14 financial statements have not yet been finalised and accordingly, the expenditure by electorate could change. It is expected that any change would not be significant.

The total spend by electorate does not represent all Defence expenditure as it excludes certain items such as payments to overseas suppliers and superannuation.

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<th>CIVILIAN EMPLOYEE EXPENSES $,000</th>
<th>FACILITIES CAPITAL $,000</th>
<th>FACILITIES OPERATING $,000</th>
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**Questions in Writing**
Tuesday, 26 August 2014

8674

HOUSE OF REPRESENTATIVES

Mayor South Australia 2013-14 22,621 437 - 29 - 652 1,362 69,181
McEwen Victoria 2013-14 68,558 9,550 15,713 75 96 227 1,182 55,402
McMahon New South Wales 2013-14 0 0 - 4 - 1,625 5,071 6,705
McMillan Victoria 2013-14 572 - 26 - 4 14,447 14,670
Mepham Queensland 2013-14 615 42 - 24 - 262 2,526 4,070
Melbourne Victoria 2013-14 19,244 71,864 - 52,092 2 13,598 277,492 414,292
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Mitchell New South Wales 2013-14 1 93 - 186 - 4,240 3,829 8,349
Moncreeff Queensland 2013-14 851 - - 10 - 29 3,931 4,920
Moore Western Australia 2013-14 520 0 - 23 - 12 403 563
Moreton Queensland 2013-14 11 - - 2,717 - 51,244 11,909 65,881
Murray Victoria 2013-14 1,238 2,864 - 42 - 156 736 3,053
Newcastle New South Wales 2013-14 229,797 32,908 428 23,696 18 2,781 86,066 375,694
O'Connor Western Australia 2013-14 141 - - 1 10 55 207
Oxley Queensland 2013-14 90 0 - 34 - 229 18,193 18,427
Page New South Wales 2013-14 3,372 127 - 6 - 13 964 4,482
Parkes New South Wales 2013-14 284 45 - 10 - - 441 780
Parramatta New South Wales 2013-14 11,195 1,414 - 4,160 27 6,665 6,974 30,433
Petersen New South Wales 2013-14 2,129 9,327 301 83 - 570 30,395 43,006
Perceval Western Australia 2013-14 32,475 2,930 423 335 - 11 5,094 40,095
Perth Western Australia 2013-14 2,979 56 - 14,224 - 196 113,873 131,329
Petrie Queensland 2013-14 11 - - 9 - 180 623 822
Port Adelaide South Australia 2013-14 3,971 9,811 - 7,425 22 552,314 476,701 1,050,444
Rankin Queensland 2013-14 1 2 - 16,463 97 - 46 999 37,607
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Richmond New South Wales 2013-14 639 0 - 2 - 5 339 563
Riverina New South Wales 2013-14 110,361 6,590 45 694 47 4 2,524 120,265
Robertson New South Wales 2013-14 693 2 - 221 63,918 64,744
Ryan Queensland 2013-14 218,011 17,254 134,598 439 - 241 7,116 597,656
Scullin Victoria 2013-14 1 - - 27 - 122 599 549
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Wakefield South Australia 2013-14 281,551 783,932 18,188 23,000 - 56,638 231,891 809,200
Wannon Victoria 2013-14 105 - - 5 - 2 98 210
Warringah New South 2013-14 20,376 735 13,065 3,870 - 2,006 8,797 49,750

QUESTIONS IN WRITING
Mr Zappia asked the Minister representing the Minister for Defence, in writing, on 17 July 2014:

(1) What sum was saved in awarding the tender for fawn and black industrial footwear to the winning bidder over Rossi Boots.

(2) Was there any scope within the procurement rules to have considered the economic benefits from a locally manufactured product; if so, what weighting or consideration, if any, was applied.

Ms Julie Bishop: The Minister for Defence has provided the following answer to the honourable member’s question:

(1) On 27 June 2014, the Commonwealth awarded a contract, for a five-year term, to Amare Safety Pty Ltd for the supply of up to 25,000 pairs of the Fawn Industrial Protective Footwear at an approximate cost of $3.49 million including Goods and Service Tax. Amare Safety Pty Ltd is a Victorian company located in Mulgrave who will be supplying a Commercial Off-The-Shelf ‘Steel Blue’ branded boot that is supplied by the Australian company who manufactures in Indonesia.

Rossiter’s Pty Ltd tendered two boots that were found to be less technically compliant against the preferred tenderers’ submission. One boot was in the range of 10 to 20 percent more expensive and the other 20 to 30 percent more expensive.

At this time, only the tender for the Fawn Industrial Protective Footware has been finalised.

(2) Defence always seeks to acquire a quality Australian product that offers equal, or superior, performance at a price that represents value for money in accordance with the Commonwealth Procurement Rules. An example of this is the recent contract awarded to R.M Williams located in Adelaide, South Australia, who completed the supply of 23,000 parade boots for the Army.

The tender for the Industrial Protective Footwear has been conducted and complies with the Commonwealth Procurement Rules and is in accordance with Clause 5.3 “Non-Discrimination” which stipulates that “all potential suppliers to Government must, subject to these CPRs, be treated equitably based on their commercial, legal, technical and financial abilities and not be discriminated against due to their size, degree of foreign affiliation or ownership, location, or the origin of their goods and services”.

Ms Ryan asked the Minister for Health, in writing, on 17 July 2014:
(1) Is it a fact that during the 2013 election campaign, the then Opposition Leader committed during a leaders debate, that "no Medicare Locals would be shut down".

(2) Does the Government intend to retain the South Western Melbourne Medicare Local.

(3) Is he aware of the work of the South Western Melbourne Medicare Local, which includes (a) supporting Aboriginal and Torres Strait Islander people with chronic disease, (b) implementing the Medicare Local After Hours program, (c) assisting healthcare professionals and the community for eHealth readiness, (d) working with local hospitals, private allied health, community health and other organisations providing mental health services, to improve access to and communication between healthcare professionals, (e) supporting clinicians and their teams through training, education and access to resources, and (f) partnering with the Department of Health, neighbouring Medicare Locals and specialised refugee services to ensure a coordinated approach to primary medical and other care for refugees settling across the region.

(4) Can he guarantee that no jobs will be lost at the South Western Melbourne Medicare Local as a result of decisions made by the Government

Mr Dutton: The answer to the honourable member's question is as follows:

(1) to (2) Prior to the 2013 election, the then Opposition announced the intention to undertake a Review of Medicare Locals. Following the election of the Abbott Government, I announced the Review of Medicare Locals (the Review) on 16 December 2013. Professor John Horvath AO was appointed to oversee the Review. The Review found that many patients continue to experience fragmented health care and identified a need for an organisation to link up the parts of the health system to improve outcomes and productivity. The Review found that Medicare Locals cannot fulfil this role in their current form.

Announcements in the 2014-15 Budget, included the Government's response to the Review. Accordingly, the Commonwealth will establish Primary Health Networks (PHNs) from 1 July 2015. PHNs will be fewer in number than Medicare Locals and will be aligned with Local Hospital Networks. They will be clinically and systems focused and work to improve frontline health care through primary, community and secondary sector integration.

The opportunity to operate PHNs will be available through an open and competitive Invitation to Apply later this year, and will be open to public and private organisations. As the South Western Melbourne Medicare Local is an independent company, they will have the opportunity to apply to become a PHN, should they wish to do so.

(3) (a) to (f) The Government is aware of the programmes that the South Western Melbourne Medicare Local delivers. The focus for 2014-15 is on maintaining existing frontline services that meet community needs.

(4) Each Medicare Local is responsible for its own business decisions regarding staffing and service continuity.